



Administrative Action Preliminary Subdivision

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

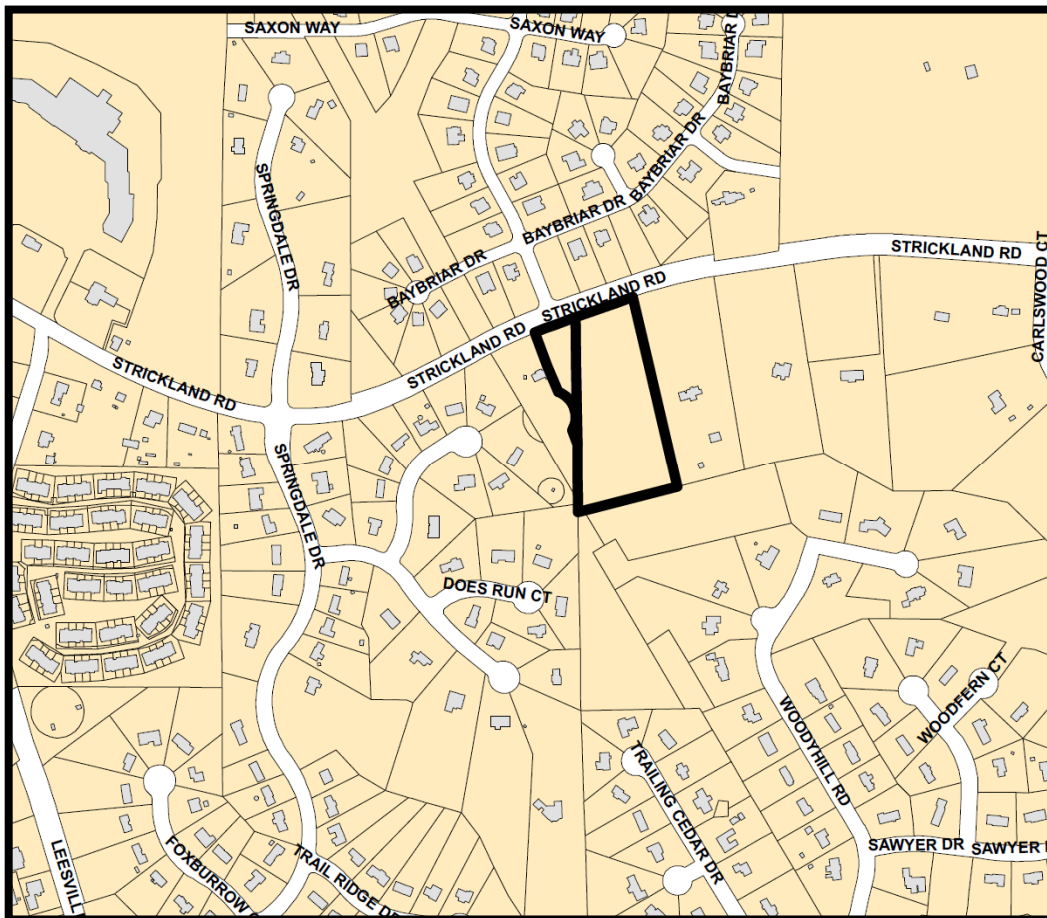
Case File / Name: S-6-13 Terrebon Estates

General Location: Located on Strickland Road, between Leesville Road and Ray Road, outside the City limits.

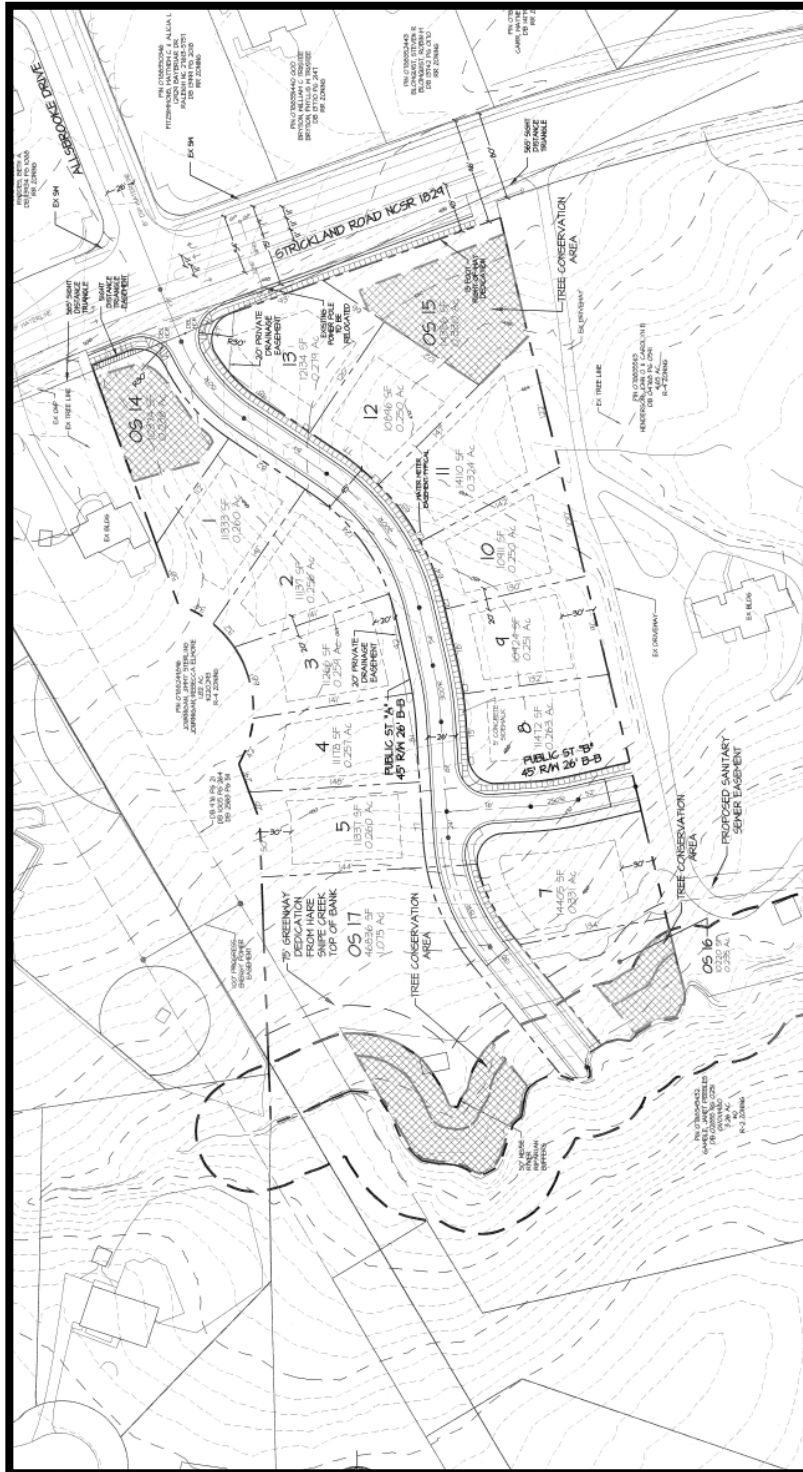
CAC: Northwest

Nature of Case: The subdivision of 6.23 acres into 13 single-family lots and 4 open space lots, zoned Residential-4.

Contact: Ben Williams



S-6-13 – Location Map



S-6-13 Subdivision Layout

SUBJECT: S-6-13

**CROSS-
REFERENCE:** N/A

LOCATION: Located on Strickland Road, between Leesville Road and Ray Road, outside the City Limits.

PIN: 0788340985 & 0788342765

REQUEST: This request is to approve the subdivision of 6.23 acres into 13 single-family lots and 4 open space lots zoned Residential-4.

OFFICIAL ACTION: Approval with conditions

**CONDITIONS OF
APPROVAL:**

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

- (1) That a map of the tree conservation areas with metes and bounds descriptions must be submitted to the City Forestry Specialist. Except for construction drawings, tree protection fence must be set up along the boundaries of all tree conservation areas and an appointment must be made with the City Forestry Specialist to inspect the fence;
- (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, or construction drawings for the site, whichever occurs first:

- (3) 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));"
- (4) That a stormwater control plan with a stormwater operations and maintenance manual and budget 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 driveway permit and encroachment agreement for the construction on Strickland Road be approved by NCDOT and provided to the City of Raleigh prior to construction plan approval;
- (6) That a nitrogen offset payment must be made to a qualifying mitigation bank;
- (7) That the sanitary sewer capacity analysis is required to verify an 8" diameter for the Hare Snipe Creek interceptor. Flows may be calculated using the Zoning Method, NCDENR design flow criteria &/or 250 gpd per lot. CORPUD standards allow half full pipe (max) @ peak flow. Assume $S = 0.50\%$ & n (DIP) = 0.012 to run Mannings;
- (8) That all necessary offsite easements must be recorded by deed (20' CORSSE required for 8" & 10" mains, 30' CORSSE is required for a 12" main;
- (9) That a fee-in-lieu for 8" DIP water line at the stream crossing & end of stub Street is paid to the Public Utilities Department. This should be included with PWD FIL calculation for roadway improvements not being constructed City rates at time of payment shall apply.

Prior to Planning Department authorization to record lots:

- (10) 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;
- (11) That the entirety of right of way and slope easements is dedicated for both streets A and B as well as $\frac{1}{2}$ -90' on Strickland Road as indicated on the approved preliminary plan;
- (12) 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;
- (13) That infrastructure construction plans are approved by the Public works Department for all public improvements and utilities; That construction drawings are approved by the Public Works and Public Utilities Department, which include the street improvements for streets A and B, where a portion of the pavement is to be paid for in the form of a fee in lieu of $\frac{1}{2}$ -26' bb. For Strickland Road, $\frac{1}{2}$ -65' bb shall be constructed with amounts over $\frac{1}{2}$ -41' bb eligible for reimbursement;
- (14) 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;
- (15) 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;

- (16) 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; Required legal documents shall be recorded within 1 day of the approval of a recorded map, if applicable;
- (17) 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;
- (18) 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);"
- (19) That a 75' wide greenway easement as shown on the preliminary plan be dedicated prior to, or in conjunction with the recording of a map in any phase affected by the greenway;

Prior to issuance of building permits:

- (20) That an encroachment agreement for the stormwater drainage system that carries private drainage located within the public right-of-way is approved by the City Council by separate action. An application for encroachment into the public right of way for the landscaping located within the right of way as indicated on the preliminary plan, shall be submitted to the City's Encroachment Coordinator in the Public Works Department for review, and that the City Council approve the encroachment request. Following City Council approval of the encroachment, an encroachment agreement, prepared in accordance with Raleigh City Code Sections 12-1001 and 12-1021(a), shall be filed with the Public Works Department, and the encroachment agreement is to be recorded with the Wake County Register of Deeds. Maintenance of the encroachment shall be the responsibility of the homeowner's association;
- (21) That when 75% of the permits have been issued for residential developments, 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;

Prior to issuance of an occupancy permit:

- (22) 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;
- (23) That all public improvements are accepted by the Public Works Department for acceptance for maintenance of public streets.
- (24) That the applicant submits as built drawings for approval by the Public Works Department for all stormwater facilities;

I hereby certify this administrative decision.

Signed:

(Planning Dir.)

Mitchell Siler (C. Day)

Date: 10-21-13

Staff Coordinator:

Meade Bradshaw

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, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 8/5/13, owned by Terrebon Estates, LLC, submitted by Priest, Craven, & Associates, Inc.

ZONING:

ZONING DISTRICTS:

Residential-4

LANDSCAPING:

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

TREE CONSERVATION:

This project is larger than two acres and compliance with Code Section 10-2082.14—Tree Conservation is required. The project provides 0.75 acres of tree conservation area which is 12.1% of gross site acreage.

Tree conservation acreage is as follows:

Primary: 0.13 acres

Secondary: 0.42 acres

UNITY OF DEVELOPMENT:

N/A

PHASING: There is one phases in this development.

**COMPREHENSIVE
PLAN:**

GREENWAY: This site is located on Hare Snipe Creek. A 75' wide greenway easement will be dedicated, measured from top of bank.

**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.
Strickland Road	½ 90'	½ 65 b-b Curb, gutter and sidewalk	N/A

Additional right-of-way to be dedicated is reimbursable under the facility fees program. The difference between the required minimum obligation for this residential development, with curb, gutter and sidewalk and the proposed construction of 1/2-65' b-b street with curb, gutter and sidewalk is reimbursable. The roadway improvements will be required to be complete and accepted before eligible for any reimbursements or to be accepted by the City for maintenance. The reimbursement request must be submitted within 2 years of the acceptance of the street for maintenance.

The proposed street layout is designed to a 25 mph speed due to constraints. The applicant shall submit a letter to the Public works Director requesting the speed decrease from 35 mph and an ordinance shall be adopted by the City Council prior to lot recordation.

TRANSIT: This site is presently not served by the existing transit system.

URBAN FORM: The site is located within the Northwest CAC area, and is designated Low Density Residential on the Future Land Use map. That category envisions residential development of a density not to exceed 6 dwellings per acre. Staff has reviewed the site plan and finds this plan in compliance with the Comprehensive Plan and the following policy.

**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'. 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. This layout indicates a stream crossing that is to be shared with an adjacent property owner. A fee shall be paid by the developer for the portion of street on the property that cannot be constructed due to the stream crossing.
- PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. A sidewalk is required along one side of Strickland Road, Public Street A, and Public Street B.
- FLOOD HAZARD:** There are no flood hazard areas on this site.
- STORMWATER MANAGEMENT:** This site is subject to stormwater management zoning conditions that require that runoff be held to no more than that expected for R-4 development for the 2 and 10-year storms. Retention / detention facilities are shown on the preliminary plat.
- WETLANDS / RIPARIAN BUFFERS:** Neuse River riparian buffers are located on this site and shall be shown on all maps for recording.
- STREET NAMES:** 2 new street names are required for this development. A street name application has not yet been approved. All proposed names must be approved by the City and by Wake County prior to recording.
- 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: 10/21/2016
Record at least ½ of the land area approved.

5-Year Sunset Date: 10/21/2018
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.