



Certified Action of the City of Raleigh Planning Commission

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27601
(919) 516-2626
www.raleighnc.gov

Case File / Name: S-7-09 / Pine Knoll Townhomes lots 1 & 2

Owner: Beazer Homes
Designer: Griffin Land Surveying, Inc

General Location: On the northwest corner of Pine Knoll Drive and Manhasset Lane, inside the city limits

Planning District / CAC: Northeast / Northeast

Nature of Case: Subdivision of .10-acres into two townhome lots zoned R-10. Lots 1 & 2 are part of an existing townhouse cluster development, S-53-03 Pine Knoll Townhomes, approved in 2004. The original development consisted of 110 townhouse lots and one open space lot on 13.46 acres.

Lots 1 & 2 originally recorded BM 2005 Pages 1230-1234. Upon request by the owner the lots were recombined into one lot BM 2005 Page 2194 for the use of a sales trailer on the entire lot. The sales trailer has been removed and the owner wishes to subdivide the lots as originally recorded and approved.

This is not an "infill" subdivision as defined in code section 10-3032(d)(3) because less than 66% of the lot's periphery abuts lots containing structures originally constructed as single family homes. The site is surrounded by an existing townhome development and open space.

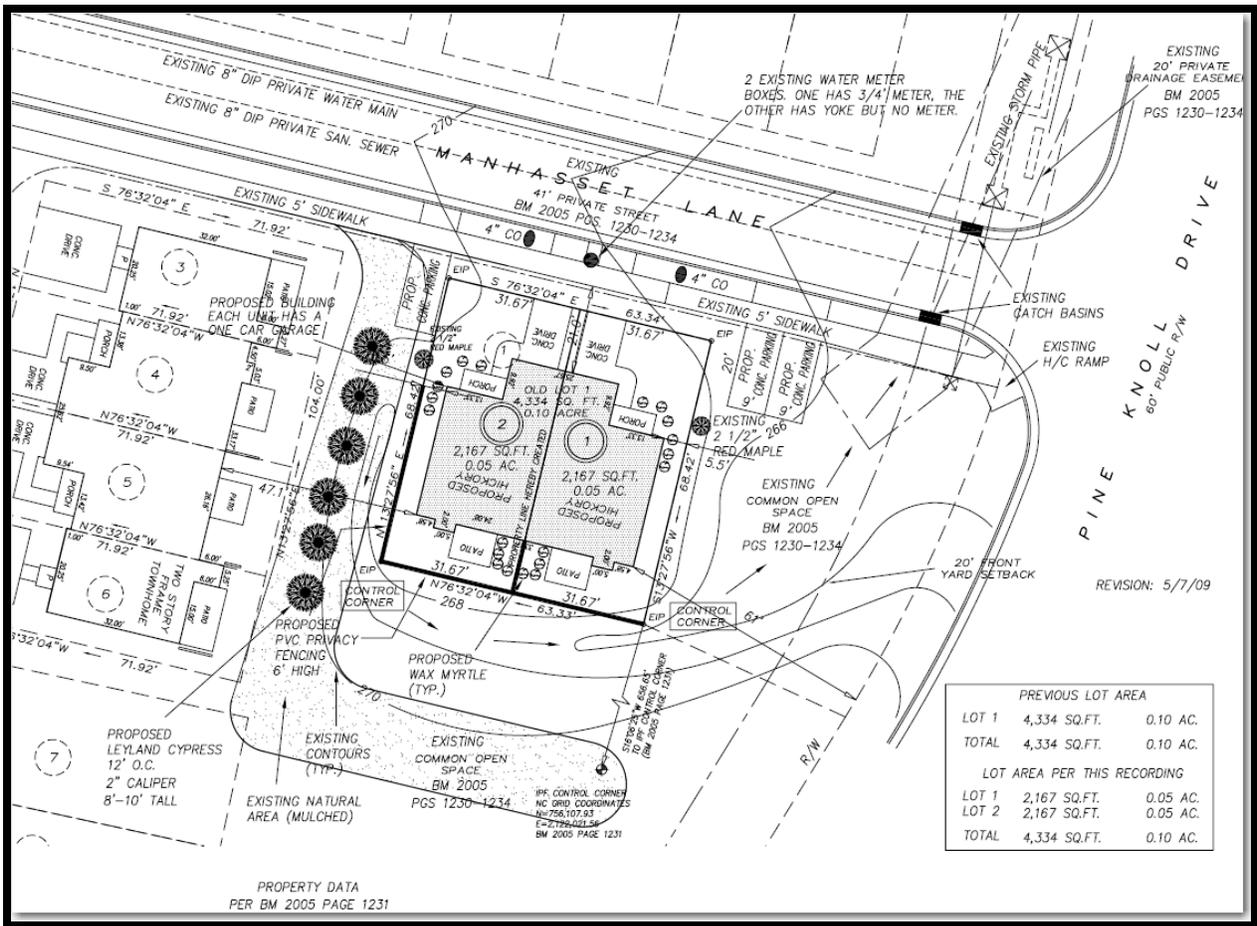
This is not an infill as defined in TC-19-08 as the project does not have an increase of more than 10% required off-street parking spaces or an excess of 10 off street parking spaces.

Key Issues: The applicant is proposing for lots 1 & 2 zero interior side yards and exterior side yards of less than 15 feet. Consequently, the Planning Commission is being ask to approve an alternate design pursuant to section 10-2103(h) from City Code section 10-2103(b)(2)c requiring side yards from two attached townhouses to be no less than the aggregate of 15 feet. Pursuant to section 10-2103(h), the alternate design will be reviewed in accordance with the procedure of section 10-2132.2(c)(2).

Contact: Griffin land Surveying, Inc



S-7-09 Pine Knoll Townhomes Lots 1 & 2 – site map



S-7-09 Pine Knoll Townhomes Lots 1 & 2- preliminary subdivision

SUBJECT: S-7-09 Pine Knoll Townhomes Lots 1 & 2

CROSS-REFERENCE: S-53-03, S-104-00 & SP-144-00

LOCATION: This site is on the northwest corner of Pine Knoll Drive and Manhasset Lane, inside the city limits

REQUEST: This request is to approve the subdivision of a .10 acre tract into 2 townhouse lots, zoned R-10. This townhouse/subdivision plan requires Planning Commission approval, in accordance with section 10-2103(h) and 10-2132.2, because the applicant requests alternate design approval for the required townhouse side yard building setbacks for units 1 & 2.

This is a request to approve an alternate design per City Code section 10-2103(h) Alternate Design. The alternate design request is from City Code section 10-2103(b)(2)c as it relates to side yard setbacks for two (2) attached townhouse units. The Code requires that two (2) attached townhouse contain a side yard setback no less than the aggregate of fifteen (15) feet. No side yard setback shall be less than five (5) feet, unless building envelopes are approved as part of the preliminary plan which either allows two (2) dwellings to be built on a common zero (0) lot line or maintains a ten (10) feet minimum separation between dwellings.

The request is to allow two (2) attached townhouse units 1 & 2 to be constructed with a common zero (0) lot line. Unit 1 will have a side yard setback from building wall to property line of (5) feet. Unit 2 will have a side yard setback of (5) feet from building wall to lot line. Units 1 & 2 will have aggregate of (10) feet within the lot lines of the units. There will be a separation of (47.1 feet) between the existing units to the west (units 3-6).

Units 1 & 2 comply with front and rear yard setbacks.

This is not an "infill" subdivision as defined in code section 10-3032(d)(3) because less than 66% of the lot's periphery abuts lots containing structures originally constructed as single family homes. The site is surrounded by an existing townhome development and open space.

This is not an infill as defined in TC-19-08 as the project does not have an increase of more than 10% required off-street parking spaces or an excess of 10 off street parking spaces.

OFFICIAL ACTION: Approval with conditions

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

FINDINGS: The Planning Commission finds that this request, with approval of the alternate means of compliance and with the conditions of approval below being met, conforms to Chapter 2, Part 10, and Sections 10-2021, 10-2103, 10-2109 and 10-2132.2 Chapter 3, Part 10, and Sections 10-3001-3059. The Planning Commission also finds the standards of Code section 10-2132.2(d) have been met, and that the proposed alternate design provides equivalent privacy, environmental, recreational, and safety benefits, and provides comparable utility and accessibility as the Code standards all as required by section 10-2103(h). This approval is based on a preliminary plan dated 1/8/09, owned by Beazer Homes, submitted by Griffin Land Surveying, Inc.

ADDITIONAL NOTES:

All townhomes as approved under S-53-03 have been constructed excluding units located on lots 1 & 2. All required conditions of S-53-03 have been satisfied. The required open space of 1.68 acres has been recorded, and townhouse homeowner documents, include lots 1 & 2, are recorded in Book 11469 Page 2577-264 Wake County Registry.

VARIANCES / ALTERNATES:

The applicant is proposing for lots 1 & 2 zero interior side yards and exterior side yards of less than 15 feet. Consequently, the Planning Commission is being ask to approve an alternate design from City Code section 10-2103(b)(2)c requiring side yards from two attached townhouses to be no less than the aggregate of 15 feet.

To PC: May 12, 2009
Case History:

Staff Coordinator: Jacque Baker

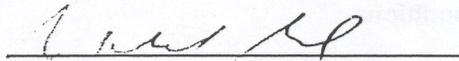
Motion: Mullins
Second: Fleming
In Favor: Bartholomew, Butler, Chambliss, Fleming, Gaylord, Haq, Harris Edmisten, Mullins, Smith, Vance

Opposed:
Excused:

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.)

(PC Chair)



date: 5/27/09



date: 5/27/09



Staff Report

RECOMMENDED ACTION: Approval with Conditions

CONDITIONS OF APPROVAL: Planning Commission Actions:

- (1) That the Planning Commission finds that the standards of Code section 10-2132.2(d) have been met and that the proposed alternate design provides equivalent privacy, environmental, recreational, and safety benefits, and provides comparable utility and accessibility as the Code Standards;

In support of this request the applicant has presented material for the following:

- Additional landscaping will be installed between the existing building units 3-5 and the proposed unit 2. The plantings will include 6 Leyland Cypress trees (12-feet on center) to be planted between the buildings adjacent to the west (units 3-5) that will provide additional privacy. There is additional landscaping of wax myrtle shrubs for foundation plants proposed between units 1 & 2. Along with the additional landscaping, a privacy fence along the rear and sides of the buildings will be installed.

Administrative Actions:

Prior to issuance of an occupancy permit in the Inspections Department:

- (2) That the approved additional landscaping (alternate design plantings and fencing) be installed for lots 1 and 2 and be inspected by the zoning inspector prior to issuance of Certificates of Occupancy;

ZONING:

ZONING DISTRICTS: Residential-10.

SETBACK / HEIGHT:

Setbacks from public streets and property lines of unit 1 conform to Section 10-2103(b). The minimum setback from unit 1 to the public street is shown to be 61'. 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 Section 10-2103(b). Buildings greater than 28' in height meet min. 28' setback from perimeter property lines.

OPEN SPACE: Existing open space conforms to minimum requirements. 12% or 1.62 acres required, 12.5% or 1.68 acres provided, based on the open space standards of 10-2103(d). Open space quotient required =150. A minimum of 70% of the tree preservation requirements are met within 75' of the perimeter of the development. A tree protection plan has been approved for trees that were preserved for credit. Open space meet the standards for topography (a maximum average slope of 8% for lesser of 1/3 or two acres of the required open space). The subdivision is not divided by a thoroughfare.

PHASING: The plan has been recorded in one phase.

PARKING: Existing off-street parking conforms to minimum requirements: 275 spaces required, based on 2.5 parking spaces per three bedroom units. 275 spaces are provided. Parking spaces meet minimum standards for size and aisle width. Units 1 & 2 will have one car garages with parking pads.

LANDSCAPING: Existing street yard landscaping is in conformity with Section 10-2082.5 as shown and approved. Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. This is a medium impact use under Section 10-2082.9. This subdivision (units 1 & 2) does not require transitional protective yards as units 1 & 2 are surrounded by open space and are internal to the site. The existing transitional protective yards as required under S-53-03 are in compliance with City standards in the following locations:

<u>Location</u>	<u>Yard type required</u>	<u>Width proposed</u>
North side	10' type D	25'-80'
West side	10' type D	30'-100'

TREE CONSERVATION: Site is residential and less than two (2) acres in size. Compliance with code section 10-2082.14 (Tree Conservation) is not required.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

THOROUGHFARE / COLLECTOR PLAN:

Sufficient right of way and public improvements exist along the public street, Pine Knoll Drive. With previous development plans approval (S-104-00, SP-144-00) right of way, fees in lieu of construction, and appropriate slope easements (BM2001 Page 255) were obtained for a portion of Pine Knoll Drive. A fee in lieu for 1/2 of a 5' sidewalk along Pine Knoll Drive was required as approval of S-53-03 and the fee has been paid.

TRANSIT: No transit-oriented features are incorporated into the proposed plan. The City's Transit Technician determined there was not a need for any improvements at this location.

URBAN FORM: This site is located in the Northeast Planning District, in an area designated for medium density residential uses.

**SUBDIVISION
STANDARDS:**

BLOCK LAYOUT: The existing private 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, Sidewalks and Driveway Access Handbook. 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. All lines serving more than one lot and located outside public street right of way or City of Raleigh water or sewer easement shall be owned and maintained by the non-profit homeowner's association.

SOLID WASTE: Refuse collection is to be provided based on the standards in the Solid Waste Manual.

CIRCULATION: Existing street improvements conform to normal City construction standards.

PEDESTRIAN: Existing sidewalk locations conform to City regulations. A fee in lie for ½ of a 5' sidewalk along Pine Knoll Drive has been paid under S-53-03.

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

**STORMWATER
MANAGEMENT:** The entire site was subject to stormwater and nitrogen reduction requirements of Part 10 Chapter 9, and all stormwater runoff and nitrogen control requirements have been complied with under S-53-03.

**WETLANDS
/ RIPARIAN
BUFFERS:** The site has a 50' Neuse River riparian buffer and has been shown on all maps 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.

GRIFFIN LAND SURVEYING, INC.
P.O. BOX 148
FUQUAY-VARINA, NC 27526

City of Raleigh Planning
Jacque Baker

May 6, 2009

Pine Knoll Townhomes
Lots 1 and 2 Alternate Design

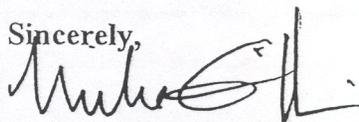
Jacque:

Griffin Land Surveying, on behalf of Beazer Homes, would like to submit for Alternate Design consideration the attached plan for Pine Knoll Town Homes Lots 1 and 2. The proposed two unit town home is planned to be sited approximately 47 feet from the rear of the existing town home building (Lots 3-6) and approximately 61 feet from the right of way of Pine Knoll Drive. We plan to screen the new town homes with a PVC privacy fence along the rear and sides of the building along the property lines of lots 1 and 2 as shown on the plan. We also propose to install six Leyland Cypress (*cupressocyparis lelandii*) trees (2" caliper and 8 to 10 feet tall) in the natural area between the existing building (Lots 3-6) and Lot 2 as shown on the plan. There are two existing 2 ½" red maple trees existing on or near the proposed town homes and we are also proposing wax myrtle shrubs for foundation plants as shown.

The Planning Commission date is May 26, 2009.

Thank you very much for your time and consideration of our request.

Sincerely,



Michael P. Griffin, PLS
Griffin Land Surveying, Inc.