



Administrative Action Preliminary Subdivision

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

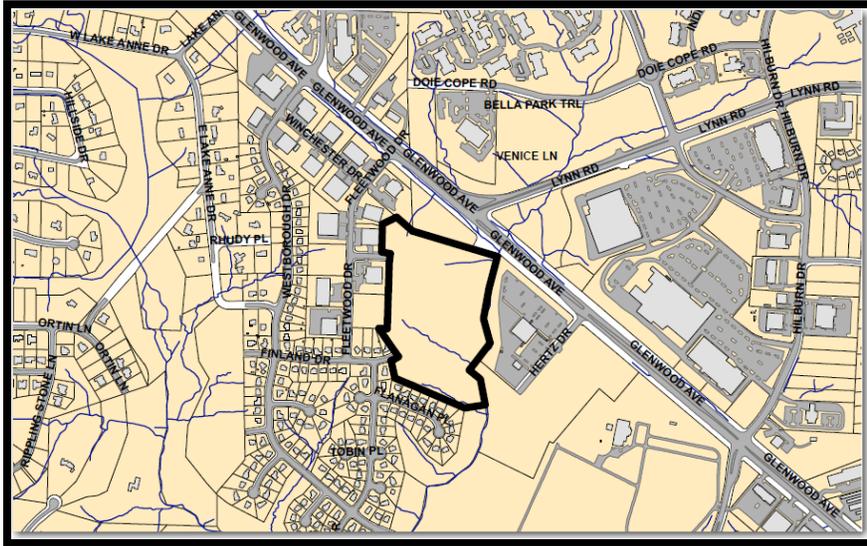
Case File / Name: S-16-10 Glenwood-Taylor Tract

General Location: On the northeast quadrant of Glenwood Ave, Denmark Street and Finland Drive, outside the city limits.

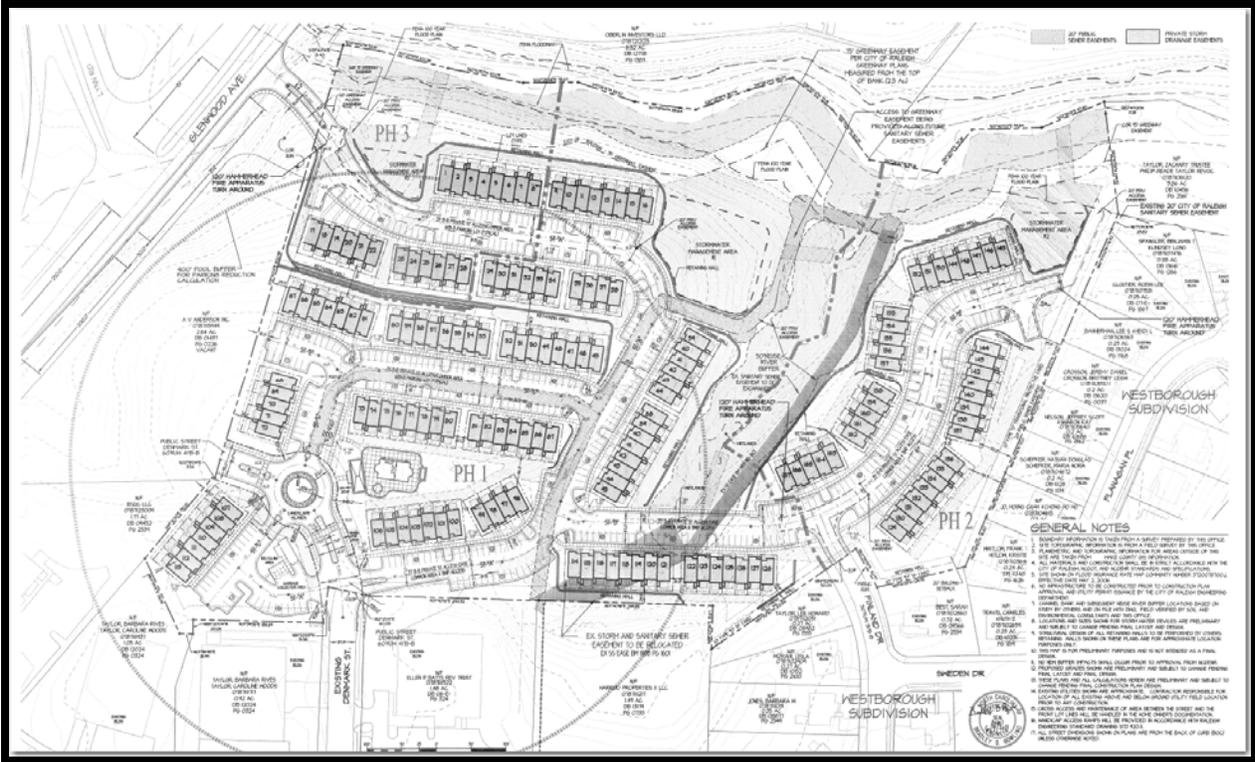
CAC: Northwest

Nature of Case: Subdivision of 19.20 acres into 167 attached townhome lots, 1 clubhouse with pool and the extension of Denmark Street (public right of way), zoned Thoroughfare District.

Contact: Priest, Craven & Associates, Inc



S-16-10 Glenwood- Taylor Tract site location map



S-16-10 Glenwood – Taylor Tract Townhouse subdivision

SUBJECT: S-16-10 / Glenwood – Taylor Tract

**CROSS-
REFERENCE:** CP-1(B)-11

LOCATION: This site is located on the northeast quadrant of Glenwood Ave, Denmark Street and Finland Drive, outside the city limits.

REQUEST: Subdivision of 19.20 acres into 167 attached townhome lots, 1 clubhouse with pool and the extension of Denmark Street (public right of way), zoned Thoroughfare District.

OFFICIAL ACTION: Approval with conditions

**CONDITIONS OF
APPROVAL:**

Prior to issuance of a grading permit:

- (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 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. A copy of the approved plan is placed on file in the Planning Department;
- (2) That prior to the issuance of a grading permit or building permit a tree protection plan is approved by the Forestry Specialist in the Planning Department for trees located within the 50' Neuse Riparian Buffer;

Prior to approval of construction drawings for public improvements:

- (3) That the City Attorney approve an off-site sanitary sewer easement deed for the City of Raleigh sewer extension from Oberlin Investors LLD property, PIN # 0787-21- 2125, Deed Book 12778 PG 1383 located along the easement property line of the subdivision and that the deed be recorded with the County Register of Deeds office. A recorded copy of these documents must be provided to the Planning Department within 14 days from authorization of lot recording. If a recorded copy of the documents are not provided to the Planning Department within this 14 day period, further recordings and building permit issuance will be withheld;
- (4) That a stormwater control plan with a stormwater operations and maintenance manual shall be approved by the Stormwater Engineer in compliance with Part 10 Chapter 9, including the designation of open space areas for stormwater purposes prior to grading or the approval of construction drawings, whichever event comes first;
- (5) That an application for an encroachment agreement for landscaping located within the public right-of-way (Denmark Street), as indicated on the preliminary plan, is 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 , and that the encroachment agreement is to be recorded with the Wake County Register of Deeds;

- (6) That a petition to exchange the existing City of Raleigh Sanitary Sewer easement (BM 1988 pg 1601) is submitted to the Public Utilities Department and approved as a separate action by the Raleigh City Council;

Prior to Planning Department authorization to record lots:

- (7) 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;
- (8) 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;
- (9) That a final detailed landscape plan showing street yards in accordance with 10-2085.5 be submitted/ stamped and approved by the Site Review Specialist in the Planning Department and a stamped approved copy is placed on file in the Planning Department;
- (10) That prior to recording of lots in Phase 2, the applicant submit a cumulative map showing all lots, open space, and public rights-of-way that have been recorded to date along with subdivision case numbers, and a table showing the total units approved in each phase, total and net acreage in each phase, zoning districts and open space allocated for each phase, recorded book and page numbers of required legal documents including amendments and successive annexations to each phase and total of all units, acres, and open space for the entire townhouse development;
- (11) That construction plans for public improvements be approved by the Public Utilities Department and the Public Works Department;
- (12) That the application for an encroachment agreement as referenced in condition #5 above has been approved by City Council;
- (13) 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 submitted to the Planning Department for review and shall be recorded with the local county register of deeds office prior to any recordation of a subdivision 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;

- (14) That the City form document entitled Declaration of Maintenance Covenant and Grant of Protection Easement for Stormwater Control Facilities shall be submitted to the Planning Department for review and approval and 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. The document shall be recorded with the local county register of deeds office prior to any recordation of a subdivision 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;
- (15) That existing wetlands are on this site and shall be shown on all maps for recording;
- (16) 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."
- (17) That the City Attorney approves a public vehicular access easement from the termination of the public right of way (Findland Drive and Denmark Street) for the public to use of the private streets as shown on the preliminary plan;
- (18) That the 75' greenway easement as measured from the top of the bank, 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;
- (19) That a 15x20 foot transit easement located on Denmark Street be approved by the Transit Planner in the Public Works Transportation Department, be shown on all maps for recording, and that a transit easement approved by the City Attorney is recorded with the local County Register of Deeds. That the recorded copy of this transit easement be provided to the Planning Department within 14 days of authorization of lot recording. If a recorded copy of this easement is not provided to the Planning Department within the 14 day period, further plat recordings and building permits authorization may be withheld;
- (20) 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 claiming under it;

properties currently outside of the City limits. This voluntary annexation in no way obligates the City to extend utility services to the property;

- (22) That as the developer purposes to disturb a designated riparian buffer for the purpose of **1 street crossing, 2 sewer line crossings, and 3 stormwater discharge pipes**, 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);
- (23) Prior to the issuance of building permit of any new lot served by a shared stormwater control facility or prior to the issuance of any new development permit for any existing lot to be served by a shared stormwater control facility (except for improvements made pursuant to Part 10, Chapter 3 of the Raleigh City Code of Ordinances), an attorney shall prepare, on a City-approved form, a Declaration of Maintenance Covenant and Protection Easements to encumber all lots served by stormwater control facilities located within the subject property (and all stormwater control facilities if not located within the property). This Declaration of Maintenance Covenant and Protection Easements must meet all applicable requirements of Section 10-9027(b) of the Raleigh City Code of Ordinances;

I hereby certify this administrative decision.

Signed:

(Planning Dir.)

Mitchell Clark (C. Clark)

Date: 7-19-11

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 10-2103, 10-2045 Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated June 7, 2011, owned by ForEverHome LLC, submitted by Priest, Craven & Associates, Inc.

ADDITIONAL

NOTES:

On March 1, 2011 the City Council amended the 2030 Comprehensive Plan (Resolution No. 2011 – 3020) CP-1(B)-11. Item 2.6: *Thoroughfare Map – Hertz Drive and Denmark Drive* removed the roadway extensions from the thoroughfare map.

ZONING:

**ZONING
DISTRICTS:**

Thoroughfare District.

ZONING:

ZONING DISTRICTS: Thoroughfare District

LANDSCAPING: Preliminary street yard landscaping in conformity with Section 10-2082.5 is shown. Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. This is a medium impact use under Section 10-2082.9 Transitional protective yards are shown in compliance with City standards in the following locations:

<u>Location</u>	<u>Yard type required</u>	<u>Width proposed</u>
Western line (adjacent to s/f)	"D"	10'
Southern property line	"D"	10'

TREE CONSERVATION: The plan provides 10.26% or 1.970 Tree Conservation Area.

UNITY OF DEVELOPMENT: N/A

SETBACK / HEIGHT: Setbacks from public streets and property lines conform to Section 10-2103(b). The minimum setback from public streets is shown to be 20'. Private outdoor living areas maintain a min. 40' separation if parallel to each other or oriented at less than a 45-degree angle. Vehicular surface areas other than individual driveways are no less than 5' to a building wall. Proposed building height of 25'.

OPEN SPACE: Open space conforms to minimum requirements in Raleigh City Code Section 10-2103(d). 10% or 1.92 acres required, 76.57% or 14.41 acres provided in private open space and 2.51 acres in public greenway.

PARKING: Off-street parking conforms to minimum requirements: 418 spaces required, based on 2.5 parking spaces per 3-bedroom units. 396 spaces are provided. A reduction of 5.26% or 22 off-street parking spaces for 112 units within 400' of the pool per code section 10-2072. Parking spaces meet minimum standards for size and aisle width.

PHASING: There are 3 phases in this development.

COMPREHENSIVE PLAN:

GREENWAY: There is greenway on this site to be dedicated as shown on the preliminary plan.

THOROUGHFARE / COLLECTOR PLAN: Dedication of right-of-way and construction of the following streets are required by the Thoroughfare and Collector Street Plan:

<u>Street</u>	<u>ROW</u>	<u>Construct</u>	<u>Slope Esmt.</u>
Denmark St (extension)	60'	41' b/b with sidewalk	n/a

TRANSIT: The following transit-oriented features of this site are incorporated into the proposed plan: 15X20 transit stop on Denmark Street.

URBAN FORM: This site is located in the Northwest CAC District.

- Provide sidewalk connection from the development to and along Glenwood Avenue (Refer to Policy T 5.9 Pedestrian Networks).
- The open space provided should be common, functional and usable (Refer to Policy LU 8.9 Open Space in New Development).

**SUBDIVISION
STANDARDS:**

LOT LAYOUT: There is no minimum lot size in a townhouse development.

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 and will conform to City of Raleigh Waste Service Manual. The applicant proposes a centrally located waste collection to be collected by private means.

CIRCULATION: Proposed street improvements shall conform to normal City construction standards.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations.

FLOOD HAZARD: There are flood hazard areas on this site.

**STORMWATER
MANAGEMENT:**

The proposed subdivision will comply with Part 10, Chapter 9, Stormwater Control Regulations. Water Quality regulations will be met by utilizing 3 shared stormwater wetlands to reduce nitrogen loads and a buydown to NCEEP. Stormwater from the subdivision will discharge directly into a FEMA designated floodplain and is exempt from runoff requirements through 10-9023(b)(3) of Raleigh City code. There are Neuse River Buffers and Jurisdictional Wetlands located on the site and impacts have been reviewed and approved by NC DWQ and ACOE.

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)].

RIPARIAN BUFFER DISTURBANCE

The developer proposes to disturb a designated riparian buffer for the purpose of **1 street crossing, 2 sewer line crossings, and 3 stormwater discharge pipes.** The North Carolina Division of Water Quality shall approve the disturbance of the riparian buffer and evidence of such approval shall be provided to the Conservation Engineer in the Public Works Department

SHARED FACILITIES / LEGAL DOCUMENTS/ AGREEMENTS

Replacement - A "Stormwater Replacement Easement and Access Maintenance Agreement and Replacement Contribution" (contribution of 24% of the construction cost of the BMP's) 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:

Wetland areas and Neuse River riparian buffers are required on this site.

STREET NAMES: OTHER

A street name application has been approved.

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: 7/19/2014

Record at least ½ of the land area approved.

5-Year Sunset Date: 7/19/2016

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.