



# Administrative Action Preliminary Subdivision

City of Raleigh  
Development Plans Review Center  
One Exchange Plaza  
Raleigh, NC 27602  
(919) 516-2626  
www.raleighnc.gov

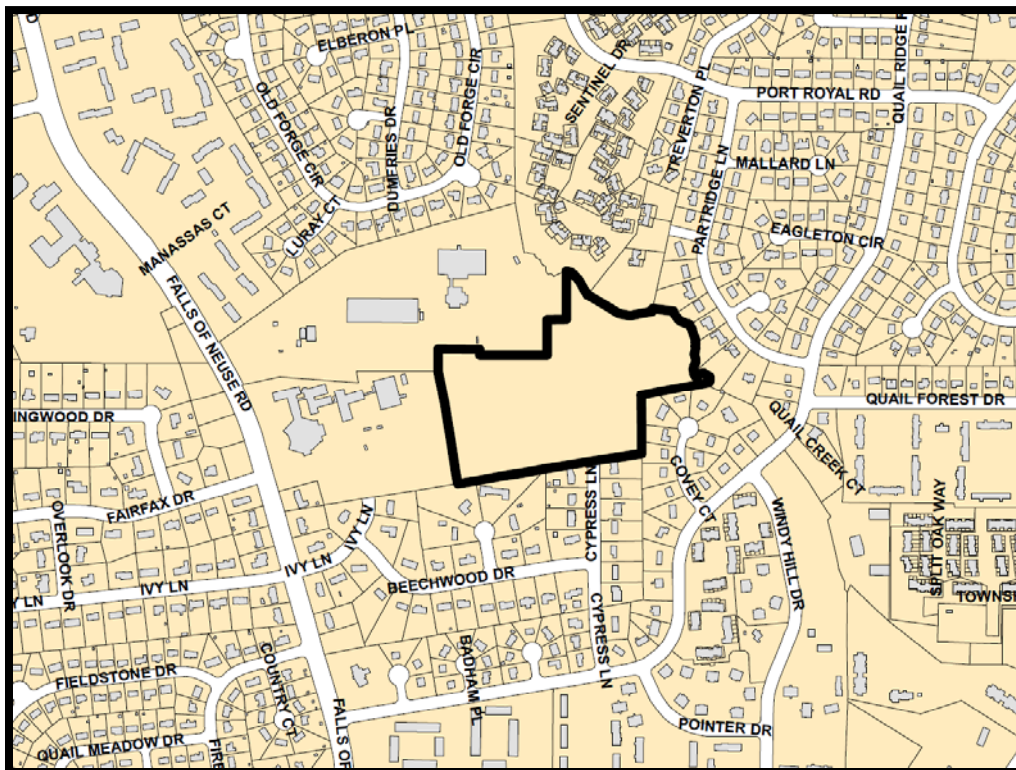
**Case File / Name:** S-33-12 / Wimbledon

**General Location:** The site is located on Cypress Lane via Quail Ridge Road

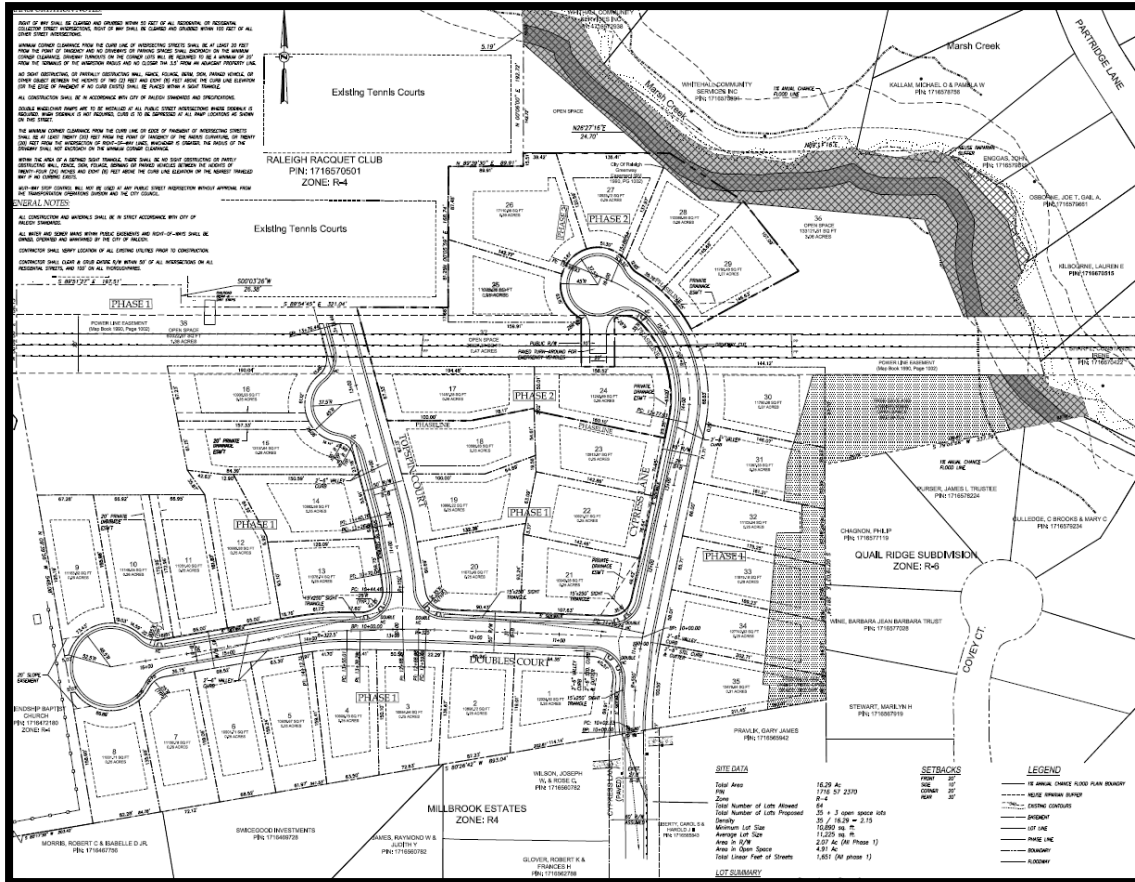
**CAC:** North

**Nature of Case:** The subdivision of 16.19 acres into 35 single-family lots and 3 open space lots zoned Residential-4, located inside the city limits.

**Contact:** Alan Keith. Diehl & Phillips



**S-33-12 Wimbledon – Location Map**



S-33-12 Wimbledon – Subdivision Layout

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**SUBJECT:** S-33-12 / Wimbledon

**CROSS-REFERENCE:** N/A

**LOCATION:** This site is located at the terminus of Cypress Lane, north of its intersection with Quail Ridge Road, inside the City Limits.

**REQUEST:** This request is to approve the subdivision of a 16.19 acre tract into 35 lots and 3 open space lots, zoned Residential-4.

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**OFFICIAL ACTION:** Approval with conditions

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**CONDITIONS OF APPROVAL:**

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

- (1) That prior to the issuance of a grading permit, the final tree conservation plan must be approved by the Forestry Specialist in the Inspections Department. 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 Inspections Department. A copy of the approved plan is placed on file in the Planning Department;

***Prior to issuance of a site review permit:***

- (2) That prior to grading permit issuance, the nitrogen offset payment must be made to a qualifying mitigation bank;
- (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 10 Chapter 9, 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;

***Prior to approval of construction drawings for public or private improvements:***

- (4) Topspin Court is proposed to be stubbed to the property line to the north and will require a fee-in-lieu to be paid for the portion of street which is not constructed with this plan and to be determined with the profile design;

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

- (5) That a tree conservation map be recorded with metes and bound showing the designated Tree Conservation Areas and shall be in compliance with Code section 10-2082.14;
- (6) That construction plans for public improvements be approved by the Public Utilities Department and the Public Works Department;

- (7) That 45' right-of-way be dedicated for Cypress Lane prior to or in conjunction with the recording of any map;
- (8) That 45' right-of-way be dedicated for Doubles Court and a 10'x10' slope easements prior to or in conjunction with the recording of any map;
- (9) That 50' right-of-way be dedicated for Topspin Court and 15'x20' slope easements prior to or in conjunction with the recording of any map;
- (10) 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 perpetuity 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)". This covenant is to run with the land, and shall be binding on the Owner, and all parties claiming under it;
- (11) 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;
- (12) 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;
- (13) 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;
- (14) That all permanently preserved undisturbed open space used to meet the nitrogen reduction requirements of Part 10 Chapter 9 shall be labeled on recording plats. These plats shall include a note stating: Within permanently preserved undisturbed open space areas used for stormwater treatment, there must not be any land disturbing activity, any placement of impervious surfaces, any tree removal, any new development or expansion thereof, or new use, construction, or encroachment;
- (15) 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;

(16) 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;" and:

**Prior to issuance of building permits:**

(17) That when 75% of the permits have been issued for residential subdivisions, that the proposed private or public improvements are required to be accepted by the City for maintenance. If this does not occur, then a financial security equal to 1.5 times the cost of public or private improvements will be provided to the Public Works Department for the uncompleted portions and roadway extensions;

(18) That prior to Issuance of a Certificate of Occupancy an as-built certification for all stormwater control devices as required under Code Section 10-9025(c) shall be provided to the Public Works Department, all stormwater systems shall be in place and functioning, and an original inspection report per Code Section 10-9028; and

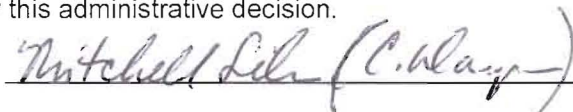
(19) For residential subdivisions, where a security has been posted for public or private improvements equal to 1.5 times the cost, then the last certificate of occupancy shall be withheld until such time the improvements are accepted by the City of Raleigh;

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I hereby certify this administrative decision.

**Signed:**

(Planning Dir.)



Date: 5-8-13

**Staff Coordinator:**

Meade Bradshaw

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 Chapter 2, Part 10, Sections 10-2018, 10-2017 Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 5/6/2013, owned by Raleigh Racquet Club, submitted by Diehl & Phillips, LLC.

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**ZONING:**

**ZONING DISTRICTS:**

Residential-4.

**LANDSCAPING:**

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

**TREE CONSERVATION:** This project is larger than two acres and compliance with Code Section 10-2082.14—Tree Conservation is required. The project provides 1.63 acres of tree conservation area which is 10.07% of gross site acreage. Tree conservation acreage is as follows:

Primary: 0.38 acres  
Greenway Tree Conservation Area: 0.36 acres  
Secondary: 0.89 acres

**UNITY OF DEVELOPMENT:** N/A

**PHASING:** There are 2 phases in this development. A final phasing plan for infrastructure shall be approved with the submittal of a preliminary subdivision.

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**COMPREHENSIVE PLAN:**

**GREENWAY:** There is no greenway on this site.

**THOROUGHFARE / COLLECTOR PLAN:**

This subdivision does not access thoroughfare or collector streets per the City Comprehensive Plan.

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

**URBAN FORM:** This site is located in the North Citizen Advisory Council, in an area designated a residential area. The following Comprehensive Plan Policies apply:

- T2.4 Road Connectivity
- T5.5 Sidewalks requirements
- EP5.3 Canopy Restoration
- LU8.10 Infill Development
- EP5.4 Tree Selection
- HP1.2 Cultural and Historic Resource Preservation

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**SUBDIVISION STANDARDS:**

**LOT LAYOUT:** The minimum lot size in this zoning district is 10,890 square feet. The minimum lot depth in this zoning district is 100'. The minimum lot width in this zoning district is 65'. Lots in this development conform to these minimum standards.

**BLOCK LAYOUT:** The proposed street layout conforms to City Code, providing for efficient circulation of traffic within the entire neighborhood area. The maximum block length in this development meets the 1500-foot standard as noted in the Streets, Sidewalk and Driveway Access Manual. No dead end street in this development exceeds 800 feet in length.

- 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:** Proposed street improvements shall conform to normal City construction standards. This subdivision has two stub streets, Topspin Court and Doubles Court, which will be continued with any future planned developments. A request for speed limit reduction from 35 mph to 25 mph will be submitted for approval by City Council to provide a continuation of the 25 mph posted speed limit existing on Cypress Lane.
- PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. Sidewalks are required along one side of Cypress Lane, proposed Doubles Court, and Topspin Court.
- FLOOD HAZARD:** FEMA flood hazards exist on-site and shall be shown on all maps for recordings.
- STORMWATER MANAGEMENT:** This site will utilize 2 dry detention basins and 2 level spreaders with vegetated filter strips in order to meet stormwater quality and quantity regulations. There are Neuse River Buffers and FEMA floodplain on this property. Part of the Neuse River Buffer area will be Permanently Preserved Undisturbed Open space and will be recorded as such.
- WETLANDS / RIPARIAN BUFFERS:** Neuse Riparian Buffers are located on-site with no disturbance shown.
- STREET NAMES:** 2 new street names are required for this development. A street name application has not yet been approved. All proposed names must be approved by the City and by Wake County prior to recording.
- OTHER REGULATIONS:** Developer shall meet all City requirements, including underground utility service (§10-3059), flood protection measures (Part 10, Chapter 4), and the soil erosion ordinance (Part 10, Chapter 5), 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 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:** 5/8/2016  
Record at least ½ of the land area approved.

**5-Year Sunset Date:** 5/8/2018  
Record entire subdivision.

**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.

**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 Engineering Department for street construction; by the first working day in November and May each year.