



Certified Action Of the City of Raleigh Planning Commission

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27602
(919) 516-2626
www.raleighnc.gov

Case File / Name: S-3-11 / Blount Street Lot 8 Block 3

General Location: The sites are located on John Haywood Way between William Drummond Way and Polk Street

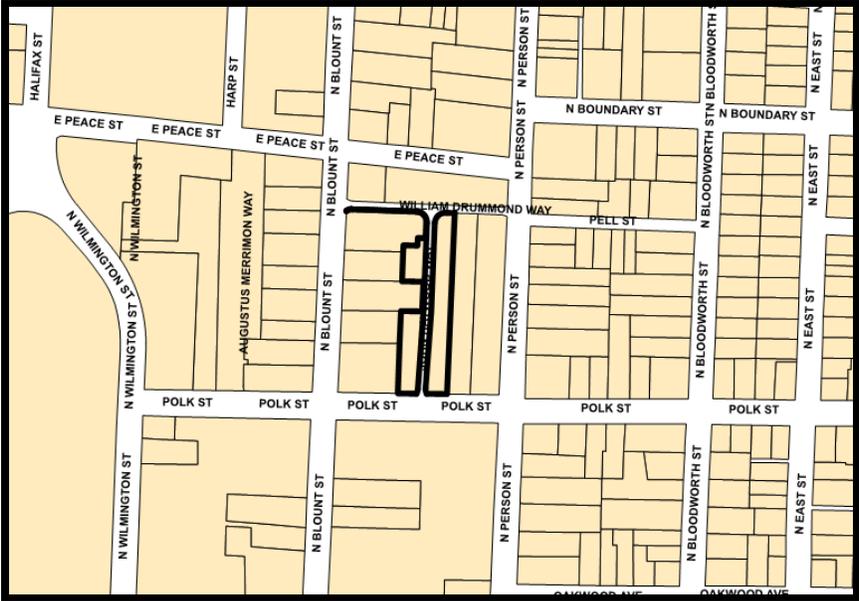
Property owner: Live Oak Homes, Inc.
Designer: Kimley-Horn and Associates, Inc.

CAC: North Central

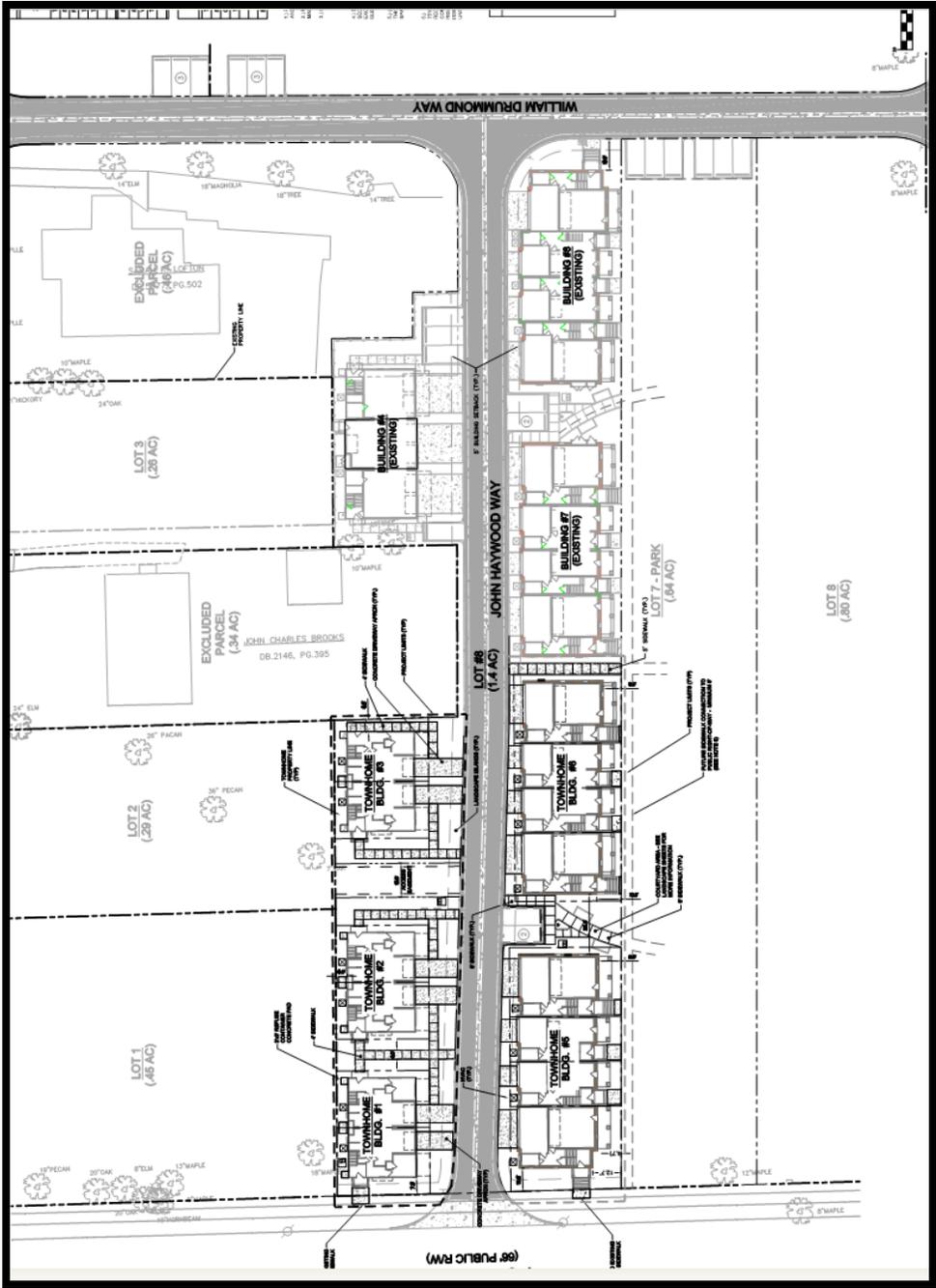
Nature of Case: Approval of a 14 townhome lot subdivision on 1.4 acres. The parcel is zoned Residential-30 District, Office & Institutional-1 District with Planned Development Overlay District and Historic Overlay District. This plan requires preliminary approval in accordance with Code Section 10-3013(b) because the subdivision is within a Historic Overlay District.

Contact: Richard Brown, Kimley

Key Issues: As presented, staff finds that this plan conforms to Code standards and adopted land use policies.



S-3-11 Blount Street Lot 8 Block 3 – Location Map



S-3-11 Blount Street Lot 8 Block 3 - Subdivision Layout



SUBJECT: S-3-11 / Blount Street Lot 8 Block 3

CROSS-REFERENCE: MP-1-06

LOCATION: This site is located on John Hammond Way, between North Blount Street and North Person Street, north of Polk Street, inside the City Limits.

REQUEST: This request is to approve a 14 lot townhome subdivision on 1.4 acres. The parcel is zoned Residential-30 District, Office & Institutional-1 District with Planned Development Overlay District and Historic Overlay District. This plan requires preliminary approval in accordance with Code Section 10-3013(b) because the subdivision is within a Historic Overlay District.

OFFICIAL ACTION: **Approval with conditions**

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

FINDINGS: The Planning Commission finds that this request conforms to Chapter 2, Part 10, Sections 10-2025, 10-2035, 10-2052, 10-2057, 10-2103, 10-2109; Chapter 3, Part 10, Sections 10-3001-3059, 10-3072 and 10-3073. This approval is based on a preliminary plan dated 6/13/11, owned by Live Oak Subdivision, submitted by Kimley-Horn and Associates, Inc.

ADDITIONAL NOTES: This project was approved on May 2, 2011 by the Raleigh Historic District Commission.

This development is subject to the Master Declaration of Covenants, Conditions and Restrictions for Blount Street Commons recorded in Book 12967 PG 2215, Wake Registry.

VARIANCES / ALTERNATES: A design exception from not meeting the 20' minimum corner clearance from the intersection of a right-of-way was approved by the Public Works Director.

To PC: July 12, 2011
Case History:

Staff Coordinator: Meade Bradshaw

Motion: Harris Edmisten
Second: Haq
In Favor: Anderson, Batchelor, Butler, Fleming, Harris Edmisten, Haq, Lyle, Mattox, Sterling Lewis

Opposed:
Excused:

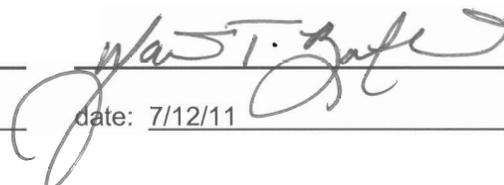
This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the Staff Report attached.

Signatures: (Planning Dir.)

(PC Chair)



date: 7/12/11



date: 7/12/11



Staff Report

**RECOMMENDED
ACTION:** **Approval with Conditions**

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

- (1) That the Planning Commission finds the subdivision plan, with all of the conditions of approval below being met, conforms to the standards of Chapter 2, Part 10, Sections 10-2025, 10-2035, 10-2052, 10-2057, 10-2103, 10-2109, Chapter 3, Part 10 Sections 10-3001-3059, 10-3072 and 10-3073;

Administrative Actions:

Prior to Planning Department authorization to record lots:

- (2) That the City form document entitled Declaration of City of Raleigh required City Code Provisions for Developments with Common Elements and Common Expenses for the townhouse development shall be executed and recorded with the local county register of deeds office in conjunction with any recordation of a subdivision plat or issuance of building permits whichever occurs first. A copy of the recorded document must be provided to the Planning Department within 14-days of authorization of lot recording or building permit issuance whichever comes first. If a recorded copy of this document is not provided to the Planning Department within the 14-day period, further plat recordings and building permits authorization will be withheld;
- (2) That a grant of cross access between pin number 1704811485 (DB 141123 PG 1967) and pin number 1704810431 (DB 12954 PG 2712) is prepared, and it is recorded in the local county register of deeds office. That a recorded copy of this cross access easement be provided to the Planning Department within 14-days of recording. If a copy of this recorded cross access easement is not provided to the Planning Department within the 14 day period, further plat recordings and building permits authorization may be withheld; and
- (3) That the subsequent document establishing townhouse assessments and architectural control shall be executed and recorded with the local county register of deeds office in conjunction with any recordation of a subdivision plat or issuance of building permits whichever occurs first. A copy of the recorded document must be provided to the Planning Department within 14-days of authorization of lot recording or building permit issuance whichever comes first. If a recorded copy of this document is not provided to the Planning Department within the 14-day period, further plat recordings and building permits authorization will be withheld;

Prior to Planning Department authorization to issue a building permit:

- (4) That a Certificate of Appropriateness be issued before building review.

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

ZONING:

ZONING DISTRICTS:

Residential-30, Office & Institutional-1, Planned Development Overlay District. Ordinance, and Historic Overlay District. Effective 10-17-06 Ordinance 114 ZC 594.

Z-29-06 – (MP-1-06) North Blount Street, on the east side of Wilmington Street, south side of East Peace Street, west side of North Person Street and the north side of East Lane Street, being Wake County PINs a portion of 1704711124, a portion of 1704716593, 1704715782, 174715320, 1704716239, 1704800958, 1704800962, 1704802782, 1704716044, 1704714176, 1704715048, 1704707974, 1704707776, 1704800505, 1704801478 and 1704802526.. Approximately 23 acres rezoned Office and Institutional -2, Office and Institutional -1, Neighborhood Business, Residential – 30, Historic Overlay District and Pedestrian Business Overlay District with Planned Development Conditional Use Overlay District.

LANDSCAPING:

Street yard landscaping in conformity with the Master Plan Document and Section 10-2082.5 is shown.

TREE CONSERVATION:

The lot is smaller than 2 acres in size and not adjacent to a thoroughfare; therefore Code Section 10-2082.14 does not apply.

UNITY OF DEVELOPMENT:

Unity of development is not required for this residential subdivision.

PHASING:

There is one phase in this development. A final phasing plan for infrastructure shall be approved with the submittal of a preliminary subdivision.

COMPREHENSIVE PLAN:

GREENWAY:

There is no greenway on this site.

**THOROUGHFARE
/ COLLECTOR**

PLAN: The proposed lots are located on John Hammond Way, which is a private street.

TRANSIT: This site is presently not served by the existing transit system.

URBAN FORM: This site is located in the North Central Citizen Advisory Council, within Block 3 of the North Blount Street Master Plan, in an area designated a residential area.

**HISTORIC /
DISTRICTS:**

Townhome buildings #1, #2, and #3 are located within the Blount Street Historic Overlay District. This project was reviewed on May 2, 2011 by the Raleigh Historic District Commission and the Commission recommended approval in accordance with Code Section 10-3013(b)(2).

Historic District Commission Minutes

OTHER BUSINESS

1. Subdivision, Blount Street Commons

Richard Brown, Kimley Horn and Craig Briner with Live Oak described the proposed subdivision and why it is proposed. The proposal is a further subdivision of lot 8 to create townhome lots rather than what was previously approved, but the buildings would be the same. There was minimal discussion on the proposal, mostly concerning the reasons for the subdivision.

Mr. Kasefang moved that the COA Committee find that the proposed subdivision will not result in the creation of lots that would result in the construction of buildings incongruous with the historic district and that any significant changes to the building will be reviewed according to master plan. Mr. Alphin seconded; motion carried 4/0. Staff will prepare a memo.

**SUBDIVISION
STANDARDS:**

LOT LAYOUT: There is no minimum lot size or lot width in the North Blount Street Master Plan. Block 3 of the North Blount Street Master Plan allows residential uses on this block.

BLOCK LAYOUT: The proposed street layout conforms to City Code, providing for efficient circulation of traffic within the entire neighborhood area. The maximum block length in this development meets the 1500-foot standard as noted in the Streets, Sidewalks and Driveway Access Handbook. No dead end street in this development exceeds 800 feet in length.

DEVELOPMENT

DENSITY: This site is located in Block 3 Lot 8 of the North Blount Street Master Plan. 100 dwelling units are allowed within Block 3 and Lot 8 allowing 24 units. The addition of these 14 lots does not exceed 100 dwelling units on the block or exceed the 24 units within the lot.

**SETBACKS /
HEIGHT:**

Setbacks for Multi-family residential uses were approved with the Master Plan. Front setbacks from private streets – 5', rear setbacks – 5', side setbacks – 5', and corner side – 5' from public right-of-way. Private outdoor living areas maintain a min. 40' separation if parallel to each other or oriented at less than a 45-degree angle. Vehicular surface areas other than individual driveways are no less than 5' to a building wall. Building-to-building setbacks are shown in accordance with Sec. 10-2103(b). The buildings are greater than 28' in height and opposing building walls are at a perpendicular angle to each other and maintain the minimum distance separation of 20'.

PHASING:

There is one phase in this development. A final phasing plan for infrastructure shall be approved with the submittal of a preliminary subdivision.

OPEN SPACE:

Open space conforms to minimum requirements. 10% of the North Blount Street Master Plan is dedicated to open space. The adjacent Lot 7 is a designated open space lot in the master plan.

PARKING:

Off-street parking conforms to minimum requirements of the North Blount Street Master Plan: 14 spaces required, based on 1 parking space per dwelling unit. The North Blount Street Master Plan required Block 3 to provide an additional 20 parking spaces on the private streets for visitor parking. These 20 spaces have already been constructed with previous development within the block. 2 car garages are being built within the homes providing 2 parking spaces per unit.

PUBLIC UTILITIES:

City water and sewer services are available. The subdivider is responsible for installation of all lines necessary to provide service to this site.

SOLID WASTE:

Individual lot service by the City is to be provided.

CIRCULATION:

John Hammond Way is an existing private street that intersects with William Drummond Way (private street) and Polk Street. A 15' cross access easement will be provided to the property to the east (PIN 1704810431, DB 12954, PG 2712).

PEDESTRIAN:

The private street design conforms to the standards of the adopted North Blount Street Master Plan. Lot 7 (not part of this subdivision request) was designated as open space in the original approval of MP-1-06 North Blount Street Master Plan. A 5' sidewalk connection between Townhome Building #5 and Townhome building #6 is provided from John Hammond Way to Lot 7. An additional 5' sidewalk will be constructed between townhome building #6 and the existing building #7 (not part of this subdivision request) is provided from John Haywood Way to Lot 7.

FLOOD HAZARD:

There are no flood hazard areas on this site.

**STORMWATER
MANAGEMENT:**

This subdivision does not propose an increase in impervious from original MP-1-06, which demonstrated a decrease in impervious. Therefore, it is exempt from Stormwater regulations per Code Section 10-9021(6).

**WETLANDS
/ RIPARIAN
BUFFERS:**

No wetland areas or Neuse River riparian buffers are required on this site.

STREET NAMES: No new street names are required with this development.

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.

SUNSET DATES: If significant lot recording 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: 7/12/2014
Record at least ½ of the land area approved.

5-Year Sunset Date: 7/12/16
Record entire subdivision.

WHAT NEXT?:

- MEET ALL CONDITIONS OF APPROVAL.
- COMPLETE CONSTRUCTION DRAWINGS FOR ANY PUBLIC IMPROVEMENTS Streets, Utility lines to be owned and maintained by the City. and submit them to the Development Plans Review Center for approval.
- HAVE A REGISTERED SURVEYOR PREPARE FINAL PLATS FOR RECORDING. These also must be submitted to the Development Plans Review Center for authorization signature prior to recording with the Wake County Register of Deeds.
- MEET THE REQUIREMENTS OF THE SUNSET THRESHOLDS AS NOTED ABOVE.

**FACILITY FEES
REIMBURSEMENT:**

If oversized street construction takes place, or greenway or oversized public street right-of-way is conveyed to the public, the owner is responsible for application to the City for reimbursement allowed by Code. Reimbursement takes place twice a year in January and July; a written request must be filed with the Planning Department for greenway and street right-of-way; and in the Engineering Department for street construction; by the first working day in November and May each year.