



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-57-15 / West Street Townhomes

General Location: The site is located on the southwest corner of the intersection of S. West Street and W. Lenoir Street.

CAC: Central

Nature of Case: Subdivision of .534 acres into 12 townhome lots, zoned NX-3-UL-CU.

Contact: Zak Shipman, Curry Engineering, PLLC.

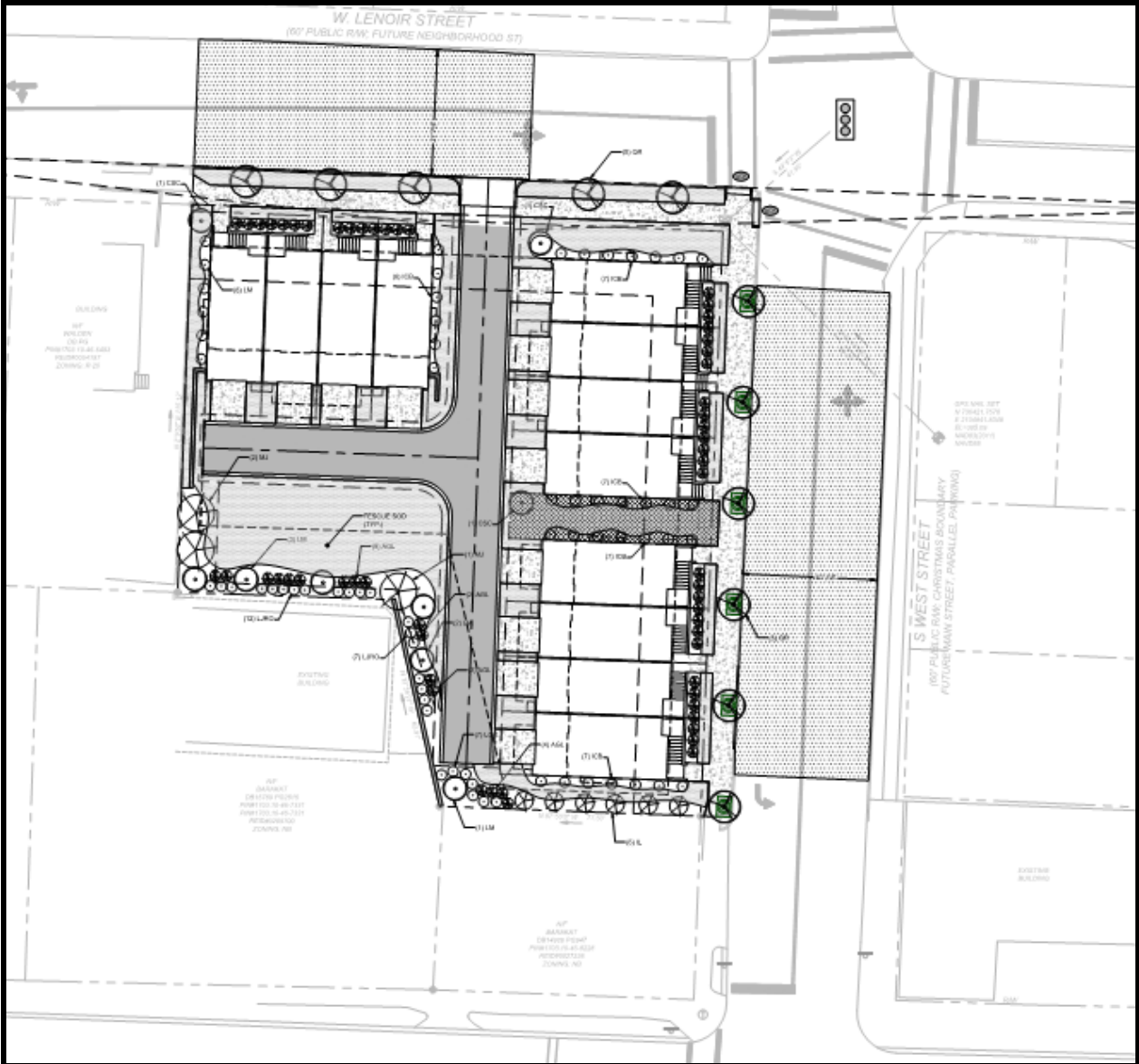
Design Adjustment: One Design Adjustment has been approved by the Public Works Director for this project, noted below.

1. A Design Adjustment has been granted waiving the required Right of Way dedication for a Main Street Parallel Parking street section along S. West Street running the length of the parcel, as this section of S. West Street falls within the William Christmas Boundary for the City of Raleigh downtown area.

Administrative Alternate: NA



Location Map – Proposed Preliminary Subdivision S-57-15



Preliminary Subdivision Plan – West Street Townhomes




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	West Street Townhomes	Date Completed Application Received	11/20/15
	Case Number	S-57-2015	Transaction Number	447228

Staff Response/Recommendation	Staff supports the design adjustment from right-of-way dedication within the Christmas Boundary.		
	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

 Richard L. Kelly, Interim Public Works Director Date *12/12/15*

*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).

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SUBJECT: S-57-15 / West Street Townhomes

CROSS-REFERENCE: Transaction # 447228, Z-9-15

LOCATION: The site is located on the southwest corner of the intersection of S. West Street and W. Lenoir Street and is located inside the city limits.

PIN: 1703467496, 1703468401, 1703468308, and 1703468324

REQUEST: This request is to approve the subdivision of a recombined .534 acre tract into 12 townhome lots and one common area lot, zoned NX-3-UL-CU.

OFFICIAL ACTION: Approval with conditions

CONDITIONS OF APPROVAL:

Prior to issuance of a mass 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;
- (5) That a seasonal high water table analysis be approved for the proposed location of each stormwater control device;

Prior to Planning Department authorization to record lots:

- (6) That ½ of the required right of way for the existing W. Lenoir Street is dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City prior to building permit issuance;
- (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 both S. West Street, and W. Lenoir Street, is paid to the Public Works Department;

- (8) 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;
- (9) That the Public Works Department approve a public sidewalk easement for any portion of the public sidewalk along S. west Street located within private property;
- (10) 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;
- (11) 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;
- (12) 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 homeowner association;
- (13) That all conditions of Z-9-15 are complied with;

Prior to issuance of building permits:

- (14) 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;
- (15) That a fire flow analysis must be proven at time of building permits per the 2012 NCFPC, Section 507.3. This is required for verification that minimum fire flow does exist from the existing/new hydrants for the new building to supply the fire-fighting efforts;
- (16) That a tree impact permit are obtained from the City of Raleigh and that a planting detail for the streetscape trees is approved in accordance with the standards set forth in the Raleigh Street Design Manual;

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

(17) 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 (A. Barlow) Date: 2-16-16

Staff Coordinator: Michael Walters

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 3.1, Sections 3.2.3, 3.4.7, and Chapter 7, Article 7.2. This approval is based on a preliminary plan dated 1/04/16 owned by Lambert Development LLC., submitted by Zak Shipman, Curry Engineering, PLLC.

ZONING:

ZONING DISTRICTS: NX-3-UL-CU

(Z-9-15)

Uses prohibited on the properties to be rezoned: Special care facility, Cemetery, Telecommunication tower (<250 ft), Telecommunication tower (>=250 ft), Outdoor sports or entertainment facility (<=250 seats), Outdoor sports or entertainment facility (>250 seats), indoor recreation (all types), Vehicle Sales/Rental, Detention center, jail, prison, and Vehicle repair (minor), drive-in and drive-through facilities, commercial parking lots, remote parking lots, and vehicular fuel sales.

Maximum overall density for residential uses shall be limited to 30 units per acre.

Maximum overall intensity for office and/or medical uses shall be 14,600 square feet gross floor area.

Maximum overall intensity for retail sales uses shall be 7,600 square feet gross floor area.

New mixed use building types or general building types constructed after the effective date of this rezoning that include office, medical, and/or retail sales uses shall have the appearance of early twentieth century storefronts, such as those found in the nearby Depot National Register Historic District (e.g. 217 307, 309, 311, or 313 W. Martin Street), and will be a minimum of two stories in height.

TREE CONSERVATION: NA

PHASING: There is one phase in this development.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

STREET PLAN MAP: Dedication of right-of-way of the following streets is required by the Street Plan Map of the Comprehensive Plan.

Street Name	Designation	Exist R/W	Required R/W	Existing street (b to b)	Proposed street (b to b)
S. West Street	Main Street Parallel Parking	56'	NA	40' b to b	NA
W. Lenoir Street	Neighborhood Street	60'	½ of the 64'	37'	NA
Alleys	(Private) Alleys	NA	20' min. easement	NA	16' (eop to eop)

S. West Street is classified as Main Street Parallel Parking, and dedication of Right-of-Way is not required as per the approved design adjustment by the Public Works Director. W. Lenoir Street is classified as a Neighborhood Street and dedication of ½ of the 64' Right of Way is required.

A surety 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 Central CAC in an area designated for moderate density residential development.

SUBDIVISION STANDARDS:

- LOT LAYOUT:** The minimum site size in NX zoning district is 3,300 sq. feet. The minimum site width in this zoning district is 44 feet. This development conform to these minimum standards. Townhome lots require 16' minimum width and this plan shows conformance.
- TOWNHOME STANDARDS:** The minimum site area for a townhome development is 3,300 square feet. Minimum townhome lot width is 16'. Townhome lots in this development conform to these minimum standards. A primary street build-to with 70% of the property's frontage having buildings between 10'-30' is required and shown on the plans. A 10% or 2326 sq. ft. outdoor amenity area is required, a 2540 sq. ft. outdoor amenity area is proposed. Lots in this development conform to these minimum standards.
- 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:** Service for the development is to be provided by the City.
- BLOCKS / LOTS / ACCESS:** Block perimeters, lot arrangement and access conform to Chapter 8 of the UDO. A fee for street signs is required in accordance with the Raleigh Street Design Manual.
- STREETSCAPE TYPE:** The applicable streetscape for S. West Street is a Main Street Streetscape. The applicable streetscape for W. Lenoir Street is a Residential Streetscape. The existing sidewalks along both S. West and W. Lenoir are to be removed and construction of a new 10' ft. wide sidewalk along S. West Street, and a new 6' wide sidewalk along W. Lenoir Street is proposed. Street trees are to be planted along both W. Lenoir Street, and S. West Street.
- PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. 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 or 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 private alleys are being proposed with this development. A fee for street signs is required in accordance with the Raleigh Street Design Manual.
- 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: 2-16-2019
Record at least ½ of the land area approved.

5-Year Sunset Date: 2-16-2021
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.