



Administrative Action Preliminary Subdivision

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

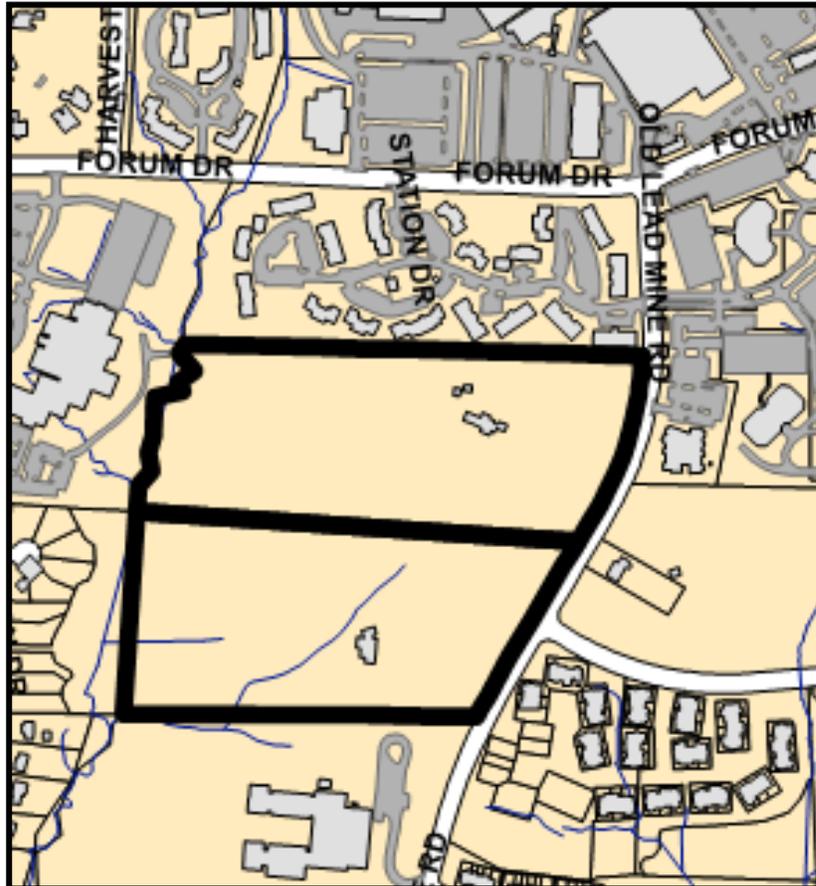
Case File / Name: S-38-13 / Old Lead Mine Road Subdivision

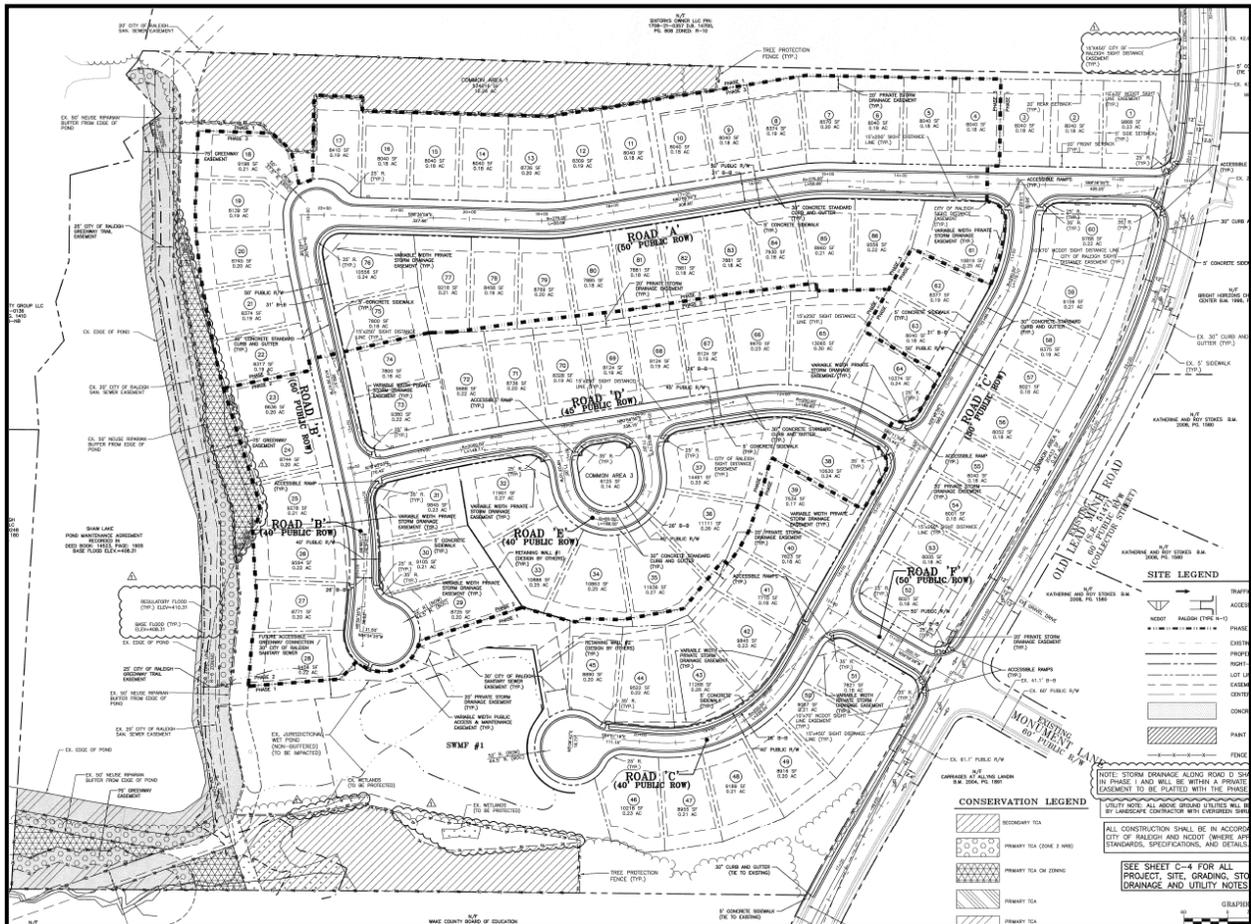
General Location: This site is located on the west side of Old Lead Mine Road, south of its intersection with Forum Drive, inside the City Limits.

CAC: North

Nature of Case: Subdivision of a 35.46 acre tract zoned Residential-6 and Conservation Management into 86 single family lots and three open space lots. This subdivision was submitted prior to September 1, 2013.

Contact: Ryan Akers – McAdams Co.





Subdivision Layout

SUBJECT: S-58-13 / Old Lead Mine Road Subdivision

**CROSS-
REFERENCE:** N/A

LOCATION: This site is located on the west side of Old Lead Mine Road, south of its intersection with Forum Drive, inside the City Limits.

PIN: 1708108874, 1708108341

REQUEST: Subdivision of a 35.46 acre tract zoned Residential-6 and Conservation Management into 86 single family lots and three open space lots.

OFFICIAL ACTION: **Approval with conditions**

**CONDITIONS OF
APPROVAL:**

Prior to issuance of a mass grading permit for the site:

- (1) That a final tree conservation plan with permit be approved by the Forestry Specialist. 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;
- (2) That as the developer purposes to disturb a designated riparian buffer, 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;

Prior to issuance of a final site review permit or infrastructure construction plans, whichever is applicable;

- (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;
- (4) That a nitrogen offset payment must be made to a qualifying mitigation bank;
- (5) That all required permits from NCDOT are obtained;
- (6) That infrastructure construction plans for proposed public improvements be submitted and approved by the Public Works Department;

Prior to Planning Department authorization to record lots:

- (7) That street names for this development be approved by the Raleigh GIS Division and by Wake County;
- (8) 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;
- (9) 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; Required legal documents shall be recorded within 1 day of the approval of a recorded map, if applicable;
- (10) 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; Required legal documents shall be recorded within 1 day of the approval of a recorded map, if applicable;
- (11) That flood prone areas, as approved by the City Stormwater Engineer, are shown on the preliminary plan and shall be shown on the recorded map;
- (12) That existing wetlands are on site and shall be shown on all maps for recording;
- (13) That all permanently preserved undisturbed open space used to meet the nitrogen reduction requirements of Part 10 Chapter 9 shall be labeled on recording plats. These plats shall include a note stating: Within permanently preserved undisturbed open space areas used for stormwater treatment, there must not be any land disturbing activity, any placement of impervious surfaces, any tree removal, any new development or expansion thereof, or new use, construction, or encroachment;
- (14) 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;
- (15) 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 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)."

Prior to issuance of building permits:

- (16) That a tree conservation map be recorded with metes and bounds showing the designated Tree Conservation Areas and shall be in compliance with Code section 10-2082.14;
- (17) 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 times 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 Certificate of Occupancy:

- (18) That prior to Issuance of a Certificate of Occupancy an as-built certification for all stormwater control devices as required under Code Section 10-9025(c) shall be provided to the Public Works Department, all stormwater systems shall be in place and functioning, and an original inspection report per Code Section 10-9028.
- (19) For residential subdivisions, where a security has been posted for public or private 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;
- (20) That all public improvements are inspected and accepted for maintenance by the Public Works department;

I hereby certify this administrative decision.

Signed:

(Planning Dir.)

Ken Bowers (C. W. Bowers)

Date:

8-26-14

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 to Chapter 2, Part 10, and Sections 10-2019, 10-2030 and Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 7/1/14, owned by Pulte Homes, submitted by Ryan Akers - McAdams Co.

ZONING:

ZONING DISTRICTS:

Residential-6 & Conservation Management

LANDSCAPING:

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

TREE CONSERVATION: This project is required 10% of total site acres for tree conservation. This project has proposed 3.59 acres which is broken into:
Primary: 1.5 acres
Secondary: 2.09 acres

PHASING: There are three phases in this development; phase lines are shown on preliminary plans.

COMPREHENSIVE PLAN:

GREENWAY: This site is located on the Crabtree Minecreek greenway trail.

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>
Old Lead Mine Road	½ 60'	½ 41'	N/A

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

URBAN FORM: This site is located in the North Citizen Advisory Council, in an area designated a residential area.

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 feet. The minimum lot width in this zoning district is 50 feet. 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. 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.

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. A flood study for Shaw Lake was performed with S-13-11, Greys Landing Subdivision, located on the opposite side of the lake. No changes to the flood elevation of Shaw Lake will result from this development.

STORMWATER MANAGEMENT: The subdivision will comply with Part 10, Chapter 9 storm water runoff regulations by utilizing shared wet pond to detain post-development runoff for the 2 and 10 storm events to pre-development rates for the site. Additionally, as was required for S-13-11, Grey's Landing Subdivision, located on the other side of the existing lake, this site will also detain post-development runoff for the 100 yr storm event through the proposed wet pond. The subdivision will comply with water quality regulations by utilizing the wet pond with a level spreader-vegetated filter strip and a buydown for nitrogen. Neuse River Buffers exist on the site and any disturbance of the buffers will require a variance issued by NC DWQ. The existing lake dam structure is classified by NC DENR as a high hazard dam and is subject to and regulated by NC State Dam Safety Laws.

WETLANDS / RIPARIAN BUFFERS: Wetland areas and Neuse River riparian buffers are required on this site.

STREET NAMES: Four new street names are required for this development. A street name application has not yet been approved. All proposed names must be approved by the City and by Wake County prior to recording.

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: 8/26/17
Record at least ½ of the land area approved.

5-Year Sunset Date: 8/26/19
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.