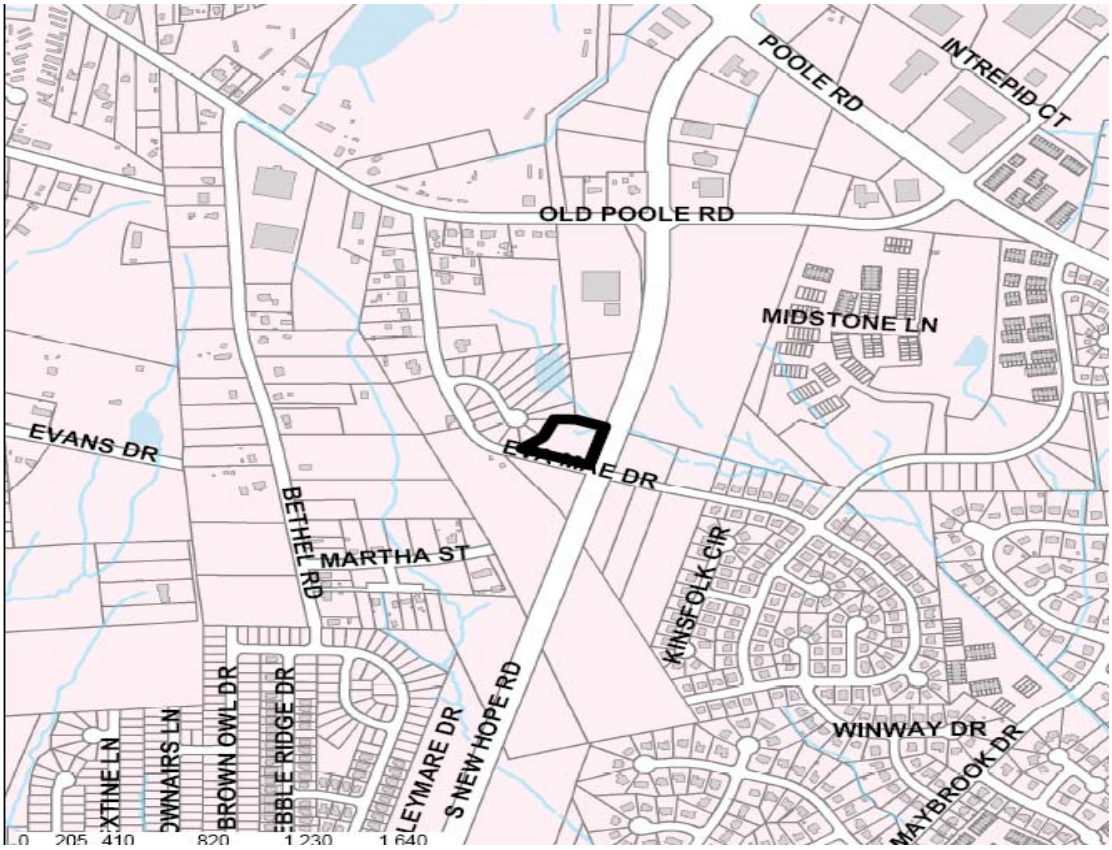
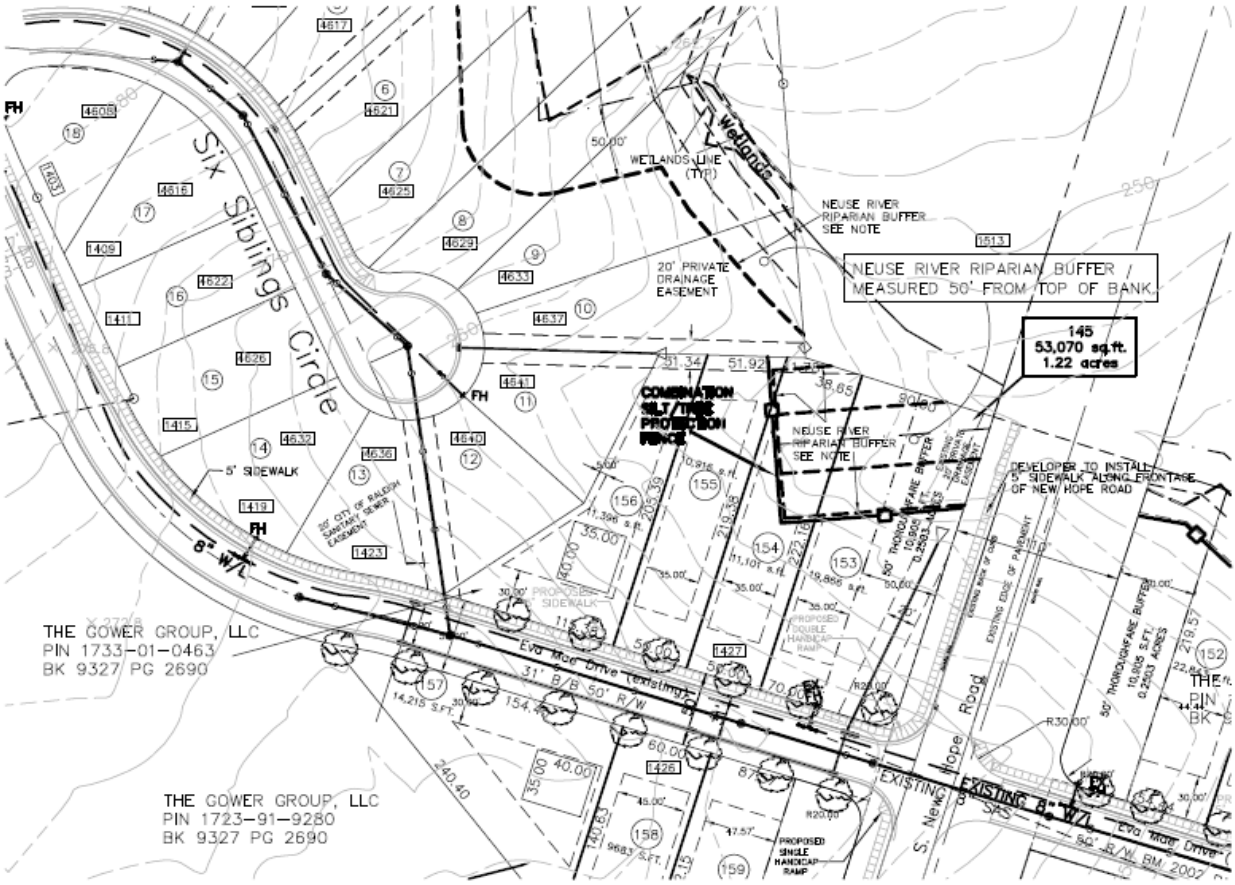
Administrative Action
Preliminary Subdivision

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

Case File / Name:	**S-56-07 / Heritage Manor Lot 145**
General Location:	Intersection of Eva Mae Dr. and New Hope Rd.
Planning District / CAC:	Southeast / Southeast
Nature of Case:	This request is to approve the subdivision of a 1.22 acre tract into 4 lots, zoned R-6. The unit per acre density is 3.27. This is not an infill project.
Contact:	Mac McIntyre



Vicinity Map



Proposed Subdivision

SUBJECT: **S-56-07 / Heritage Manor Lot 145**

CROSS-REFERENCE: S-84-98

LOCATION: This site is located on the northwest intersection of Eva Mae Dr. and New Hope Rd., inside the City Limits.

REQUEST: This request is to approve the subdivision of a 1.22 acre tract into 4 lots, zoned R-6. The unit per acre density is 3.27. This proposal is not an infill subdivision as less than 66% of the periphery is adjacent residential zoned parcels containing single family dwellings.

OFFICIAL ACTION: **Approval with conditions**

CONDITIONS OF APPROVAL: ***Prior to issuance of a land disturbing permit for the site:***

(1) That as the developer has chosen to offset a portion of nitrogen export load limitation by paying monies to the North Carolina Ecosystem Enhancement Program (NCEEP) in accordance with Nitrogen reduction requirements of Section 10-9022, this payment shall be made to NCEEP and verification of the amount of payment shall be provided to the City of Raleigh Storm water Engineer;

Prior to Planning Department authorization to record lots:

(2) 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 perpetuity 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).”. This covenant is to run with the land, and shall be binding on the Owner, and all parties claming under it;

(3) That the City Attorney shall approve a restrictive covenant stating that lots 153, 154, 155, and 156 each shall have a maximum impervious surface, as defined in Part 10 Chapter 9 of the Raleigh City code of 7,280 square feet. No installation of impervious surface which causes the impervious surfaces on the lots to exceed 7,280 square feet shall be made without first obtaining a permit from the Stormwater Division of the Public Works Department of the City. No amendment or termination of this restrictive covenant shall be made without the prior written consent of the Raleigh City Attorney. This covenant shall be recoded with Wake County Register of Deeds. A recorded copy of these documents must be provided to the Planning Department within 14 days from authorization of lot recording. If

recorded copies of homeowner's documents are not provided to the Planning Department within this 14-day period, further recordings and building permit issuance may be withheld;

(4) That the following note be placed on all plats for recording: "Impervious surface coverage on lots 153, 154, 155, and 156 is limited to 7,280 square feet. No installation of impervious surface which causes the impervious surfaces on the lots to exceed 7,280 square feet shall be made without first obtaining a permit from the City of Raleigh";

(5) That the following note be placed on all plats for recording: "Driveway for Lot 153 shall be located within 20' of western property line [with Lot 154]";

(6) That right-of-way dedication at the intersection of New Hope Rd. and Eva Mae Dr. as shown on the preliminary plan be shown on all plats for recording;

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

I hereby certify this administrative decision.

Signed: (Planning Dir.) Mitchell Silver (W.H. Bowman) Date: 7/24/08

Staff Coordinator: James Marapoti

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 2019 Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 3/7/08, owned by Gower Construction Company, submitted by Mac Mcintyre.

ZONING:

ZONING DISTRICTS: **ORDINANCE (1997) 239 ZC 424Effective: November 18, 1997**

Z-73-97 Old Poole Road, south side. beyond the southern terminus of Eva Mae Drive, being portion of Tax Map Parcels 1733.17 00 1484 and 1733.17 10 1636. Approximately 34.6 acres rezoned to Residential-6 Conditional Use. Conditions: (11/03/97)

1. Right-of-way reimburse values will remain at R-4 values.

2. Compliance with Planning Commission Certified Recommendation 7107 regarding stormwater runoff controls.

3. All residential R-4 uses will be permitted plus single family detached residences at up to six families per acre and accessory uses permitted in R-6.

4. No more than seventy-five (75) dwelling units will be permitted nor seventy-five (75) lots created within parcels 1733.17 00 1484 and 1733.17 10 1636 until Winway Drive is connected to either Eva Mae Drive or Martha Street.

All conditions have been met.

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

TREE CONSERVATION: Compliance with the Tree Conservation Ordinance is not required because this site is a residential lot less than 2 acres in size and zoned residential.

UNITY OF DEVELOPMENT: Not applicable.

PHASING: This subdivision will be constructed in 1 phase.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

THOROUGHFARE / COLLECTOR PLAN: This site is required to dedicate right of way at the intersection of Eva Mae and New Hope Rd. Developer is responsible it install a 5' sidewalk and 20' slope easement along New Hope Rd. No other improvements are required.

TRANSIT: No transit requirements.

URBAN FORM: This site is located in the Southeast Planning District, in an area designated a residential area.

SUBDIVISION STANDARDS:

LOT LAYOUT: The minimum lot size in this zoning district is 7,260 square feet. The minimum lot depth in this zoning district is 100'. The minimum lot width in this zoning district is 50'. Lots in this development conform to these minimum standards.

BLOCK LAYOUT: Not applicable.

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.

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

CIRCULATION: Not applicable.

PEDESTRIAN: Developer is responsible to install a 5' sidewalk along New Hope Rd.

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

STORMWATER MANAGEMENT: Water quantity regulations will be met by restricting the impervious limits on the proposed lots, such that the post-development runoff rate does not exceed a 10% increase. Therefore the subdivision is excemt from detention requirements per code section 10-9023(b)(1). Water quality regulations will be met through a buydown only to the NCEEP.

WETLANDS / RIPARIAN BUFFERS: Neuse River riparian buffers are required on this site in accordance with State of NC regulations, are shown on the preliminary plan, and shall be shown on any plat for recording.

STREET NAMES: No street names required.

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: 7/24/11
Record at least ½ of the land area approved.

5-Year Sunset Date: 7/24/13
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.