



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-12-15 / Poole Road and New Hope Subdivision

General Location: The site is located on the northwest quadrant of Poole Road and New Hope Road, inside the city limits.

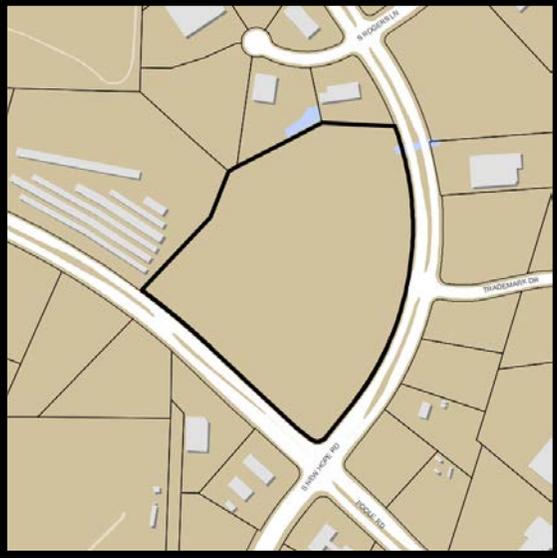
CAC: Southeast

Nature of Case: Subdivision of a 17.29 acre parcel into 4 lots, zoned Shopping Center District.

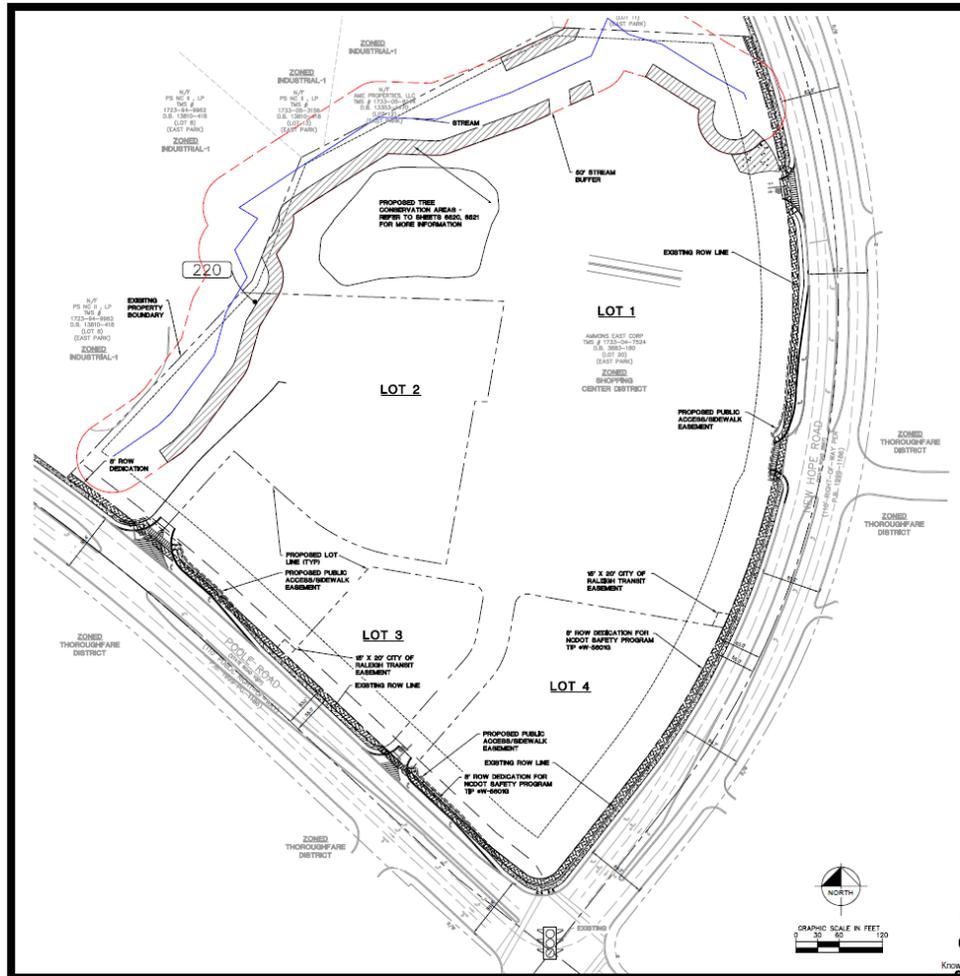
Contact: Richard Brown, Kimley-Horn & Associates, Inc.

Design Adjustment: N/A

Administrative Alternate: NA



Location Map



Subdivision Layout

SUBJECT: S-12-15

**CROSS-
REFERENCE:** N/A

LOCATION: The site is located on the northwest quadrant of Poole Road and New Hope Road, inside the city limits.

PIN: 1733047524

REQUEST: Subdivision of a 17.29 acre parcel into 4 lots zoned Shopping Center District.

OFFICIAL ACTION: **Approval with conditions**

**CONDITIONS OF
APPROVAL:**

Prior to the issuance of a mass grading permit:

- (1) That a map of the tree conservation areas with metes and bounds descriptions must be submitted to the City Forestry Specialist. Except for construction drawings, tree protection fence must be set up along the boundaries of all tree conservation areas and an appointment must be made with the City Forestry Specialist to inspect the fence;
- (2) 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;
- (3) 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;
- (4) 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 approval of a final site review, concurrent review, and Infrastructure construction plans, or whichever is applicable:

- (5) That a nitrogen offset payment must be made to a qualifying mitigation bank;
- (6) That in accordance with Part 10A Section 9.4.4, a surety equal to 125% of the cost of clearing, grubbing and reseeding a site and the stormwater device, shall be paid to the City;
- (7) That NCDOT permits for any work within the right-of-way have been approved;
- (8) That the Department of Water Resources approve any disturbance to the Neuse Riparian Buffer;

- (9) 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 10A Chapter 9 of the Unified Development Ordinance, 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;

Prior to Planning Department authorization to record lots:

- (10) That a plat of all tree conservation areas must be recorded at the Wake County Register of Deeds office;
- (11) That infrastructure construction plans be approved by the City of Raleigh;
- (12) That a cross access agreement between lots 1, 2, 3, & 4 be recorded in the Wake County Registry, and that a copy of the recorded offer of cross access easement be returned to the Planning Department prior to building permit issuance;
- (13) That ½-126' of the required right-of-way along Poole Road and a 20' slope easement be dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City prior to building permit issuance;
- (14) That ½-104' of the required right-of-way along New Hope Road and a 20' slope easement be dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City prior to building permit issuance;
- (15) Prior to lot recordation the owner of the property shall deed to the City transit easements measuring twenty feet (20') long by fifteen feet (15') wide adjacent to the public right-of-way on Poole Rd to support bus stops for current and future transit services in the area. Metes and bounds of the transit easement must be shown. The location of the transit easements shall be reviewed and approved by the Transit Program of the City, NC DOT and the City Attorney or his designee shall approve the transit easement deed prior to recordation in the Wake County Registry. In lieu of deeding an easement, with the consent of the Public Works Department, a transit shelter may be constructed in the public right-of-way at the sole expense of the owner in satisfaction of this condition;
- (16) That in accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements which remain incomplete;
- (17) 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 homeowner association;
- (18) That the developer shall pay to the City a stormwater facility replacement fund payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans;

(19) That the City form document entitled Declaration of Maintenance Covenant and Grant of Protection Easement for Stormwater Control Facilities shall be recorded with the county register of deeds office where the property is located prior to any recordation of a subdivision or recombination plat and a copy of the recorded documents be provided to the Planning Department within the 14-day period, further recordings and building permits authorization will be withheld if the recorded document is not provided to the Planning Department; Required legal documents shall be recorded within 1 day of the approval of a recorded map, if applicable;

(20) That the City form document entitled Declaration of City of Raleigh Required City Code Provisions for Developments with Common Elements and Common Expenses shall be recorded with the county register of deeds office where the property is located prior to any recordation of a subdivision or recombination plat, and a copy of the recorded documents be provided to the Planning Department within the 14 day period; further plan recordings and building permits authorization will be withheld if the recorded document is not provided to the Planning Department; Required legal documents shall be recorded within 1 day of the approval of a recorded map, if applicable; and

I hereby certify this administrative decision.

Signed:

(Planning Dir.)

Date:

Reh Bann (C. 10gr)
7-30-15

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 City Administration finds that this request, with the above conditions being met, conforms to Code Section 10-2041, Unified Development Ordinance Article 8, 9, & 10. This approval is based on a preliminary plan dated 5/1/15 owned by Ammons East Corporation, submitted by Kimley-Horn and Associates, Inc.

ZONING:

**ZONING
DISTRICTS:**

Shopping Center District

**TREE
CONSERVATION:**

This project is larger than two acres and compliance with UDO Article 9.1. Tree Conservation is required. The project provides 0.57 acres of tree conservation area which is 3.40% of the net site acreage.

Tree conservation acreage is as follows:

Primary: 0.57 acres
Secondary: 0.00 acres

PHASING: There is one phase in this development.

**COMPREHENSIVE
PLAN:**

GREENWAY: There is no greenway on this site.

**STREET
PLAN MAP:**

Dedication of right-of-way and construction of the following streets are required by the Street Plan Map of the Comprehensive Plan. Dedication of right-of-way is required.

Street Name	Designation	Exist R/W	Required R/W	Existing street (b to b)	Proposed street (b to b)
Poole Road	Avenue, 6-lane divided	110'	½-126'	½-83'	½-98'
New Hope Road	Avenue, 4-lane divided	110'	½-104'	½-82'	½-76'

A surety for the required improvements shall be provided in accordance with 8.1 of the UDO.

TRANSIT: The following transit-oriented features of this site are incorporated into the proposed plan: A 15' x 20' transit easement is provided on Poole Road. If transit has been implemented at the time of construction consideration will be given to providing a 15x20' cement pad on the easement and a 30' landing zone between the curb and sidewalk.

**COMPREHENSIVE
PLAN:**

This site is located in the Southeast Citizen Advisory Council in an area designated as Neighborhood Mixed Use.

**SUBDIVISION
STANDARDS:**

LOT LAYOUT: The minimum lot size in Shopping Center zoning district is 5,000 square 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 a private contractor will be provided.

BLOCKS / LOTS /

- ACCESS:** Block perimeters, lot arrangement and access conform to Chapter 8 of the UDO. A fee for street signs is required in accordance with the Raleigh Street Design Manual.
- STREETSCAPE TYPE:** The applicable streetscape is a Commercial. A Type C street yard is proposed along New Hope Road and Poole Road.
- PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. A 6' sidewalk is proposed along both New Hope Road and Poole Road.
- 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 Section 2 of the UDO. Proposed shared stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual. That in accordance with Part 10A Section 9.2.2, an as-built plan and certification any stormwater control device shall be reviewed and accepted by the city prior to final stormwater inspection approval or certificate;
- WETLANDS / RIPARIAN BUFFERS:** Neuse River riparian buffers are located on this site. Any disturbances to the buffer will require approval from the Department of Water Resources.
- 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:** 7/30/18
Record at least ½ of the land area approved.
- 5-Year Sunset Date:** 7/30/20
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.