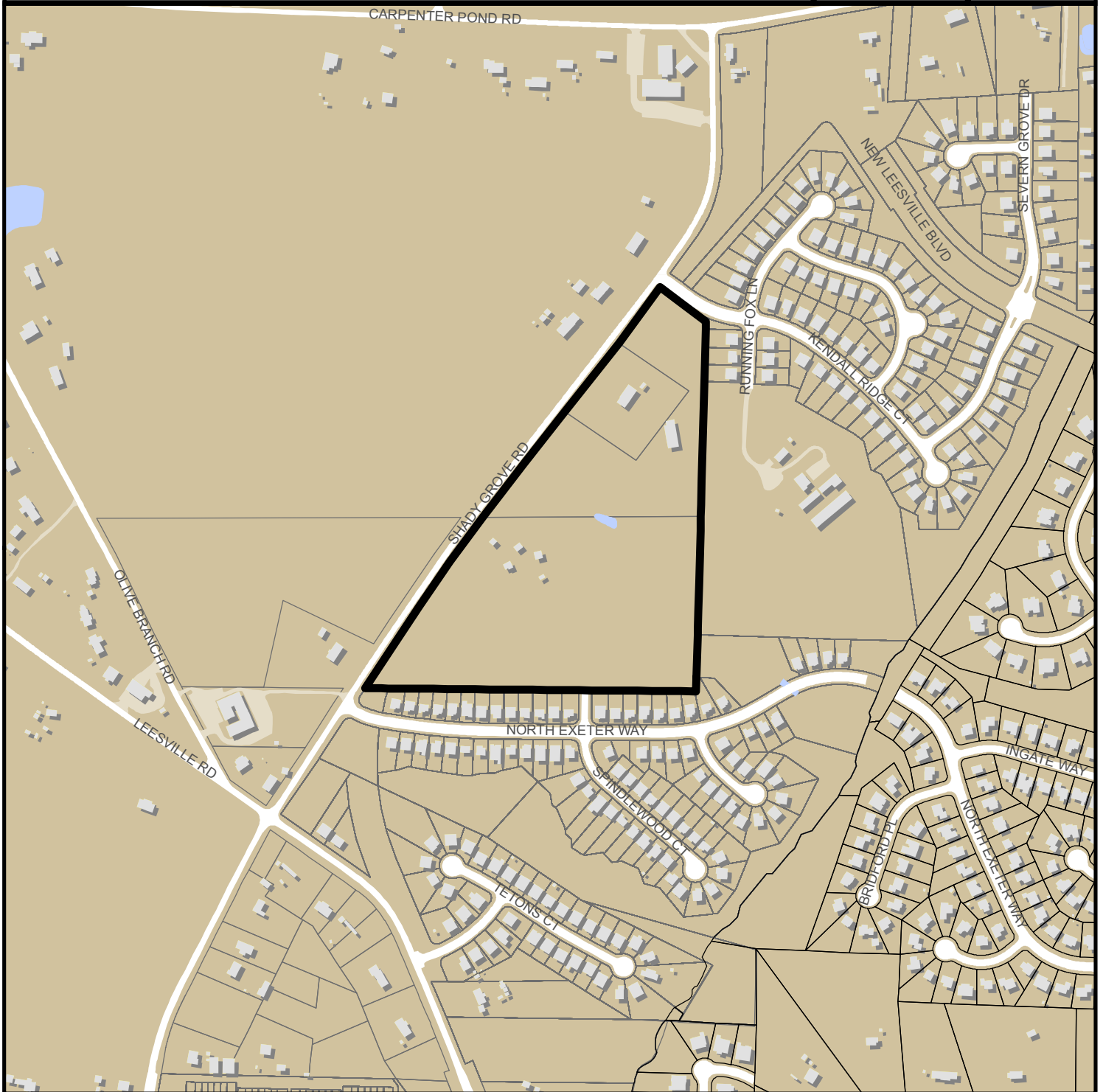


HUNTLEY SUBDIVISION S-45-2016



0 300 600 1,200 Feet

Zoning: **R-6 CUD**
CAC: **Northwest**
Drainage Basin: **Sycamore**
Acreage: **22.1**
Number of Lots: **57**

Planner: **Michael Walters**
Phone: **(919) 996-2636**
Applicant: **Site Investments, INC.**
Phone: **919-625-9760**





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-45-16 / Huntley Subdivision

General Location: The site is located on east side of Shady Grove Road, north of the intersection of Shady Grove Road and North Exeter Way, and is inside the city limits.

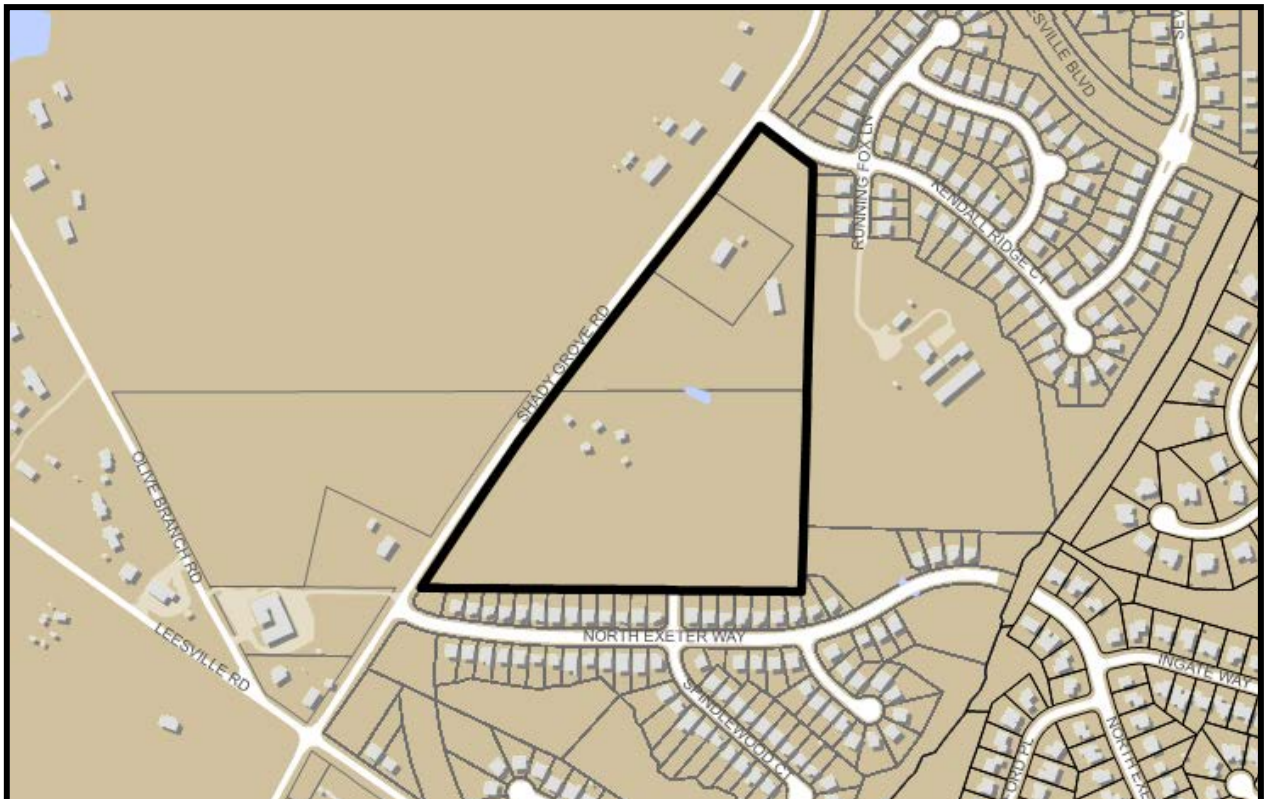
CAC: Northwest Raleigh Citizens Advisory Council

Nature of Case: Recombination and subdivision of three tracts totaling 22.12 acres into 57 dwelling unit lots and seven open space lots zoned Residential-6 Conditional Use (R-6, CU)

Contact: Ben Williams / Priest Craven & Associates, Inc.

Design Adjustment: One Design Adjustment has been approved by the Public Works Director for this project allowing the street tree frontage requirement to be met outside of the Right of Way as the existing street does not provide adequate area for planting. Onsite streetscape is being met via Primary and Secondary Tree Conservation. (UDO Section 7.2.4 B 2)

Administrative Alternate: NA





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 Huntley Subdivision	Date Completed Application Received: 9/19/16
	Case Number: S-14-16	Transaction Number: 480166

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 type="checkbox"/>	Transportation:
<input checked="" type="checkbox"/>	Engineering Services:	<i>[Signature]</i>	<input type="checkbox"/>	PRCR:
Staff supports the design adjustment request. The TCA will replace the required street tree planting				

Development Services Director or Designee Action:

Approve Approval with Conditions Deny

Authorized Signature

[Signature]

Date

9/20/16

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

CONDITIONS FOR APPROVAL	
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Appeal of the decision from the Engineering Services Director shall be made in writing within 30 days to the Board of Adjustment (see Section 10.2.18.C3b).

City of Raleigh
Engineering Services

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

SUBJECT: S-45-16 / Huntley Subdivision

**CROSS-
REFERENCE:** Transaction # 480166

LOCATION: The site is located on east side of Shady Grove Road, north of the intersection of Shady Grove Road and North Exeter Way, and is inside the city limits. Note this site is in Durham County.

PIN: 0779139314, 0779139427, 0779122728

REQUEST: This request is to approve the recombination and subsequent subdivision of a 22.12 acre tract consisting of three parcels into 57 dwelling unit lots plus 7 open space lots (64 lots total), in two phases, all zoned Residential-6 Conditional Use (R-6 CU).

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 City 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 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;

- (5) That plans for the shared stormwater devices be submitted and approved by the Public Works Department;
- (6) That a 100-year floodplain analysis be submitted and approved by the Engineering Services Department;
- (7) That a nitrogen offset payment must be made to a qualifying mitigation bank;

Prior to Planning Department authorization to record lots:

- (8) That a demolition permit be issued for existing structures on site and this building permit number be shown on all maps for recording;
- (9) That flood prone areas, as approved by the City Stormwater Engineer, shall be shown on the recorded map;
- (10) That the plat include the following: "The following principal uses, as set forth in the Allowed Principal Use Table in UDO section 6.1.4., shall be prohibited on the property: (i) special care facility; (ii) school, public or private; (iii) telecommunication tower - all types; (iv) golf course; (v) outdoor sports or entertainment facility - all types; and (vi) two-unit living and multi-unit living, as well as, attached house, townhouse, and apartment building types." (Z-38-15)
- (11) That the owner of the property shall cause to be recorded in the Wake County Registry a restrictive covenant that allocates among the lots of record comprising the property the dwelling units permitted by rezoning case Z-38-15, condition number 3. Such restrictive covenant shall be approved by the City Attorney or his designee prior to recordation of the restrictive covenant. Such restrictive covenant shall provide that it may be amended or terminated only with the prior written consent of the City Attorney or his designee;"
- (12) That the owner shall record with the local register of deeds in the county where the property is located an aircraft noise notification statement reading as follows:

"This property lies within the Raleigh Durham International Airport composite 60 DNL noise contour projected in the long range facility plans of the airport. This statement shall not be removed without the prior written consent of the Raleigh Planning Director." (Z-38-15);
- (13) 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 cost of construction for the 6' sidewalk and streetscape trees installed on all proposed public streets A-D is to be paid to the Public Works Department in accordance with code section 8.1.3 of the UDO;
- (14) That a fee-in-lieu be paid for the street trees required along Shady Grove Road prior to subdivision recordation;

- (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 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
- (17) 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;
- (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 property owners 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 Infrastructure Construction Plans are approved by the City of Raleigh, including obtaining stub permits, tree impact permit and a street lighting plan;
- (22) 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;

- (23) That an encroachment agreement for any plantings, planters, awnings or stormwater drainage systems that carry private drainage to be located within the public right-of-way is approved by the City Council by separate action. An application for encroachment into the public right of way for the landscaping located within the right of way as indicated on the preliminary plan, shall be submitted to the City's Encroachment Coordinator in the Public Works Department for review, and that the City Council approve the encroachment request. Following City Council approval of the encroachment, an encroachment agreement, prepared in accordance with Raleigh City Code Sections 12-1001 and 12-1021(a), shall be filed with the Public Works Department, and the encroachment agreement is to be recorded with the Wake County Register of Deeds. Maintenance of the encroachment shall be the responsibility of the owner;
- (24) That a fee-in-lieu will need to be paid for 1' of sidewalk along the entire frontage length of Kendall Ridge Ct;
- (25) 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, the surety is 125% of estimated construction costs and 100% for NCDOT-maintained facilities;
- (26) That a fee in lieu be paid for 20' of pavement for future four lane median divided street along the length of Shady Grove Road;
- (27) That a 20' slope easement along the project side of Shady Grove Road is to be dedicated and shown on the plat for recordation.
- (28) That street names for this development be approved by the City of Raleigh GIS Division;

Prior to issuance of a certificate of occupancy for either lot:

- (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.) Kimth Brewer (S. Barton) Date: 10-7-16

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 2.2.1. This approval is based on a preliminary plan dated August 23, 2016 owned by Waylon and Rebecca Lynn., submitted by Ben Williams, Priest Craven & Associates, Inc..

ZONING:

**ZONING
DISTRICTS:**

Residential-6 Conditional Use (Z-38-15)

Z-38-15 Shady Grove Road, east side, north of its intersection with Leesville Road Address: 2617, 2707, and 2901 (portion) Shady Grove Road
PIN: Durham County - 0779-03-13-9314, 0779-03-13-9427, and 0779-03-12-2728 (portion)

1. The following principal uses, as set forth in the Allowed Principal Use Table in UDO section 6.1.4., shall be prohibited on the property:

(i) special care facility; (ii) school, public or private; (iii) telecommunication tower - all types; (iv) golf course; (v) outdoor sports or entertainment facility - all types; and (vi) two-unit living and multi-unit living.

Reviewed at issuance of building permits

2. Attached house, townhouse, and apartment building types shall be prohibited on the property.

Reviewed at issuance of building permits

3. The number of dwelling units constructed upon the property shall not exceed fifty-seven (57). Prior to recordation of a subdivision plat or the issuance of a building permit, whichever shall first occur, the owner of the property shall cause to be recorded in the Wake County Registry a restrictive covenant that allocates among the lots of record comprising the property the dwelling units permitted by this rezoning ordinance. Such restrictive covenant shall be approved by the City Attorney or his designee prior to recordation of the restrictive covenant Such restrictive covenant

shall provide that it may be amended or terminated only with the prior written consent of the City Attorney or his designee."

57 dwelling units are proposed on the preliminary plan. The restrictive covenant is a condition required prior to recordation.

4. Prior to the sale of the rezoned property or any lot within the rezoned property, whichever event first occurs, the owner shall record with the local register of deeds in the county where the property is located an aircraft noise notification statement reading as follows:

"This property lies within the Raleigh Durham International Airport composite 60 DNL noise contour projected in the long range facility plans of the airport. This statement shall not be removed without the prior written consent of the Raleigh Planning Director."

This statement may be included in restrictive covenants running with the land that are recorded prior to the sale of the property or any lot within the property, whichever event first occurs. Within three days following recording of this statement, a recorded copy shall be provided to Planning Department.

As per condition of approval - prior to recordation

**TREE
CONSERVATION:**

Subtotal of Primary Tree Conservation - 1.34 acres or 7.0 %
Subtotal of Secondary Tree Conservation - .85 acres or 5.0 %
Total Tree Conservation Area - 2.19 acres or 12%.

PHASING: There are two phases in this development.

**COMPREHENSIVE
PLAN:**

GREENWAY: There is no 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 Yield (27' b to b, and 55' R/W). Dedication of right-of-way along Shady Grove Road is required.

Street Name	Designation	Exist R/W	Required R/W	Existing street (b to b)	Proposed street (b to b)	Slope Easement
Shady Grove Road	Avenue 4-Lane Divided Street	60'	½ of 104' r/w width (22' is to be dedicated)		1/2 of a 4-lane median divided section or 20' (fee in lieu)	20'
Kendall Ridge Court	Neighborhood Yield	60'	55'	30'	-	-

Four new street names are required for this development. All proposed names must be approved by the City prior to recording the subdivision.

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 Northwest Raleigh Citizens Advisory Council in an area designated as low density residential.

SUBDIVISION STANDARDS:

LOT LAYOUT: The minimum lot size in R-6 zoning district 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, a corner lot, 65'. 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 streetscape. The streetscape along Shady Grove Road is being met via an approved design adjustment, proposed primary and secondary tree conservation, and the dedication of a 20' slope easement. The streetscape along the associated portion of Kendall Ridge Court is being met via a fee in lieu for 1' of sidewalk, and proposed tree conservation.

- PEDESTRIAN:** Proposed sidewalk locations conform to City regulations.
- FLOOD HAZARD:** There are flood hazard areas on this site which shall be shown on all maps for recording.
- STORMWATER MANAGEMENT:** The Site is subject to stormwater regulations under Article 9.2 of the UDO. Two stormwater wetlands are proposed to address water quality and runoff control requirements.
- WETLANDS / RIPARIAN BUFFERS:** Wetland areas are on site. Neuse River riparian Buffers are required on this site.
- STREET NAMES:** Four 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: 10-7-2019
Record at least ½ of the land area approved.

5-Year Sunset Date: 10-7-2021
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.