



Certified Action of the City of Raleigh Planning Commission

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27601
(919) 516-2626
www.raleighnc.gov

Case File / Name: SP-58-11 / Woodfield Marshall Park Apartments

General Location: On the south side of Blue Ridge Road just east of its intersection with Homewood Banks Drive

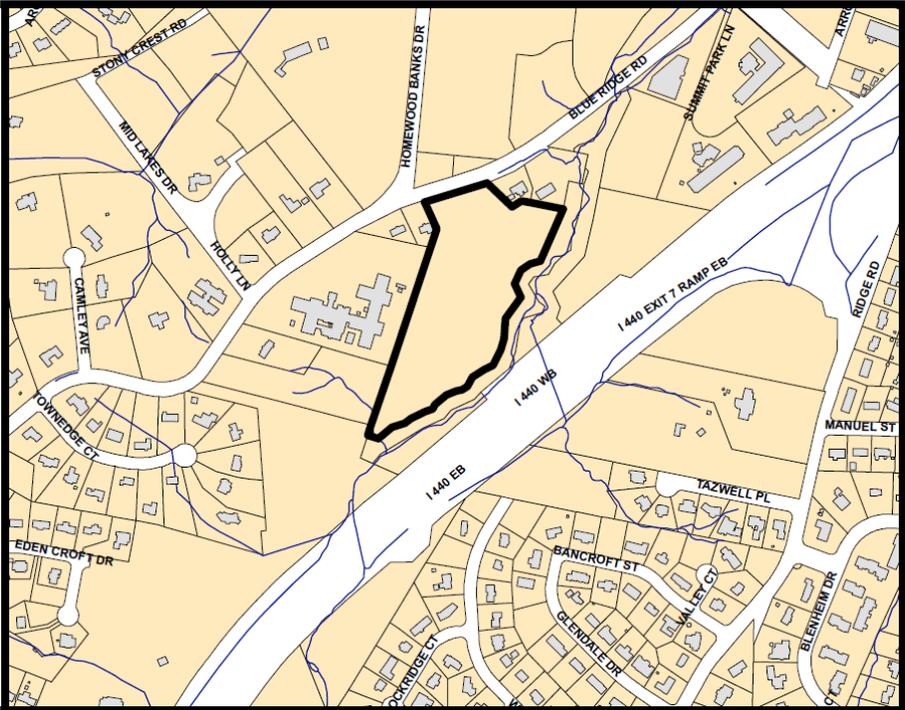
Owner: Woodfield Investment Company, LLC
Designer: JDavis Architects

CAC: Northwest

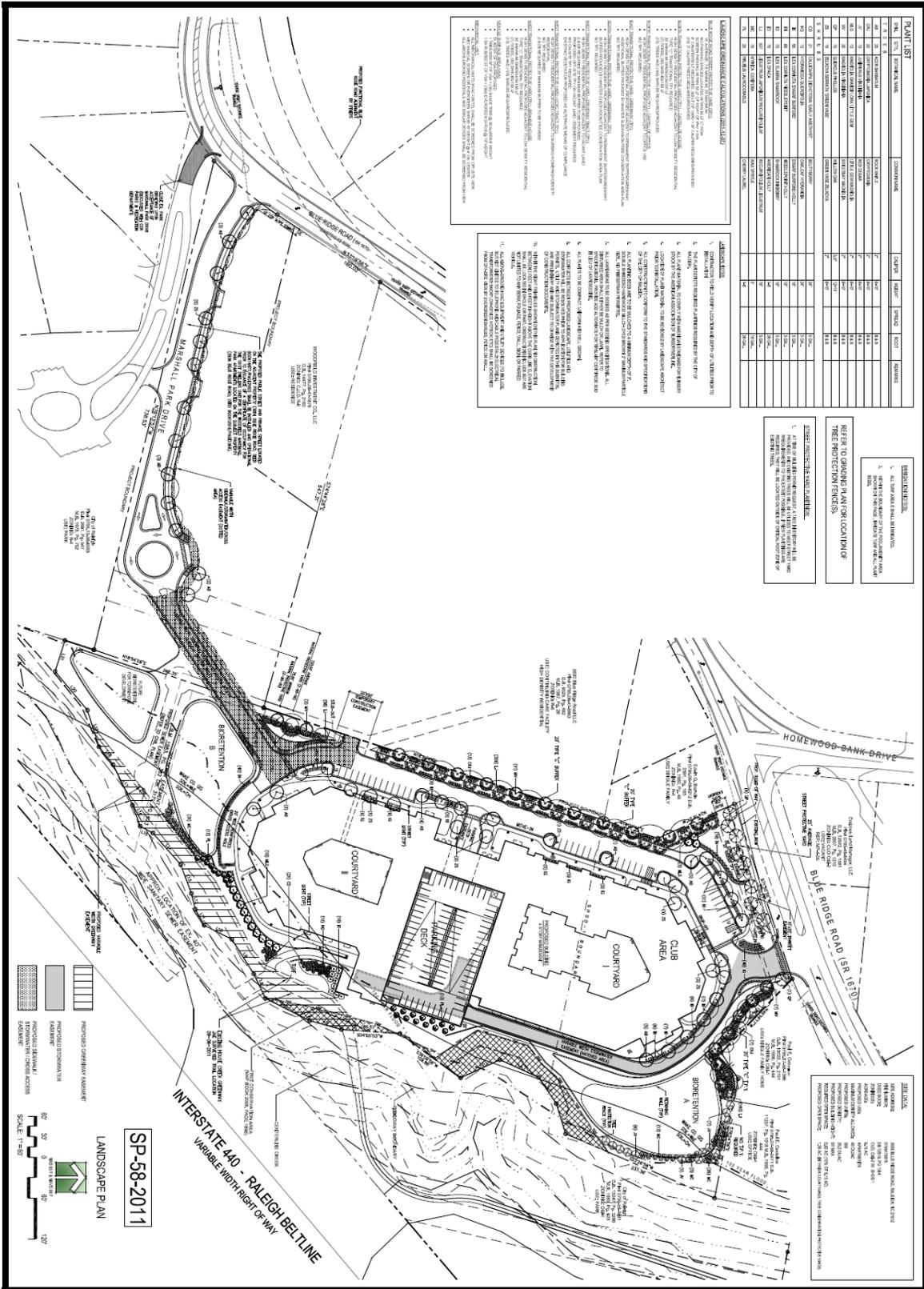
Nature of Case: A 345,000 square foot multifamily development comprised of one four story building, with basement, containing 359 dwelling units (39.2 dwelling units per acre) and a parking deck located on a 9.15 acre site zoned Office and Institutional-2 Conditional Use District and Special Highway Overlay District -1.

Key Issues: As presented, staff finds that this plan conforms to Code standards and adopted land use policies with the exception of Group Housing Standard 10-2103(c)(2) which requires one access point to the public street system for every 150 dwelling units unless traffic safety, surrounding development, severe topography or other physical features prevent such additional access. Surrounding developments and limited street frontage prevent an additional access point to the public street system.

Contact: David Brown, JDavis Architects



SP-58-12 / Woodfield Marshall Park Apartments – Site Location Map



SP-58-12 / Woodfield Marshall Park Apartments – Preliminary Site Plan

SUBJECT: SP-58-11 / Woodfield Marshall Park Apartments

CROSS-REFERENCE: Z-8-09, S-2-12 (Pending)

LOCATION: This site is located on the south side of Blue Ridge Road, east of its intersection with Homewood Banks Drive, inside the City Limits.

REQUEST: This request is to approve a 345,000 square foot multifamily development comprised of one four story building, with basement, containing 359 dwelling units and a parking deck located on a 9.15 acre site zoned Office and Institutional-2 Conditional Use District and Special Highway Overlay District -1. This development requires Planning Commission review because the proposed density, 39.2 dwelling units per acre, exceeds the 15 dwelling unit per acre threshold for administratively approved site plans in the Office and Institutional-2 district.

OFFICIAL ACTION: Approval with conditions

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

FINDINGS: The Planning Commission finds that with the following conditions being met this request conforms to Chapter 2, Part 10, Sections 10-2036, 10-2058, 10-2132.2, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 2-13-12, owned by Woodfield Investment Company, LLC, submitted by JDavis Architects.

ADDITIONAL NOTES: There are no additional notes for this plan.

VARIANCES / ALTERNATES: The applicants are requesting that the Planning Commission approve an alternate to Section 10-2082.9(e) Transitional Protective yards to allow for proposed Tree Conservation Areas and bio-retention areas to suffice for Transitional Protective Yards adjacent to the City owned parcel containing the House Creek Greenway. The location of House Creek Greenway on the subject property was changed during construction, where the property owner cooperated with the City in finding an alternate location for the trail. As a result of the trail adjustment during construction, available land area for the Transitional Protective Yard was reduced. As such, the applicant's request an alternate for this requirement.

To PC: 3/13/12

Case History:

Staff Coordinator: Eric Hodge, AICP

Motion: Haq
Second: Buxton
In Favor: Butler, Buxton, Harris Edmisten, Haq, Fleming, Mattox, Schuster, Sterling Lewis, Terando
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: 4/3/12



date: March 13, 2012



Staff Report

**RECOMMENDED
ACTION:** Approval with Conditions

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

- (1) That the Planning Commission approve the requested density for over 15 dwelling units per acre in the Office and Institutional-2 District;
- (2) That the Planning Commission finds traffic safety, surrounding development, severe topography or other physical features prevent a third access point as called for in the Group Housing Standard found in Section 10-2103(c)(2) which requires one access point to the public street system for every 150 dwelling units unless traffic safety, surrounding development, severe topography or other physical features prevent such additional access.
- (3) That the Planning Commission approve an alternate to Section 10-2082.9(e) Transitional Protective yards to allow for proposed Tree Conservation Areas and bio-retention areas to suffice for Transitional Protective Yards adjacent to the City owned parcel containing the House Creek Greenway. The location of House Creek Greenway on the subject property was changed during construction, where the property owner cooperated with the City in finding an alternate location for the trail. As a result of the trail adjustment during construction, available land area for the Transitional Protective Yard was reduced. As such, the applicant's request an alternate for this requirement.

Administrative Actions:

Prior to issuance of a grading permit for the site:

- (4) That prior to grading permit issuance, the nitrogen offset payment must be made to a qualifying mitigation bank;
- (5) 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 10 Chapter 9, 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;
- (6) That all stormwater control measures and means of transporting stormwater runoff to and from any nitrogen and stormwater runoff control measures shall be shown on all plats for recording as private drainage easements. The easements shall tie to a public right of way;

- (7) That as there are three stormwater pipe outfalls shown to drain through City of Raleigh property, in an effort to comply with State regulations the engineer has proposed three stormwater flow bypass systems that would cross the City property and tie directly to House Creek. Prior to approval of recorded plats or grading permit approval, whichever occurs first, the owner is to obtain all necessary easements and agreements from the City of Raleigh for the proposed stormwater easements and drainage outfalls on City property;
- (8) That the owner is to obtain all necessary approvals from the North Carolina Division of Water Quality for the proposed impacts to the Neuse Riparian Buffer. This includes the stormwater flow bypass system;
- (9) That any work that takes place on adjacent properties owned by others will require notarized permission or temporary construction easements signed by all impacted owners;
- (10) That as there is FEMA floodplain on this parcel and the development is thereby subject to all associated regulations including the limitation of fill and obstructions within the floodplain fringe. The limitation is 50% of the area in floodplain fringe; the approved plan shows approximately 43% obstruction;
- (11) That the major erosion control measures shall be designed to accommodate a 25 year storm event; but interim sediment devices used for redundancy and/or for brief amounts of the construction period time, or as required by the phasing of construction and public mad improvements shall be designed to comply with all City of Raleigh sedimentation control regulations. All permanent stormwater control measures shall be installed prior to completion of grading activities.

Prior to approval of construction drawings for public improvements:

- (12) That at the time of construction plan review, the plans are revised to relocate the water meter to the right-of-way line;
- (13) That construction plans for public improvements and private streets be approved by the Public Works Department;
- (14) 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 10 Chapter 9, 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;
- (15) That the applicants submit construction drawings that include a final phasing plan for infrastructure associated with both SP-58-11 and S-2-11;

Prior to issuance of building permits in the Inspections Department:

- (16) That additional right-of-way along Blue Ridge Road be dedicated as shown on the preliminary plan;
- (17) That street names for this development be approved by the Raleigh City Planning Department and by Wake County;

- (18) That the applicants record offers of cross access to the following adjacent parcels: PIN 0795-06-47-3524 (DB 14477, PG 2160) and PIN 0795-06-47-5963 (continuing care facility, M.B. 1987 , PG 28);
- (19) That the applicants secure a cross access easement from the adjacent parcel: PIN 0795-06-47-3524 (DB 14477, PG 2160);
- (20) That a drainage easement deed be recorded to allow the parcel to the west of the site (0795-06-47-3524 (DB 14477, PG 2160) to use bio-retention area C on the subject property;
- (21) That the plans be revised to reflect the requirements for a Type C buffer, are installed adjacent to the City's greenway property (PIN # 0795-58-4691) As the width of the buffer varies, the number of requisite plant materials may vary accordingly;
- (22) That a fire sprinkler system is required and shall be provided in the lower parking deck level and under building for apparatus access turn-a-round;
- (23) That a 15x20 foot transit easement located on Blue Ridge Road be approved by the Transit Planner in the Public Works Transportation Department, be shown on all maps for recording, and that a transit easement deed approved by the City Attorney is recorded with the local County Register of Deeds and a copy is returned to the Planning Department;
- (24) That in the transit easement deed the owner or its successor owners agree to install a transit shelter in the future when Blue Ridge Road is realigned and widened; that due to the grade and site distance issues it is not advisable to install a transit shelter at this time;
- (25) 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;

Prior to issuance of Certificates of Occupancy in the Inspections Department:

- (26) That before 151 individual dwelling units receive Certificates of Occupancy, the Public Street (Marshall Park Drive) associated with the adjacent property's proposed development plan, S-2-2012 (Marshall Park Drive) be constructed and accepted by the City;

ZONING:

**ZONING
DISTRICTS:**

Office and Institutional-2 Conditional Use District and SHOD-1. Ordinance 576 ZC636 Effective 5/5/09.

Z-8-09 - Blue Ridge Road, south side, opposite Homewood Banks Drive intersection, Conditional Use - rezone approximately 9.58 acres to Office & Institution-2 with Special Highway Overlay District-1 (Big Branch).

Conditions dated: April 30, 2009

- a. Prohibited uses. The following uses will be prohibited upon the property:
 1. Sank (of all types)
 2. Cemetery
 3. All residential institutions except day care (child or adult)
 4. Funeral Home
 5. Hospital
 6. Library or museum, governmental or nongovernmental
 7. Radio and television studio
 8. Utility services and substation
 9. Dance, recording, music studio
 10. Telecommunication tower (of all types)
 11. Heliport
 12. All special uses in code section 10-2036(b) (3)
- b. Unless otherwise required or authorized by the City of Raleigh or the State of North Carolina, vehicular ingress and egress to the property from public streets shall be limited to no more than one full movement driveway and one right in, right out driveway on Blue Ridge Road.
- c. Record offers of cross access to the following adjacent parcels:
 1. PIN 0795-06-47-3524 to the west of the site (Jeutter tract DB 12524, PG 372).
 2. PIN 0795-07-58-6153 to the east of the site (SM 2006, PG 1808, Lot 1).
 3. PIN 0795-06-47-5963 to the west of the site (continuing care facility, SM 1987, PG 28).
- d. Upon development of the property, the developer is to provide a minimum of one direct pedestrian access from the development to the House Creek greenway. The access is to be ten (10') foot wide and constructed of asphalt and/or wood if elevated.
- e. Prior to the issuance of any building permit or the subdivision of the subject property, whichever event first occurs, the owner of the property shall deed to the City a transit easement deed measuring twenty feet (20') long by fifteen feet (15') wide adjacent to the public right-of-way to support a bus stop for future transit services along Blue Ridge Road. A bus shelter will be installed at the time of building permit issuance, if requested by City.
- f. Development of the site exceeding a residential density of twenty (20) units per acre, an office development exceeding one hundred thousand square feet (100,000) of floor area gross or a hotel exceeding two hundred (200) rooms will utilize structured parking for 70% of the minimum provided parking.
- g. Building Height shall not exceed seventy-five feet (75') as set forth in Section 10-2076.
- h. Except in sanitary sewer easements and driveway at minimum, a Type "C" transitional protective yard, Section 10-2082.9, no less than twenty feet (20') in width shall be provided along the western property line adjacent to parcels Book of Maps 1987, page 28 (continuing care Facility) and Book of Maps 1960 page 46, lot I (Schautteet tract).
- i. Along the western property line adjacent to parcels Book of Maps 1987 page 28 (continuing care facility), Book of Maps 1980, page 46 lot I (Schautteet tract) and Deed Book 12524, page 372, (Jeutter tract), the minimum building setback shall be no less than forty feet (40'). If the 0.42 acre tract (Brandle tract), Book of Maps 1980 page 46 lot 2, is not recombined with the primary 9.16 acre parcel, Book of Maps 2008 page 1808,

lot 3, of this rezoning then the 40' building setback would be measured from the eastern property line of the Brandle tract.

- j. No building, portion of a building or vehicular parking shall be located in the area south of the sewer easement described by Book Maps 1983, page 362, see exhibit #1.
- k. Limit office development to no more than two hundred and twenty-five (225,000) square feet of floor area gross. Limit hotel development to a maximum of three hundred (300) rooms.
- m. Within sixty (60) days after the adoption of the rezoning ordinance by the Raleigh City Council, restrictive covenants allocating office square footage and hotel rooms shall be recorded in the Wake County registry. No covenant allocating office square footage and hotel rooms shall be recorded, amended or terminated without the prior written consent of the Raleigh City Attorney or his/her deputy which shall be evidence by his/her signature on the document prior to its recordation.
- n. Development on the subject property shall be limited so that no more than 330 total trips will be generated by the proposed development in the PM Peak Hour. The developer may still provide a mix of uses on the property so long as the cumulative traffic load does not exceed what is stated above. The developer shall provide a trip assessment summary based In the ITE Trip Generation Manual version 6, signed and sealed by a North Carolina professional engineer with each building permit application. In the event that the two parcels comprising the rezoning case are developed separately, this condition shall not apply to the 0.42 acre tract (Brandle tract), Book of Maps 1960 page 46 lot 2.
- o. The major erosion control measures shall be designed to accommodate a 25 year storm event; but interim sediment devices used for redundancy and/or for brief amounts of the construction period time, or as required by the phasing of construction and public mad improvements shall be designed to comply with all City of Raleigh sedimentation control regulations. All permanent stormwater control measures shall be installed prior to completion of grading activities.
- p. Preliminary Site Plan Approval request(s) shall require review by the City of Raleigh Planning Commission, and as part of that review the developer will explore methods to limit the amount of potable water to be used for irrigation.

SETBACKS /

HEIGHT:

The Office and Institutional-2 district allows for setbacks and height to be determined at the time of City Council or Planning Commission Site Plan approval. This plan proposes the following minimum setback standards: Front yard = 102', rear yard = 37', front / rear aggregate = 139', side yard = 37', side yard aggregate = 111'. This plan proposes a maximum building height of 55'.

PARKING:

Off-street parking conforms to minimum requirements: 612 parking spaces required, based on 1.5 parking spaces per 1 bedroom unit, 2 parking spaces per 2 bedroom unit, and 1 parking space per 300 SF of office area. 560 spaces are provided. A reduction of 52 off-street parking spaces for landscape planting area is being utilized as allowed by Section 10-2082.6(c)(6).

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. This is a high density residential use under Section 10-2082.9. Transitional protective yards are shown in compliance with City standards in the following locations:

<u>Location</u>	<u>Yard type required</u>	<u>Width proposed</u>
North	20' Type C	20'
West	20' Type C	20'
East	20' Type C	37'-200'
South	20' Type C	37'+

The applicants are requesting that the Planning Commission approve an alternate to Section 10-2082.9(e) Transitional Protective yards to allow for proposed Tree Conservation Areas and bio-retention areas to suffice for Transitional Protective Yards adjacent to the City owned parcel containing the House Creek Greenway. The location of House Creek Greenway on the subject property was changed during construction, where the property owner cooperated with the City in finding an alternate location for the trail. As a result of the trail adjustment during construction, available land area for the Transitional Protective Yard was reduced. As such, the applicant's request an alternate for this requirement.

**TREE
 CONSERVATION:**

A tree conservation map has already been recorded for this site in conjunction with some of the adjacent parcels. As a result of that Tree Conservation Area Map, 11,986 square feet of tree conservation areas are located on the subject parcel which equates to 3% of the site having been set aside for Tree Conservation Areas.

**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.

**DEVELOPMENT
 INTENSITY:**

As 359 dwelling units are proposed on the 9.15 acre site, the proposed density would be 39.2 dwelling units per acre, which is considered high density under current regulations and the 2030 Comprehensive Plan.

PHASING:

This is a single phase development but is contingent on the construction and acceptance of a proposed public street (Marshall Park Drive), associated with the adjacent Subdivision, S-2-12 Woodfield Marshall Park Townhomes. A final phasing plan for infrastructure shall be approved with the submittal of construction drawings for both projects.

OPEN SPACE:

Open space conforms to minimum requirements. 10 % or .92 acres required, 15% or 1.39 acres provided, based on the open space standards of 10-2103(d).

**UNITY OF
 DEVELOPMENT:**

Unity of development and sign criteria are not required in this development.

**COMPREHENSIVE
 PLAN:**

GREENWAY: There is an existing greenway running along the southeast portion of the property as well as on an adjacent tract owned by the City. The proposed plan indicates a connection to this greenway as called for in the zoning conditions associated with this property.

**THOROUGHFARE
 / COLLECTOR
 PLAN:**

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

<u>Street</u>	<u>ROW</u>	<u>Construct</u>	<u>Slope Esmt.</u>
Blue Ridge	½ 80'	½ 53' B/B	20'

Additional right-of-way to be dedicated is reimbursable under the facility fees program. The difference between a 41' street with curb, gutter and sidewalk and the proposed construction of 53' is reimbursable.

TRANSIT: The following transit-oriented features of this site are incorporated into the proposed plan: a 15x20' transit easement. This site is presently not served by the existing transit system.

**COMPREHENSIVE
 PLAN:**

The site is located in a designated regional mixed use center. The urban design guidelines should be addressed and integrated into the site design and layout.

The following Comprehensive Plan policies have been evaluated and the request has been found to be consistent with the general guidance provided by the Comprehensive Plan :

- Policy T 5.9 Pedestrian Networks
- Policy EP 2.5 Protection of Water Features
- Policy UD 2.5 Greenway Access
- Policy LU 4.5 Connectivity
- Policy LU 8.9 Open Space in New Development

**HISTORIC /
 DISTRICTS:**

There are no designated Historic Structures on the property. This site is not located in or adjacent to a designated Historic District.

**APPEARANCE
 COMMISSION:**

The Appearance Commission has made the following comments on this preliminary plan. Shown below are comments and applicant responses:

<u>Comment</u>	<u>Response</u>
The Commission recommends that red maples not be used in smaller planting areas; that instead, a variety less susceptible to stress (e.g., Acer barbatum) be planted in those locations [commensurate with Code Sec. 10-2132.2(d)(4)].	The applicant incorporated the Appearance Commission's recommendation, revising the Planting Plan to include Rock Maple (Acer barbatum) in place of the Red Maple.

**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, Sidewalks and Driveway Access Handbook. No dead end street in this development exceeds 800 feet in length.

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: Refuse will be disposed of by a private contractor. Collection facilities are shown and conform to the Solid Waste Manual standards for size, location, screening and access. All collection facilities shall conform to screening standards of 10-2082.8.

CIRCULATION: Proposed street improvements shall conform to normal City construction standards.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. A sidewalk is required along both sides of Blue Ridge Road. Pedestrian access has also been provided internal to the site in keeping with Section 10-2091

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. Proposed stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual. The apartment site is proposing compliance with the stormwater regulations of part 10, chapter 9 through the use of two (2) bioretention cells and a one time buy down to NCEEP. A third bioretention cell – labeled as bioretention “C” - is also shown on this site plan. The owner is proposing this third bioretention cell be used for compliance for the adjacent (future) townhome site only. The townhome subdivision plan is identified as case S-2-12. Bioretention “C” will have to be installed as part of the construction of the private road on the proposed townhome project.

**WETLANDS
/ RIPARIAN
BUFFERS:**

Neuse River riparian buffers are required on this site and are shown on the preliminary plan.

**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.

