

**Ordinance (2012) 96ZC 675**  
**August 7, 2012**

**Z-13-11/MP-1-11 - Dorothea Drive, Conditional Use** - located on the south side, west of its intersection with South Saunders Street, being Wake County PIN's 1703359714 and 1703451780. Approximately 1.43 acres are to be rezoned from Residential-10 to Residential-20 Conditional Use District with PDD.

**Conditions Dated: 06/12/11**

**Narrative of conditions being requested:**

For the purposes of the following conditions, "Property" shall refer to those parcels with Wake County Parcel Identification numbers 1703359714, and 1703451780.

(a) Development of the Property shall be in accordance with the Master Plan associated with the zoning case.

MASTER PLAN  
“DOROTHEA COMMONS”  
PLANNED DEVELOPMENT OVERLAY DISTRICT  
+/- 1.43 ACRES  
MP-1-11

Developer: Richard Johnson  
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1. SUMMARY INFORMATION

- 1. Name of Development: Dorothea Commons
- 2. Name of Owners: Consolidated Real Estate
- 3. Applicant: Richard Johnson  
Consolidated Real Estate, LLC  
514-338 Daniels Street  
Raleigh, North Carolina 27605  
[richard-cityspace@nc.rr.com](mailto:richard-cityspace@nc.rr.com)

2. PROPERTY INFORMATION

MP-1-11– Dorothea Commons on the Dorothea Drive at South Saunders Street, and being Wake County PIN(s) 1703359714, 1703451780. Approximately 1.43 acres to be rezoned from Residential-10 to Residential-20 Conditional Use District with PDD Master Plan.

3. INTRODUCTION

This document and the accompanying attachments and exhibits submitted herewith are provided pursuant to the provisions of the Raleigh City Code (the “Code”) dealings with the Planned Development Overlay District (“PDD”) for the Dorothea Commons, a cottage home community (the “Development”) proposed by Dorothea Brownstones Limited Liability Company (the “Developer”), the developer of the properties located south side of Dorothea Drive between Florence Street and S Saunders Street in Southeast Raleigh. The Development will be a pedestrian-oriented, urban infill residential development with detached single family uses consistent with the nature of the residential uses in the vicinity. The existing condition of the property includes two apartment buildings with surface parking between the buildings. The existing structures lack architectural character of adjacent one and two story row houses indicative of the older character of the neighborhood.

4. LAND USE INTENSITY

- A. Land use shall be limited to detached, single-family dwellings.
- B. Residential density shall not exceed fourteen (14) dwelling units per acre.
- C. Land Use Plan

A proposed Land Use Plan (“Land Use Plan”) has been submitted with this Master Plan (see Plan Sheet C 2.0). The Land Use Plan is intended to provide a general idea as to the development concept proposed by the Master Plan, but shall not be considered a literal depiction of the Development.

This neighborhood may provide residential single family detached residences. The pedestrian scaled relationship of the buildings to the framework of the streets will fit the character of the existing residences and restore the consistency of the neighborhood.

5. TRANSPORTATION INFORMATION

The current property use consist of two (2) apartment building buildings with a total 12 units and the proposed change will include twenty (20) detached single family units. Trip generations per the ITE manual are as follows:

Existing Use: 12 apartments (2 buildings)

80 average trips per day  
10 peak hour AM trips per day  
24 peak hour PM trips per day

Proposed Use: 20 detached single family

200 average trips per day  
24 peak hour AM trips per day  
25 peak hour PM trips per day

Due to the small size of the proposed project the traffic impacts would be minimal and the surrounding road network appears to operate at adequate levels of service with little to no delay.

6. CIRCULATION PLAN

The Development will utilize existing Dorothea Drive and will provide an internal street (Proposed Public Street 'A') that connects thru traffic to the adjoining Dorothea Drive. Alternative Street Design will meet the requirements of Code Section 10-2057(f) (4) j. for alternative street widths as follows:

1. Dorothea Drive: ½ of 31-foot back to back section, with 30-inch curb and gutter.
2. Proposed Public Street 'A': 25-foot back to back section, with 30-inch curb and gutter.

Sidewalks will be located along streets to provide connections for pedestrians. Location may vary with acceptance of Raleigh Public Works; an example for justification is accommodating narrow street width for existing culvert crossing (see Sheet C 2.0).

Sidewalk locations and widths shall be as follows:

1. Sidewalks with grass strip – sidewalks will be a minimum 5 ft. width, located 3.5 feet behind back of curb,
2. Sidewalks adjacent to curb – sidewalks will be a minimum 6 ft. width when located directly adjacent to curb and gutter; an exception to limit impact to the riparian buffer is shown for the internal Public Street 'A' (east connection to Dorothea drive as shown on Sheet C 2.0), that will be a minimum 5 ft. width is acceptable.

The site circulation including access points, public street and driveway locations, existing streets adjoining the site, and improvements to Dorothea Drive on shown on the layout plan (Sheet C 2.0).

7. UTILITY/STORMWATER INFORMATION

A. Utility Plan

The existing utility service locations for this project were obtained from field surveys of the site. Both water and sewer service is available on-site or in proximity to the site.

1. Water Service: 16-inch waterline along (Dorothea Drive)
2. Sewer Service: 12-inch sewer line along (Dorothea Drive)

A conceptual water and sewer plan is illustrated in the Exhibit labeled Utilities Plan (Sheet C 2.2).

## B. Storm Water Management Plan

The site as currently developed has no stormwater management. A jurisdictional stream channel is located adjacent to (east of) and then partially across the northeast corner of the site. The stream channel is tributary to Rocky Branch that is within the Neuse River Basin. Therefore, Neuse Riparian Buffer Regulations are applicable to the site.

Best Management Practices (BMPs) may be utilized to meet Part 10, Chapter 9 Stormwater Regulations if deemed required at Subdivision Review. BMP measures which may be employed include, but are not limited to, wet and dry detention ponds, bio-retention basins, grass filters, level spreaders, and sand filters. These BMPs will be selected based on drainage area, type of stormwater (i.e. rooftop drainage), and located as needed. A conceptual stormwater management plan is illustrated on Stormwater Management Plan (Sheet C 2.4).

Conditions: 1.) All major design elements listed in the current BMP Design Manual for the selected BMP must be met in order to claim TN reduction credit for the device. This must be demonstrated at the subdivision plan submittal. 2.) Any impact to the Buffer will require DWQ review and approval.

## 8. OPEN SPACE INFORMATION/GREENWAY/TREE PRESERVATION

### A. Open Space

A minimum of fifteen percent (15%) of the Development will be devoted as open space, which may include greenways, riparian buffer area, green spaces, and plazas. These areas will be commonly or publicly owned and will meet the requirements of Code Section 10-2057. The majority of the open space will be part of the riparian buffer feature. The site layout has been designed to make this area available to the proposed community.

### B. Greenway

As reflected in the Layout Plan, the Development will provide an easement exchange to facilitate the extension of the Rosengarten Greenway. The proposed development is encumbered with an existing greenway easement that the City has no current plans to use. Adjacent to the site the City has a planned greenway (Rosengarten Greenway). The Development will provide an easement exchange to facilitate the extension of the Rosengarten Greenway as an offset for the City vacating the existing greenway easement that encumbers the proposed development, thereby removing the encumbrance. Note that Greenway Easement Exchange Plan (Sheet C 2.1) reflects the greenway easement exchange.

### C. Tree Conservation

The proposed development is less than two acres and is therefore exempt from the Tree Conservation Ordinance.

## 9. BUILDINGS AND HEIGHTS

All the homes will include large front porches. The dimensions of those porches shall be a minimum of 5 feet in depth and a minimum area of 50 square feet. *Buildings* and structures, unless otherwise regulated, *may* be constructed to any height. *Buildings* and structures greater than forty (40) feet high, however, *shall* add one (1) foot additional width to each required district yard setback for each foot of height greater than forty (40) feet high.

Building heights shall be measured in accordance with City Code section 10-2076. In addition, to achieve true urban densities, while providing adequate open space and a pedestrian-friendly environment, maximizing verticality is essential.

Orientation to the street - For lots adjacent to Dorothea Drive the principal entrance of the homes will be oriented to and visible from Dorothea Drive even if their driveway pulls off the internal public street A.

Service Area Screening – trash receptacles and HVAC units will be screened with fencing suitable for residential neighborhoods (See Sheet C 2.0).

#### Architectural Requirements

- A. Compatibility of character between single-family detached houses shall be achieved as follows:
1. Historic Reproduction Homes (18-19 units)
    - a. Street Entrances: All buildings' primary entrances shall be oriented to and visible from the street providing primary access to the building lot.
    - b. Roof Pitch: All primary roofs shall exhibit a minimum 4:12 pitch.
    - c. Porches: All houses will have a large covered porch entry. The dimensions of those porches shall be a minimum of 5 feet in depth and a minimum area of 50 square feet.
  2. Neighborhood Shop Style Homes: (0-2 units)
    - a. This project is closely modeled after the historic Rosengarten Park neighborhood which primarily consists of small homes built on small lots, but also contained two small masonry shop buildings that had been converted to residences.
    - b. These units will be single family residences.
    - c. Masonry Facades: the primary façade will be masonry.
    - d. Parapet Walls: parapet walls will conceal shed roofs so that the roof is not visible from the front street.
    - e. Roof Pitch: the primary roof will be shed style with a pitch of 4:12 or less.
    - f. Covered Entrance: the buildings will have a minimum covered entrance in keeping with the style of the building and of least 20 sqft.
- B. The building exterior will be finished with either:
1. A minimum of 40% painted "Hardi Plank" siding (or similar product).
  2. Or a minimum of 40% brick or other masonry product.
- C. Vinyl siding or soffit is prohibited.
- D. Fenestration: Front facades will have a minimum of 15% doors and windows.

#### 10. YARD SETBACKS

The Schedule of minimum /maximum yard setbacks are shown below and on Layout Plan (Sheet 2.0). The setbacks for this project have been created to closely match those of the existing historic neighborhood called Rosengarten Park. The building placement of that historic single-family neighborhood have proven effective for a dense, safe, pedestrian neighborhood, while also providing sufficient parking and private outdoor spaces

Setbacks:

FRONT	7' WITH ALLOWANCE FOR OPEN PORCHES*
SIDE YARD	11' AGGREGATE, 0' MINIMUM
REAR YARD	14'

\* Open Porch - An open porch is a porch or deck with a fixed roof over it, generally supported by pillars or post. The open porch differs from the deck in that its railings are sometimes more formal and it often features painted surfaces vs. the natural appearance of decks. The design of the open porches shall allow sight distance through the open porch to provide for visibility of drivers to safely exit driveways.

## 11. URBAN DESIGN GUIDELINES

- A. **Elements:** The development will be a pedestrian oriented, urban infill residential development with detached single family uses consistent with the nature of the residential uses in the vicinity, and will not have retail or commercial establishments.
- B. **Transition to Surrounding Neighborhoods:** The height and massing of the development will closely mimic that of the adjacent historic neighborhoods. Heights will be limited to no more than two and half stories. Home size will be limited to no more than 2500 ft.<sup>2</sup>. Front porches in keeping with the adjacent neighborhood will be required. Roof pitch and design will be in keeping with the adjacent neighborhood, except where “neighborhood shop” architectural style is applied. The “neighborhood shop” architectural style will be limited in use to no more than 2 lots and is intended to be consistent with similar vintage neighborhood commercial facades.
- C. **Blocks, Streets and the Corridor:** The proposed development has homes facing an existing road (Dorothea Drive), in keeping with the historic fabric of the neighborhood. A small additional street (Public Street A) will be added with the same scale and design speed as the adjacent neighborhood roads to connect directly into the existing road network.
  - a. Street Interconnection: The internal street (Public Street A) is designed to integrate effectively with the existing Dorothea Drive and to connect on each end with Dorothea Drive to avoid dead ends.
  - b. Block Face: No streets within the development exceed 660 feet.
- D. **Building placements:** Streets are lined by single-family homes or the common area Park similar the existing adjacent single-family homes.
  - a. Buildings location and Off-street parking: Each home is located within 15’ of the curb and will have off street parking provided between it and the adjacent, with all but 1 lot with driveways off the internal street (Public Street A).
- E. **Urban Open Space:** Urban open space is open space areas for “parks”, “green spaces”, and other open areas. The common open space for this development will be available by access from the internal street.

- a. Access from Adjacent Streets: The common area will align both the internal and external sidewalk areas of the development. The natural area will open both to the existing Dorothea Drive and to the new internal street.
  - b. Active Uses: This development will not include any retail or commercial space, although will include a fenced natural area will provide a local draw for residents. The common area park will include:
    - i. Two (2) benches.
  - c. Definition of urban open space: The common area park have a perimeter decorative fence with easily accessible opening. The area will be visible from both the adjacent homes and those across the street, providing visibility for the area and making it accessible to the community.
- F. **Public Seating:** Benches will be provided in the common open space as described in Urban Open Space above.
- G. **Pedestrian, bicycle amenities:** All the homes and common areas of the development will be connected via sidewalks. Sidewalks will be connected to the park and to the existing streetscape. Sidewalks will be lined with trees providing shade and interest for pedestrians and bicyclists.
- a. **Bicycle Parking:** A minimum of (5) bicycle parking spaces will be provided at the common area open space.
- H. **Automobile Parking:** Each home will provide its own off-street parking.
- a. Location: All but one (1) driveway will be located off the internal street (Public Street A).
- I. **Parking Structures:** The development will have no parking structures.
- J. **Transit Stops:** The development is within easy walking distance of several bus stops, downtown, and the train station. It is only three blocks from the proposed Riley Union Station.
- K. **Environmental Protection:** Impacts to natural resource areas are minimized by use of a pedestrian bridge and sidewalk width reduction to minimize impacts to the riparian buffer areas. The riparian buffer areas have been incorporated into the common open space.
- L. **Street Design Principles:** The streetscape design is based on the highly successful urban pedestrian friendly neighborhood, Rosengarten Park. Pedestrians and bicyclists are given priority while the street is designed to keep traffic calm. The internal street is designed so as to be in line with common pedestrian traffic routes and provide a quick diversion of interest along the normal pathway.
- a. Sidewalks are provided for each street and will be a minimum of 5 feet wide.
  - b. Street Trees: A minimum of 1 street tree shall be provided in front yard per lot as described below in Alternate Designs Proposed section.

- M. **Special definition:** Appropriate height to width ratios will be ensured through the use of historic home designs similar to the surrounding neighborhoods. The height to width ratio will not exceed 1:3 height to width ratio.
- N. **Façade Treatment:** Each home will be based on historic designs, and having a prominent front porch.
- a. Entrance and Architectural detail: Each front door will face street. Each house will be required to have historically proportioned fenestration.
    - i. Fenestration: The primary windows on each façade will be of a width to height ratio of not less 3 to 5. Secondary windows such for bathrooms, clerestory windows, sunroom windows, or others are not subject to this provision.
- O. **Street Level Activity:** Homes will be built close to the sidewalk with front porches stepping onto the public sidewalk. The closeness of the houses to each other will foster community interaction.

## 12. ALTERNATE DESIGNS PROPOSED

The elements of this Master Plan proposed as alternative means of compliance with respect to the provisions of Code Section 10-2057, are as follows:

- a. Lot Sizes 10-2057(f) (2) 1.

Minimum Lot requirements – Lot area 1,500 sq.ft., Lot width 16 feet

- b. Utility Service 10-2057(f) (2) 1, 1.

Water and sewer access shall be provided from water and sewer line extension located within a public right of way and utility easements. A conceptual water and sewer plan is illustrated in the Exhibit labeled Utilities Plan (Sheet C 2.2).

- c. Solid waste collection location and screening 10-2057(f) (2) 1, 2.

Service Area Screening – trash receptacles (96-gallon residential individual roll-out refuse containers) will be located as required by the City of Raleigh Solid Waste Services Collection Design Manual and will be screened with fencing suitable for residential neighborhoods located at end of driveways or rear of primary structure. (See Sheet C 2.0).

- d. Mailboxes 10-2057(f) (2) 1, 3.

Mailboxes will be located on front of houses and be accessible from Public Street.

- c. Emergency access 10-2057(f) (2) 1, 4.

A minimum 20' clear aisle width for emergency vehicle access shall be provided continuously along one way public streets.

- d. Street cross sections 10-2057(f)(2)1, 5.

### Street Section Designs

Due to the pedestrian oriented, urban mixed use character of the Development, the applicant is seeking to utilize street sections shown on the Street Section Plans submitted with this Master Plan (see plan sheet 2.3). The street design shall be in accordance with City Code section 10-2057 (f) (4) j., 1. These street sections may require the placement of plantings within the public rights of way subject to entering in to appropriate encroachment agreements with the City. These sections show a proposed

alternate section in order to support the urban character of the neighborhood. A minimum 20' clear aisle width for emergency vehicle access shall be provided continuously along one way public streets.

e. Street trees 10-2057(f) (2) 1, 6.

A minimum of 1 street tree shall be provided in front yard per lot and shall be 3.5-inch caliper/14' height (minimum, measured ½ foot above grade) at time of installation; minimum installation size shall not apply to ornamental/understory trees not utilized for landscape ordinance. Dorothea Commons street tree installations will include:

1. Dorothea Drive
2. Proposed Public Street 'A'

f. Location of fire hydrants 10-2057(f) (2) 1, 7.

Fire Hydrants are located at every "named" street intersection per City of Raleigh Public Utilities Handbook 2005 Ed. Water Design Standards 1.c.3 (Sheet C 2.2). All parts of all buildings or any structure shall be within **300** feet of a fire hydrant.

g. Method of fire prevention 10-2057(f) (2) 1, 8.

Fire protection service shall be provided by City of Raleigh Fire Depart. A minimum 20' clear aisle width for emergency vehicle access shall be provided continuously along one way public streets.

h. Passive and Active Open Space 10-2057(f) (2) 1, 9.

A minimum of fifteen percent (15%) of the Development will be reserved as open space. The majority of the open space will be part of the riparian buffer feature. The site layout has been designed to make this area available to the proposed community.

i. Parking and garage layout 10-2057(f) (2) 1, 10.

A minimum of 2 parking spaces per lot will be provided as shown on the Layout (Sheet C 2.0). No garages will be allowed.

j. Privacy of residences 10-2057(f) (2) 1, 11.

The Privacy of residences restrictions will be included in restrictive covenants of a Homeowners Association (HOA) which shall be enforced by the (HOA). Prior to approval of a subdivision plat, the developer or owner shall show proof to the City of Raleigh that the (HOA) has been established with the N. C. Secretary of State, and provide a copy of the restrictive covenants that have been recorded with the Wake County Register of Deeds. Such restrictive covenants shall include the following requirements, restrictions and prohibitions:

1. Building walls with less than 3 feet to the property line will not have window openings.

13. COMPREHENSIVE PLAN

- A. Comprehensive Plan: The Property is designated on the City's 2030 Comprehensive Plan as Moderate Density Residential. This project will implement elements of the Policy Statements by supporting Infill Development, Neighborhood Revitalization, and Conservation of Single Family Neighborhoods. To further the policies of the City's 2030 Comprehensive Plan, the Development will be pedestrian oriented residential neighborhood and will preserve open space with a compact residential footprint. It will conform to the adjacent residential character with reduced setbacks and preserve the character of the adjacent single family neighborhood.

## 14. MODIFICATIONS

### A. By Property Owners Only

Only the parties owning a lot within the Dorothea Commons Development shall have the right to request modification of this Master Plan and the exhibits hereto, but only to the extent any such modification applies to individual properties owned by such parties. Any property owners' association owning and/or maintaining common open space and/or landscape amenities must join in all amendments to this Master Plan.

### B. Administrative Modifications

1. City Administration may approve changes in the dimensions (but not increases in height) and orientation of structures to be built in the Development. The City Administration may approve changes in this Master Plan or its Exhibits if such changes do not result in more than a ten percent (10%) change.

2. City Administration may approve changes to public and private street locations, typical street sections; stormwater facilities, landscaping, decreases in the number of driveways, driveway access locations, utilities and changes in street or sidewalk construction standards that do not affect the traffic-carrying capacity of the respective streets or sidewalks.

### C. Planning Commission Modifications

The Planning Commission shall resolve any question of interpretation of this Master Plan and its exhibits that may arise in the administrative approval of any site plan upon the Development, and that is not resolved between City Administration and the owner. Either the Planning Director or the applicant may appeal the judgment of the Planning Commission to the City Council.

The Planning Commission may approve changes in this Master Plan or its Exhibits including increase in building height if such changes do not result in more than a fifteen percent (15%) change. Any modifications shall be subject to the applicable requirements of code section 10-2132.2.

### D. City Council Changes

The City Council, after a recommendation of the Planning Commission, shall approve any changes in this Master Plan or its Exhibits if such changes do not result in more than a twenty percent (20%) change. Any modifications shall be subject to the applicable requirements of code section 10-2132.2.

## APPENDICES

### MIXED USE DEVELOPMENT PLAN

- A. Mixed Use Development Plan: The Master Plan is intended to comply with City Code Section 10-2132.2 (d) eight standards of a Mixed Use Development Master Plan. The Master Plan identifies measures for compliance with following:
1. Safe and efficient vehicular, bicycle, and pedestrian connection; a pedestrian oriented street design is provided.
  2. Site Plan in accordance with general plans for physical development of the City: Comprehensive Plan, manuals, handbooks, and adopted plans and standards; City Code is referenced where applicable to the Master Plan.
  3. Measures to protect the development and other properties: Stormwater management is provided, trash collection measures are identified, access to transit is identified, off-street parking is provided.
  4. Measures to mitigate impact on nearby residential uses and historic resources; similar architectural character is provided by architectural requirements similar to surrounding neighborhood. Buildings are oriented to the street. Street trees are provided.
  5. Coordinates with existing and planned public facilities; storm drainage and public utilities are provided consistent with City standards. A greenway easement exchange will facilitate providing City preferred corridor for Rosengarten Greenway. Trash collection is provided according to Solid Waste Design manual.
  6. Unified Development within site and adjoining properties; architectural elements, landscaping (street trees), and an interconnected street will provide a development with similar character as the surrounding neighborhood.
  7. Street, sidewalk, open space, drainage, greenway, transit, utility, and other public facility dedication and improvement requirements of Part 10, chapter 3; the site plan provided complies with applicable sections of the ordinances.
  8. Applicable Code requirements; the site plan is intended to comply with all applicable Code requirements.

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**Distribution: Planning Department (3)  
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