



Administrative Approval Action

Case File / Name: SUB-0034-2020
Biltmore Heights Townhomes

City of Raleigh
Development Services Department
One Exchange Plaza
Raleigh, NC 27602
(919) 996-2492
currentplanning@raleighnc.gov
www.raleighnc.gov

LOCATION: This site is located on the north side of Rush Street, west of Garner Road at 2613 Garner Rd.

REQUEST: Development of a vacant 8.04 acre tract zoned R-10, with 5,532 sf of right-of-way dedication along Garner Rd, leaving a net area of 7.92 acres into a proposed 64 unit townhomes development. This subdivision will create a total of 64 townhome lots and six common lots.
Note this plan shows offsite improvements. The offsite access easement and bridge are to be finalized through separate applications and permits as applicable

**DESIGN
ADJUSTMENT(S)/
ALTERNATES, ETC:** N/A

FINDINGS: City Administration finds that this request, with the below conditions of approval being met, conforms to the Unified Development Ordinance. This approval is based on a preliminary plan dated September 1, 2020 by Thompson and Associates.

CONDITIONS OF APPROVAL and NEXT STEPS:

This document must be applied to the second sheet of all future submittals except for final plats. This is a preliminary plan and as such no permits have been issued with this approval. To obtain permits and/or completion of the project, the following steps are required:

☒ **SITE PERMITTING REVIEW** - For land disturbance of 12,000 square feet or greater, public or private infrastructure, shared stormwater devices, etc. Site Permitting Review may be submitted upon receipt of this signed approval document.

The following items are required prior to approval of Site Permitting Review plans:

General

1. Applicant revises the min/max build-to boundaries and calculations, as shown on sheet 11 of the subdivision plans set, for the Lots 1-12, to be dimensioned from Garner Road (Primary Street).
2. A detail diagram for the short-term bicycle parking spacing & maneuverability shall be included with the Site Permit Plans set demonstrating compliance with Raleigh Street Design Manual B.20-01.
3. The build-to line setbacks and calculations table are revised, for units 1-12, on the Site Permit Review, per the corrected & revised primary street designation of Garner Rd.

Engineering

4. Required NCDOT encroachment and/or driveway permits must be approved and copies provided to Development Services – Development Engineering prior to concurrent review approval.
5. A right-of-way obstruction permit must be obtained from Right-of-way Services prior to the commencement of any construction activities within the right-of-way.

Stormwater



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6. The State of North Carolina shall approve any proposed disturbance within the riparian buffer prior to the issuance of any grading or site permit (UDO 9.2.3.E).
7. A surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City (UDO 9.4.4).
8. A nitrogen offset payment must be made to a qualifying mitigation bank (UDO 9.2.2.B).
9. A stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved (UDO 9.2).

Urban Forestry

10. Tree protection fence must be inspected by Urban Forestry staff prior to the issuance of a grading permit.
11. Submit a final tree conservation plan that includes metes and bounds descriptions of all tree conservation areas and tree protection fencing as required (UDO 9.1.5).

☒ **LEGAL DOCUMENTS** - Email to legaldocumentreview@raleighnc.gov. Legal documents must be approved, executed, and recorded prior to or in conjunction with the recorded plat on which the associated easements are shown. Copies of recorded documents must be returned to the City within one business day of recording to avoid withholding of further permit issuance.

<input checked="" type="checkbox"/>	Public Access Easement Required
<input checked="" type="checkbox"/>	Utility Placement Easement Required
<input checked="" type="checkbox"/>	City Code Covenant Required

<input checked="" type="checkbox"/>	Slope Easement Required
<input checked="" type="checkbox"/>	Stormwater Maintenance Covenant Required

☒ **RECORDED MAP(S)** - Submit plat to record new property lines, easements, tree conservation areas, etc.). Plats may be submitted for review when the Site Permitting Review plans, if required, have been deemed ready for mylar signature.

The following items must be approved prior to recording the plat:

General

1. The City Code Covenant shall be approved by the City and recorded with the county register of deeds office where the property is located and a copy of the recorded document shall be provided to the City by the end of the next business day following the recordation of the final plat. Further recordings and building permits will be withheld if the recorded document is not provided to the City.
2. Street names for this development shall be approved by the Raleigh GIS Division and by Wake County.

Engineering



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3. A 5' utility placement easement and associated deed of easement shall be approved by the City and the location of the easement shall be shown on the map approved for recordation. The deed of easement shall be recorded at Wake County Register of Deeds within one day of recordation of the recorded plat. A recorded copy of these documents must be provided to the Development Services Department within one day from authorization of lot recordation. If recorded copies of the documents are not provided, further recordings and building permit issuance will be withheld.
4. A public infrastructure surety is provided to the City of Raleigh Development Services – Development Engineering program (UDO 8.1.3).
5. The required right of way for proposed and/or existing streets shall be dedicated to the City of Raleigh and shown on the map approved for recordation.
6. A fee-in-lieu for 1' width sidewalk is paid to the City of Raleigh (UDO 8.1.10).
7. A fee-in-lieu for 3.5' width of back to back curb section shall be paid to the City of Raleigh (UDO 8.1.10) for length of property frontage along Garner Road.
8. A fee-in-lieu for 114' length of road section (Neighborhood Yield Section) is paid to the City of Raleigh (UDO 8.1.10).
9. A slope easement deed of easement shall be approved by City staff and the location(s) of the easement shall be shown on a plat approved for recordation. The deed of easement shall be recorded at Wake County Register of Deeds within one day of recordation of the recorded plat. A recorded copy of these documents must be provided to the Development Services Department within one day from authorization of lot recording. If a recorded copy of the document is not provided, further recordings and building permit issuance will be withheld.
10. A Public Access deed of easement be approved by City staff, and the location of the easement shall be shown on the map approved for recordation. The deed of easement shall be recorded at Wake County Register of Deeds within one day of recordation of the plat. A recorded copy of this document shall be provided to the Development Services Department within one day from authorization of lot recordation. If a recorded copy of this document is not provided, further recordings and building permit issuance will be withheld.

Stormwater

11. The maximum allocated impervious area for all applicable lots in the subdivision should be identified on all maps for recording.
12. The riparian buffers, in accordance with the preliminary plan and the State of North Carolina regulations, shall be shown on plats for recording along with required buffer statement (Recorded Map Checklist).
13. A surety equal to 125% of the cost of the construction of a stormwater device shall be paid to the Engineering Services Department (UDO 9.2.2.D.1.d).



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14. The City form document entitled Declaration of Maintenance Covenant and Grant of Protection Easement for Stormwater Control Facilities shall be approved by the City and recorded with the county register of deeds office (UDO 9.2.2.G).
15. 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 (UDO 9.2).

Urban Forestry

16. A tree conservation plat shall be recorded with metes and bounds showing the designated tree conservation areas (UDO 9.1). This development proposes 0.792 acres of tree conservation area.
17. A public infrastructure surety for 27 street trees is provided to the City of Raleigh Development Services – Development Engineering program (UDO 8.1.3).

☒ **BUILDING PERMITS** - For buildings and structures shown on the approved plans. Commercial building permit plans must include the signed, approved Site Permitting Review plans attached, if applicable. Permit sets may be reviewed prior to the recordation of required plats, but cannot be approved.

The following items must be approved prior to the issuance of building permits:

General

1. At BLDNR submittal, each block of townhomes units demonstrate compliance with Average Grade and Most Restrictive Grade per Sec.1.5.7.A & TC-17-16.

Urban Forestry

2. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 11 street trees along Garner Road, 6 street trees along "Street 1", and 10 street trees along "Street 5" for a total of 27 street trees..

EXPIRATION 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: December 7, 2023
Record at least ½ of the land area approved.

5-Year Sunset Date: December 7, 2025
Record entire subdivision.

I hereby certify this administrative decision.

Signed: Alysia Bailey Taylor **Date:** 12/07/2020
Development Services Dir/Designee
Staff Coordinator: Jermont Purifoy

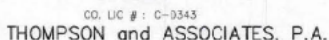
SHEET 1	EXISTING CONDITIONS PLAN
SHEET 2	SUBDIVISION PLAN
SHEET 3	UTILITY PLAN
SHEET 4	GRADING AND STORMWATER PLAN
SHEET 5	STORMWATER DETAILS PLAN
SHEET 6	PRE-DEVELOPMENT DRAINAGE MAP
SHEET 7	POST-DEVELOPMENT DRAINAGE MAP
SHEET 8	LANDSCAPE PLAN
SHEET 9	EASEMENT EXHIBIT
SHEET 10	SIGHT TRIANGLE EXHIBIT
SHEET 11	BUILD-TC EXHIBIT
SHEET 12	LIGHTING PLAN
SHEET 13	BLOCK PERIMETER EXHIBIT
SHEET TCA 1	TREE CONSERVATION AREA PLAN

NOTE:
HEIGHTS OF PROPOSED TOWNHOMES AND GROUND
FLOOR ELEVATIONS WILL BE REVIEWED/
EVALUATED AT/WITH BUILDING PERMIT REVIEW.

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ITE TRIP GENERATION NUMBERS: TOWNHOME USE
24 HR TRIP GENERATIONS (WEEKDAYS): 375
WEEKDAY AM PEAK HOUR: 28
WEEKDAY PM PEAK HOUR: 35

24 HR TRIP GENERATIONS (SATURDAY): 363
PEAK HOUR: 31

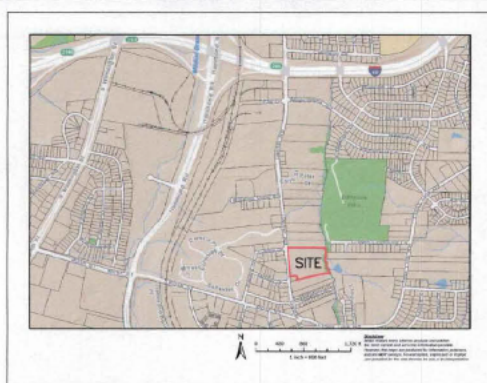
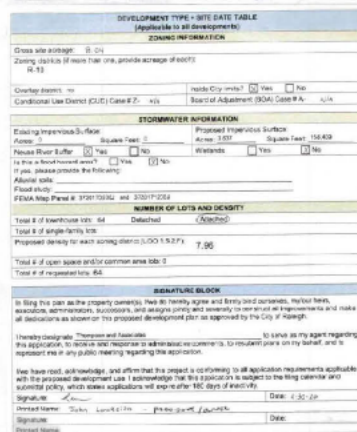
24 HR TRIP GENERATIONS (SUNDAY): 310
PEAK HOUR: 29
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1149 EXECUTIVE CIRCLE
SUITE D UNIT 2
CARY, NC 27511
TEL 919 465-1566 FAX 919 465-1585

NOTE:
ALL CONSTRUCTION & MATERIALS SHALL BE
IN STRICT ACCORDANCE WITH ALL CITY OF
RALEIGH AND NCDOT STANDARDS & SPECIFICATIONS

Phone #: 212 465-1500	E-mail: mikar.pe@att.net
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REVISED: SEPTEMBER 1, 2020



PRELIMINARY DRAWING
FOR REVIEW ONLY













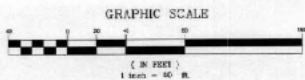
Digitally signed by
Jerront Purley
Reason: I am
approving this
document
Date: 2020.11.13
11:17:29 -0500

OWNER:
JL DEVELOPMENT CUSTOM HOMES
3732 SUNLAKE FARMS RD.
APEX, NC 27539

[illegible]

LEGEND

	EX. ROOF STORM DRAIN
	EX. CURB INLET
	EX. YARD INLET
	EX. SS MANHOLE
	EX. FIRE HYDRANT
	EX. WATER VALVE
	EX. SANITARY SEWER LINE
	EX. WATERLINE
	EX. TREE LOCATION
	EX. POWER POLE



TRACY & AZZ ELADDA
PAC 1702-85-7948
ZONED: R-10
2.4 AC
SINGLE FAMILY RESIDENTIAL

LOT 1 BILTMORE HEIGHTS TOWNHOMES
BM 2003 PG 79
DB 9720 PG. 178E
PIN:1702 95 8547

CARL JONES
PBB: 1702-05-7284
204803: H-10
2.9: AC
SINGLE FAMILY RESIDENTIAL

PRELIMINARY PLAN
NOT FOR CONSTRUCTION
FOR REVIEW ONLY

OWNER: J. L. DEVELOPMENT CUSTOM HOMES
3732 SUNLAKE FARMS RD
APEX, NC 27539

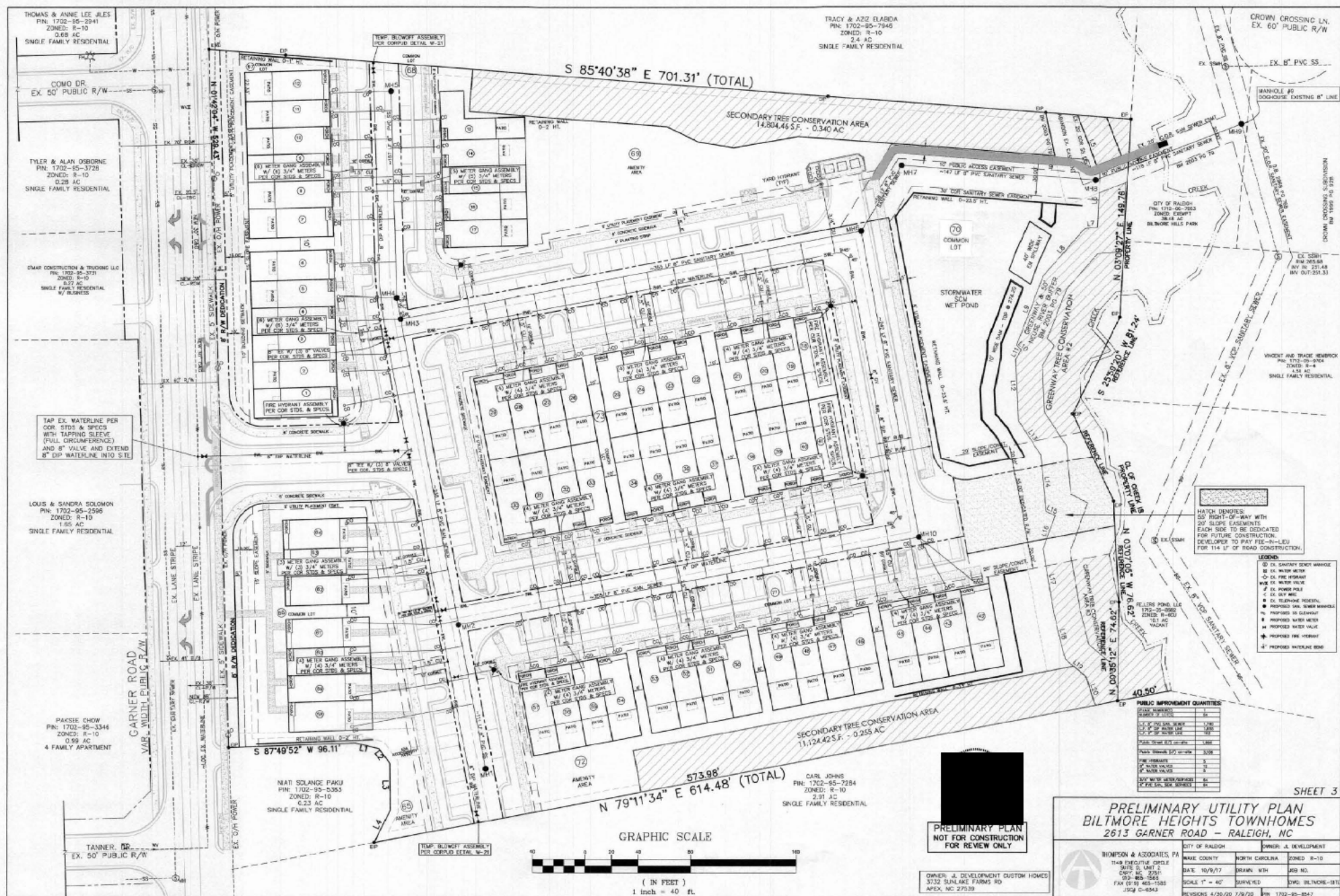
EXISTING CONDITIONS PLAN
BILTMORE HEIGHTS TOWNHOMES
2613 GARNER ROAD - RALEIGH, NC



THOMPSON & ASSOCIATES, P.C.
1143 EXECUTIVE CIRCLE
SUITE C, UNIT 2
CARY, NC 27511
919-465-1980
FAX (919) 465-1585
A N A T O M I C S

CITY OF RALIGH		OWNER: J. DEVELOPMENT	
WAKE COUNTY	NORTH CAROLINA	ZONED R-10	
DATE 6-6-17	DRAWN NTH	JOB NO.	
SCALE 1" = 40'	SURVEYED	DRAWING	
REVISIONS 4/30/20	7/6/20	PIN 1702-95-0547	

SHEET 1



GARNER ROAD STREET TREE CALCULATIONS:
3.5' EX. PLANTING STRIP
325 LF FRONTAGE - 64 LF OF DRIVEWAYS = 465 LF
465/40 = 11.63 (11 TREES) REQUIRED
11 TREES PROVIDED

GARNER ROAD STREET TREE PLANT LEGEND:

SYMBOL	TYPE	#	COMMON	SCIENTIFIC	CAL. HT.	MATURE HT./CROWN SPREAD	NOTE
SHADE	11	FRONT MAPLE	ACER BACCHARIFOLIUM	3"	10'-50'	25'	SHADE TREE ONLY

PARKING AREA PLANTING REQUIREMENTS:

INTERIOR LANDSCAPE ISLANDS: 11 ISLANDS PROPOSED
1 TREE PER ISLAND = 11 TREES REQUIRED
11 TREES PROVIDED
26,560 SF PARKING AREA PROPOSED:
TREES PER 2000 SF REQUIRED:
26,560/2000 = 13.28 (13) TREES REQUIRED
13 TREES PROVIDED

NOTE:
STREET TREES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE REQUIREMENTS OF CHAPTER 2 OF THE RALEIGH CITY TREE MANUAL.

PARKING AREA AND PARKING ISLAND PLANT LIST:

SYMBOL	TYPE	#	COMMON	SCIENTIFIC	CAL. HT.	MATURE HT./CROWN SPREAD	NOTE
ISLAND	24	SUGAR MAPLE	ACER SACCABARUM	3"	10'	30'-50'	R & B
PARKING AREA	24	RIVER BIRCH	BETULA NIGRA	3"	10'	30'-50'	SHADE TREE ONLY

CHOOSE FROM
NOTE: SAWTOOTH OAK (QUERCUS ACUTISSIMA)
NOT TO BE USED

TRACY & ADZ ELABDA
PIN: 1702-55-7848
ZONED: R-10
2.4 AC
SINGLE FAMILY RESIDENTIAL

GREENWAY TREE CONSERVATION
AREA 5:
583.07 LF - 6053 ACRES

CROWN CROSSING (N)
EX. 60' PUBLIC R/W

STREET TREE CALCULATIONS: (INTERIOR STREETS)

STREET 1 FRONTAGE: 140 LF (BOTH SIDES) = 140/40 = 3.5 (3) TREES REQUIRED PER SIDE
REQUIRED: 9 TREES
STREET 2 FRONTAGE (RIGHT SIDE): 427 LF
427/40 = 10.67 (11) TREES REQUIRED
LEFT SIDE: 533 LF
533/40 = 13.3 (13) TREES REQUIRED
TOTAL REQUIRED TREES: 24
PROVIDED: 24 TREES
STREET 3: 317 LF (LEFT SIDE) = 317/40 = 7.93 (8) TREES REQUIRED
383 LF (RIGHT SIDE) = 383/40 = 9.58 (10) TREES REQUIRED
TOTAL REQUIRED TREES: 18
PROVIDED: 18 TREES
STREET 4 FRONTAGE: RIGHT SIDE 289 LF
289/40 = 7.2 (7) TREES REQUIRED
STREET 5 FRONTAGE: LEFT SIDE 286 LF
286/40 = 7.1 (7) TREES REQUIRED
TOTAL REQUIRED TREES: 14
PROVIDED: 14 TREES
STREET 6 FRONTAGE: LEFT SIDE 179 LF
179/40 = 4.47 (4) TREES REQUIRED
STREET 7 FRONTAGE: RIGHT SIDE 210 LF
210/40 = 5.25 (6) TREES REQUIRED
TOTAL REQUIRED TREES: 10
PROVIDED: 10 TREES
TOTAL STREET TREES REQUIRED (INTERIOR STREETS): 72
PROVIDED: 72

INTERIOR STREET TREE PLANT LEGEND:

SYMBOL	TYPE	#	COMMON	SCIENTIFIC	CAL. HT.	MATURE HT./CROWN SPREAD	NOTE
SHADE	72	SUGAR MAPLE	ACER SACCABARUM	3"	10'	30'-50'	R & B
		DOGWOOD	QUERCUS SP.	3"	10'	30'-50'	SHADE TREE ONLY
		RIVER BIRCH	BETULA NIGRA	3"	10'	30'-50'	SHADE TREE ONLY

CHOOSE FROM
NOTE: SAWTOOTH OAK (QUERCUS ACUTISSIMA)
NOT TO BE USED AS STREET TREE

HVAC SCREENING REQUIREMENTS

HVAC TO BE SCREENED BY SOLID 4' HT WOODEN FENCE EACH LOT.
SEE TYPICAL UNIT DETAIL AND FENCE DETAIL SHEET.

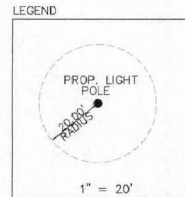
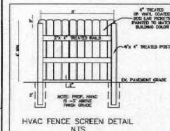
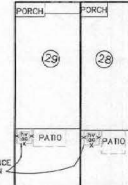
BMP SCREEN
CONTINUOUS SCREEN AT LEAST 75% EVERGREEN REQUIRED
AS SHOWN

SYMBOL	TYPE	#	COMMON	SCIENTIFIC	CAL. HT.	MATURE HT./CROWN SPREAD	NOTE
TREES	3	RIVER BIRCH	BETULA NIGRA	2"	8'	34'-40'	D&G
EVERGREEN	112	SHAW BURFORD HOLLY	ILEX CORNUTUS "BURFORD HOLLY"	24"	8'-10'	6'-10' WDSH	3 GAL

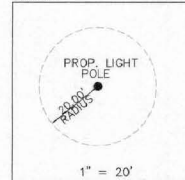
MATCH DENSITIES:
50' RIGHT-OF-WAY WITH
20' SLOPE EASEMENTS
EACH SIDE TO BE DEDICATED
FOR FUTURE CONSTRUCTION
DEVELOPER TO PAY FEE-IN-LIEU
FOR 114 LF OF ROAD CONSTRUCTION.

FEELERS POND, LLC
1702-08-6580
ZONED: R-40U
101 AC
VACANT

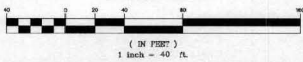
HVAC FENCE SCREEN
SEE DETAIL THIS SHEET
TYPICAL ALL LOTS



LEGEND



GRAPHIC SCALE



NOTE:
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IN STRICT ACCORDANCE WITH ALL CITY OF
RALEIGH STANDARDS, SPECIFICATIONS, AND
DETAILS.

LANDSCAPE PLAN BILTMORE HEIGHTS TOWNHOMES 2613 GARNER ROAD - RALEIGH, NC

THOMPSON & ASSOCIATES, PA 1149 EXECUTIVE CIRCLE SUITE 3, UNIT 2 CARY, NC 27513 919-465-1565 FAX: (919) 465-1585 LIC# C-0343	CITY OF RALEIGH NAME: COUNTY NORTH CAROLINA DATE: 8/9/17 SCALE: 1" = 40' REVISIONS: 4/30/20 1/9/20	OWNER: J.L. DEVELOPMENT ZONED: R-10 JOB NO. DESIGNED BY: J. L. DEVELOPMENT PIN: 1702-05-8547
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