



# Administrative Action Preliminary Subdivision

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

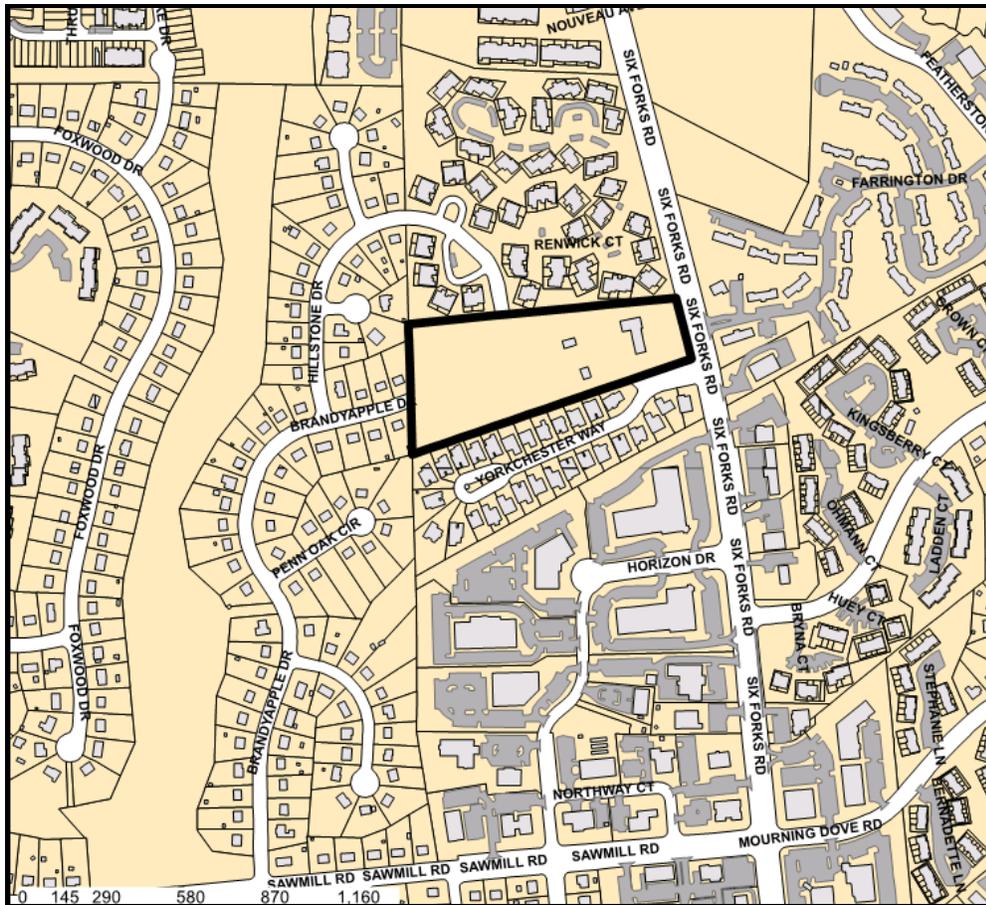
**Case File / Name:** S-23-12/ Sir Walter Estates Subdivision

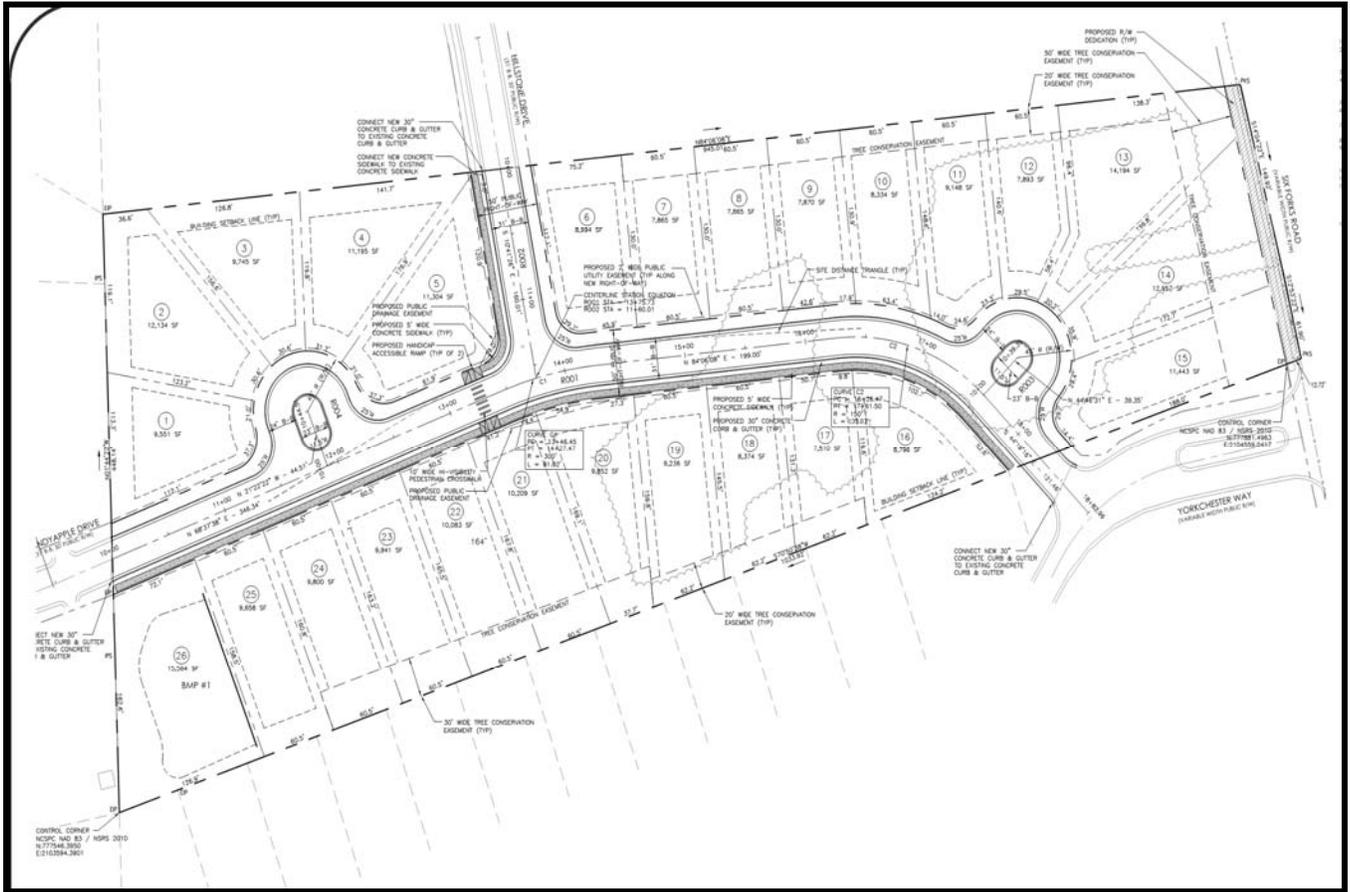
**General Location:** This site is located on the north east intersection of Six Forks Rd. and Yorkchester Way

**CAC:** North

**Nature of Case:** This request is to approve the subdivision of a 7.29 acre tract zoned Special Residential- 6 into 25 single family lots and 1 lot for a storm water device. This subdivision not infill since it is greater than 5 acres. The overall density is 3.5 units per acre.

**Contact:** Landon Lovelace





**SUBJECT:** S-23-12/ Sir Walter Estates Subdivision

**CROSS-REFERENCE:** N/A

**LOCATION:** This site is located on the north east intersection of Six Forks Rd. and Yorkchester Way, inside the city limits.

**REQUEST:** This request is to approve the subdivision of a 7.29 acre tract zoned Special Residential- 6 into 25 single family lots and 1 lot is being utilized for storm water BMP. This subdivision not infill since it is greater than 5 acres. The overall density is 3.5 units per acre.

**OFFICIAL ACTION:** Approval with conditions

**CONDITIONS OF APPROVAL:** *Prior to issuance of a mass land disturbing 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 approval of site review or construction drawings, whichever occurs first:***

- (2) That a nitrogen offset payment must be made to a qualifying mitigation bank;
- (3) 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. The operation and maintenance manual is to note the amount of the 24% amount;
- (4) That an encroachment agreement for the landscaped median islands within the right-of-way on Brandyapple Drive is approved by the City Council by separate action. An application for encroachment 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. 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. Maintenance of the encroachment shall be the responsibility of the subdivision HOA and or the developer;
- (5) That an NCDOT encroachment agreement and driveway permit be required for the construction access proposed on Six Forks Road.
- (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 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;

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

- (7) 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;
- (8) 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;

- (9) That 1/2'-110' in width of right of way a 5' slope easement along Six Forks Rd. be dedicated to the City of Raleigh and a copy of the recorded plat be provided to Planning Department at permit review;
- (10) That construction plans for public improvements along Six Forks Rd. be approved by the Public Works Department and that no permanent driveway access be permitted for lots 13, 14 and 15;
- (11) 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;
- (12) 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."

***Prior to Issuance of a building permit:***

- (13) That when 75% of the permits have been issued for the recorded lots, the proposed private 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;***

- (14) For residential subdivisions, where a security has been posted for public or financial 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;
- (15) That prior to the issuance of the final certificate of occupancy, all public street improvements are accepted by the City for maintenance;

I hereby certify this administrative decision.

**Signed:** (Planning Dir.) Mitchell Selin (C. Wayne) Date: 11-2-12

**Staff Coordinator:** James Marapoti

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, 10-2018, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 10/24/12, owned by Raleigh Land Fund, LLC, submitted by Underfoot Engineering Inc.

**ZONING:**

**ZONING  
DISTRICTS:**

**Special Residential- 6**

Ordinance: 45ZC672 Effective: 5-1-12 Z-16-12 – Six Forks Road – located on the west side, of Six Forks Road north of its intersection with Saw Mill Road, being Wake County PIN(s), 1707-47-1902. Approximately 7.29 acre(s) rezoned from Residential-4 to Special Residential-6

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

**TREE  
CONSERVATION:**

This project is required 10% or 0.735 acres for tree conservation. This project has dedicated .0738 acres which is allocated into:

Secondary: 0.738 acres

**PHASING:** This subdivision will be constructed in one phase.

**COMPREHENSIVE  
PLAN:**

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

**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	Slope esmt.
Six Forks Road	½-110 feet N/A	5 feet

Additional right-of-way to be dedicated is reimbursable under the facility fees program for the difference between the existing right-of-way line and the ½-110

feet right-of-way as measured from the existing centerline. No improvements are proposed on Six Forks Road.

A design exception was approved by the Public Works Director for a reduced horizontal centerline alignment radius on Brandyapple Drive due to the three existing streets constructed to the property lines of this site with the requirement that they be extended upon future development

**TRANSIT:** A 15' x 20' transit is proposed at the north portion of the site along Six Forks Rd.

**URBAN FORM:** The site is located within the North CAC, and is designated as Moderate Density Residential on the future land use map. The Moderate Density Residential category projects densities of 6 to 14 dwelling units per acre, built out as small lot subdivisions or patio home developments. Staff has reviewed the following Comprehensive Plan policies:

- LU 2.2 Compact Development
- LU 4.5 Connectivity
- LU 4.9 Corridor Development
- LU 5.1 Reinforcing the Urban Pattern
- LU 7.1 Encouraging Nodal Development
- LU 7.6 Pedestrian Friendly Development
- LU 8.10 Infill Development
- T 2.3 Eliminating Gaps
- T 2.4 Road Connectivity
- T 5.5 Sidewalk Requirements
- T5.9 Pedestrian Networks
- UD 5.1 Contextual Design
- UD 5.3 Improving Neighborhood Connectivity
- UD 5.4 Neighborhood Character and Identity

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**SUBDIVISION  
STANDARDS:**

**LOT LAYOUT:** The minimum lot size in this zoning district is 7,260 square feet. The minimum lot depth in this zoning district is 80'. The minimum lot width in this zoning district is 50'. 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 and link with existing Brandy Apple Dr. , Hillstone Dr. and Yorkchester Way.

**PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. Sidewalks exist on both sides of Six Forks Road. A sidewalk will be installed on one side of the proposed residential streets and a connection is being provided between this development and the sidewalk on the south side of Yorkchester Way for continuous pedestrian access to Six Forks Road.

**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. The subdivision will utilize a shared stormwater BMP located on lot 26 and a buydown to satisfy water quality regulations. The BMP device will also be utilized to satisfy stormwater runoff requirements.

**WETLANDS  
/ RIPARIAN  
BUFFERS:** No wetland areas or Neuse River riparian buffers are present.

**STREET NAMES:** Planned streets will tie into existing named streets.

**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:** 11/2/2015  
Record at least ½ of the land area approved.

**5-Year Sunset Date:** 11/2/2017  
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.