



Administrative Action Group Housing Development

City of Raleigh
Development Plans Review Center
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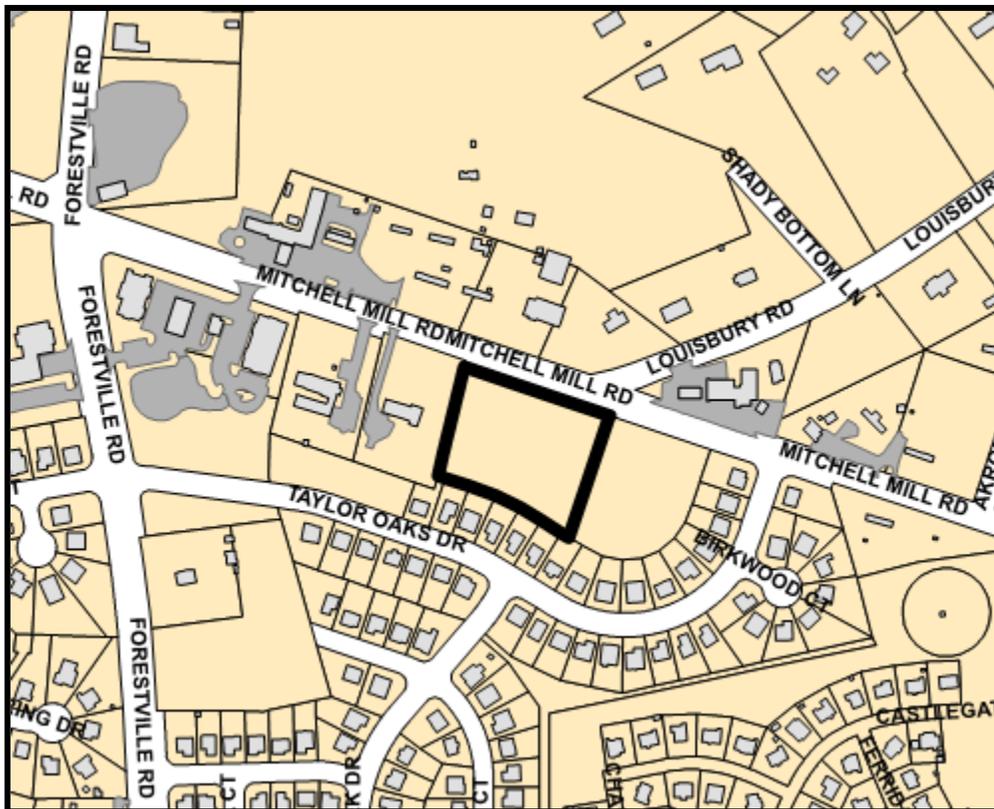
Case File / Name: GH-7-13 / Park Place Apartments

General Location: South side of Mitchell Mill Road, east of Forestville Road.

CAC: Forestville

Nature of Case: The construction of 2 apartment buildings comprised of 20 dwelling units on a 2.06 acre parcel zoned Shopping Center Conditional Use and Office and Institution-1 Conditional Use, located inside the city limits.

Contact: Matt Lowder – Triangle Site Design



Site Location Map

SUBJECT: GH-7-13 / Park Place Apartments

CROSS-REFERENCE: Z-73-2000, Z-47-2001

LOCATION: This site is located on the south side of Mitchell Mill Road, east of Forestville Road.

REQUEST: The construction of 2 apartment buildings comprised of 20 dwelling units on a 2.06 acre parcel zoned Shopping Center Conditional Use and Office and Institution-1 Conditional Use, located inside the city limits.

OFFICIAL ACTION: **Approval with conditions**

CONDITIONS OF APPROVAL:

Prior to issuance of a grading permit, final site review permit, infrastructure drawings or concurrent review for the site:

- (1) That a stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved by the Stormwater Engineer in compliance with Part 10 Chapter 9, including the designation of buffer areas and open space areas for stormwater purposes prior to grading or the approval of construction drawings, whichever event comes first;
- (2) That a nitrogen offset payment must be made to a qualifying mitigation bank

Prior to issuance of building permits:

- (3) That prior to issuance of building permits the developer will make a contribution of twenty-four percent (24%) of the initial construction cost of all stormwater control device(s) to the City in accordance with City Code 10-9027;
- (4) A plat of all tree conservation areas must be recorded at the Wake County Register of Deeds office and the book and map reference must be provided to the City Forestry Specialist;

Prior to issuance of occupancy permits:

- (5) That all public improvements required in front of this site for Mitchell Mill Road for this project are accepted for maintenance by the Public Works Department;

I hereby certify this administrative decision.

Signed:

(Planning Dir.)



Date:

2-14-14

Staff Coordinator: Stan Wingo

FINDINGS: City Administration finds that this request, with the above conditions being met, conforms to Chapter 2, Part 10, Sections 10-2035 and 2041, Section 10-2103 and Chapter 3, Part 10, Sections 10-3001--3074. This approval is based on a preliminary plan dated 1/16/14, owned by Park Place Apartments, LLC, submitted by Matt Lowder – Triangle Site Design.

ZONING:

**ZONING
DISTRICTS:**

Z-73-2000 Office and Institution-1 Conditional Use, Z-47-2001 Shopping Center Conditional Use

Z-73-00 Mitchell Mill Road, south side, east of Forestville Road, being Wake County PIN's 1747 66 0285, 1747 56 8279 and 1747 56 7305. Approximately 3.5 acres rezoned to Office & Institution-1 Conditional Use.

Conditions: (07/25/00)

A. Upon development, the rate of stormwater runoff from the property will comply with CR-7107 of the Raleigh Planning Commission.

B. Reimbursement for future right-of-way dedications shall be based on R-4 zoning.

C. At the time of initial site plan, recombination, or subdivision approval, an offer of reciprocal cross-access will be made among the properties being requested (PINs 1747 66 0285, 1747 56 8279, and 1747 56 7305) and to the abutting properties to the east and south (PIN 1747 04 54 7704), currently Forestville Ventures LLC, and the west (PIN 1747 56 3417), Ernest L. and Nola lee.

D. Buildings shall have a maximum height of 38 feet and not more than two occupied stories.

E. The eastern-most lot (Parcel 0285) shall contain a minimum six-foot high closed fence along the rear and east sides, adjacent to Tax Parcel 1747.04 54 7704 (Forestville Ventures LLC).

F. Floor area ratios for each or all of these three lots will not exceed .50.

G. The two western-most lots (Parcels 8279 and 7305) shall provide minimum natural protective yards of 50 feet extending from the rear property line abutting Tax Parcel 1747.04 54 7704 (and 1747 56 8027 on some maps).

H. New buildings will be designed with an exterior primarily consisting of wood or wood-like siding, or brick, and have pitched roofs (3:12 minimum). Windows will be a minimum of 15% and a maximum of 60% of the front and rear elevations.

I. On site lighting will be in accordance with City Code. Lighting will face away from contiguous residential parcels. On-site lighting will not cause an illumination of more than 4/10 foot candle at the property line. Outside transitional protective yards, no pole will be more than 15 feet in height.

J. All signage will complement the architectural style of existing and proposed buildings with regard to scale, color, and texture, and will comply with City codes and ordinances.

Z-47-01 Mitchell Mill Road, south side, east of Forestville Road, being Wake County PIN 1747.66-2190. Approximately 2.7 acres rezoned to Shopping Center Conditional Use.

Conditions dated: (02/27/02)

- a. Reimbursement for future right-of-way dedication shall be based on R-2 zoning.
- b. Uses shall be limited to those allowed within the Neighborhood Business zoning district, except the following uses, which shall be prohibited:
 1. Auto service and/or repair facility,
 2. Bar, nightclub, tavern, lounge, adult establishment,
 3. Landfill (debris from onsite),
 4. Parking lot, deck, garage including motor pool,
 5. Emergency shelter Type B,
 6. Telecommunications tower,
 7. Airfield, landing strip, and heliport,
 8. Riding stable,
 9. Correctional/penal facility,
 10. Outdoor stadium, outdoor theater, or outdoor racetrack,
 11. Carwash,
 12. Businesses of any kind with a drive-through, except banks, drug stores, dry cleaners, ice cream store, or doughnut store.
- c. No buildings will be more than two stories, or 25 feet, in height.
- d. At the time of initial site plan approval, recombination, or subdivision approval, an offer of reciprocal pedestrian and vehicular cross-access will be made to the abutting property to the west (PIN 1747 66 0285), currently owned by James E. Shearin, and the property to the south (PIN 1747 54 6698) owned by Crossman Communities of N.C., Inc.
- e. A minimum 25-foot streetyard will be provided and maintained along Mitchell Mill Road for new development, planted to SHOD-4 standards.
- f. All refuse containers and mechanical equipment will be fully screened from public view and the adjacent properties, and the screening will be of a design and materials compatible with those of the principal building.
- g. New buildings will be residential in scale and character, designed with an exterior primarily consisting of wood or wood-like siding, or brick; and have pitched roofs (6:12 minimum), with all elevations displaying the same quality of design and materials. No buildings shall be constructed with vinyl or metal siding. At the time of initial site plan approval or subdivision, whichever shall first occur, unity of development criteria shall be established assuring complimentary architectural style, addressing construction materials, color scheme, roof materials, and landscaping for buildings.
- h. Maximum building lot coverage shall not exceed 20% for one story structures, and 15% for structures of two stories.
- i. There will be no more than 10 residential dwelling units per acre on this site.

- j. Any free-standing signs on the property will be low-profile designs.
- k. At the time of initial site plan approval, the property owners shall make available to the City and easement for a transit stop measuring fifteen (15') feet by twenty (20') feet at a mutually agreeable location along Mitchell Mill Road.
- l. The front yard setback between any buildings and Mitchell Mill Road shall not exceed 25 feet and no parking shall be permitted in this area.
- m. The facades or any buildings located 25 feet or less from Mitchell Mill Road shall face the street and have at least one entrance on the street side with a sidewalk connection to the public sidewalk in the right-of-way.
- n. Where there is a conflict between the approval processes described in the Shopping Center zoning district and the Neighborhood Business zoning district, the more restrictive approval process shall apply.
- o. Initial site plans for all non-residential uses shall require review of the Raleigh Planning Commission as in the same manner as set forth in Raleigh City Code Section 10-2132.
- p. In order to encourage vertical and horizontal mixed use in the Wake Crossroads area, no retail use shall exceed 16,000 square feet except that any retail use may increase its square footage on a 1:1 ratio with non-retail land uses (i.e. retail land uses may add one square for every square foot on non-retail land use under common ownership or located on the same site at the time of development). For purposes of this section, "non-retail land uses" are defined as office uses, institutional uses, residential uses, personal service retail uses (including personal service and beauty shops, nail/manicure services, and barber shops in addition to the code definition) and all other uses not designated as "retail sales" uses in the Table of Permitted Uses, Section 10-2071 of the City of Raleigh zoning code. No more than 20,000 square feet of retail land uses shall be permitted on this site.
- q. The pedestrian-friendly streetscape in the Wake Crossroads area shall include the following elements: (1) upon development, plantings meeting the requirements of a SHOD-4 shall be installed along thoroughfares, (2) sidewalks shall be a minimum of 5 feet in width, (3) the area where public sidewalks cross private driveway accesses shall be constructed of the same material as the sidewalk (subject to approval of the material by the Raleigh Department of Transportation), and (4) sidewalks shall connect main entrances to the public sidewalk located in the right-of-way.
- r. At the time of site plan approval, recombination or subdivision approval, whichever shall occur first, that a north-south pedestrian connection (minimum of 5 feet in width) with streetscape improvements from Mitchell Mill Road south to PIN 1747 54 6698, along property PIN 1747 66 0285, will be provided. A building with public entrance shall front the pedestrian connection.

DEVELOPMENT

DENSITY: 20 dwelling units on 2.061 acres is equivalent to 9.7 dwelling units per acre and 0.29 FAR.

SETBACKS /

HEIGHT: Setbacks from public streets and property lines conform to Section 10-2103(b).

Front setbacks are shown at 25 feet per zoning conditions. Proposed side setbacks are 25 feet, with rear setbacks shown at 160 feet. Building-to-building setbacks are shown in accordance with Sec. 10-2103(b). The proposed building height is 27'

PHASING: This will be constructed in 1 phase.

OPEN SPACE: Open space conforms to minimum requirements. 10 % or .20 acres required, 62% or 1.27 acres provided, based on the open space standards of 10-2103(d).

PARKING: Off-street parking conforms to minimum requirements: 44 spaces required, based on 2 parking spaces per 2-bedroom units and 2.5 parking spaces per 3-bedroom units. 44 parking spaces are provided.

LANDSCAPING: Street yard landscaping in conformity with Section 10-2082.5 is shown. Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. Landscape areas for tree planting are a minimum of 350 square feet per tree in area, and have a minimum dimension of 7 feet. This is a medium residential density impact use under Section 10-2082.9. The proposed use is adjacent to low residential density and a Type D Transitional Protective Yard is required, and has been provided.

TREE CONSERVATION: This development is required 10% or .21 acres for tree conservation. There is not sufficient area to qualify for tree conservation. This project has dedicated .086 acre which is broken into:
Secondary: 0.086

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

THOROUGHFARE / COLLECTOR PLAN:

Dedication of right-of-way and construction of the following streets are required by the Thoroughfare and Collector Street Plan:

Street	ROW	Construct	Slope Esmt.
Mitchell Mill Road	½ of 90'	5' Sidewalk	20'

That a fee in lieu for the remaining roadway improvements, curb and gutter on Mitchell Mill Road has been paid by this developer in conjunction with the adjacent for Family dollar. .

TRANSIT: The proposed development requires a 15x20 transit easement per zoning conditions. This easement has been provided.

URBAN FORM: The site is located within the North CAC area, and is designated Neighborhood Mixed Use on the future land use map. This category encompasses retail and office uses, as well as residential development up to 28 units per acre.

Staff has reviewed the site plan and finds this plan in compliance with the Comprehensive Plan and the following policies:

Policy LU 4.5 - Connectivity
Policy LU 5.6 - Buffering Requirements
Policy LU 6.1 - Composition of Mixed Use Centers
Policy LU 6.2 - Complementary Use and Urban Vitality
Policy LU 8.1 - Housing Variety
Policy T 5.10 - Building Orientation
Policy APWC 3 - Wake Crossroads Buffer Land Uses
Policy APWC 4 - Wake Crossroads Streetscapes
Policy APWC 5 - Wake Crossroads Pedestrian Amenities
Policy APWC 6 - Wake Crossroads Building Orientation
Policy APWC 8 - Wake Crossroads Parking Design

**SUBDIVISION
STANDARDS:**

BLOCK LAYOUT: The proposed street layout conforms to City Code, providing for efficient circulation of traffic within the entire neighborhood area. The maximum block length in this development meets the 1500-foot standard as noted in the Streets, Sidewalk and Driveway Access Manual. No dead end street in this development exceeds 800 feet in length.

PUBLIC UTILITIES: City water and sewer services are available. The subdivider is responsible for installation of all lines necessary to provide service to this site.

SOLID WASTE: Service to be provided by a private contractor.

CIRCULATION: Proposed street improvements shall conform to normal City construction standards.

PEDESTRIAN: The construction of a 5' sidewalk is required along Mitchell Mill Road. Private sidewalks connect building entrances to the public sidewalks along Mitchell Mill Road.

FLOOD HAZARD: There are no flood hazard areas on this site.

**STORMWATER
MANAGEMENT:** This site is subject to stormwater management controls in accordance with Chapter 9 of Part 10 of the Raleigh City Code. Proposed stormwater control measures are a dry detention pond for quantity and a buy down for quality.

**WETLANDS
/ RIPARIAN
BUFFERS:** No wetland areas or Neuse River riparian buffers are required on this site.

STREET NAMES: New street names have been approved.

**OTHER
REGULATIONS:** Developer shall meet all City requirements, including underground utility service (§10-3059), flood protection measures (Part 10, Chapter 4), and the soil erosion ordinance (Part 10, Chapter 5), unless specifically varied by this approval.

SUNSET DATES: If significant construction has not taken place on a project after preliminary subdivision approval, that approval may "sunset" and be declared void, requiring re-approval by City Council before permits may be issued. To avoid allowing this preliminary approval to "sunset", the following must take place by the following dates:

3-Year Sunset Date: 2/14/2017

Submit a final site plan and valid building permit application for the total area of the project, or a phase of the project.

5-Year Sunset Date: 2/14/2019

Complete construction of entire development.

WHAT NEXT?:

- MEET ALL CONDITIONS OF APPROVAL.
- COMPLETE CONSTRUCTION DRAWINGS FOR ANY PUBLIC IMPROVEMENTS Streets, Utility lines to be owned and maintained by the City. and submit them to the Development Plans Review Center for approval.
- HAVE A REGISTERED SURVEYOR PREPARE FINAL PLATS FOR RECORDING. These also must be submitted to the Development Plans Review Center for authorization signature prior to recording with the Wake County Register of Deeds.
- MEET THE REQUIREMENTS OF THE SUNSET THRESHOLDS AS NOTED ABOVE.

**FACILITY FEES
REIMBURSEMENT :**

If oversized street construction takes place, or greenway or oversized public street right-of-way is conveyed to the public, the owner is responsible for application to the City for reimbursement allowed by Code. Reimbursement takes place twice a year in January and July; a written request must be filed with the Planning Department for greenway and street right-of-way; and in the Engineering Department for street construction; by the first working day in November and May each year.