



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-49-14 / Brookhaven Estates

General Location: The site is located on the north side of Ponderosa Road, west of its intersection with Jeffrey's Grove School Road.

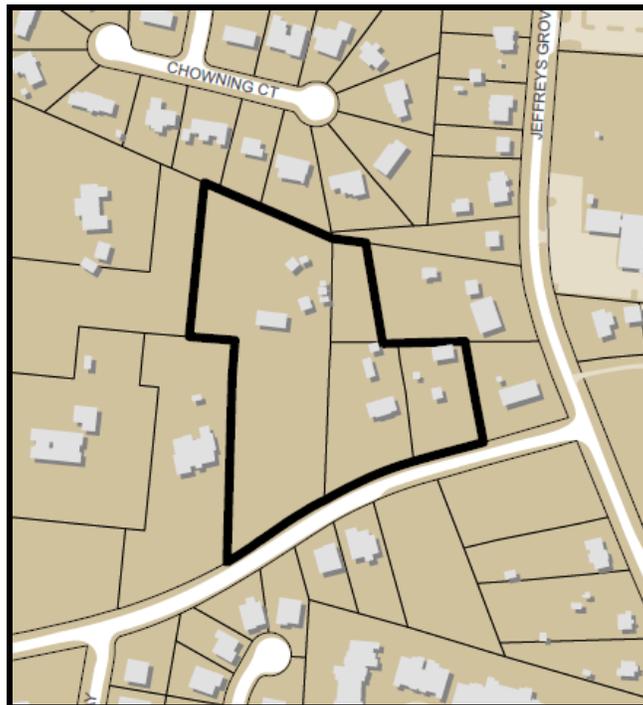
CAC: Northwest

Nature of Case: Recombination of four parcels and subsequent subdivision into 16 single family lots and one open space lot totaling 5.96 acres, zoned Residential-4.

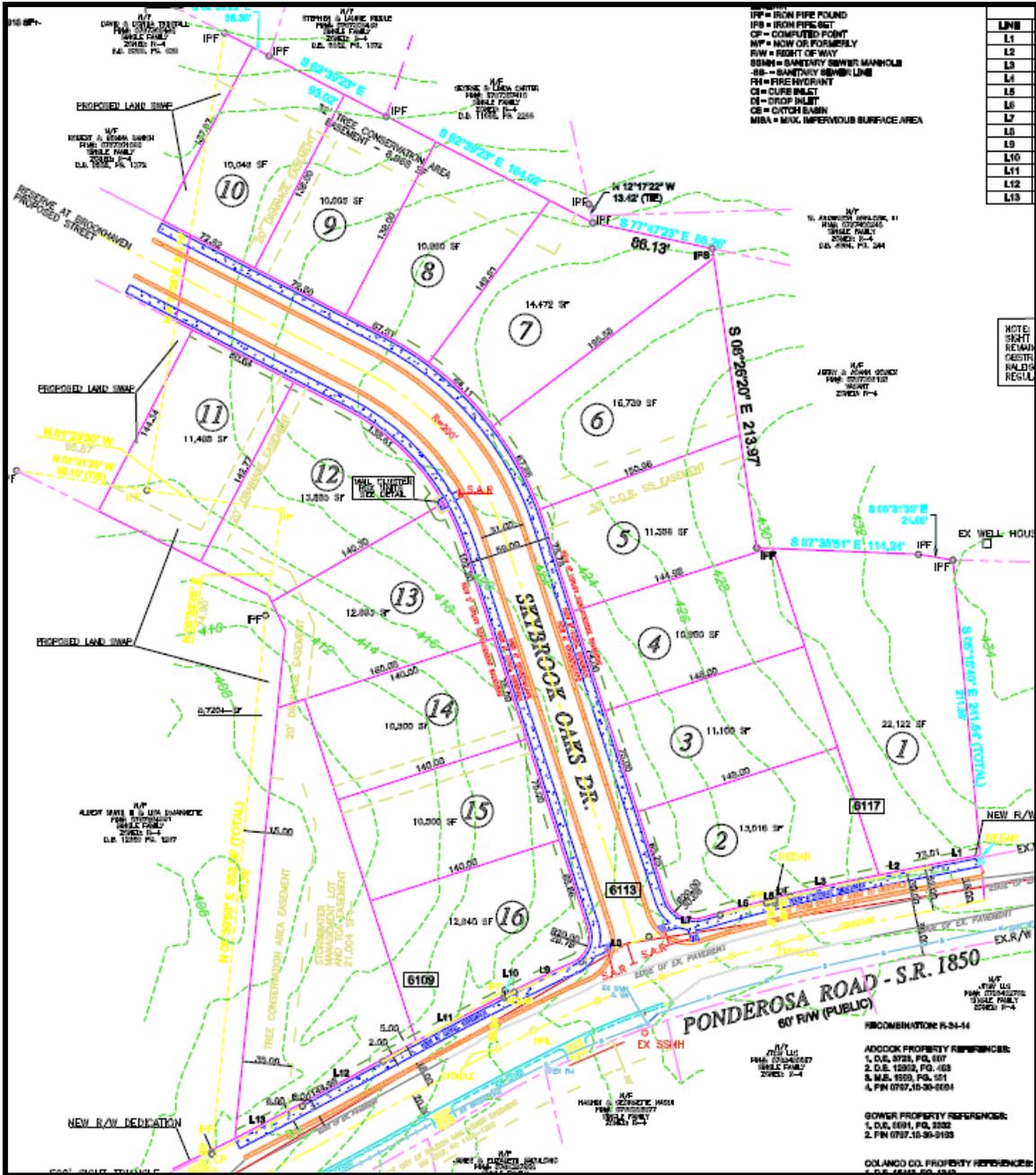
Contact: Stoney Chance

Design Adjustment: A Design Adjustment has been approved by the Public Works Director for this project for relief from the block perimeter requirements of Section 8.3.2 to not require an additional public street connection.

Administrative Alternate: NA



S-49-14 Location Map



S-49-14 Preliminary Subdivision Layout

SUBJECT: S-49-14

**CROSS-
REFERENCE:** NA

LOCATION: The site is located on the north side of Ponderosa Road, west of its intersection with Jeffrey's Grove Road, outside the city limits.

PIN: 0797306094; 0796398877; 0796490911; 0797309193

REQUEST: This request is to approve the subdivision and recombination of four parcels totaling 5.96 acres into 16 single family lots and one open space lot, zoned Residential-4.

OFFICIAL ACTION: Approval with conditions

**CONDITIONS OF
APPROVAL:**

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

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. Final approval of the tree conservation area plan is contingent on field assessment of proposed tree conservation areas by the City Forestry Specialist after the boundaries of all tree conservation areas have been accurately located and staked in the field by a licensed surveyor and a sealed letter from the surveyor provided to the City Forestry Specialist to that effect;

- (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 conditions 1 and 2 above be met;
- (3) That stub permits are obtained from the Development Services Center prior to the approval of infrastructure construction plans;
- (4) 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;

- (5) That a nitrogen offset payment must be made to a qualifying mitigation bank;
- (6) That all required driveway and encroachment agreements are approved by NCDOT;

Prior to Planning Department authorization to record lots:

- (7) That a tree conservation map be recorded with metes and bound showing the designated Tree Conservation Areas and shall be in compliance with Chapter 9 of the Unified Development Ordinance;
- (8) That construction plans for all public improvements be submitted and approved by the Public Works Department;
- (9) That street names for this development be approved by the Raleigh City Planning Department and by Wake County;
- (10) 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;
- (11) 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;
- (12) That demolition permits be issued for the existing structures where required and these permit numbers be shown on all maps for recording;
- (13) That a recombination plat is recorded prior to, or in conjunction with, the recording of the subdivision;
- (14) 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;
- (15) 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;
- (16) That a petition for annexation into the City limits be submitted in accordance with City Council policy for extension of utility service to properties currently

outside of the City limits. This voluntary annexation in no way obligates the City to extend utility services to the property;

- (17) That in accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements, including street trees and sidewalks, is paid to the Public Works Department;
- (18) 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;
- (19) That in accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements along Skybrook Oaks Drive is paid to the Public Works Department;
- (20) That in accordance with Part 10A Section 8.1.3, a surety equal to 100% of the cost of development related improvements along Ponderosa Drive is paid to the Public Works Department;
- (21) That $\frac{1}{2}$ of the required right of way of Ponderosa Road is dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City prior to building permit issuance;

Prior to issuance of building permits:

- (22) That a tree impact permit be obtained from the Urban Forester prior to installation of street trees in the right of way.

Prior to issuance of a certificate of occupancy for any lot:

- (23) 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;
- (24) That the road improvements are completed and accepted for maintenance and that a warranty in the amount of 15% of the estimated value of the development related improvements is provided to the Public works department;
- (25) That street lights in the right of way are approved by the Public Works Department and installed per in accordance with Raleigh Street Manual.

I hereby certify this administrative decision.

Signed: (Planning Dir.)

KemBarr (C. Day)

Date: 5-19-15

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 City Administration finds that this request, with the above conditions being met, conforms to Chapter 2, Article 2.2, Sections 2.2.1. This approval is based on a preliminary plan dated 4/7/15 owned by Colanco Company, submitted by Chance and Associates.

ZONING:

ZONING DISTRICTS: Residential-4

TREE CONSERVATION:

This project is larger than two acres and compliance with UDO Article 9.1. Tree Conservation is required. The project provides 0.634 acres of tree conservation area which is 10.64% of the net site acreage. Tree conservation acreage is as follows:

- Primary: 0 acres
- Secondary: 0.634 acres

There are many outbuildings, cleared areas, and gravel parking areas on this site and it is impossible to tell clearly if any of these disallowed items are within proposed tree conservation areas. Therefore, final approval of the tree conservation area plan is contingent on field assessment of all proposed tree conservation areas by the City Forestry Specialist.

PHASING: This a one phase 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. Dedication of right-of-way and road construction is required on the proposed and existing streets as shown below. A surety for the required improvements shall be provided in accordance with Article 8.1 of the UDO.

Street Name	Designation	Exist R/W	Required R/W	Existing street (b to b)	Proposed street (b to b)
Ponderosa Road	Neighborhood Street	60'	1/2- 64'	31'	36'
Skybrook Oaks Drive	Neighborhood Local	NA	59'	NA	31'

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

COMPREHENSIVE PLAN: This site is located in the Northwest Citizens Advisory Council in an area designated for low and medium density residential development.

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.

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 private contractor 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 residential. Construction of six-foot wide sidewalk is proposed along both sides of Skybrook Oaks Drive and along the site's frontage on Ponderosa Road. Street trees shall be installed in six-foot planting strips on each side of Skybrook Oaks Drive. Ponderosa Road is an NCDOT street and a Type C2 protective yard shall be installed on private property in lieu of street trees in the right-of-way in accordance with Sections 8.5.1.D and 7.2.4.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. A sidewalk is required along both sides of Skybrook Oaks Drive and the North side of Ponderosa Road. 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:

One new street is being proposed with this development. A fee for street signs is required in accordance with the Raleigh Street Design Manual.

**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: 5/19/2018

Record at least ½ of the land area approved.

5-Year Sunset Date: 5/19/2020

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.