



Administrative Action Preliminary Subdivision

AA# 3127
Case File: S-20-12

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

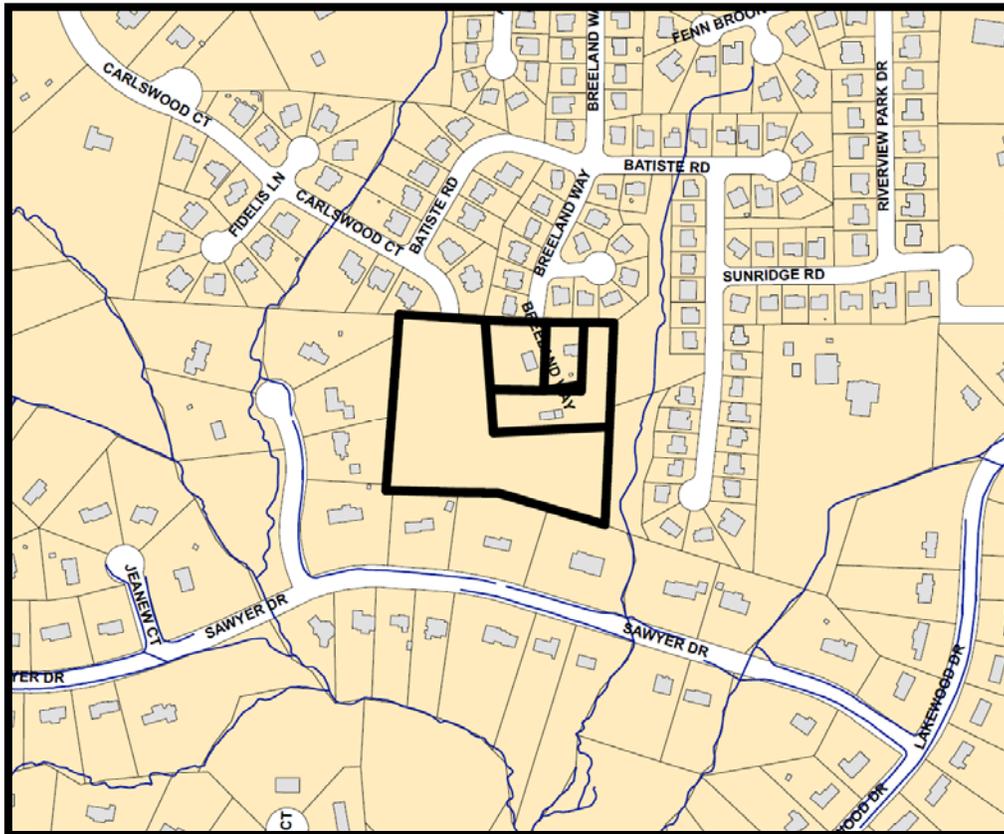
Case File / Name: S-20-12 / Sanctuary Park

General Location: The proposed subdivision is located at the end of two dead end streets, Carlswood Court and Breeland Way, south of Strickland Road.

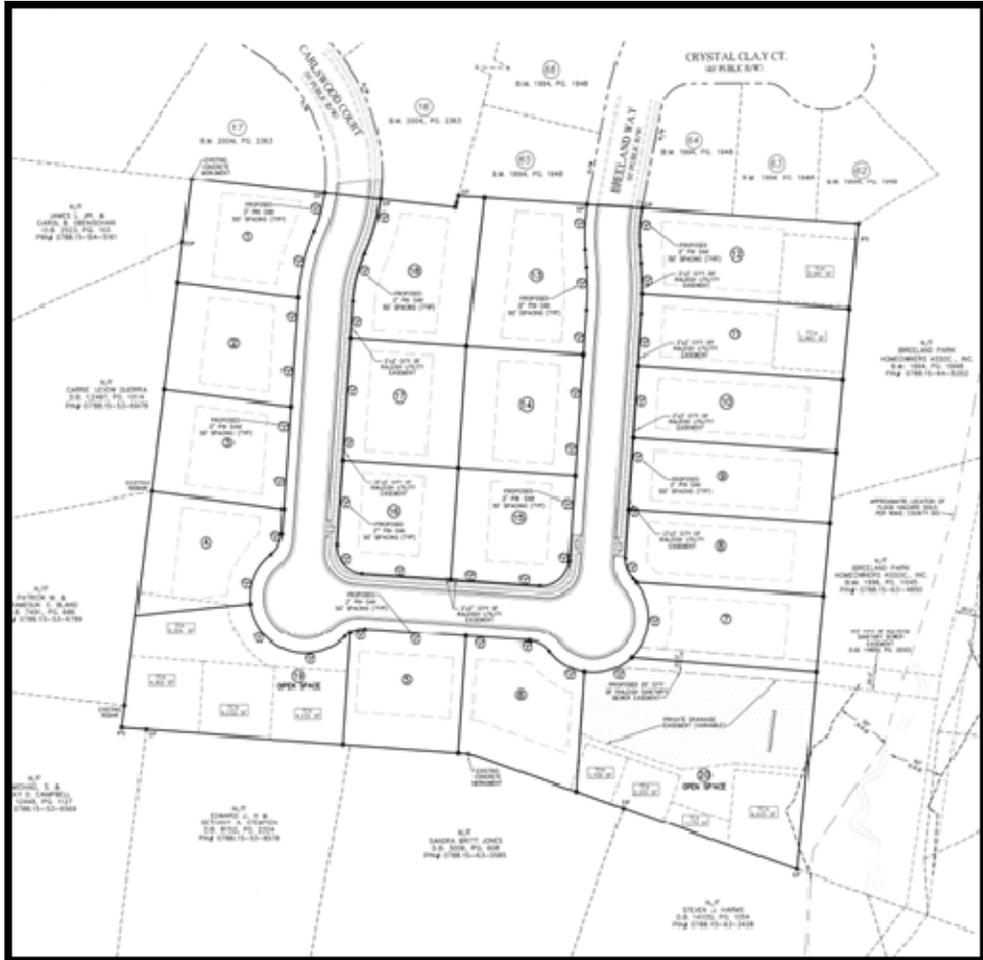
CAC: Northwest

Nature of Case: The subdivision of four parcels totaling 7.27 acres in size into 18 single-family lots and 2 open space lots zoned residential-4, located outside the City limits.

Contact: John A. Edwards & Company



S-20-12 Sanctuary Park – Location Map



S-20-12 Sanctuary Park – Subdivision Layout

SUBJECT: S-20-12 Sanctuary Park

CROSS-REFERENCE: N/A

LOCATION: The proposed subdivision is located at the end of two dead end streets, Carlswood Court and Breeland Way, south of Strickland Road.

REQUEST: The subdivision of four parcels totaling 7.27 acres in size into 18 single-family lots and 2 open space lots zoned residential-4, located outside the City limits.

OFFICIAL ACTION: Approval with conditions

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 Inspections 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 Inspections Department. A copy of the approved plan is placed on file in the Planning Department;

Prior to issuance of construction drawing approval or site review permit, whichever occurs first:

- (2) 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;
- (3) That a nitrogen offset payment must be made to a qualifying mitigation bank;

Prior to Planning Department authorization to record lots:

- (4) That construction drawings are approved by the Public Works and Public Utilities Departments;
- (5) 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;

- (6) 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;
- (7) That a "3500 square feet of maximum impervious surface allowed on each lot" note be placed on the map for recording;
- (8) 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."
- (9) That demolition permits be issued by the Development Services Department and these building permit numbers are placed on all maps for recording;
- (10) 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;
- (11) 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;
- (12) That 50' in right-of-way for Carlswood Court be dedicated to the City of Raleigh and a copy of the recorded plat be provided to the Site Review Specialist in the Inspections Department at permit review;
- (13) That 50' in width of right-of-way for Breeland Way be dedicated to the City of Raleigh and a copy of the recorded plat be provided to the Site Review Specialist in the Inspections Department at permit review;
- (14) 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;

- (15) 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;

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 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 a Certificate of Occupancy:

- (17) That all public street improvements are completed and accepted by the City of Raleigh; and
- (18) For residential subdivisions, where a security has been posted for public or financial improvements equally 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;
- (19) That the applicant submit as built drawings for approval by the Public Works Department for all stormwater facilities;

I hereby certify this administrative decision.

Signed:

(Planning Dir.)

Mitchell Silver (S. Baber)

Date:

1/3/13

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 10-2103, 10-2017 Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 11/19/12, owned by SP Partners, LLC, submitted by John A. Edwards & Company.

ZONING:

ZONING DISTRICTS: Residential-4.

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

TREE CONSERVATION: This project is required 10% or 0.72 acres for tree conservation. This project has dedicated 0.83 acres which is broken into:
Secondary: 0.83 acres – 65' Perimeter yard

UNITY OF DEVELOPMENT: N/A

PHASING: There is one phase in this subdivision.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

THOROUGHFARE / COLLECTOR PLAN: The Thoroughfare and Collector Street Plan does not require street construction or right-of-way dedication.

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

URBAN FORM: The site is located in Northwest CAC limits and currently zoned Residential-4. The future land use map recommends low density residential use for the property. The following land uses apply:

- LU 4.5 Connectivity
 - LU 8.9 Open Space in New Development
 - T 2.4 Road Connectivity
 - T 5.5 Sidewalk Requirements
 - T 5.9 Pedestrian Networks
-

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 60'. 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.

- 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 Breeland Way and Carlswood Court.
- FLOOD HAZARD:** There are no flood hazard areas on this site.
- STORMWATER MANAGEMENT:** This site is subject to stormwater management controls in accordance with Chapter 9 of Part 10 of the Raleigh City Code. Water quality will be addressed by utilizing a bio-retention area and buydown. Maximum impervious allowed on each lot will be 3500 sf. Stormwater runoff will be addressed utilizing the proposed bio-retention area.
- WETLANDS / RIPARIAN BUFFERS:** Neuse River Buffer exists on the site, however no impacts to the buffer are proposed.
- STREET NAMES:** No new street names are required for this development. Where the two streets intersect, the Addressing and Street Name staff in GIS will review this.
- 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: 1/3/2016
Record at least ½ of the land area approved.

5-Year Sunset Date: 1/3/2018
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.