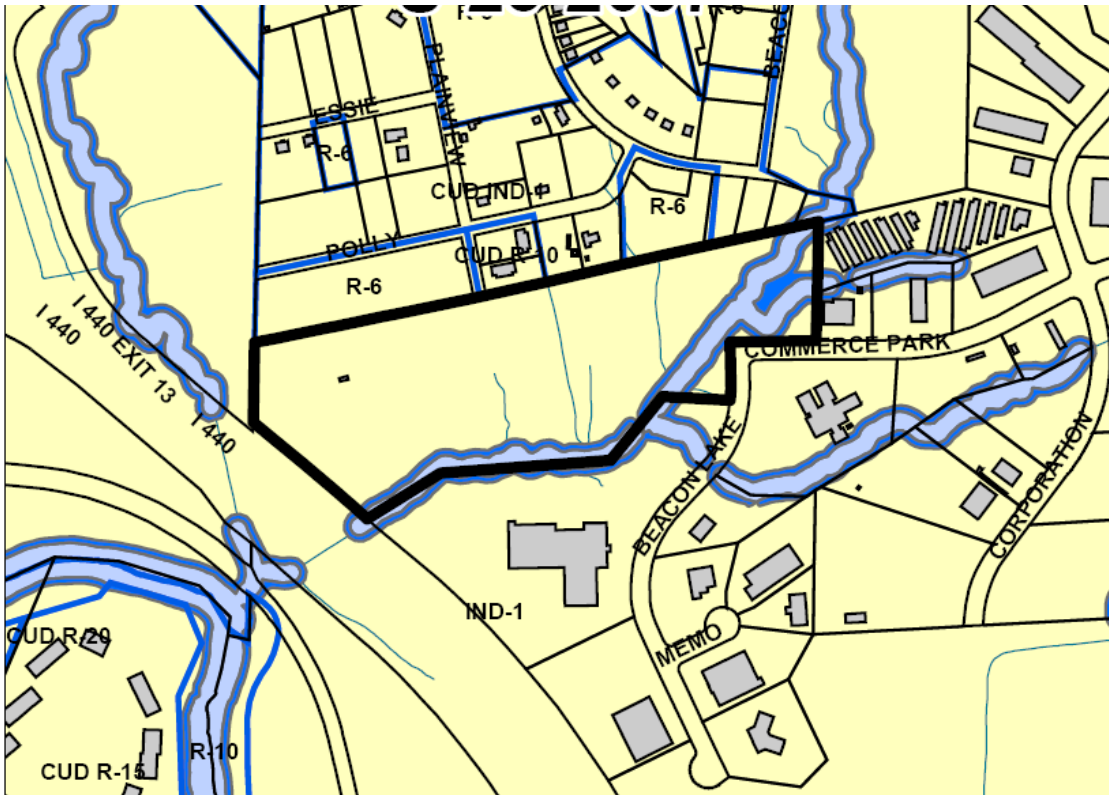
AA# 3010
Case File: S-23-07

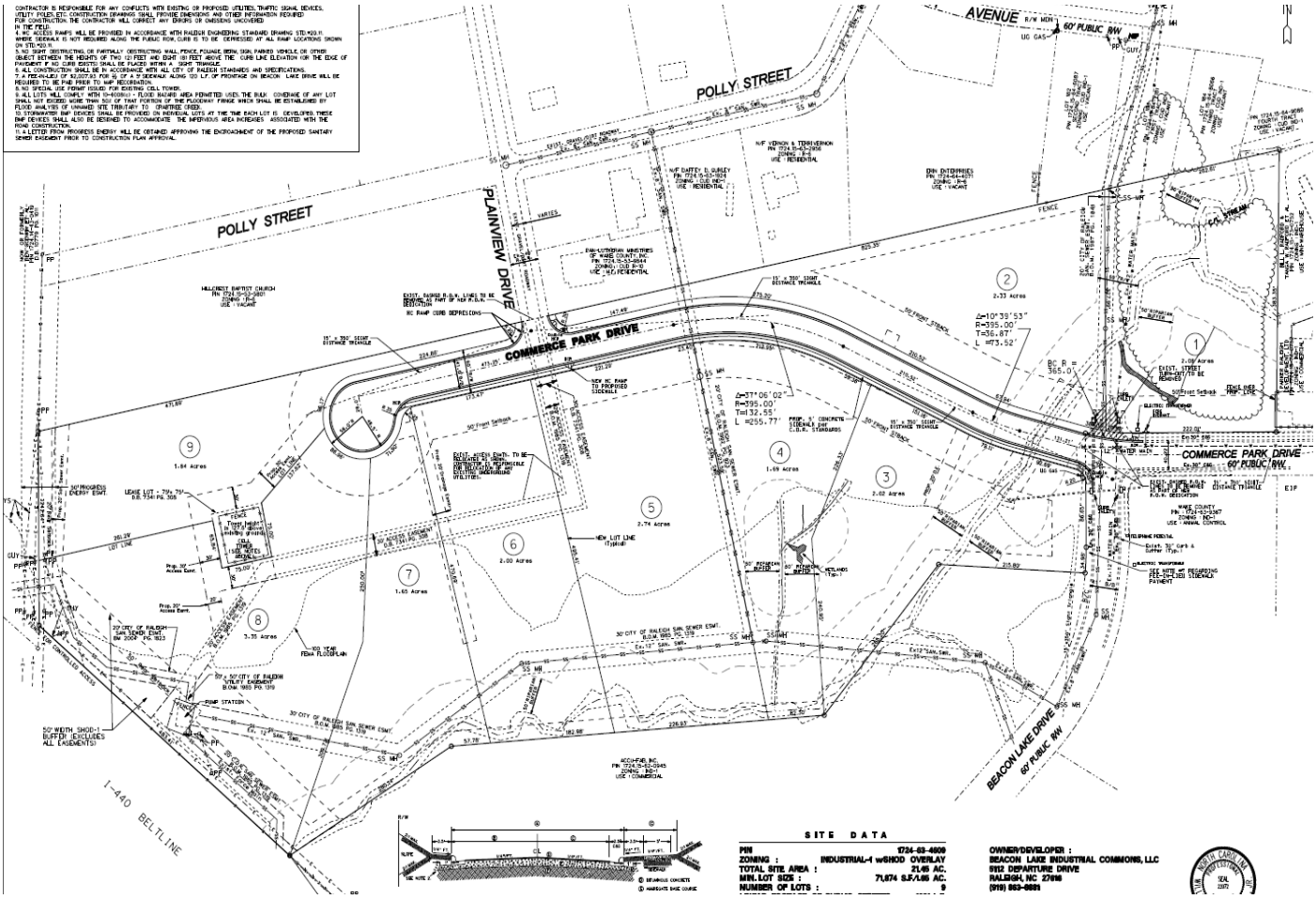
Administrative Action
Preliminary Subdivision

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27602
(919) 516-2626
www.raleighnc.gov

Case File / Name:	**S-23-07 / Beacon Lake Industrial Commons**
General Location:	Intersection of Commerce Park Drive and Beacon Lake Drive
Planning District / CAC:	Southeast / Northeast
Nature of Case:	This request is to approve the subdivision of a 21.45 acre tract into 9 lots, zoned Industrial-1 with SHOD 1. Lot 9 contains an existing 127' cell tower and Lot 8 contains an existing pump station.
Contact:	Harry Mitchell



Vicinity Map



Proposed Plan

SUBJECT: **S-23-07 / Beacon Lake Industrial Commons**

CROSS-REFERENCE: S-85-94

LOCATION: Intersection of Commerce Park Drive and Beacon Lake Drive, within the City Limits.

REQUEST: This request is to approve the subdivision of a 21.45 acre tract into 9 lots, zoned Industrial-1 with SHOD 1. Lot 9 contains an existing 127' cell tower and Lot 8 contains an existing pump station.

OFFICIAL ACTION: **Approval with conditions**

CONDITIONS OF APPROVAL:

Prior to issuance of a land disturbing permit for the site:

(1) 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 10 Chapter 9, 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;

(2) That prior to the issuance of a grading permit, the final tree conservation plan must be approved by the Forestry Specialist in the Inspections Department. 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 Inspections Department. A copy of the approved plan is placed on file in the Planning Department;

Prior to approval of construction drawings for public improvements:

(3) That a letter from Progress Energy is provided to the City of Raleigh verifying allowance for the encroachment of the proposed sanitary sewer easement within the existing electric utility easement;

(4) That as the developer proposes to disturb a designated riparian buffer for the purpose of a street crossing, the North Carolina Division of Water Quality shall approve the disturbance of the riparian buffer before any grading or approval of construction drawings, (whichever first occurs) and evidence of such approval shall be provided to the Stormwater Engineer in the Public Works Department, and a written watercourse buffer permit is thereby issued by the Inspection Department before commencement of work (per code section 10-9044(a);

(5) That a flood study shall be reviewed and approved by the Stormwater Engineer in the Public Works Department (and FEMA if a federally mapped stream is present) for the proposed stream crossing;

Prior to Planning Department authorization to record lots:

(6) That a petition to exchange the existing City of Raleigh utility access easement (BM 1985 pg 1319) is submitted to the Public Utilities Department and approved as a separate action by the Raleigh City Council;

(7) 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 perpetuity 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).". This covenant is to run with the land, and shall be binding on the Owner, and all parties claming under it;

(8) That flood prone areas, as approved by the City Stormwater Engineer, shall be shown on all maps for recording;

(9) That natural resource buffer yards along watercourses shown on the preliminary plan shall be shown on the maps for recording along with a note stating; "That areas shown on the recorded plat identified as natural resource buffer yards shall remain as undisturbed natural areas unless a watercourse buffer permit is first issued by the City of Raleigh in accordance with code section 10-9044".

(10) That the following note be shown on all maps for recording: A minimum finished floor elevation will be required for all lots along the floodplain boundary.

(11) That all blue line features (as shown on the USGS map and the SCS Wake County Soil Survey map) on the property will be required to be shown on all recorded maps. All buffers associated with the blue line features shall be shown on the plat unless evaluation/documentation from DWQ is provided stating that the feature no longer exists on the site and, therefore, the buffer does not exist;

(12) That the following note be placed on all plats for recording: if impervious surface coverage is greater than 30% on any lot, then in accordance with Raleigh City Code section 10-2053(e)(4) a tree inventory, tree report and tree replacement, if required, must be submitted to the Site Review Specialist in the Inspection Department for approval.

(13) That a tree conservation map be recorded with metes and bound showing the designated Tree Conservation Areas and shall be in compliance with Code section10-2082.14;

(14) That construction plans be approved by the Public Works Department, the Public Utilities Department, and the Planning Department.

I hereby certify this administrative decision.

Signed: (Planning Dir.) Mitchell Silver (S. Barton) Date: 9/18/08

Staff Coordinator: James Marapoti

SEE LAST PAGE FOR IMPORTANT INFORMATION ON THE NEXT STEP IN THE SUBDIVISION PROCESS.

FINDINGS: City Administration finds that this request, with the following conditions being met, conforms to Chapter 2, Part 10, Sections 10-2046, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 6/25/08, owned by Beacon Lake Industrial Commons, LLC, submitted by Bass Nixon and Kennedy, Inc..

ZONING:

ZONING DISTRICTS: Industrial-1, SHOD 1.

LANDSCAPING: Landscaping will be required with individual site development on the proposed tracts.

TREE CONSERVATION: This site is 21.45 aces in size and is required to provide 10% or 2.15 acres toward tree conservation. This subdivision is providing 2.16 acres.

UNITY OF DEVELOPMENT: Not applicable.

PHASING: There is one phase for this development.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

THOROUGHFARE / COLLECTOR PLAN: No road improvements or dedication of right of way is required along this site's frontage on Commerce Park Drive. Commerce Park Drive is constructed as a 41' b-b street on 60' of right-of-way.

TRANSIT: Not required.

URBAN FORM: The site is located in an area recommended for industrial uses in the US-64 Corridor Plan and within an Employment Area in the Southeast District Plan. No specific CP land use issues with subdivision.

SUBDIVISION STANDARDS:

LOT LAYOUT: The minimum lot size proposed is 1.65 acres. The minimum lot size required in this zoning district is 5,000 square feet. The minimum lot depth in this zoning district is 70 feet. The minimum lot width in this zoning district is 45'. Lots in this development conform to these minimum standards.

BLOCK LAYOUT: The proposed street layout conforms to City Code, providing for efficient circulation of traffic within the entire neighborhood area. The maximum block length in this development meets the 1500-foot standard as noted in the Streets, Sidewalk and Driveway Access Manual. No dead end street in this development exceeds 800 feet in length.

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 plan includes the proposed relocation of an existing City utility access easement providing access to a pump station on proposed lot 8.

SOLID WASTE: Service will be provided based on standards of the Solid Waste Manual.

CIRCULATION: Proposed street improvements shall conform to normal City construction standards. The developer of this property is responsible to construct the entire stream crossing for the proposed extension of Commerce Park Drive. This plan is proposing to relocate access easements connecting the pump station and cell tower to Plainview Dr.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. A sidewalk is required along Commerce Park Drive.

FLOOD HAZARD: Flood hazard areas are shown on the preliminary plan and shall be shown on all maps for recording.

STORMWATER MANAGEMENT: No stormwater control facilities are shown on this plan. All Lots are 1 acre or greater in size allowing onsite stormwater BMP's on each lot for compliance with Pt 10 Ch.9. All lots must comply with section 10-4008(c).

WETLANDS / RIPARIAN BUFFERS: Neuse River riparian buffers are required on this site.

STREET NAMES: No new street names are required;

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: 9/18/11
Record at least ½ of the land area approved.

5-Year Sunset Date: 9/18/13
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.