



# Administrative Action

## Preliminary Subdivision

### Cluster Unit Development

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

**Case File / Name:** **S-21-12 / Ramblewood Lantern – Phases 1, 2, 3 and 4 Revisions**

**General Location:** The south side of Ramblewood Drive, just west of Six Forks Road

**CAC:** Midtown

**Nature of Case:** A revision to a previously approved cluster unit development, S-21-11 that will now contain a total of 556 residential dwelling units comprised of a total of 18 single family lots, 80 townhouse lots, and 458 multi-family units on a 33.49 acre site zoned Residential-10 Conditional Use District, Residential -30 Conditional Use District and Conservation Management with Special Highway Overlay District -1.

The changes proposed include a relocation of multi-family units within the development and additional units, See phasing below for allocation. All phases and unit counts are being changed as a result of this proposal.

The units noted in buildings 22, 23 and 29 from previously approved as phase 1 are proposed to be moved to phase 4 as townhouse lots. Twenty-four of the multi-family units are located in one condominium building in Phase 1. The remainder of the multifamily units, 434 apartments, will be considered as Group Housing and will be located in 13 buildings scattered over two lots in phases 2 and 3.

This revision includes the shifting of dwelling units originally slated for multi-family development (condominiums) into additional townhouse lots. The total number of dwelling units for the entire subdivision is 556 which equates to an overall density of 16.6 dwelling units per acre. The properties' zoning allows for an additional 96 units which are being considered surplus at this time.

**Phasing proposed with unit counts:**

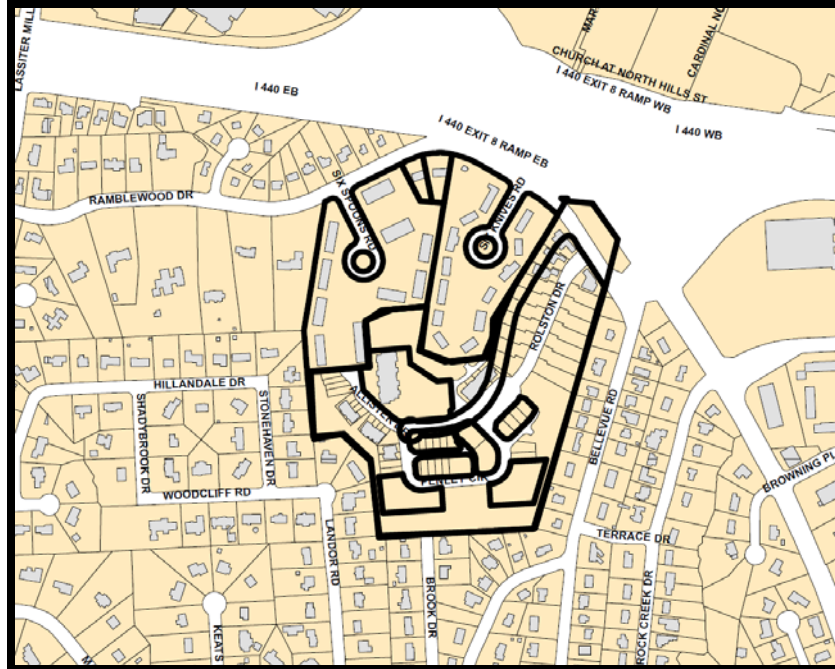
Phase 1-18 single family lots, 26 townhouse lots, 24 condominiums

Phase 2 - 207 apartment units

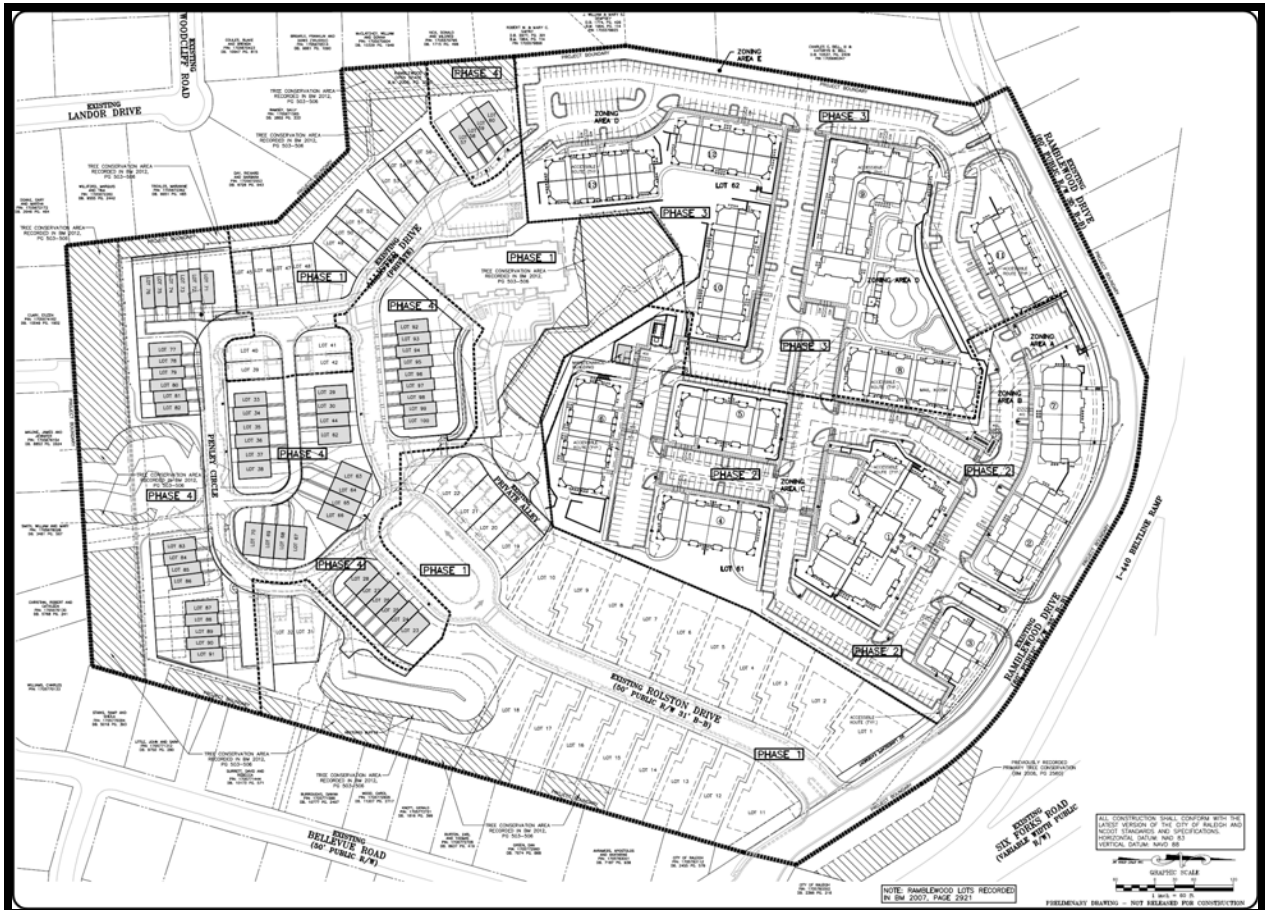
Phase 3 - 227 apartment units

Phase 4 – 54 townhouse units

**Contact:** Andy Padiak of the John R. McAdams Company, Inc.



S-21-12 / Ramblewood Lantern – Phase 4 Revisions – Location Map



**S-21-12/Ramblewood Lantern - Phase 4 Revisions – Preliminary Subdivision Plan**

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**SUBJECT:** S-21-12 / Ramblewood Lantern – Phase 4 Revisions

**CROSS-REFERENCE:** Z-38-05, S-78-05, S-38-06, S-39-09, S-21-11, Z-5-12

**LOCATION:** This site is located on the south side of Ramblewood Drive, west of its intersection with Six Forks Road, inside the City Limits.

**REQUEST:** A revision to a previously approved cluster unit development, S-21-11 that will now contain a total of 556 residential dwelling units comprised of a total of 18 single family lots, 80 townhouse lots, and 458 multi-family units on a 33.49 acre site zoned Residential-10 Conditional Use District, Residential -30 Conditional Use District and Conservation Management with Special Highway Overlay District -1.

**Phasing proposed with unit counts:**  
Phase 1-18 single family lots, 26 townhouse lots, 24 condominiums  
Phase 2 - 207 apartment units  
Phase 3 - 227 apartment units  
Phase 3 – 54 townhouse units

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**OFFICIAL ACTION:** Approval with conditions

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**CONDITIONS OF APPROVAL:**

***Prior to approval of construction drawings for public improvements:***

- (1) That prior to issuance of a land disturbing permit for phase 4, private drainage easements are required for all storm drainage and must be recorded prior to as-built certification. This easement must provide access to the BMP's from a public right of way;

***Prior to issuance of building permits in the Inspections Department:***

- (2) That the property is annexed into the Master Declaration for Ramblewood as amended and that Wake County recorded copies are provided to the Planning Department within 14 days of recording;
- (3) That the City form document entitled Declaration of Maintenance Covenant and Grant of Protection Easement for Stormwater Control Facilities shall be recorded with the county register of deeds office where the property is located prior to any recordation of a subdivision or recombination plat and a copy of the recorded documents be provided to the Planning Department within the 14-day period, further recordings and building permits authorization will be withheld if the recorded document is not provided to the Planning Department;
- (4) That the City form document entitled Declaration of City of Raleigh Required City Code Provisions for Developments with Common Elements and Common Expenses shall be recorded with the county register of

deeds office where the property is located prior to any recordation of a subdivision or recombination plat, and a copy of the recorded documents be provided to the Planning Department within the 14 day period; further plan recordings and building permits authorization will be withheld if the recorded document is not provided to the Planning Department;

- (5) That construction plans for public improvements and private streets be approved by the Public Works Department; These construction drawings shall be submitted for all 4 phases. Lots 57-60 (townhouse lots) shall be shown and re-recorded in phase 1. Any lots recorded in previous phases shall be re-recorded prior to any permit issuance.
- (6) 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)."
- (7) That permanently protected undisturbed open space areas, as designated on the final stormwater and nitrogen control plan, used to meet the nitrogen reduction requirements of Part 10 Chapter 9, be shown along with a note stating: "Within permanently protected undisturbed open space areas used for stormwater treatment, there must not be any land disturbing activity, as defined in Part 10 Chapter 2 of the Raleigh City Code, any new development or expansion thereof, or new use, construction, or encroachment will require updated stormwater calculations for verification of stormwater compliance."
- (8) That the 40 foot and 100 foot wide natural protective yards specified in accordance with zoning conditions 4 and 5 of Z-38-05 are shown on the plat.;
- (9) That the Zoning Reviewer verify that Z-38-05 zoning condition 2 is followed: All structures residential in character with the principle roof structure either flat with parapets or having a minimum 3: 12 pitch; all structures faced with brick or concrete masonry, synthetic stucco or wood, or cementitious, wood or vinyl siding and trim; windows and doors combined represent no less than 15% and no greater than 60% of the front facade;
- (10) That the Zoning Reviewer verify that Z-38-05 zoning condition 3 is followed: all structures no greater than four stories (three stores of residential dwellings above one story of parking) with a maximum of 65 feet in height; setbacks adjusted at a 1: 1 ratio based on the tallest structure over 40 feet and in accordance with Section 10-2076 of the Zoning Ordinance;
- (11) That when 75% of the permits have been issued for residential subdivisions, 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;

- (12) That the Zoning Reviewer verify that Z-5-12 zoning conditions 3 and 4 are followed: All structures shall be no greater than sixty five (65) feet in height. Setbacks shall be adjusted at a 1: 1 ratio based on the tallest structure over 40 feet in accordance with Section 10-2076 of the Zoning Ordinance;
- (13) That all conditions of Z-38-05 and Z-5-12 are met; In accordance with 10-3006, all subdivisions must comply with pending zoning cases.
- (14) That As-built BMP certification for the sand filter and underground detention in Phase 2 must be accepted by the City of Raleigh prior to permitting a fourth building in Phase 3 of Ramblewood Lantern;
- (15) That prior to the issuance of a building permit for the Property, the owner of the Property shall deed to the City a transit easement measuring twenty (20) feet in length and fifteen (15) feet in width. The location of the transit easement shall be approved by the Transit Division of the City and the City Attorney or his associate shall approve the transit easement deed prior to recordation;
- (16) That street names for this development be approved by the Raleigh City Planning Department, and Wake County and recorded by Wake County;
- (17) That the Zoning Reviewer verifies that Z-5-12 zoning condition 2 is followed: All structures shall be residential in character with the principal roof structure either flat with parapets or having a minimum 3: 12 pitch. All structures shall be faced with brick or concrete masonry; synthetic stucco or wood; or cementitious, wood or vinyl siding and trim. Windows and doors combined shall represent no less than 15% and no greater than 60% of the front facade of any building containing dwelling units;
- (18) That if during any period of time that the lands subject to the declaration of covenants and restrictions governing the homeowner's association legal documents total less than 10 acres, a restrictive covenant prepared in accordance with Raleigh City Code Section 10-3071(b)(9)b shall be placed on the remaining unrecorded phases of the approved cluster unit development;

***Prior to issuance of an occupancy permit in the Inspections Department:***

- (19) That as-built BMP certification for underground detention in Phase 3 must be accepted by the City of Raleigh prior to issuance of the final building CO within Phase 3;
- (20) For residential subdivisions, 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;
- (21) That prior to the issuance of an occupancy permit for any units within Phases 2 or 3, the applicants re-stripe the Ramblewood Drive/Lassiter Mill Road Intersection in accordance with the recommendations of the Transportation Impact Analysis associated with Z -5-12 through coordination with the City's Public Works Department;
- (22) That as stormwater control facilities and permanently protected open space areas are to be owned and maintained by a property owners' association.

The conveyance of the stormwater control facilities and permanently protected open space areas shall occur before the issuance of any occupancy permit per to the property owners' association.

I hereby certify this administrative decision.

**Signed:** (Planning Dir.) Mitchell Silver (C. Dept) Date: 2/1/13

**Staff Coordinator:** Eric Hodge, AICP

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, with the above conditions being met, conforms to Chapter 2, Part 10, Sections 10-2021, 10-2024, 10-2030, 10-2058, 10-2101, 10-2103, 10-2107, 10-2108, 10-2109, Chapter 3, Part 10, Sections 10-3001-3071-3074. This approval is based on a preliminary plan dated 12/6/12, owned by Ashton Woods Homes, submitted by The John R. McAdams Company, Inc.

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**CLUSTER STANDARDS:**

**ZONING DISTRICTS:** Residential-10 Conditional Use District, Residential-30 Conditional Use District, Conservation Management and Special Highway Overlay District-1.

**Z-38-05 – Tara Drive**, east and west sides, being Wake County PIN 1705-67-4860. Approximately 19.24 acres rezoned from Residential-15 and Conservation Management With Special Highway Overlay District-1 to Residential-10 Conditional Use and Conservation Management With Special Highway Overlay District-1.

**Conditions dated:** August 15, 2005

1. Redevelopment of the subject property will be limited to residential use – including townhomes and condominiums, and their allowable accessory uses.
2. All structures shall be residential in character with the principal roof structure either flat with parapets or having a minimum 3:12 pitch. All structures shall be faced with brick or concrete masonry; synthetic stucco or wood; or cementitious, wood or vinyl siding and trim. Windows and doors combined to represent no less than 15% and no greater than 60% of the front facade.
3. All structures shall be no greater than four (4) stories (three stories of residential dwellings above one story of parking), with a maximum of sixty-five (65) feet in height. Setbacks shall be adjusted at a 1:1 ratio based on the tallest structure over 40 feet and in accordance with Section 10-2076 of the Zoning Ordinance.

4. Transitional protective yards adjacent to existing single-family developed lots will be a minimum of 40 feet in width. Land disturbance within the 40-foot transitional protective yard shall not exceed 50% of yard area and will consist of preserved existing vegetation or new plantings equivalent to 10 trees (minimum of 50% evergreen) and 20 shrubs per 100 linear feet of yard.
5. A transitional protective yard interior in the subject property adjacent to the CM district along the southern boundary will be a minimum of 20 feet in width and will consist of preserved existing vegetation or new plantings equivalent to 6 trees and 28 shrubs per 100 linear feet of yard. The southern boundary is further described as the common boundary with parcels identified by Wake County PIN Numbers 1705672172, 1705674162, 1705676154, 1705678028, 1705679130 and 1705770133.

**Z-5-12 – Ramblewood Drive Conditional Use** - south and north sides of Ramblewood Drive, southwest of the intersection of Interstate-440 and Six Forks Road, being Wake County PIN(s), 1705782455, 1705684442, 1705675908, 1705676214 (P/O), 1705671864, 1705671872, 1705671890, and 1705672708. Approximately 9.91 acre(s) rezoned from Residential-6 Conditional Use District, Residential-10 Conditional Use District, Residential-10 Condition Use District with Special Highway Overlay District-1, and Residential-15 Conditional Use District to Residential-30 Conditional Use District and Residential-30 Conditional Use District with Special Highway Overlay District-1.

**Conditions Dated: 02/14/12**

As used herein the Property refers to all of those certain parcels of land containing a total of approximately 10 acres located on Ramblewood Drive just west of the intersection with Six Forks Road and having Wake County PINs 1705-78-2455, 1705-68-4442, 1705-67-5908, P/O 1705-67-6214, 1705-67-1864, 1705-67-1872, 1705-67-1890 and 1705-67-2708.

1. The density on the Property shall be restricted to no more than 28 units per gross acre.
  2. All structures shall be residential in character with the principal roof structure either flat with parapets or have a minimum pitch of 3:12. All structures shall be faced with brick or concrete masonry; synthetic stucco or wood; cementitious wood and trim. Windows and doors combined shall represent no less than 15% and no greater than 60% of the front facade of any building containing dwelling units.
  3. As measured from the property line along the Ramblewood Drive public right-of-way line, any building constructed on the Property after the effective date of this rezoning ordinance shall add three (3) feet of setback for every one (1) foot in height above 40 feet to the applicable base minimum district yard setback.
  4. All structures shall be no greater than sixty five (65) feet in height.
  5. In no event shall any principal building be located within 20 feet of those parcels with Wake County Parcel Identification Numbers 1705-68-0347 (DB 10537, PG 2409), 1705-57-9925 (DB 1774, PG 426), and 1705-57-9896 (DB 2977, PG 301).
- S. All lighting for any structured parking built on the property shall utilize full cutoff light fixtures directed away from adjacent R-4 zoned residential development.

**DEVELOPMENT**

**DENSITY:** The number of units allowed in these zoning districts for these parcels of land is 652. The proposed plan contains 556 units and 96 units remain unallocated at this time.

**PHASING:** There are four phases in this development.  
**Phasing proposed with unit counts:**  
Phase 1-18 single family lots, 26 townhouse lots, 24 condominiums  
Phase 2 - 207 apartment units  
Phase 3 - 227 apartment units  
Phase 3 – 54 townhouse lots

**LOTS / SETBACK  
HEIGHT:**

The minimum lot size proposed for single family lots in this cluster is 7,848 square feet. Setbacks from public streets and property lines conform to Section 10-2103(b). The minimum setback for single-family homes from public streets is shown to be 10'. The aggregate side yard setback for single-family homes is 15'. There shall be no less than 5' of side yard setback on any single-family lot in this development. Private outdoor living areas in the multi-family buildings and townhomes maintain a 40' separation if parallel to each other or oriented at less than a 45' 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 10-21039b). Buildings greater than 28' in height maintain a 30' setback from perimeter property lines.

**PARKING:**

Off Street Parking conforms to minimum requirements. The single-family lots will provide parking spaces in driveways and garages on each lot. The townhouses require 190 parking spaces based on 2 parking spaces per two-bedroom unit, 2.5 spaces per three-bedroom unit and 3 spaces per four-bedroom unit. 211 parking spaces are being provided for the townhouses through a combination of parking spaces on private streets, parking in driveways and garages. The multi-family condominium building located in Phase 1 requires a total of 50 spaces based on the same standards used for townhouses and 59 spaces are being provided. The multifamily buildings, pool and clubhouse located in phases 2 and 3 require a total of 717 parking spaces based on the same standards used for townhouses and 1 space per studio unit, 1 space per 100 SF of pool area, 1 space per 200 SF of clubhouse area and 1 space per 300 SF of office area. A 10% reduction in required parking spaces for provision of landscape areas is being utilized as allowed by Code Section 10-2082.6(c)(6). This equates to a reduction of 71 off-street parking spaces which changes the overall required parking for Phase 2. A 38 space reduction is also being utilized given unit proximity to the pool/clubhouse as allowed by Code. As such 607 parking spaces are required and 607 parking spaces are being provided within phases 2 & 3.

**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.

**OPEN SPACE:**

Open space conforms to minimum requirements in Raleigh City Code Section 10-2103(d). 10% or .01 acre per dwelling unit, whichever is greater, of open space is required. 10% of the site equates to 3.35 acres. However, .01 acre per dwelling unit proposed requires 5.56 acres of open space to be dedicated. The development proposes 6.6 acres of open space to be provided. The majority of this open space, 4.31 acres, has been provided within Phase 1 of the development. Five additional open space areas are also being provided. Open space meets the standards for topography (a maximum average slope of 8% for the lesser of 1/3 or two acres of the required open space). The subdivision is not divided by a thoroughfare.



**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 medium density residential use under Section 10-2082.8. 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>
Southeast/Southwest	10' Type D	40' Type D
South	10' Type D	100' Type D
West	20' Type C	20' Type C

The Transitional Protective Yards are provided in keeping with Zoning Conditions.

**TREE CONSERVATION:** A preliminary tree conservation plan in accordance with code section 10-2082.14 is included with this proposal and has been approved by the Forestry Specialist in the Inspections Department. 10% or 3.35 acres of tree conservation area is required. 10.1 % or 3.36 acres is provided. An additional .32 acres of tree conservation area is provided on a parcel remnant across Ramblewood Drive from the subject parcel in a SHOD-1 area. A final tree conservation plan has been submitted, approved and recorded for 3.36 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:** No dedication of right-of-way or construction of public streets is required by the Thoroughfare and Collector Street Plan. A Transportation Impact Analysis was performed in association with zoning case Z-5-12. That TIA was based on the assumption that 9.91 acres of this cluster unit development was being rezoned from R-6 CUD, R-10 CUD W/ SHOD-1 and R-15 CUD to R-30 CUD and SHOD-1 and indicated the need to to restripe the westbound Ramblewood Drive at Lassiter Mill Road to provide separate left-turn and right-turn lanes. This restriping has been agreed to be done by the applicant at this time and is a condition of approval prior to the issuance of any certificates of occupancy associated with phases 2 or 3 of this development.

**TRANSIT:** Prior to the issuance of a building permit for the Property, the owner of the Property shall deed to the City a transit easement measuring twenty (20) feet in length and fifteen (15) feet in width. The location of the transit easement shall be approved by the Transit Division of the City and the City Attorney or his associate shall approve the transit easement deed prior to recordation. This site is within ¼ of a mile of 2 existing transit routes.

**URBAN FORM:** This site is designated for moderate density (6-14 units per acre) residential development in the 2030 Comprehensive Plan for the City of Raleigh. The proposed density of 14.92 units per acre falls within the designated range.

**SUBDIVISION  
STANDARDS:**

**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. All lines serving more than one lot and located outside public street r/w or City of Raleigh water or sewer easement shall be owned and maintained by the non-profit owner's association. That construction drawings shall show:

- (a) Water service to lot 86 be made behind the backflow device.
- (b) Water service/meter for lot 28 and all lots provided on the same side as the address.
- (c) The proposed backflow for lots 71-76 moved outside the private easement and/or private right-of-way.
- (d) The proposed easement between lots 87 & 88 as private.

**SOLID WASTE:** Refuse collection is to be provided based on the standards in the Solid Waste Manual.

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

**PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. Public sidewalks are shown along this side of Ramblewood Drive and are provided along both sides of the public portion of Rolston Drive. Private sidewalks are provided along at least one side of the private streets within this development.

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

**STORMWATER  
MANAGEMENT:** From a stormwater perspective, this submittal was reviewed as 2 developments for compliance; Ramblewood II and Ramblewood Lantern. The proposed increase of 0.12 acres of impervious within the boundary of the Ramblewood II project, which had previously been approved, was addressed through the designation of 1.87 acres of Permanently Protected Undisturbed Open Space (PPUOS) within Ramblewood II. PPUOS area should consist of a combination of Neuse Riparian buffer (non-restored) and previously recorded Tree Conservation Areas (BM2006, page 2560). The Ramblewood II Stormwater calculations have been updated to reflect this designation and the nitrogen loading is demonstrated to be within the allowable range. Detention requirements remain satisfied. The Ramblewood Lantern project will meet Stormwater compliance through the utilization of 2 underground detention facilities for runoff detention and a sand filter for nitrogen loading reduction.

**WETLANDS  
/ RIPARIAN  
BUFFERS:**

Neuse River riparian buffers are required on this site and are provided for on this plan.

**STREET NAMES:** New street names are required for this development. A street name application must be approved.

**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:** 2/1/2016  
Record at least ½ of the land area approved.

**5-Year Sunset Date:** 2/1/2018  
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.