



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-2-15 / Lumley Road Development Subdivision

General Location: The site is located on the southeast side of Lumley road, Southwest of the intersection of Lumley Road and Glenwood Avenue.

CAC: Northwest

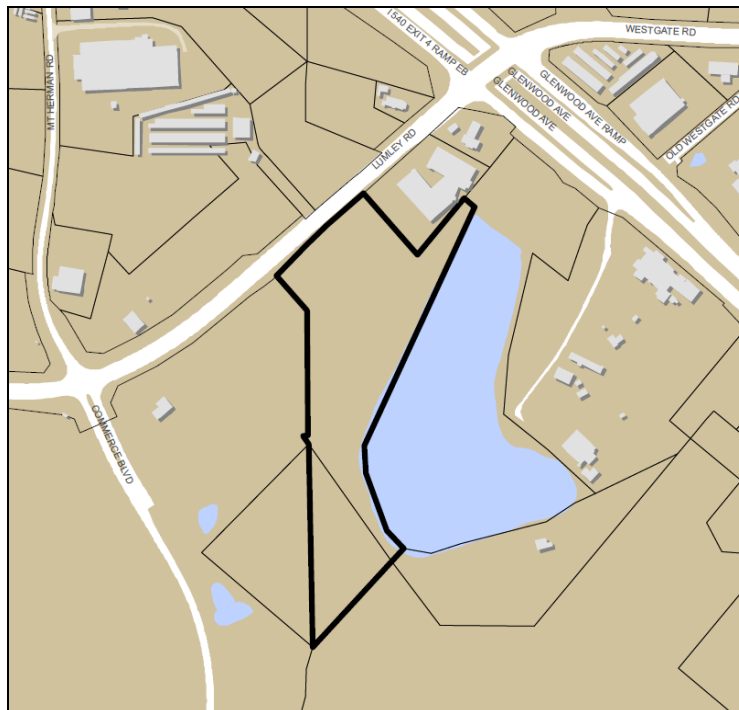
Nature of Case: Subdivision of a 14.43 acre tract zoned Thoroughfare District within the Airport Overlay District, and SHOD-2 Overlay District, in two parcels.

Contact: Mulkey Engineers and Consultants, Michael Allen

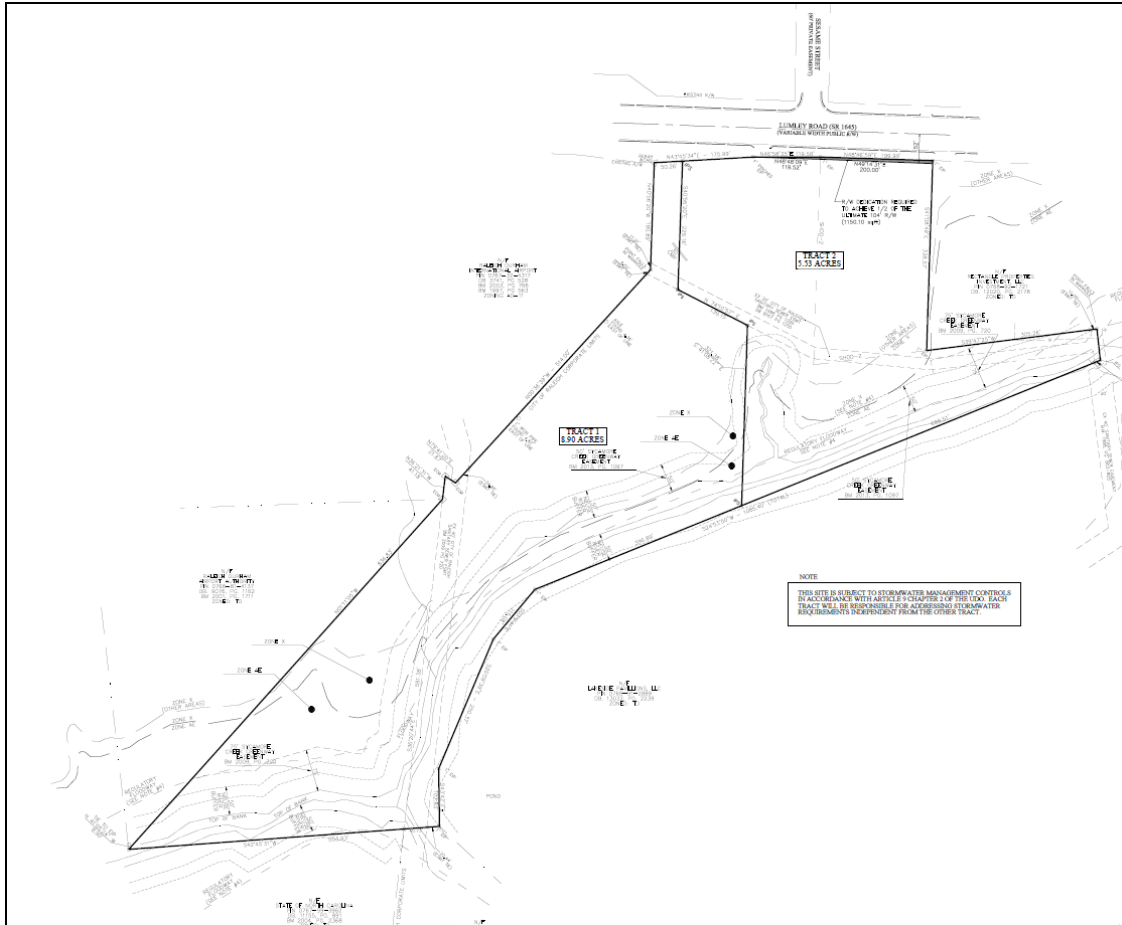
Design Adjustment: One Design Adjustment has been approved by the Public Works Director for this project, noted below.

1. A Design Adjustment waving the block perimeter requirements as outline in Section 8.3.2 of the UDO.

Administrative Alternate: NA



Preliminary Subdivision Site Map/ location



Proposed Preliminary Subdivision Plan



Planning & Development

**Public Works
Transportation Field Services**
One Exchange Plaza
Suite 300
Raleigh, NC 27602
www.raleighnc.gov

Public Works Design Adjustment Application

The purpose of this request is to seek a design adjustment from the Public Works Director for a specific project only and if granted may be given with special conditions and provisions. This application and all further action shall be consistent with Section 10.2.18 of the Unified Development Ordinance (UDO). The consideration and decision of this request shall be based solely on the conformance of the findings, as outlined in Sections 8.3.6 and 8.4.1.E of the UDO.

Project	Project Name	Lumley Road Development		
	Case Number	S-2-2015	Transaction Number	422318

Owner	Name	Lumley Commercial Owners, LLC				
	Address	Post Office Box 33279	City	Raleigh		
	State	North Carolina	Zip Code	27636-3279	Phone	(919) 821-7890

Applicant	Name	Michael D. Allen, PE	Firm	Mulkey Engineers & Consultants		
	Address	6750 Tryon Road	City	Cary		
	State	North Carolina	Zip Code	27518	Phone	(919) 858-1888

***Applicant must be a Licensed Professional (Engineer, Architect, Surveyor, or Contractor)**

Design Adjustment Request	Code Section Referenced	Section 8.3.2
	Justification	A design adjustment for not meeting the block perimeter requirements outlined in Section 8.3.2 of the UDO is requested due to the following:
		<ul style="list-style-type: none"> The tract is bordered by Raleigh Durham International Airport to the west and Umstead Park. The tract is bordered by a large pond to the south and southeast. The tract also contains a perennial stream, Neuse River Riparian Buffers, floodway, and floodplain along its southern boundary. The property to the east has been developed (existing Commercial Building). The northern boundary of the tract is bordered by Lumley Road (SR 1645) and a Tree Conservation Area (50' Thoroughfare Buffer).

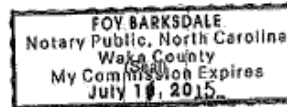
*Please include any additional supportive documents (Plan sheets, aerials, etc.) along with this application. It is the applicant's responsibility to provide all pertinent information required for consideration.

By signing this document I hereby acknowledge the information on this application is accurate to the best of my knowledge.

[Signature]
Owner/Owner's Representative Signature 3/5/15
Date

In witness whereof, the parties signed have executed this document on this date.

[Signature]
Notary Signature 3-5-15
Date






Public Works Design Adjustment – Staff Response

Per Section 10.2.18.C of the Unified Development Ordinance, the Public Works Director may consult with the heads of other City departments regarding the review of the request. The Public Works Director may approve, approve with conditions or deny the request, but must do so within 60 days of the receipt of a completed application. Additional time may be necessary if a municipal or state entity is incorporated in the review process or if a detailed engineering study is submitted in conjunction with the request.

Project	Project Name	Lumley Road Dev.	Date Completed Application Received	3/5/2015
	Case Number	S-2-2015	Transaction Number	422318

Staff Response/Recommendation	Staff supports the Design Adjustment request.		
	Staff Member	Rene Haagen	Support Request <input type="checkbox"/>

Public Works Director's Action:

Approve Approval with Conditions Deny
 _____ 3/11/15
 Richard L. Kelly, Interim Public Works Director Date

*The Public Works Director may also authorize a designee to sign in his stead. Please print name and title next to signature.

Conditions for Approval	
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Appeal of the decision from the Public Works Director shall be made in writing within 30 days to the Board of Adjustment (see Section 10.2.18.C3b).

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Raleigh, NC 27601

Phone: 919-996-3030
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Public Works Design Adjustment

SUBJECT: S- 02-15, Lumley Road Development Subdivision

**CROSS-
REFERENCE:** # 422318, BM 2013 pg 1097

LOCATION: The majority of this site is located inside the city limits however a portion is not.

PIN: 0768828006, 0768817107

REQUEST: This request is to approve the subdivision of a 14.43 acre tract into 2 lots, zoned Thoroughfare District within the Airport Overlay District, and SHOD-2 Overlay District(s).

OFFICIAL ACTION: **Approval with conditions**

**CONDITIONS OF
APPROVAL:**

Prior to issuance of a mass grading permit for the site:

- (1) That as the developer proposes to disturb a designated riparian buffer, 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;
- (2) 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;

Prior to Planning Department authorization to record lots:

- (3) That the preliminary plan be revised and the 20' storm water drainage easement label, "Area for future drainage easement", as shown on sheet C-300, be also shown on sheet C-200, and a copy delivered to the Planning Department prior to authorization to record lots;
- (4) That a fee in lieu for a 6' sidewalk is paid along the entire frontage;
- (5) 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;
- (6) 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, grade, 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)."

- (7) That specific tree species and associated diameters are shown in the Tree Cover Report, basal area Chart for segments 1-7, and a copy of the report is to be delivered to the Forestry Specialist of Record;
- (8) That an NCDOT Driveway permit showing future driveway locations, is signed by the City and supplied to the District Engineers Office for approval;
- (9) 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.

I hereby certify this administrative decision.

Signed:(Planning Dir.) *Kimth. Bowers (S. Barlow)* Date: 3-25-15

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 Part 10 Sections 10-2045, 10-2051, and 10-2059, and Part 10A, the Unified Development Ordinance including Chapters 8 and 10. This approval is based on a preliminary plan dated 02/5/2015 owned by The Lundy company, Inc., submitted by Mulkey Engineers and Consultants/Michael Allen.

ZONING:

ZONING DISTRICTS: Thoroughfare District within the Airport Overlay District, and SHOD-2 Overlay District(s).

TREE CONSERVATION: This project is required 10% or 1.443 acres for tree conservation. This project has proposed 1.446 acres which is broken into:
Primary: 1.32 acres
Greenway: .134 acres

PHASING: There is one phase in this development.

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COMPREHENSIVE PLAN:

GREENWAY: There is an existing greenway easement on this site (50' Sycamore Creek Greenway Easement, BM 2013, pg 1097).

STREET PLAN MAP: Dedication of Right-of-Way is required by the Street Plan Map of the Comprehensive Plan.

Street Name	Designation	Exist R/W	Required R/W	Existing street (b to b)	Proposed street (b to b)
Lumley Road	Avenue 4 Lane divided	Variable	1/2- 104'	64'	NA

Additional right-of-way to be dedicated is reimbursable under the facility fees program.

Existing streets on the site are classified as Avenue 4 Lane Divided.

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

COMPREHENSIVE PLAN: This site is located in the Northwest Citizens Advisory Council in an area designated as Business and commercial Services.

SUBDIVISION STANDARDS:

LOT LAYOUT: The minimum lot size in Thoroughfare zoning district is 5000 sq. feet. The minimum lot depth in this zoning district is 70 feet. The minimum lot width of an interior lot in this zoning district is 45 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: Due to the fact that the parcel is bordered by a large body of water, RDU International, Umsted Park, and a previously developed parcel, a design adjustment waving the block perimeter requirements has been issued by the Public works Director. Both proposed lots are to be accessed from Lumley Road and each requires a driveway permit from the NCDOT.

STREETSCAPE

TYPE: The applicable streetscape is a Type C2 Street Protective Yard (8.5.1 d 4, and 7.2.4). The street trees will be provided on private property per (Section 8.5.1 D 4 of the UDO), and the standard is to be met with existing trees within the existing 50' thoroughfare buffer and Tree Conservation Area.

PEDESTRIAN: No Sidewalk exists along the frontage. A fee in lieu will be required for a 6' sidewalk.

FLOOD HAZARD: There are flood hazard areas on this site.

**STORMWATER
MANAGEMENT:**

This site is subject to stormwater management controls in accordance with Article 9 chapter 2 of the Unified Development Ordinance. Stormwater control compliance will be addressed by each lot independently at time of site plan or further subdivision in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual.

**WETLANDS
/ RIPARIAN
BUFFERS:**

Neuse River riparian buffers are present on this site, shown on the preliminary plan and shall be shown on all maps for recording.

STREET NAMES: No new streets are being proposed with this development.

**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: 3/25/2018
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.