

Request from The Cullipher Group, P.A., on behalf of N20 LLC, for Preliminary Plat Approval for Calico subdivision (Tax PIN#638717108594000 and Tax PIN #638717101757000). Proposed Lots: 80. Flood Zone: Shaded X and X. Preliminary Flood Zone: AE 8, Shaded X, and X. Minimum Lot Size: 9,826.69 square feet. Average Lot Size: 13,933.69 square feet. Recreation Area/Open Space Proposed: 5.4 acres.

Project History:

- 12/19/2006: Sketch Plan Review (Planning Board)
- 1/9/2007: Sketch Plan Approval (Council)
- 1/15/2008: Preliminary Plat Review and Approval w/ variance (Planning Board)
- 2/12/2008: Preliminary Plat Review and Approval w/ variance (Council)
- 3/17/2009: Preliminary Plat Extension (Planning Board)
- 10/17/2017: Sketch Plan Revision Review (Planning Board)
- 11/14/2017: Sketch Plan Revision Approval (Council)

General:

The applicant is requesting preliminary plat approval for a proposed 80-lot single-family residential subdivision on approximately 38 acres located at 1601 North 20th Street. The property is located in the corporate limits and is currently undeveloped.

Wetlands are shown on the plat and are located primarily within the common area between American Egret Way and White Ibis Way, the lift station lot directly abutting Lot 39 to the southwest, and the portion of Great Blue Heron Drive between these two areas. The site is located in the Shaded X and X (non-special flood hazard areas) flood zones on the current flood map and in the AE (special flood hazard area), Shaded X, and X flood zones on the preliminary flood map.

Required Permits and Approvals:

The applicant has submitted the following permits:

- NCDOT Driveway Permit to allow for lane widening on North 20th Street and driveway cut into the proposed subdivision.
- Stormwater Permit. The total allowable built upon area for the project is 212,025 square feet (allocation includes any built upon area constructed within the lot property boundaries and that portion of the right of way between the front lot line and the edge of the pavement). The table contained in the bottom left of the plan indicates the built upon allocation per lot with the maximum built upon area being Lot 49 at 3,500 square feet and the minimum built upon allocation (shown on many lots) being 2,450 square feet.
- Sedimentation and Erosion Control Permit.
- U.S. Army Corps of Engineers Permit to allow the permanent discharge of 0.081 acres of fill into wetlands and 0.22 acres of open water impacts for the construction of road crossings associated with building a residential complex, access roads, parking areas and sidewalks.
- Water and Wastewater permits to allow for the installation of water mains, fire hydrants, valves and a regional 350-gallon per minute pump station.

Lot Size: The minimum lot size permitted in R15 is 15,000 square feet. However, since the proposed subdivision meets the requirements for a cluster development, some of the proposed lot sizes have been reduced with the smallest lot at approximately 9,827 square feet and the average lot size at approximately 13,934 square feet. The approximate location of lots and lot lines is shown on the preliminary plat.

Cluster Development Requirements:

Cluster housing is defined as dwellings which are grouped together on lots which do not necessarily meet the minimum lot size requirements but do meet the density requirements of the district in which they are located (2-2.60). Since the developer proposes to develop the subdivision as a cluster development, the requirements of section 14-23 of the Unified Development Ordinance must be met.

- Cluster developments are a permitted use in the R15 district.
- Density may not exceed the density requirements of the district in which the development is located. The maximum allowed density in R15 is 2.5 acres and a density of 2.09 units per acre is proposed.
- The minimum cluster development size is 2.15 acres. This development is 38.24 acres in total.
- The minimum setbacks for the perimeter of the property are 40'. Forty-foot building setbacks are shown from the outside perimeter of the proposed subdivision.
- Setbacks may be varied provided at least one setback for the district is met. As proposed, lots will meet the minimum setback requirements for the R15 district of 20' front, 10' sides, and 25' rear.
- Open space must be deeded to the homeowners' association and shall not be developed except as passive recreational areas.

Density: The developer is proposing to locate 80 lots on 38.248 acres. (Note: While the total project area is 38.604 acres, 0.357 acre is contained in the right-of-way along North 20th Street.) A condition of the original conditional-use rezoning was that the maximum density be 2.18 units per acre. The density shown in this subdivision is one unit per 20,822 square feet or approximately 2.09 units per acre.

Open Space: Based upon the cluster development standards, a minimum of 4.05 open space is required. As shown, 4.35 acres of passive (2.37 acres + 1.51 acres + 0.47 acre) and 1.05 acres of active open space is proposed to be provided for a community area. The open space will be required to be deeded to a homeowners' association. A 50' vegetated buffer is shown along the front of the property in the common areas close to North 20th Street. (Note: A development that was *not* a cluster development would have been required to dedicate 2.2 acres of open space.)

Utilities: The proposed subdivision is located within the corporate limits and is proposed to be serviced by city water and sewer.

Street lights: Street lights have been proposed to be installed at a rate of one per every 400' linear feet as well as at intersections and major alignment changes, which meets the requirements in the UDO.

There is an existing drainage ditch under the jurisdiction of the Army Corps of Engineers in a proposed drainage ditch between Lots 42 and 43 and along the rear portion of Lots 51-57. There are two 30' utility easements shown along the front of Lots 52-62 and Lots 73-80. A 90' drainage easement is shown along the northeast portion of the property near Lots 49-52. A 30' drainage easement is shown along the rear of Lots 63-80. A 60' drainage easement is shown the rear of Lots 30-32. Another 60' drainage easement is shown between Lots 8 and 9. There is also a proposed lift station between Lots 38 and 39.

Streets: There are a total of 5,597.97 linear feet of new streets being proposed as part of this subdivision. Four temporary cul-de-sacs are proposed to abut adjacent property until adjacent property is developed or public right-of-way is dedicated. The primary access to the subdivision is proposed through American Egret Way from North 20th Street. The proposed right-of-way width is 50'. Five (5) foot wide sidewalks are proposed along one side of the streets.

A copy of the draft restrictive covenants has been received. The preliminary plat appears to meet submittal requirements.

Approval shall be contingent upon the lift pumping station rate being reduced per the request of the Public Services Department and agreed upon by the Engineer.

Preliminary Plat Approval:

Town technical review staff (Fire, Public Services (water/sewer/streets), Planning) review the Preliminary Plat. At this stage, the developer should have all permits in hand to start construction of the project. The Planning Board does have the authority to grant preliminary plat approval conditional upon receipt of any outstanding permits.

The purpose of the review is to check to make sure that the preliminary plat is consistent with the sketch plan and with all applicable City regulations (i.e. lot sizes, street standards, open space requirements, etc.). A preliminary plat may constitute just a portion or phase of the sketch plan. Once preliminary plat approval is granted by the Planning Board, the developer is authorized to start construction (i.e. streets, water/sewer system, etc.). If it is a conditional approval (to bring into compliance as mentioned above), all the conditions must be met prior to commencement of construction. If preliminary plat approval is denied, the applicant has the right to appeal the Planning Board's decision to the Council.