

City of Raleigh, NC
Development Plans Review Center
P.O. Box 590, Raleigh, NC 27602
Telephone: (919) 996-2626 Fax: (919) 516-2684
www.raleighnc.gov

OFFICIAL NOTICE
OF PRELIMINARY PLAN DECISION

TO: Davis Development; The John R. McAdams Company, Inc.
PROJECT: The Avenues II
FILE NUMBER: GH-13-13
ADMINISTRATIVE ACTION: Approval with Conditions
DATE OF ACTION: May 6, 2014
COORDINATING PLANNER: Meade Bradshaw
DATE OF LETTER: May 7, 2014

ACTION OF CITY ADMINISTRATION :

City Administration finds that this request, with the above conditions being met, conforms to Chapter 2, Part 10, Sections 10-2036, 10-2059, 10-2103 Chapter 3, Part 10, Sections 10-3001-3071-3074 and applicable parts of Part 10A of the Unified Development Ordinance.

This approval is based on a preliminary plan dated 4/3/14, owned by Heath Hawkins Davis Development, submitted by McAdams Company.

See the attached sheets (AA# 3185) for conditions of approval.

LAND DISTURBANCE:

No land disturbance activity may occur unless permits have been obtained. Please contact the Stormwater Engineer in the Public Works Department for grading permits and Zoning Plans Review Specialist in the Inspections Department for tree removal permits, if applicable.

SUNSET DATES :

If significant activity has not taken place on a project after preliminary site plan approval, that approval may "sunset" and be declared void, requiring re-approval, 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: 05/06/2017

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

5-Year Sunset Date: 05/06/2019

Complete construction of entire development.

Please do not hesitate to call the planner coordinating the review of your project if you are unsure of how to satisfy conditions, or if you have any other questions about this preliminary plan.



Administrative Action Group Housing Development

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27602
(919) 996-2626
www.raleighnc.gov

Case File / Name: GH-13-13 / The Avenues II

General Location: Located on Ratchford Drive, east of the intersection of Atlantic Avenue

CAC: Atlantic

Nature of Case: The construction of 294 multifamily units on 20.57 acres zoned Office & Institutional-2 with Special Highway Overlay District-2, located inside the city limits.

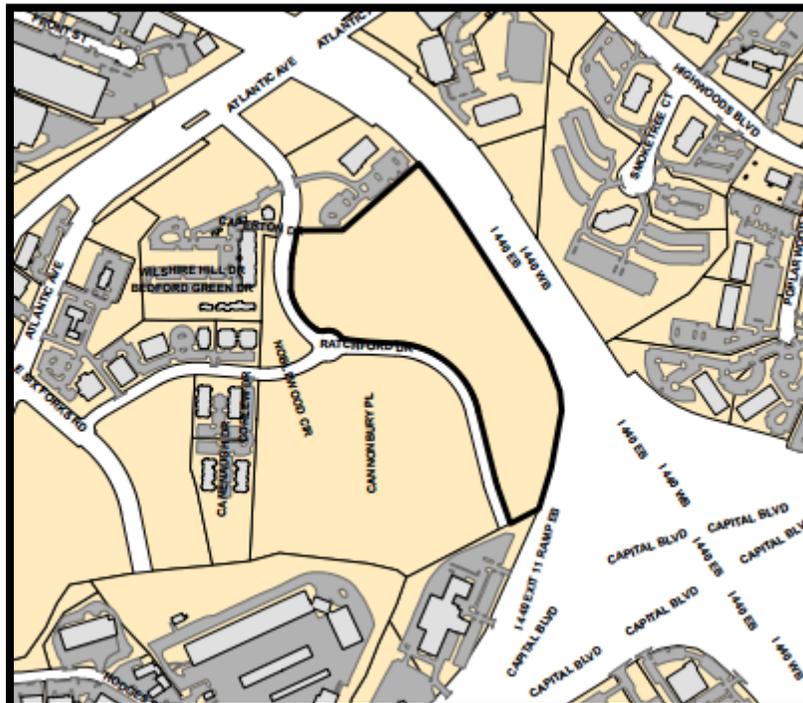
Design Adjustment: A Design Adjustments have been approved by the Public Works Director for this project, noted below.

1. A Design Adjustment from not meeting Article 8.3.2.A – Block Perimeters was approved by the Public Works Director.
2. A Design Adjustment from not meeting Article 8.5.1.G - Street Design was approved by the Public Works Director.

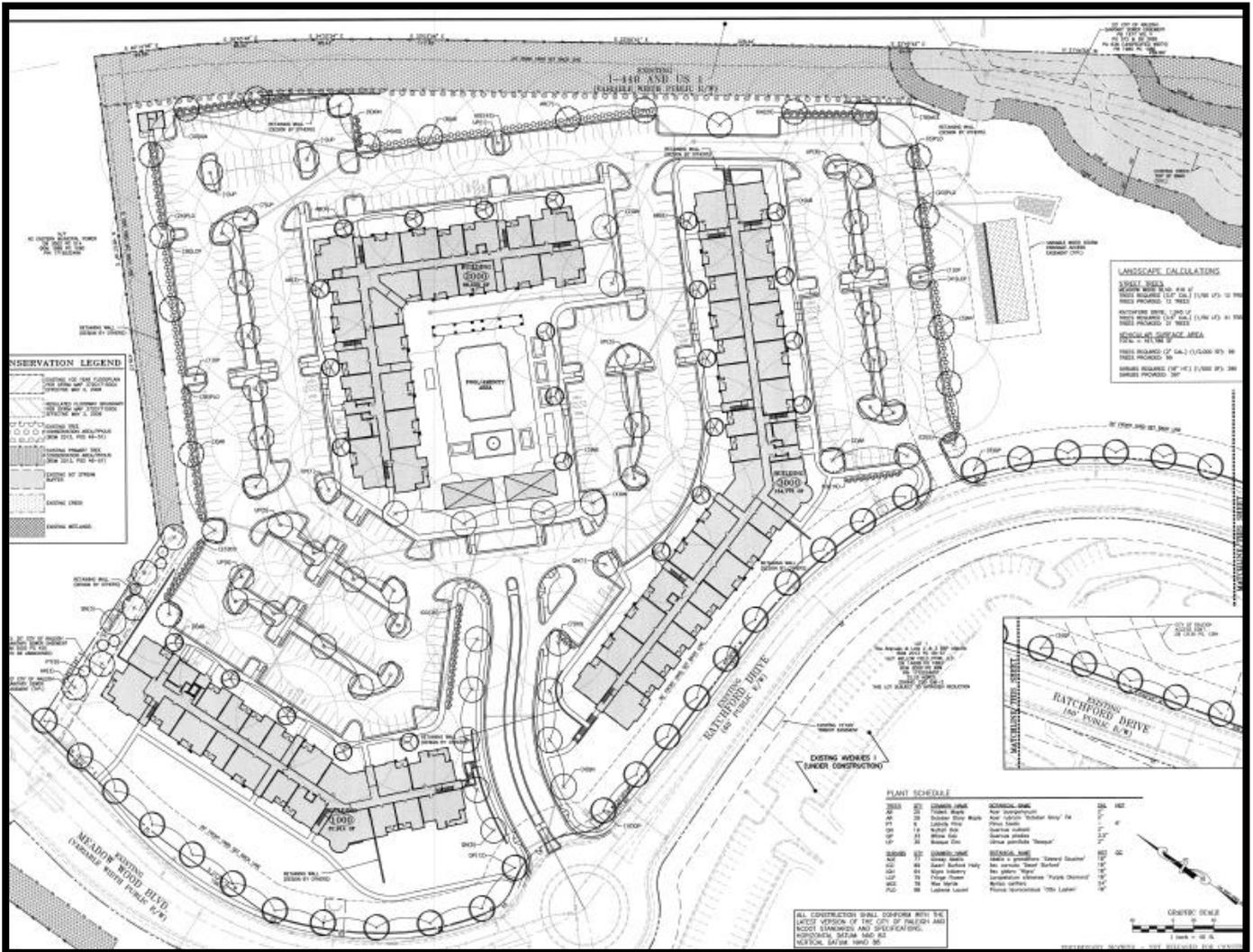
Administrative Alternate: N/A

Cross-Reference: Z-3-06

Contact: Jeremy Finch, McAdams Company



GH-13-13 / The Avenues II



GH-13-13 / Avenues II

SUBJECT: GH-13-13 / The Avenues II

**CROSS-
REFERENCE:** Z-3-06

LOCATION: Located on Ratchford Drive, east of the intersection of Atlantic Avenue within the City Limits.

PIN: 1715527746

REQUEST: The construction of three multifamily buildings, totaling 294 units on 20.57 acres zoned Office & Institutional-2 with Special Highway Overlay District-2, 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 construction plans for the site:

- (1) That a final tree conservation permit is obtained. A map of the revised tree conservation areas with metes and bounds descriptions shall be submitted to the City Forestry Specialist for approval. Except for infrastructure construction plans, tree protection fence must be set up along the boundaries of all tree conservation areas and an appointment must be made with the City Forestry Specialist to inspect the fence;
- (2) 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 10A Chapter 9 of the Unified Development Ordinance, 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;

Prior to issuance of Final site permits:

- (3) That a nitrogen offset payment must be made to a qualifying mitigation bank;
- (4) That as the developer purposes to disturb a designated riparian buffer, the North Carolina Division of Water Quality shall approve the disturbance of the riparian buffer before any grading or approval of construction drawings, (whichever first occurs) and evidence of such approval shall be provided to the Stormwater Engineer in the Public Works Department, and a written watercourse buffer permit is thereby issued by the Inspection Department before commencement of work;
- (5) That in accordance with Part 10A Section 9.4.4, a surety equal to 125% of the cost of clearing, grubbing and reseeding a site, shall be paid to the City

Prior to issuance of building permits:

- (6) That a plat of the revised 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;
- (7) That the greenway easement as shown on the preliminary plan be dedicated prior to, or in conjunction with the recording of a map in any phase affected by the greenway;
- (8) That the Fee-in-lieu covering all costs associated with the stream crossing, per the City of Raleigh Street Typology Map is paid;
- (9) That the City of Raleigh Sanitary Sewer abandonment is approved by City Council and the resolution number is shown on all maps for recording;
- (10) That a 10' x 10' City of Raleigh Water Line easement be dedicated to the city and shown on all maps for recording;
- (11) That in accordance with Part 10A Section 9.2.2, a surety equal to 125% of the cost of the construction of a stormwater device is paid to the Public Works Department;
- (12) That flood prone areas, as approved by the City Stormwater Engineer, are shown on the preliminary plan and shall be shown on the recorded map;
- (13) That in accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements which remain incomplete;
- (14) That infrastructure construction plans are approved by the City of Raleigh Public Works Department;
- (15) That as the developer purposes to disturb a designated riparian buffer, the North Carolina Division of Water Quality shall approve the disturbance of the riparian buffer before any grading or approval of construction drawings, (whichever first occurs) and evidence of such approval shall be provided to the Stormwater Engineer in the Public Works Department, and a written watercourse buffer permit is thereby issued by the Inspection Department before commencement of work;
- (16) 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;
- (17) That all conditions of Z-3-06 are complied with;

Prior to issuance of an occupancy permit:

- (18) That all public or private improvements are constructed to meet Fire Apparatus;
- (19) That as built drawings and survey are provided to the Public Works department for the stormwater device; and
- (20) That the inspection of the construction of internal streets submitted for city approval will become the responsibility of the owner/developer. Copies of certified inspection reports (see attached requirements) involving subgrade/aggregate base proofrolls, aggregate base and asphalt densities and thickness, and other pertinent information must be submitted to the City of Raleigh Public Works Department.

I hereby certify this administrative decision.

Signed:

(Planning Dir.)

Kan Bauer (C. W. Wynn)

Date: 5-6-14

Staff Coordinator:

Meade Bradshaw

FINDINGS:

City Administration finds that this request, with the above conditions being met, conforms to Chapter 2, Part 10, Sections 10-2036, 10-2059, 10-2103 Chapter 3, Part 10, Sections 10-3001-3071-3074 and applicable parts of Part 10A, the Unified Development Ordinance. This approval is based on a preliminary plan dated 4/3/14, owned by Heath Hawkins Davis Development, submitted by McAdams Company.

ZONING:

**ZONING
DISTRICTS:**

Office & Institutional-2 with Special Highway Overlay District-2

Z-3-06 – Capital Boulevard and I-440, northwest side of Capital Boulevard, northwest of its intersection with I-440, being Wake County PINs 1715-53-5076; 1715-52-5191; and 1715-42-9946. Approximately 47.01 acres from Industrial-1 with Special Highway Overlay District-2 to Office and Institution-2 Conditional Use with Special Highway Overlay District-2.

Conditions dated: March 9, 2006

A. The following uses shall be prohibited on the subject property:

(i) General uses:

- (a) Cemetery
- (b) Hospital
- (c) Funeral home

(ii) Conditional uses:

- (a) Emergency shelter
- (b) Special Care facility
- (c) Telecommunication towers

(iii) Special uses:

(a) All special uses required to be approved by the Board of Adjustment as specified in Code Section 10 2144 are prohibited, save and except for yard encroachments and yard reductions which are permitted with Board of Adjustment approval and save and except other professional offices not otherwise listed as allowed in the Office and Institution District by Code Section 10 2071.

(b) All special uses required to be approved by the Raleigh City Council as specified in Code Section 10 2145 are prohibited.

- B. A SHOD-2 Natural Protective Yard shall be provided along the frontage of I-440 and the exit ramp to Capital Boulevard, which Yard shall have an average width dimension of fifty feet (50') and a minimum width dimension of twenty-five feet (25').
- C. Prior to subdivision approval or the issuance of any building permit, whichever shall first occur, the owner of the property shall deed to the City a transit easement measuring twenty feet (20') long by fifteen feet (15') wide adjacent to the public right-of-way to support a bus stop for future transit services in the area. The location of the transit easement shall be timely reviewed and approved by the Transit Division of the City and the City Attorney or his designee shall approve the transit easement deed prior to recordation in the Wake County Registry.
- D. Within fifty feet (50') of adjoining residential parcels, site lighting fixtures for parking areas shall not exceed sixteen feet (16') in height, unless located in a protective yard, where height of lighting fixtures shall not exceed twelve feet (12') in height. (All measurements shall be from finished grade.) Additionally, all such fixtures shall be of "Full Cut-Off" (shielded) design.
- E. Natural Protective Yards shall be provided (1) along the common line of the Property and the property now known as the Atlantic Place Condominium (PIN 1715427698; Deed Book 8008, page 334) and Atlantic Place II Condominium (PIN 1715427335; Deed Book 8851, page 2708 and PIN 1715427022; Deed Book 9247, page 776) and (2) along the common line of the Property and the parcel now owned by NC Eastern Municipal Power Agency and NC Municipal Power Agency Number 1 (PIN 1715532496; Deed Book 3502, page 544), which Natural Protective Yards shall have an average width dimension of twenty-five feet (25') and a minimum width dimension of twenty feet (20').
- F. Reimbursement for any required right-of-way dedication shall retain the current Industrial-1 value.
- G. The maximum height of any building or buildings upon the Property shall be limited to no more than one hundred twenty feet (120'); provided however, the building or buildings located within one hundred feet (100') of the common line of the Property and the properties now known as Atlantic Place Condominium (PIN 1715427698; Deed Book 8008, page 334) and Atlantic Place II Condominium (PIN 1715427335; Deed Book 8851, page 2708 and PIN 1715427022; Deed Book 9247, page 776) and the common line of the Property and the property now owned by NC Eastern Municipal Power Agency and NC Municipal Power Agency Number 1 (PIN 1715532496; Deed Book 3502, page 544) shall have a maximum height of sixty feet (60').

H. Residential density upon the Property shall not exceed 1,200 dwelling units and office development upon the Property shall not exceed 350,000 square feet.

DEVELOPMENT

DENSITY: 14.2 units per acre

SETBACKS / HEIGHT:

Setbacks from public streets and property lines conform to Section 10-2103(b). The minimum setback from public streets is shown to be 20'. 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).

PHASING: There is one phase in this development.

OPEN SPACE: Open space conforms to minimum requirements. 10% or 2.05 acres required, 25.93% or 5.36 acres provided, based on the open space standards of 10-2103(d).

PARKING: Off-street parking conforms to minimum requirements: 595 spaces required, based on 1.5 parking spaces per 1 bedroom unit, 2 parking spaces per 2 bedroom unit, 2.5 parking spaces per 3 bedroom units. 534 spaces are provided. A reduction of 59 off-street parking spaces for landscape planting area is being utilized as well as a reduction of 38 parking spaces for 207 units within 400' of the pool/clubhouse area. Parking spaces meet minimum standards for size and aisle width.

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 use under Section 10-2082.9. Transitional protective yards required in accordance with Z-13-06(E) in the following locations:

<u>Location</u>	<u>Yard type required</u>	<u>Width proposed</u>
Northwest property line	Natural Protective	20'

TREE CONSERVATION:

This project has previously recorded tree conservation area under the following references: BOM2008, PGS 178-179 (z-2-06), BOM2008, PG 544 (z-2-06), BOM2013, PGS 49-51. It was necessary to remove a small portion of recorded tree conservation area for a sanitary sewer connection to the existing outfall.

The previously recorded tree conservation acreage was 4.995 acres which was 10.39 % of the site acreage. The revised tree conservation plan removed 0.0436 acres of primary tree conservation area leaving 4.9514 acres which is 10.30% of the site acreage.

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). Sidewalks are shown to be provided from the main entrance of each dwelling unit and from all recreation facilities to the public sidewalk system.

**COMPREHENSIVE
PLAN:**

GREENWAY: There is no greenway on this site.

**STREET
TYPOLOGY MAP:**

Sufficient right-of-way and road construction exist along Ratchford Drive. Ratchford Drive is classified as an Avenue 2-lane undivided.

A Design Adjustment was approved by the Public Works Director from Article 8.5.1.G - Existing Streets. Ratchford Drive was constructed prior to September 1, 2013 with an approved group housing project GH-3-12 Avenues I. It was the opinion of the Public Works Director that the same street scape should apply on both sides of Ratchford Drive.

TRANSIT: This site is presently not served by the existing transit system.

URBAN FORM: This site is located in the Atlantic CAC in an area designated as high density residential (28+ units per acre).

**SUBDIVISION
STANDARDS:**

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: Collection will be held by a private contractor.

CIRCULATION: The site will utilize two access points on Ratchford Drive.

**BLOCKS / LOTS /
ACCESS:**

The site will have two access points on Ratchford Drive. All drives within the site are internal drives. A fee in lieu for the creek crossing will be paid before building permit issuance. A design adjustment from meeting the block perimeter requirements of Article 8.3.2.A was approved by the Public Works Director due existing obstacles, Interstate-440, preventing future connections.

**STREETSCAPE
TYPE:**

Not Applicable due to the street yard being planted on private property per the approved Design Adjustment.

PEDESTRIAN: Sidewalks exist along Ratchford Drive. Internal sidewalks connect the buildings to the public right-of-way on Ratchford Drive.

FLOOD HAZARD: There is FEMA floodplain on this site and shall be shown on all maps for recording.

**STORMWATER
MANAGEMENT:**

This site is subject to stormwater management controls in accordance with Chapter 9 of Part 10A of the Raleigh City Code. Proposed stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual. The site will be exempt from runoff control under 10-9023(b)(4) of the Raleigh City Code as compliance with the 10 yr runoff limitations would result in no benefit to current and future downstream development. The site discharges directly into the 100 yr floodplain of an unnamed tributary into Crabtree Creek. Nitrogen will be addressed utilizing an engineered level spreader/filter strip and a buydown to a mitigation bank.

**WETLANDS
/ RIPARIAN
BUFFERS:**

Neuse River riparian buffer is located on this site, and shows disturbance. Prior to grading permit issuance, the North Carolina Division of Water Quality shall approve the disturbance prior to permit issuance.

STREET NAMES: 2 street names are required for this development. All internal streets are private.

**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 and applicable parts of the UDO, Part 10A.

SUNSET DATES: The sunset provisions of City Code Section 10-2132.2 (j), including the ability to request extensions in the sunset date, apply to this site plan. If significant construction has not taken place on a project after preliminary site plan approval, that approval may "sunset" and be declared void, requiring re-approval 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: 5/6/2017

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: 5/6/2019

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.