



# Administrative Action Preliminary Subdivision

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

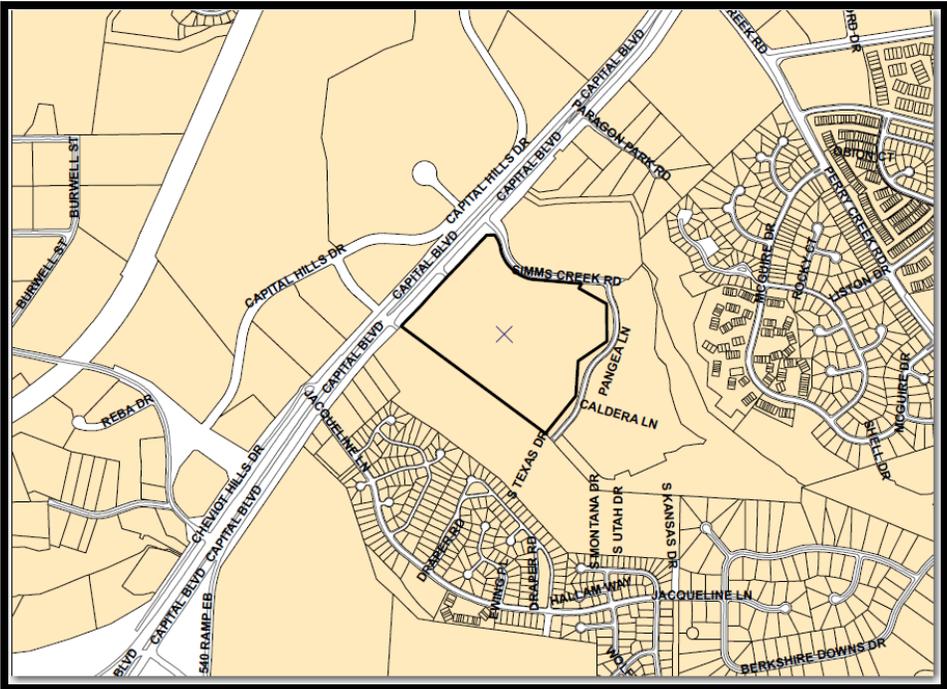
**Case File / Name:** S-6-11 / Progress Energy

**General Location:** On the northeast quadrant of Capital Blvd, Homestead Road and Simms Creek Road, inside the city limits

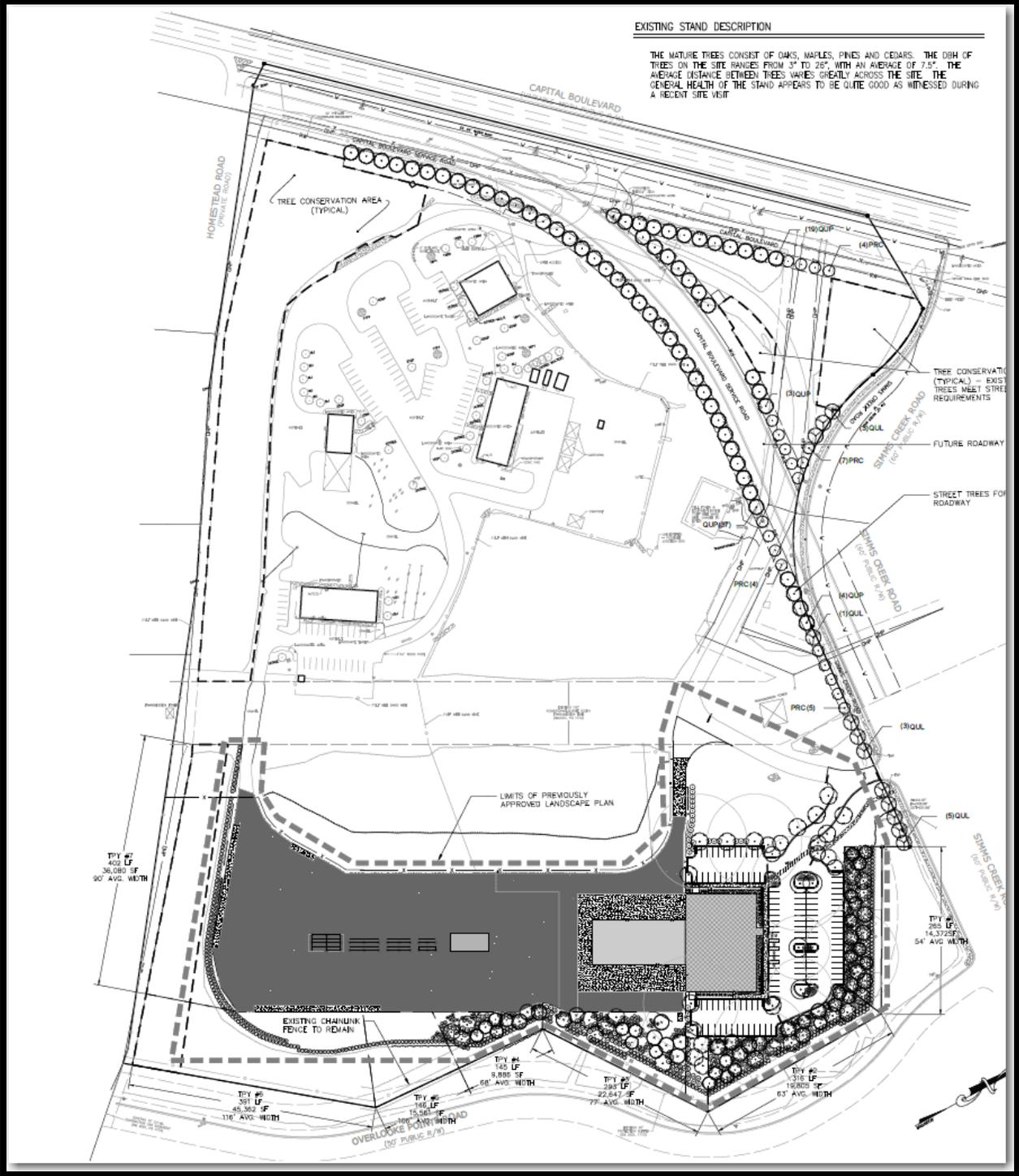
**CAC:** Northeast

**Nature of Case:** Subdivision of 36.20 acres into two (2) lots with right of way dedication (for the future parallel collector adjacent to Capital Blvd) zoned Ind-1 and CM. Lot 1 will be 31.20 acres with existing buildings. Lot 2 will be 1.84 acres and currently only has a transit easement and tree conservation area.

**Contact:** Stewart Engineering



**S-6-11 Progress Energy North Operations Center- site location**



S-6-11 Progress Energy North Operations Center – subdivision plan

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**SUBJECT:**  
**CROSS-REFERENCE:** S-133-00 & TR#299030

**LOCATION:** On the northeast quadrant of Capital Blvd, Homestead Road and Simms Creek Road, inside the city limits

**REQUEST:** Subdivision of 36.20 acres into two (2) lots with right of way dedication (for the future parallel collector adjacent to Capital Blvd) zoned Ind-1 and CM.

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**OFFICIAL ACTION:** **Approval with conditions**

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**CONDITIONS OF APPROVAL:**

***Prior to Planning Department authorization to record lots:***

- (1) That a variable width permanent slope easement on both sides of the future parallel collector adjacent to Capital Blvd be dedicated, as shown on the preliminary plan, prior to or in conjunction with the recording of any map;
- (2) That a 15x20 foot transit easement located on future parallel collector adjacent to Capital Blvd be approved by the Transit Planner in the Public Works Transportation Department, be shown on all maps for recording, and that a transit easement approved by the City Attorney is recorded with the local County Register of Deeds. That the recorded copy of this transit easement be provided to the Planning Department within 14 days of authorization of lot recording. If a recorded copy of this easement is not provided to the Planning Department within the 14 day period, further plat recordings and building permits authorization may be withheld;
- (3) That 60' in width of right of way a future parallel collector adjacent to Capital Blvd as shown on the preliminary plan be dedicated to the City of Raleigh;
- (4) That the following note be placed on all maps for recording; As recorded lot 2 is a nonconforming lot and will not be issued a building permit or sold until such time Simms Creek Road is closed and recombined with the larger tract of land north of Simms Creek Road;
- (5) That the following note be placed on all maps for recording: That the dedicated right of way shown on this map is not eligible for reimbursement;
- (6) 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;
- (7) That a street name application is submitted for the collector street;

I hereby certify this administrative decision.

**Signed:** (Planning Dir.) Mitchell Silu (C. Wayn) Date: 8-2-11

**Staff Coordinator:** Jacque Baker

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

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**FINDINGS:** City Administration finds that this request, with the above conditions being met, conforms to Chapter 2, Part 10, Sections 10-2046 & 10-2030, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated May 16, 2011, owned by Progress Energy, submitted by Stewart Engineering.

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**ADDITIONAL NOTES:** Construction drawings for the dedicated right of way are not required at this time as the future road way will be constructed by the City of Raleigh as a CIP project. There will be approximately 3.150 acres dedicated.

A letter of credit has been accepted by Transportation Department for future extension of construction for the parallel collector adjacent to Capital Blvd, curb, gutter and sidewalk along Capital Blvd and the construction of the water main in the parallel collector.

Stormwater quantity is accounted for in the fee-in-lieu (stormwater related portion of the estimate) payment and calculations made to City of Raieigh transportation.

By handling stormwater related items this way, no assignment of impervious surface area responsibilities to lots 1 and 2 are required.

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**ZONING:**

**ZONING DISTRICTS:** Industrial 1 & CM.

**LANDSCAPING:** Street yard landscaping in conformity with Section 10-2082.5 is shown.

**TREE CONSERVATION:** A total of 3.63 acres of tree conservation area has been recorded BK 2011 PG 230-231.

**UNITY OF DEVELOPMENT:** Unity of development criteria is not required in this subdivision.

**PHASING:** There are no phases in this development approved in this request.

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**COMPREHENSIVE PLAN:**

**GREENWAY:** There is no greenway on this site.

**THOROUGHFARE  
/ COLLECTOR  
PLAN:**

Dedication of right-of-way and construction of the following street is required by the Thoroughfare and Collector Street Plan:

<u>Street</u>	<u>ROW</u>	<u>Construct</u>	<u>Slope Esmt.</u>
Parallel collector adjacent to Capital Blvd	permanent slope easement on both sides	letter of credit	variable width

Additional right-of-way to be dedicated is not eligible for reimbursable under the facility fees program.

**TRANSIT:** The following transit-oriented features of this site are incorporated into the proposed plan: 15'x20' along the newly dedicated parallel collector street as shown on the preliminary plan. This site is presently not served by the existing transit system.

**URBAN FORM:** This site is located in the Northeast Citizen Advisory Council.

**SUBDIVISION  
STANDARDS:**

**LOT LAYOUT:** There is no minimum lot size in this zoning district.

**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. A letter of credit has been posted for the proposed 12' waterline in the parallel collector street.

**SOLID WASTE:** Refuse collection will be by means of a private contractor.

**CIRCULATION:** Proposed/future street improvements shall conform to normal City construction standards; letter of credit has been posted.

**PEDESTRIAN:** Future sidewalk locations shall conform to City regulations; letter of credit has been posted.

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

**STORMWATER  
MANAGEMENT:** This site is subject to stormwater management controls and nitrogen reduction in accordance with Chapter 9 of Part 10 of the Raleigh City Code. All proposed lots exceed one acre in size. Stormwater management measures will be required at the time of site plan submittal for each lot or at the time of future subdivision.

**PAYMENT TO NCDENR**

This project has chosen to offset a portion of nitrogen load limitations by paying monies to the North Carolina Department of Environment and Natural Resources fund. [10-9022(c)].

**WETLANDS  
/ RIPARIAN  
BUFFERS:**

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

**STREET NAMES:**

No new street names are required at this time for this development. A street name will be required upon the construction of the collector.

**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:** 8/2/2014

Record at least ½ of the land area approved.

**5-Year Sunset Date:** 8/2/2016

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.