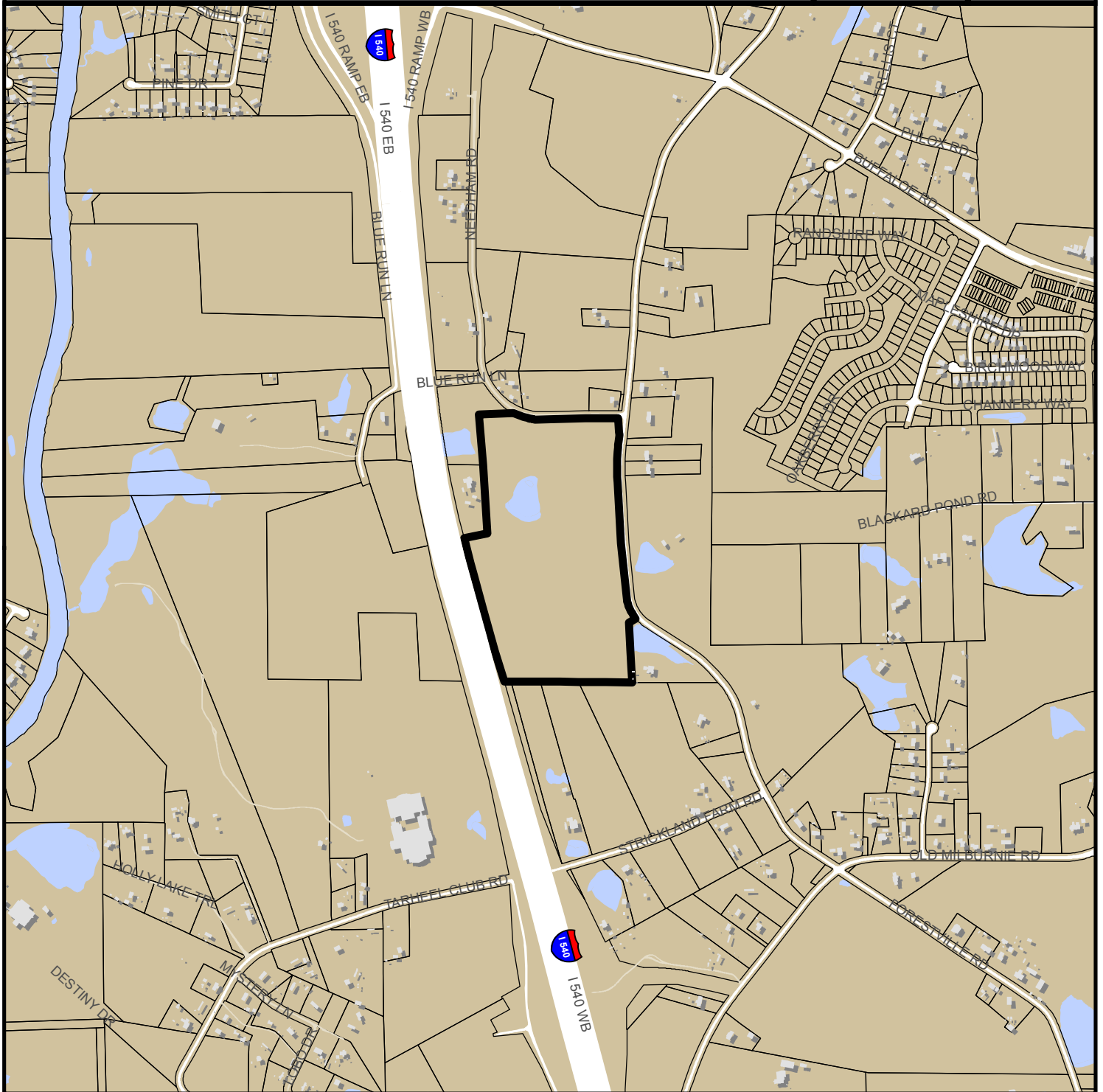


BRINLEY SUBDIVISION S-3-2016



0 300 600 1,200 1,800 2,400 3,000 Feet

Zoning: **R-4, CM, SHOD-1**
CAC: **Northeast**
Drainage Basin: **Neuse**
Acreage: **49.81**
Number of Lots: **109**

Planner: **Michael Walters**
Phone: **(919) 996-2636**
Applicant: **Crosswinds
Development Co.**
Phone: **(919) 528-1347**





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-3-16 / Brinley Manor (Conservation) Subdivision

General 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).

CAC: Northeast

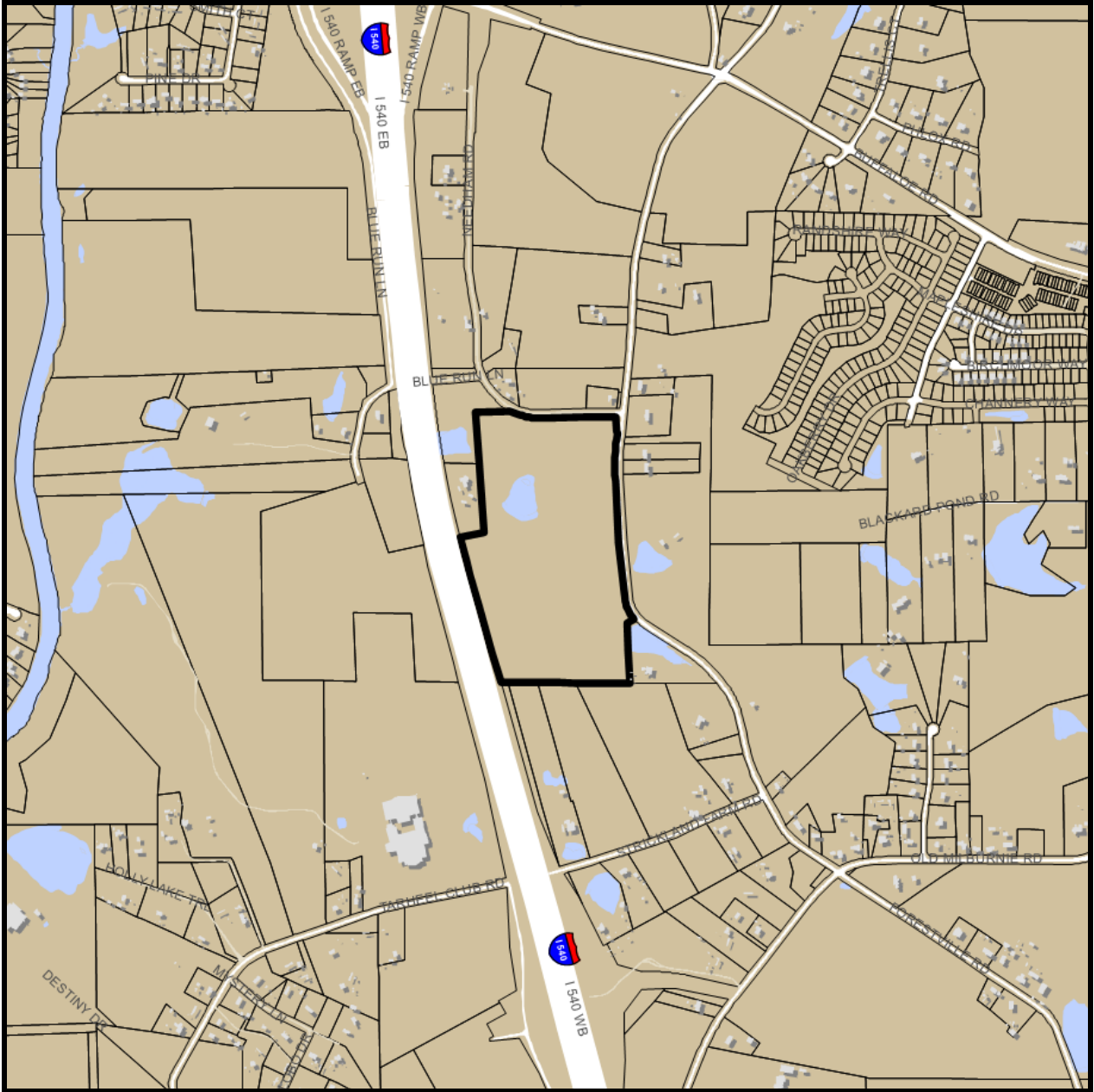
Nature of Case: A Conservation Development subdivision of a 49.81 acre parcel into 105 Single Family, detached lots and 4 open space lots (109 lots total), to be recorded in two phases. The site is zoned Residential-4, Conservation Management, and Special Highway District-1 Overlay.

Contact: David Brown, Withers Ravenel

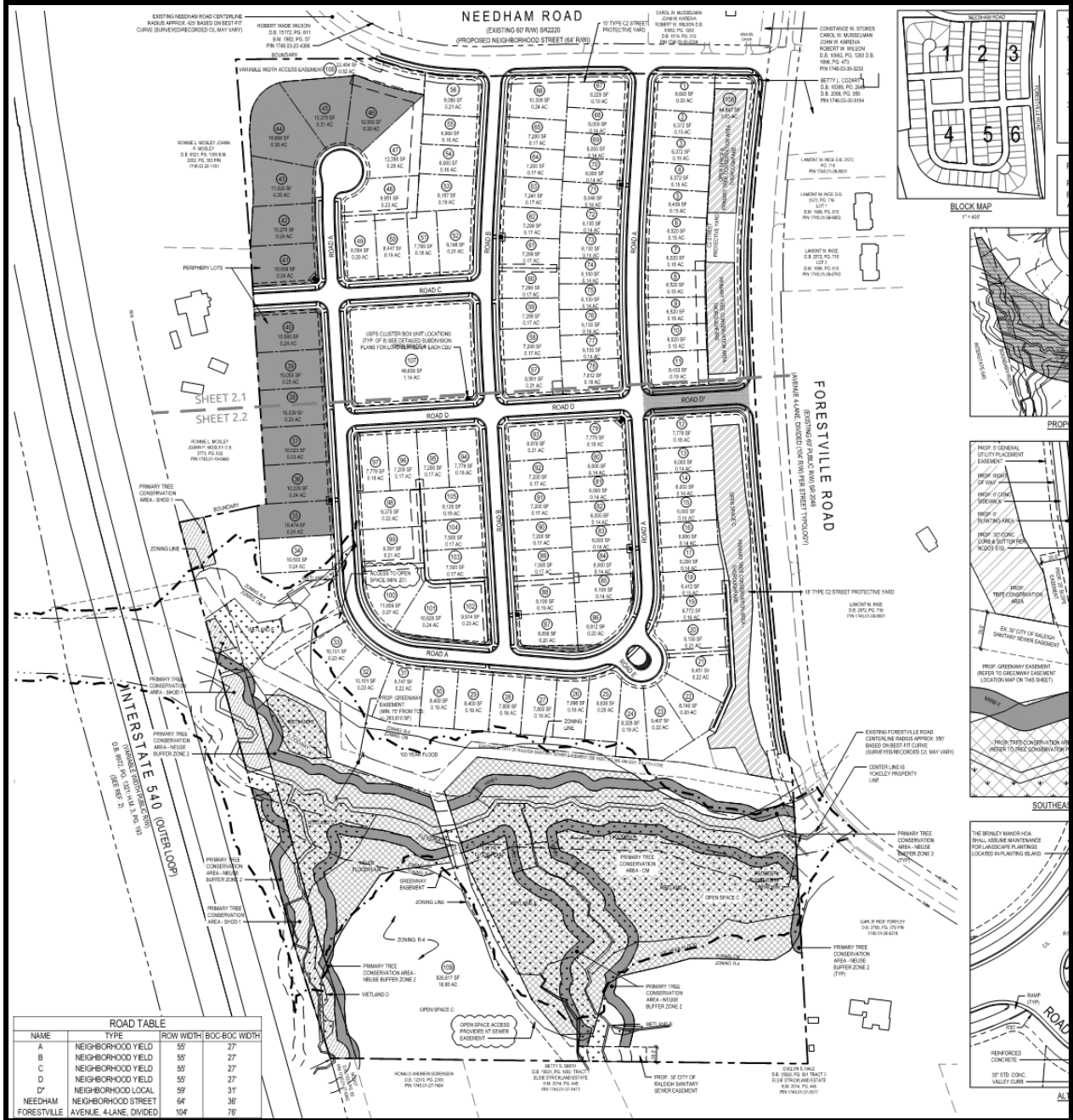
Design Adjustment: One Design Adjustment has been approved by the Public Works Director for this project, noted below.

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), as well as a public street connection to the adjacent property to the west.

**Administrative
Alternate:** NA



Location Map – 5320 Forestville Road





Engineering Services Design Adjustment – Staff Response


Per Section 10.2.18.C of the Unified Development Ordinance, the Engineering Services Director may consult with the heads of other City departments regarding the review of the request. The Engineering Services 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 Brinley Manor	Date Completed Application Received: 7/6/2016
	Case Number: S-3-2016	Transaction Number: 455108

DEPARTMENT RESPONSE/RECOMMENDATION	DEPARTMENT	REPRESENTATIVE SIGNATURE	DEPARTMENT	REPRESENTATIVE SIGNATURE
	<input type="checkbox"/>	Dev. Services Planner:		<input type="checkbox"/>
<input type="checkbox"/>	Dev. Services Eng:		<input checked="" type="checkbox"/>	Transportation: Kathryn Beard
<input type="checkbox"/>	Engineering Services:		<input type="checkbox"/>	PRCR:
<p>This subdivision is extending a public street connection to the west adjacent property and no additional connection can be extended due to I-540 along this frontage. Public street connections are being provided to Forestville Road and Needham Road on the north and east property frontages. Additional information concerning environmental considerations is provided.</p> <p>City staff supports this request.</p>				

Development Services Director or Designee Action:

Approve Approval with Conditions Deny


 Authorized Signature _____ Date 7/21/16

*The Engineering Services Director may authorize a designee to sign in his/her stead. Please print name and title next to signature.

CONDITIONS FOR	
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City of Raleigh
Engineering Services

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

Public Works Design Adjustment – Block perimeter

SUBJECT: S-3-16 / Brinley Manor (Conservation) Subdivision

**CROSS-
REFERENCE:** # 455108

LOCATION: The 49.81 acre tract is located on the west side of Forestville Road Street, at the southwest corner of the intersection of Forestville and Needham Road(s) outside of the city limits.

PIN: 1745298111

REQUEST: This request is to approve the Conservation Development Subdivision of a 49.81 acre tract into 105 Single Family, detached lots and 4 open space lots (109 lots total), in two phases, all zoned Residential-4, Conservation Management, and Special Highway Overlay District-1.

OFFICIAL ACTION: Approval with conditions

**CONDITIONS OF
APPROVAL:**

Prior to issuance of a grading permit for the site:

- (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;

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

- (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;

- (5) 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;
- (6) 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;
- (7) That a nitrogen offset payment must be made to a qualifying mitigation bank;
- (8) That plans for the shared stormwater devices be submitted and approved by the Public Works Department;
- (9) 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;

Prior to Planning Department authorization to record lots:

- (10) 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;
- (11) 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;
- (12) 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;
- (13) That a fee-in-lieu will be paid for ½ of the required landscaped median along Forestville Road.
- (14) 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;
- (15) 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;
- (16) 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;

- (17) That a cross access agreement for the existing driveway crossing this site be recorded among the following three lots: that owned by Poole Family Real Estate Holdings, LLC. (the parent tract for this subdivision), Ronnie L, and Joann P Moseley, and Oza P. Poole and Ronnie Lee Mosley. The cross access easement shall be approved by the City prior to recording in the Wake County Registry, and a copy of the recorded easement shall be returned to the City within 1 day of lot recording;
- (18) 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;
- (19) 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;
- (20) 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;
- (21) 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;
- (22) 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.
- (23) 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)."
- (24) 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;

(25) 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";

(26) That all Public Utility assessments are to be paid;

(27) That a tree impact permit be obtained from the City of Raleigh;

(28) That street names for the proposed streets be approved by Wake County and the City of Raleigh;

Prior to issuance of a certificate of occupancy:

(29) 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;

I hereby certify this administrative decision.

Signed: (Planning Dir.) Kenneth Bourne (D. Barton) Date: 9-7-16

Staff Coordinator: Michael Walters

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 2.4.1. This approval is based on a preliminary plan dated August 5, 2016 owned by Crosswind Development, Inc., submitted by David Brown, Withers Ravenel.

ZONING:

ZONING DISTRICTS: Residential-4 and Conservation Management, and Special Highway Overlay District-1.

TREE CONSERVATION: This project has proposed 10.78 acres or 26.17% which is broken into:
Primary: 10.78 acres
Secondary: 0 acres

PHASING: There are two phases in this development.

**COMPREHENSIVE
PLAN:**

GREENWAY: There is greenway on this 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. Proposed street(s) are classified as Neighborhood Local and Neighborhood Yield. Dedication of right-of-way is required.

Street Name	Designation	Exist R/W	Required R/W	Existing street (boc to eop)	Proposed street (boc to cl)	Slope Easement
Forestville Road	Avenue 4-lane divided	60'	½-104' r/w	50'	½ of 76'	20' (for 70')
Needham Road	Neighborhood Street	60'	½-64' r/w	22'	½ of 36'	NA

Five new streets are being proposed within this development, four of which (A-D) are designated as Neighborhood Yield Streets, the fifth, (D*), a Neighborhood Local Street.

Additional right-of-way to be dedicated is reimbursable under the facility fees program.

Existing streets adjacent to the site are classified as Avenue 4 lane divided (Forestville Road), and Neighborhood Street (Needham Road). 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 Northeast Citizens Advisory Council in an area designated as moderate density residential, low density residential, and public parks and open space.

**SUBDIVISION
STANDARDS:**

LOT LAYOUT:

The minimum lot size in Residential-4 zoning district (Conservation Development Option) is 6,000 square feet. The minimum lot depth in this zoning district is 80 feet. The minimum lot width of an interior lot in this zoning district is 50 feet, corner lot 65 feet. Lots in this development conform to these minimum standards.

The minimum open space requirement (40%) = 16.48 acres, the open space provided = 21.2 acres, of which 7.1 acres is located within a primary open space area, 4.12 acres in secondary open space area, and 9.96 acres, in tertiary open space area. (2.5.2)

- 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:** The Block perimeter requirement is being met via an approved design adjustment by the Public Works Director. 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 Streetscape. The required streetscape along both Needham Road and Forestville Road is being met by a 15' C2 Protective Street Yard and/or Tree Conservation, and the installation of a sidewalk 6' in width inside the Right of Way.
- PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. A sidewalk 6' in width is being proposed along the project side of both Needham and Forestville Roads.
- FLOOD HAZARD:** There are FEMA flood hazard areas on this site and development with this floodplain will be restricted to less than 50%.
- STORMWATER MANAGEMENT:** This site is subject to stormwater management controls in accordance with or Article 9 chapter 2 of the Unified Development Ordinance. Proposed stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual. The site will utilize a vegetative filter strip and a buydown to meet stormwater quality regulations and will claim exemption 9.2.2 E 2e from stormwater quantity.
- WETLANDS / RIPARIAN BUFFERS:** Wetland areas and Neuse River riparian buffers exist on this site and shall be shown on all maps for recording.
- STREET NAMES:** Five 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: 9-7-2019
Record at least ½ of the land area approved.

5-Year Sunset Date: 9-7-2021
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.