



Administrative Action

Preliminary Subdivision / townhome

City of Raleigh
Development Plans Review Center
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Raleigh, NC 27602
(919) 516-2626
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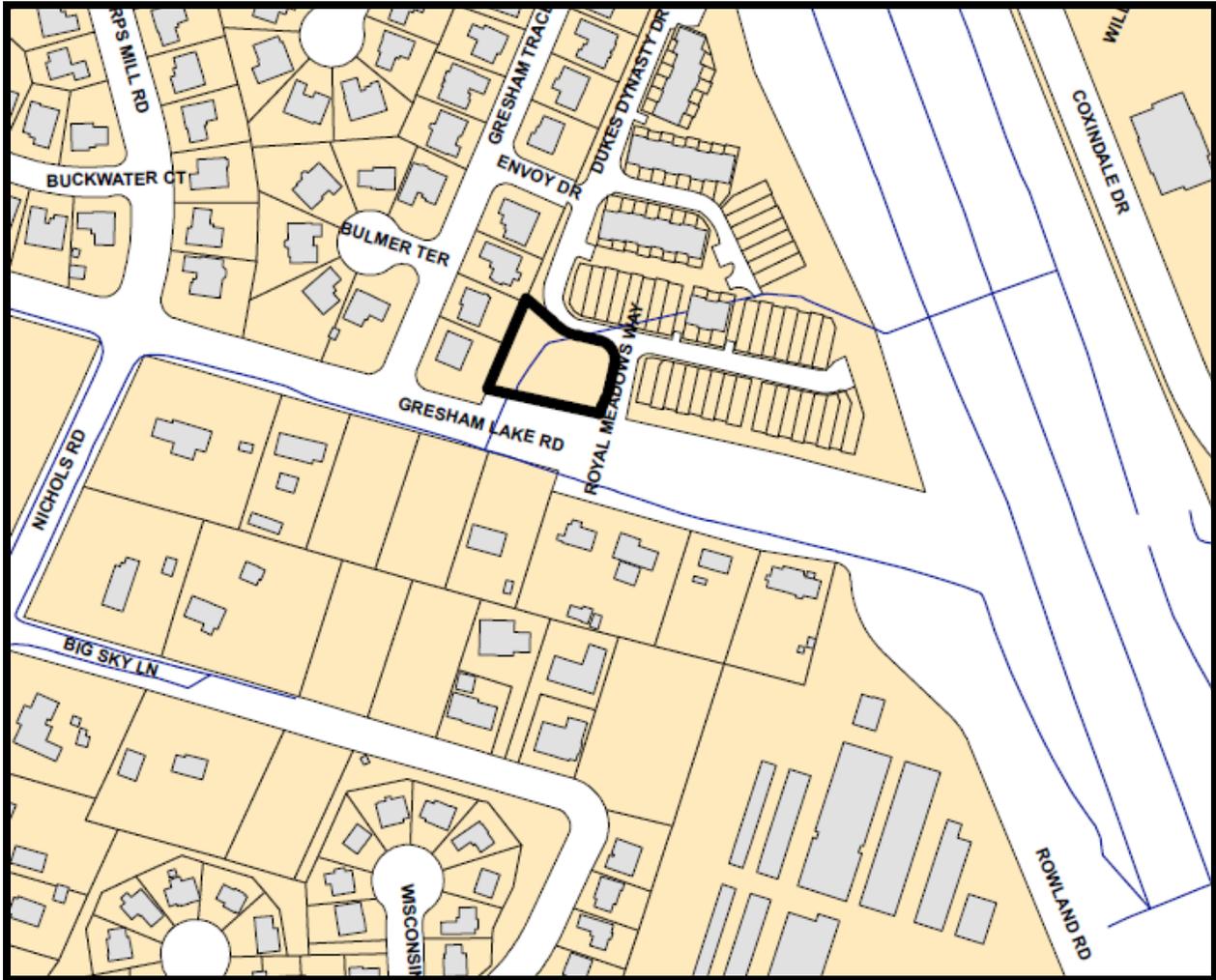
Case File / Name: S-3-12 / Lot 65 North Raleigh Meadows Townhomes

General Location: On the north side of Gresham Lake Road, west of I-540

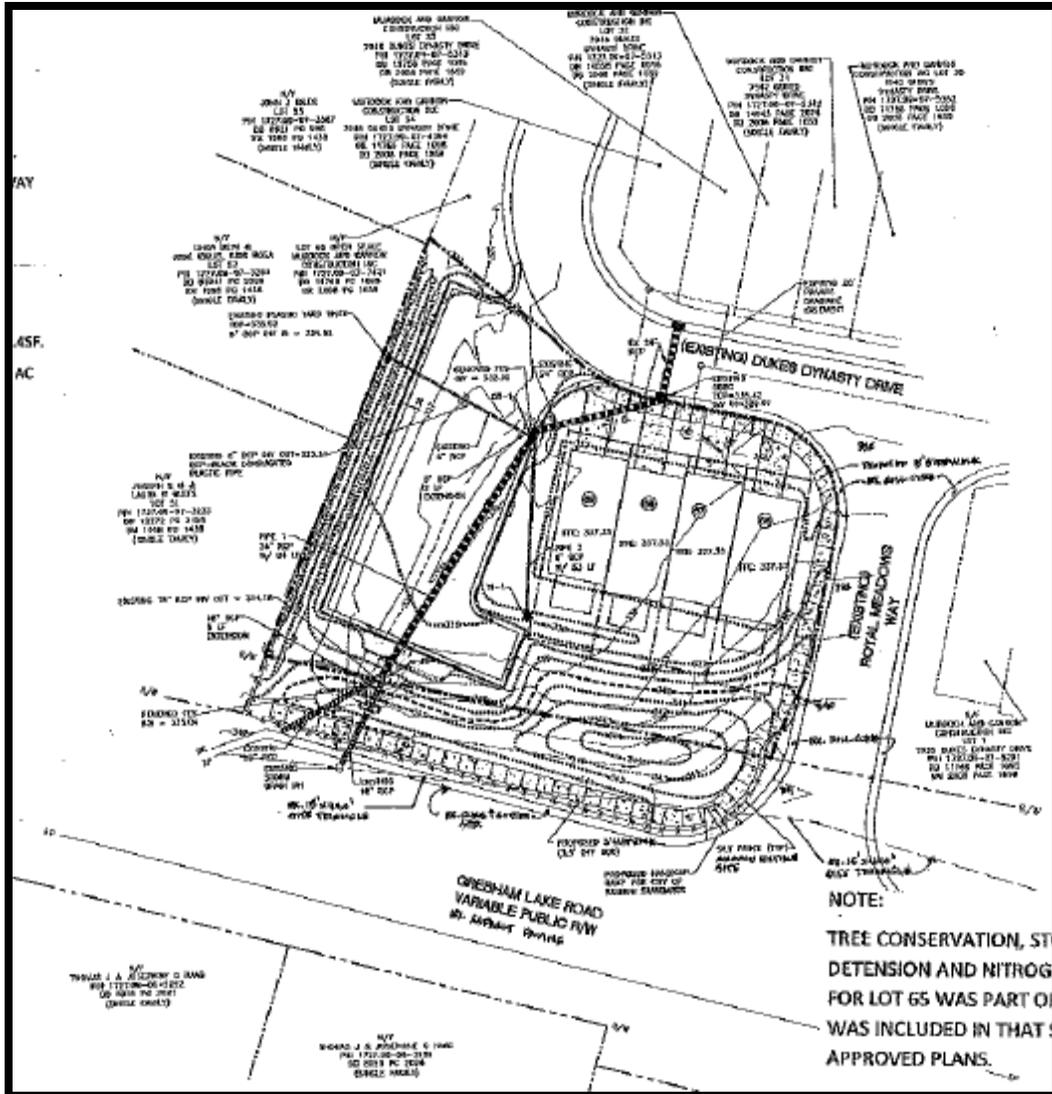
CAC: North

Nature of Case: The subdivision of a .38 acre parcel into four townhome lots and one common/open space lot. The tract is zoned Office and Institutional-1 Conditional Use District (CUD) and Special Highway Overlay District-1 (SHOD-1). This is not an infill project as the property is not located within a residential zoning district as defined in 10-2002.

Contact: LaMarr Bunn



S-3-12 / Lot 65 North Raleigh Meadows Townhomes – Site Location Map



S-3-12 / Lot 65 North Raleigh Meadows Townhomes – Preliminary Subdivision Plan

- SUBJECT:** S-3-12 Lot 65 North Raleigh Meadows Townhomes
- CROSS-REFERENCE:** S-77-94, S-100-05
- LOCATION:** This site is located on the north side of Gresham Lake Road, west of its intersection with I-540, inside the City Limits.
- REQUEST:** This request is to approve the subdivision of a .38 acre tract into four townhome lots with open space, zoned Office and Institutional-1 CUD and SHOD-1 overlay district.

OFFICIAL ACTION: Approval with conditions

**CONDITIONS OF
APPROVAL:**

Prior to Planning Department authorization to record lots:

- (1) The townhome sub-association legal documents are amended in accordance with Raleigh City Code Sections 10-3072 and 10-3073 – 3074 to allow the uses on this property to be residential townhouse units. The homeowners' declaration shall contain a provision prohibiting parking on internal private streets and subjecting the violator to fines, and the townhome association common property shall be named sub-association common property. That these documents are recorded with the County Register of Deeds. A recorded copy of these documents must be provided to the Planning Department within 14 days from authorization of lot recording. If recorded copies of homeowner's documents are not provided to the Planning Department within this 14-day period, further recordings and building permit issuance may be withheld; These legal documents for the shared stormwater facility must be modified as necessary to reflect the additional townhomes;

Prior to approval to record lots:

- (2) That construction plans for the proposed private streets are approved by the Public Works Department;

Prior to issuance of building permits:

- (3) That final building elevations be submitted and approved by the Site Review Specialist and a copy in the file showing the sloped roof with at least a three and one-half to one pitch per Z-22-03 item #7;
- (4) That all applicable conditions of rezoning case Z-22-03 be fulfilled;
- (5) For residential developments with a single structure, financial security equal to 1.5 time the cost of public or private improvements will be provided to the Public works Department for the proposed private street and any associated improvements;

Prior to issuance of an occupancy permit:

- (6) That the developer shall construct along the western boundary of the property a berm a minimum of two and one-half feet in height and upon such berm a closed vinyl fence a minimum of six feet in height, per Z-22-03 item #4;

I hereby certify this administrative decision.

Signed: (Planning Dir.) Mitchell Silve (C. Hodge) Date: 10.30.12

Staff Coordinator: Eric Hodge, AICP

SEE LAST PAGE FOR IMPORTANT INFORMATION ON THE NEXT STEP IN THE SUBDIVISION PROCESS.

FINDINGS: City Administration finds that this request, with the above conditions being met, conforms to Chapter 2, Part 10, Sections 10-2103, 10-2035, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 4/20/12, owned by Murdock & Gannon Construction Inc., submitted by LaMarr Bunn.

ZONING:

ZONING DISTRICTS: Office & Institutional-1 Conditional Use District with SHOD-1 overlay. Ordinance (2003) 455ZC538 Effective 6/3/03.

Z-22-03 Gresham Lake Road, north side of Gresham Lake Road, adjacent to the Northern Wake Expressway being Wake County PIN 1727.09-07-6366. Approximately 5.28 acres rezoned to Office & Institution-1 Conditional Use.

Conditions: 5/28/03

- 1) Only those residential land uses allowed by the Schedule of Permitted Land Uses in Zoning Districts of Section 10-2071 for the O&I-1 Zoning District shall be permitted within fifty feet (50') of the boundary of the Property with Tax Parcels PIN 1727.05-07-5956 (M.I. Schottenstein Homes, Inc.); 1727.05-07-5879 (M.I. Schottenstein Homes Inc.); 1727-05-07-5862 (Marilyn Y. Bastian); 1727.05-07-5735 (James W. and Sandra K. Veno); 1727.05-07-5617 (Joan F. Dorman); 1727.05-07-4682 (John Robert and Gail Harris Smith); 1727.05-07-4565 (Jesse E. and Deborah J. Faircloth); 1727.09-07-4413 (Gregory Lance & April S. Knish); 1727.09-07-3387 (John J. Miles); 1727.09-07-3361 (Linda Beth and Jose Miquel Rios Rosa); and 1727.09-07-3233 (Joseph E. Butts, III) (collectively, the "Parcels").
- 2) Reimbursements for any future right-of-way dedication shall remain at current R-6, CM and Industrial-1 rates.
- 3) One twenty (20) feet wide (adjoining the right-of-way) by fifteen (15) feet deep transit easement along Gresham Lake Road shall be deeded to the City of Raleigh prior to any development of the Property. Prior to site plan approval, or subdivision approval of the Property, whichever shall first occur, the Transit Division of the City of Raleigh shall determine the location of the transit easement.
- 4) If the Property is developed as an office or offices, or as a multi-family or a group housing development, upon development there shall be constructed along the boundary of the Property with the Parcels a berm a minimum of two and one half (2 1/2) feet in height. Upon development there shall be constructed upon such berm a closed vinyl fence a minimum of six (6) feet in height.
- 5) If the Property is developed as an office or offices, or as a multi-family or a group housing development, all dumpsters upon the Property visible from the Parcels shall be screened on three (3) sides with brick or vinyl building materials, identical or comparable in terms of texture, quality, and color, to the materials used in the principal building(s) on the Property.
- 6) If the Property is developed as a multi-family or a group housing development, buildings within fifty (50) feet of the Property's boundary with the Parcels shall not exceed three (3) stories or fifty (50) feet in height from the finished grade. If the Property is developed as a group housing or multi-family development, the buildings within fifty (50) feet of the Property's boundary with the Parcels shall not have balconies that face the Parcels.

7) If the Property is developed as a group housing or a multi-family development, all residential buildings shall have a sloped roof with at least a three and one half to one (3 1/2 to 1) pitch.

8) If the Property is developed as an office or offices, or as a multi-family or a group housing development, buildings upon the Property shall be located no closer than forty (40) feet to the boundary of the Property with the Parcels.

LANDSCAPING: Street yard landscaping in conformity with Section 10-2082.5 is shown.

TREE CONSERVATION: Tree conservation areas were provided as part of an earlier subdivision involving this tract, S-100-05/Mason’s Glen Subdivision. None of the tree conservation areas reserved with S-100-05 were located on this tract. As such, no tree conservation areas were required or provided on this parcel as part of this subdivision.

SETBACK / HEIGHT: Setbacks from public streets and property lines conform to Section 10-2103(b). The minimum setback from public streets is shown to be 39’. 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. Buildings greater than 28’ in height meet minimum 30’ setback from perimeter property lines.

OPEN SPACE: Open space conforms to minimum requirements in Raleigh City Code Section 10-2103(d). 10% or 1,742 SF required and 6,029 SF provided.

PARKING: Off-street parking conforms to minimum requirements: 10 spaces required, based on 2.5 parking spaces per 3-bedroom unit (of which there are four). 22 spaces are provided. Parking spaces meet minimum standards for size and aisle width.

PHASING: This is a one phase development.

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.
Gresham Lake Road	Variable	N/A	N/A

Required right-of-way for Gresham Lake Road was dedicated in deed 9874 page 2530. Roadway improvements were completed as part of S-100-05 at which time Gresham Lake Road was widened to a 60’ b/b section with a 5’ sidewalk.

TRANSIT: A transit easement was provided along Gresham Lake Road as part of S-100-05 as called for in Zoning Case Z-22-03.

URBAN FORM: This site is located within the North CAC, and is designated as Moderate Density Residential use (6-14 dwelling units per acre) on the future land use map.

**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: Individual lot service by the City is to be provided.

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

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. A existing sidewalk is provided along Gresham Lake Road. The developer is installing a private sidewalk along both Royal Meadows Way and Dukes Dynasty Drive.

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

**STORMWATER
MANAGEMENT:**

This subdivision is showing no increase in impervious surface area from the previously approved S-100-05 layout for this area. What was previously going to be a single lot office use area is now being subdivided for 4 townhomes and parking. By establishing that there is no impervious surface increase from the previously approved design, the stormwater system currently in place is adequate. The existing dry pond is being utilized for stormwater quantity and quality regulations. The NCEEP offset payment had already been made under the previously approved subdivision (S-100-05).

**WETLANDS
/ RIPARIAN
BUFFERS:**

No wetland areas or Neuse River riparian buffers are required on this site.

STREET NAMES: No new street names are required for this development.

**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: 10/30/2015
Record at least ½ of the land area approved.

5-Year Sunset Date: 10/30/2017
Record entire subdivision.

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.