



Administrative Action Group Housing Development

City of Raleigh
Development Plans Review Center
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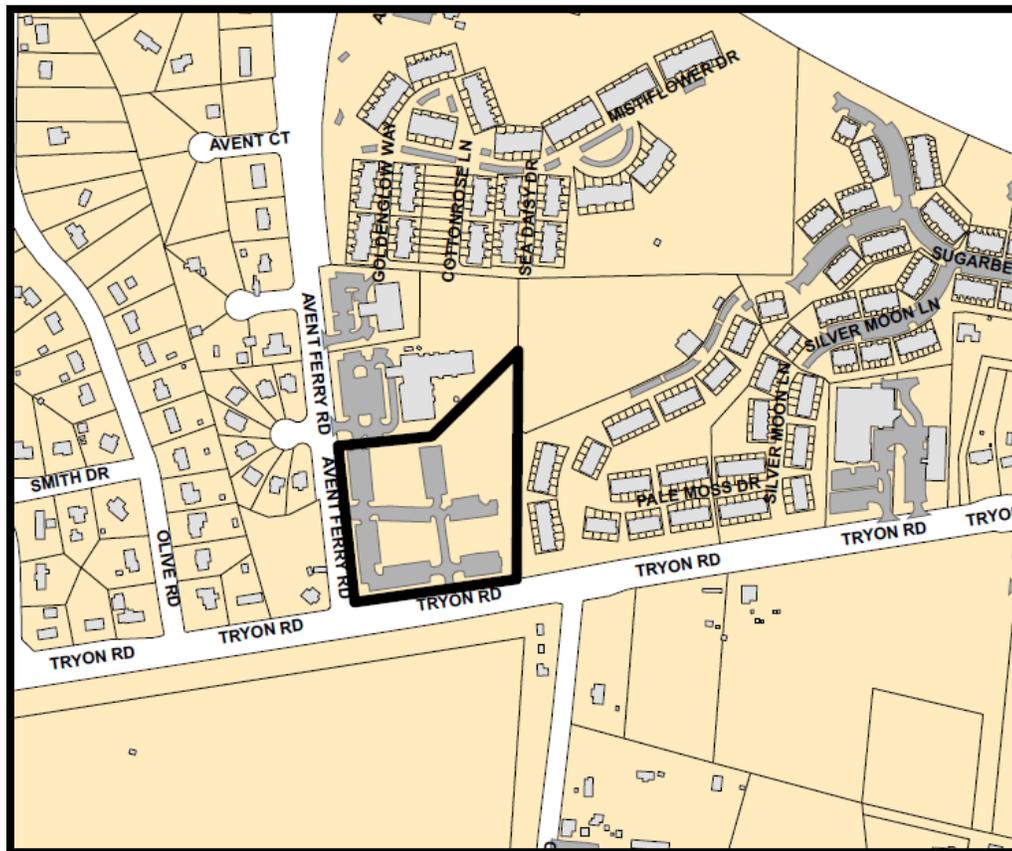
Case File / Name: GH-2-13 / Casper Park

General Location: East of the intersection of Avent Ferry Road and Tryon Road.

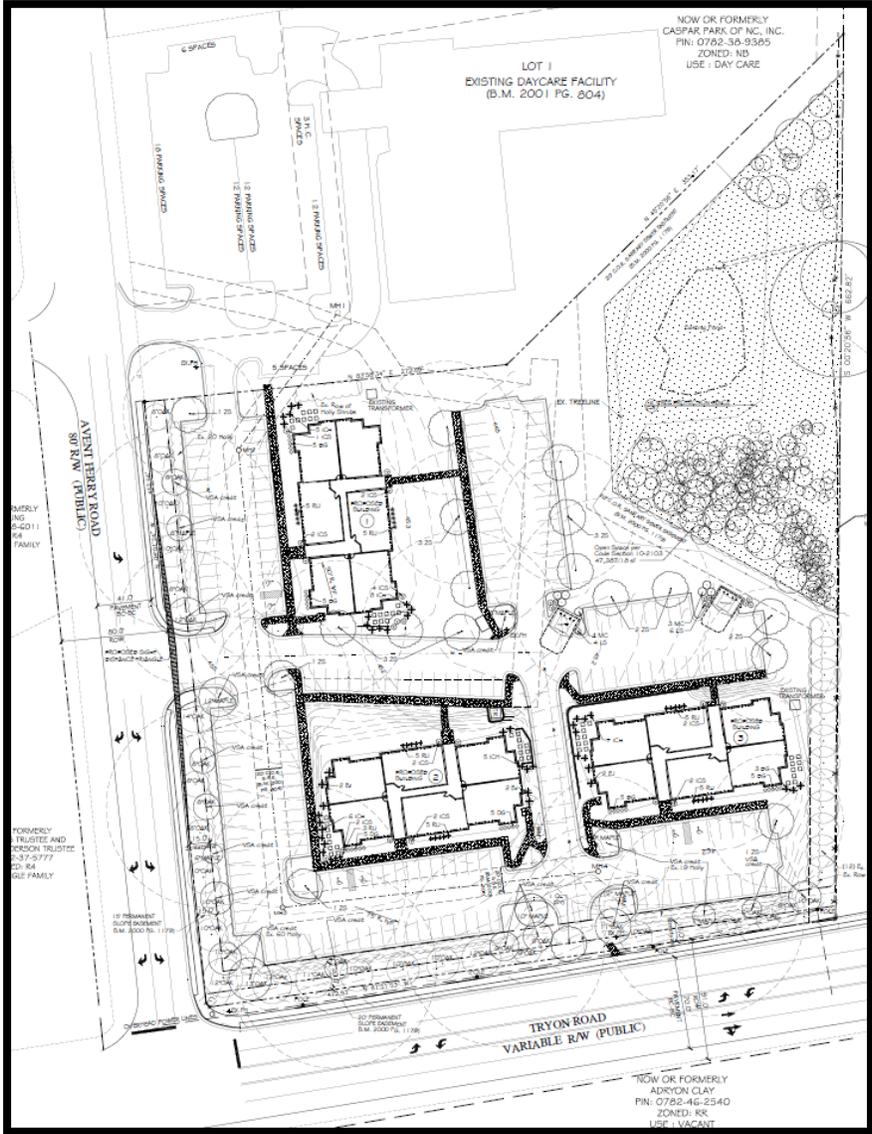
CAC: West

Nature of Case: The construction of 54 condominium units within three buildings on a 5.76 acre tract zoned Office & Institutional-1, Conservation Management with Special Highway Overlay District-2 and Special Residential Parking Overlay.

Contact: Coaly Design, PC



Location Map



Site Plan

SUBJECT: GH-2-13 / Casper Park

**CROSS-
REFERENCE:** Z-33-98

LOCATION: This site is located at the east side of the intersection of Avent Ferry Road and Tryon Road.

REQUEST: The construction of 54 condominium units within three buildings on a 5.76 acre tract zoned Office & Institutional-1, Conservation Management with Special Highway Overlay District-2 and Special Residential Parking Overlay, located inside the city limits.

OFFICIAL ACTION: **Approval with conditions**

**CONDITIONS OF
APPROVAL:**

Prior to issuance of a site review permit:

- (1) That a final tree conservation plan be approved by the Forestry Specialist. The plan must show metes and bounds descriptions of all tree conservation areas, and tree protection fence around all tree conservation areas. Tree protection fence must be located in the field and inspected by the Forestry Specialist;

Prior to issuance of building permits:

- (2) That a plat be recorded dedicating an additional 10' of right-of-way and 15' slope easement along Tryon Road;
- (3) That infrastructure drawings be approved by the Public Works Department for the proposed private streets;
- (4) That a tree conservation map be recorded with metes and bound showing the designated Tree Conservation Areas and shall be in compliance with Code section 10-2082.14;
- (5) That condominium documents are prepared in accordance with G.S.-47C, and that certification is made to the Chief Zoning Inspector that the legal documents contain the language required by 10-2108(g), and that common expenses include all expenditures required by the encroachment agreement mentioned above such as maintenance, repair and insurance and that common expense also include the cost to maintain repair restore, reconstruction the approved storm water control measures;
- (6) That all conditions of the rezoning case are met;
- (7) That 3 street names for this development be approved by the Raleigh City Planning Department and by Wake County;
- (8) That development of the property does not exceed an FAR of .5.

- (9) That a signed hardcopy of Private Waterline Operations & Maintenance Agreement between owners of Lot 1 (BM 2001 PG 804) & Lot 2 (subject parcel) is provided to the City of Raleigh Public Utilities Department;
- (10) That when 75% of the permits have been issued for residential developments, that the proposed private or public improvements are required to be accepted by the City for maintenance. If this does not occur, then a financial security equal to 1.5 time the cost of public or private improvements will be provided to the Public works Department for the uncompleted portions and roadway extensions;

Prior to issuance of an occupancy permit;

- (11) For residential developments, where a security has been posted for public or private improvements equal to 1.5 times the cost, then the last certificate of occupancy shall be withheld until such time the improvements are accepted by the City of Raleigh;
- (12) That the private streets are inspected by the City and approved that they meet city standards;

I hereby certify this administrative decision.

Signed: (Planning Dir.) Mitchell Selvon (J. Benton) Date: 7-31-13

Staff Coordinator: Meade Bradshaw

FINDINGS: City Administration finds that this request, with the above conditions being met, conforms to Chapter 2, Part 10, Sections 10-2035, 10-2059, 10-2065, 2103 Chapter 3, Part 10, Sections 10-3001-3071-3074. This approval is based on a preliminary plan dated 6/5/13, owned by The Pries Company, submitted by Coaly Design, PC.

ZONING: Z-33-98

**ZONING
DISTRICTS:**

Office & Institutional-1, Conservation Management, Special Highway Overlay District-2, Special Residential Parking Overlay District

Z-33-98 Tryon Road, north side and Avent Ferry Road, east side, being Wake County Tax Map Parcels 0782.06 37 8734; 38 7096, 7280; 39 7046; 48 2148. Approximately 36.4 acres rezoned to Residential-10 Conditional Use, Office & Institution-1 Conditional Use, Conservation Management, and Special Highway Overlay District-2, according to maps on file in the Planning Department.

Conditions: (05/27/98)

A. Development of the property will comply with Certified Recommendation 7107 of the Raleigh Planning Commission.

B. Reimbursement for future right-of-way dedication shall be based upon Rural Residential values for that portion of the Property currently zoned Rural Residential District and upon Residential-4 values for the portion of the Property currently zoned Residential-4 district.

C. Upon development of any portion of the Property adjacent to Tryon Road, the developer shall widen Tryon Road where adjacent to such portion of the Property to provide one-half of a cross section 65 feet in width (or such other width shall be established upon site plan approval).

D. Upon development of any portion of the Property adjacent to Avent Ferry Road, the developer shall widen Avent Ferry Road where adjacent to such portion of the Property to provide one-half of a cross section 60 feet in width (or such other width as shall be established upon site plan approval).

E. Upon development of the Property, the developer will provide and maintain a landscaped street yard 25 feet in width along both Tryon Road and Avent Ferry Road.

Board of Adjustment Case A-17-13 granted a variance from providing a 25' street yard to a 15' street yard.

F. With respect to the portion of the Property rezoned to a residential zoning district, the height of buildings within 100 feet of the right-of-way of Avent Ferry Road (as established after any additional dedication of right-of-way required of the developer of the Property) will be limited to two stories or 30 feet. Buildings on the remaining portion of the Property rezoned to a residential zoning district will be limited in height to three stories or 45 feet.

G. The residential density of all areas of the Property shall be limited to 10 dwelling units per acre. Dwelling units upon the Property shall consist only of detached dwellings, Townhouse development, or condominiums (or a combination thereof) and related amenities and accessory uses. No dwelling unit consisting of more than three (3) bedrooms shall be located upon the Property. No dwelling unit upon the Property shall be occupied by more than 3 unrelated individuals.

Proposed units are condominium units

H. The height of buildings constructed upon the portion of the Property zoned Office and Institution-1 Conditional Use District will be limited to three stories or 45 feet. Development of this portion of the Property will be limited to a floor area ration of .5.

The proposed buildings are 3 stories or 42'

I. The Neuse River riparian buffer rules, as established by the Division of Water Quality of the North Carolina Department of Environment and national Resources, shall apply to the Property in accordance with their terms and provisions. Where the riparian buffer rules do not apply to the Property in accordance with their terms and provisions, the following buffer requirements shall be observed: undisturbed areas 25 feet in width will be maintained on either side of the centerline of the intermittent streams draining the areas of the Property zoned Conservation Management District. It is provided, however, that such areas may be disturbed for the purposes of installing and maintaining therein utility services and Stormwater control and detention measures and facilities. In addition, dead, dying, or diseased trees may be removed from such areas and, at the discretion of the owner and/or developer, additional plants may be planted.

**DEVELOPMENT
DENSITY:**

The maximum density is 25 units per acre. The proposed density with this development is 9.55 units per acre after right-of-way dedication.

Gross Site Acreage - 7.56 acres
Prior to right-of-way dedication - 9.37 units/acre
Right-of-way dedication - .11 acres
Density after right-of-way dedication – 9.55 units/acre

*Right-of-way to be dedicated is reimbursable per Z-33-98(B)

**SETBACKS /
HEIGHT:**

Setbacks from public streets and property lines conform to Section 10-2103(b). The minimum setback from public streets is shown to be 95' from both Avent Ferry Road and Tryon Road . 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). Buildings are 42' in height which meet the minimum 30' setback from perimeter property lines.

PHASING: This will be constructed in 1 phase.

OPEN SPACE: Open space conforms to minimum requirements. 10% or .576 acres required, 18% or 1.08 acres provided, based on the open space standards of 10-2103(d).

PARKING: Off-street parking conforms to minimum requirements: 135 spaces required, based on 2.5 parking spaces per 3-bedroom dwelling unit. 194 spaces are provided.

LANDSCAPING: Street yard landscaping in conformity with Section 10-2082.5 is shown. Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. Landscape areas for tree planting are a minimum of 350 square feet per tree in area, and have a minimum dimension of 7 feet. This is a medium residential density use under Section 10-2082.9. Transitional protective yards are not required.

Z-33-98(E) Upon development of the Property, the developer will provide and maintain a landscaped street yard 25 feet in width along both Tryon Road and Avent Ferry Road.

A-17-13 Board of Adjustment granted a variance from Z-33-98(E) to only provide a 15' street protective yard.

**TREE
CONSERVATION:**

This project is larger than two acres and compliance with Code Section 10-2082.14—Tree Conservation is required. The project provides 0.83 acres of tree conservation area which is 7.23% of gross site acreage. Tree conservation acreage is as follows:
Primary: 0.1833 acres
Secondary: 0.2328 acres

**OTHER GROUP
HOUSING
STANDARDS:**

Private dead-end streets exceeding 150 feet provide turnarounds with a minimum interior curb radius of 30 feet. Fire hydrants, loop water system and fire truck access meet the standards of 10-2103(g). The main circulation route through this site meets private street standards. Sidewalks are shown to be provided from the main entrance of each dwelling unit and from all recreation facilities to the public sidewalk system.

**COMPREHENSIVE
PLAN:**

GREENWAY: There is no greenway on this site.

**THOROUGHFARE
/ COLLECTOR
PLAN:**

Dedication of right-of-way and construction of the following streets are required by the Thoroughfare and Collector Street Plan:

Street	ROW	Construct	Slope Esmt.
Tryon Road	10'	N/A	15'

Z-33-98(B) - Reimbursement for future right-of-way dedication shall be based upon Rural Residential values for that portion of the Property currently zoned Rural Residential District and upon Residential-4 values for the portion of the Property currently zoned Residential-4 district.

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

URBAN FORM: The site is located within the West CAC, in an area designated Neighborhood Mixed Use on the future land use map. That category envisions neighborhood-scaled retail and office uses.

Plan as shown is consistent with applicable Comprehensive Plan policies.
Policy LU 4.5 – Connectivity
Policy LU 7.6 – Pedestrian Friendly Development
Policy T 5.5 – Sidewalk Requirements

**SUBDIVISION
STANDARDS:**

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, Sidewalk and Driveway Access Manual. No dead end street in this development exceeds 800 feet in length.

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. Private Waterline Operations & Maintenance Agreement between owners of Lot 1 & Lot 2 Caspar Park be will be recorded.

SOLID WASTE: Individual lot service will be provided by a private contractor. The location and design of refuse collection facilities is shown in accordance with the Solid Waste Collection Design Manual.

CIRCULATION: Existing street improvements conforms to normal City construction standards.

PEDESTRIAN: Existing public sidewalk locations conform to City regulations. Private sidewalk connections are provided from the entrances of the units to the public sidewalk along both Tryon Road and Avent Ferry Road.

FLOOD HAZARD: There are no flood hazard areas on this site.

**STORMWATER
MANAGEMENT:**

This site is subject to stormwater management controls in accordance with Chapter 9 of Part 10 of the Raleigh City Code. Per, SP-149-2000, this site was originally improved under CR 7107 regulations and this development plan is proposing to reduce the amount of impervious already existing on the site. Impervious was installed and given credit toward this plan. This plan qualifies for an exemption. The existing pond on the site will remain and is a shared stormwater pond meeting CR 7107 code requirements.

**WETLANDS
/ RIPARIAN
BUFFERS:**

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

STREET NAMES:

3 new street names are required for this development. All internal streets are private.

**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: **The sunset provisions of City Code Section 10-2132.2 (j), including the ability to request extensions in the sunset date, apply to this site plan.** If significant construction has not taken place on a project after preliminary site plan 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: 7/31/2016

Submit a final site plan and valid building permit application for the total area of the project, or a phase of the project.

5-Year Sunset Date: 7/31/2018

Complete construction of entire development.

**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.