Administrative Action
Preliminary Subdivision

City of Raleigh
Development Plans Review Center
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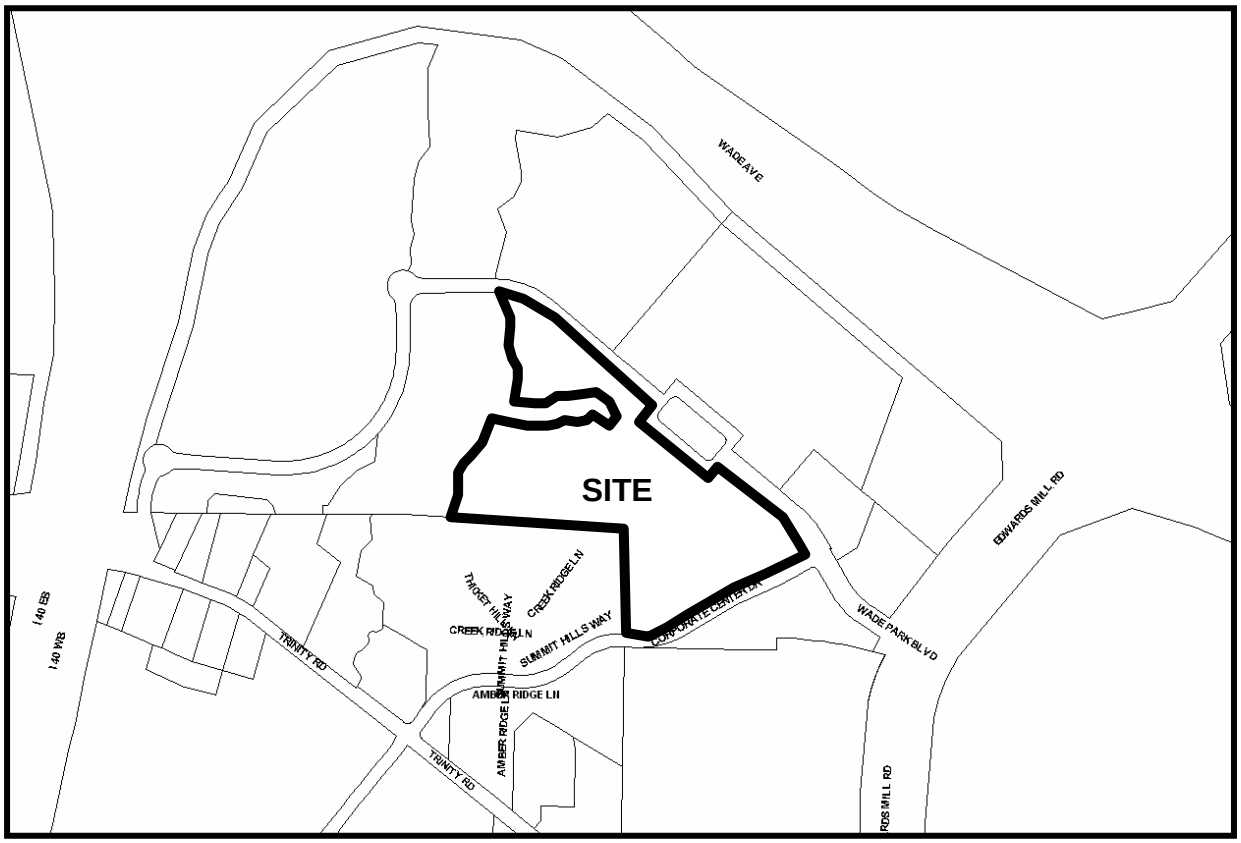
Case File / Name: **S-99-07 / Wade Lot 6**

General Location: Southwest corner of Wade Park Boulevard and Corporate Center Drive within the overall Wade Subdivision (S-53-06). This site is part of the previously approved Forty Wade PDD master plan (MP-2-05/Z-54-05).

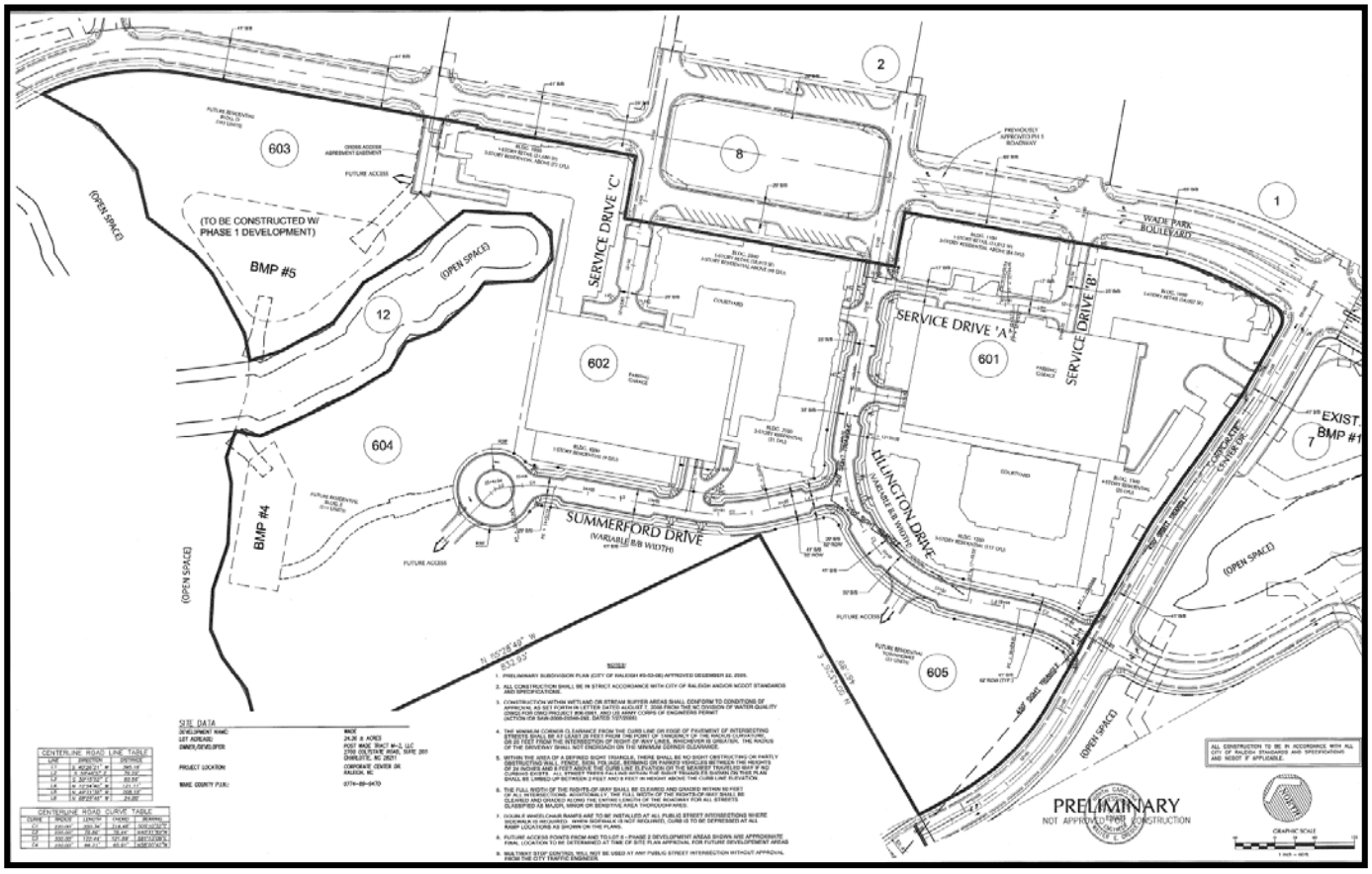
Planning District / CAC: Southwest / West

Nature of Case: Subdivision of a 24.36 acre tract into 5 lots zoned Office and Institution-2 Conditional Use with Planned Development Conditional Use Overlay District. This plan is to be recorded in one phase.

Contact: Withers & Ravenel



S-99-07 / Wade Lot 6 Subdivision – Location Map



S-99-07 / Wade Lot 6 Subdivision – Subdivision Plan

SUBJECT: S-99-07 / Wade Lot 6

CROSS-REFERENCE: S-53-06, MP-2-05, Z-54-05

LOCATION: This site is located at the southwest corner of Wade Park Boulevard and Corporate Center Drive, inside the City Limits.

REQUEST: This request is to approve the subdivision of a 24.36 acre tract (lot 6 BM 2007 PG 2870) into 5 lots, zoned Office and Institution-2 Conditional Use with Planned Development Conditional Use Overlay District. This plan is to be recorded in one phase.

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 as the developer has chosen to offset a portion of nitrogen export load limitation by paying monies to the North Carolina Ecosystem Enhancement Program (NCEEP) in accordance with Nitrogen reduction requirements of Section 10-9022, this payment shall be made to NCEEP and verification of the amount of payment shall be provided to the City of Raleigh Stormwater Engineer;

Prior to Planning Department authorization to record lots:

(3) That construction plans be approved by the Public Works and Public Utilities Departments for all public infrastructure;

(4) That a note be added to all plats for recording stating that unity of development is required among lots in this subdivision and that a copy of the approved unity of development plan is on file with the City of Raleigh Planning Department;

(5) That cross access agreements between proposed lots 602 and 603 are recorded in accordance with the City Code and a recorded copy is returned to the Planning Department within 14-days of recording. The proposed cross access easement as shown on the preliminary plan also shall be shown on all plats for recording. If a recorded copy of this document is not provided to the Planning Department within the 14 day period, further plat recordings and building permits authorization may be withheld;

(6) That a note be placed on all maps for recording stating that the maximum impervious surface coverage for all lots shall not exceed 85% impervious surface coverage;

(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, are shown on the preliminary plan and shall be shown on the recorded map;

(9) 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;

(10) 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;

(11) 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";

Prior to issuance of building permits in the Inspections Department:

(12) That the existing three party form "Stormwater Replacement Easement and Access Maintenance Agreement and Replacement Contribution" (Installment or Lump Sum payment version) previously approved for the overall development with subdivision case S-53-06 be amended to include the lots proposed with this subdivision and that it be approved by the City of Raleigh Attorney for signature of the City Manager. Following the signatures of the City, the developer shall record the Stormwater Agreement with the local county Register of Deeds. A recorded copy of the Stormwater Agreement shall be given to the Stormwater Engineer in the Public Works Department within (14) days of plat recording . No building permit will be issued until a recorded copy of the drainage easement is provided to the Inspections Department;

(13) That all permanently preserved undisturbed open space used to meet the nitrogen reduction requirements of Part 10 Chapter 9 as approved for the

overall stormwater management plan associated with this tract and the remainder of subdivision S-53-06, the overall subdivision for this tract, shall be shown and labeled as part of a nitrogen loading map to be approved by the Stormwater Engineer in the Public Works Department. This map shall be recorded with the local county Register of Deeds and shall include a note stating: Within permanently preserved undisturbed open space areas used for stormwater treatment, there must not be any land disturbing activity, any placement of impervious surfaces, any tree removal, any new development or expansion thereof, or new use, construction, or encroachment;

(14) That final building elevations be approved by the Site Review Specialist in the Inspections Department to show conformance with both the approved unity of development guidelines and any approved Master Plan design guidelines for this site;

(15) That before the issuance of the 100th certificate of occupancy for dwelling units or 101,000 square feet of building, the public roadway from Edward's Mill Road to Trinity Road shall be installed and accepted for maintenance by the City of Raleigh;

(16) That a final detailed landscape plan be approved by the Site Review Specialist in the Inspection Department;

(17) That any signage on this property comply with the sign criteria approved by the City Council on 11/27/07, CR# 11154.

I hereby certify this administrative decision.

Signed: (Planning Dir.) Mitchell Silver (C. Wayne) Date: 2-29-08

Staff Coordinator: Stacy Barbour

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 10-2036, 10-2057, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 1/29/08, owned by Jeffrey W. Harris, Post Wade Tract M-2 LLC, submitted by Withers & Ravenel.

ZONING:

ZONING DISTRICTS: Office and Institution-2 Conditional Use with Planned Development Conditional Use Overlay District (MP-2-05, Z-54-05).

The approved master plan and PDD rezoning are referenced by cases MP-2-05 and Z-54-05, Ordinance (2006) 23 ZC 588, Effective 5/16/06.

Z-54-05 – Wade Avenue/MP-2-05 – Forty Wade Master Plan – south side of Wade Avenue, west of its intersection with Edwards Mill Road, being Wake County PINs 0774-89-7537 and 0784-08-1029. Approximately 168 acres from Thoroughfare District Conditional Use with Planned Development Conditional Use Overlay District to Office and Institution-2 Conditional Use with Planned Development Conditional Use Overlay District.

Conditions dated: June 17, 2005

1. Development of the property shall be in accordance with Master Plan Amendment approved in connection with this rezoning petition.

2. Future dedications of rights-of-way shall be valued according to the original zoning classification (Agricultural Productive or Office and Institution-1, respectively) of the area dedicated

LANDSCAPING: Preliminary street yard landscaping plans have been provided. Final landscape plans in accordance with the standards adopted in MP-2-05 and code section 10-2082 shall be approved prior to issuance of building permits.

TREE CONSERVATION: Tree Conservation areas have already been recorded with previous subdivision of this property, S-53-06.

UNITY OF DEVELOPMENT: Unity of development criteria are required in this subdivision and a unity plan has already been approved by the City Council (CR-11018). A note must be placed on any plat for recording noting that unity of development criteria will apply to these lots, and that a unity of development plan is on file in the Planning Department.

PHASING: There is one phase in this development.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

THOROUGHFARE / COLLECTOR

PLAN: No right-of-way for thoroughfares or designated collector streets is required. However the proposed plan includes construction of two streets of 62' width R/W and variable width cross sections. Proposed street construction and right-of-way dedication is not reimbursable. Cross sections are to be shown on the approved construction drawgins.

TRANSIT: No transit facilities have been provided with this plan.

OPEN SPACE: Open space for the overall PDD master plan area of MP-2-05 has already been set aside and recorded with S-53-06.

URBAN FORM: The site is in the Southwest Planning District and the Arena Small Area Plan. In the small area plan, the eastern part of the site is designated a residential community focus. This focus area is not defined by a policy boundary line, and the remainder of the property is designated an employment area. More specifically, the land use recommendations in the Arena Small Area Plan call for mixed use and multifamily development on the site.

SUBDIVISION STANDARDS:

LOT LAYOUT: The minimum lot size in this zoning district is 5,000 square feet. The minimum lot size proposed is 2.07 acres. The minimum lot depth in this zoning district is 70'. 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.

SOLID WASTE: Refuse collection may be provided by means of a private contractor or as individual lot service provided by the City in accordance with the standards in the Solid Waste Design Manual. Location, design of collection facilities, and service provision shall be determined at the time of further subdivision or specific site plan approval.

CIRCULATION: Proposed street improvements shall conform to normal City construction standards. This layout includes a shared driveway and cross access between proposed lots 602 and 603.

Note that the street layout being approved with this subdivision constitutes a staff approved modification of the layout approved with the PDD master plan for this site. The proposed east-west street (Summerford Drive) ends within this tract rather than crossing the riparian buffers to the west.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations.

FLOOD HAZARD: There are no flood hazard areas on this site.

STORMWATER MANAGEMENT: An overall stormwater management plan for shared facilities was approved with the previous subdivision for this property (S-53-06). Retention / detention facilities are shown on the preliminary plat. Prior to any construction plan or permit approval, proof that the existing legal documents and replacement fund have been updated must be provided. In accordance with the previously approved plan a note shall be placed on all maps for recording stating that the maximum impervious surface coverage for all lots shall not exceed 85% impervious surface coverage. In addition all permanently preserved undisturbed open space associated with the overall subdivision (S-53-06), both on this site and off site within the overall subdivision, must be recorded as part of a nitrogen loading map prior to any building permit issuance.

WETLANDS / RIPARIAN BUFFERS: No wetland areas or Neuse River riparian buffers are required on this site. However the preliminary plan shows riparian buffers on the adjacent lot 12 to the west.

STREET NAMES: 2 new street names have already been approved for this development (Summerford Drive and Lillington Drive).

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: 2/29/11
Record at least ½ of the land area approved.

5-Year Sunset Date: 2/29/13
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.