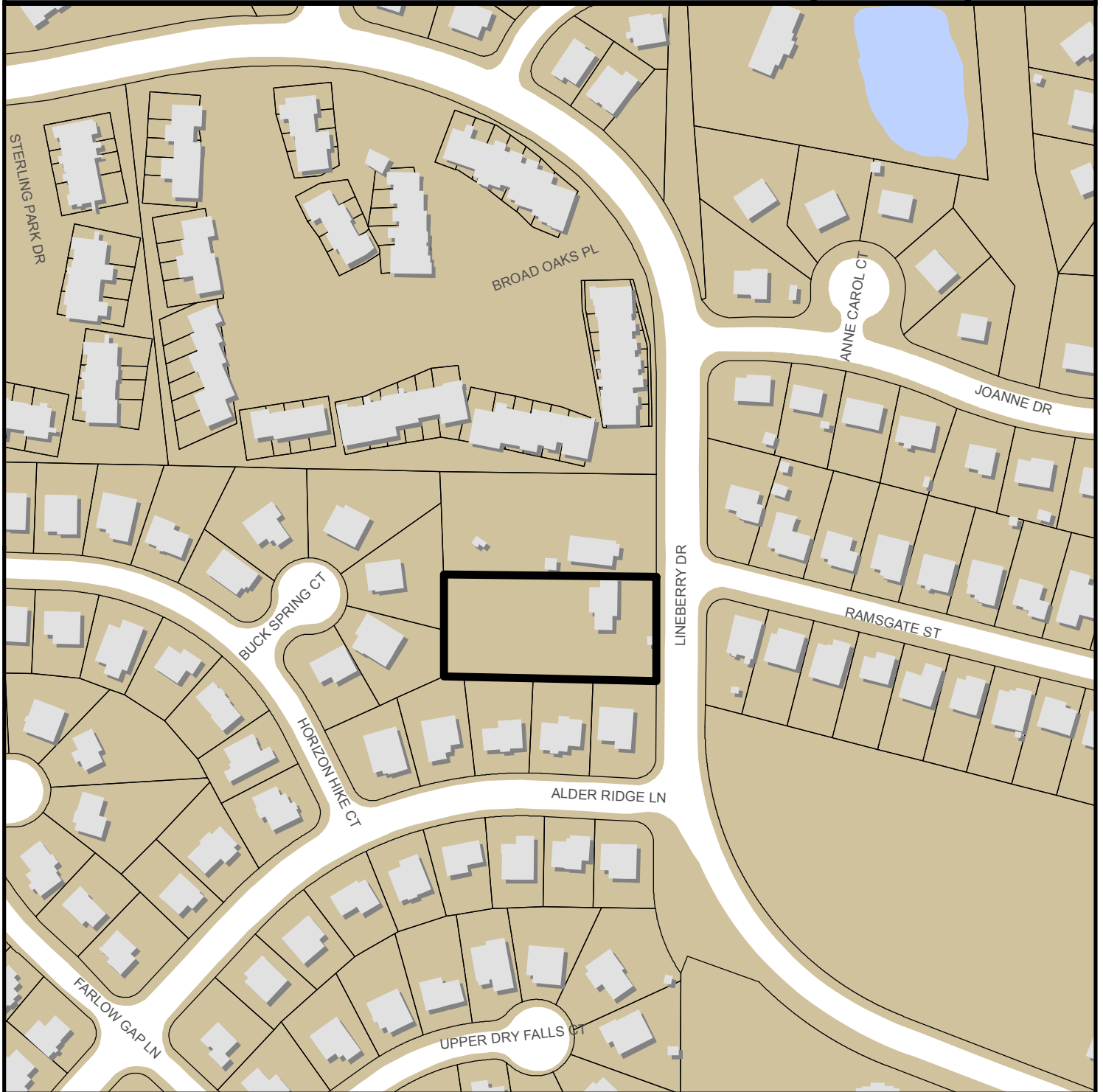


# SHAIL APARTMENTS SR-64-2016



0 245 490 Feet

Zoning: **R-10, SRPOD**  
CAC: **Southwest**  
Drainage Basin: **Walnut Creek**  
Acreage: **0.77**  
Sq. Ft.: **16100**

Planner: **Justin Rametta**  
Phone: **(919) 996-2665**  
Applicant: **Jain Vaibhav**  
Phone: **919-633-0681**





# Administrative Action

## Administrative Site Review

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

**Case File / Name:** SR-64-16 / Shail Apartments

**General Location:** This site is located on the west side of Lineberry Drive, off of Lake Wheeler Drive, north of Alder Ridge Lane and adjacent to Ramsgate Street

**CAC:** Southwest

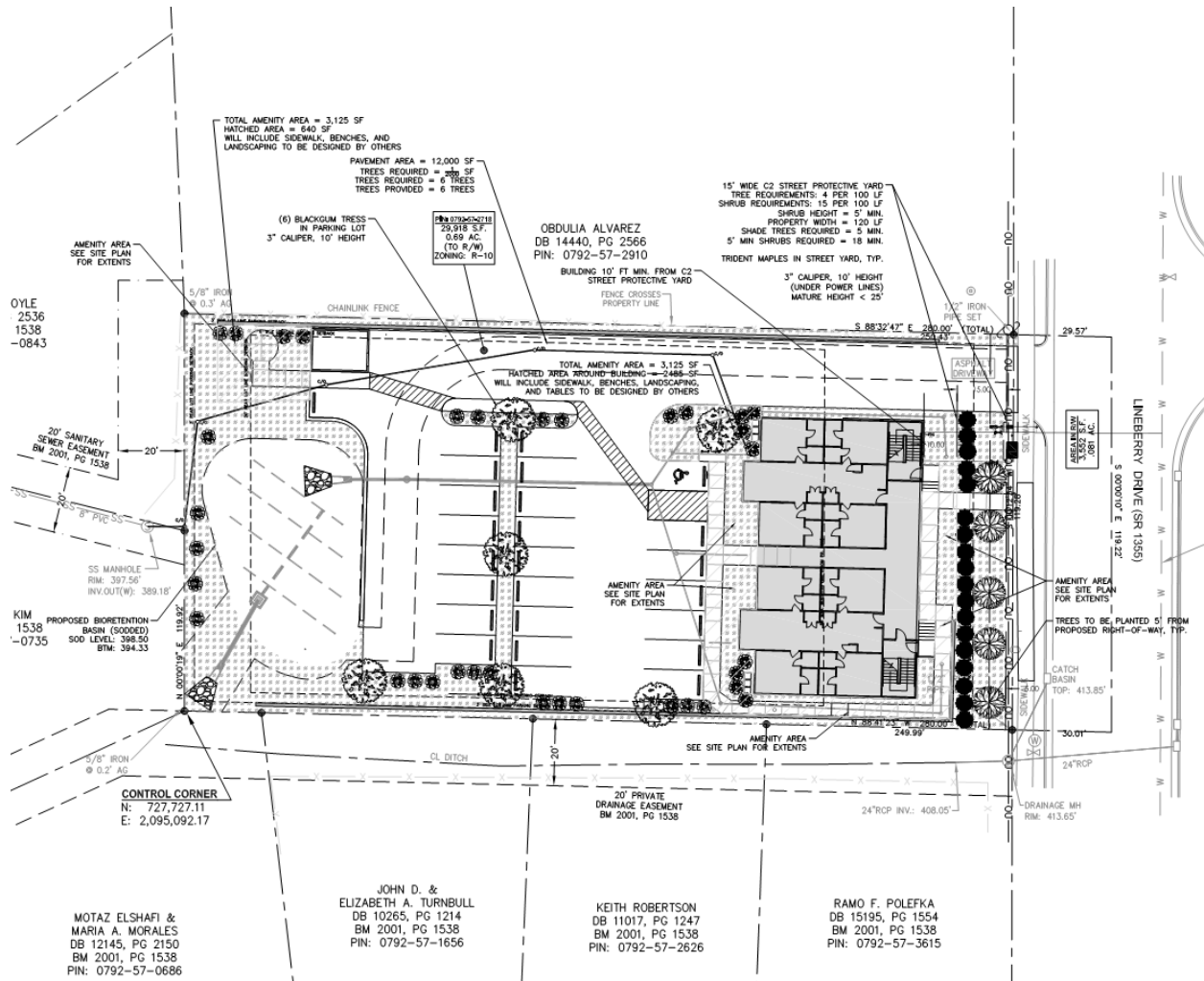
**Request:** Development of a 0.77 acre tract zoned Residential-10/Special Residential Parking Overlay District into an 11,178 square foot, 36 foot and 11 inches in height, Apartment building. Total number of units proposed is 6 units. Overall units allowable per acre is 7.79, based on a maximum of 10 units per acre.

**Cross-Reference:** N/A



<b>Code Conformance:</b>		<b>Code Section(s)</b>
<b>Zoning District:</b>	Residential-10 (R-10)	<a href="#">2.1</a> , <a href="#">3.1</a>
<b>Overlay District:</b>	Special Residential Parking Overlay District (SRPOD)	<a href="#">5.1</a>
<b>Parking:</b>	(6) 4-bedroom units proposed 4 vehicle spaces required per unit + 1 vehicle space per 10 units for visitors, <ul style="list-style-type: none"> <li>• 25 spaces required</li> <li>• 25 spaces provided</li> <li>• 1 short-term bicycle parking space per 20 units, minimum 4; 4 provided</li> </ul>	<a href="#">7.1.2</a>
<b>Street Type(s):</b>	Mixed Use Streets/Avenue, 2-Lane Undivided A design adjustment has been approved for Blocks, Lots and Access (see details below).	<a href="#">8.4</a>
<b>Streetscape:</b>	A C2 Streetyard will be located a minimum of 3 feet behind the proposed right-of-way on private property, due to the property fronting on an NCDOT maintained street. A design adjustment has been approved (see details below).	<a href="#">8.5</a>
<b>Setbacks/Frontage:</b>	Front yard 10 ft (minimum) / 30 ft provided Rear yard 20 ft (minimum) / 20 ft + provided Side yard 6 ft (minimum) <ul style="list-style-type: none"> <li>- 26.87 ft (provided on the northern side lot line)</li> <li>- 9 ft (provided on the southern side lot line)</li> </ul> Building height 45 ft (maximum) / 36 ft 11 inches provided	<a href="#">3.4</a> , <a href="#">3.2</a> , <a href="#">2.2</a>
<b>Neighborhood Transitions:</b>	N/A	<a href="#">3.5</a>
<b>Transitional Protective Yards:</b>	N/A	<a href="#">7.2.4</a>
<b>Stormwater:</b>	Site is showing compliance with stormwater runoff and water quality regulations with a bioretention system and one-time buydown to the North Carolina Ecosystem Enhancement Program.	<a href="#">9.2</a>
<b>Tree Conservation:</b>	The subject parcel is smaller than two acres. Compliance with UDO Article 9.1 Tree Conservation is therefore not required.	<a href="#">9.1</a>
<b>Variances, Design Adjustments, Administrative Alternates:</b>	<ul style="list-style-type: none"> <li>• Design Adjustment #1 to UDO Article 8.5 Existing Streets to retain the existing 5' sidewalk along Lineberry Drive to provide a consistent sidewalk alignment.</li> <li>• Design Adjustment #2 to UDO Article 8.5 Existing Streets not requiring dedication of the 5' utility placement easement, as a result of Lineberry Drive being a State-maintained street; therefore a C2 streetyard is being provided behind the sidewalk, on private property.</li> </ul>	

	<ul style="list-style-type: none"> <li>Design Adjustment #3 to UDO Article 8.3 Blocks, Lots, Access as a result of the north adjacent lot is not being developed with this site and the elevation between the lots is not conducive to providing a future shared street access. Lineberry Drive is an Avenue-2 lane Undivided street which requires driveway spacing of 100' and will be required when the north adjacent property is to be developed.</li> </ul>	
<p><b>Other:</b></p>	<p>Residential infill compatibility rules apply.</p> <p>Street setback for the placement of the proposed building conforms to the underlying district standards. The calculation for this proposal cannot be applied to at least 4 lots on this interior lot; therefore the building must meet the district standards.</p> <p>The maximum allowed wall height adjacent to the side property line is 22 feet or the average height of the 2 abutting neighboring wall planes, whichever is greater. The wall height may be increase 1 foot for each foot of horizontal distance the wall is moved from the side setback line, not to exceed the maximum height allowed within the district.</p> <p>There are two building walls that exceed 22 feet in height, the north wall and south wall.</p> <p>North Wall (Average Wall Height = 25 feet)</p> <ul style="list-style-type: none"> <li>- Side Setback required: 9 feet (6 feet +3 additional feet)</li> <li>- Side Setback provided: 26.87 feet</li> </ul> <p>South Wall (Average Wall Height = 25 feet)</p> <ul style="list-style-type: none"> <li>- Side Setback required: 9 feet (6 feet +3 additional feet)</li> <li>- Side Setback provided: 9 feet</li> </ul> <p>Side wall length requirements for articulation are not required as walls that are greater than 22 feet in height and located within 15 feet of the lot line are not greater than 50 feet in length.</p>	<p><a href="#">2.2.4</a>, <a href="#">2.2.7</a></p>



SR-64-16 Preliminary Site Plan

**OFFICIAL ACTION: Approval with conditions**

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**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 the issuance of any site permits, infrastructure construction plans or concurrent review process, 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 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;
5. That diffused flow shall be established at the location of the pipe outfall from the site;
6. That a driveway permit and/or encroachment agreement from NCDOT be approved for the improvements on Lineberry Drive;

**Prior to issuance of building permits:**

7. 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;
8. That in accordance with Part 10A Section 9.2.2, a surety equal to 125% of the cost of construction of a stormwater device shall be paid to the City;
9. That an encroachment agreement for any plantings, planters, awnings or stormwater drainage systems that carry private drainage to be located within the public right-of-way is approved by the City Council by separate action. An application for encroachment into the public right of way for the landscaping located within the right of way as indicated on the preliminary plan, shall be submitted to the City's Encroachment Coordinator in the Development Services Department for review, and that the City Council approve the encroachment request. Following City Council approval of the encroachment, an encroachment agreement, prepared in accordance with Raleigh City Code Sections 12-1001 and 12-1021(a), shall be filed with the Development Services Department, and the encroachment agreement is to be recorded with the Wake County Register of Deeds. Maintenance of the encroachment shall be the responsibility of the owner;
10. That a 1' fee-in-lieu will be required to supplement the 5' existing sidewalk along Lineberry Drive and shall be paid to the Development Services Department;

11. That in accordance with Part 10A Section 8.1.3, a surety for 100% of the cost of development related improvements is paid to the Development Services Department;
12. That the necessary approval from Wake County for abandoning and removal of the well and/or septic system are provided;
13. That a demolition permit be issued;
14. That ½ of the required 64' right-of-way on Lineberry Drive be dedicated to the City of Raleigh, recorded with the Wake County Register of Deeds and a copy of the recorded plat be provided to the City;
15. That City of Raleigh waterline easements (containing domestic and irrigation meters) are recorded with the Wake County Register of Deeds and a copy of the recorded plat be provided to the City;
16. That a fire flow analysis sealed by an engineer is required with a hydrant flow test using either NCFC Appendix B or other approved method;
17. That all standards for Residential Infill Compatibility must conform to UDO Sec 2.2.7;

**Prior to issuance of building occupancy permit:**

18. That in accordance with Part 10A Section 9.2.2, an as-built plan and certification of any stormwater control device shall be reviewed and accepted by the City prior to final stormwater inspection approval or certificate;
19. That a C2 Street Protective Yard be planted on private property, to meet the streetscape requirement.

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I hereby certify this administrative decision.

**Signed:** (Planning Director) Kenneth Bourne Date: 7/11/2017

**Staff Coordinator:** Martha Y Lobo

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

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**FINDINGS:** City Administration finds that this request, with the above conditions being met, conforms to the Unified Development Ordinance. This approval is based on a preliminary plan dated 4/19/2017, submitted by Dry-McGlamery Engineering, PLLC.

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**EXPIRATION DATES:** The expiration provisions of UDO Section 10.2.8 E, including the ability to request extensions in the expiration date, apply to this site plan. If significant construction has not taken place on a project after administrative site review approval, that approval may expire and be declared void, requiring re-approval before permits may be issued. To avoid allowing this plan approval to expire the following must take place by the following dates:

**3-Year Expiration Date:** 7-11-2020

Obtain a valid building permit for the total area of the project, or a phase of the project.

**4-Year Completion Date:**

Within four years after issuance of the first building permit for the site plan, the construction of the entire site plan must be completed unless an applicant has been granted vested rights. Failure to complete construction within this specified time frame shall automatically void the approved site plan for which no building permits have been issued.

**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.
- HAVE A REGISTERED SURVEYOR PREPARE FINAL PLATS FOR RECORDING. These also must be submitted to the City for authorization signature prior to recording with the Wake County Register of Deeds.
- MEET THE REQUIREMENTS OF THE EXPIRATION THRESHOLDS AS NOTED ABOVE.