



## Administrative Action Preliminary Subdivision

City of Raleigh  
Development Plans Review Center  
One Exchange Plaza  
Raleigh, NC 27602  
(919) 996-2626  
www.raleighnc.gov

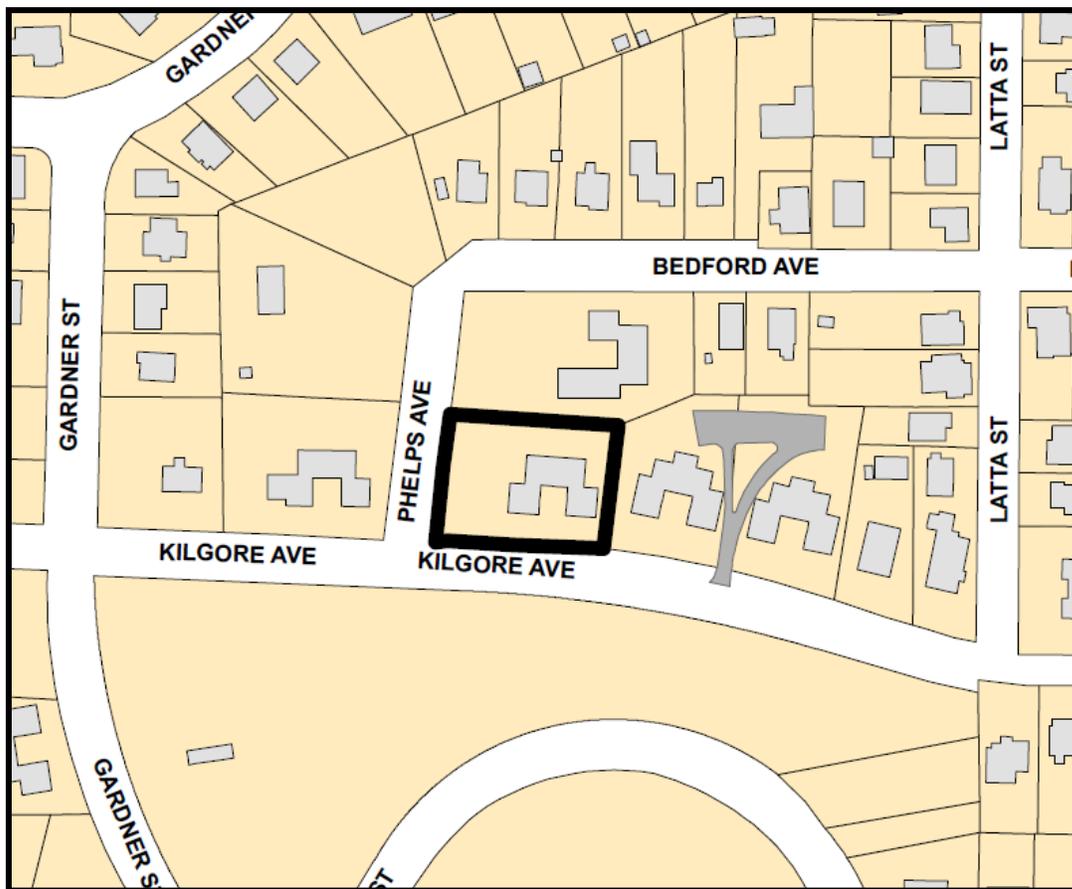
**Case File / Name:** S-34-13 Kilgore Avenue Subdivision

**General Location:** This site is located on the north side of Kilgore Avenue; east of its intersection with Phelps Avenue.

**CAC:** Wade

**Nature of Case:** Subdivision of one multifamily residential lot into three single family lots currently zoned Residential-10. All proposed lots would front on Kilgore Avenue and would not qualify as an infill subdivision.

**Contact:** Stoney Chance – (919)779-7245





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**SUBJECT:** S-34-13 / Kilgore Avenue Subdivision

**CROSS-  
REFERENCE:** N/A

**LOCATION:** This site is located on the north side of Kilgore Avenue; east of its intersection with Phelps Avenue.

**REQUEST:** This request is to approve the subdivision of a 0.448 acre tract into three lots, zoned Residential-10. Proposed Lot 1 will be 8,294 square feet in size, Lot 2 will be 5,391 square feet in size with Lot 3 being 5,845 square feet in size. This request does not qualify as an infill subdivision. Surrounding periphery lots are developed as multifamily uses. Infill subdivisions require at least 66% of periphery to be developed as single family residential.

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**OFFICIAL ACTION:** Approval with conditions

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**CONDITIONS OF  
APPROVAL:**

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

- (1) That construction plans for public improvements be approved by the Public Works Department;
- (2) That approved plat must identify the maximum impervious area for each individual lot; as well as the impervious area associated with public improvements. Cumulatively, the impervious area is not to exceed 12,000 square feet;

***Prior to issuance of building permits:***

- (3) That a stormwater tracking permit shall be issued with the building permit to ensure impervious surface limits are not exceeded;

***Prior to issuance of building occupancy permit:***

- (4) That an impervious surface as-built survey must be submitted to ensure compliance with impervious restrictions set on each lot;
- (5) That construction of a 5' sidewalk will be required along the frontage of Kilgore Avenue and Phelps Avenue;

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I hereby certify this administrative decision.

**Signed:**

(Planning Dir.)

*Mitchell L. Linn (C. Linn)*

Date:

10-7-13

**Staff Coordinator:**

Stan Wingo

SEE LAST PAGE FOR IMPORTANT INFORMATION ON THE NEXT STEP IN THE SUBDIVISION PROCESS.

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**FINDINGS:**

City Administration finds that this request, with the above conditions being met, conforms to Chapter 2, Part 10, Section 10-2021, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 9/19/13, owned by Kilgore Properties LLC, submitted by Stoney Chance.

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**ZONING:**

**ZONING DISTRICTS:**

Residential-10

**LANDSCAPING:**

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

**TREE CONSERVATION:**

Parcel is residential and less than 2 acres. Tree conservation is not required.

**UNITY OF DEVELOPMENT:**

N/A

**PHASING:**

This is a one phase development.

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**COMPREHENSIVE PLAN:**

**GREENWAY:**

There is no greenway on this site.

**THOROUGHFARE / COLLECTOR PLAN:**

Dedication of right-of-way is not required in this location.

**TRANSIT:**

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

**URBAN FORM:**

This site is located in the West Citizen Advisory Council, in an area designated a residential area.

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**SUBDIVISION  
STANDARDS:**

- LOT LAYOUT:** The minimum lot size in this zoning district is 5,000 square feet. The minimum lot depth in this zoning district is 70 feet. The minimum lot width in this zoning district is 45 feet. Lots in this development conform to these minimum standards.
- BLOCK LAYOUT:** No new streets are required or proposed with this subdivision.
- 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:** Lot 1 could gain access from Kilgore Avenue or Phelps Avenue; Lots 2 and 3 will gain access from Kilgore Avenue.
- PEDESTRIAN:** Construction of a 5' sidewalk will be required along the frontages of Kilgore Avenue and Phelps Avenue.
- FLOOD HAZARD:** There are no flood hazard areas on this site.
- STORMWATER  
MANAGEMENT:** Site is exempt from Part 10, Chapter 9 Stormwater Regulations per code section 10-9021(4). The site is less than ½ acre and the proposed impervious area is less than 12,000 square feet.
- WETLANDS  
/ RIPARIAN  
BUFFERS:** No wetland areas or Neuse River riparian buffers are required on this site.
- STREET NAMES:** No new street names are being proposed with this development.
- 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:** 10/7/2016  
Record 100% of the land area approved.

**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.