



Administrative Action Preliminary Subdivision

City of Raleigh
Development Plans Review Center
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Raleigh, NC 27602
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Case File / Name: S-45-15 / French Drive Subdivision

General Location: The site is located on the south side of French Drive, north of the intersection of Stannard Trail and Litchfield Downs Lane.

CAC: Midtown

Nature of Case: Subdivision of three existing parcels totaling 1.83 acres into six single family lots, zoned Residential-6 Conditional Use District (R-6 CUD).

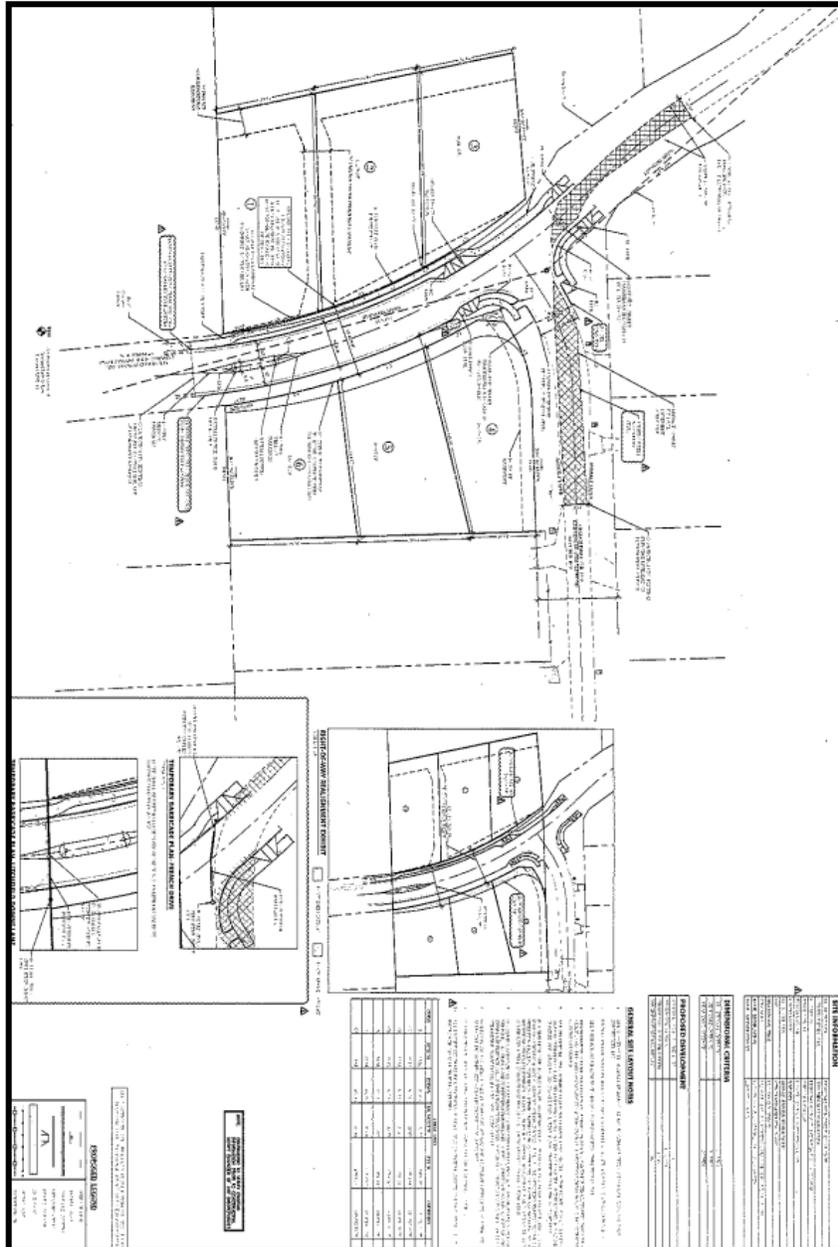
Contact: Ross Massey, Edens Land

Design Adjustment: Three Design Adjustments have been approved by the Public Works Director for this project, noted below.

1. A Design Adjustment for the Litchfield Downs Lane streetscape to allow the placement of street trees outside the public right-of-way on private property.
2. A Design Adjustment to allow Litchfield Downs Lane to remain as approved and constructed per the previously approved subdivision on this site and not the currently required Neighborhood Street section.
3. A Design Adjustment to allow French Drive to remain as approved and constructed per the previously approved subdivision on this site and not the currently required Neighborhood Local section.

Administrative Alternate: NA





S-45-15 Preliminary Subdivision Plan

SUBJECT: S-45-15 / French Drive Subdivision

CROSS-REFERENCE: S-68-06, S-69-06

LOCATION: The site is located on the south side of French Drive, north of the intersection of Stannard Trail and Litchfield Downs Lane, inside the city limits.

PIN: 0796738619, 0796735697, 0796737629

REQUEST: This request is to approve the subdivision of three existing parcels totaling 1.83 acres into six single family lots, zoned Residential-6 Conditional Use District (R-6 CUD). Note that previously subdivision plans were approved on this site with cases S-68-06 and S-69-06 and construction of required street and utility infrastructure was nearly completed prior to submittal of this development plan. This preliminary subdivision plan (S-45-15) was required because the previously approved cases sunset.

OFFICIAL ACTION: Approval with conditions

CONDITIONS OF APPROVAL:

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

- (1) That in accordance with Part 10A Section 9.4.4, a surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City;

Prior to approval of a concurrent review of Final Site Review and Infrastructure construction plans, or whichever is applicable:

- (2) 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 10A Chapter 9 of the Unified Development Ordinance, 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;
- (3) That a nitrogen offset payment must be made to a qualifying mitigation bank;

Prior to Planning Department authorization to record lots:

- (4) 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 the recorded map;

- (5) 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 property owners association;
- (6) That in accordance with Part 10A Section 9.2.2, a surety equal to 125% of the cost of the construction of a stormwater device is paid to the Public Works Department;
- (7) That revised infrastructure construction plans be approved by the Public Works Department;
- (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 in accordance with zoning condition number 18 of case Z-10-06 restrictive covenants governing land use and building construction on the site per conditions of case Z-10-06 be approved by the City Attorney for recordation in association with the final subdivision map and a copy of the recorded covenants be returned to the City of Raleigh;
- (10) That all conditions of Z-10-06 be met;

Prior to issuance of building permits for houses in this subdivision:

- (11) That the plot plans and building construction plans show conformance with the approved preliminary subdivision plan and zoning conditions of case Z-10-06;

Prior to issuance of a certificate of occupancy:

- (12) That in accordance with Part 10A Section 9.2.2, an as-built plan and certification any stormwater control device shall be reviewed and accepted by the City prior to final stormwater inspection approval or certificate.

I hereby certify this administrative decision.

Signed: (Planning Dir.) Kenneth Bower (S. Bower) Date: 12-8-15

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 the Unified Development Ordinance including Chapter 2, Article 2.2, Sections 2.2.1. This approval is based on a preliminary plan dated 10-9-15 owned by The Jim Allen Group, Inc., submitted by Edens Land.

ZONING:

ZONING DISTRICTS: Residential-6 Conditional Use District (R-6 CUD) Ordinance 019ZC587 Effective 5/2/2006.

Z-10-06 – French Drive and Litchfield Downs Lane, south side of French Drive, southeast of its intersection with Lead Mine Road, being Wake County PINs 0796-16-73-8619 and 0796-16-73-5697. Approximately 1.47 acres from Residential-4 to Residential-6 Conditional Use.

- 1. Development of the Property will be limited to single-family detached homes, underground pools and accessory pool houses. No other detached structures will be permitted.
Met.
- 2. Reimbursement of any required right-of-way dedication shall remain at the current R-4 district value.
This condition is no longer applicable.
- 3. Property will be limited to a maximum of 6 lots (three lots on each side of proposed Litchfield Downs Lane).
Met
- 4. Minimum lot size will be 10,000 square feet.
Met
- 5. Each lot limited to residential purposes only, one detached, single-family dwelling, built on site (non-modular), not to exceed 35' in building height with an attached garage for a minimum of two cars but not more than three cars.
Compliance to be shown at building permit review.
- 6. Minimum heated square footage of each dwelling to be 3,000 square feet with the first floor of any multi-story dwelling to contain minimum of 1,500 square feet of heated space.
Compliance to be shown at building permit review.
- 7. Exterior construction materials are to be limited to brick, stone, Hardiplank, non-exposed concrete block and cedar.
Compliance to be shown at building permit review.
- 8. Provision is to be made for an underground stormwater system to meet City of Raleigh stormwater control requirements. For lots east of Litchfield Downs Lane, runoff from

gutters shall be piped underground to the Litchfield Downs Lane storm drainage system and where feasible, runoff from gutters from proposed lots west of Litchfield Downs Lane shall be piped underground to the Litchfield Downs Lane storm drainage system.

Compliance to be shown at building permit review.

9. Any allowed pool houses shall be no greater than 1 story with a maximum building height of 20' and a maximum of 500 square feet in size. Pool houses shall be of same architectural style and construction materials as primary dwelling. Pool houses shall be allowed only when a pool exists on the lot. All pool houses shall comply with the required minimum building setbacks for the principal structure.

Compliance to be shown at building permit review.

10. Minimum side yard setbacks shall be ten (10) feet.

Compliance to be shown at building permit review.

11. A minimum of 6 cryptomeria japonica yoshino trees or Nellie Stevens Holly trees (minimum 7' in height) with a minimum caliper of width at time of planting of 1.5 inches and a minimum of 12 chindo viburnum or ligustrum shrubs (15 gallon in size) shall be planted along the southern property boundary which adjoins the property located at 1920 Stannard Trail (PIN 0796-73-8550) and along the southern property boundary which adjoins the property located at 2000 Stannard Trail (PIN 0796-73-5581) to create a natural screening.

Met

12. No chain link fencing shall be allowed. Maximum height of any fence shall be six feet (6').

Will need to be met with building permit review.

13. Entrance sign will conform to City of Raleigh signage requirements and will not include the word "Inman" or "Park."

Compliance will need to be shown with sign permit application.

14. A sidewalk is to be constructed on the west side of Litchfield Downs Lane subject to City of Raleigh approval and City of Raleigh standards and specifications.

Met

15. All single-family lawns are to be established with grass sod with a minimum of two trees (minimum caliper width of 1.5 inches at the time of planting) planted in each front yard.

Compliance to be shown at building permit review.

16. All exterior lighting upon the Property shall be directed downward and shielded to prevent direct view of the light sources from adjacent properties, and shall be limited to not more than sixteen feet in height.

Compliance to be shown at building permit review.

17. Development activities on weekends and all City of Raleigh observed holidays will not begin before 8:00 AM and shall cease by 5:00 PM.

Will need to be met during construction.

18. Restrictive covenants shall be required for any development of the property and will include all rezoning conditions, which pertain to building and land use limitations.

Will need to be recorded prior to plat recordation.

**TREE
CONSERVATION:**

This site is less than two acres and therefore not subject to UDO Section 9.1, Tree Conservation.

PHASING: There is one phase in this development.

**COMPREHENSIVE
PLAN:**

GREENWAY: There is no greenway on this site.

**STREET
PLAN MAP:**

Dedication of right-of-way and construction of the following streets are required by the Street Plan Map of the Comprehensive Plan as shown below. Litchfield Downs Lane was previously approved and constructed (S-68-06, S-69-06). However, the right-of-way has since been closed and will need to be rededicated. A 10' slope easement is required on French Drive.

Street Name	Designation	Exist R/W	Required R/W	Existin g street (b to b)	Proposed street (b to b)
French Drive	Neighborhood Local	60'	1/2- 59'	18.5'	18.5'
Litchfield Downs Lane	Neighborhood Street	NA	55' per Design Adjustment	36'	36'

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

**COMPREHENSIVE
PLAN:**

This site is located in the Midtown CAC in an area designated for Institutional and Low Density Residential uses on the Future Land Use Map.

**SUBDIVISION
STANDARDS:**

LOT LAYOUT: The minimum lot size in R-6 zoning district is 6,000 square feet. However, the zoning conditions designate 10,000 square feet as the minimum lot size for this development. The minimum lot depth in this zoning district is 80 feet. The

minimum lot width of an interior lot in this zoning district is 50 feet (65' for a corner lot). Lots in this development conform to these minimum standards.

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.

BLOCKS / LOTS / ACCESS: Block perimeters, lot arrangement and access conform to Chapter 8 of the UDO. A fee for street signs is required in accordance with the Raleigh Street Design Manual.

STREETSCAPE TYPE: The applicable streetscape is a residential street. A 5' sidewalk has been constructed along the west side of Litchfield Downs Lane. A Design Adjustment has been approved by the Public Works Director to allow the 5' sidewalk to remain and for the street trees to be planted on private property.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. A sidewalk has been constructed along the west side of Litchfield Downs Lane. No further sidewalk construction is required per the approved Design Adjustment for Litchfield Downs Lane or French Drive. Access to the public right of way in addition to internal connection requirements is provided in accordance with 8.3.4 of the UDO.

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

STORMWATER MANAGEMENT: This site is subject to stormwater management controls in accordance with Article 9 chapter 2 of the Unified Development Ordinance. Proposed stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual.

WETLANDS / RIPARIAN BUFFERS: No wetland areas or Neuse River riparian buffers are required on this site.

STREET NAMES: This development proposes the extension of an existing street (Litchfield Downs Lane). A fee for one street sign is required.

OTHER 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: 12-8-2018
Record at least ½ of the land area approved.

5-Year Sunset Date: 12-8-2020
Record entire subdivision.

WHAT NEXT?:

- MEET ALL CONDITIONS OF APPROVAL.
- COMPLETE INFRASTRUCTURE 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 Public Works Department for street construction; by the first working day in November and May each year.