



Administrative Action

Preliminary Subdivision Cluster Unit Development

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27602
(919) 996-2626
www.raleighnc.gov

Case File / Name: Paces Forest

General Location: The site is located on the northeast quadrant of Lead Mine Road and Millbrook Road

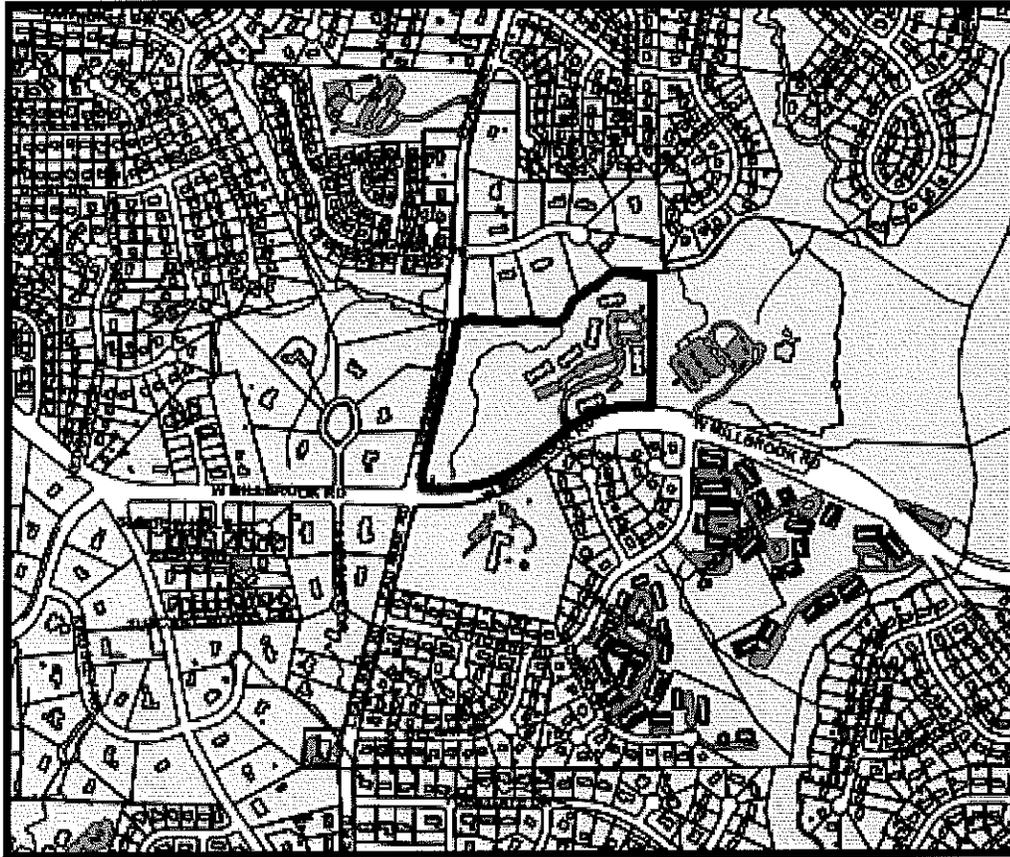
CAC: North

Nature of Case: The subdivision of a 21.705 acre piece of property into 2 parcels. An apartment complex exists on the eastern portion of the property exceeding the current density of 6 units per acre. A density transfer from Lot 2 to Lot 1 of 4.5 units per acre is transferred creating 10.5 units per acre on Lot 1. Lot 2 will be limited to 1.5 units per acre.

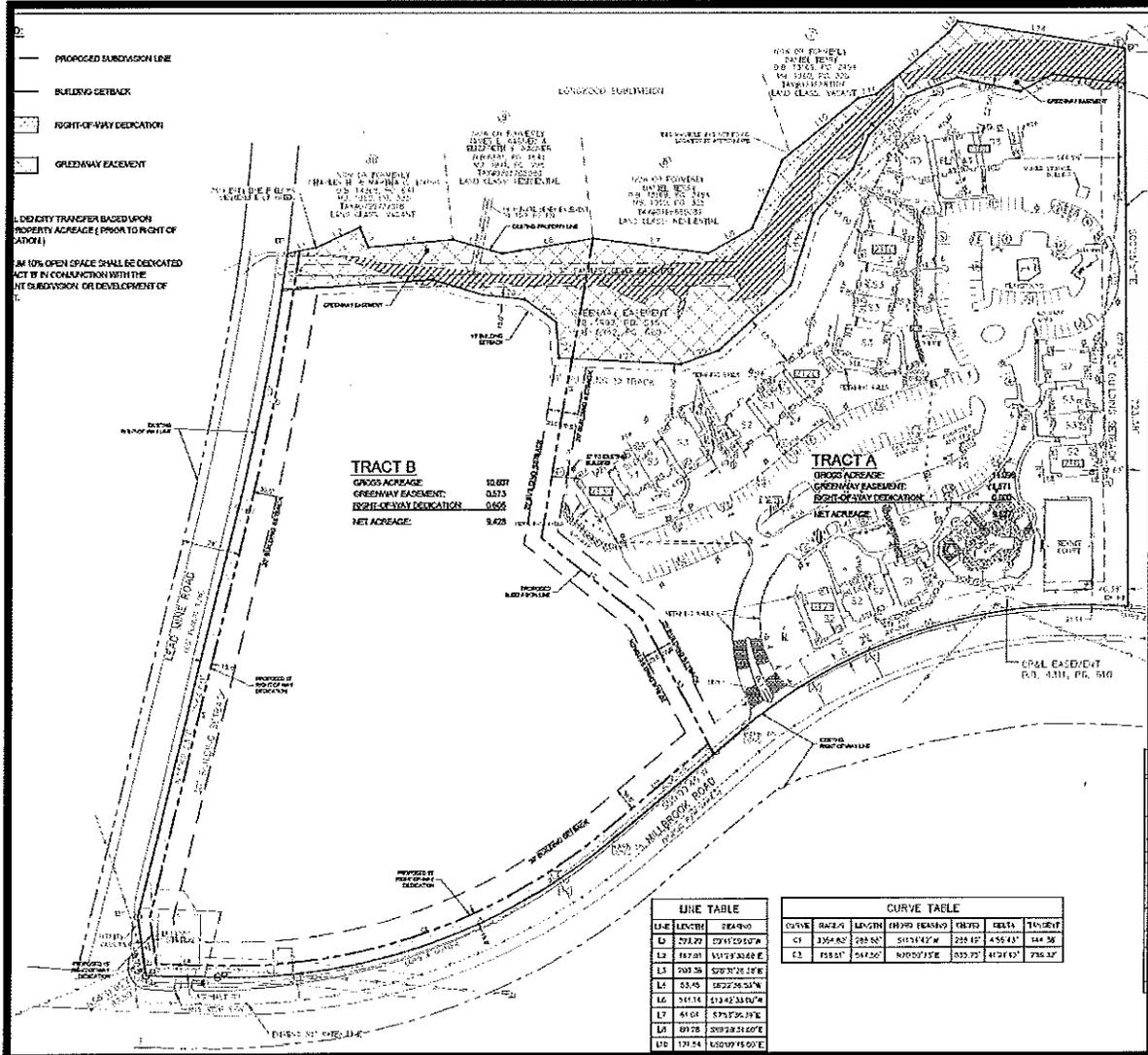
Lot 1 – 11.098 acres (10.5 units per acre)

Lot 2 – 10.607 acres (1.5 units per acre)

Contact: Ricardo Brown, Kimley-Horn & Associates, Inc.



S-40-13 / Paces Forest – Location Map



S-40-13 / Paces Forest – Subdivision Layout

SUBJECT: S-40-13

CROSS-REFERENCE: Z-73-82;

LOCATION: This site is located on the northeast quadrant of Lead Mine Road and West Millbrook Road, inside the City Limits.

PIN: 0796870301

REQUEST: This request is to approve a cluster unit development on 21.705 acres into two lots, zoned Residential-6. 117 apartment units exist on-site. The proposed subdivision would place the apartments on 11.98 acres and Lot 2 would remain vacant on 10.607 acres. A density transfer of 4.5 units per acre will be transferred from Lot 2 to Lot 1. Lot 1 will have a density of 10.5 units per acre. Lot 2 will be limited to 1.5 units per acre. If density is to be used to support density, a note shall be placed on the plat.

OFFICIAL ACTION: Approval with conditions

CONDITIONS OF APPROVAL:

Prior to issuance of a grading permit, site review permit, and construction drawings for the site:

- (1) That a map of the tree conservation areas with metes and bounds descriptions must be submitted to the City Forestry Specialist. Except for construction drawings, tree protection fence must be set up along the boundaries of all tree conservation areas and an appointment must be made with the City Forestry Specialist to inspect the fence;
- (2) 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:

- (3) That any density transfer of 4.5 units per acre from Lot 2 to Lot 1 or right of way dedication is shown on all maps for recording;
- (4) That a plat of all tree conservation areas must be recorded at the Wake County Register of Deeds office and the book and map reference must be provided to the City Forestry Specialist;
- (5) That ½-110' (first 400') of the required right-of- way and a 20' slope easement along West Millbrook Road is dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City prior to lot recordation;

- (6) That ½-90' (exceeding 400') of the required right-of-way and a 20' slope easement along West Millbrook is dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City prior to lot recordation;
- (7) That ½-90' of the required right-of-way along Lead Mine Road is dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City prior to lot recordation;
- (8) 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);"
- (9) That all infrastructure construction plans for public improvements are approved but he Public Works Department;
- (10) 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; and
- (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.

I hereby certify this administrative decision.

Signed: (Planning Dir.) Mitchell Silm (C. Way) Date: 4-7-14

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 Chapter 2, Part 10, Sections 10-2019, 10-2101 Chapter 3, Part 10, Sections 10-3001-3071-3074. This approval is based on a preliminary plan dated 12/11/13, owned by Atlantic Pacific Real Estate Group, submitted by Kimley-Horn & Associates, Inc.

CLUSTER STANDARDS:

ZONING DISTRICTS: Residential-6 & Conservation Management

DEVELOPMENT DENSITY:

The number of units allowed in this zoning district is sic units per acre. The proposed plan contains a density transfer of 4.5 units per acre from Lot 2 to Lot

1. Lot 1 will have a density of 10.5 units per acre. Lot 2 will be limited to 1.5 units per acre.

PHASING: There is one phase in this development.

LOTS / SETBACK: No additional lots are proposed within Lot 1. Additional lots will be subdivided on with a separate subdivision plan on Lot 2.

BLOCK LAYOUT: There are no proposed roadways within this development.

OPEN SPACE: Open space conforms to minimum requirements in Raleigh City Code Section 10-2103(d). 10% or 2.1 acres required, 10% or 2.1 acres provided.

Total Open Space Area provided = 93,218.4
 Open space/Greenway Conservation periphery = 2,685 lf

Calculation of minimum average open space quotient:
 $93,218.40 / 2,685 \times .25 = 555.70$

LANDSCAPING: Street yard landscaping in conformity with Section 10-2082.5 is shown. Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. This is a medium residential impact use under Section 10-2082.8. Transitional protective yards are not required.

TREE CONSERVATION: This project is larger than two acres and compliance with Code Section 10-2082.14—Tree Conservation is required. The project provides 2.174 acres of tree conservation area which is 10.01% of gross site acreage.

Tree conservation acreage is as follows:
 Primary: 0.75 acres
 Secondary: 1.424 acres

COMPREHENSIVE PLAN:

GREENWAY: 0.767 acres, 25' in width, has been dedicated for future greenway.

THOROUGHFARE / COLLECTOR PLAN:

Dedication of right-of-way and construction of the following streets are required by the Thoroughfare and Collector Street Plan:

Street	ROW	Construct	Slope Esmt.
Millbrook Road	½-110' (first 400' feet)	N/A	20'
	½-90' (exceeding 400')	N/A	20'
Lead Mine Road	½-90' (entire frontage)	½-65' b-b with c & g & sidewalk	N/A

Additional right-of-way to be dedicated is reimbursable under the facility fees program. The calculation of the reimbursement, based on a residential street (R-6 density-9.54 acres) will be between the ½-90' right-of-way / ½-110' right-of-way and ½-50' right-of-way for a residential street.

TRANSIT: NA

URBAN FORM: This site is located in the North CAC, in an area designated a residential area.

**SUBDIVISION
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. All lines serving more than one lot and located outside public street r/w or City of Raleigh water or sewer easement shall be owned and maintained by the non-profit owner's association.

SOLID WASTE: Refuse collection is to be provided based on the standards in the Solid Waste Manual.

CIRCULATION: Proposed street improvements shall conform to normal City construction standards. This layout indicates a stream crossing that will be required to be improved based on NCDOT requirements. The only driveway access to this site will be from Lead Mine Road and will be determined at site plan submittal for Lot 2.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. A sidewalk is required along both sides of Lead Mine Road and Millbrook Road.

FLOOD HAZARD: There is FEMA floodplain and floodway on this site.

**STORMWATER
MANAGEMENT:** This site is subject to stormwater management controls in accordance with Part 10, Chapter 9 of the Raleigh City Code. Each lot will be over one acre and address stormwater requirements independently. Lot 1 is grandfathered due to the impervious surface created prior to 2001. When the impervious surface is increased on Lot 1, the site will have to comply with Part 10 Chapter 9 of the Raleigh City Code.

**WETLANDS
/ RIPARIAN
BUFFERS:** Neuse River riparian buffers are located on this site and are protected.

STREET NAMES: No new streets are being proposed.

**OTHER
REGULATIONS:** Developer shall meet all City requirements, including underground utility service (§10-3059), flood protection measures (Part 10, Chapter 4), and the soil erosion ordinance (Part 10, Chapter 5), unless specifically varied by this approval.

SUNSET DATES: If significant lot recording 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: 4/7/2017
Record at least ½ of the land area approved.

5-Year Sunset Date: 4/7/2019
Record entire subdivision.

WHAT NEXT?:

- MEET ALL CONDITIONS OF APPROVAL.
- COMPLETE 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 Engineering Department for street construction; by the first working day in November and May each year.