



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-32-15 / Caraleigh Commons

General Location: The site is located on the south side of Maywood Avenue, east of the intersection of Lake Wheeler Road, inside the city limits.

CAC: Southwest

Nature of Case: Subdivision of 3 parcels totaling 16.51 acres into 57 single-family lots, 2 multifamily lots, and 1 open space lot, zoned Planned Development w/ SHOD-2.

This is a 2 phased project where the second phase of the project cannot be recorded until the existing telecommunication tower on-site is removed or relocated.

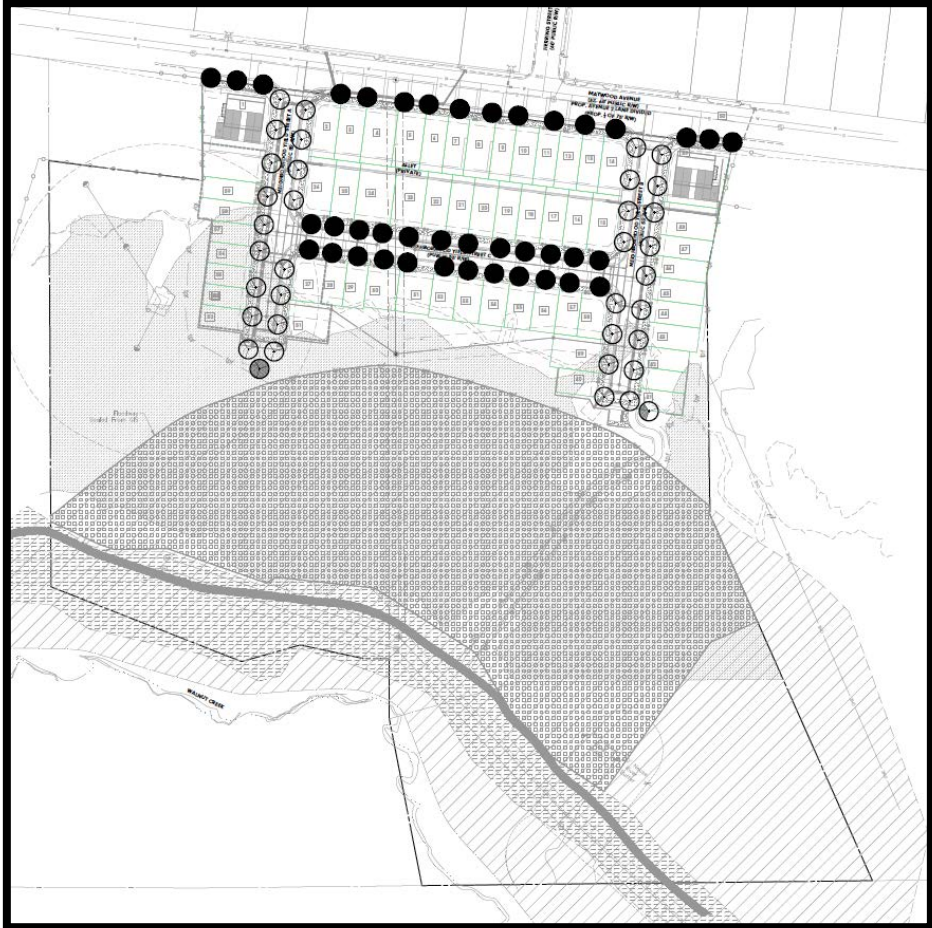
Contact: Ross Massey, Edens Land Corp

Design Adjustment: N/A

Administrative Alternate: NA



Location Map



Subdivision Layout

SUBJECT: S-32-15

CROSS-REFERENCE: MP-1-14 & Z-23-14

LOCATION: The site is located on south side of Maywood Avenue, inside the city limits.

PIN: 1703117788, 1703210713, & 1703212634

REQUEST: Subdivision of 3 parcels totaling 16.51 acres into 57 single-family lots, 2 multifamily lots, and 1 open space lot, zoned Planned Development w/ SHOD-2.

This is a 2 phased project where the second phase of the project cannot be recorded until the existing telecommunication tower on-site is removed or relocated.

OFFICIAL ACTION: Approval with conditions

CONDITIONS OF APPROVAL:

Prior to the issuance of a grading permit:

- (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 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;

Prior to approval of a concurrent review of Final Site Review and Infrastructure construction plans, or whichever is applicable:

- (3) That a nitrogen offset payment must be made to a qualifying mitigation bank;
- (4) 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;
- (5) 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;
- (6) That prior to Infrastructure Construction Plan approval, the phase line between lots 1 and 59 be shifted to include all of alley into phase 1;
- (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;

Prior to Planning Department authorization to record lots:

- (8) That ½-76' right-of-way and 5' general utility placement easement is dedicated along Maywood Avenue;
- (9) That a demolition permit be issued and this building permit number be shown on all maps for recording;
- (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, tree impact permit, and stub permits are issued/approved by the City of Raleigh;
- (12) That in accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements which remain incomplete;
- (13) 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;
- (14) That the existing greenway easement is shown on all plats for recording;
- (15) That street names for this development be approved by the Raleigh City Planning Department and by Wake County;
- (16) 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;
- (17) 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;
- (18) That the following note be shown on all maps for recording: A minimum finished floor elevation will be required for all lots along the floodplain boundary;
- (19) 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;

- (20) 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);"
- (21) 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;
- (22) 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; and
- (23) 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.

I hereby certify this administrative decision.

Signed:

(Planning Dir.)

Date: 10-7-15

Ken Bauer

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 the Unified Development Ordinance including Chapter 2, Article 2.2, Sections 2.2.1, Chapter 7, Article 7.2, Chapter 8, and Chapter 10 Article 2.5. This approval is based on a preliminary plan dated 7/13/15 owned by Caraleigh Village LLC, submitted by Edens Land Corp.

ZONING:

ZONING DISTRICTS: MP-1-14 & Z-23-14 Ordinance (2015) 422ZC708

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF RALEIGH WHICH INCLUDES THE ZONING DISTRICT MAP BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH

Section 1. That Section 10 of the City of Raleigh Code, which includes the Zoning District Map, be and the same if hereby amended as follows:

Z-23-13/MP-1-14 – Maywood Avenue, south side, between Lake Wheeler Road and Montrose Street, being Wake County PINs 1703212634, 1703210713, and 1703117788. Approx. 16.64 acres are to be rezoned from Industrial-2 and Residential-10 Conditional Use, both with Special Highway Overlay District-2 (IND-2 & R-10-CU w/ SHOD-2), to Planned Development with Special Highway Overlay District-2 (PD w/ SHOD-2). No development shall take place on the subject properties except in accordance with the accompanying Master Plan (attached).

TREE CONSERVATION:

This project is larger than two acres and compliance with UDO Article 9.1. Tree Conservation is required. The project provides 1.64 acres of tree conservation area which is 10.66% of the net site acreage.

Tree conservation acreage is as follows:

Primary: 0.24 acres

Secondary: 1.40 acres

PHASING: There are 2 phases in this development. Lots 1-26 & 28-50 will be recorded within Phase 1. Lots 27, 51-59 will be recorded in Phase 2.

COMPREHENSIVE PLAN:

GREENWAY: The site is located on the Middle Walnut Creek Greenway Trail. A greenway easement exists on-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 is required.

Street Name	Designation	Exist R/W	Required R/W	Existing street (b to b)	Proposed street (b to b)
Maywood Ave	Avenue 2-Lane, Divided	60'	½-76'	41'	½-48'

Three new public streets are proposed with this Subdivision. All are classified as Neighborhood Yield Street (55' RW, 27' b-b, 6' SW), A private alley is proposed. All construction shall be in accordance with City of Raleigh and/or NCDOT standards.

A surety for the required improvements shall be provided in accordance with 8.1 of the UDO.

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

**COMPREHENSIVE
 PLAN:**

This site is located in the Southwest Citizen Advisory Council in an area designated as Regional Mixed Use.

**SUBDIVISION
 STANDARDS:**

LOT LAYOUT: The minimum lot size in this approved Planned Development zoning district for single-family detached dwellings is 1,500 square feet and 4,000 square feet for apartment buildings. There were no specified lot width or depth dimensions within the Planned development. 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 the City 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 a residential. Construction of a 6' landscape strip with a 6' wide sidewalk is proposed.

- PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. A 6' sidewalk is required along both sides of all Neighborhood Yield Streets. A 6' sidewalk is proposed along the site's Maywood Avenue frontage.
- FLOOD HAZARD:** FEMA floodplain is located 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. Proposed stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual. 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.
- WETLANDS / RIPARIAN BUFFERS:** Neuse River riparian buffers are located on this site. Any disturbances to the buffer will require approval from the Department of Water Resources.
- STREET NAMES:** 4 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:** 10/7/18
Record at least ½ of the land area approved.
- 5-Year Sunset Date:** 10/7/20
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.



Planning & Development

**Public Works
Transportation Field Services**
One Exchange Plaza
Suite 300
Raleigh, NC 27602
www.raleighnc.gov

Public Works Design Adjustment Application

The purpose of this request is to seek a design adjustment from the Public Works Director for a specific project only and if granted may be given with special conditions and provisions. This application and all further action shall be consistent with Section 10.2.18 of the Unified Development Ordinance (UDO). The consideration and decision of this request shall be based solely on the conformance of the findings, as outlined in Sections 8.3.6 and 8.4.1.E of the UDO.

Project	Project Name Caraleigh Commons	
	Case Number S-32-15	Transaction Number 433416

Owner	Name City Space Homes	
	Address 514-338 Daniels Street	City Raleigh
	State NC	Zip Code 27605
		Phone 919-271-1021

Applicant	Name Ross Massey		Firm Edens Land Corp
	Address 2314 S. Miami Boulevard		City Durham
	State NC	Zip Code 27703	Phone 919-316-1855

***Applicant must be a Licensed Professional (Engineer, Architect, Surveyor, or Contractor)**

Design Adjustment Request	Code Section Referenced Sec. 8.3.6.E
	Justification
	Design Adjustment requested for cross access requirement in accordance with section 8.3.6.E of the UDO. The adjacent lots' existing land uses are different than Caraleigh Commons, with one being commercial zoned IND-2, and the other multi-family zoned CUD R-10.

*Please include any additional supportive documents (Plan sheets, aerials, etc.) along with this application. It is the applicant's responsibility to provide all pertinent information required for consideration.

By signing this document I hereby acknowledge the information on this application is accurate to the best of my knowledge.

Owner/Owner's Representative Signature

Date

(Seal)

In witness whereof, the parties signed have executed this document on this date.

Notary Signature

Date



Public Works Design Adjustment – Staff Response


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

Project	Project Name	Caraleigh Commons	Date Completed Application Received	7/9/2015
	Case Number	S-32-2015	Transaction Number	433416

Staff Response/Recommendation	Staff supports the requests. This was discussed at the Masterplan review meetings and client has proven the hardship due to existing development and topographical issues.		
	Staff Member	Rene Haagen	Support Request <input checked="" type="checkbox"/>

Public Works Director's Action:

Approve
 Approval with Conditions
 Deny


7/14/15
Date

Richard L. Kelly, Interim Public Works Director

*The Public Works Director may also authorize a designee to sign in his stead. Please print name and title next to signature.

Conditions for Approval	
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Appeal of the decision from the Public Works Director shall be made in writing within 30 days to the Board of Adjustment (see Section 10.2.18.C3b).

One Exchange Plaza, Suite 300
Raleigh, NC 27601

Phone: 919-996-3030
www.raleighnc.gov