



# 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-15-14 / The Reserve at Brookhaven

**General Location:** The site is located on the east and west sides of Ponderosa Road, north of its intersection with Millbrook Road outside the City Limits.

**CAC:** Northwest

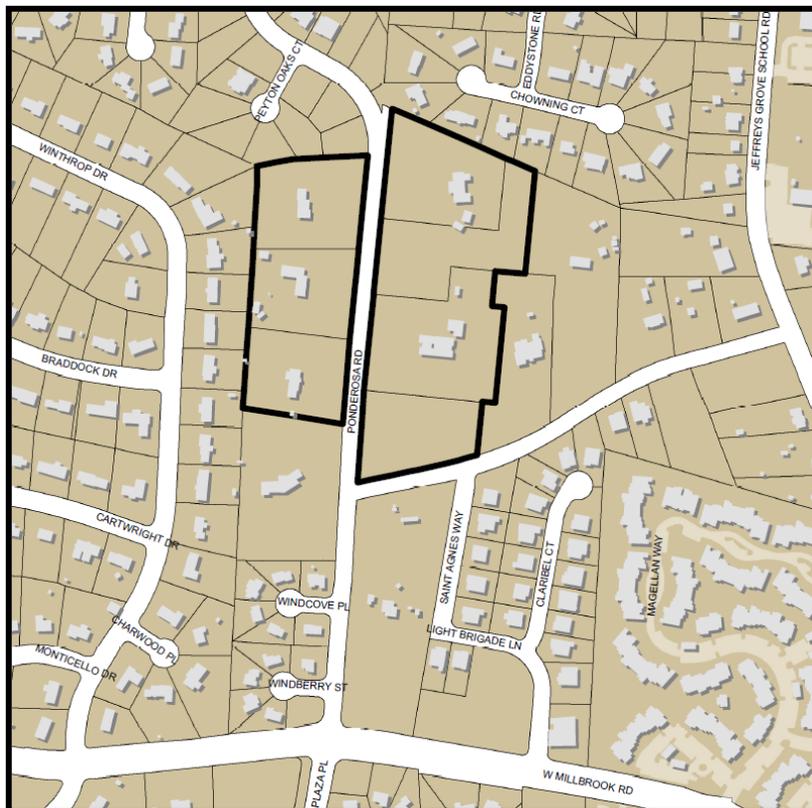
**Nature of Case:** Recombination and subdivision of seven parcels totaling 15.49 acres zoned Residential-4 into 40 single family lots and two open space lots.

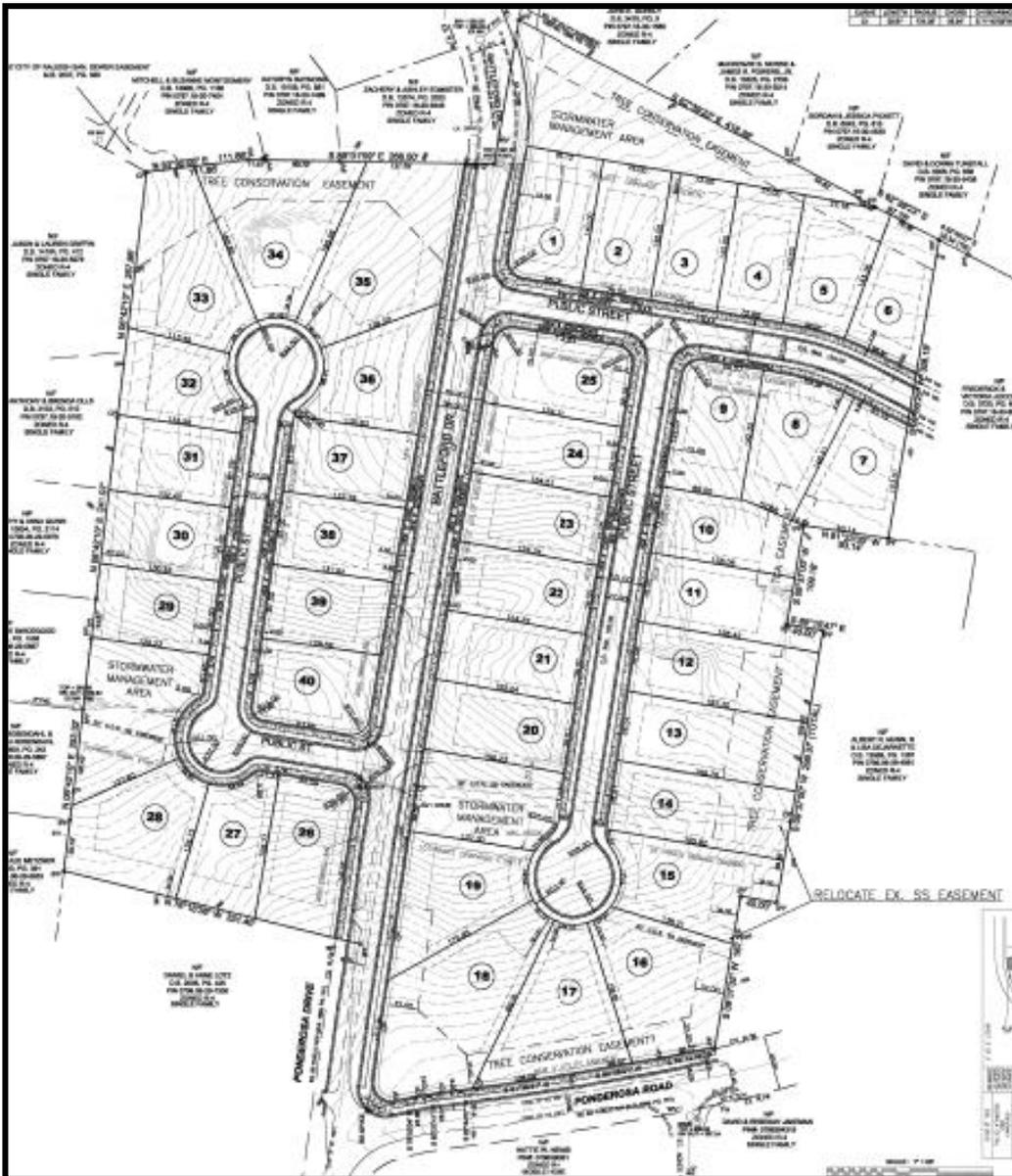
**Contact:** Stoney Chance

**Design Adjustment:** Two Design Adjustments have been approved by the Public Works Director for this project, noted below.

1. A Design Adjustment to increase the allowable block perimeter from the required 5,000 linear feet to 7,312 linear feet;
2. A Design Adjustment for street trees along Ponderosa Road;

**Administrative Alternate:** N/A





---

**SUBJECT:** S-15-14 / The Reserve at Brookhaven

**CROSS-  
REFERENCE:** N/A

**LOCATION:** The site is located on the east and west sides of Ponderosa Road, north of its intersection with Millbrook Road outside the City Limits.

**PINs:** 0796297715, 0796392803, 0796391566, 0797207278, 0797208043, 0797301357, 0797301066

**REQUEST:** This request is to approve the recombination and subdivision of seven parcels totaling 15.49 acres zoned Residential-4 into 40 single family lots and two open space lots for an overall residential density of 2.58 units per acre.

---

**OFFICIAL ACTION:** Approval with conditions

---

**CONDITIONS OF  
APPROVAL:**

***Prior to issuance of a mass grading permit for the site:***

- (1) That in accordance with Part 10A Section 9.4.4, a surety equal to 125% of the cost of clearing, grubbing and reseeding a site, shall be paid to the City;
- (2) That a final tree conservation plan with permit be approved by the Forestry Specialist. 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;

***Prior to approval of a concurrent review of Final Site Review and Infrastructure construction plans, or whichever occurs first:***

- (3) That a nitrogen offset payment must be paid to a qualifying mitigation bank;
- (4) That in accordance with Part 10A Section 9.4.4, a surety equal to 125% of the cost of clearing, grubbing and reseeding a site, shall be paid to the City;
- (5) That any post-development discharge from a proposed stormwater control device that flows into an open curb and gutter street be no more than 3 cfs for the 10yr storm event and any flow across the sidewalk be diffuse;
- (6) 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 10A Chapter 9 of the Unified Development Ordinance, 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;
- (7) That construction plans be submitted and approved by the Public Works Department;

- (8) That an encroachment agreement will be required to be approved by NCDOT and submitted to the City;

***Prior to Planning Department authorization to record lots:***

- (9) That a tree conservation map be recorded with metes and bound showing the designated Tree Conservation Areas and shall be in compliance with Chapter 9 of the Unified Development Ordinance;
- (10) 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;
- (11) 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.
- (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 a 5' utility placement easement and slope easements are to be dedicated on all recorded maps;
- (14) That a demolition permit be issued and this building permit number be shown on all maps for recording;
- (15) That street names for the development be approved by the City of Raleigh and Wake County;
- (16) That if the proposed public improvements are not installed and inspected by the city to be accepted for maintenance, a surety in the amount of 125% of the cost of construction is to be paid to the Public Works Department in accordance with code section 8.1.3 of the UDO;
- (17) 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;
- (18) That the proposed sanitary sewer easement exchange application be submitted to the Public Utilities Department and be approved by the Raleigh City Council and the resolution number be shown on all plats for recording;

**Prior to issuance of building permits:**

(19) That an encroachment agreement for stormwater drainage systems that carry private drainage to be 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, 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;

**Prior to issuance of a certificate of occupancy:**

(20) That in accordance with Part 10A Section 9.2.2, an as-built plan and certification any stormwater control device shall be reviewed and accepted by the City prior to final stormwater inspection approval or certificate.

---

I hereby certify this administrative decision.

**Signed:** (Planning Dir.) Kenneth Bowen (A. B. B.) Date: 10-28-14

**Staff Coordinator:** Stan Wingo

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 the Unified Development Ordinance, including Chapter 2, Article 2.2. This approval is based on a preliminary plan dated 9/16/14 owned by Company Ponderosa Group., submitted by Stoney Chance.

---

**ZONING:**

**ZONING DISTRICTS:** Residential-4

**TREE CONSERVATION:** This project is required 10% or 1.55 acres for tree conservation. This project has dedicated 1.55 acres which is broken into:  
**Secondary:** 1.55 acres

**PHASING:** There is one phase in this development.

---

**COMPREHENSIVE PLAN:**

**GREENWAY:** There is no greenway on this site.

**STREET TYPOLOGY MAP:** No streets within this subdivision are identified on the Street Typology Map. Battleford Drive is classified as a Neighborhood Street and Ponderosa Road is not constructed as a public street. Dedication of right-of-way is not required in this location. A surety for the required improvements shall be provided in accordance with 8.1 of the UDO.

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

**COMPREHENSIVE PLAN:** This site is located in the Northwest CAC in an area designated as Low Density Residential on the Future Land Use Map.

---

**SUBDIVISION STANDARDS:**

**LOT LAYOUT:** The minimum lot size in the Residential-4 zoning district is 10,000 square feet. The minimum lot depth in this zoning district is 100 feet. The minimum lot width of an interior lot in this zoning district is 65 feet. Lots in this development conform to these minimum standards.

**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 plan shows the exchange of an existing sanitary sewer easement with a new one in another location.

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

**BLOCKS / LOTS / ACCESS:** The block perimeter measurement within this subdivision is based on R-4 zoning and the maximum block length should be between 4,500 – 5,000 linear feet. A design adjustment was approved by the Public Works Director eliminating the public street connection requirement to meet the maximum block perimeter.

**STREETSCAPE TYPE:** The applicable streetscape is residential. Sidewalks are proposed on both sides of all streets at a width of 6'. The Public Works Director has approved a design adjustment for street trees required along the rear of lots 16-18 along Ponderosa Road whereby the existing trees outside the right-of-way in the proposed tree

conservation area will be used to meet code requirements. All other street tree plantings will comply with code.

**PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. A sidewalk is required along both sides of all streets. Access to the public right of way in addition to internal connection requirements is provided in accordance with 8.3.4 of the UDO.

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

**STORMWATER  
MANAGEMENT:** This site is subject to stormwater management controls in accordance with Part 10, Chapter 9.2 of the Unified Development Ordinance. Proposed stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual.

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

**STREET NAMES:** City staff will initiate a street name change for this section of Ponderosa Road to be changed to Battleford Drive. An application for the proposed street names must be approved by the City and Wake County prior to map recordation.

**OTHER  
REGULATIONS:** Developer shall meet all City requirements, including underground utility service, flood protection measures, and the soil erosion ordinance, 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 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:** 10/28/17  
Record at least ½ of the land area approved.

**5-Year Sunset Date:** 10/28/19  
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.