AA# 2061
Case File: S-72-07

Administrative Action
Preliminary Subdivision

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

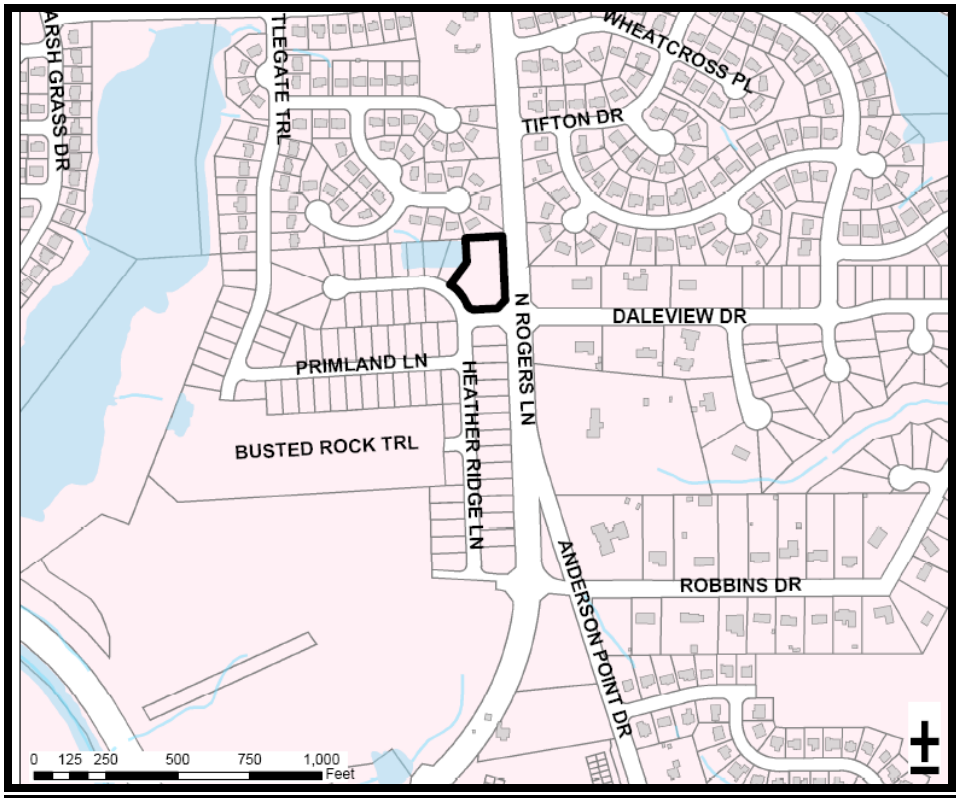
Case File / Name: **S-72-07 Anderson Pointe Lots 109 & 110 Phase 4**

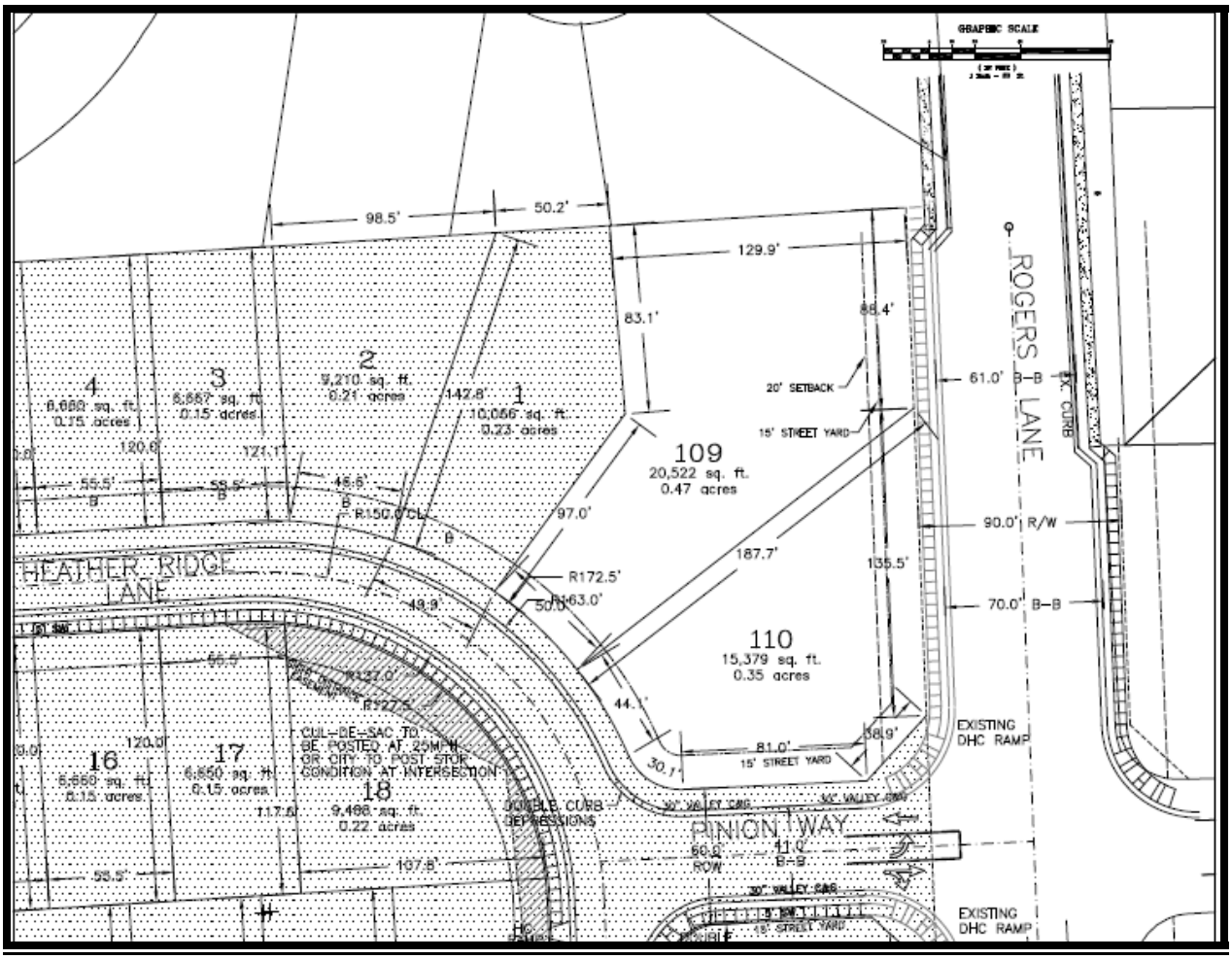
General Location: This site is located on North West corner of Rogers Lane and Pinion Way, inside the City Limits.

Planning District / CAC: Southeast / Southeast

Nature of Case: Subdivision .82-acres into 2 single family lots. This area was originally recorded BM 2005 PG 1251 Anderson Pointe Northern Lots Phase 1 and recorded as a "detention area" and located within the Anderson Pointe PDD.Upon submittal of the subdivision of this lot, the Stormwater Engineer for the City of Raleigh made a determination that this lot was no longer required to be used for a "detention area" within this subdivision therefore allowing this area to be subdivided for another use.

Contact: B & F Consulting, Inc





S-72-07 Anderson Pointe Phase 4 lots 109 & 110

SUBJECT:	S-72-07 Anderson Pointe Phase 4
CROSS-REFERENCE:	S-83-01, S-100-03, Z-113-97 & MP-1-97
LOCATION:	This site is located on North West corner of Rogers Lane and Pinion Way, inside the City Limits.
REQUEST:	This request is to approve the subdivision of a .80 acre tract into 2- lots, zoned Residential-4 with PDD.

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 Stormwater Engineer;

Prior to Planning Department authorization to record lots:

(2) That a final detailed landscape plan meeting the street yard requirements of section 10-2082.5 of the Raleigh City Code be submitted and approved by the Site Review Specialist in the Inspections Department;

I hereby certify this administrative decision.

Signed: (Planning Dir.) Mitchell Silver (C. Mauze) Date: 12-21-07

Staff Coordinator: Jacque Baker

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 10-2017 & 10-2057 Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 8/28/07, owned by Windjam 64, LLC, submitted by B&F Consulting, Inc.

ADDITIONAL NOTES: This are has been annexed into the existing Homeowner documents recorded BK11716 PG1838.

ZONING:

ZONING DISTRICTS: Z-113-97. Ordinance (1998) 259 ZC 426 Effective 1/6/1998.

A. No development shall take place on the property described in Section D of this application except in general accordance with the Master Plan, and amendments thereto, and accompanying conditions approved by the City Council. However, if the Master Plan is never implemented, the existing underlying zoning district shall control.

B. Comply with the City of Raleigh Stormwater Policy CR-7107.

C. Reimbursement rate shall be based on Residential-4 values.

D. Uses allowed in the (C-1) Commercial Area shall be all uses allowed in the Neighborhood Business (NB) District excluding the following:

1. Manufacturing
2. Adult Establishments
3. Telecommunication Tower
4. Outdoor stadiums and theatres
5. Transitional housing
   - -Emergency Shelter A
   - -Emergency Shelter B
   - -Religious Shelter Unit
6. Correctional Facility
7. Crematory
8. Exterminating Services
9. Retail Sales - Highway

E. Rogers Lane relocation: Preserve the existing trees within the 20' street yard of Rogers Lane relocation that are not impacted by cut or fill for road construction.

LANDSCAPING:	Street yard landscaping in conformity with Section 10-2082.5 is shown.
TREE CONSERVATION:	Site is less than 2-acres in size and is exempt from Tree Conservation per code section 10-2082.14.
UNITY OF DEVELOPMENT:	Unity of development criteria is not required in this subdivision
PHASING:	There are 4 phases in this development. Phases 1-3 have been approved and recorded.

COMPREHENSIVE PLAN:	
GREENWAY:	There is no greenway on this site.
THOROUGHFARE / COLLECTOR PLAN:	All required right-of-way and construction for North Rogers Lane and Pinion Way.

TRANSIT: The City's Transit Technician determined there was not a need for a transit stop at this location.

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 6,534 square feet. 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.

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

CIRCULATION: Existing street improvements conform to normal City construction standards.

PEDESTRIAN: Existing sidewalk locations conform to City regulations.

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

STORMWATER MANAGEMENT: This site is not subject to stormwater management of Part 10 Chapter 9; the property is less than 1.00-acres in size (code section 10-9021 exemptions).

PAYMENT TO NCDENR

This project has chosen to offset a portion of nitrogen load limitations by paying monies to the North Carolina Department of Environment and Natural Resources fund. [10-9022(c)].

SHARED FACILITIES / LEGAL DOCUMENTS/ AGREEMENTS

Cluster - This development is a cluster unit development and contains shared stormwater control measures to be owned by a property owners' association. Legal documents have been prepared in accordance with Raleigh City Code sections 10-3071 to 10-3073. In addition, a Maintenance Covenant have been prepared and recorded in accordance with Section 10-9027.

Replacement - A "Stormwater Replacement Easement and Access Maintenance Agreement and Replacement Contribution" (Installment or Lump Sum payment version form, as required by Section 10-9027(c), shall be completed between the developer, the property owners' association and the City, recorded, and returned to the Conservation Engineer within 14 days of recording.

WETLANDS

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

STREET NAMES: No new street names are required for this development.

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: 12/21/2010
Record at least ½ of the land area approved.

5-Year Sunset Date: 12/21/2012
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.