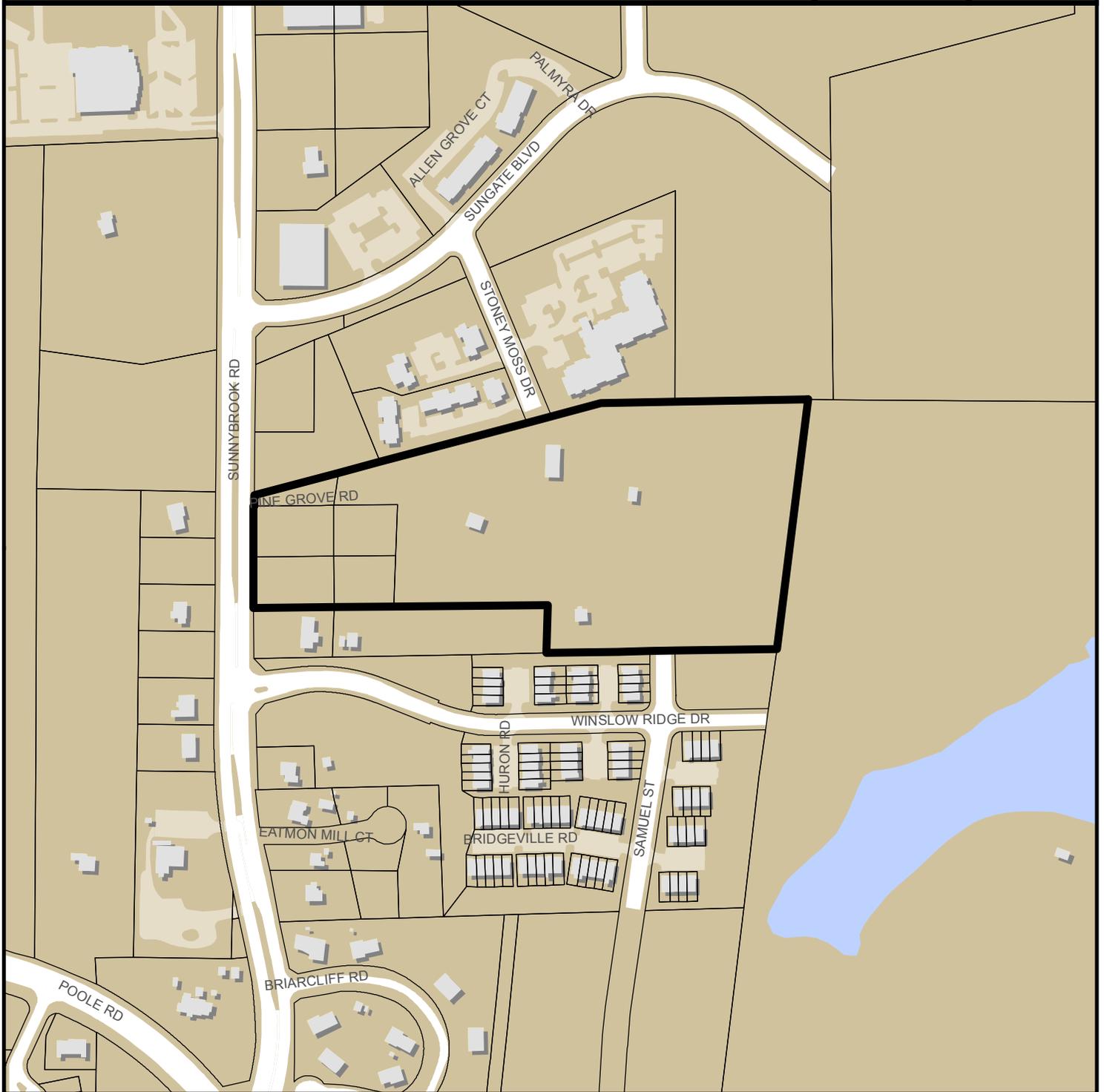


# GRACE'S LANDING SUBDIVISION S-56-2016



0 300 600 Feet

Zoning: **R-6, RX-3-CU**  
CAC: **SOutheast**  
Drainage Basin: **Crabtree Basin**  
Acreage: **13.3**  
Number of Lots: **2**

Planner: **Justin Rametta**  
Phone: **(919) 996-2665**  
Applicant: **Carolina Project  
Equities LLC**  
Phone: **919-870-0842**





## 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-56-16 / Sunnybrook Pointe

**General Location:** The site is located on the west side of Sunnybrook Road, between Sungate Boulevard and Winslow Ridge Drive. This site is currently both inside and outside the city limits.

**CAC:** Southeast

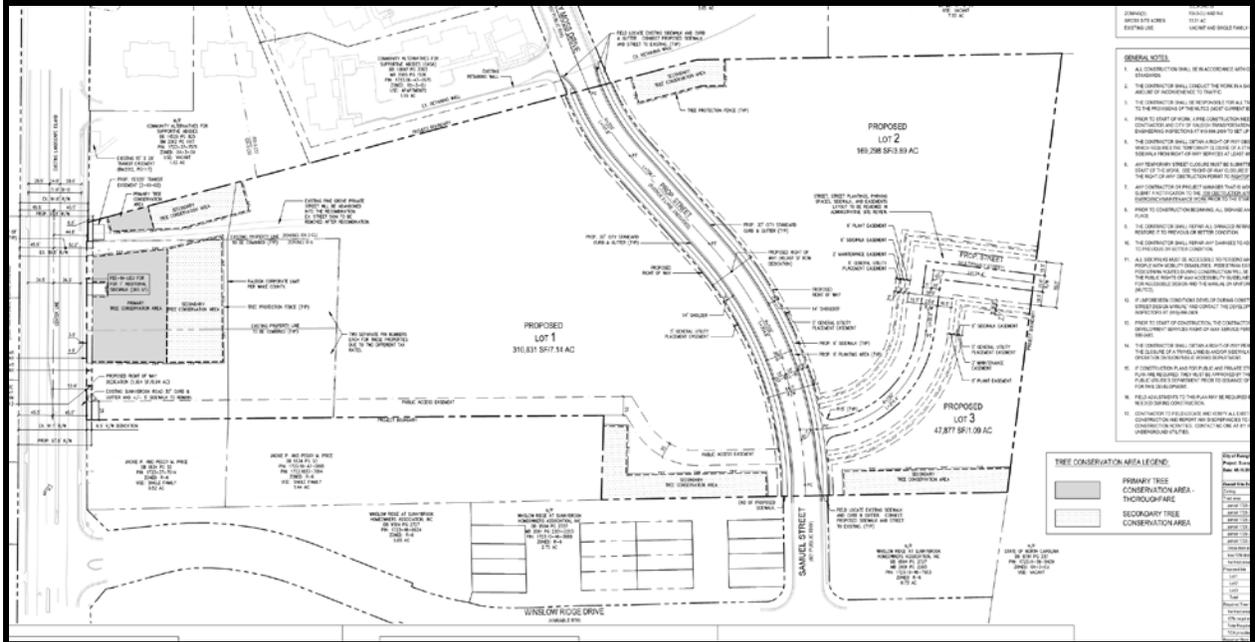
**Nature of Case:** Subdivision and recombination of 13.31 acres into three lots split zoned RX-3-CU and R-6.

**Contact:** Ken Thompson, JDavis

**Design Adjustment:** One Design Adjustment has been approved to allow the use of existing trees along Sunnybrook Road to meet the street tree requirements.



**S-56-16 Location Map**



S-56-16 Preliminary Subdivision Plan

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**CROSS-REFERENCE:** SR-19-17 (Sunnybrook Apartments); Z-10-02

**LOCATION:** The site is located on the west side of Sunnybrook Road, between Sungate Boulevard and Winslow Ridge Drive. This site is currently both inside and outside the city limits.

**PIN:** 1723474286, 1723377336, 1723378197, 1723378299, 1723376197

**REQUEST:** Subdivision and recombination of 13.31 acres into three lots split zoned RX-3-CU and R-6 to include the extension of one public street and construction of one new public street.

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**OFFICIAL ACTION:** Approval with conditions

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**CONDITIONS OF APPROVAL:**

***Prior to issuance of a 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;
- (2) 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, 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 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;
- (4) That a nitrogen offset payment must be made to a qualifying mitigation bank;
- (5) That plans for the shared stormwater devices are approved by the Engineering Services Department;

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

- (6) That ½ of the required right of way Sunnybrook Road and all required right-of-way for the proposed streets is dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City;
- (7) That street names for this development be approved by the Raleigh GIS Division and by Wake County;

- (8) That in accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements, including streetscape trees, is paid to the Development Services Department;
- (9) That in accordance with Part 10A Section 9.2.2, a surety equal to 125% of the cost of construction of a stormwater device shall be paid to the City;
- (10) 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;
- (11) That Infrastructure Construction Plans are approved by the City of Raleigh, including obtaining stub permits, tree impact permit and a street lighting plan, if applicable;
- (12) That the City form document entitled Declaration of Maintenance Covenant and Grant of Protection Easement for Stormwater Control Facilities shall be approved by the City and recorded with the county register of deeds office where the property is located and a copy of the recorded document be provided to the City by the end of the next business day following the recordation of the final plat; further recordings and building permit authorization will be withheld if the recorded document is not provided to the City;
- (13) 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 approved by the City and recorded with the county register of deeds office where the property is located and a copy of the recorded document be provided to the City by the end of the next business day following the recordation of the final plat; further recordings and building permit authorization will be withheld if the recorded document is not provided to the City;
- (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 property owners association;
- (15) That a 15' x 20' transit deed of easement is approved by the City staff and that the location of the easement is shown on the map approved for recordation. The deed of easement shall be recorded at Wake County Register of Deeds within one day of recordation of the recorded plat;
- (16) That demolition permits be issued for any existing structures and these building permit numbers be shown on all maps for recording;
- (17) That all applicable conditions of Z-10-02 are complied with;
- (18) 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;

- (19) That the proposed public access easement is approved by the city and recorded with the Wake County Register of Deeds. A copy of the recorded deed must be returned to the city;
- (20) 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;

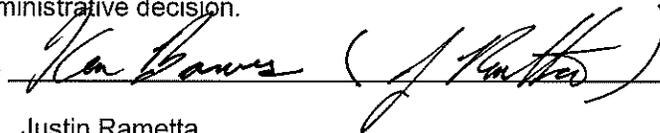
**Prior to issuance of building permits:**

- (21) That an encroachment agreement for any stormwater drainage systems that carry private drainage to be located within the public right-of-way is approved by the City Council by separate action. An application for encroachment into the public right of way for the landscaping located within the right of way as indicated on the preliminary plan, shall be submitted to the City's Encroachment Coordinator in the Development Services Department for review, and that the City Council approve the encroachment request. Following City Council approval of the encroachment, an encroachment agreement, prepared in accordance with Raleigh City Code Sections 12-1001 and 12-1021(a), shall be filed with the Development Services Department, and the encroachment agreement is to be recorded with the Wake County Register of Deeds. Maintenance of the encroachment shall be the responsibility of the owner;

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I hereby certify this administrative decision.

Signed: (Planning Dir.)



Date: 6/19/17

Staff Coordinator: Justin Rametta

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 the Unified Development Ordinance including Chapter 2, Article 2.2, Sections 2.2.1. This approval is based on a preliminary plan dated 4/20/17 owned by The North Carolina Agricultural Foundation, Inc., submitted by Davis.

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**ZONING:**

**ZONING DISTRICTS:** RX-3-CU, Ordinance 165ZC512 Effective 2/18/02 / R-6.

**TREE**

**CONSERVATION:** This site is subject to Article 9.1, Tree Conservation. The plan provides for 0.37 acres of primary TCA, 0.86 acres of secondary TCA (10.21% TCA of net site area).

**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.

Street Name	Designation	Exist R/W	Required R/W	Existing street (b to b)	Proposed street (b to b)	Slope Easement
Sunnybrook Road	Avenue 4-Lane, Divided	Variable	½ 104'	71'	71'	N/A
Stony Moss Drive Ext.	Avenue 2-Lane, Undivided	N/A	64'	N/A	36'	N/A
Proposed Multifamily Street	Multifamily Street	N/A	22'	N/A	+ - 58'	N/A

**TRANSIT:** This site is presently not served by the existing transit system. A 15'x20' transit easement is being dedicated as part of this plan.

**COMPREHENSIVE PLAN:** This site is located in the Southeast CAC in an area designated for moderate density residential development.

**SUBDIVISION STANDARDS:**

**LOT LAYOUT:** The lots in this development are proposed for development with apartment building types (SR-19-17). The minimum lot size in the RX-3 zoning district is 10,000 square 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:** To be determined with the site plan review (SR-17-19).

**BLOCKS / LOTS / ACCESS:** Block perimeters, lot arrangement and access conform to Chapter 8 of the UDO. A Pedestrian Passage with 20' Public Access easement is being dedicated from the proposed multifamily street to Sunnybrook Road. A fee for street signs is required in accordance with the Raleigh Street Design Manual.

**STREETSCAPE TYPE:** The applicable streetscape is residential. Construction of a 6' planting strips with 6' wide sidewalks are proposed along the Stony Moss Drive extension and new multifamily street. A Design Adjustment has been granted to allow existing trees to meet the street tree requirement along Sunnybrook Road. A fee-in-lieu of construction will be required for 1' of sidewalk along Sunnybrook to supplement the existing 5' sidewalk.

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

**STORMWATER MANAGEMENT:** This site is subject to stormwater management regulations in accordance with Article 9.2. The subdivision will utilize a shared stormwater facility and nitrogen buydown to comply.

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

**STREET NAMES:** Two new streets are 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:** 6/19/2020  
Record at least ½ of the land area approved.

**5-Year Sunset Date:** 6/19/2022  
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.



**Development Services Design Adjustment – Staff Response**

Per Section 10.2.18.C of the Unified Development Ordinance, the Development Services Director may consult with the heads of other City departments regarding the review of the request. The Development 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.

<b>PROJECT</b>	<b>Project Name</b> Sunnybrook Pointe Subdivision	<b>Date Completed Application Received:</b> 11/15/2016
	<b>Case Number:</b> S-56-2016	<b>Transaction Number:</b> 484781

<b>DEPARTMENT RESPONSE/RECOMMENDATION</b>	<b>DEPARTMENT</b>	<b>REPRESENTATIVE SIGNATURE</b>	<b>DEPARTMENT</b>	<b>REPRESENTATIVE SIGNATURE</b>
	<input type="checkbox"/>	Dev. Services Planner:		<input type="checkbox"/>
<input checked="" type="checkbox"/>	Dev. Services Eng:	Kathryn Beard <i>KCBeard</i>	<input type="checkbox"/>	Transportation:
<input type="checkbox"/>	Engineering Services:		<input type="checkbox"/>	PRCR: <i>Mary Ann Metcalf</i>

The street trees that are currently existing behind the sidewalk along Sunnybrook Road will meet the street tree requirements for this plan. With the ½-104' right-of-way requirement for an Avenue, 4-lane Divided Street, the trees will now be located within the newly dedicated right-of-way. Staff is in support.

**Development Services Director or Designee Action:**

Approve       Approval with Conditions       Deny

*[Signature]*  
Authorized Signature      **KENNETH W. RITCHIE, PE**  
DEVELOPMENT REVIEW MANAGER      **3/29/2017**  
Date

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

<b>CONDITIONS FOR APPROVAL</b>	
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Appeal of the decision from the Development Services Director shall be made in writing within 30 days to the Board of Adjustment (see Section 10.2.18.C3b).

