



## Administrative Action Group Housing Development

City of Raleigh  
Development Plans Review Center  
One Exchange Plaza  
Raleigh, NC 27601  
(919) 996-2626  
www.raleighnc.gov

**Case File / Name:** GH-2-14 / Greenway Village Phase II

**General Location:** This site is located east of Horton Street south of its intersection with Lake Boone Trail within the Raleigh City Limits.

**Owner:** Grubb Ventures  
**Designer:** David Brown – JDavis Architects

**CAC:** Glenwood

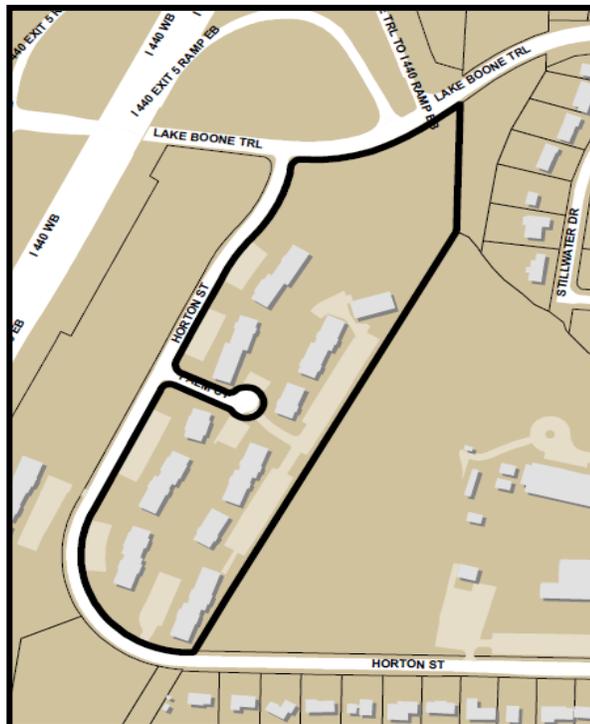
**Nature of Case:** This request is to approve a 140 dwelling unit apartment development on a 9.5 acre site, zoned Residential-15 CUD with Special Highway Overlay District-1.

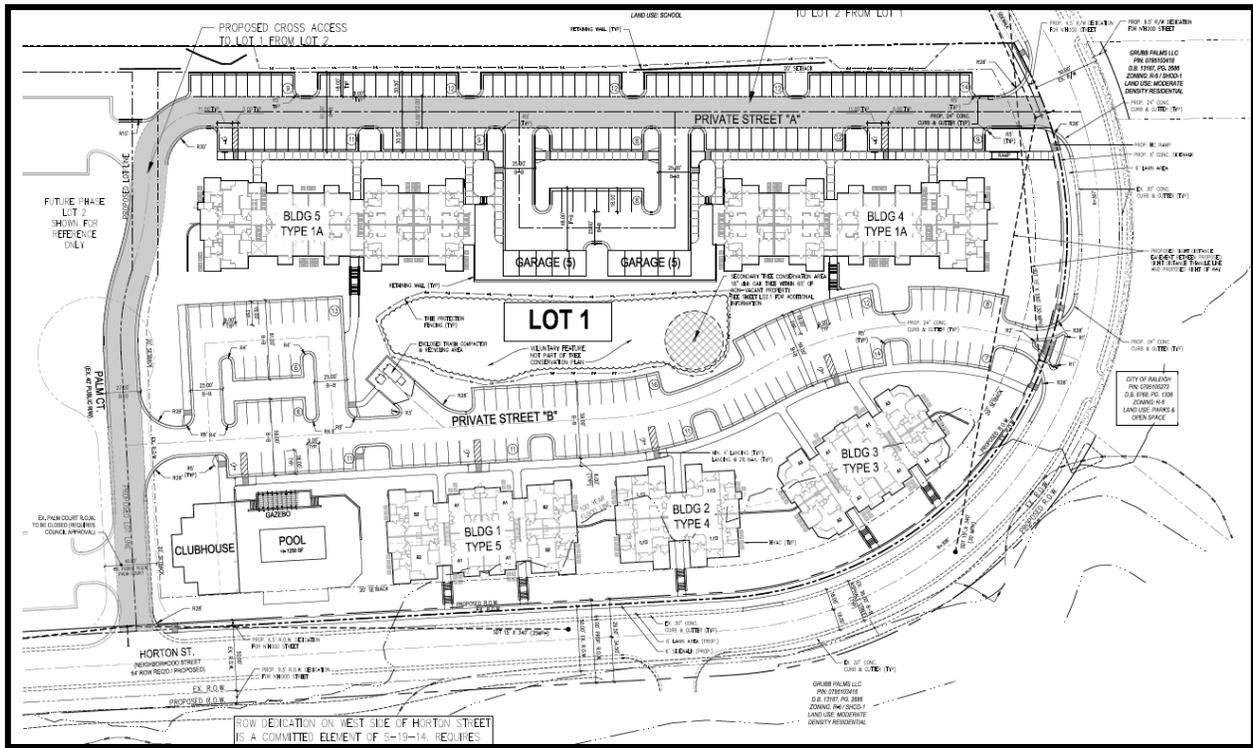
**Contact:** David Brown – JDavis Architects (919)835-1500

**Design Adjustment:** Two Design Adjustments have been approved by the Public Works Director for this project, noted below.

1. A Design Adjustment increasing the allowable block perimeter was approved by the Public Works Director on July 23, 2014.
2. A Design Adjustment reducing the allowable site distance requirements was approved by the Public Works Director on July 23, 2014.

**Administrative Alternate:** N/A





### Layout plan

- SUBJECT:** GH-2-14 / Greenway Village Phase II
- CROSS-REFERENCE:** S-19-14
- LOCATION:** This site is located east of Horton Street south of its intersection with Lake Boone Trail within the Raleigh City Limits.
- PIN:** 0795211105
- REQUEST:** This request is to approve a 140 dwelling unit apartment development on a 9.5 acre site, zoned Residential-15 CUD with Special Highway Overlay District-1.
- ADDITIONAL NOTES:** There are no additional notes for this plan.
- VARIANCES / ALTERNATES:** Two design adjustments were approved by the Public Works Director on July 23, 2014.



## Staff Report

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**OFFICIAL  
ACTION:** Approval with Conditions

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**CONDITIONS OF  
APPROVAL:**

**Administrative Actions:**

***Prior to issuance of a mass grading permit for the site:***

- (1) That in accordance with Part 10A Section 9.4.4, a surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City;

***Prior to approval of a concurrent review of Final Site Review and Infrastructure construction plans, or whichever occurs first:***

- (2) That a stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved by the Stormwater Engineer in compliance with Part 10A Chapter 9 of the Unified Development Ordinance, including the designation of buffer areas and open space areas for stormwater purposes prior to grading or the approval of construction drawings whichever event comes first;
- (3) That a nitrogen offset payment must be made to a qualifying mitigation bank;
- (4) That construction plans be submitted and approved by the Public Works and Public Utilities Department;
- (5) That a final tree conservation plan with permit 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;
- (6) That Right-Of-Way abandonment is approved, and resolution number be shown on recorded map;

***Prior to issuance of building permits:***

- (7) That street names for this development be approved by the Raleigh GIS Division and by Wake County;
- (8) That the subdivision has been recorded and all applicable conditions met;
- (9) That the developer shall pay to the City a stormwater facility replacement fund payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans;
- (10) That in accordance with Part 10A Section 9.2.2, a surety equal to 125% of the cost of construction of a stormwater device shall be paid to the City prior to permit issuance;

- (11) That flood prone areas, as approved by the City Stormwater Engineer, are shown on the preliminary plan and shall be shown on the recorded map;
- (12) That the following note be shown on all maps for recording: A minimum finished floor elevation will be required for all lots along the floodplain boundary;
- (13) That riparian buffers, in accordance with the preliminary plan and the State of North Carolina regulations, shall be shown on plats for recording along with a note stating "The areas shown on the recorded plat identified as Neuse River Riparian Buffer shall be maintained in their natural or mitigated condition, No person or entity shall fill, grad, excavate, or perform any other land-disturbing activities; nor cut, remove, or harm any vegetation; nor construct any structures nor add any additional impervious surface, nor allow animal grazing or water or any other agricultural use on such protected areas without written authorization from NC Division of Water Quality in accordance with the Riparian Buffer Protection Rules (15A NCAC 2B.0233 or .0259)."

***Prior to issuance of a certificate of occupancy:***

- (14) That in accordance with Part 10A Section 9.2.2, an as-built plan and certification any stormwater control device shall be reviewed and accepted by the City prior to final stormwater inspection approval or certificate;
- (15) That the inspection of the construction of internal accessways submitted for city approval will become the responsibility of the owner/developer. Copies of certified inspection reports (see attached requirements) involving subgrade/aggregate base proof rolls, aggregate base and asphalt densities and thickness, and other pertinent information must be submitted to the City of Raleigh Public Works Department.

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I hereby certify this administrative decision.

**Signed:** (Planning Dir.) Ken Bowers (C. Hays) Date: 10/10/14

**Staff Coordinator:** Stan Wingo

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

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**FINDINGS:** City Administration finds that this request conforms to Part 10, Chapter 2, Sections 10-2022, 10-2103 and 10-2132.2, Part 10A (Unified Development Ordinance) Articles 8, and 9. This approval is based on a preliminary plan dated 8/29/14, owned by Grubb Ventures, submitted by David Brown, JDavis Architects.

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**ZONING:**

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**DISTRICTS:** Residential-15 Conditional Use and Special Highway Overlay District-1

**Z-23-09 – Lake Boone Trail – (Conditional Use)** – located on the south side, east of Horton Street, being Wake County PIN 0795-21-1105. Approximately 15.34 acres rezoned to Residential – 15 Conditional Use w/ Special Highway Overlay District-1.

**Conditions: 09/10/09**

**Narrative of conditions being requested:**

a) Residential density developed upon the subject property after the effective date of the adoption of this rezoning ordinance shall not exceed a maximum of fifteen (15) dwelling units per acre [thirty (30) rooming units and/or dwelling units per acre for a congregate care or congregate living structure per City Code Section 10-2102(g) with a cap of two hundred fifty (250) congregate care rooming units and/or congregate care dwelling units], including within this maximum of fifteen (15) dwelling units per acre, the one hundred eighty-eight (188) dwelling units from Cluster Unit Development S-118-2000 now permitted upon the subject property, but in no event shall the total number of dwelling units constructed on the property exceed a maximum of 230 dwelling units.

b) Prior to recordation of a subdivision plat or the issuance of any building permit, whichever shall first occur, the owner of the subject property shall convey to the City of Raleigh a transit easement measuring twenty (20) feet by fifteen (15) feet along either Horton Street or within the SHOD yard along Lake Boone Trail, subject to applicable Neuse River Buffer rules and regulations. The location of the easement shall be approved by the Public Works Department, Transit Division of the City, and the City Attorney shall approve the transit easement deed prior to recordation.

c) Upon development, reimbursement for any required right-of-way dedication shall be calculated at the applicable R-6 rate.

d) No building constructed on the property after adoption of this zoning ordinance shall exceed a height of forty-nine (49) feet, measured in accordance with City Code Section 10-2076 and no such building shall exceed four (4) occupied stories.

e) A traffic study of the scope determined by the City of Raleigh Public Works Department (Transportation Division) will be submitted for review and approval by the City no later than the approval of this Case by the Planning Commission.

f) After the effective date of the adoption of this rezoning ordinance, there shall be no further transfer of density from or to the subject property (designated as Parcel 3 on that plat recorded in Book of Maps 2000, at Page 2301 of the Wake Registry) and Petitioner's property west of the right of way of Horton Street (designated as Parcel 1 upon the above identified recorded plat), containing approximately 23.98 acres, more or less.

g) Prior to the filing with the City of Raleigh of any request for site plan or subdivision approval for the subject property or any part thereof, written notice of said request shall be given to Joyce A. Kekas and Dennis H. Kekas at 3425 Norton Street, Raleigh, NC 27607-3414 (PIN # 0795 20 0106) or to their successor in ownership of the property at 3425 Norton Street. Such notice shall be given at least two (2) weeks prior to filing and a copy of said request shall be sent at the same time to the Chairperson of the Raleigh Planning Commission in care of the Raleigh Planning Department.

**SETBACKS /  
HEIGHT:**

This plan conforms to all minimum setback standards. Perimeter building setbacks and interior building setbacks meet 10-2103 Group Housing standards. This plan conforms to maximum height standards in this zoning district. Proposed maximum height does not exceed 40'.

**PARKING:**

Off-street parking conforms to minimum requirements: 236 spaces required based on number of bedrooms per unit. 240 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. Transitional protective yards are not required.

**TREE  
CONSERVATION:**

Tree is dedicated through the subdivision.

**OPEN SPACE:**

There is a total of 1.0 acre (10.5%) open space provided.

**DEVELOPMENT  
DENSITY:**

Development proposes 140 dwelling units on 9.5 acres. Total density equals 14.72 units per acre.

**PHASING:**

There is one phase in this development.

**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. Property immediately adjacent to the north will provide dedicated greenway easement upon development.

**STREET  
TYPOLOGY MAP:**

Dedication of right-of-way is not required. A Design Adjustment was approved by the Public Works Director on September 25, 2014 removing the requirement for right-of-way dedication along Horton Street.

Horton Street is classified as a Neighborhood Street.

**TRANSIT:** This site will be served by transit; a 15x20 transit easement is shown on plans.

**COMPREHENSIVE PLAN:** This site is located in the Glenwood Citizen Advisory Council, in an area designated as moderate density residential.

**HISTORIC / DISTRICTS:** This site is not located in or adjacent to a designated Historic District.

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**SUBDIVISION STANDARDS:**

**BLOCKS / LOTS / ACCESS:** Block perimeter requirements were increased by way of an approved Design Adjustment. On July 23, 2014 the Public Works Director approved a Design Adjustment increasing the allowable block perimeter from 2500' to 7300'. A connection through the adjacent school campus was not deemed feasible. Lot arrangement and access conform to Chapter 8 of the UDO.

**PUBLIC UTILITIES:** City water and sewer services are available. The developer is responsible for installation of all lines necessary to provide service to this site.

**SOLID WASTE:** The location and design of refuse collection facilities is shown in accordance with the Solid Waste Collection Design Manual.

**CIRCULATION:** Per subdivision.

**STREETSCAPE TYPE:** The applicable streetscape is a residential. Construction of a 6' wide sidewalk is proposed along Horton Street.

**PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. A 6 foot sidewalk will be constructed along Horton Street.

**FLOOD HAZARD:** This site is located within the FEMA Floodplain.

**STORMWATER MANAGEMENT:** This site is subject to stormwater management controls in accordance with Article 9 of the Unified Development Ordinance. Proposed stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual to comply with nitrogen loading regulations. Site is claiming an exemption from stormwater runoff control regulations under Section 9.2.2.E.2.d.

**WETLANDS / RIPARIAN BUFFERS:** Neuse River riparian buffers are required on this site.

**OTHER REGULATIONS:** Developer shall meet all other applicable City requirements of Code Part 10 and 10A (Unified Development Ordinance).

**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:** 10/10/2017

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:** 10/10/2019

Complete construction of entire development.

**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.