



# 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-33-15 / Jill Maurer Subdivision

**General Location:** The site is located on the north side of Rest Haven Drive, northwest of the intersection of Rest Haven Drive and West Millbrook Road.

**CAC:** Northwest

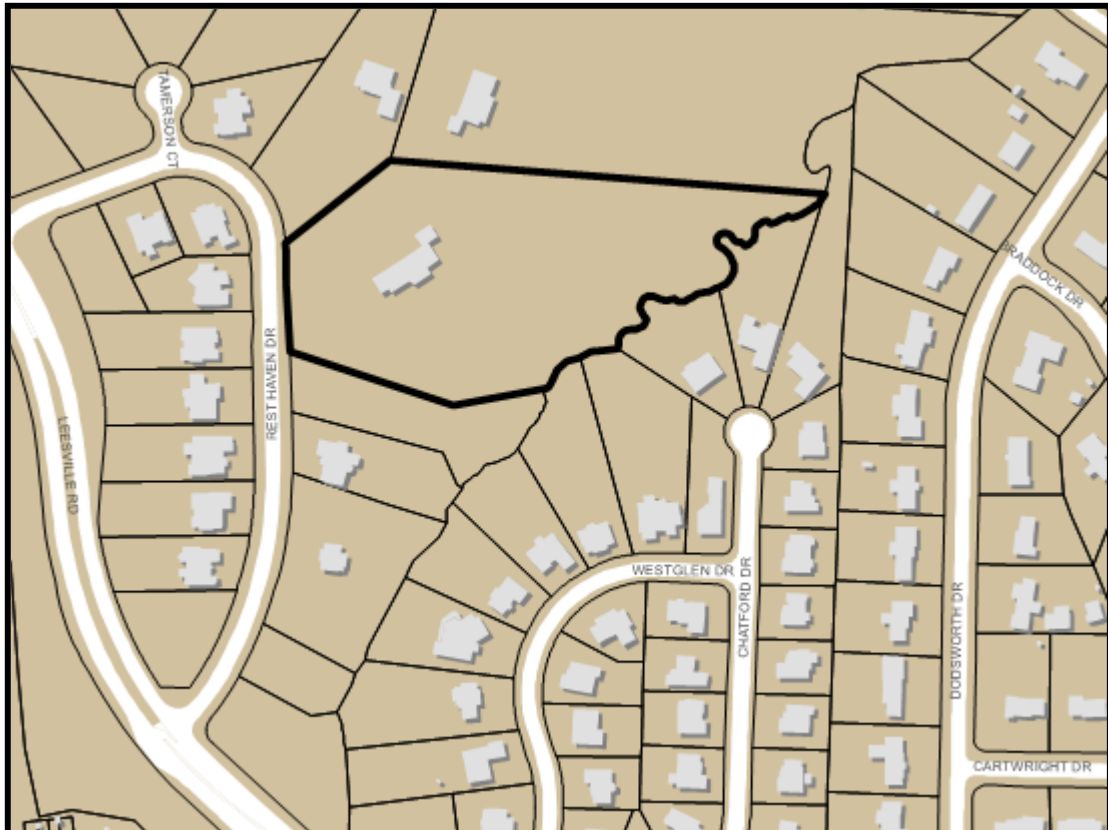
**Nature of Case:** Subdivision of 5.704 acres into three lots currently zoned Residential-4. All three proposed lots will front upon Rest Haven Drive. This was submitted post September 1, 2013, and is subject to the Unified Development Ordinance.

**Contact:** B. Taylor Blakely, Blakely Design Group.

**Design Adjustment:** One Design Adjustment has been approved by the Public Works Director for this project, noted below.

1. A Design Adjustment for satisfying the maximum block perimeter requirement. There exists a watercourse with riparian buffers and a greenway across the rear of the property.

**Administrative Alternate:** NA







### 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	Jill Maurer SD	Date Completed Application Received	9/21/2015
	Case Number	S-33-2015	Transaction Number	434293

Staff Response/Recommendation	Staff recommends approval based on the natural features.		
	Staff Member	Rene Haagen	Support Request <input checked="" type="checkbox"/> Does Not Support <input type="checkbox"/>

**Public Works Director's Action:**

Approve 
 Approval with Conditions 
 Deny

  
 Richard L. Kelly, Interim Public Works Director

9/21/15  
 Date

\*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).

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Public Works Design Adjustment-Block Perimeter

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**SUBJECT:** S-33-15, the Jill Maurer Subdivision

**CROSS-REFERENCE:** Transaction # 434293

**LOCATION:** The site is located in the city limits.

**PIN:** 0797003269

**REQUEST:** This request is to approve the subdivision of a 5.7 acre tract into 3 lots, zoned Residential-4. Proposed Lot # 1 is 1.003 acres in size, proposed Lot # 2 is 3.00 acres with an existing single family dwelling which is to remain, and lot #3, 1.70 acres in size. This proposal conforms to the density, minimum lot size, and dimension standards of the Residential-4 district. Surrounding periphery lots are developed as single family residential.

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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 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;
- (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, or whichever is applicable:***

- (3) That a nitrogen offset payment must be made to a qualifying mitigation bank;

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

- (4) That portions of neighboring driveways encroaching upon proposed lots are to be removed as indicated on the preliminary plan;
- (5) That the fee-in-lieu for a 6' sidewalk along Rest Haven Drive has been paid;
- (6) That if the proposed public improvements are not installed and inspected by the city to be accepted for maintenance, a surety in the amount of 125% of the streetscape trees installed along Rest Haven Drive is to be paid to the Public Works Department in accordance with code section 8.1.3 of the UDO;

- (7) 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;
- (8) 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;
- (9) 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);"
- (10) That the maximum impervious surface allowed per lot be shown on all maps for recording;
- (11) 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;

***Prior to issuance of building occupancy permit:***

- (12) That in accordance with Part 10A Section 9.2.2, an impervious surface as-built survey shall be reviewed and accepted by the City prior to final stormwater inspection approval;

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I hereby certify this administrative decision.

Signed: (Planning Dir.)

*Kenneth Bowen (S. Baslam)*

Date: 11-9-15

Staff Coordinator:

Michael Walters

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, Chapter 7, Article 7.2. This approval is based on a preliminary plan dated 10/6/15 owned by Jill Maurer, submitted by B. Taylor Blakely, Blakely Design Group.

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**ZONING:**

**ZONING DISTRICTS:** Residential-4 (R-4)

**TREE CONSERVATION:** This project is required 10% or 0.5704 acres for tree conservation. This project has proposed 0.5707 acres which is broken into:  
Primary: 0.068 acres  
Secondary: 0.5027 acres

**PHASING:** There is one phase in this development.

**COMPREHENSIVE PLAN:**

**GREENWAY:** There is a proposed greenway on this site.

**STREET PLAN MAP:** Dedication of right-of-way is not required by the Street Plan Map of the Comprehensive Plan. The existing street is classified as a Neighborhood Yield Street.

Street Name	Designation	Exist R/W	Required R/W	Existing street (b to b)	Proposed street (b to b)
Rest Haven Drive	Neighborhood Yield Street	60'	NA	31'	NA

Existing streets on the site are classified as Neighborhood Yield. No Right-of-Way dedication will be required with this Subdivision. The 60' right-of-way is sufficient. No road construction will be required. The existing road with and curb and gutter exceed UDO standards.

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

**COMPREHENSIVE PLAN:** This site is located in the Northwest Citizen's Advisory Council, and is in an area designated as Moderate Density Residential.

**SUBDIVISION STANDARDS:**

**LOT LAYOUT:** The minimum lot size in Residential-4 zoning district is 10,000 square feet. The minimum lot depth in this zoning district is 100 feet. The minimum lot width of an interior lot in this zoning district is 65 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:** Individual lot service by the City is to be provided.

**BLOCKS / LOTS / ACCESS:** Block perimeters are being met by the Design Adjustment approved by the Public Works Director. Access for all three proposed lots is granted via Rest Haven Drive.

**STREETSCAPE TYPE:** The applicable streetscape is a Residential Streetscape. Street Trees will be planted in the final location. A fee-in-lieu will be charged for a 6' wide sidewalk along the frontage.

**PEDESTRIAN:** A fee-in-lieu will be charged for a sidewalk 6' in width running the length of the property frontage.

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

**STORMWATER MANAGEMENT:** This site is subject to stormwater management controls in accordance with Article 9 chapter 2 of the Unified Development Ordinance. Under 9.2.2.E.2.c, lots will be limited to 15% impervious surface and therefore exempt from runoff control requirements. Offset fees only for nitrogen are proposed.

**WETLANDS / RIPARIAN BUFFERS:** Neuse River riparian buffers are required on this site.

**STREET NAMES:** No new streets are being proposed with this development.

**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:** 11-9-2018  
Record at least ½ of the land area approved.

**5-Year Sunset Date:** 11-9-2020  
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.