LOCATION: This .23 acre site is located at the northeast corner of Maywood Avenue and South Saunders Street at 218 Maywood Avenue.

REQUEST: 218 Maywood Townhomes is a four lot townhome subdivision with three units zoned NX-3-PL.

Hardship Variances have been approved by the Board of Adjustment for this project, noted below. (A-108-18)

(1.A.) a 10’ variance from the Neighborhood Transitions “Zone A” protective yard called for in Article 3.5 of the Unified Development Ordinance, in order to install a wall but no buffer yard, trees or shrubs for a proposed townhouse development adjacent to residentially zoned property;
(1.B.) a 30’ variance from the Neighborhood Transitions “Zone B” use restricted area to allow a townhouse building type 20’ from an adjacent residential zoning district;
(1.C.) a 30’ variance from the Neighborhood Transitions “Zone C” height and form restrictions in order to allow a 40’ tall townhouse building type to be located 20’ from an adjacent residential zoning district;
(2.A.) a variance granting complete relief from the 6’ planting area and/or streetscape tree planting requirements of Section 8.5.2.; and
(2.B.) a 2’ variance from the minimum sidewalk width requirements of Section 8.5.2. of the Unified Development Ordinance to install a 6’ sidewalk;
(3.) a 10’ variance from the minimum townhouse primary street setbacks set forth in Section 3.2.3.C. in order to construct a townhouse development with a 0’ primary street setback along South Saunders Street; and
(4.) a variance of 1 required parking space from the required visitor parking called for in Section 7.1.2.C. of the Unified Development Ordinance that would result in no visitor parking spaces for the proposed 4-unit townhouse development on a .23 acre parcel zoned Neighborhood Mixed-Use-3 and Parking Limited located at 218 Maywood Avenue.

DESIGN
ADJUSTMENT(S)/ ALTERNATES, ETC: SPR-0248-2019: DSLC - Site Permitting Review/Major [Signature Set]

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 October 15, 2019 by WithersRavenel.

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:

Stormwater

1. A stormwater control plan shall be approved (UDO 9.2).

2. A nitrogen offset payment must be made to a qualifying mitigation bank (UDO 9.2.2.B).

3. A surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City (UDO 9.4.4).

☑️ 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.

☐ City Code Covenant Required

☐ Sidewalk Easement Required

☐ Cross Access Agreements Required

☐ Utility Placement Easement 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. A plat must be recorded at the Wake County Register of Deeds office labeling the 20' alley within the cross access easement as a "common element".

Engineering

3. A cross access agreement among the lots identified as shown shall be approved by the Development Services Department for recording in the Wake County Registry, and a copy of the recorded cross access easement shall be returned to the Development Services Department within one day of plat recordation. If a recorded copy of the document is not provided within this time, further recordings and building permit issuance will be withheld.
4. A sidewalk deed of easement for any public sidewalk on private property shall 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.

5. 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.

6. 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.

Stormwater

7. The maximum allocated impervious area for all applicable lots in the subdivision should be identified on all maps for recording.

☑ 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:

Urban Forestry

1. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 4 street trees along S Saunders St, 1 street tree along Maywood Ave

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: October 16, 2022
Record at least ½ of the land area approved.

5-Year Sunset Date: October 16, 2024
Record entire subdivision.
I hereby certify this administrative decision.

Signed: [Signature]  
Development Services Dir/Designee

Date: 10/16/2019

Staff Coordinator: Michael Walters
1. PROVIDE SIGNAGE AND STRIPING OF HANDICAP SPACES AS PER ADA STANDARDS.

2. HANDICAP PARKING SPACE(S) AND HC ACCESS AISLE(S) SHALL BE NO GREATER THAN TWO

3. PART. OBSTRUCTIONS INCLUDE BUT ARE NOT LIMITED TO ANY BERM, FOLIAGE, FENCE,

4. PROPOSED CURB AND GUTTER TO BE 24" CONCRETE CURB AND GUTTER UNLESS

5. NEEDED DURING CONSTRUCTION.

6. FIELD ADJUSTMENTS TO THIS PLAN MAY BE REQUIRED BY CITY OF RALEIGH INSPECTOR AS

7. PLAT FOR THIS DEVELOPMENT.

8. PUBLIC UTILITIES DEPARTMENT PRIOR TO ISSUANCE OF PERMITS OR RECORDING OF ANY

9. PLAN ARE REQUIRED, THEY MUST BE APPROVED BY THE PUBLIC WORKS DEPARTMENT AND

10. IF CONSTRUCTION PLANS FOR PUBLIC AND PRIVATE STREETS OR UTILITIES SHOWN ON THIS

11. UNDERGROUND UTILITIES.

12. CONSTRUCTION AND REPORT ANY DISCREPANCIES TO LANDSCAPE ARCHITECT PRIOR TO

13. OTHERWISE STATED ON PLANS.

14. ALL RETAINING WALLS GREATER THAN 30" IN HEIGHT TO INCLUDE SAFETY RAIL OR  FENCE.

15. ALL HVAC UNITS SHALL BE SCREENED FROM VIEW OF THE PUBLIC RIGHT OF WAY.

16. TURNING RADIUS OF 28' MINIMUM.

17. ALL DIMENSIONS SHOWN ARE TO BACK OF CURB, UNLESS OTHERWISE STATED ON PLANS.

18. ALL PROPOSED CURB AND GUTTER WITHIN PUBLIC RIGHT OF WAY SHOWN ON PLANS TO BE

19. WORKS DEPARTMENT STANDARDS, PROWAG STANDARDS AND ADAAG SPECIFICATIONS

20. WC ACCESS RAMPS WILL BE PROVIDED IN ACCORDANCE WITH CITY OF RALEIGH PUBLIC

21. AND PEOPLE WITH MOBILITY DISABILITIES.  PEDESTRIAN EXISTING ROUTES AND ALTERNATE

22. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TRAFFIC CONTROL AND SHALL ADHERE

23. TO THE PROVISIONS OF THE MUTCD (MOST CURRENT EDITION).

24. THE MINIMUM CORNER CLEARANCE FROM THE CURB LINE OF INTERSECTING STREETS

25. SHALL BE AT LEAST 50 FEET FROM THE POINT OF TANGENCY OF THE CURB FOR

VICTORY OF THE MUTCD (MOST CURRENT EDITION).

27. THE PUBLIC RIGHTS OF WAY ACCESSIBILITY GUIDELINES (PPOWAG), 2010 ADA STANDARDS

28. THE FINAL STREETSCAPE SHOWN ON THE CONCEPT PLAN SHALL BE THE GUIDE FOR THE FINAL STREETSCAPE SUBMITTED FOR REVIEW BY THE CITY.

29. b. PROVIDE SIX FOOT (6') TREE LAWN (MINIMUM) AND SIX FOOT (6') SIDEWALK (MINIMUM) ALONG THE FRONTAGE OF MAYWOOD AVENUE.


VARIANCE:

A VARIANCE WITH TWO DISTINCT COMPONENTS WAS APPROVED BY THE BOARD OF ADJUSTMENT:

1. ORDER TO ALLOW A 40' TALL TOWNHOUSE BUILDING TYPE TO BE LOCATED 20' FROM AN ADJACENT RESIDENTIAL ZONING DISTRICT;

2. OR fc. TO INSTALL A WALL BUT NO BUFFER YARD, TREES OR SHRUBS FOR A PROPOSED TOWNHOUSE DEVELOPMENT ADJACENT TO

SETTLEMENT AGREEMENT:  IN ADDITION TO THE ABOVE VARIANCE FOR NEIGHBORHOOD TRANSITION THE SETTLEMENT AGREEMENT INCLUDED THE

A 30' VARIANCE FROM THE NEIGHBORHOOD TRANSITIONS "ZONE B" USE RESTRICTED AREA TO ALLOW A TOWNHOUSE BUILDING TYPE 20' FROM AN

A 10' VARIANCE FROM THE NEIGHBORHOOD TRANSITIONS "ZONE A" PROTECTIVE YARD CALLED FOR IN ARTICLE 3.5 OF THE UNIFIED DEVELOPMENT

PREPARED BY:

WithersRavenel
Engineers | Planners
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LEGAL CASES:

1. INFRASTRUCTURE FORA INC. V. CITY OF TULSA

2. CITY OF TULSA V. 308 NORTH MAIN STREET

3. INFRASTRUCTURE FORA INC. V. CITY OF TULSA

4. INFRASTRUCTURE FORA INC. V. CITY OF TULSA

5. INFRASTRUCTURE FORA INC. V. CITY OF TULSA