



# 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-40-15 / Oakwood Townes

**General Location:** The site is located in the northeast quadrant of the intersection of Watauga Street and Brookside Drive.

**CAC:** Mordecai

**Nature of Case:** Subdivision of 5.2 acres into 37 townhome lots, 1 detached home lot, and 2 open space lots, zoned Residential-10.

**Contact:** Johnny Edwards

**Design Adjustment:** NA

**Administrative  
Alternate:** NA



S-40-15 Location Map



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**SUBJECT:** S-40-15

**CROSS-REFERENCE:** NA

**LOCATION:** The site is located in the northeast quadrant of the intersection of Watauga Street and Brookside Drive, inside the city limits.

**PIN:** 1714024128

**REQUEST:** This request is to approve the subdivision of 5.2 acres into 37 townhome lots, 1 detached house lot, and 2 open space lots, zoned Residential-10.

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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 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 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:***

- (3) That conditions 1-2, above, be met;
- (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 a nitrogen offset payment must be made to a qualifying mitigation bank;
- (6) That construction plans for the shared stormwater devices be submitted and approved by the Public Works Department;

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

- (7) 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;

- (8) That the City form document entitled Declaration of Maintenance Covenant and Grant of Protection Easement for Stormwater Control Facilities shall be recorded with the county register of deeds office where the property is located prior to any recordation of a subdivision or recombination plat and a copy of the recorded documents be provided to the Planning Department within the 14-day period, further recordings and building permits authorization will be withheld if the recorded document is not provided to the Planning Department; Required legal documents shall be recorded within 1 day of the approval of a recorded map, if applicable;
- (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;
- (10) 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 homeowner association;
- (11) 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).";
- (12) 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;
- (13) That in accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements is paid to the Public Works Department;
- (14) That Infrastructure Construction Plans are approved by the City of Raleigh, including obtaining stub permits and a tree impact permit;
- (15) That the applicant applies to the Public Utilities Department for a sanitary sewer easement exchange and that the City Council approve the exchange. A City Council resolution number must be obtained for the relocation of the existing sanitary sewer easement on the property and this resolution number must be shown on all maps for recording;
- (16) That the Public Works Department tests and approves the construction of the new sanitary sewer line;
- (17) That a tree conservation map be recorded with metes and bound showing the designated Tree Conservation Areas and shall be in compliance with Chapter 9 of the Unified Development Ordinance;

- (18) That street names for this development be approved by the Raleigh GIS Division and by Wake County;
- (19) That a demolition permit(s) be issued and the building permit number(s) be shown on all maps for recording;
- (20) 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 recorded with the county register of deeds office where the property is located prior to any recordation of a subdivision or recombination plat, and a copy of the recorded documents be provided to the Planning Department within the 14 day period; further plan recordings and building permits authorization will be withheld if the recorded document is not provided to the Planning Department; Required legal documents shall be recorded within 1 day of the approval of a recorded map, if applicable;

***Prior to issuance of a certificate of occupancy for any lot:***

- (21) 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;

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I hereby certify this administrative decision.

Signed: (Planning Dir.) Kenneth Bowen (Sr. Clerk) Date: 10-12-15

Staff Coordinator: Justin Rametta

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 Sections 2.2.1, and 2.2.3. This approval is based on a preliminary plan dated 8/25/15 owned by H Brooks Real Estate LLC., submitted by John A Edwards & Company.

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**ZONING:**

**ZONING DISTRICTS:** Residential-10 (R-10)

**TREE CONSERVATION:** This project is larger than two acres and compliance with UDO Article 9.1. Tree Conservation is required. The project provides 0.51 acres of tree conservation area which is 11.43% of the net site acreage. Tree conservation acreage is as follows:

Primary: 0.40 acres  
 Secondary: 0.11 acres

**PHASING:** There is one phase 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 as shown below.

Street Name	Designation	Exist R/W	Required R/W	Existing street (b to b)	Proposed street (b to b)
Brookside Dr.	Neighborhood Street	66'	½- 64'	41'	41'
Watauga St.	Neighborhood Yield	Variable (39.5'-44')	½- 55'	27'	27'
New Public Streets x 2	Neighborhood Yields	NA	55'	NA	27'
Alleys	Residential Alleys	NA	20' minimum easement	NA	22' (eop to eop)

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

**COMPREHENSIVE PLAN:** This site is located in the Mordecai CAC in an area designated for medium density residential development.

**SUBDIVISION STANDARDS:**

**LOT LAYOUT:** The minimum lot size for detached homes in the R-10 zoning district is 4,000 feet. The minimum lot depth in this zoning district is 60 feet. The minimum lot width for a corner lot in this zoning district is 60 feet. Lots in this development conform to these minimum standards.

**TOWNHOME STANDARDS:** The minimum site area for a townhome development is 3,300 square feet. Minimum townhome lot width is 16'. Townhome lots in this development conform to these minimum standards. A primary street build-to with 70% of the property's frontage having buildings between 10'-30' is required and shown on the plans. A 10% or .52 acre outdoor amenity is required. 1.46 acres (28.2%) are provided.

**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. This project includes the relocation of an existing sanitary sewer easement.

**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 residential. Construction of 6' planting areas with street trees and 6' wide sidewalks are proposed.

**PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. A sidewalk is required along the north side of Brookside Drive and east side of Watauga Street and along both sides of the new public streets. Access to the public right of way in addition to internal connection requirements is provided in accordance with 8.3.4 of the UDO.

**FLOOD HAZARD:** There are flood hazard soils on this site; however FEMA floodplain is not present.

**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

**WETLANDS / RIPARIAN BUFFERS:** Neuse River riparian buffers are located on this site and the design is shown to be in compliance with all regulations.

**STREET NAMES:** Two new public streets and three alleys 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:** 10/12/18  
Record at least ½ of the land area approved.

**5-Year Sunset Date:** 10/12/20  
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.