



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: SP-11-12/ Passage Homes Coleman Street

General Location: Intersection of Martin Luther King Jr. Blvd. and Coleman Street.

Property Owner: Passage Home, Inc.

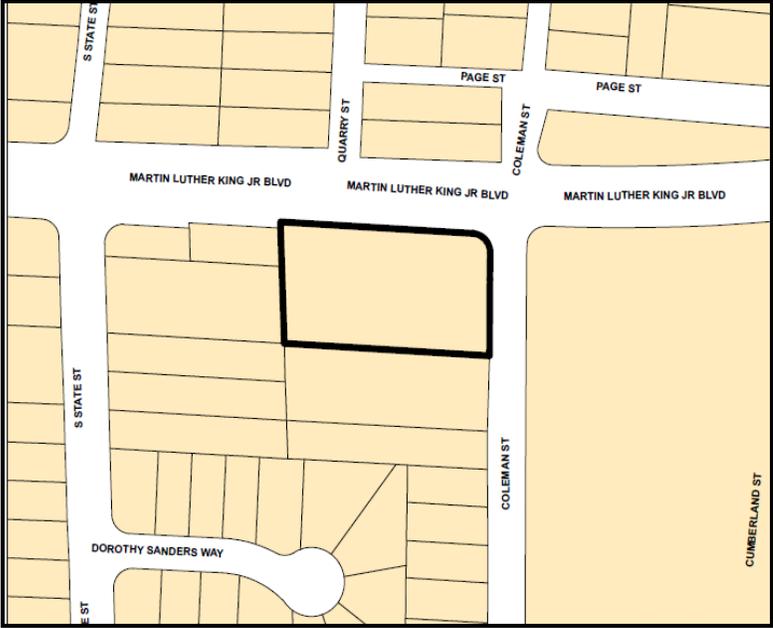
Designer: CLH Design, PA

CAC: South Central

Nature of Case: This request is to approve a three story, 17,535 square foot, multifamily building composing of 18- 2 bedroom units on a 1.02 acre tract. The proposed use is for 17.64 units per acre zoned R-20.

Key Issues: 1. Requested alternate means of compliance for a 20' type C buffer along the south property line.

Contact: Renee Pfeifer



Vicinity Map

SUBJECT: SP-11-12/ Passage Homes Coleman Street

CROSS-REFERENCE: Not applicable.

LOCATION: Intersection of Martin Luther King Jr. Blvd. and Coleman Street, inside the City Limits.

REQUEST: This request is to approve a three story 17,535 square foot multifamily building composing of 18-2 bedroom units on a 1.02 acre tract at 17.64 units per acre, zoned R-20.

This proposal requires Planning Commission approval based on Code section §10-2132.2(b)(12) applicable to “*multifamily dwelling developments, townhouse developments, residential unit-ownership and group housing developments*” which are proposed to be located within a *residential zoning district* on any lot less than two (2) acres in area.”

This proposal also requires Planning Commission approval based on Code section §10-2132.2(b)(13) “*multifamily dwelling developments, townhouse developments, residential unit ownership, other than conservations of existing residential structures, and group housing developments*” which are located within a residential district, which are less than five (5) acres in area, and at least sixty-six (66) per cent of the “periphery” of the development, including public right-of-way, abuts existing residential building *lots* containing a single-family detached dwelling or a structure which was originally constructed as a *single family detached dwelling*. “Periphery” includes for purposes of this subsection *properties* both immediately abutting and across a public minor residential street, residential *street*, residential collector *street*, or collector *street* from the proposed development, all as defined in Part 10, Chapter 3. The subject property has 75% of its periphery adjoining existing residential building lots containing single family dwellings.

OFFICIAL ACTION: Approval with conditions

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

FINDINGS: The Planning Commission finds that this request, with the following conditions of approval being met, meets the standards of 10-2132.2 d. The Planning Commission also finds that this plan conforms to Chapter 2, Part 10, Sections 10-2023, 10-2103, 10-2107, 10-2108, 10-2132.2 and 10-2082, Chapter 3, Part 10, Section 10-3001-3059. This approval is based on a preliminary plan dated 7/19/12, owned by Passage Home, Inc submitted by CLH Design, PA.

VARIANCES / ALTERNATES: 1. Transitional Protective Yard alternate method of compliance: Since this project’s use is high residential density adjacent to single family the proposed use is required a 20’ Type C buffer consisting of 7 shade trees per and 80 evergreen shrubs per hundred linear feet. Code requires the shrubs to be 18” tall

when planted with an expected height of 6 feet in five years of planting and trees to be installed at 8'.

Required for the transitional protective yard:

20' wide buffer with a Type C density equates to 20- 2" cal. trees and 231- 18" shrubs.

The applicant is proposing a 10' wide planting buffer with a 6' closed wooden fence along the entire length of the property line and 15- 3" cal. trees installed at 12'-14' tall with 1 row of 58 evergreen shrubs spaced 5' o.c. planted at 24" tall.

Pursuant to City Code Section 10-2082.4 (a), the reviewing board must determine that the proposal alternate is at least equivalent in terms of quality, effectiveness, durability, hardiness and performance as the required City Code standard.

To PC: 14 AUG 2012

Case History:

Staff Coordinator: James Marapoti

Motion: Buxton

Second: Mattox

In Favor: Butler, Buxton, Fleming, Fluhrer, Harris Edmisten, Haq, Mattox, Schuster, Sterling Lewis, Terando

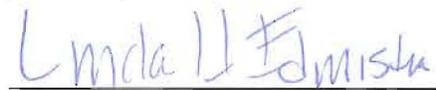
Opposed:

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: August 14, 2012

date: August 14, 2012



Staff Report

**RECOMMENDED
ACTION:** Approval with Conditions

**CONDITIONS OF
APPROVAL:** Planning Commission Actions:

- (1) That in accordance with 10-2082.4 (a) (Landscaping Alternate Methods of Compliance), the Planning Commission approves an alternate to the spacing, size and location requirements for the Type C transitional protective yard and that the alternate is at least equivalent to the standards specified in terms of quality, effectiveness, durability, hardness, and performance;

Administrative Actions:

Prior to issuance of a grading permit for the site:

- (2) That as the developer has chosen to offset a portion of nitrogen export load limitation by paying monies to the North Carolina Ecosystem Enhancement Program (NCEEP) in accordance with Nitrogen reduction requirements of Section 10-9022, this payment shall be made to NCEEP and verification of the amount of payment shall be provided to the City of Raleigh Stormwater Engineer;
- (3) 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 10 Chapter 9, 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 building permits:

- (4) That a 8 x 20 foot transit easement located on Martin Luther King Blvd. be approved by the Transit Planner in the Public Works Transportation Department, be shown on all maps for recording, and that a transit easement deed approved by the City Attorney is recorded with the local County Register of Deeds Office where the property is located. That the recorded copy of this transit easement be provided to the Planning Department within 14 days of authorization of lot recording. If a recorded copy of this easement is not provided to the Planning Department within the 14 day period, further plat recordings and building permits authorization may be withheld;
 - (5) That prior to issuance of a building permit, the developer, in accordance with Code Section 10-9027(c) will pay the City twenty-four (24%) percent of the initial cost of all stormwater control devices.
-

- ZONING:** Residential 20.
- SETBACK /HEIGHT:** Setbacks and height from public streets and property lines conform to Section 2107 and R-20 zoning district, the proposed height of this building is 40'.
- OPEN SPACE:** Open space conforms to minimum requirements. 10% or 4,443 square feet is required, 4,523 square feet provided, based on the open space standards of 10-2103(d).
- PHASING:** This project will be constructed in one phase.
- PARKING:** Off-street parking conforms to minimum requirements: 18- 2 bedroom units at 2 spaces per unit or 36 parking spaces is required, this site plan is providing 33 spaces utilizing a 10% reduction (or 3 off-street parking spaces) for landscape planting area.

LANDSCAPING: Street yard landscaping in conformity with Section 10-2082.5 is shown utilizing existing and proposed trees. Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. This is a high residential density next to low residential use under Section 10-2082.9. The applicant is submitting an alternate means of compliance for the required transitional protective yard for the use to the south. The applicant is proposing a 10' wide planting buffer with a 6' solid closed wooden fence along the entire length of the property line and 15- 3" cal. trees installed at 12-14' tall with 1 row of 58 evergreen shrubs spaced 5' o.c. planted at 24" tall.

<u>Location</u>	<u>Yard type required</u>	<u>Width proposed</u>
South	20' Type C	10' width w/ alternate
West	20' Type C	20'

TREE CONSERVATION: Neither tree conservation nor a natural protective yard is required since the use is proposed a residential use on a site less than 2 acres.

- GREENWAY:** There is no greenway on this site.
- THOROUGHFARE / COLLECTOR PLAN:** Adequate right of way and road construction exist along Coleman Street and Martin Luther King Blvd.
- GROUP HOUSING STANDARDS:** This multi-family dwelling site plan conforms to the group housing standards of Code Sections 10-2103 (c), (d), (e), (f), and (g) as required by Code Section 10-2107(a).
- TRANSIT:** The following transit-oriented features of this site are incorporated into the proposed plan: 8' x 20'.
- COMPREHENSIVE PLAN:** The site is located within the South Central CAC, and is designated as Moderate Density Residential on the Future Land Use Map. The Moderate Density Residential category applies to some of the city's older single family neighborhoods, along with newer small lot single family subdivisions and patio

home developments. Staff has reviewed the site plan and finds this plan in compliance with the Comprehensive Plan and the following policies.

- LU 2.2 – Compact Development
- LU 4.5 – Connectivity
- LU 4.9 – Corridor Development
- LU 5.1 – Reinforcing the Urban Pattern
- LU 5.4 – Density Transitions
- LU 5.6 – Buffering Requirements
- LU 8.2 – Neighborhood Revitalization
- LU 8.9 – Open Space in New Development
- T 4.8 – Bus Waiting Areas
- T 5.2 – Incorporating Bicycle and Pedestrian Improvements
- T 5.5 – Sidewalk Requirements
- EP 3.12 – Mitigating Stormwater Impacts
- UD 3.7 – Parking Lot Placement
- UD 3.8 – Screening of Unsightly Uses
- UD 5.1 – Contextual Design

**HISTORIC /
 DISTRICTS:**

Not applicable.

**APPEARANCE
 COMMISSION:**

The Appearance Commission has made the following comments on this preliminary plan. Shown below are comments and applicant responses:

Comment	Response
1. Given the expected number of residents, enlarge common area to maximum space available; push wall back; add more benches, shield them with shade trees [commensurate with Code Sec. 10-2132.2(d)(2)].	We have relocated the decorative wall to allow as much room as possible for the open space. The wall is located directly outside of the City of Raleigh Sanitary Sewer Easement and creates a corner edge for this area. We have relocated the hardscape commons area closer to the building for accessibility purposes. This allows an opportunity for this hardscape area to open up on to the lawn area to create an even larger gathering space if needed. We have also added benches shaded by trees away from the building for smaller, more intimate gatherings.
2. Add trees along driveway; double the number of crape myrtles along Martin Luther King Jr. Boulevard as additional buffering; plant groundcovers on slopes rather than grass [commensurate with Code Sec. 10-2132.2(d)(2)].	Shade trees have been added along the entrance drive. Additional Crape Myrtles have been added along MLK, roughly spaced 25' apart except where the Sanitary sewer easement interferes with the streetyard. In addition to the Transitional Protective Yard plantings, a no mow seeding mixture is proposed along the west and south property lines on the slope.
3. Provide low-maintenance but	The plans call for a treated wood railing

high-safety alternative to vinyl railings [commensurate with Code Sec. 10-2132.2(d)(2)]. that will provide a high-safety alternative to vinyl railings.

- 4. Add features to make ground-floor entries more inviting (providing “green” transitions through installation of planter boxes, etc.; provide design opportunities for personalizing space) [commensurate with Code Sec. 10-2132.2(d)(2)]. Owner will provide planters to separate personal space from parking lot.

SUBDIVISION STANDARDS:

LOT LAYOUT: The proposed units conform with the allowable density of R-20 pursuant to 10-2073.

PUBLIC UTILITIES: This site plan complies with 10-2103 (g) and City water and sewer services exist.

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

STREETS/SIDEWALKS

CIRCULATION: This site plan complies with 10-2103(c). The proposed project will be accessed via Coleman Street.

PEDESTRIAN: A 5’ sidewalk exists along Martin Luther King Blvd. a 5’ sidewalk is proposed along Coleman St. the entire length of the property. There are 2 internal sidewalks linking the building with the public right of way as depicted on the site plan.

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

STORMWATER MANAGEMENT: Site is meeting stormwater regulations with regard to water quantity (detention) through the use of a previously approved underground detention pipe that was designed for 60% impervious on the site. A sand filter is proposed to meet the water quality (nitrogen) regulations, along with a buydown payment.

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

STREET NAMES: Not applicable.

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.