



Administrative Action Preliminary Subdivision

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

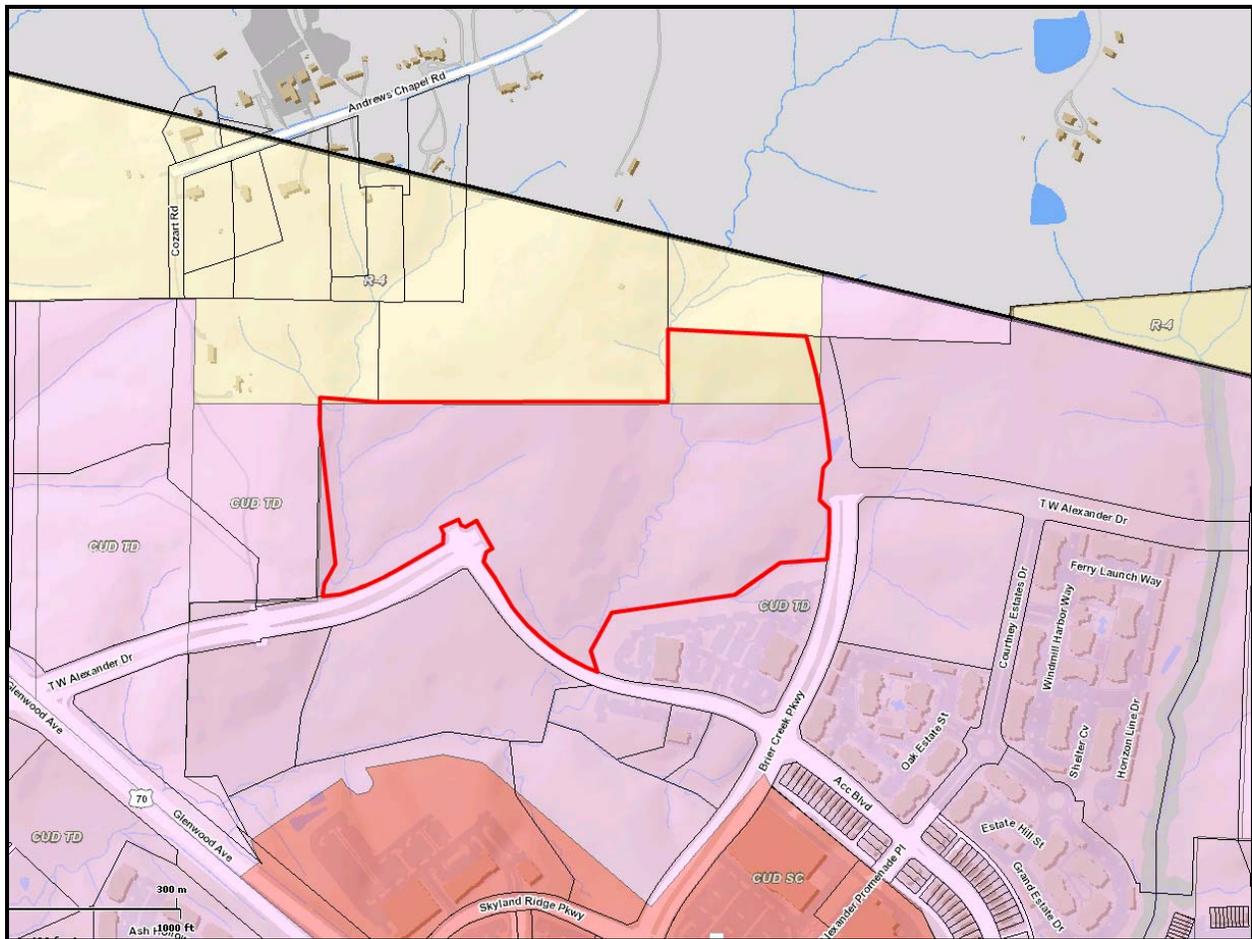
Case File / Name: S-12-12/ T.W. Alexander Place Amendment

General Location: North of the intersection of T.W. Alexander and ACC Blvd.

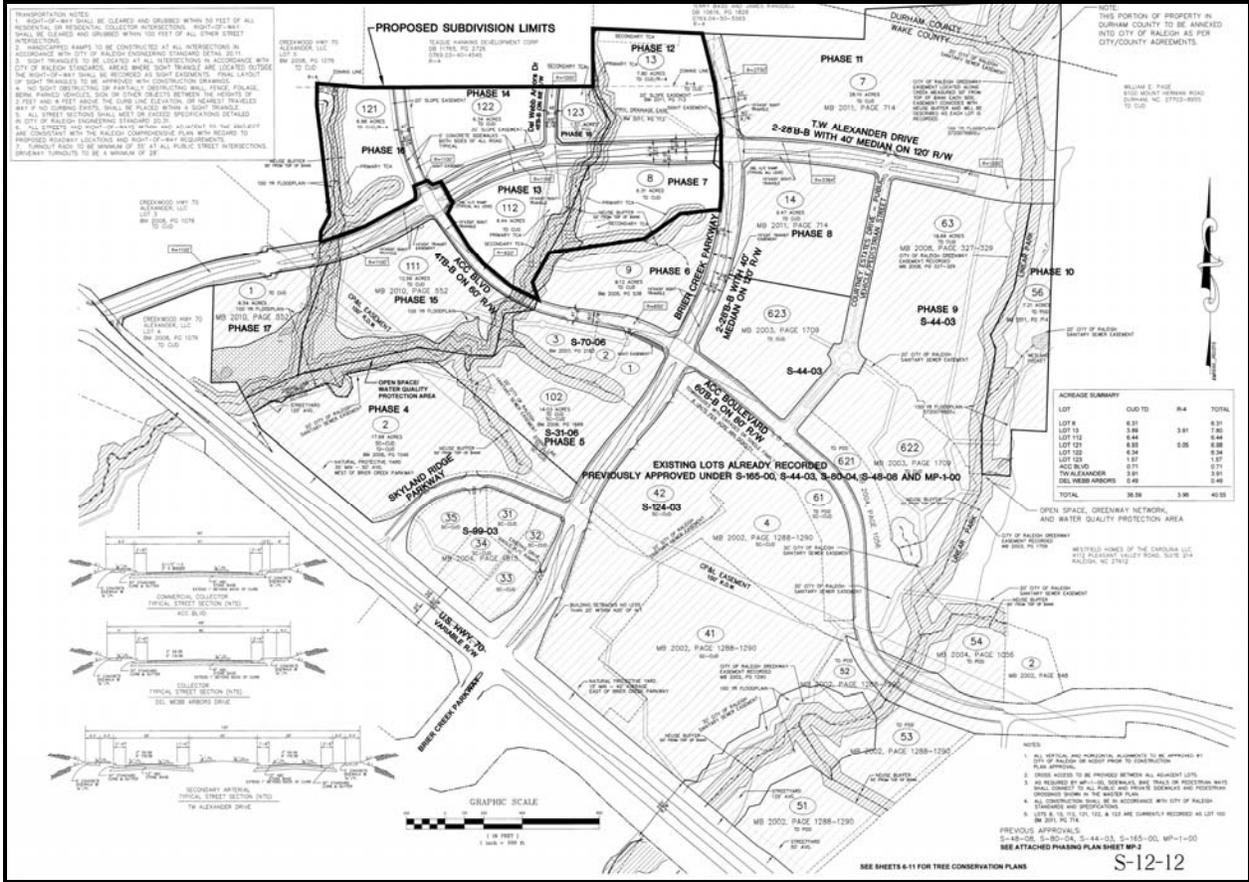
CAC: Northwest

Nature of Case: For the subdivision of 40.55 acres into 6 lots zoned Thoroughfare District with PDD and Residential-4.

Contact: John A. Edwards & Company



Vicinity Map



Subdivision

SUBJECT: S-12-12/ T.W. Alexander Place Amendment

CROSS-REFERENCE: S-48-08, S-80-04, S-44-03. MP-1-00 & Z-58-00

LOCATION: North of the intersection of T.W. Alexander Drive and ACC Blvd., inside the City Limits.

REQUEST: For the subdivision of 40.55 acres into 6 lots zoned Thoroughfare District with PDD and Residential-4. These 40.55 acres are a portion of the approved S-48-08 from the original parent tract of 108.19 acres which was for 10 lots. From S-48-08 Lots 1, 7, 14 and 111 have been recorded and all associated right of way. The approval of S-12-12 will recognize the same right of way as S-48-08. Another change from S-48-08 is that lot 122 will be divided into Lot 122 and Lot 123. All phasing and conditions for improvement will mirror S-48-12 for those tracts not impacted by this subdivision which are Lots 8 and 112.

OFFICIAL ACTION: Approval with conditions

CONDITIONS OF APPROVAL:

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

- (1) That a final tree conservation plan 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 site review or construction drawings for public or private improvements, whichever occurs first:

- (2) That construction plans, including a final phasing plan for public and private infrastructure improvements as well as recordation, be approved by the Public Utilities Department and the Public Works Department; This administrative approval does not include approval of a phasing plan for recordation or the installation of public improvements;
- (3) 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 purposed stream crossing;

Prior to Planning Department authorization to record lots:

- (4) That a tree conservation map be recorded with metes and bound showing the designated Tree Conservation Areas and shall be in compliance with Code section 10-2082.14.

- (5) 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, 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)."
- (6) 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;
- (7) That as the developer purposes to disturb a designated riparian buffer for the purpose of one (1) street crossing, T.W. Alexander Drive, 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));
- (8) That street names for this development be approved by the City of Raleigh and by Wake County for each phase that is recorded;
- (9) That a note is placed on all recorded maps stating; All buildings and other site improvements must comply with Unity of Development guidelines and sign criteria on file in the Planning Department;
- (10) That 68' width of right of way and a 20' slope easement along proposed Del Webb Arbor be dedicated to the City of Raleigh and a copy of the recorded plat be provided to the Site Review Specialist in the Inspections Department at permit review;

Prior to issuance of building permits:

- (11) That the developments comply with rezoning conditions Z-58-00;
- (12) That all buildings and other site improvements must comply with Unity of Development guidelines and sign criteria on file in the Planning Department;
- (13) For residential developments on a lot with a single structure, financial security equal to 1.5 time the cost of public or private improvements will be provided to the Public works Department for any uncompleted portions of roadway extensions for public and private streets;
- (14) For non-residential developments on a lot with a single structure, financial security equal to 1.5 time the cost of public or private improvements will be provided to the Public works Department for any uncompleted portions of roadway extensions for public and private streets;
- (15) That when permits have been issued for 75% of the non-residential square footage, that the proposed private or public improvements are required to

be accepted by the City for maintenance. If this does not occur, then a financial security equal to 1.5 time the cost of public or private improvements will be provided to the Public works Department for the uncompleted portions and roadway extensions;

I hereby certify this administrative decision.

Signed: (Planning Dir.) Switchee C. Lile (P. Mayor) Date: 1/9/13

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 above conditions being met, conforms to Chapter 2, Part 10, Sections 10-2103, 10-2045 & 10-2057 Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 10/3/12, owned by SLF Ruby Jones, LLC, submitted by Johnny A. Edwards & Company.

ZONING:

ZONING DISTRICTS:

Thoroughfare District with PDD Ordinance (2000) 898 ZC 489 Effective: November 21, 2000 and R-4.

Z-58-2000 / MP-1-00 U.S. 70 West, northeast side, extending across the Durham County Line. Approximately 232 acres are requested to be rezoned from Thoroughfare District, Thoroughfare District Conditional Use, Residential-4 and Durham County Rural District to Residential-4, Thoroughfare District and Thoroughfare District Conditional Use w/ Planned Development District.

1. No development shall take place on the subject property except in general accordance with the accompanying Master Plan, and amendments thereto approved by the City Council.
2. The developmental guidelines and conditions contained in the accompanying Master plan, and amendments thereto approved by the City Council replace the conditions contained in Z-90-86.

MP-1-2000 Ruby Jones Planned Development Master Plan. This request is to approve a master Plan for a Planned Development Conditional Use Overlay District, proposed in case Z-58-2000, currently Thoroughfare Conditional Use. The overall site proposed to be zoned PDD is 232 acres. The same uses are allowed under both the existing zoning and the proposed PDD for the Master Plan area. The master plan proposes uses ranging from residential dwellings at a min. 15 units per acre to uses allowed in the O&I-2 district (with some exclusions) to retail uses, as noted on a plan dated October 26, 2000. The Master Plan includes some maximum setbacks and minimum densities on certain tracts to promote an urban-scale high intensity development. An alternate means of

compliance is proposed to eliminate the Thoroughfare District yard requirements for 50' tree protection area on all thoroughfares within the Master Plan area. 19.2% of the site is to be set aside as either open space or public greenway (37.5 acres).

LANDSCAPING: Final landscaping will be provided as each individual site plan is approved. Street

TREE CONSERVATION: This project is required to provide 10% or 4.055 acres of tree conservation area. This project has dedicated 4.09 acres which is broken into:
 Primary: 2.14 acres
 Secondary: 1.95 acres

UNITY OF DEVELOPMENT: Unity of development criteria is required for this subdivision which has been approved by the Planning Department. A note must be placed on any plat for recording noting that unity of development plan is on file in the Planning Department.

PHASING: A final phasing plan will be approved at construction drawing approval.

COMPREHENSIVE PLAN: This site is located in Northwest CAC limits and the site is zoned Thoroughfare District Conditional Use with PDD overlay. All conditions of the Master Plan must be complied with. The following Comp Plan policies apply: LU 4.5 Connectivity – new development should provide pedestrian and vehicular connectivity between individual development sites to provide alternative means of access along corridors 5.5 Sidewalk Requirement – new subdivisions and developments should provide sidewalks on both sides of the street.

GREENWAY: Current easements recorded are shown and are not impacted by proposed subdivision.

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

<u>Street</u>	<u>ROW</u>	<u>Construct</u>	<u>Slope Esmt.</u>
T.W. Alexander Drive	120'	4-lane median-divided curb & gutter, 5' SW both sides	20'
ACC Boulevard.	60'	41' b.b w/ 5' sw both sides	20'
Del Web	68'	46'	

Proposed Del Webb Arbor Drive is not on the current City Thoroughfare Map but was created by this subdivision to provide access from T.W. Alexander Drive into Durham County.

TRANSIT: No transit improvements or dedicated easements required.

SUBDIVISION STANDARDS:

- LOT LAYOUT:** All proposed lots conform with the TD zoning district
- BLOCK LAYOUT:** The proposed street layout conforms to City Code, providing for efficient circulation of traffic within the entire neighborhood area.
- 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 private contractor or City services.
- CIRCULATION:** Proposed street improvements shall conform to normal City construction standards.
- PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. A sidewalk is required along both sides of T.W. Alexander Drive., Del Webb Arbor Drive and the extension of ACC Boulevard. as shown on the preliminary plan.
- FLOOD HAZARD:** There are no flood hazard areas on this site.
- STORMWATER MANAGEMENT:** Subdivision is subject to stormwater and nitrogen reduction requirements of part 10 chapter 9. All proposed lots exceed one acre in size and will each address Stormwater requirements independently at the time of site plan submittal for each lot or at the time of further subdivision. Each lot will address stormwater with regards to associated ROW improvements per the phasing plan. Floodplain is present on the site and a flood study will be required for the proposed stream crossing. Neuse River Buffers exist on the site and any impacts to Buffers or Wetlands will require NC DWQ approval.
- WETLANDS / RIPARIAN BUFFERS:** Wetland areas or Neuse River riparian buffers are present and shall be shown on all recorded maps.
- STREET NAMES:** Street names required shall be approved prior to lot recording.
- 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 construction has not taken place on a project after preliminary subdivision approval, that approval may "sunset" and be declared void, requiring re-approval by City Council 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: 1/4/2016
Record at least ½ of the land area approved.

5-Year Sunset Date: 1/4/2018
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.