



Administrative Action Preliminary Subdivision

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27602
(919) 996-2626
www.raleighnc.gov

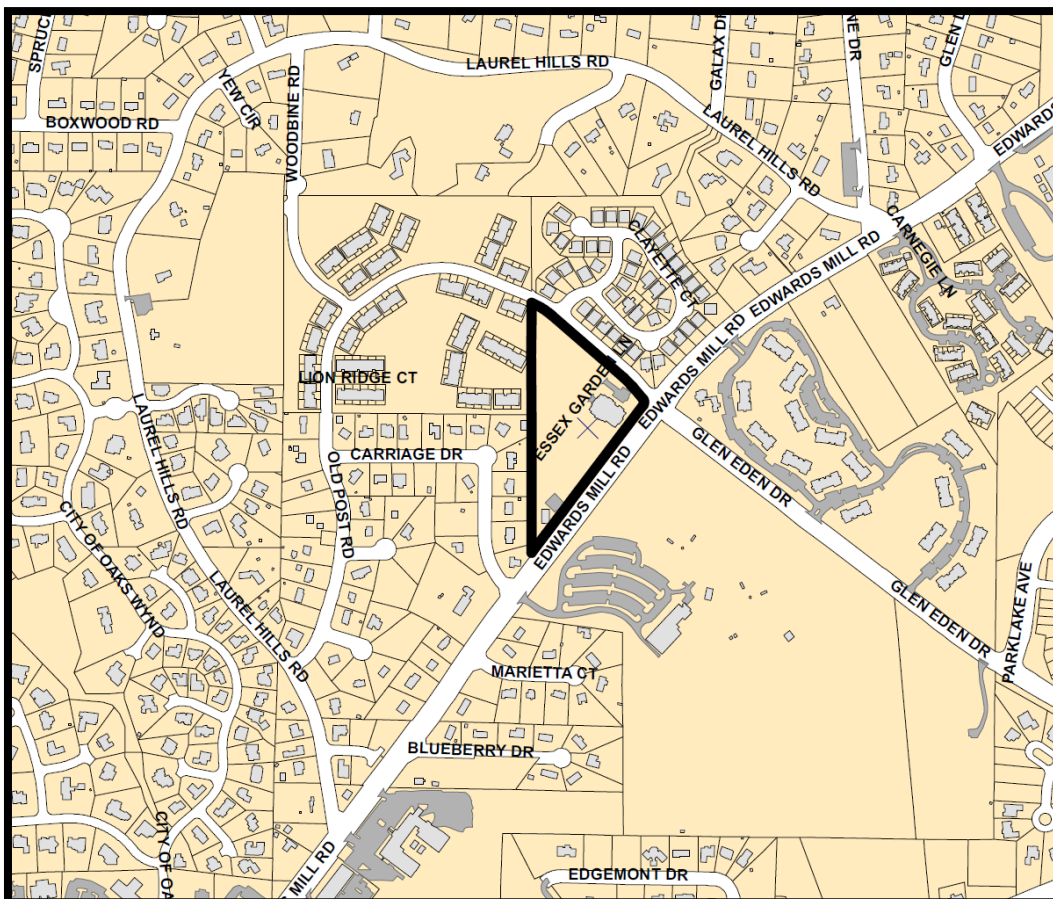
Case File / Name: S-11-13 / Essex at Glen Eden

General Location: Edwards Mill Road, between Glen Eden Drive and Blue Ridge Road.

CAC: Northwest

Nature of Case: The subdivision of a 6.95 tract into two tracts, Tract 1 is 1.84 acres with an existing condominium building with 18 units and Tract 2, a 5.11 acre tract with 26 proposed townhome lots and one open space lot, zoned Residential-10.

Contact: Ken Jesnek, Withers & Ravenel



SUBJECT: S-11-13 / Essex at Glen Eden

**CROSS-
REFERENCE:** GH-6-06

LOCATION: This site is located on the west side of Edwards Mill Road, south of its intersection with Glen Eden Drive, inside the City Limits.

PIN: 785980240

REQUEST: The subdivision of a 6.95 acre tract into two tracts, Tract 1 is 1.84 acres with an existing condominium building with 18 units and Tract 2, a 5.05 acre tract with 26 proposed townhome lots and one open space lot, zoned Residential-10. This is a phased project in that there will be a 2 lot subdivision, creating the condominium lot and lot 2, the future townhouse lot. A plat recording the individual townhouse lots will be submitted in a later phase.

OFFICIAL ACTION: Approval with conditions

**CONDITIONS OF
APPROVAL:**

Prior to issuance of a site review permit, infrastructure plans, mass grading permit whichever comes first:

- (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;
- (2) That a revised preliminary plan providing for a phased recording creating 2 lots initially be submitted to the Planning Department for approval;
- (3) That approval letter from PSNC is required to authorize water and sewer encroachments across the existing gas easement;
- (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 10 Chapter 9, including the designation 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) Any encroachment within the right-of-way on Edwards Mill Road will require an encroachment agreement to be approved prior to construction drawing approval. The current driveway on Edwards Mill Road which was used for a model home center will need to be closed with curb and gutter and sidewalk being installed (also to be addressed in NCDOT encroachment);

Prior to Planning Department authorization to record 2 individual lots:

- (7) That City of Raleigh Public Works Department inspectors must verify realignment of fire and domestic water services on condo lot & clearing of proposed COR sanitary sewer easement across condo / townhome lots prior to lot recordation;
- (8) 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;
- (9) 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;
- (10) That the portion of private sewer main being retained must be converted to public which requires acceptance by the city for maintenance. This process includes satisfactory testing, CCTV inspection and submittal of as built drawings, engineering certification, City of Raleigh sanitary sewer easement plat and warranty letter to manager of the Engineering Inspections Supervisor in the Public Works Department (note: all items except sewer easement plat is required prior to recordation of initial subdivision, which will include the necessary sewer easement dedication);
- (11) 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;

- (12) That a fee-in-lieu of ½ a 5' sidewalk be paid to Transportation Engineer in the Public Works Department;
- (13) That a 3' of right-of-way and a 10' slope easement along Edwards mill Road be dedicated to the City of Raleigh and be shown on all maps for recording;
- (14) That a cross easement be recorded allowing the townhome lots access to Essex at Glen Eden which is located on the condo lot;
- (15) That the plat indicate any density transfer that may be needed to support the approved townhouse units;

Prior to Planning Department authorization to record individual townhouse lots:

- (16) That 1 private street name be approved by the City of Raleigh GIS Department;
- (17) That construction approval for private water / sewer & public sewer extensions (townhome lot 3.06 acres) as shown on the preliminary site plan be obtained;
- (18) That construction plans for the shared stormwater devices and private streets be submitted and approved by the Public Works Department;
- (19) 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;
- (20) 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;

Prior to issuance of building permits:

- (21) 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;
- (22) Record a Subdivision & CORSSE Dedication Plat for the new townhome project (note: after townhome construction approval & 50% installation of new public sewer alignment, a City Council resolution must be obtained to initiate a sewer easement exchange across the condo & townhome lots; to take full effect - this resolution # must also be referenced on the townhome Subdivision & CORSSE Dedication Plat)

I hereby certify this administrative decision.

Signed:

(Planning Dir.) Mitchell Lile (C. Hays) Date: 10-21-13

Staff Coordinator:

Meade Bradshaw

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 Chapter 2, Part 10, Sections 10-2021, 10-2103, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 10-20-13, owned by Pulte Homes, submitted by Withers & Ravenel.

ZONING:

ZONING DISTRICTS:

Z-15-2000

LANDSCAPING:

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

TREE CONSERVATION:

Tree conservation was recorded BM2007 PG1233.

UNITY OF DEVELOPMENT:

N/A

PHASING:

This is a two phase development. Phase 1 will provide for 2 lots and phase 2 will be for the townhouse lots.

SETBACK / HEIGHT:

Setbacks from public streets and property lines conform to Section 10-2103(b). Private outdoor living areas maintain a min. 40' separation if parallel to each other or oriented at less than a 45-degree angle. Vehicular surface areas other than individual driveways are no less than 5' to a building wall. Buildings greater than 28' in height meet minimum 30' setback from perimeter property lines. Units 9-10 & 14-15 will not have windows on the sides of the units.

OPEN SPACE:

Open space conforms to minimum requirements in Raleigh City Code Section 10-2103(d). 10% required for each lot.

Townhome Lot - 10% or .51 acres required, 3.06 acres provided.
Condo Lot - 10% or .18 acres required, 0.7 acres provided.

PARKING:

Off-street parking conforms to minimum requirements: 70 spaces required, based on 2.5 parking spaces per unit. 63 spaces are provided. A reduction of 7 off-

street parking spaces for landscape planting area is being utilized. Parking spaces meet minimum standards for size and aisle width.

**COMPREHENSIVE
PLAN:**

GREENWAY: There is no greenway on this site.

**THOROUGHFARE
/ COLLECTOR
PLAN:**

Dedication of right-of-way and construction of the following streets are required by the Thoroughfare and Collector Street Plan:

Street	ROW	Construct	Slope Esmt.
Edwards Mill Road	3'	N/A	10'

TRANSIT: Transit easement was recorded BM2007 PG1233

URBAN FORM: This site is located in the Northwest Citizen Advisory Council, in an area designated a residential area.

**SUBDIVISION
STANDARDS:**

LOT LAYOUT: All lots are consistent with code section 10-2103. 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.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. A sidewalk is required along one side of Essex Garden Lane and one side of the 2nd private street.

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

**STORMWATER
MANAGEMENT:**

This site is subject to stormwater management controls in accordance with Chapter 9 of Part 10 of the Raleigh City Code. The proposed subdivision will utilize (an existing) dry pond on site for stormwater runoff control. The pond will be shared with the existing Condo building and will be retrofitted/updated as necessary to accommodate proposed development. A buydown only will be required for water quality/nitrogen. 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:

1 new street name is 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: 10/21/2016
Record at least ½ of the land area approved.

5-Year Sunset Date: 10/21/2018
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.