



# Administrative Action Preliminary Subdivision

City of Raleigh  
Development Plans Review Center  
One Exchange Plaza  
Raleigh, NC 27602  
(919) 996-2626  
www.raleighnc.gov

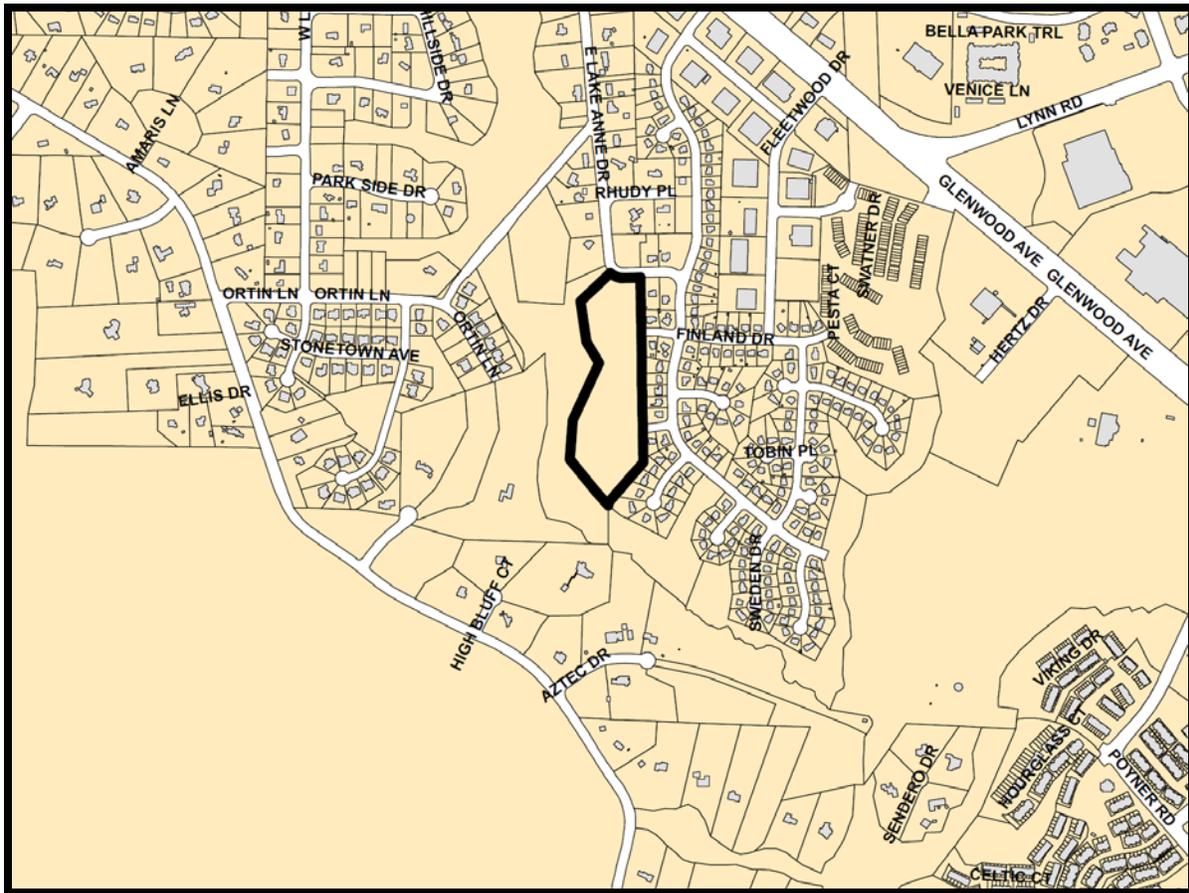
**Case File / Name:** S-4-13 / Purrington East - Revision

**General Location:** West of Westborough Drive between South Side Drive and Owenston Court

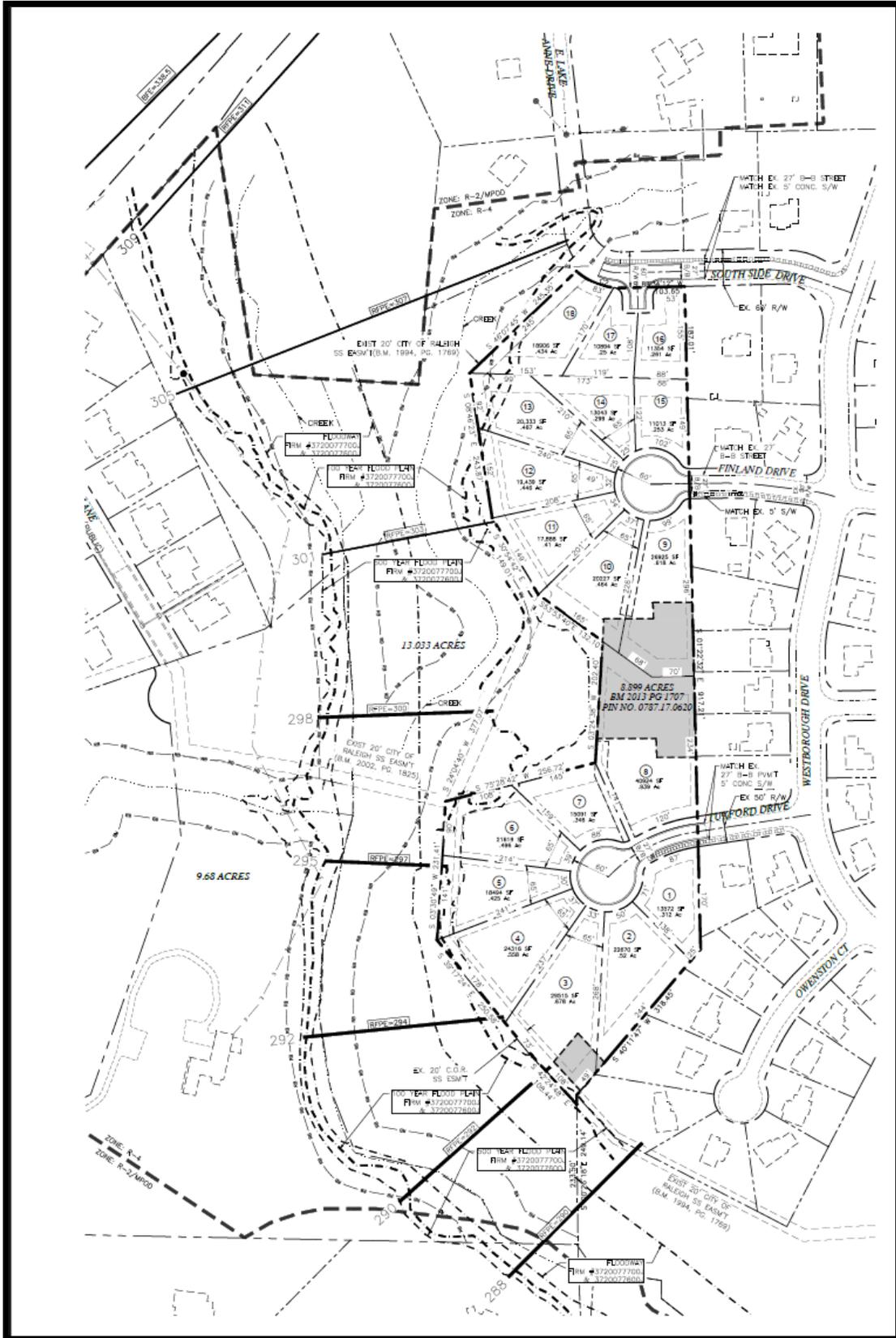
**CAC:** Northwest

**Nature of Case:** The subdivision of an 8.89 acre parcel zoned Residential-4 into 18 single-family lots. This is a reduction of 6 lots and 1 street from the originally approved plan.

**Contact:** Ed Sconfienza, The Site Group



S-4-13 / Purrington East – Site Location Map



S-4-13 / Purrington East – Revision – Preliminary Subdivision Plan

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**SUBJECT:** S-4-13 Purrington East - Revision

**CROSS-REFERENCE:** N/A

**LOCATION:** This site is located on the West of Westborough Drive between South Side Drive and Owenston Court, outside the City Limits.

**REQUEST:** This request is to approve the subdivision of an 8.89 acre tract into 18 lots, zoned Residential-4.

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**OFFICIAL ACTION:** Approval with conditions

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

- (1) That prior to the issuance of a grading permit, the final tree conservation plan must be approved by the Forestry Specialist in the Planning and Development 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 Forestry Specialist;
- (2) That as the developer purposes to disturb a designated riparian buffer, the North Carolina Division of Water Quality shall approve the disturbance of the riparian buffer before any grading or approval of construction drawings, (whichever first occurs) and evidence of such approval shall be provided to the Stormwater Engineer in the Public Works Department, and a written watercourse buffer permit is thereby issued by the Inspection Department before commencement of work (per code section 10-9044(a)."

*Prior to issuance of a site review permit:*

- (3) That a petition for annexation into the City limits be submitted in accordance with City Council policy for extension of utility service to properties currently outside of the City limits. This voluntary annexation in no way obligates the City to extend utility services to the property;
- (4) That a stormwater control plan 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;
- (5) That a nitrogen offset payment must be made to a qualifying mitigation bank;

*Prior to Planning Department authorization to record lots:*

- (6) That infrastructure construction drawings be approved by the Public Works Department prior to issuance of any permits or recording of any plat for this development;
- (7) That if the project is to be phased, a phasing plan for public improvements, lot recording and stormwater is submitted and approved as part of the Infrastructure Construction Drawings;
- (8) That flood prone areas, as approved by the City Stormwater Engineer, are shown on the preliminary plan and shall be shown on the recorded map;
- (9) That the following note be shown on all maps for recording: A minimum finished floor elevation will be required for all lots along the floodplain boundary;
- (10) 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 and the plats shall contain the following note: "All private storm drainage easements & stormwater measures will be maintained by the homeowner association;
- (11) 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)."
- (12) 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;
- (13) 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; Required legal documents shall be recorded within 1 day of the approval of a recorded map, if applicable;
- (14) 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

(15) That a tree conservation map be recorded with metes and bound showing the designated Tree Conservation Areas and shall be in compliance with Code section 10-2082.14;

**Prior to issuance of building permits:**

(16) 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 times the cost of public or private improvements will be provided to the Public works Department for the uncompleted portions and roadway extensions;

**Prior to Inspections Department issuing certificates of compliance**

(17) 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;

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I hereby certify this administrative decision.

**Signed:**

(Planning Dir.) Ken Baum (C.H.Q.C.) Date: 9-30-13

**Staff Coordinator:**

Eric Hodge

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 10-2103, 10-2017, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 3/11/15, owned by Highland Builders, Inc., submitted by The Site Group.

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**ZONING:**

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DISTRICTS:**

Residential-4

**LANDSCAPING:**

Street yard landscaping in conformity with Section 10-2082.5 is required.

**TREE  
CONSERVATION:**

The preliminary plan shows .89 acres or 10% of secondary Tree Conservation Areas on the site

**UNITY OF  
DEVELOPMENT:**

Unity of Development criteria are not required as part of this subdivision.

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**PHASING:** A phasing plan was not submitted with this preliminary subdivision plan. If the development is to be phased, a final phasing plan for infrastructure shall be submitted and approved with the submittal of the Infrastructure Construction Drawings associated with this preliminary subdivision.

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**COMPREHENSIVE PLAN:**

**GREENWAY:** There are no designated greenway corridors on this site.

**THOROUGHFARE / COLLECTOR PLAN:**

No dedication of right-of-way and construction of any streets were required by the Thoroughfare and Collector Street Plan. The developer is extending existing street stubs into the subject property and terminating both Tuxford Drive and Finland Drive with cul-de-sacs. South Side Drive is being constructed within the existing right of way to the edge of the property.

**TRANSIT:** No transit-oriented features of this site are incorporated into the proposed plan. This site is presently not directly served by the existing transit system and there are no plans to do so.

**URBAN FORM:** This site is located in the Northwest CAC limits. The site is zoned Residential-4. The site is designated for low density residential use in the future land use map.

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**SUBDIVISION STANDARDS:**

**LOT LAYOUT:** The minimum lot size in this zoning district is 10,890 square feet. The minimum lot depth in this zoning district is 100'. The minimum lot width in this zoning district is 65' for standard lots and 80' for corner lots. 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:** Proposed street improvements shall conform to normal City construction standards.

**PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. A sidewalk is required along one side of all of the streets in the development.

**FLOOD HAZARD:** FEMA Floodplains exist on this site and it will comply with Part 10, Chapter 4 Floodplain regulations with regards to building elevation and bulk lot coverage requirements.

**STORMWATER MANAGEMENT:** This site is subject to stormwater management controls in accordance with Chapter 9 of Part 10 of the Raleigh City Code. The subdivision is exempt from runoff requirements under 10-9023(b)(4) of Raleigh City code. The subdivision will comply with water quality regulations with a buydown to offset nitrogen loading.

**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**

Lots less 2 acres - This subdivision plan creates two lots less than one acre in size, stormwater control measures are required to be shared among the all lots and a drainage easement is required. The drainage easement shall include a maintenance covenant prepared and recorded in accordance with section 10-9027 (b), and the attorney who prepared this legal document shall certify in writing to the Raleigh City Attorney that the maintenance covenant is in accordance with Raleigh City Code requirements.

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:**

Neuse River riparian buffers are required on this site. Any disturbance of the Buffer will require approval from NC DWQ.

**STREET NAMES:** No new street name is required for this development. A street name application has not yet been 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 construction has not taken place on a project after preliminary subdivision approval, that approval may "sunset" and be declared void, requiring re-approval by City Council 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:** 9/30/2016  
Record at least ½ of the land area approved.

**5-Year Sunset Date:** 9/30/201  
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.