



Administrative Action Preliminary Subdivision

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27602
(919) 516-2626
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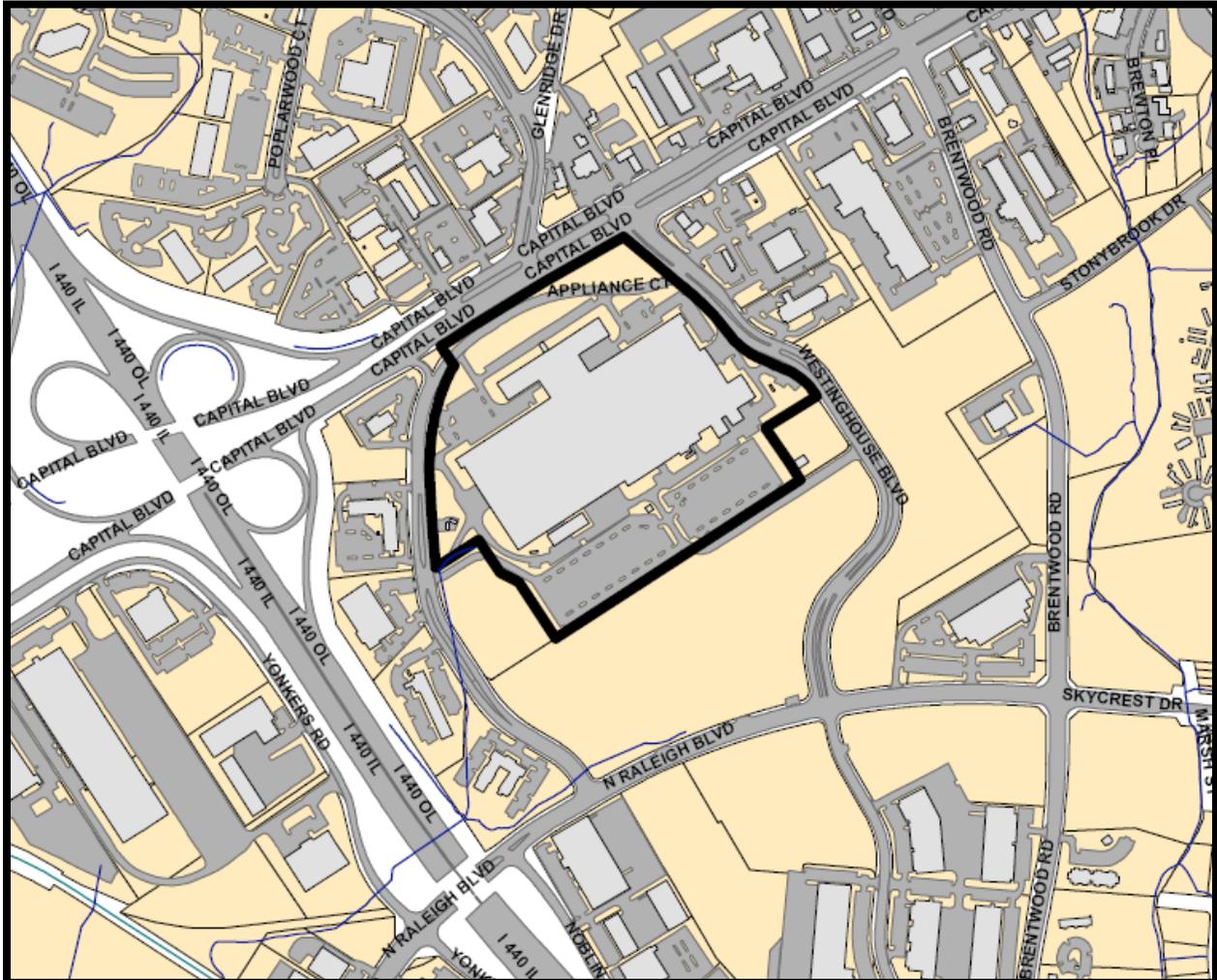
Case File / Name: S-8-09 / 2728 Capital

General Location: The site is located on the east side of Capital Boulevard, north of its intersection with Interstate 440.

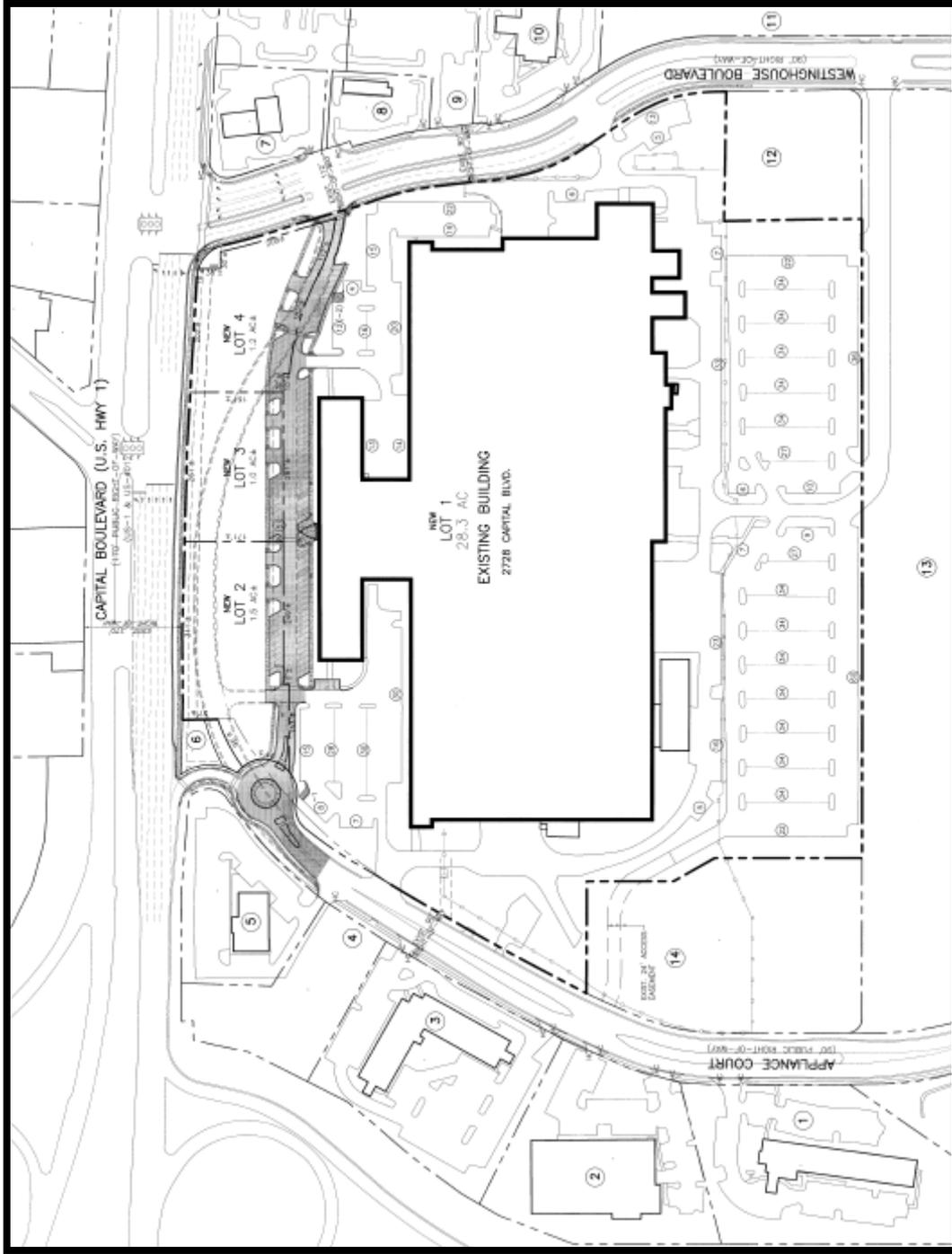
Planning District / CAC: Northeast / Northeast

Nature of Case: This is nonresidential subdivision of a 32.12 acre parcel into 4 lots.

Contact: David Lasley, Piedmont Land Design



S-8-09 / 2728 Capital – Site Location Map



S-8-09 2728 Capital – Subdivision Layout

SUBJECT:
**CROSS-
REFERENCE:** N/A

LOCATION: This site is located on the east side of Capital Boulevard, north of its intersection with Interstate 440, inside the City Limits.

REQUEST: A 32.12 acre lot with an existing building on site, to be subdivided into 4 nonresidential lots. The property is zoned Industrial-2 with Special Highway Overlay District-2.

OFFICIAL ACTION: Approval with conditions

**CONDITIONS OF
APPROVAL:**

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

- (1) 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 to be placed on file in the Planning Department;

Prior to Planning Department authorization to record lots:

- (2) That a 20' City of Raleigh sanitary sewer easement be dedicated as shown on the preliminary plan at the time of plat recordation;
- (3) That the City Attorney approves a 31' width public access easement along the private street (to be named Capital Commons Drive) located between Appliance Court and Westinghouse Drive public right-of-way as shown on the preliminary plan and that the approved deed of easement be recorded with the Wake County Register of Deeds. A recorded copy of these documents must be provided to the Planning Department within 14 days from authorization of lot recording. If recorded copies of the cross access documents are not provided to the Planning Department within this 14-day period, further recordings and building permit issuance may be withheld;
- (4) That shared parking and cross-access agreements between Lots 1, 2, 3, and 4 be recorded with the County Register of Deeds. These documents shall state responsibilities for maintenance of the private street and shall provide for the sharing of maintenance cost and liability insurance premiums. A recorded copy of these documents must be provided to the Planning Department within 14 days from authorization of lot recording. If recorded copies of the cross access documents are not provided to the Planning Department within this 14-day period, further recordings and building permit issuance may be withheld;
- (5) That an offer of cross access easement from new Lot 2 to existing Lot 6, owned by Westinghouse Electric (PIN No. 1715729092 and shown on BM 1987 Page 2004) be recorded in the Wake County Registry and that a

recorded copy of this offer of cross access easement be returned to the Planning Department within 14-days of recording. If a copy of this recorded offer of cross access is not provided to the Planning Department within the 14 day period, further plat recordings and building permits authorization may be withheld;

- (6) That construction plans for public improvements be approved by the Public Works Department;
- (7) That all tree conservation areas be shown with metes and bounds descriptions on all plats for recording in accordance with the approved tree conservation plan and code section 10-2082.14;
- (8) That a petition to close a portion of the existing right-of-way on Appliance Court is submitted to the Planning Department, approved as a separate action by the Raleigh City Council, that the adopted street closing resolution number and effective date of closing is shown as a note on all recorded plats, and that in conjunction with the recordation of new lots the right-of-way to be closed shall be recombined as shown on the preliminary plan;
- (9) That a note be included on all plats for recording which states that Lots 2, 3, and 4 will not have direct access to Capital Boulevard and that each lot shall be accessed from the private street with public access easement located between Appliance Court and Westinghouse Boulevard;

Prior to issuance of building permits in the Inspections Department:

- (10) That the driveways proposed to be constructed along the private street, per the preliminary plan, be reviewed and approved with building permit submittal for accessibility by emergency services and circulation must be adequate internally and externally without stacking into the right-of-way on Westinghouse Boulevard, Capital Boulevard or Appliance Court. The driveways may be required to be relocated based on site plan review;
- (11) That an application for an encroachment agreement for landscaping within the roundabout, located within the public right-of-way, as indicated on the preliminary plan, is submitted to the City's Encroachment Coordinator in the Inspections Department for review;
- (12) That as NCDOT has approved encroachment permits and/or driveway permits and a copy has been furnished to the City of Raleigh, no Certificate's of Occupancy (temporary or otherwise) will be issued until all public improvements are completed and accepted by NCDOT and the City; and
- (13) That a security (letter of credit) in the amount of 1.5 times the cost of improvements will be provided to the City for all public improvements;
- (14) That prior to issuance of any certificate of occupancy on either lot 2, 3, or 4 the proposed private street with public cross access easement be constructed as shown on the preliminary plan.

I hereby certify this administrative decision.

Signed: (Planning Dir.) Mitchell Silver (WS Barton) Date: 11/19/09

Staff Coordinator: Meade Bradshaw

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 10-2047, 10-2059 Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 10/23/09, owned by Raleigh Portfolio NW LLC, submitted by Piedmont Land Design.

ZONING:

ZONING DISTRICTS: Industrial-2 with Special Highway Overlay District-2

LANDSCAPING: Street yard landscaping in conformity with Section 10-2082.5 and 10-2059 shall be installed when a site plan is submitted on each lot.

TREE CONSERVATION: This site has previously been cleared and developed. Total site 32.12 acres; 10% required = 3.21. .67 acres or 2.1% of the site is dedicated as tree conservation. Tree Conservation Area; Primary tree conservation .27 acres, secondary tree conservation .40 acres.

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

PHASING: There is one phase in this development.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

THOROUGHFARE / COLLECTOR PLAN:

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

Street	ROW	Construct	Slope Esmt.
Appliance Court	30-foot cul-de-sac radius	100-foot diameter roundabout with 5' sidewalk (north, west)	n/a
Capital Blvd.	n/a	5-foot sidewalk	n/a

Westinghouse Blvd. n/a

5-foot sidewalk

n/a

The proposed sidewalk is eligible for reimbursement for ½ of sidewalk constructed along public rights-of-way as per Section 10-3024 of the City Code.

TRANSIT: This site is located is served by Route 1 Capital bus route; however no transit easement is needed at this time.

URBAN FORM: This site is located in the Northeast Planning District along a gateway corridor. The Capital Blvd corridor Plan designates this site within an Employment area.

**SUBDIVISION
STANDARDS:**

LOT LAYOUT: The minimum lot size 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 feet. 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: Individual lot service will be met by the means of a private contractor.

CIRCULATION: Proposed street improvements shall conform to normal City construction standards. This plan shows an existing private driveway adjacent to Capital Boulevard shifted to the east to provide 3 lots between the private street and Capital Boulevard. This street is a private street with a public access easement to continue access between Capital Boulevard / Appliance Court roundabout and Westinghouse Boulevard, both public rights-of-way.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations.

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

**STORMWATER
MANAGEMENT:**

This site is subject to stormwater and nitrogen reduction requirements of part 10 chapter 9. All proposed lots are at least 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 further subdivision. At this time, a modification to the impervious area is being indicated. The net result of the roadway layout modification is no increase in impervious area. However, there are offsite right of way improvements which result in an increase in impervious area that this subdivision must address. In order to document these conditions, a table showing the impervious area modifications for lots 2-4 is provided on sheet PS.1

of the preliminary subdivision plan. This provides detailed quantities of impervious area modifications and allocations to be addressed as each individual lot is further developed. Given the information in the table, stormwater management measures will be required at the time of site plan submittal for each lot or at the time of further subdivision.

**WETLANDS
/ RIPARIAN
BUFFERS:**

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

STREET NAMES:

1 new street name is required for this development. A street name application has been approved.

**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: 11/19/2012
Record at least ½ of the land area approved.

5-Year Sunset Date: 11/19/2014
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.