



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-26-14 / Bryan Benton Family Trust Subdivision

General Location: This site is located on the east side of York Road, south of Lewis Farm Road.

CAC: Wade

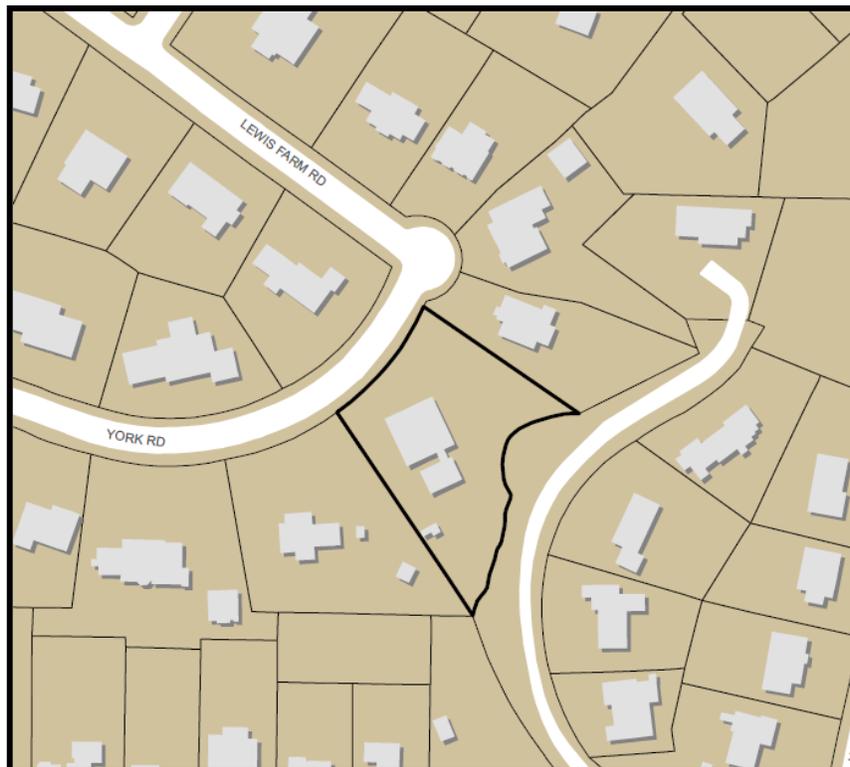
Nature of Case: This request is to approve the subdivision of a 0.85 acre tract into two lots, zoned Residential-4.

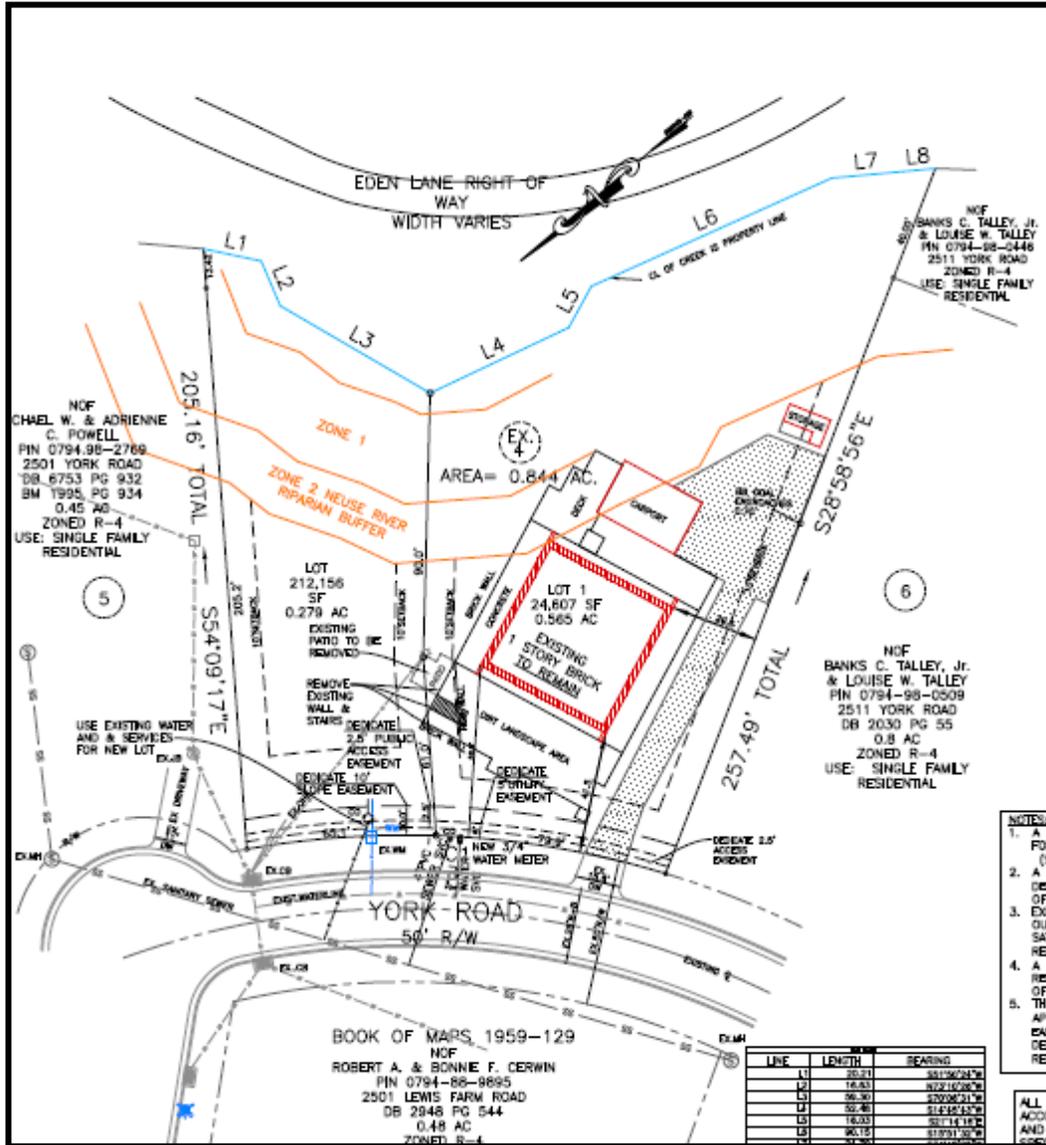
Contact: Patti Hildreth, CMS Engineering

Design Adjustment: One Design Adjustment has been approved by the Public Works Director for this project, noted below.

1. A design adjustment was approved on November 25, 2014 by the Public Works Director for Block Perimeter requirement, Right of Way dedication to allow the equivalent width to be recorded as a Public Access Easement, and also approved the use of existing, established trees just outside the Right of Way in lieu of planting new street trees per UDO streetscape.

Administrative Alternate: NA





SUBJECT: S-26-14 / Bryan Benton Family Trust Subdivision

**CROSS-
REFERENCE:** N/A

LOCATION: This site is located on the east side of York Road, south of Lewis Farm Road.

PIN: 0794981731

REQUEST: This request is to approve the subdivision of a 0.85 acre tract into two lots, zoned Residential-4. Lot 1 is proposed as 0.279 acre in size with Lot 2 proposed as 0.565 acre in size.

OFFICIAL ACTION: Approval with conditions

**CONDITIONS OF
APPROVAL:**

Prior to Planning Department authorization to record lots:

- (1) That a fee-in-lieu be paid for the required 6' sidewalk;
- (2) That the slope easement, utility easement and public access easements are dedicated to the City of Raleigh as shown on the preliminary plan;
- (3) That riparian buffers, in accordance with the preliminary plan and the State of North Carolina regulations, shall be shown on all 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)."
- (4) That the existing stairs and wall across the proposed property line are removed as shown on plans, and demolition permit numbers be shown on all plats for recording if applicable.

I hereby certify this administrative decision.

Signed: (Planning Dir.) Kenneth Bower (S. Barber) Date: 3/4/15

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 with Part 10A, the Unified Development Ordinance. This approval is based on a preliminary plan dated 12/16/14, owned by Bryan Benton Family Trust, submitted by Patti Hildreth, CMS Engineering.

ZONING:

ZONING DISTRICTS: Residential-4

TREE CONSERVATION: This project is less than two acres; therefore exempt from Tree Conservation.

PHASING: This is a one phase development.

COMPREHENSIVE PLAN:

GREENWAY: This site is not located along an existing or proposed greenway corridor.

STREET TYPOLOGY MAP:

Dedication of right-of-way and construction of the following streets are required by the Street Typology Map of the Comprehensive Plan. Dedication of right-of-way is required.

<u>Street</u>	<u>ROW</u>	<u>Construct</u>	<u>Slope Esmt.</u>
York Road	2.5' public access easement and 5' utility easement	Fee in lieu	10'
*Eden Lane	n/a	n/a	n/a

This subdivision has frontage on two public streets, York Road and Eden Lane. The Public Works Director has approved a design adjustment for required right-of-way dedication along York Road contingent upon dedication of a 2.5' public access easement and 5' utility easement along the site's frontage as shown on the preliminary plan. In addition a 10' slope easement is shown along York Road

frontage. A designated riparian buffer lies along the property adjacent Eden Lane right-of-way. In accordance with the Raleigh Street Design Manual, Section 5.3.5 B 6, this site is exempt from street construction or fee-in-lieu payments for frontage along Eden Lane due to the presence of the riparian buffer which prohibits direct access to the property from Eden Lane.

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

COMPREHENSIVE PLAN: This site is located in the Wade CAC, in an area designated as Low Density Residential.

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. The overall residential density for this subdivision is 2.35 units per acre.

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 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 5,000 – 6,000 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. Developer is paying a fee-in-lieu for sidewalk. The Public Works Director has approved the use of existing, established trees just outside the right-of-way in lieu of planting new street trees within the right-of-way per UDO streetscape standards.

PEDESTRIAN: No sidewalk is proposed; developer is paying a fee-in-lieu for sidewalk installation.

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

STORMWATER MANAGEMENT: This site is exempt from stormwater controls under UDO Article 9.2.2.A.1 as this subdivision is less than 1 acre in aggregate size.

**WETLANDS
/ RIPARIAN
BUFFERS:**

A Neuse River riparian buffer exists along this site adjacent Eden Lane. The riparian buffer shall be shown on all plats for recording.

**STREET NAMES:
OTHER**

No new streets are being proposed with this development.

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: 3/4/2018
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.