



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-41-13 / Tower Street Dodd Land Subdivision

General Location: Located at the southeast quadrant of the intersection of Tower Street and Mayview Road.

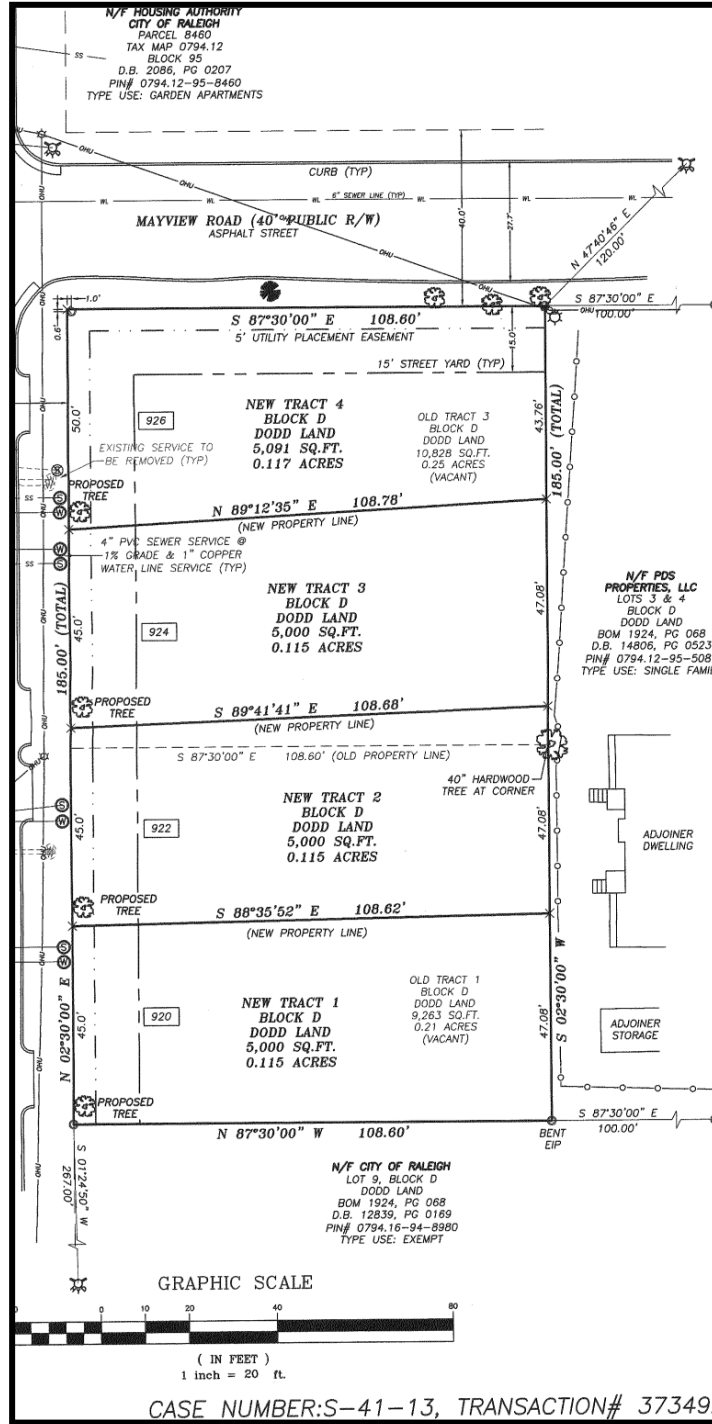
CAC: Wade

Nature of Case: The subdivision and recombination of two parcels totaling .46 acres into four lots zoned Residential-10 with Neighborhood Conservation Overlay District (Oberlin Village), located inside the City limits. This plan was submitted prior to September 1, 2013.

Contact: Jeff Davis, Turning Point Surveying



S-41-13 Tower Street Dodd Land Subdivision – Location Map



S-41-13 Tower Street Dodd Land Subdivision – Subdivision Layout

CROSS-REFERENCE: A-55-13

LOCATION: This site is located at the southeast quadrant of the intersection of Tower Street and Mayview Road., inside the City Limits.

REQUEST: This request is to approve the subdivision and recombination of two parcels totaling .46 acres into four lots zoned Residential-10 with Neighborhood Conservation Overlay District (Oberlin Village), located inside the City limits. This plan was submitted prior to September 1, 2013.

Lot 1 – 5,000 square feet
Lot 2 – 5,000 square feet
Lot 3 – 5,000 square feet
Lot 4 – 5,091 square feet

OFFICIAL ACTION: Approval with conditions

CONDITIONS OF APPROVAL:

Prior to Planning Department authorization to record lots:

- (1) That a fee-in-lieu of construction is paid for 5' of sidewalk along the property's frontage on Mayview Road and Tower Street;

I hereby certify this administrative decision.

Signed:

(Planning Dir.)

Ken Bauer (C.P.C.)

Date:

3-16-17

Staff Coordinator:

Justin Rametta

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 10-2021, 10-2054 Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 10/10/2016, owned by Adryon Clay, submitted by Turning Point Surveying.

ZONING:

ZONING DISTRICTS:

Residential-10 with Neighborhood Conservation Overlay District.

LANDSCAPING:

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

TREE CONSERVATION:

Code Section 10-2082.14 does not apply. The parcels are zoned residential, less than 2 acres in size, and not adjacent to a Thoroughfare

UNITY OF DEVELOPMENT: Not applicable
PHASING: There is one phase in this development.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

THOROUGHFARE / COLLECTOR PLAN:

A design adjustment has been approved to not require right-of-way dedication on either Tower Street or Mayview Road. A fee-in-lieu of construction is required for 5' sidewalks on both streets.

| Street | ROW | Construct | Slope Esmt. |
|---------------|------------|------------------|--------------------|
| Tower Street | NA | N/A | N/A |
| Mayview Road | NA | N/A | N/A |

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

URBAN FORM: This site is located in the Wade Citizen Advisory Council, in an area designated for Low Density Residential development on the Future Land Use Map.

SUBDIVISION STANDARDS:

LOT LAYOUT: The parcels were rezoned Neighborhood Conservation Overlay District as part of Z-83-95. The created lots conform to the following lot standards: Oberlin Village Neighborhood (Zoning Case Z-83-95)

Minimum lot size: 5,000 square feet
Maximum lot size: 12,500
Minimum lot width: 50 (The Board of Adjustment granted a variance, Case A-55-13, to allow a reduction to a 45' minimum lot width for the 3 interior lots provided no utility apartments were constructed and only one single family residence was built per lot). City Council granted a variance to the minimum 60' corner lot width at its January 21, 2014 meeting to allow a 50' wide corner lot (proposed lot 4).

BLOCK LAYOUT: The proposed street layout conforms to City Code, providing for efficient circulation of traffic within the entire neighborhood area. No new streets are proposed with this development.

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: Existing street improvements shall conform to normal City construction standards.

- PEDESTRIAN:** No sidewalk currently exists on either street. A fee-in-lieu of sidewalk construction is required prior to lot recordation.
- FLOOD HAZARD:** There are no flood hazard areas on this site.
- STORMWATER MANAGEMENT:** The subdivision is claiming an exemption, Code Section 10-9021(3), Any single-family detached dwelling, any single-family attached dwelling not exceeding two (2) dwelling units, and any duplex dwelling, including their accessory uses, placed within any subdivision of one (1) acre or less in aggregate size approved after application of this regulation. Individual lots will be subject to Section 9.2.2 of the UDO, as amended by TC-2-16, upon development.
- WETLANDS / RIPARIAN BUFFERS:** No wetland areas or Neuse River riparian buffers are required on this site.
- STREET NAMES:** No new street names are required for this development.
- 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:** 3/16/20
Record a 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.



Engineering Services Design Adjustment – Staff Response

Per Section 10.2.18.C of the Unified Development Ordinance, the Engineering Services Director may consult with the heads of other City departments regarding the review of the request. The Engineering Services Director may approve, approve with conditions or deny the request, but must do so within 60 days of the receipt of a completed application. Additional time may be necessary if a municipal or state entity is incorporated in the review process or if a detailed engineering study is submitted in conjunction with the request.

| | | |
|----------------|---------------------------|--|
| PROJECT | Project Name Dodd Land | Date Completed Application Received: 12/12/16 |
| | Case Number: S-41-13 | Transaction Number: 373492 |

| DEPARTMENT RESPONSE/RECOMMENDATION | DEPARTMENT | REPRESENTATIVE SIGNATURE | DEPARTMENT | REPRESENTATIVE SIGNATURE |
|--|-------------------------------------|--------------------------|---------------------------|--------------------------|
| | <input checked="" type="checkbox"/> | Dev. Services Planner: | Justin Rametta <i>JRM</i> | <input type="checkbox"/> |
| <input type="checkbox"/> | Dev. Services Eng: | | <input type="checkbox"/> | Transportation: |
| <input checked="" type="checkbox"/> | Engineering Services: | Cadell Hall <i>CH</i> | <input type="checkbox"/> | PRCR: |
| <p>Staff is in support of the Design Adjustment application to eliminate additional right-of-way dedication at this time. An approved variance on 2/10/14 reduced the corner lot width requirement, and requiring additional right-of-way dedication opposes the intent of the variance. Upon future redevelopment, the right-of-way requirements will then again be reviewed.</p> | | | | |

Development Services Director or Designee Action:

Approve Approval with Conditions Deny

[Signature]
Authorized Signature

12/19/16
Date

*The Engineering Services Director may authorize a designee to sign in his/her stead. Please print name and title next to signature.

| | |
|--------------------------------|--|
| CONDITIONS FOR APPROVAL | |
|--------------------------------|--|

Appeal of the decision from the Engineering Services Director shall be made in writing within 30 days to the Board of Adjustment (see Section 10.2.18.C3b).

City of Raleigh
Engineering Services

Phone: 919-996-3030
www.raleighnc.gov



Planning & Development

**Public Works
Transportation Field Services**
One Exchange Plaza
Suite 300
Raleigh, NC 27602
www.raleighnc.gov

Public Works Design Adjustment Application

The purpose of this request is to seek a design adjustment from the Public Works Director for a specific project only and if granted may be given with special conditions and provisions. This application and all further action shall be consistent with Section 10.2.18 of the Unified Development Ordinance (UDO). The consideration and decision of this request shall be based solely on the conformance of the findings, as outlined in Sections 8.3.6 and 8.4.1.E of the UDO.

| | | |
|----------------|------------------------|---------------------------|
| Project | Project Name DODD LAND | |
| | Case Number S-41-13 | Transaction Number 373492 |

| | | |
|--------------|------------------------------|----------------|
| Owner | Name ADRYON CLAY | |
| | Address 416 S. BOYLAN AVENUE | City RALEIGH |
| | State NC | Zip Code 27603 |
| | | Phone n/a |

| | | | |
|------------------|-----------------------------------|----------------|------------------------------------|
| Applicant | Name JEFF DAVIS, PLS | | Firm TURNING POINT SURVEYING, PLLC |
| | Address 4113 JOHN S RABOTEAU WYND | | City RALEIGH |
| | State NC | Zip Code 27612 | Phone 919-781-0234 |

***Applicant must be a Licensed Professional (Engineer, Architect, Surveyor, or Contractor)**

| | |
|----------------------------------|---|
| Design Adjustment Request | Code Section Referenced 10-3032(c) requiring a minimum corner lot width of sixty (60) feet. |
| | Justification |
| | <p>A VARIANCE IS ALREADY APPROVED for the reason, the applicant purchased these two lots, which contained two abandoned and condemned duplexes, and is seeking to replace them with four single family residential lots for resale. The development plan seeks to maintain the residential density and character of this neighborhood. If the 60-foot minimum lot width were required, the applicant would have a practical difficulty in meeting the intent of this particular Neighborhood Conservation Overlay District (NCOD), which favors infill and single family residential development and disfavors multi-family development. Requiring a 60-foot corner lot will enable duplexes on the corner lot, whereas a 50-foot minimum lot will prevent duplex or multifamily construction.</p> <p>UPON FUTURE REDEVELOPMENT, THE RW REQUIREMENTS WILL THEN AGAIN BE REVIEWED.</p> |

*Please include any additional supportive documents (Plan sheets, aerials, etc.) along with this application. It is the applicant's responsibility to provide all pertinent information required for consideration.

By signing this document I hereby acknowledge the information on this application is accurate to the best of my knowledge.

[Signature] _____ 12.14.16
Owner/Owner's Representative Signature Date

In witness whereof, the parties signed have executed this document on this date.

[Signature] _____ 12/14/16.
Notary Signature Date

