

STONE'S WAREHOUSE SUBDIVISION S-12-2016



0 245 490 Feet

Zoning: **IX-3-UL-CU,**
NX-3-UL-CU

CAC: **South Central**

Drainage Basin: **Walnut Creek**

Acreage: **1.99**

Number of Lots: **17**

Planner: **Justin Rametta**

Phone: **(919) 996-2665**

Applicant: **Transfer
Development Co**

Phone: **(919) 606-2905**





Administrative Action Preliminary Subdivision

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

Case File / Name: S-12-16 / Stone's Warehouse Subdivision

General Location: The site is located on the block bound by E Davie Street to the north, Chavis Way to the east, E Cabarrus Street to the south and S East Street to the west.

CAC: South Central

Nature of Case: Subdivision of three parcels totaling 1.99 acres into 17 townhome lots and two nonresidential lots. This property is split zoned IX-3-UL-CU and NX-3-UL-CU.

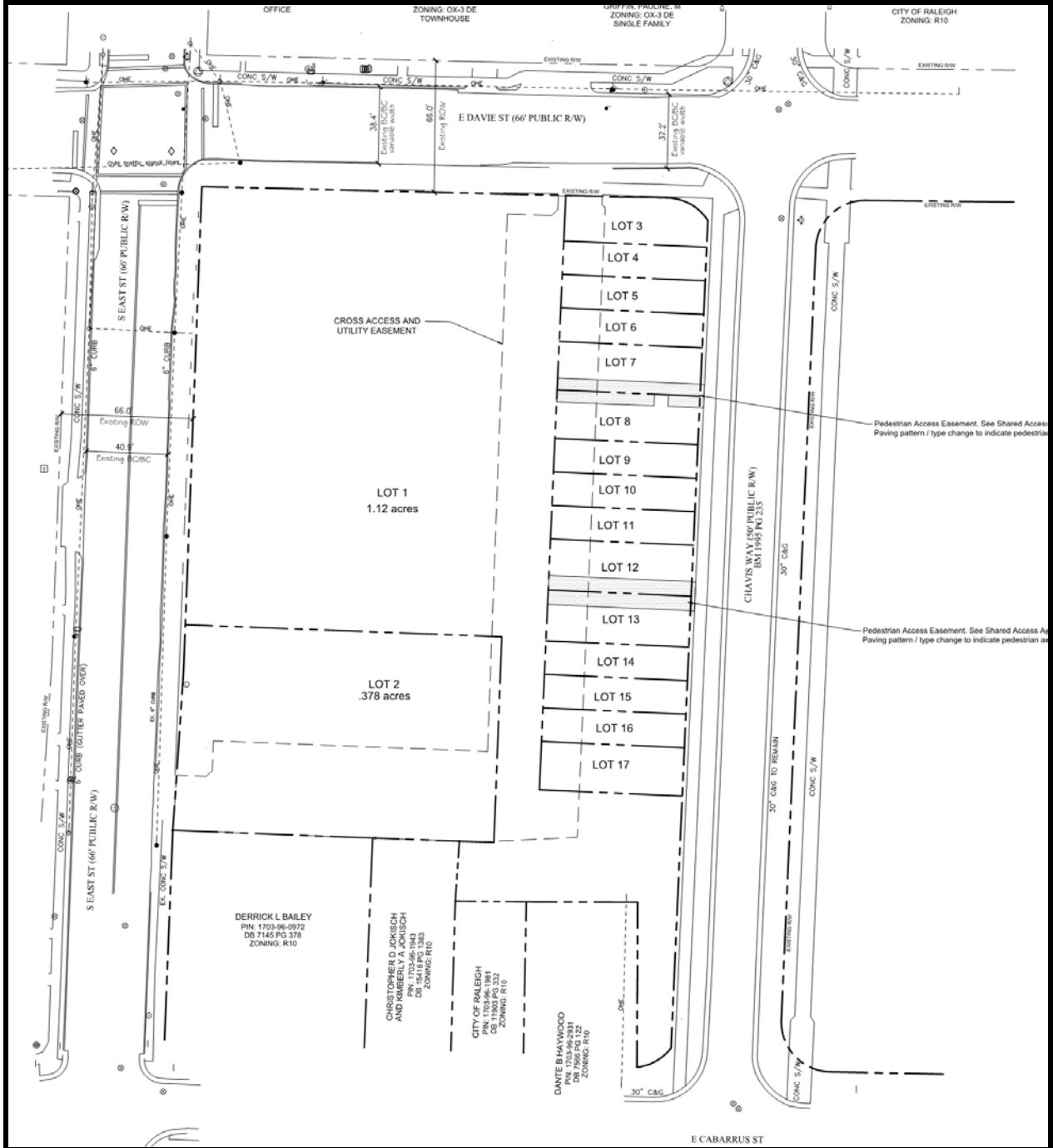
Contact: Michael Allen

Design Adjustment: Three Design Adjustments have been approved by the Public Works Director for this project:

1. A Design Adjustment to allow stairs and stoops to occupy the 5' utility easement on Chavis Way.
2. A Design Adjustment for an alternate streetscape along Chavis Way and East Davie Street.
3. A Design Adjustment to allow the existing buildings to encroach into the right-of-way.

Administrative Alternate: NA





S-12-16 Preliminary Subdivision Plan



Public Works Design Adjustment – Staff Response

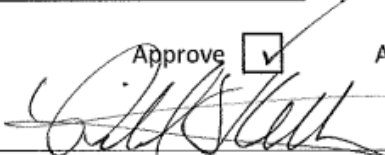
Per Section 10.2.18.C of the Unified Development Ordinance, the Public Works Director may consult with the heads of other City departments regarding the review of the request. The Public Works Director may approve, approve with conditions or deny the request, but must do so within 60 days of the receipt of a completed application. Additional time may be necessary if a municipal or state entity is incorporated in the review process or if a detailed engineering study is submitted in conjunction with the request.

Project	Project Name	Stone's Warehouse	Date Completed Application Received	2/10/16
	Case Number	SR-23-2015	Transaction Number	457350

Staff Response/Recommendation	Staff supports the attached request for encroachment into the utility easement.		
	Staff Member	Daniel G. King, PE	Support Request <input checked="" type="checkbox"/>

Public Works Director's Action:

Approve
 Approval with Conditions
 Deny


 Richard L. Kelly, Interim Public Works Director
 7/21/16
Date

*The Public Works Director may also authorize a designee to sign in his stead. Please print name and title next to signature.

Conditions for Approval	
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Appeal of the decision from the Public Works Director shall be made in writing within 30 days to the Board of Adjustment (see Section 10.2.18.C3b).



Planning & Development

**Public Works
Transportation Field Services**
One Exchange Plaza
Suite 300
Raleigh, NC 27602
www.raleighnc.gov

Public Works Design Adjustment Application

The purpose of this request is to seek a design adjustment from the Public Works Director for a specific project only and if granted may be given with special conditions and provisions. This application and all further action shall be consistent with Section 10.2.18 of the Unified Development Ordinance (UDO). The consideration and decision of this request shall be based solely on the conformance of the findings, as outlined in Sections 8.3.6 and 8.4.1.E of the UDO.

Project	Project Name	Transfer Company (Stone's Warehouse)		
	Case Number	SR-23-15	Transaction Number	457350

Owner	Name	Transfer Development Company (on behalf of City of Raleigh)		
	Address	207 Fayetteville Street, Suite 200	City	Raleigh
	State	NC	Zip Code	27601
	Phone	919.858.1888		

Applicant	Name	Fred Belledin	Firm	Clearscapes	
	Address	311-200 West Martin Street		City	Raleigh
	State	NC	Zip Code	27601	
	Phone	919.821.2775			

***Applicant must be a Licensed Professional (Engineer, Architect, Surveyor, or Contractor)**

Design Adjustment Request	Code Section Referenced	8.5.2 – A-D pending response to Design Adjustment #1		
	Justification	<p>We are requesting a Design Adjustment to allow (10) front stairs and (5) stoops to occupy the 5' utility easement on Chavis Way (see attached Exhibit 2).</p> <p>1) Existing utilities are already located in the street.</p> <p>2) Each townhouse enclosure, including underground foundations will remain outside of the utility easement. Stairs will be steel or wood-framed (rather than masonry) to allow their removal if needed for work in the easement. Stoops will consist of minimal concrete pads.</p>		

*Please include any additional supportive documents (Plan sheets, aerials, etc.) along with this application. It is the applicant's responsibility to provide all pertinent information required for consideration.

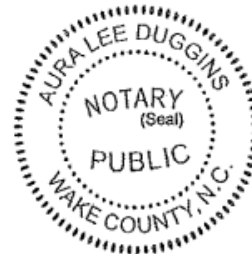
By signing this document I hereby acknowledge the information on this application is accurate, to the best of my knowledge.

F. Belledin AIA 10 Feb 2016
Owner/Owner's Representative Signature Date

In witness whereof, the parties signed have executed this document on this date.

Aura Lee Duggins 02/10/2016
Notary Signature Date

Commission expires:
Page 1 of 1 06/03/2019



revision 08.25.14



Public Works Design Adjustment – Staff Response

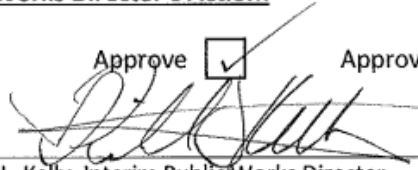
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Project	Project Name	Stone's Warehouse	Date Completed Application Received	2/10/16
	Case Number	SR-23-2015	Transaction Number	457350

Staff Response/Recommendation	Staff supports the attached request for modification of the streetscape based on the attached documentation.		
	Staff Member	Daniel G. King, PE	Support Request <input checked="" type="checkbox"/>

Public Works Director's Action:

Approve
 Approval with Conditions
 Deny


 Richard L. Kelly, Interim Public Works Director
 7/21/16
Date

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	State	NC	Zip Code	27601	
	Phone	919.821.2775			

***Applicant must be a Licensed Professional (Engineer, Architect, Surveyor, or Contractor)**

Design Adjustment Request	Code Section Referenced	3.4.7.F, 8.5.2.A, 8.5.2.B, 8.5.2.C, 8.5.2.D		
	Justification	<p>We are requesting a Design Adjustment to allow a new streetscape on Chavis Way to tie into the existing surrounding streetscape and to allow for (3) street trees on E Davie Street to be shifted away from the curb to avoid an existing underground fiberoptic line (see attached Exhibit 1).</p> <p>1) The property is zoned NX-3-UL which requires a Main Street or Mixed Use Streetscape. Both of these options utilize a full concrete sidewalk with tree grates. However, the existing streetscape for the full length of Chavis Way consists of a sidewalk with tree lawn, similar to a Commercial or Residential Streetscape.</p> <p>2) There is an existing underground fiberoptic line on E Davie Street that runs behind the curb as it approaches Chavis Way. To avoid this line, the (3) street trees in this area need to be shifted away from the curb.</p>		

*Please include any additional supportive documents (Plan sheets, aerials, etc.) along with this application. It is the applicant's responsibility to provide all pertinent information required for consideration.

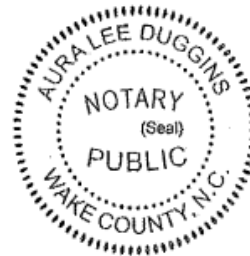
By signing this document I hereby acknowledge the information on this application is accurate to the best of my knowledge.

[Signature] AIA 10 FEB 2016
Owner/Owner's Representative Signature Date

In witness whereof, the parties signed have executed this document on this date.

Aura Lee Duggins 02/10/2016
Notary Signature Date

Commission expires:
Page 1 of 1 06/03/2019



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Public Works Design Adjustment – Staff Response

Per Section 10.2.18.C of the Unified Development Ordinance, the Public Works Director may consult with the heads of other City departments regarding the review of the request. The Public Works Director may approve, approve with conditions or deny the request, but must do so within 60 days of the receipt of a completed application. Additional time may be necessary if a municipal or state entity is incorporated in the review process or if a detailed engineering study is submitted in conjunction with the request.

Project	Project Name	Stone's Warehouse	Date Completed Application Received	2/10/16
	Case Number	SR-23-2015	Transaction Number	457350
Staff Response/Recommendation	Staff supports the attached request for right of way not to be dedicated in locations where the existing building encroaches.			
	Staff Member	Daniel G. King, PE	Support Request	<input checked="" type="checkbox"/>
		Does Not Support <input type="checkbox"/>		

Public Works Director's Action:

Approve
 Approval with Conditions
 Deny


7/21/16

Richard L. Kelly, Interim Public Works Director
 Date

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Conditions for Approval

Appeal of the decision from the Public Works Director shall be made in writing within 30 days to the Board of Adjustment (see Section 10.2.18.C3b).

One Exchange Plaza, Suite 300
Raleigh, NC 27601

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Planning & Development

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Public Works Design Adjustment Application

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Project	Project Name Transfer Company (Stone's Warehouse)	
	Case Number SR-23-15	Transaction Number 457350
Owner	Name Transfer Development Company (on behalf of City of Raleigh)	
	Address 207 Fayetteville Street, Suite 200	City Raleigh
	State NC Zip Code 27601	Phone 919.858.1888
Applicant	Name Fred Belledin Firm Clearscapes	
	Address 311-200 West Martin Street City Raleigh	
	State NC Zip Code 27601	Phone 919.821.2775

***Applicant must be a Licensed Professional (Engineer, Architect, Surveyor, or Contractor)**

Design Adjustment Request	Code Section Referenced
	Justification We are requesting a Design Adjustment for existing building encroachments into surrounding RoWs: 1) The development proposal accepted by the City of Raleigh for this property requires the preservation of the existing historic buildings. As part of this development, these buildings will be fully renovated per National Park Service historic guidelines, will be designated as a Raleigh Historic Landmark, and will have preservation easements placed on the property to ensure that the buildings remain in perpetuity. 2) These buildings encroach up to 1'-5" into the East Davie Street RoW and up to 2'-2" into the South East Street RoW (see attached Exhibit 3).

*Please include any additional supportive documents (Plan sheets, aerials, etc.) along with this application. It is the applicant's responsibility to provide all pertinent information required for consideration.

By signing this document I hereby acknowledge the information on this application is accurate to the best of my knowledge.

F. Belledin AIA 10 FEB 2016
Owner/Owner's Representative Signature Date

In witness whereof, the parties signed have executed this document on this date.

Aura Lee Duggins 2/10/2016
Notary Signature Date

my commission expires:
Page 1 of 1 06/03/2019



revision 08.25.14

SUBJECT: S-12-16 / Stone's Warehouse Subdivision

CROSS-REFERENCE: SR-23-2015

LOCATION: The site is located on the block bound by E Davie Street to the north, Chavis Way to the east, E Cabarrus Street to the south and S East Street to the west, inside the city limits.

PIN: 0794762350

REQUEST: This request is to approve the recombination and subdivision of three parcels totaling 1.99 acres into 17 townhome lots and two nonresidential lots.

OFFICIAL ACTION: Approval with conditions

CONDITIONS OF APPROVAL:

Prior to issuance of a grading permit for the site:

- (1) That in accordance with Part 10A Section 9.4.4, a surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City;

Prior to approval of a concurrent review of Final Site Review and Infrastructure construction plans, or whichever is applicable:

- (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;
- (3) That a nitrogen offset payment must be made to a qualifying mitigation bank;
- (4) That construction plans for the shared stormwater devices be submitted and approved by the Public Works Department;

Prior to Planning Department authorization to record lots:

- (5) That the City form document entitled Declaration of Maintenance Covenant and Grant of Protection Easement for Stormwater Control Facilities shall be recorded with the county register of deeds office where the property is located prior to any recordation of a subdivision or recombination plat and a copy of the recorded documents be provided to the Planning Department within the 14-day period, further recordings and building permits authorization will be withheld if the recorded document is not provided to the Planning Department; Required legal documents shall be recorded within 1 day of the approval of a recorded map, if applicable;

- (6) 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 property owner's association;
- (7) That in accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements, including streetscape trees on Chavis Way is paid to the Public Works Department;
- (8) That Infrastructure Construction Plans are approved by the City of Raleigh;
- (9) That a cross access agreement among all 19 lots in this development is approved by the Planning Department for recording in the Wake County Registry, and that a copy of the recorded offer of cross access easement be returned to the Planning Department within 1 day of lot recording;
- (10) That a demolition permit be issued and this building permit number be 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 a street name application be submitted to the City of Raleigh and names be approved by the City and Wake County prior to lot recordation;
- (13) That all conditions of Z-25-14 are complied with, including that the owner of the property shall cause to be recorded in the Wake County Registry a restrictive covenant that allocates the allowable floor area gross for non-residential uses upon the property to all lots of record comprising the property. Such restrictive covenant shall be approved by the City Attorney or his designee prior to recordation of the restrictive covenant, and such restrictive covenant shall be recorded within 45 days following its approval by City officials. Such restrictive covenant shall provide that it may be amended or terminated only with the prior written consent of the City Attorney or his designee;
- (14) That the City form document entitled Declaration of City of Raleigh Required City Code Provisions for Developments with Common Elements and Common Expenses shall be recorded with the county register of deeds office where the property is located prior to any recordation of a subdivision or recombination plat, and a copy of the recorded documents be provided to the Planning Department within the 14 day period; further plan recordings and building permits authorization will be withheld if the recorded document is not provided to the Planning Department; Required legal documents shall be recorded within 1 day of the approval of a recorded map, if applicable;
- (15) 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;

Prior to issuance of a certificate of occupancy for any lot:

(16) That in accordance with Part 10A Section 9.2.2, an as-built plan and certification any stormwater control device shall be reviewed and accepted by the City prior to final stormwater inspection approval or certificate;

I hereby certify this administrative decision.

Signed: (Planning Dir.) Kenneth Bowen (S. Basler) Date: 8-1-16

Staff Coordinator: Justin Rametta

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 the Unified Development Ordinance including Chapter 3, Article 3.2, Section 3.2.3. This approval is based on a preliminary plan dated 6/30/16 owned by the City of Raleigh, submitted by Clearscapes, PA.

ZONING:

ZONING DISTRICTS: IX-3-UL-CU / NX-3-UL-CU Ordinance 496ZC715 Effective 10/6/15

Z-25-14 – East Davie Street, south side, extending along East Davie Street and Chavis Way, approximately 2.02 acres rezoned to Neighborhood Mixed Use-3 Stories-Urban Limited-Conditional Use and Industrial Mixed Use-3 Stories-Urban Limited-Conditional Use (NX-3-UL-CU and IX-3-UL-CU), being Wake County PINs 1703971116, 1703972131, 1703971002.

Conditions dated: August 18, 2015

1. For that portion of the property zoned Industrial Mixed Use (IX), the principal uses permitted on the property are those principal uses permitted in the Neighborhood Mixed Use (NX) zoning district and the following additional principal uses:
 - i. food truck,
 - ii. light industrial uses, limited to bottling, brewery, winery, and food and beverage products (except animal slaughter, stockyards) only,
 - iii. warehouse and distribution,
 - iv. wholesale trade – wholesale sales of food only, and
 - v. bar, nightclub, tavern, lounge, but these only in association with a “bottling, brewery, winery, or food or beverage products (except animal slaughter or

stockyards)” use associated on the property. Otherwise, a “bar, nightclub, tavern, lounge” use is a prohibited principal use on the property.

Also, the following uses that otherwise would be permitted in the Neighborhood Mixed Use (NX) zoning district are prohibited:

- a) telecommunications tower – all types;
- b) pawnshop;
- c) vehicle sales/rental;
- d) vehicle repair (minor);
- e) vehicular fuel sales;
- f) vehicle parts and accessories;
- g) drive-thru and drive-in facilities;
- h) commercial parking lot;
- i) remote parking lot;
- j) detention center/jail/prison;
- k) boarding house;
- l) bed and breakfast; and
- m) household living, single-unit living, two-unit living and cottage court.

Except for bar, nightclub, tavern, lounge, in all other instances where there is a conflict between Permitted Uses, Limited Uses, or Special Uses in NX and IX zoning districts, the more stringent regulation is controlling.

No uses proposed in that portion of the property zoned Industrial Mixed Use (IX) at this time.

2. For that portion of the property zoned Neighborhood Mixed Use (NX), those uses listed above in condition 1 (a) through (j) and the “bar, nightclub, tavern, lounge” use shall be prohibited.

Townhomes are the only use proposed with this subdivision.

3. Any “warehouse and distribution” or “wholesale trade – wholesale sales of food only” activity shall only occur in association with an “eating establishment,” or retail sales associated with “bottling, brewery, winery, or food or beverage products (except animal slaughter or stockyards).”

Townhomes are the only use proposed with this subdivision.

4. The maximum floor area gross for any individual non-residential tenant shall be 25,000 square feet. The maximum floor area gross for all non-residential uses, combined, shall be 60,000 square feet.

No nonresidential uses proposed with this subdivision.

5. Prior to recordation of a subdivision plat for the property or issuance of a building permit, whichever shall first occur, the owner of the property shall cause to be recorded in the Wake County Registry a restrictive covenant that allocates the allowable floor area gross for non-residential uses upon the property to all lots of record comprising the property. Such restrictive covenant shall be approved by the City Attorney or his designee prior to recordation of the restrictive covenant, and such restrictive covenant shall be recorded within 45 days following its approval by City officials. Such restrictive covenant shall provide that it may be amended or terminated only with the prior written consent of the City Attorney or his designee.

This condition to be met prior to recording the subdivision plat.

6. No outdoor bulk storage shall be permitted on the property.

None proposed with this development

TREE CONSERVATION: The subject property is less than two acres in size and therefore not subject to Article 9.1, Tree Conservation.

PHASING: There is one phase in this development.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

STREET PLAN MAP: Existing streets are classified by the Street Plan Map of the Comprehensive Plan as shown below. No new streets are proposed with this development.

Street Name	Designation	Exist R/W	Required R/W	Existing street (b to b)	Proposed street (b to b)	Slope Easement
E Davie Street	Avenue, 2-Lane, Undivided	66'	½ 64'	37.2'-38.4 variable	37.2'-38.4 variable	N/A
Chavis Way	Neighborhood Local	50'	½ 50'	27'	27'	N/A
S East Street	Neighborhood Street	66'	½ 64'	40.9'	40.9'	N/A

Additional right-of-way to be dedicated is reimbursable under the facility fees program. The difference between existing and required R/W is 16'. Existing streets on the site are classified as xxxxx. A survey for the required improvements shall be provided in accordance with 8.1 of the UDO.

TRANSIT: This site is presently served by the existing transit system.

COMPREHENSIVE PLAN: This site is located in the South Central CAC in an area designated for Neighborhood Mixed Use Development.

SUBDIVISION STANDARDS:

LOT LAYOUT: The minimum site area for a townhome development is 3,300 square feet. There are no minimum lot sizes or depth requirements for townhome lots in the NX district. The minimum lot width is 16'. Lots in this development conform to these minimum standards. A primary street build-to with 50% of the property's frontage having buildings between 0'-20' is required by the Urban Limited Frontage and

shown on the plans. A 10% or .19 acre outdoor amenity is required. 0.21 acres (10.6%) are provided.

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 by private contractor is to be provided.

BLOCKS / LOTS / ACCESS: Block perimeters, lot arrangement and access conform to Chapter 8 of the UDO.

STREETSCAPE TYPE: The applicable streetscape is a Mixed Use along Chavis Way. A design adjustment has been approved to allow an alternate location of the 8' sidewalk and 6' planting strip. E Davie and S East Street streetscapes will be applied with the pending site plan on the property (SR-23-15).

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. A sidewalk is required along Chavis Way. Access to the public right of way in addition to internal connection requirements is provided in accordance with 8.3.4 of the UDO.

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

STORMWATER MANAGEMENT: This site is subject to stormwater management controls in accordance with Article 9 chapter 2 of the Unified Development Ordinance. Proposed stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual.

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

STREET NAMES: Two new streets are being proposed with this development.

OTHER REGULATIONS: Developer shall meet all City requirements, including underground utility service, flood protection measures, and the soil erosion ordinance, 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 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: 8-1-2019
Record at least ½ of the land area approved.

5-Year Sunset Date: 8-1-2021
Record entire subdivision.

WHAT NEXT?:

- MEET ALL CONDITIONS OF APPROVAL.
- COMPLETE INFRASTRUCTURE 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 Public Works Department for street construction; by the first working day in November and May each year.