Administrative Action
Preliminary Subdivision

City of Raleigh
Development Plans Review Center
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Raleigh, NC 27602
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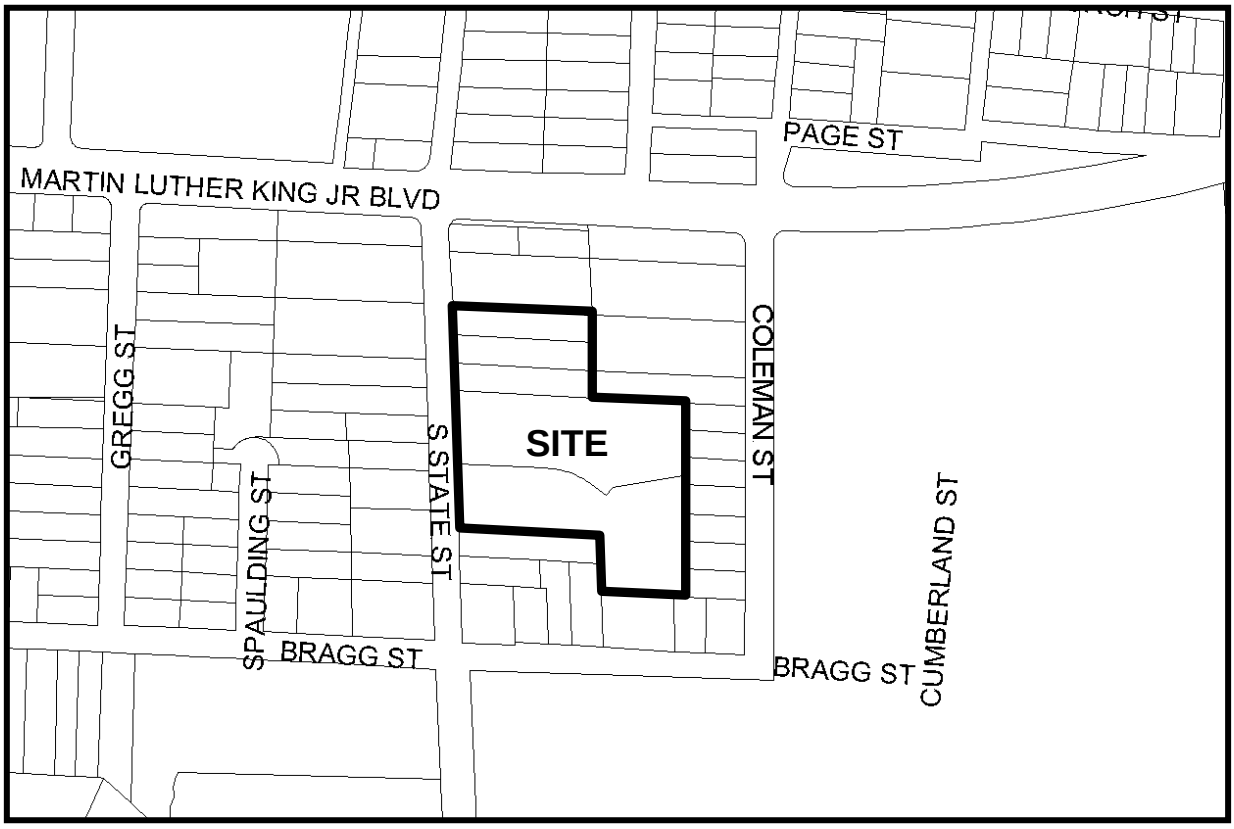
Case File / Name: **S-34-07 / State Street Subdivision**

General Location: West side of South State Street between Martin Luther King Jr. Boulevard and Bragg Street

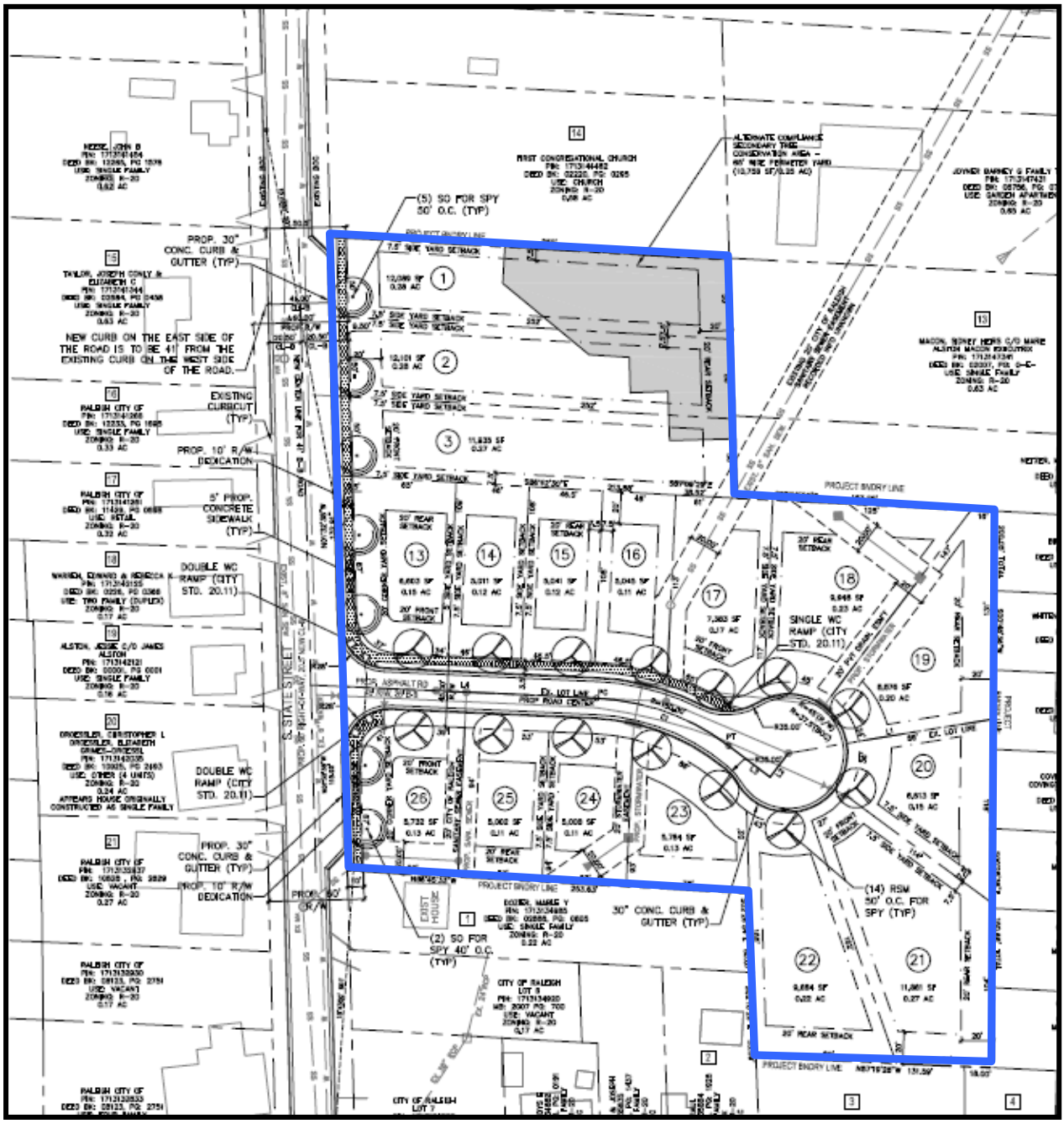
Planning District / CAC: Central / South Central

Nature of Case: Subdivision of a 3.56 acre site currently consisting of 5 lots to create 17 single family lots. This site is zoned Residential-20. This proposal does not constitute an "infill subdivision" as less than 66% (64%) of the periphery is adjacent residential zoned properties containing single family residential structures or structures originally constructed as such.

Contact: JDavis Architects, PLLC



S-34-07 / State Street Subdivision – Location Map



S-34-07 / State Street Subdivision – Subdivision Plan

SUBJECT: S-34-07 / State Street Subdivision

CROSS-REFERENCE: n/a

LOCATION: This site is located on the east side of South State Street between Martin Luther King Jr. Boulevard and Bragg Street, inside the City Limits.

REQUEST: This request is to approve the subdivision of a 3.56 acre site currently consisting of 5 lots, zoned Residential-20, to create 17 single family lots. This proposal does not constitute an "infill subdivision" as less than 66% (64%) of the periphery is adjacent residential zoned properties containing single family residential structures or structures originally constructed as such. The proposed residential density is 4.8 units per acre.

OFFICIAL ACTION: **Approval with conditions**

CONDITIONS OF APPROVAL:

Prior to issuance of a land disturbing permit for the site:

(1) That prior to the issuance of a grading permit or recordation of lots, whichever event first occurs, a final tree conservation plan in accordance with Code section 10-2082.14 must be approved by the Forestry Specialist in the Inspections Department. 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 Inspections Department. A copy of the approved plan is to be placed on file in the Planning Department;

Prior to approval of construction drawings for public improvements:

(2) That a petition to exchange the existing 20' City of Raleigh Sanitary Sewer easement is submitted to the Public Utilities Department and approved as a separate action by the Raleigh City Council;

Prior to Planning Department authorization to record lots:

(3) That construction plans for all public improvements be approved by the Public Works Department;

(4) That 10' width of right-of-way and 10' width slope easement along State Street be dedicated to the City of Raleigh and be shown on all plats for recording;

(5) That a tree conservation map be recorded with metes and bounds showing the designated Tree Conservation Areas in accordance with the final tree conservation plan and code section 10-2082.14;

(6) That payment of a fee-in-lieu of tree conservation in accordance with code section 10-2082.14(g) and the approved final tree conservation plan be made to the Inspections Department.

I hereby certify this administrative decision.

Signed: (Planning Dir.) Mitchell Silver (C. Mayer) Date: 4-18-08

Staff Coordinator: Stacy Barbour

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

FINDINGS: City Administration finds that this request, with the above conditions being met, conforms to Chapter 2, Part 10, Sections 10-2023, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 2/29/08, owned by the City of Raleigh Community Development Department, submitted by JDavis Architects, PLLC.

ZONING:

ZONING DISTRICTS: Residential-20.

LANDSCAPING: Street yard landscaping in conformity with Section 10-2082.5 is shown.

TREE CONSERVATION: This proposal shows secondary tree conservation areas equivalent to 7.0% of the site (0.25 acres) and includes payment of a fee in lieu of tree conservation in accordance with code section 10-2082.14(g) equivalent to the land value of 3.0% of the site. The proposed payment in lieu of tree conservation has been approved by the Forestry Specialist in the Inspections Department. A final tree conservation plan shall be approved by the Inspections Department prior to grading permit issuance.

UNITY OF DEVELOPMENT: Unity of development criteria are not required in this subdivision.

PHASING: There is one phase in this development.

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.
State Street	10’	½ of 41’ b-b	10’

Right-of-way to be dedicated and the proposed road construction are not reimbursable.

TRANSIT: No transit easement is required in this location.

URBAN FORM: This site is located in the Central Planning District inside of a Regional Center. Specific recommendations for this area are found in the Martin Luther King, Jr Boulevard Corridor Plan, which allows for a mixture of low (6 or less units per acre) and medium (8 to 14 units per acre) density residential. The proposed development is consistent with the Comprehensive Plan.

SUBDIVISION STANDARDS:

LOT LAYOUT: The minimum lot size in this zoning district is 5,000 square feet. The minimum lot depth in this zoning district is 70’. The minimum lot width in this zoning district is 45’. Lots in this development conform to these minimum 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. This proposal includes an exchange of an existing sanitary sewer easement on site which will require City Council approval prior to recordation of lots.

SOLID WASTE: Individual lot service by the City is to be provided.

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

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. A 5’ sidewalk is required and shown along State Street.

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

STORMWATER MANAGEMENT: This site is exempt from Part 10, Chapter 9 per section 10-9003(b)(8). Note the Raleigh City Council authorized use of this code exemption for this Federally funded project on February 5, 2008. Retention / detention facilities are not shown on the preliminary plat.

WETLANDS / RIPARIAN BUFFERS: No wetland areas or Neuse River riparian buffers are required on this site.

STREET NAMES: One new street name is required for this development. A street name application has already been received and 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: 4/18/11
Record at least ½ of the land area approved.

5-Year Sunset Date: 4/18/13
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.