



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-54-15 / Apsan Estates

General Location: The site is located on the north side of Westwood Place, west of the intersection of Tylerton Drive and Westwood Place.

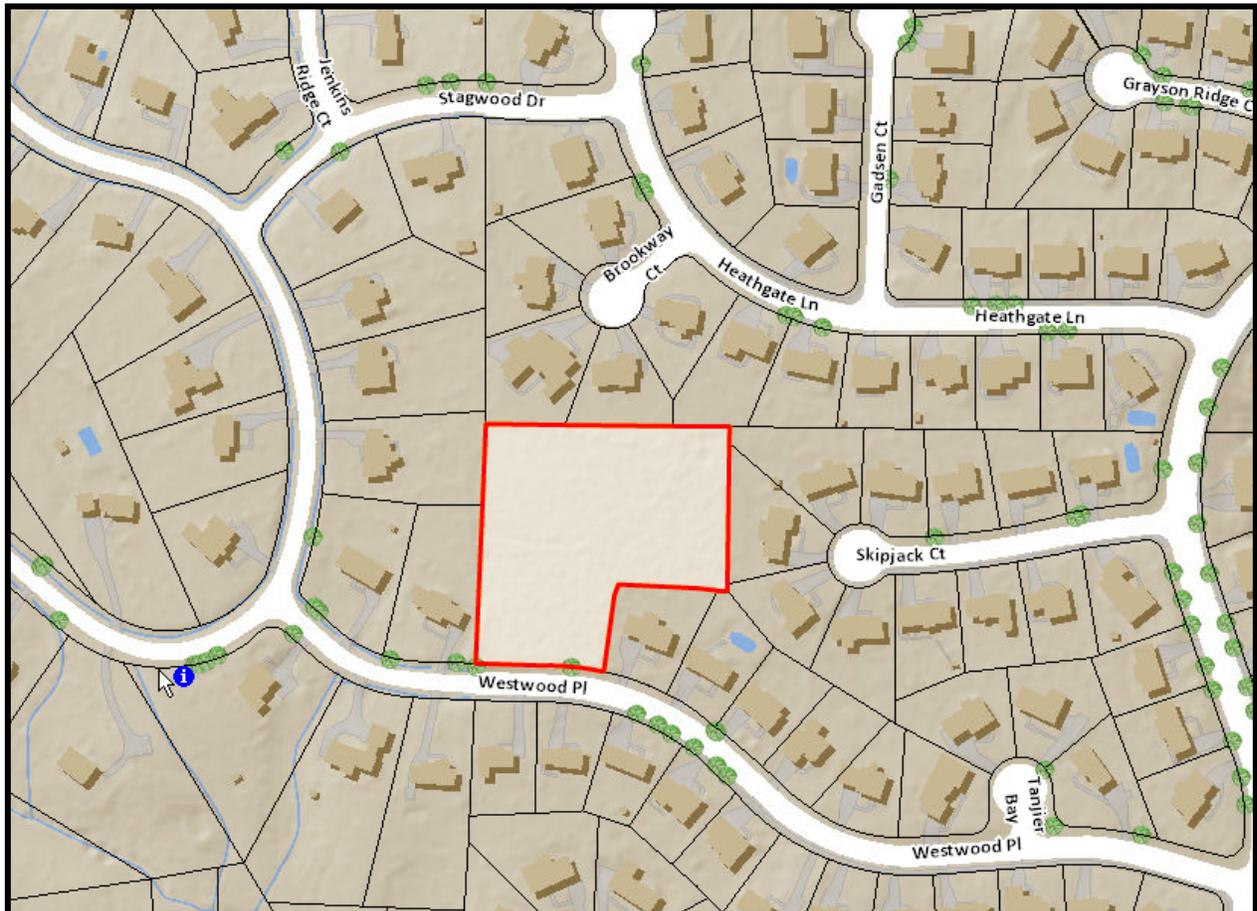
CAC: Northwest

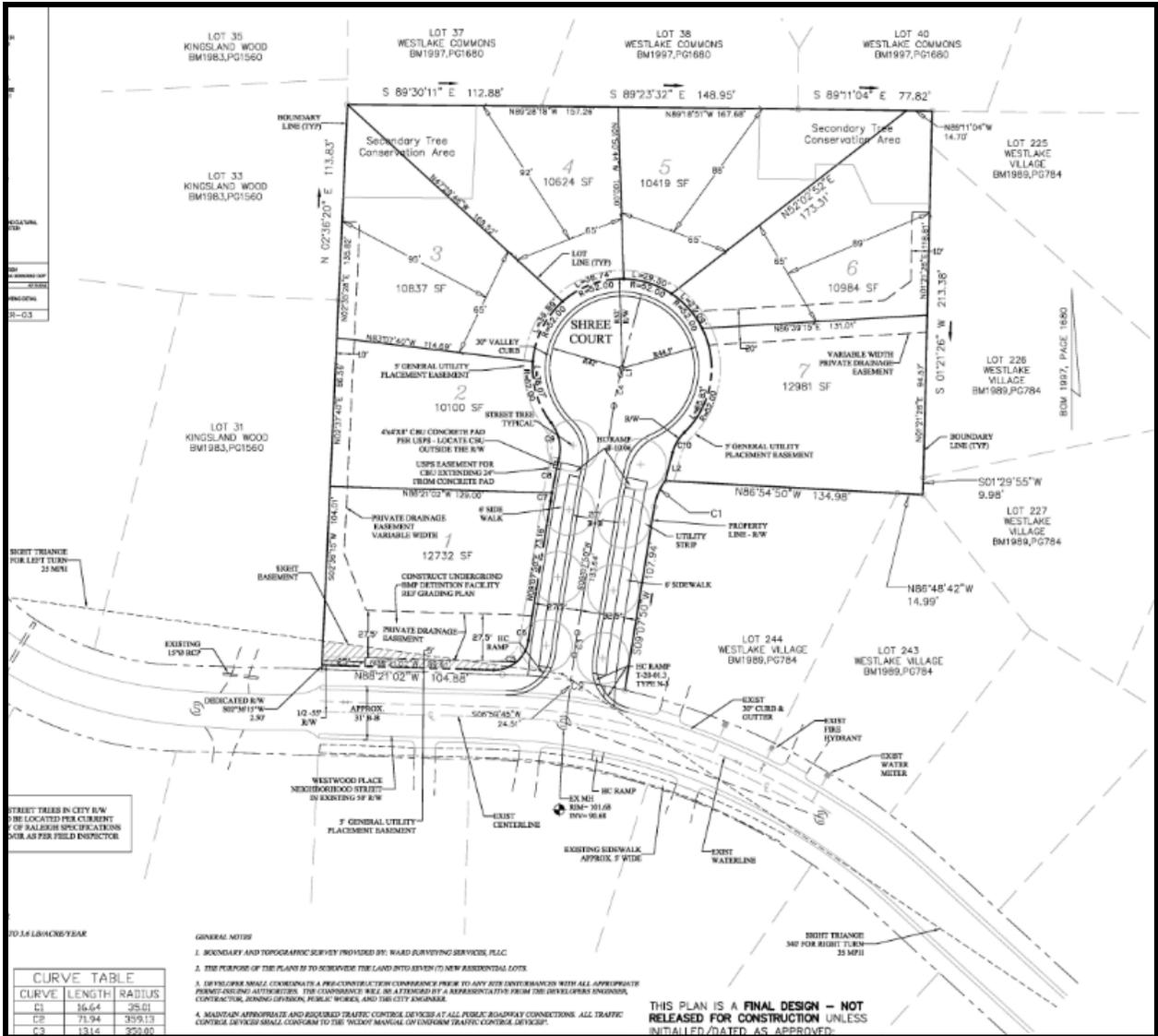
Nature of Case: Subdivision of a 2.19 acre tract into seven (7) single family lots, all zoned Residential-4.

Contact: Tom Kagarise, Veteran Engineering Associates, Inc.

Design Adjustment: NA;

Administrative Alternate: NA





Preliminary Site Plan – S-54-15, Apsan Subdivision

SUBJECT: S- 54 -15 / Apsan Subdivision

CROSS-REFERENCE: Transaction # 446208

LOCATION: The site is located on the north side of Westwood Place, west of the intersection of Tylerton Drive and Westwood Place. The site is located outside of the city limits.

PIN: 0787783549

REQUEST: This request is to approve the subdivision of a 2.19 acre tract into seven single family lots, zoned Residential-4 (R-4).

OFFICIAL ACTION: Approval with conditions

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 Conservation Forester. 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 Conservation Forester;

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

- (3) 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;
- (4) That a nitrogen offset payment must be made to a qualifying mitigation bank;
- (5) That plans for the shared stormwater devices be submitted and approved by the Public Works Department;

Prior to Planning Department authorization to record lots:

- (6) That a fee-in-lieu is required for street trees and sidewalk 6' wide, along Westwood Place to the west of the intersection of Westwood Place and Shree Court;
- (7) That Infrastructure construction plans will be required to be approved;
- (8) 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;
- (9) That a tree conservation permit be obtained and 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;
- (10) That street names for this development be approved by the City of Raleigh and by Wake County;
- (11) That in accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements, including streetscape trees on Shree Court is paid to the Public Works Department;
- (12) That ½ of the required 55' right of way Westwood Place between Shree Court and the adjacent property to the west, is dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City;
- (13) That a 60' right of way for the proposed street (Shree Court) is dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City prior to building permit issuance;
- (14) 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;
- (15) 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;
- (16) 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.";

(17) 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;

Prior to issuance of building permits:

(18) That an encroachment agreement for any 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;

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

(19) That in accordance with Part 10A Section 9.2.2, an as-built plan and certification of 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 Bowen (A. B. Smith) Date: 1-7-16

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, Chapter 7, Article 7.2. This approval is based on a preliminary plan dated 12/3/15 owned by Yogesh Sanghvi, submitted by Tom Kagarise, Veteran Engineering Associates, Inc..

ZONING:

ZONING DISTRICTS: Residential 4 (R-4), Unified Development Ordinance, Effective Sept. 1, 2013.

TREE CONSERVATION: This project is required 10% or 0.1797 acres for tree conservation. This project has proposed 0.1933 acres which is broken into:

Primary: 0 acres
Secondary: 0.1933 acres

PHASING: There is one phase in this development.

**COMPREHENSIVE
PLAN:**

GREENWAY: There are no greenway corridor or trail impacts 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. The existing street (Westwood Place) is classified as a Neighborhood Yield Street. The proposed street (Shree Court) is classified as Neighborhood Yield Street. Dedication of right-of-way is required for both the existing street and the proposed street.

Street Name	Designation	Exist R/W	Required R/W	Existing street (b to b)	Proposed street (b to b)
Westwood Place	Neighborhood Yield	50'	1/2- 55'	31'	31'
Shree Court (Proposed)	Neighborhood Yield		55' proposed 60'		27'

Existing streets on the site are classified as Neighborhood Yield Street. 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 Advisory Council in an area designated as Low Density Residential.

**SUBDIVISION
STANDARDS:**

LOT LAYOUT: The minimum lot size in R-4 zoning district is 10,000 square feet. The minimum lot depth in this zoning district is 100 feet. The minimum lot width of an interior lot in this zoning district is 65 feet. This minimum lot width of a corner lot in this zoning district is 80 feet. 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 Neighborhood streetscape. A fee in lieu for a 6' sidewalk and street trees along Westwood Place between Shree court and the adjacent parcel to the west is required prior to lot recordation. Construction of a 27' back to back roadway, and 6' wide sidewalks along both sides of Shree Court (proposed) are proposed.

PEDESTRIAN:

Proposed sidewalk locations conform to City regulations. A sidewalk is required along both sides of Shree Court (proposed). A fee-in-lieu will be required for street trees (trees 40' on center and a 6' wide sidewalk along 120' of the west end of Westwood Place. 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 no flood hazard areas on this site.

**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 proposal includes construction of a private drainage pipe within the proposed street right-of-way; therefore, approval of an encroachment agreement for this pipe is required prior to issuance of building permits within the subdivision.

**WETLANDS
/ RIPARIAN
BUFFERS:**

No wetland areas or Neuse River riparian buffers are required on this site.

STREET NAMES:

One new street is 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: 1-7-2019
Record at least ½ of the land area approved.

5-Year Sunset Date: 1-7-2021
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.