Zoning: R-4, CM w/SHOD-2  
CAC: Northeast  
Drainage Basin: Neuse  
Acreage: 49.81  
Number of Lots: 110  

Planner: Michael Walters  
Phone: (919) 996-2636  

Applicant: Ryan Fisher  
Phone: (919) 535-5175
LOCATION: The 49.81 acre site is located on the west side of Forestville Road Street, at the southwest corner of the intersection of Forestville and Needham Road(s), at 5320 Forestville Road.

REQUEST: This Conservation Development subdivision is on a 49.81 acre parcel and proposed are 106 detached house lots and 4 open space lots (110 lots total), to be recorded in two phases. The site is zoned Residential-4, Conservation Management, and Special Highway Overlay District-1. Note this is a revision to a previously approved Conservation Development subdivision (S-3-16). This revision consists of the removal of a stub street and the addition of a lot.

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: One Design Adjustment has been approved by the Public Works Director for this project
1. A Design Adjustment has been granted waiving the Block perimeter requirement (8.3). Public street connections are being provided to Forestville, and Needham Road(s).

FINDINGS: City Administration finds that this request, with the below conditions of approval being met, conforms to the Unified Development Ordinance. This approval is based on a preliminary plan submitted by WithersRavenel.

CONDITIONS OF APPROVAL and NEXT STEPS:

Note: This document must be applied to the second sheet of all future submittals with the exception of final plats.

PRIOR TO THE ISSUANCE OF ANY SITE PERMITS OR APPROVAL OF CONCURRENT REVIEW PROCESS, WHICHEVER IS APPLICABLE:

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;

2. That as the developer proposes 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;

3. 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;

4. That a driveway permit on NCDOT-maintained streets will be required to be approved prior to infrastructure construction plan approval or map recordation for subdivisions;
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5. That if the planted median in Phase 1 is to be planted in any material other than merely seeded, then an encroachment agreement for plant material within the public right-of-way shall be approved by City Council and the City Council approved encroachment agreement shall be filed with the Development Services Department. The encroachment agreement shall also be recorded with the Wake County Register of Deeds prior to concurrent review approval.

6. That encroachments on NCDOT-maintained right-of-way, approval will also be coordinated by Public Works Department for signatures and approval by NCDOT submitted to City prior to infrastructure construction plan approval;

7. 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;

8. That a nitrogen offset payment must be made to a qualifying mitigation bank;

9. That plans for the shared stormwater devices be submitted and approved by the City;

10. 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;

11. That the previously approved subdivision (S-3- 16, Brinley Manor Subdivision) is to be officially withdrawn via a letter of request signed by the property owner;

PRIOR TO AUTHORIZATION TO RECORD LOTS:

12. That the greenway easement as shown on the preliminary plan be dedicated prior to, or in conjunction with the recording of a map in any phase affected by the greenway;

13. That a recombination of adjacent lots to the north and northwest as per plan are recorded in the Wake county register of deeds;

14. That Infrastructure construction plans for public improvements and primary internal access streets shall be required and reviewed and approved by the City of Raleigh and NCDOT prior to map recordation;

15. 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;

16. That a fee-in-lieu will be paid for ½ of the required landscaped median along Forestville Road.

17. That a 20’ slope Easement, 70’ in length, is to be shown on the west side of Forestville Road as per the approved preliminary plan;
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18. That a surety is required for construction costs of public improvements which are not complete at map recordation for subdivisions or building permit for site plans. For City-maintained facilities (internal streets), the surety is 125% of estimated construction costs and 100% for NCDOT-maintained facilities, i.e. Forestville Road and Needham Rd;

19. That ½ of the required 104’ right of way for Forestville Road, and that ½ of the required 64’ right of way for Needham 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;

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;

21. 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;

22. 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;

23. 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;

24. 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.

25. 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).”

26. 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 City;

27. That the following note be placed on the final subdivision maps for recordation: “This subdivision is a Conservation Development approved in accordance with UDO section 2.4’’;
28. That all Public Utility assessments are to be paid;

29. That a tree impact permit be obtained from the City of Raleigh;

30. That street names for the proposed streets be approved by Wake County and the City of Raleigh;

Prior to issuance of building occupancy permit:

31. 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;

EXPIRATION 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: 12-6-2020
Record at least ½ of the land area approved.

5-Year Sunset Date: 12-6-2022
Record entire subdivision.

I hereby certify this administrative decision.

Signed: (Planning Dir./Designee) ___________________________ Date: 12/6/2017

Staff Coordinator: Michael Walters