



Certified Action of the City of Raleigh Planning Commission

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

Case File / Name: GH-9-13 / Meridian at Sutton Square

General Location: Located northwest of Spring Forest Road west of its intersection with Falls of Neuse Road.

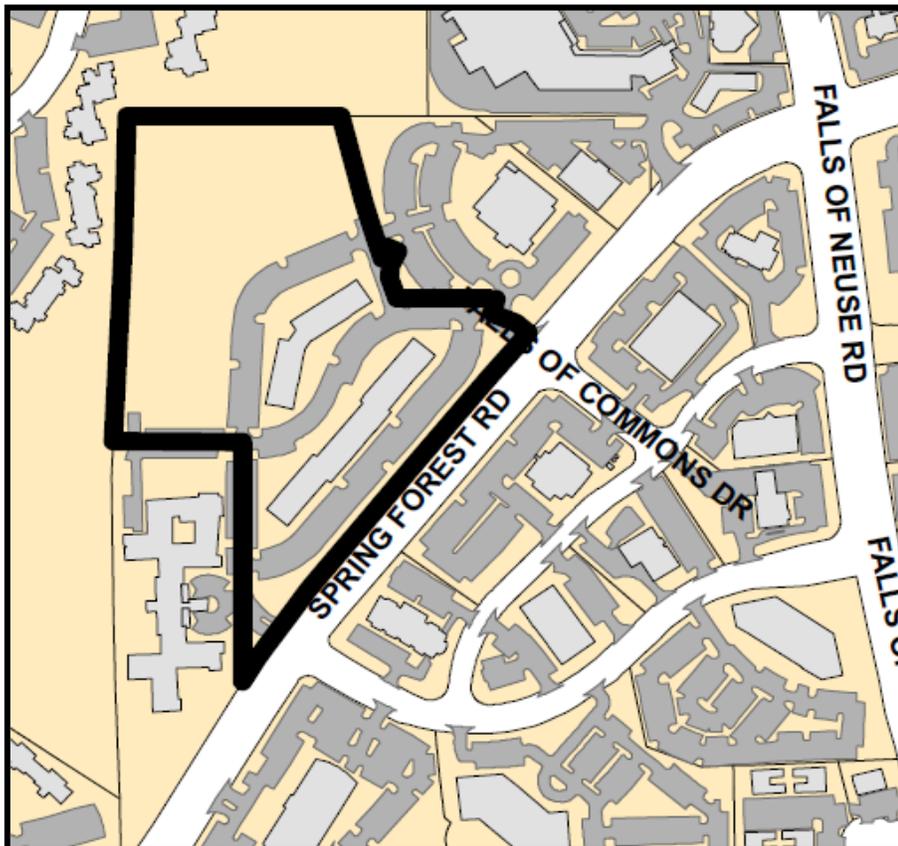
Owner: CN Investors
Designer: Bass, Nixon and Kennedy Inc.

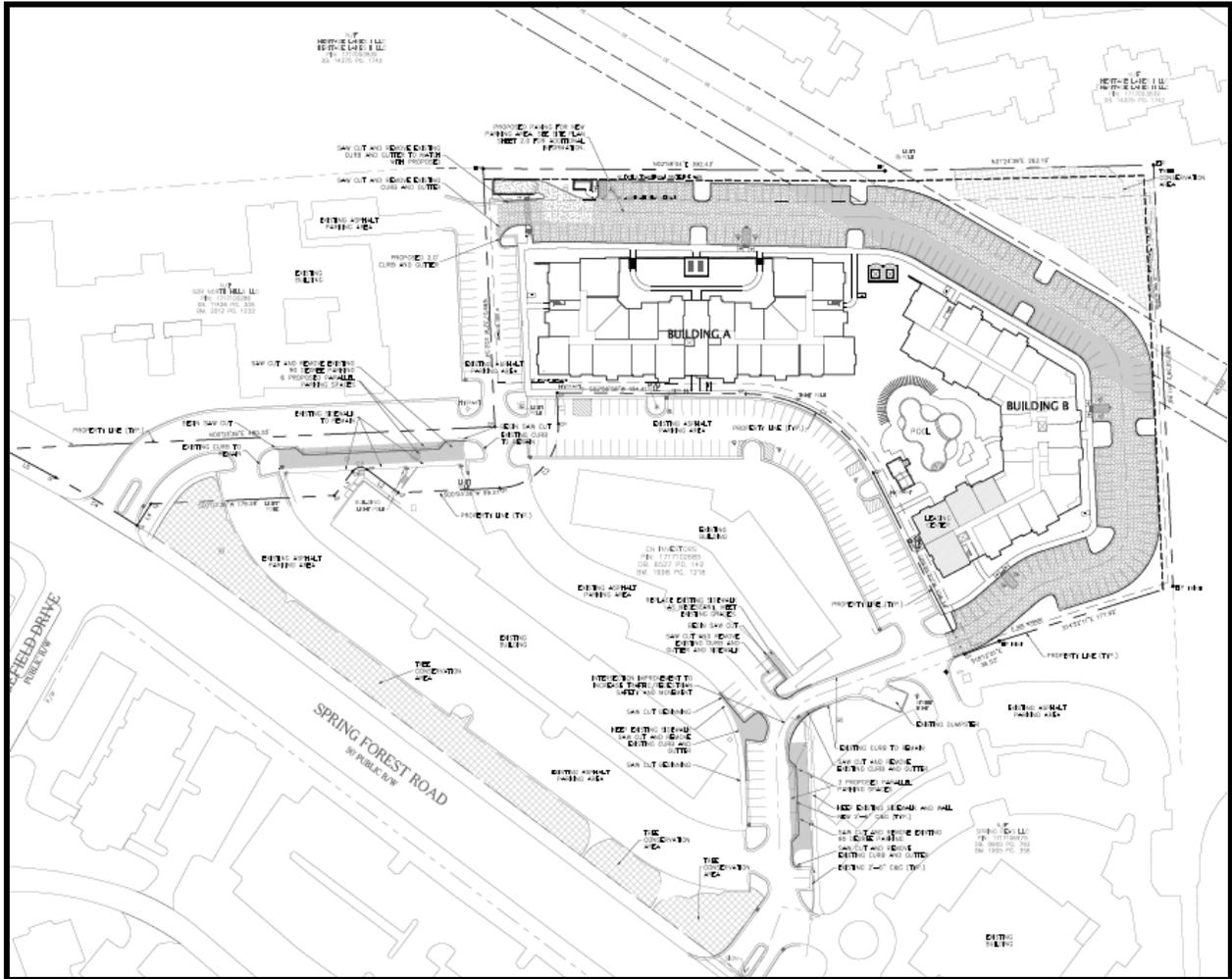
CAC: North

Nature of Case: Construction of two multifamily buildings totaling 188 dwelling units on a 5.44 acre property zoned Office and Institution-1 Conditional Use and Office and Institution-2 Conditional Use. The development as proposed would be greater than 15 units per acre, therefore requiring Planning Commission approval.

Key Issues: As presented, staff finds that this plan conforms to Code standards and adopted land use policies. However, building setbacks as shown on the plans require approval from the Planning Commission per Code Section 10-2036(d)(2).

Contact: David Dunn, BNK





SUBJECT: GH-9-13 / Meridian at Sutton Square

**CROSS-
REFERENCE:** S-44-13; Z-31-12

LOCATION: Located northwest of Spring Forest Road west of its intersection with Falls of Neuse Road inside the City limits.

PIN: 1717102685

REQUEST: Construction of two multifamily buildings totaling 188 dwelling units on a 5.44 acre site zoned Office and Institution-1 Conditional Use and Office and Institution-2 Conditional Use. The development as proposed would be greater than 15 units per acre, therefore requiring Planning Commission approval. The proposed multifamily buildings are entirely located in the Office and Institution-2 Conditional Use district. This site is proposed lot 2 of subdivision case S-44-13 which has been administratively approved and shall be recorded prior to building permit issuance.

OFFICIAL ACTION: Approval with conditions

**CONDITIONS OF
APPROVAL:** As noted on the Staff Report, attached

FINDINGS: The Planning Commission finds that, with the following conditions of approval being met, this request conforms to Chapter 2, Part 10, Sections 10-2035, 10-2036, 10-2103 and 10-2132.2 and to Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 12/20/13, owned by CN Investors, submitted by David Dunn.

**ADDITIONAL
NOTES:** This plan was submitted prior to September 1, 2013 and is therefore not subject to the regulations of the Unified Development Ordinance.

**VARIANCES /
ALTERNATES:** N/A

To PC: February 25, 2014

Case History: N/A

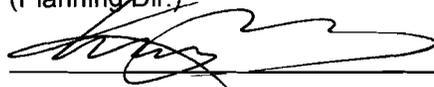
Staff Coordinator: Stan Wingo

Motion: Schuster
Second: Buxton
In Favor: Braun, Buxton, Fleming, Fluhrer, Schuster, Sterling-Lewis, Swink and Whitsett
Opposed: Terando

Excused: xxxxx

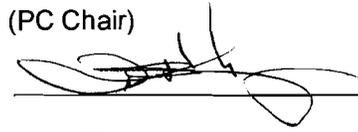
This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the Staff Report attached.

Signatures: (Planning Dir.)



date: 2/25/14

(PC Chair)



date: 2/25/14



Staff Report

**RECOMMENDED
ACTION:** Approval with Conditions

**CONDITIONS OF
APPROVAL:** Planning Commission Actions:

- (1) That the Planning Commission finds that this site plan meets the standards for approval of Code Section 10-2132.2(d);
- (2) That the Planning Commission approves the proposed minimum front yard setbacks along the southern property line a minimum 10' setback in accordance with code section 10-2036(d)(2);

Administrative Actions:

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

- (3) 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;
- (4) That a nitrogen offset payment must be made to a qualifying mitigation bank;
- (5) That in accordance with Code Section 10-2081(c)(3)(a) written verification is provided to City Staff that the shared parking lot (DB06527 PG0142; Pin # 1717102685) is to provide parking for the development and the developer agrees in writing that if the off-site parking is no longer provided and no equivalent parking is provided, the property owner will discontinue the principle use or provide required off-street parking;
- (6) That a final tree conservation plan with permit be approved by the Forestry Specialist. The plan must show metes and bounds descriptions of all tree conservation areas, and tree protection fence around all tree conservation areas. Tree protection fence must be located in the field and inspected by the Forestry Specialist;

Prior to issuance of building permits::

- (7) That all conditions of approval of subdivision case S-44-13 be met including recordation of lots and all required easements and that copies of the recorded plats and easement agreements be provided to the Planning Department prior to building permit issuance;

- (8) That the final site plan show conformance with all zoning conditions of Z-31-12;
- (9) That construction drawings are approved by the Public Works and Public Utilities Departments;
- (10) That all stormwater control measures and means of transporting stormwater runoff to and from any nitrogen and stormwater runoff control measures shall be shown on all plats for recording as private drainage easements and the plats shall contain the following note: "All private storm drainage easements & stormwater measures will be maintained by the owner. The private drainage easements shall tie to the public right of way. A copy of the recorded plat showing these drainage easements shall be provided to the City prior to building permit issuance;
- (11) That the developer shall pay to the City a stormwater facility replacement fund payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans;
- (12) That a tree conservation map be recorded with metes and bounds at the Wake County Register of Deeds showing the designated Tree Conservation Areas and shall be in compliance with Section 10-2082.14;
- (13) That street names for this development be approved by the City of Raleigh and by Wake County;

ZONING:

**ZONING
DISTRICTS:**

Office and Institution-2 Conditional Use (Z-31-12), small portion Office and Institution-1 Conditional Use.

Z-31-12 – Spring Forest Road, Conditional Use District – located on Spring Forest Road north side, west of Falls of Neuse Road, being a portion of Wake County PIN 1717-10-2685. Approximately 4.83 acres rezoned from O&I-1 Conditional Use District to O&I-2 Conditional Use District.

Conditions Dated: 11/14/12

Narrative of conditions being requested:

For purposes of the following conditions, the portion of PIN 1717-10-2685 proposed for rezoning is referred to as the "Property."

1) Vehicular ingress and egress to the Property from Spring Forest Road shall be limited to a maximum of two (2) vehicular access points. Safe and convenient vehicular access shall be provided from Spring Forest Road to the building or buildings constructed upon the Property. A sidewalk a minimum of five (5) feet in width shall be provided from Spring Forest Road to the Property with a clearly marked pedestrian crossing at each crossing of a driveway or other hardscape area. ***Plan complies.***

2) Bicycle racks will be provided at a minimum of two (2) locations on the Property with the location and number of the racks to be determined at the time of site plan approval. **Racks shown on plans.**

3) All free-standing exterior lighting will utilize full cut-off fixtures. **Lighting plan complies.**

4) Prohibited Uses: Cemetery **Use is residential, N/A.**

5) Any office development upon the Property shall be limited to a Floor Area Ratio (FAR) of 0.75. **Use is residential, N/A**

6) Safe and convenient pedestrian access shall be provided which shall connect the main entrances of buildings upon the Property to parking areas and to adjacent parcels. Such access shall be provided by sidewalks or clearly marked pedestrian crossings of hardscape areas, each having a width of at least five (5) feet. **Sidewalks meet this condition, and are shown on plans.**

7) Upon development, an offer of vehicular and pedestrian cross-access shall be provided to parcels PIN 1717-10-0286 (owner: SZR North Hills LLC; deed recorded at Book 11426, Page 309, Wake County Registry), 1717-10-6975 (owner: Spring Peas LLC; deed recorded at Book 8900, Page 792, Wake County Registry), and the remaining portion of PIN 1717-10-2685 (owner: CN Investors; deed recorded at Book 6527, Page 142, Wake County Registry) or evidence of existing such cross-access shall be provided to the City. **Cross access is shown on plans and will be recorded in conjunction with previously approved subdivision.**

8) While the building or buildings constructed upon the Property might not directly face Spring Forest Road, they will be oriented generally toward such road. Upon development, a plan for the sharing of parking with uses upon the remaining portion of parcel PIN 1717-10-2685 (owner: CN Investors; deed recorded at Book 6527, Page 142, Wake County Registry) shall be submitted to the City for approval and shall be implemented following approval. No new parking constructed upon the Property shall be located between any building now existing on parcel PIN 1717-10-2685 (owner: CN Investors; deed recorded at Book 6527, Page 142, Wake County Registry) and any building constructed upon the Property generally facing Spring Forest Road (i.e. the side of the building generally facing Spring Forest Road). **Plan shows shared parking, and complies with condition.**

9) At least fifty percent (50%) of the roofs of buildings upon the Property, as determined by roof area, shall be pitched and the minimum pitch shall be 4:12. **Roof pitch as conditioned is shown on plans.**

10) The height of any building constructed upon the Property shall not exceed 65 feet. **Building height does not exceed this maximum.**

11) At least twenty-five percent (25%) of each building side (excluding windows and doors) of any building constructed upon the Property shall be constructed of brick or masonry. **Building materials comply with this condition.**

DEVELOPMENT

DENSITY: 188 dwelling units on 5.44 acres is equivalent to 34.5 dwelling units per acre. All of the multifamily dwellings are proposed in the O&I-2 district.

SETBACKS / HEIGHT: Setbacks from public streets and property lines conform to Section 10-2103(b). The minimum setback from public streets conforms to code standards. Private outdoor living areas maintain a min. 40' separation if parallel to each other or oriented at less than a 45-degree angle. Vehicular surface areas other than individual driveways are no less than 5' to a building wall. Building-to-building setbacks are shown in accordance with Sec. 10-2103(b). However, this plan requires Planning Commission approval for all minimum setback standards. Plans show: front setback as 10', side setbacks a minimum of 45' and rear setback as 85'. Dwellings to be constructed in O&I-2 zoning districts require Residential-30 setbacks unless otherwise approved by Planning Commission. Front setback does not conform to Residential-30 setbacks and requires approval by the Planning Commission; otherwise all other minimum setbacks conform to Code section 10-2075. This plan conforms to maximum height standards in this zoning district of 65' (Z-31-12). Proposed height of the building is 54'.

OPEN SPACE: Open space conforms to minimum requirements. 34% or 1.88 acres required, 34% or 1.88 acres provided, based on the open space standards of 10-2103(d).

PARKING: Off-street parking conforms to minimum requirements: Development proposes 115 one-bedroom units, 65 two-bedroom units and 8 three-bedroom units which would require a total of 307 parking spaces. 210 parking spaces are shown, with an additional 97 shared parking spaces provided through a shared parking agreement with the adjacent property. The shared parking agreement with the adjacent parcel is to be recorded prior to lot recordation with subdivision S-44-13.

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. Proposed development is considered a High Density Residential Use; which requires a Type D Transitional Protective Yard. Transitional protective yards are shown in compliance with City standards in the following locations:

<u>Location</u>	<u>Yard type required</u>	<u>Width proposed</u>
Northern Property Line	Type D	10'
Eastern Property Line	Type D	10'

TREE CONSERVATION: Tree conservation areas have been established with the subdivision creating this parcel providing 0.34 acre as secondary tree conservation on this site.

OTHER GROUP HOUSING STANDARDS: Private dead-end streets exceeding 150 feet provide turnarounds with a minimum interior curb radius of 30 feet. Fire hydrants, loop water system and fire truck access meet the standards of 10-2103(g). The main circulation route through this site meets private street standards. Sidewalks are shown to be provided from the main entrance of each dwelling unit and from all recreation facilities to the public sidewalk system.

PHASING: There is one phase in this development.

**UNITY OF
DEVELOPMENT:** N/A

**COMPREHENSIVE
PLAN:**

GREENWAY: There is no greenway on this site.

**THOROUGHFARE
/ COLLECTOR
PLAN:**

No dedication of right-of-way or construction is required by the Thoroughfare and Collector Street Plan.

TRANSIT: This site is not presently served the existing transit system. However the CAT Short Range Transit Plan and the Wake County 2040 Transit Study anticipate service along Spring Forest Road. A transit easement is not required with this development.

**COMPREHENSIVE
PLAN:**

The site is located within North CAC, in an area designated Office and Residential Mixed Use on the Future Land Use Map.

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

- LU 2.2 – Compact Development
- LU 6.1 – Composition of Mixed Use Center
- LU 6.2 – Complementary Uses and Urban Vitality
- LU 8.11 – Development of Vacant Sites
- T 6.6 – Parking Connectivity
- PU 1.1 – Linking Growth and Infrastructure
- UD 3.9 – Parking Lot Design

**HISTORIC /
DISTRICTS:**

The existing building is not a designated Historic Structure. This site is not located in or adjacent to a designated Historic District.

**APPEARANCE
COMMISSION:**

The Appearance Commission reviewed this proposal on August 1st, 2013 and had the following comments:

- The Commission suggests that the applicant consider re-orienting the “front” of Building A to the south instead of the north. ***Applicant takes this comment into consideration moving forward.***
- The Commission suggests the addition of architectural features to bring hierarchy and emphasis to the building entries, both primary and secondary of both buildings. ***Applicant takes this comment into consideration moving forward.***
- The Commission suggests that retaining walls, utility building, and transformer screening be composed of brick in keeping with building

materials. ***Applicant takes this comment into consideration moving forward.***

- The Commission encourages the preservation of existing trees in southern parking area. ***Applicant takes this comment into consideration moving forward.***
 - The Commission suggests that bio retention areas be designed as an amenity ***Bio-retention will not be used, N/A.***
 - The Commission suggests the addition of a walkway and additional connectivity between buildings. ***Applicant has incorporated this into plans.***
 - The Commission commends the inclusion of shared parking in this project, and the inclusion of density at a reasonable scale for the context.
-

**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 developer is responsible for installation of all lines necessary to provide service to this site.

SOLID WASTE: Solid Waste Service will be provided by private contractor.

CIRCULATION: Proposed street improvements shall conform to normal City construction standards. This development will utilize a private street to access Spring Forest Road. Site circulation conforms to zoning conditions of Z-31-12 in regard to access and provision of cross access easements and shared parking. As a condition of approval of S-44-13 the cross access and shared parking agreements shall be recorded prior to lot recordation.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. Sidewalks will provide a connection to the Spring Forest Road right-of-way.

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 shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual. This site will utilize permeable pavement and a TN offset payment to meet stormwater quality regulations. The permeable pavement and 3 underground detention systems will be used to meet stormwater quantity regulations.

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

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.