

City of Raleigh
Development Services Department
One Exchange Plaza
Raleigh, NC 27602
(919) 996-2495
DS.help@raleighnc.gov
www.raleighnc.gov

AA # 3921 / S-29-18, Magnolia Trace Subdivision Transaction# 561460

**LOCATION:** This site is located on the southeast corner of the intersection of Southall Road.

and Skycrest Drive. This site is outside the city limits.

**REQUEST:** Development of a 21.92 acre site zoned CX-3 and R-10 into a townhome

subdivision consisting of 140 townhome lots/units and four common area lots in

two (2) phases.

DESIGN ADJUSTMENT(S)/

**ALTERNATES, ETC:** One Design Adjustment has been approved for this project, noted below.

waiving, and/or revising the block perimeter requirement (8.3).

One Administrative Alternate has been approved by the Director of

Transportation for this project, approving an alternative parking ratio. (7.1.2 B)

FINDINGS: City Administration finds that this request, with the below conditions of approval

being met, conforms to the Unified Development Ordinance. This approval is based on a preliminary plan dated January 9, 2019, by Underfoot Engineering, Inc.

#### **CONDITIONS OF APPROVAL and NEXT STEPS:**

This document must be applied to the second sheet of all future submittals except for final plats. This is a preliminary plan and as such no permits have been issued with this approval. To obtain permits and/or completion of the project, the following steps are required:

□ CONCURRENT SITE REVIEW NOT REQUIRED AT THIS TIME – However, plan revisions or further development that includes land disturbance of 12,000 square feet or greater, public or private infrastructure, shared stormwater devices, etc. will require concurrent site review.

☑ <u>CONCURRENT SITE REVIEW</u> - For land disturbance of 12,000 square feet or greater, public or private infrastructure, shared stormwater devices, etc. Concurrent Site Review may be submitted upon receipt of this signed approval document.

The following items are required prior to approval of Concurrent Site Review plans:

#### **Engineering**

- 1. Required NCDOT encroachment and/or driveway permits must be approved and copies provided to Development Services Development Engineering prior to concurrent review approval.
- 2. A right-of-way obstruction permit must be obtained from Right-of-way Services prior to the commencement of any construction activities within the right-of-way.
- 3. An exhibit showing justification for reduction of slope easements will need to be shown on the concurrent plan set.

S-29-18, Magnolia Trace Subdivision



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#### **Public Utilities**

4. A Downstream Sewer Capacity Study in compliance with the City of Raleigh Public Utilities Department Handbook shall be submitted by the Project Engineer for review and approval.

#### **Stormwater**

- 5. A stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved (UDO 9.2).
- A surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City (UDO 9.4.4).

#### **Urban Forestry**

- 7. Submit a final tree conservation plan that includes metes and bounds descriptions of all tree conservation areas and tree protection fencing as required (UDO 9.1.5).
- 8. Tree protection fence must be inspected by Urban Forestry staff prior to the issuance of a grading permit.
- ☑ <u>LEGAL DOCUMENTS</u> Email to <u>legaldocumentreview@raleighnc.gov</u>. Legal documents must be approved, executed, and recorded prior to or in conjunction with the recorded plat on which the associated easements are shown. Copies of recorded documents must be returned to the City within one business day of recording to avoid withholding of further permit issuance.

$\boxtimes$	City Code Covenant	$\boxtimes$	Slope Easement
$\boxtimes$	Stormwater Maintenance		Transit Easement
	Covenant		
$\boxtimes$	Utility Placement Easement		Cross Access Easement
	Sidewalk Easement		Public Access Easement
			Other:

⊠ RECORDED MAP(S) - Submit plat to record new property lines, easements, tree conservation areas, etc.). Plats may be submitted for review when the Concurrent Site Review plans, if required, have been deemed ready for mylar signature.

#### The following items must be approved prior to recording the plat:

#### General

1. The City Code Covenant 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 shall be provided to the City by the end of the next business day following the recordation of the final plat. Further

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recordings and building permits will be withheld if the recorded document is not provided to the City.

- 2. A demolition permit shall be issued for any existing structures on site and this building permit number shown on all maps for recording.
- Street names for this development shall be approved by the Raleigh GIS Division and by Wake County.

#### **Engineering**

- 4. The required right of way for proposed and/or existing streets shall be dedicated to the City of Raleigh and be shown on the map approved for recordation.
- 5. A 5' general utility easement and associated deed of easement shall be approved by the City and the location of the easement shall be 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. A recorded copy of these documents must be provided to the Development Services Department within one day from authorization of lot recordation. If recorded copies of the documents are not provided, further recordings and building permit issuance will be withheld.
- 6. A fee-in-lieu for 1' of sidewalk along frontages with existing sidewalk that measure 5' in width and for the remaining amount of road/streetscape that is not being constructed at this time shall be paid to the City of Raleigh (UDO 8.1.10).
- 7. A public infrastructure surety is provided to the City of Raleigh Development Services Development Engineering program (UDO 8.1.3).

#### **Public Utilities**

- 8. Infrastructure Construction Plans (concurrent submittal) must be approved by the City of Raleigh Public Utilities Department for all public water, public sewer and/or private sewer extensions.
- 9. A Petition for Annexation into the City limits shall 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.
- 10. A fee-in-lieu of construction shall be paid to the City of Raleigh Public Utilities Department for the construction of a water and/or sewer main, depending on results of the sanitary sewer capacity study

#### Stormwater

11. A payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans shall be paid by the developer to the City stormwater facility replacement fund (UDO 9.2.2.G.3).

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- 12. 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 (UDO 9.2.2.G).
- 13. 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 (UDO 9.2).
- 14. A surety equal to 125% of the cost of the construction of a stormwater device shall be paid to the Engineering Services Department (UDO 9.2.2.D.1.d).

#### **Urban Forestry**

- 15. A tree conservation plat shall be recorded with metes and bounds showing the designated tree conservation areas (UDO 9.1). This development proposes 2.41 acres of tree conservation area.
- 16. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 8 street trees along Sugar Lily Ln., 17 street trees along Burgundy Star Dr., 8 street trees along Yellow Bird Ln., 46 street trees along Laurel Valley Way, and 40 street trees along Southern Magnolia Dr. for a total of 119 street trees.

EXPIRATION 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:

Justi Contis

3-Year Sunset Date: 4-3-2022

Record at least ½ of the land area approved.

5-Year Sunset Date: 4-3-2024 Record entire subdivision.

I hereby certify this administrative decision.

Signed:(Development Services Dir./Designee)

Staff Coordinator: Michael Walters

Date: <u>4[3[1</u>

# Design Adjustment Staff Response



Per Section 10.2.18.C of the Unified Development Ordinance, the Development Services Director, or designee, shall consult with the heads of other City Departments regarding the review of the request. The Development Services Director, or designee, shall 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.

	·		1				
	Project Name Magnol			a Trace			
PROJECT	Dev	elopment Case Number	S-29-18				
PRO	Transaction Number		561460				
	Des	ign Adjustment Number	DA - 3	- 201	9		
	Sta	f recommendation based upon t	he findings i	n the	applicable code(s):		
	V	UDO Art. 8.3 Blocks, Lots, Acce	<u>255</u>		<b>UDO Art. 8.5 Existing Streets</b>		
		UDO Art. 8.4 New Streets			Raleigh Street Design Manual		
	Staf	f SUPPORTS 🗹 DOES NOT SUPP	PORT 🔲 th	e de	sign adjustment request.		
			DEPART	MEN	ITS		
		Dev. Services Planner	******		City Planning		
	<b>✓</b>	Development Engineering			Transportation		
		Engineering Services	~~~		Parks & Recreation and Cult. Res.		
ISE		Public Utilities					
STAFF RESPONSE	•		,				
				/			
Dev	elop	ment Services Director or Desig	nee Action:	A MA	PPROVE APPROVE WITH CONDITIONS DENY		
CONTROL CONTROL OF THE PARTY OF		#Com	m w. en	*u 16	05 maa 4/3/7014		
Auth	orize	d Signature	PROPERTY OF THE PROPERTY OF TH	Mer	nee Date		

\*The Development Services Director may authorize a designee to sign in his/her stead. Please print name and title next to signature. Appeal of the decision from the Development Services Director, or his or her designee, shall be made in writing within 30 days to the Board of Adjustment (see Section 10.2.18.C3b).

#### Staff Response Article 8.3 Blocks Lots, Access



The Development Services Director may in accordance with Sec. 10.2.18. approve a design adjustment, subject to all of the following findings.

A.	The requested design adjustment meets the intent of this Article;  YES NO
В.	The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;  YES NO
C.	The requested design adjustment does not increase congestion or compromise Safety;  YES NO
D.	The requested design adjustment does not create any lots without direct street Frontage;  YES NO
E.	The requested design adjustment is deemed reasonable due to one or more of the following:  1. Topographic changes are too steep;
	<ol> <li>The presence of existing buildings, stream and other natural features;</li> <li>Site layout of developed properties;</li> <li>Adjoining uses or their vehicles are incompatible;</li> </ol>
	<ul> <li>5. Strict compliance would pose a safety hazard; or</li> <li>6. Does not conflict with an approved or built roadway construction project</li> </ul>
	7. adjacent to or in the vicinity of the site.  YES NO
STA	AFF FINDINGS
orop stree oerii exte deve	f supports the request for a Design Adjustment as it relates to block perimeter standards. The bosed development has extended streets where applicable and extended all existing locations where ets had previously been stubbed to their property line. Their proposed subdivision meets block meter standards for the more restricted R-10 zoning for all proposed internal blocks and all proposed rior blocks where streets are being extended. The only blocks not being met are where the proposed elopment is abutting the existing development. In this case, all preexisting stubbed streets are being inded so that as much connectivity as the existing street layout allows is being met.
	The Company of the Co

## Design Adjustment Application



The purpose of this request is to seek a Design Adjustment from the Development Services Director, or designee, for a specific project only and, if granted, may be approved with special conditions and provisions.

This application and all further action shall be consistent with Section 10.2.18 in 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 Sec. 8.3.6, Sec. 8.4.1.E and Sec. 8.5.1.G of the UDO or the Raleigh Street Design Manual.

5	Project Name Magnolia Trace					
PROJECT	Case Number S-29-18					
Transaction Number 561460						
œ	Name The Macaw Group, LLC c/o Tom Gipson					
OWNER	Address PO Box 99789		City Raleigh			
ੋਂ	State North Carolina   Zip Code 27624			Phone		
5	Name Landon M. Lovelace, PE		Firm Und	nderfoot Engineering, Inc.		
CONTACT	Address 1149 Executive Circle, Suite C-1			City Cary		
Ś	State North Carolina	Zip Code 27511		Phone 919.576.9733		
	l am seeking a Design Adjustment	t from the requirem	ents set fort	h in the follow	ing:	
	UDO Art. 8.3 Blocks, Lots, Acce	<u>155</u>	- See page 2	2 for findings		
	UDO Art. 8.4 New Streets		- See page	3 for findings		
	UDO Art. 8.5 Existing Streets		- See page	4 for findings		
12	Raleigh Street Design Manual		- See page !	6 for findings		
REQUEST	Provide details about the request	; (please attach a m	emorandum	ı lf additional s	pace is needed):	
RE	This project is seeking a design adjustn	nent to section 8.3 of th	e UDO in acco	ordance with UDC	Section 8.3.1 (D) as there are	
	existing single family neighborhoods de access, and therefore prevent the proje	veloped along the east ct from meeting the req	ern and south uired 2500' m	ern property boun aximum block pei	idaries which prevent cross rimeter.	
	he responsibility of the applicant to pro-	vide all pertinent infor	mation neede	d for the conside	eration of this request.	
Appli	cant must be the Property Owner					
Bv si	gning his document hereby acknowledge	nwledge the informa	ition on this	application is t	o my knawledge accurate	
	Momo I Jan	- Inchine	icion on chia	application 13, t	1 3 19	
Own	er/Owner's Representative Signalu	re			Date	
Secretary and		•	1916 - Sent Berlines			
	CKUST					
Signed Design Adjustment Application Included						
Page(s) addressing required findings Included Plan(s) and support documentation Included						
Plan(s) and support documentation   Included   Notary page (page 6) filled out; Must be signed by property owner   Included						
					Included	
Submit all documentation, with the exception of the required addressed envelopes and letters to						
designadjustments@raleighnc.gov.						
Deliver the addressed envelopes and letters to:						
Development Services, Development Engineering One Exchange Plaza, Suite 500						
Raleigh NC, 27601						
70-700-6-00	For Office Use Only RECEIVED DATE: DA					
			1621 JSW 220 JSW 95-	<b>-</b> /-*		

### Article 8.3, Blocks, Lots, Access Administrative Design Adjustment Findings



The Development Services Director may in accordance with Sec. 10.2.18. approve a design adjustment, subject to all of the following findings. Describe how each item is met:

- A. The requested design adjustment meets the intent of this Article;

  The project provides for vehicular and pedestrian connections, promoting a well-connected street network, to available locations, including the extension of Skycrest Drive, connection to the existing Southall Drive, and connection/extension of the existing Laurel Valley Way.
- B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;

The project provides for vehicular and pedestrian connections, promoting a well-connected street network, to available locations, including the extension of Skycrest Drive, connection to the existing Southall Drive, and connection/extension of the existing Laurel Valley Way. All proposed roadway improvements are in conformance with the Comprehensive Plan and adopted City Plans.

C. The requested design adjustment does not increase congestion or compromise Safety;

The project provides for vehicular and pedestrian connections, promoting a well-connected street network, to available locations, including the extension of Skycrest Drive, connection to the existing Southall Drive, and connection/extension of the existing Laurel Valley Way. The project creates a well-connected and redundant grid for traffic circulation.

D. The requested design adjustment does not create any lots without direct street Frontage;

Confirmed. The requested adjustment does not create any lots without direct street access or frontage.

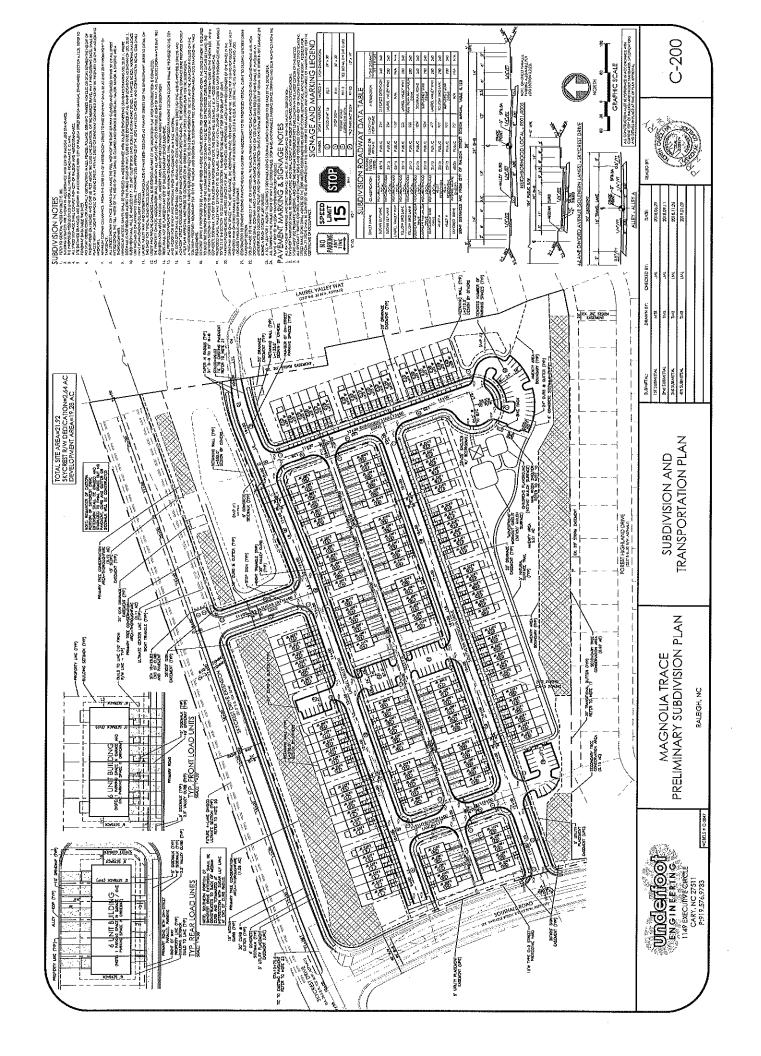
- E. The requested design adjustment is deemed reasonable due to one or more of the following:
  - 1. Topographic changes are too steep;
  - 2. The presence of existing buildings, stream and other natural features;
  - 3. Site layout of developed properties;
  - 4. Adjoining uses or their vehicles are incompatible;
  - 5. Strict compliance would pose a safety hazard; or
  - 6. Does not conflict with an approved or built roadway construction project
  - 7. adjacent to or in the vicinity of the site.

Due to item #3; There are existing developments with single family homes built to the east and south of the project, with no ability for vehicular or pedstrian connection at those locations.

#### Individual Acknowledgement



STATE OF NORTH CAROLINA COUNTY OF _ Wake_	INDIVIDUAL
I, Caitlin Bossert Emelico Thomast. Gipson acknowledged the due execution of th	, a Notary Public do hereby certify that personally appeared before me this day and e forgoing instrument
This the 3 ct day of Ja	·
(SEAL) expires 8/14/2023	Notary Public Latt Bessert Enel
My Commission Expires: Aug. 14th	

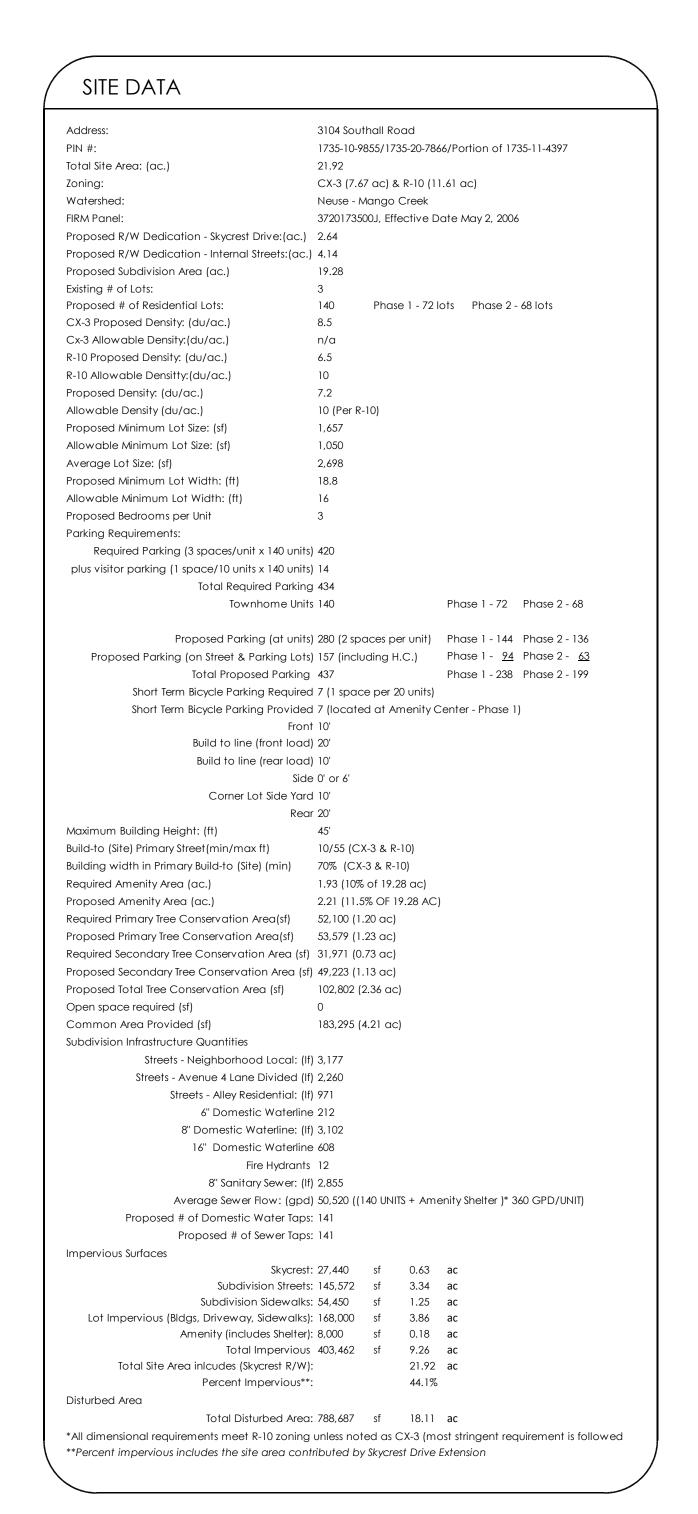


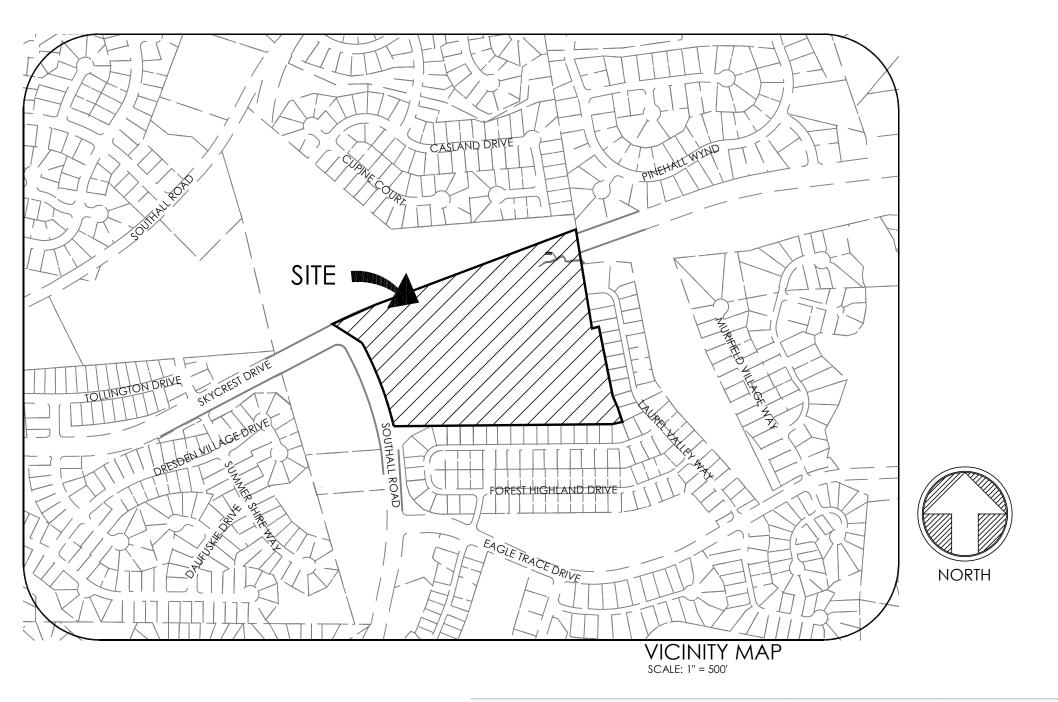
→ Overview

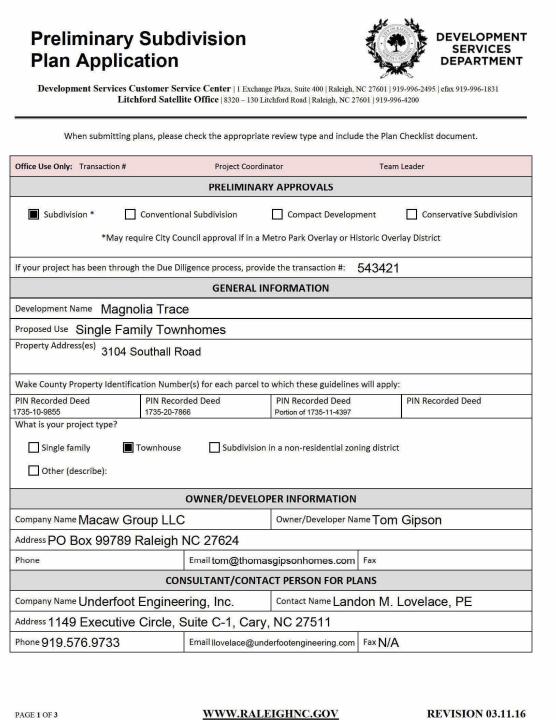


# MAGNOLIATRACE PRELIMINARY SUBDIVISION PLAN

UNDERFOOT PROJECT # C17026.00 CITY OF RALEIGH # S-29-18 TRANSACTION # 561460







ZONIN	G INFORMATION		
Zoning District(s) CX-3 and R-10			
If more than one district, provide the acreage of each: CX-	3 ( ac) R-10 ( a	c)	
Overlay District? Yes No			
Inside City Limits?   Yes No			
CUD (Conditional Use District) Case # Z- N/A			
COA (Certificate of Appropriateness) Case # N/A			
BOA ( Board of Adjustment) Case # A- N/A			
STORMW	ATER INFORMATION		
Existing Impervious Surface () acres/sf	Flood Hazard Area	Yes	■ No
Proposed Impervious Surface 9.33/406583 acres/sf	Neuse River Buffer	Yes	■ No
	Wetlands	Yes	■ No
Alluvial Soils Flood Study NUMBER O	F LOTS AND DENSITY	Panel #	
Total # of Townhouse Lots: Detached	Attached 140		
Total # of Single Family Lots	Total # of All Lots 140	)	
Overall Unit(s)/Acre Densities Per Zoning Districts			
Total # of Open Space and/or Common Area Lots			
SIGNATURE BLOCK (A	applicable to all develope	nents)	
In filing this plan as the property owner(s), I/we do hereby as successors and assigns jointly and severally to construct all in subdivision plan as approved by the City.  I hereby designate to serve:	nprovements and make all dec	lications as show	wn on this proposed
administrative comments, to resubmit plans on my behalf, are I/we have read, acknowledge, and affirm that this project is of development use.  Mr. Crow. Grown, LL.C.  Signature  Justine  Justine  Signature  Si		equirements app	olicable with the propos

#### SHEET INDEX EXISTING CONDITIONS & DEMOLITION PLAN SUBDIVISION AND TRANSPORTATION PLAN DIMENSIONAL LAYOUT PLAN GRADING AND DRAINAGE PLAN ENLARGED GRADING PLAN (1 OF 2) ENLARGED GRADING PLAN (2 OF 2 UTILITY AND FIRE PLAN C-500 SITE DETAILS LANDSCAPE PLAN LANDSCAPE DETAILS TREE CONSERVATION PLAN EXISTING TREES SUMMARY FRONT LOAD ELEVATIONS & FLOOR PLANS REAR LOAD ELEVATIONS & FLOOR PLANS

DEVELOPER/OWNER	LEVEL CAROLINA HOMES, LLC. 6320 QUADRANGLE DRIVE, SUITE 100 CHAPEL HILL, NC 27517 ROB RUDLOFF RRUDLOFF@LEVELNC.COM 919.647.4063	
CIVIL ENGINEER	UNDERFOOT ENGINEERING, (NCBELS C-3847) 1149 EXECUTIVE CIRCLE, SUITE C-1 CARY, NC 27511 LANDON LOVELACE, PE, LEED AP-ND, NCLID LLOVELACE@UNDERFOOTENGINEERING.COM 919.576.9733	
LANDSCAPE ARCHITECT	VILLAGE GREEN LAND DESIGN PLLC 1149 EXECUTIVE CIRCLE, SUITE C-1 CARY, NC 27511 TERRY BOYLAN PLA, LEED AP TERRY.M.BOYLAN@GMAIL.COM 919.624-4468	

#### GENERAL NOTES

- 1. ALL SOLID WASTE REQUIREMENTS HAVE BEEN REVIEWED AND ARE IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN THE SOLID WASTE DESIGN MANUAL.
- 2. THIS DEVELOPMENT WILL USE CITY OF RALEIGH SOLID WASTE SERVICES (SWS) TO HANDLE TRASH NEEDS. INDIVIDUAL 96 GALLON ROLLOUT TRASH AND RECYCLING CARTS WILL BE PROVIDED FOR EACH TOWNHOME UNIT. REFER TO NOTE 22 ON SHEET C-200 FOR MORE INFORMATION.

#### PROJECT PHASING NOTES

THIS PROJECT WILL BE CONSTRUCTED IN TWO PHASES AS PER THE PHASE LINES SHOWN ON SHEET C-200.

1. PHASE ONE WILL INCLUDE CLEARING, GRADING AND STABILIZING THE ENTIRE SITE INSIDE OF THE LIMITS OF DISTURBANCE. ALL TREE CONSERVATION AREAS WILL BE SURVEYED AND PROTECTED. PHASE ONE WILL ALSO INCLUDE THE CONSTRUCTION OF 82 TOWNHOME UNITS, THE AMENITY CENTER, STREETS, PARKING LOTS, CLUSTER MAILBOX UNITS AS WELL AS THE INSTALLATION OF UTILITIES AND STORMWATER BMPS TO SERVE PHASE ONE CONSTRUCTION. PHASE ONE WILL INCLUDE CONSTRUCTING THE SUBDIVISION ENTRANCE OFF OF SOUTHALL ROAD ON THE WEST AND THE EXTENSION OF LAUREL VALLEY DRIVE INTO THE PROJECT FROM THE EAST. PHASE TWO WILL INCLUDE THE CONSTRUCTION OF 58 TOWNHOME UNITS, STREETS, AND PARKING LOTS AS WELL AS THE UTILITIES REQUIRED TO SERVE PHASE TWO CONSTRUCTION. SKYCREST DRIVE WILL BE EXTENDED (CLEARED, GRADED AND PAVED WITH CURB AND GUTTER AND ASSOCIATED UTILITIES) EAST FROM ITS INTERSECTION WITH SOUTHALL ROAD TO THE PROPOSED ENTRANCE ROAD INTO THE PROJECT. THE REMAINDER OF THE SKYCREST ROAD extension associated with the development of this site will be cleared, graded and stabililized as REQUIRED TO ROUTE STORMWATER FROM SKYCREST DRIVE INTO THE PROPOSED ON-SITE STORMWATER BMP. A FEE-IN-LIEU PAYMENT WILL BE MADE FOR THE REMAINDING PORTION OF THE SKYCREST DRIVE EXTENSION.

> ALL CONSTRUCTION MUST BE PERFORMED IN ACCORDANCE WITH CURRENT CITY OF RALEIGH AND NCDOT STANDARDS, SPECIFICATIONS AND DETAILS IN PLACE AT TIME OF PLAN APPROVAL



1149 EXECUTIVE CIRCLE, SUITE C-1

CARY, NC 27511

P:919.576.9733

NCBELS # C-3847

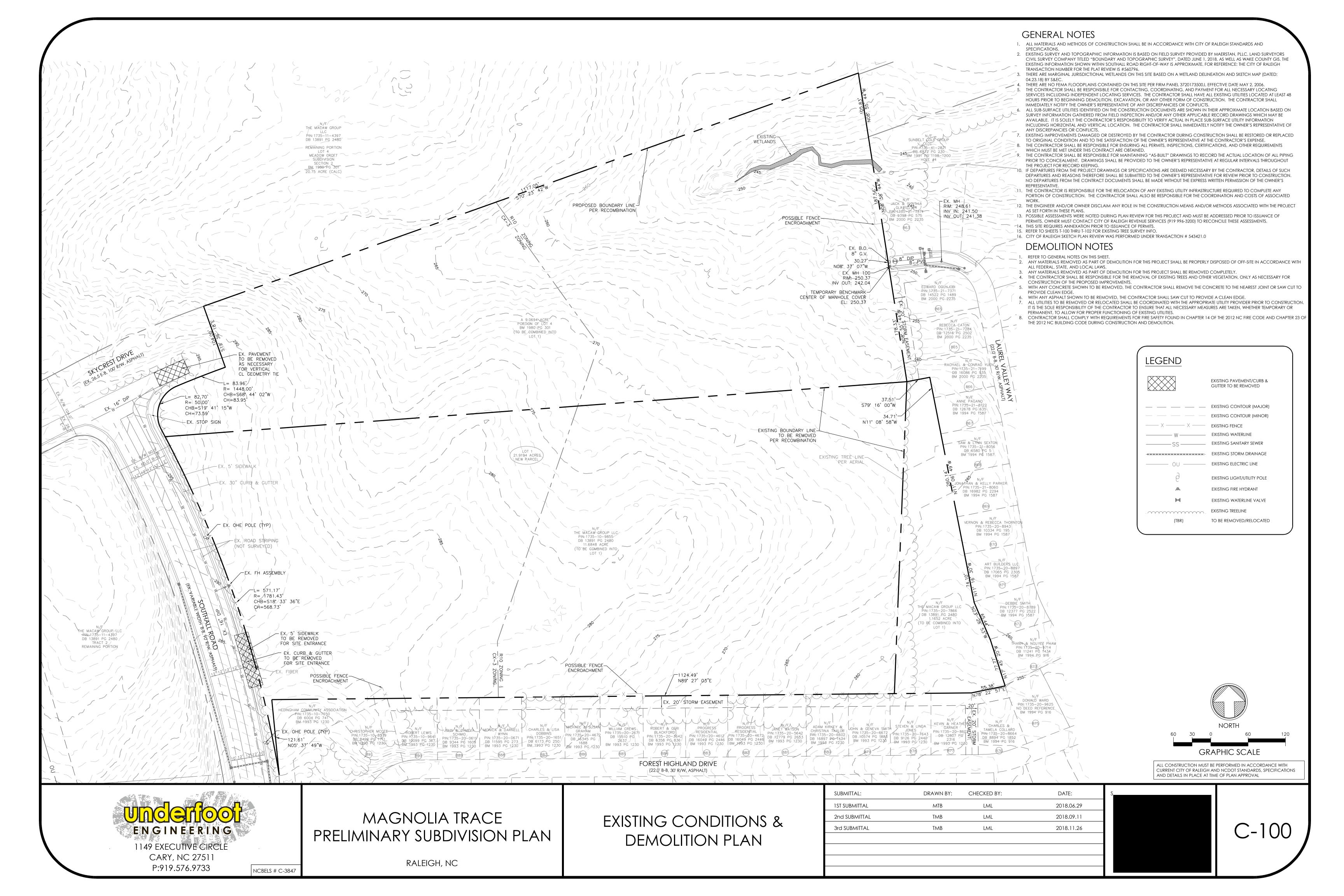
MAGNOLIA TRACE PRELIMINARY SUBDIVISION PLAN

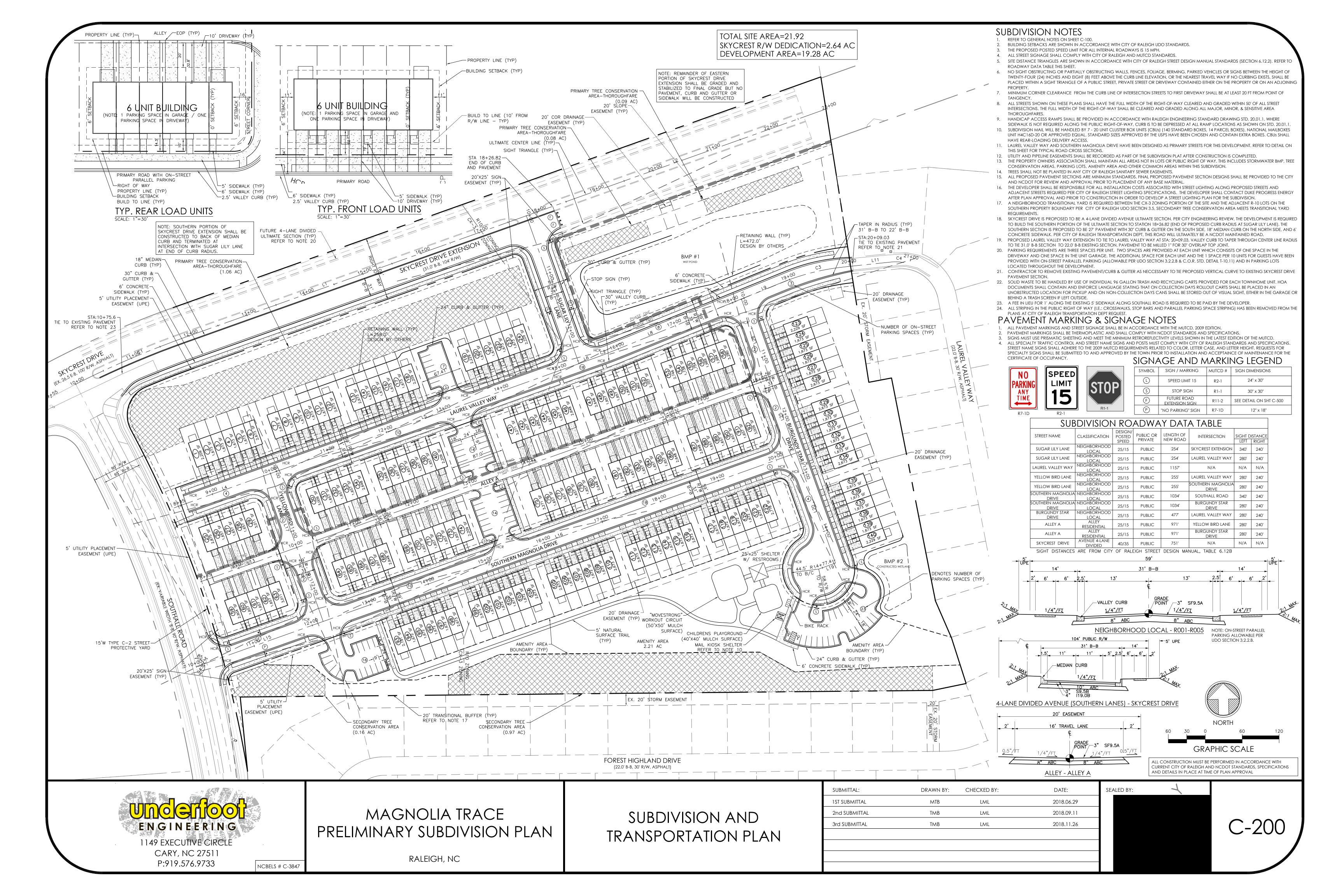
COVER SHEET

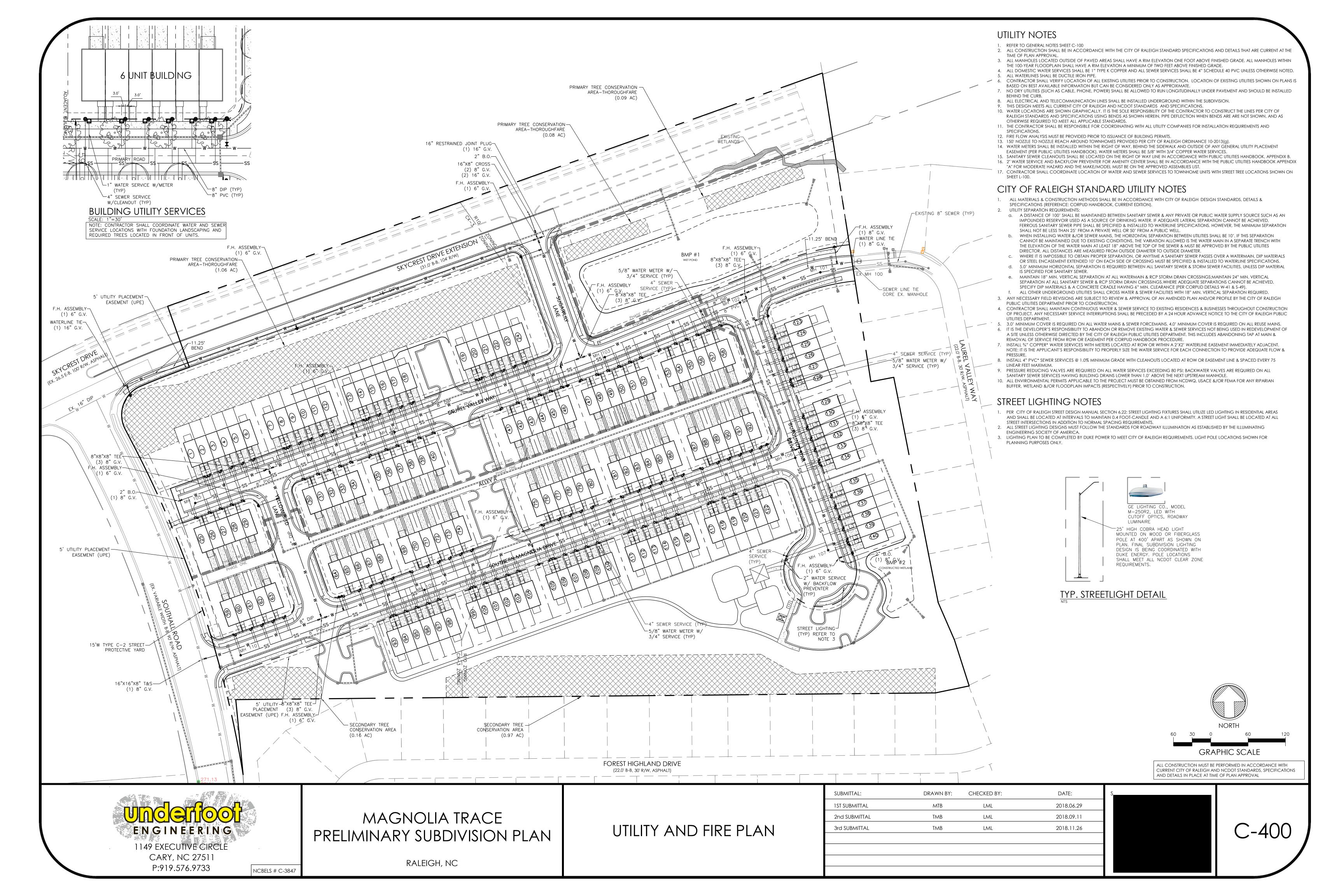
SUBMITTAL:	DRAWN BY:	CHECKED BY:	DATE:
1ST SUBMITTAL	MTB	LML	2018.06.29
2nd SUBMITTAL	TMB	LML	2018.09.11
3rd SUBMITTAL	TMB	LML	2018.11.26

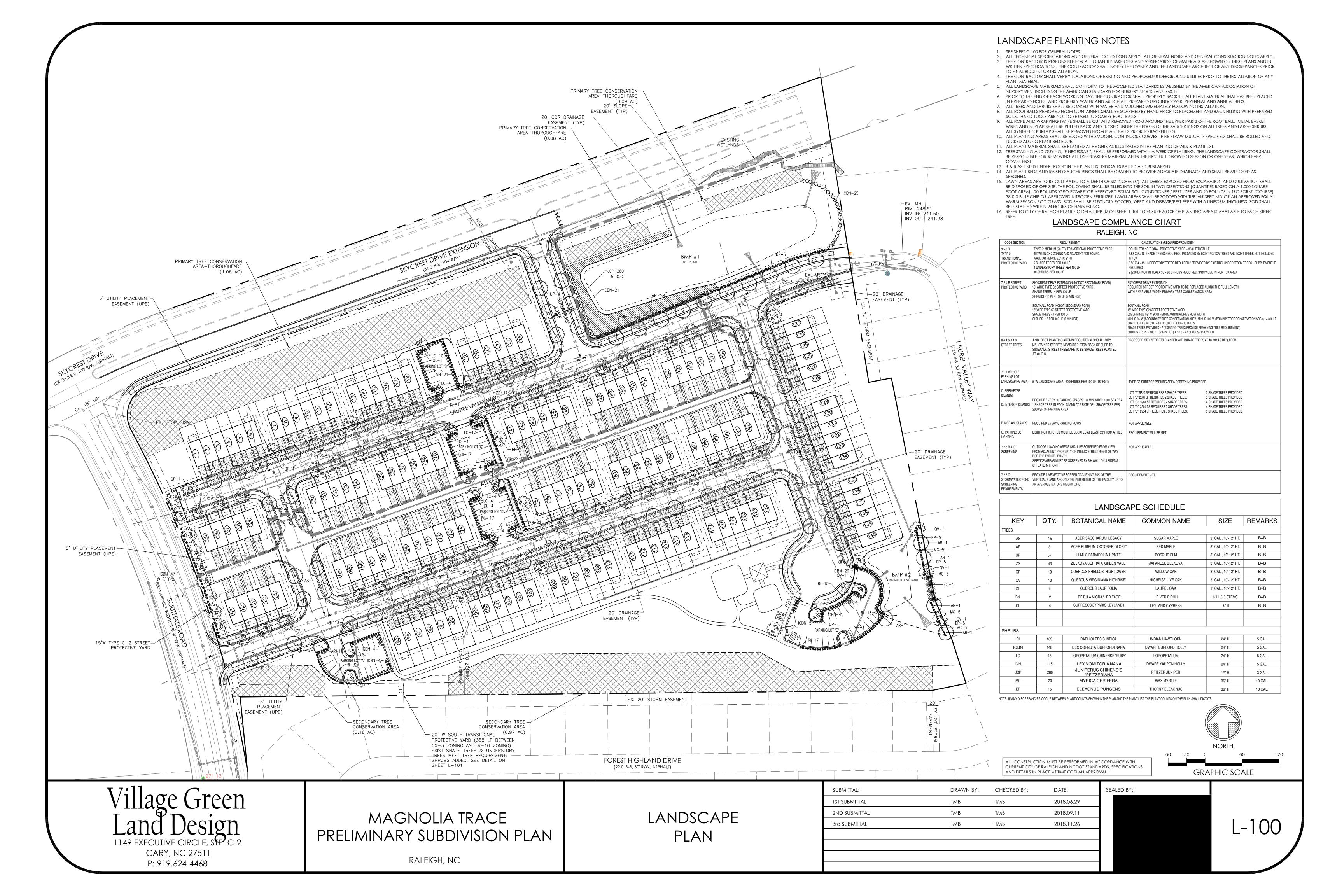


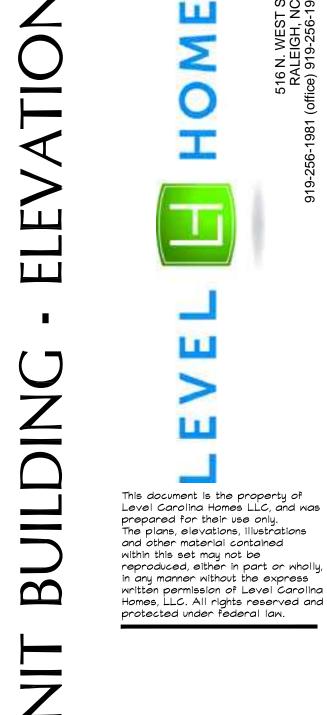
RALEIGH NC

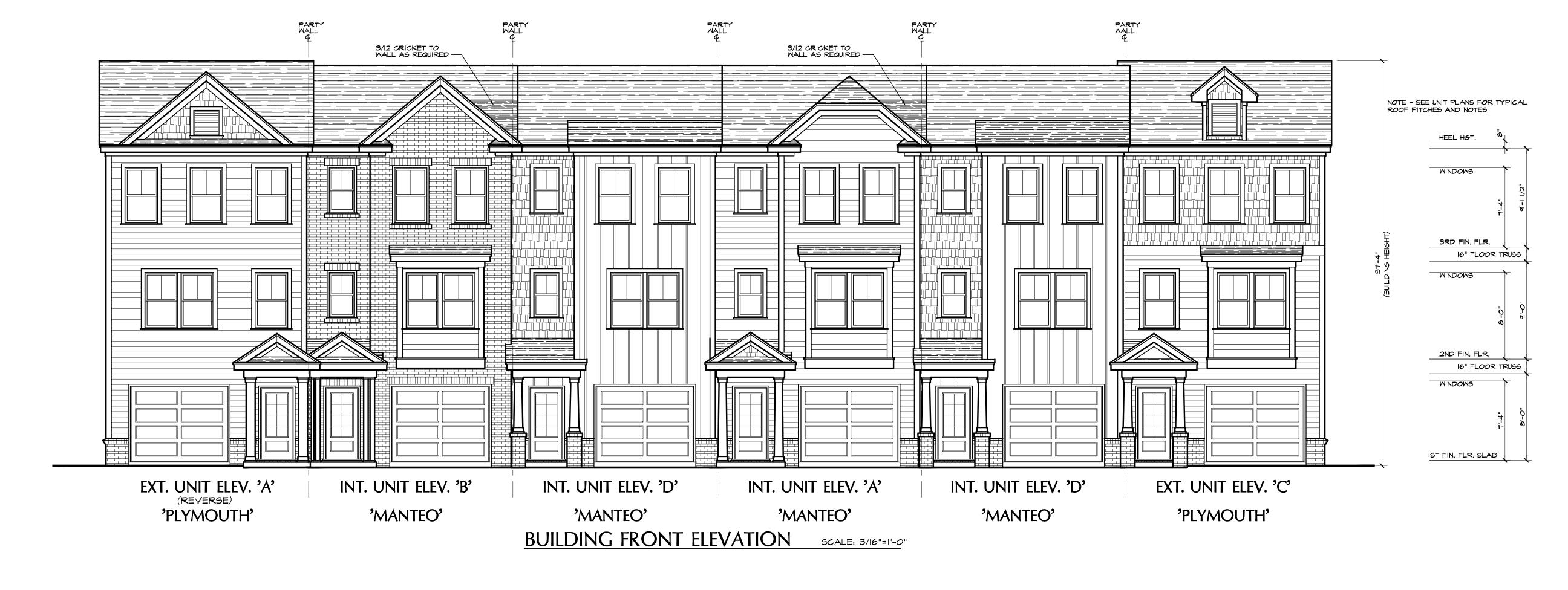






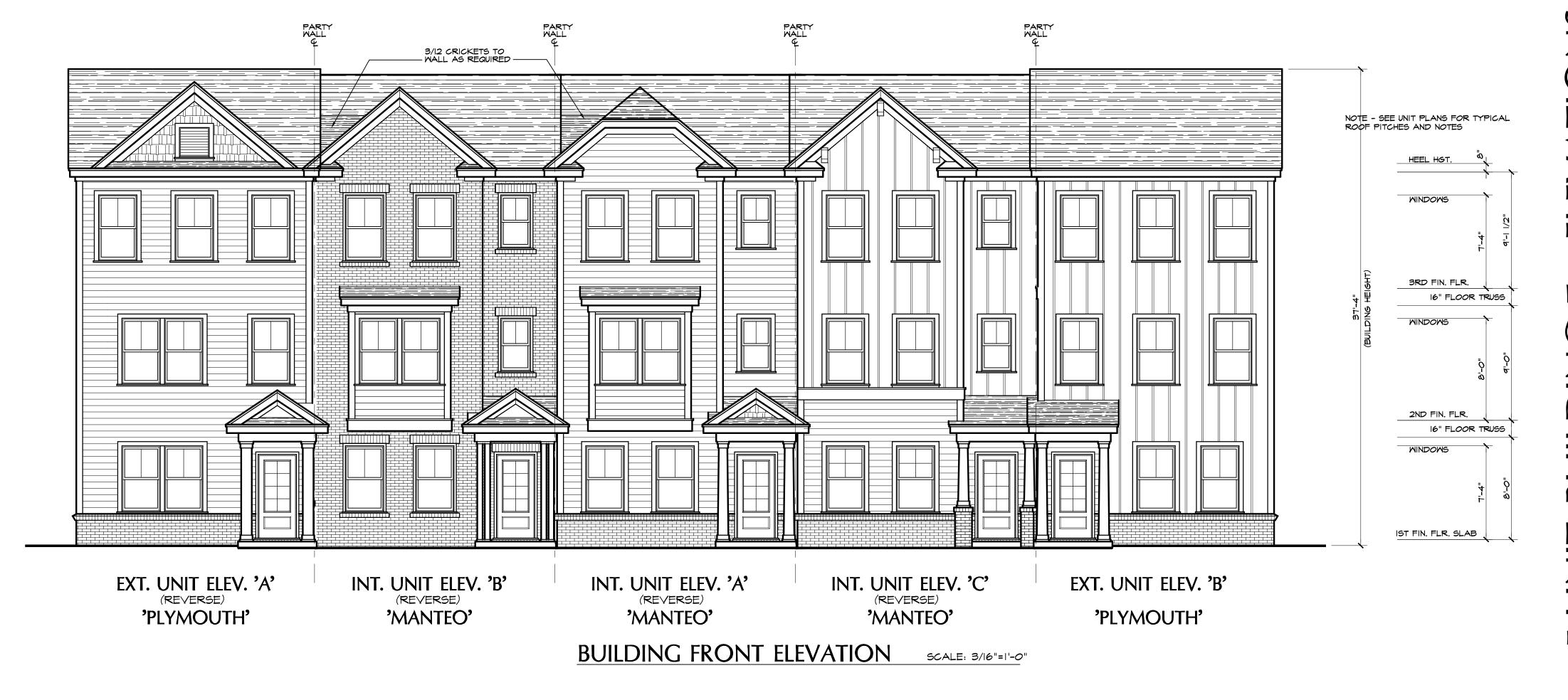








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SCALE: 3/16"=1'-0"

**DATE DRAWN:** 8-29-2018