**Zoning:** O&I-2 CUD  
**CAC:** Forestville  
**Drainage Basin:** Neuse  
**Acreage:** 2.8  
**Number of Lots:** 2

**Planner:** Stan Wingo  
**Phone:** (919) 996-2642  
**Applicant:** Ketchum-Crowder 
& Associates  
**Phone:** (919) 420-7667
LOCATION: This site is located on the north side of Louisburg Road, southeast side of Darton Way, and west side of Leland Drive. The address of the site is 8402 Darton Way, which is inside City limits.

REQUEST: Subdivision of a 2.8-acre tract zoned OX-3-PK-CU (subject to zoning conditions of case Z-43-16) into two lots for non-residential development. Lot 1 will be 71,474 SF/1.65 acres and Lot 2 will be 48,978 SF/1.08 acres.

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: N/A

FINDINGS: City Administration finds that this request, with the below conditions of approval being met, conforms to the Unified Development Ordinance. This approval is based on a preliminary plan submitted by Peak Engineering & Design, dated 1/16/18 (reference sheet L104).

CONDITIONS OF APPROVAL and NEXT STEPS:

Note: This document must be applied to the second sheet of all future submittals with the exception of final plats.

Stormwater This subdivision will utilize a dry pond and a TN offset payment in order to meet stormwater regulations. Approximate allocate of impervious surface areas are 0.80 ac impervious for lot 1 and 0.60 ac impervious for lot 2.

PRIOR TO THE ISSUANCE OF ANY SITE PERMITS OR APPROVAL OF CONCURRENT REVIEW PROCESS, WHICHEVER IS APPLICABLE:

ENGINEERING

1. Required NCDOT encroachment and/or driveway permits must be approved and copies provided to Development Services – Development Engineering prior to concurrent review approval.

2. A right-of-way obstruction permit must be obtained from Right-of-way Services prior to the commencement of any construction activities within the right-of-way.

PUBLIC UTILITIES

3. A Deed shall be recorded prior to concurrent approval for all necessary onsite City of Raleigh Sanitary Sewer Easements to accommodate future sewerline construction.

STORMWATER

Next Step: 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.
Next Step: In accordance with Part 10A Section 9.4.4 of the Unified Development Ordinance, a surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City.

URBAN FORESTRY

4. Obtain required stub and tree impact permits from the City of Raleigh.

5. Next Step: Prior to the issuance of a mass grading permit or other site permit, whichever comes first, submit a final tree conservation plan with a permit approved by Urban Forestry staff that includes metes and bounds descriptions of all tree conservation areas and tree protection fencing as required.

6. Next Step: Tree protection fence must be located in the field and inspected by Urban Forestry staff prior to the issuance of a mass grading permit or other site permit, whichever comes first.

PRIOR TO AUTHORIZATION TO RECORD LOTS:

GENERAL

7. The City form document entitled Declaration of City of Raleigh Required City Code Provisions for Developments with Common Elements and Common Expenses shall be approved by the City and recorded with the county register of deeds office where the property is located and a copy of the recorded document shall be provided to the City by the end of the next business day following the recordation of the final plat; further recordings and building permit authorization will be withheld if the recorded document is not provided to the City.

8. Concurrent Review Plans for public infrastructure and site grading shall be approved by the City of Raleigh, including obtaining stub permits, tree impact permit and a street lighting plan, if applicable.

ENGINEERING

9. In accordance with Part 10A Section 8.1.10, a fee-in-lieu for 1’ sidewalk on Darton Way is to be paid to the City of Raleigh.

10. A cross access / shared driveway agreement between the proposed lots #1 and #2 of the Darton Way Subdivision, S-14-14, owned by Rainbow Rascals Louisburg LLC, PIN # 1748402756 shall be approved by the Development Services Department for recording in the Wake County Registry, and a copy of the recorded offer of cross access easement shall be returned to the Development Services Department within 1 day of lot recordation. A recorded copy of these documents shall be provided to the Development Services Department within 14 days from authorization of lot recording. If a recorded copy of the documents are not provided within this 14 day period, further recordings and building permit issuance may be withheld.

11. In accordance with Part 10A Section 8.1.3, a surety and agreement for incomplete public improvements is to be paid to the City of Raleigh in the amount of 100% of construction costs on Louisburg Road and 125% of construction costs on Darton Way.
12. The required ½-64’ right-of-way for Darton Way shall be dedicated to the City of Raleigh and shown on the map approved for recordation.

13. A sight easement shown and approved by the City of Raleigh based on metes and bounds per the preliminary plans along Darton Way and the associated deed of easement shall be approved by the City and the location of the easement shall be shown on the map approved for recordation. The deed of easement shall be recorded at Wake County Register of Deeds within one (1) day of recordation of the recorded plat. A recorded copy of these documents must be provided to the Development Services Department within 14 days from authorization of lot recordation. If a recorded copy of the documents are not provided within this 14 day period, further recordings and building permit issuance may be withheld.

14. A 5’ general utility easement and associated deed of easement shall be approved by the City and the location of the easement shall be shown on the map approved for recordation. The deed of easement shall be recorded at Wake County Register of Deeds within one (1) day of recordation of the recorded plat. A recorded copy of these documents must be provided to the Development Services Department within 14 days from authorization of lot recordation. If a recorded copy of the documents are not provided within this 14 day period, further recordings and building permit issuance may be withheld.

15. **Next Step:** A right-of-way obstruction permit shall be obtained from Right-of-way Services for any construction activity within the right-of-way.

### PUBLIC UTILITIES

16. Infrastructure Construction Plans (concurrent submittal) must be approved by the City of Raleigh Public Utilities Department for all public water, public sewer and/or private sewer extensions.

### STORMWATER

17. **Next Step:** A payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans shall be made by the developer to the City stormwater facility replacement fund.

18. **Next Step:** The City form document entitled Declaration of Maintenance Covenant and Grant of Protection Easement for Stormwater Control Facilities shall be approved by the City and recorded with the county register of deeds office.

19. **Next Step:** 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.

20. **Next Step:** In accordance with Part 10A Section 9.2.2, a surety equal to 125% of the cost of the construction of a stormwater device shall be paid to the Engineering Services Department.
21. A tree impact permit is obtained and a fee-in-lieu is paid for one street tree along Darton Way.

Next Step: A tree conservation map in compliance with Chapter 9 of the Unified Development Ordinance shall be recorded with metes and bounds showing the designated Tree Conservation Areas.

EXPIRATION 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: 2-14-2021
Record the subdivision.

I hereby certify this administrative decision.

Signed: (Planning Dir./Designee) [Signature] Date: 2/14/2018

Staff Coordinator: Ryan Boivin
EXISTING CONDITIONS NOTES:

1. BOUNDARY, TOPOGRAPHIC, AND EXISTING CONDITIONS INFORMATION TAKEN FROM A SURVEY BY KETCHEM-CROWDER & ASSOCIATES, PLLC. IF CONTRACTOR DOES NOT ACCEPT EXISTING INFORMATION AS SHOWN ON THE PLANS, PERMITS, AND CONTRACTS, HE SHALL HAVE MADE, AT HIS OWN EXPENSE, A TOPOGRAPHIC SURVEY BY A REGISTERED LAND SURVEYOR AND SUBMITTED IT TO THE OWNER FOR REVIEW.

2. BASED UPON F.A.A. AERIAL PHOTOGRAPHS TAKEN MAY 2, 2006, THIS PROPERTY IS NOT LOCATED WITHIN ANY AERIAL FLOODPLAINS SHOWN OR THE AREA RISKPLANE.

3. ALL NATURAL OR ARTIFICIAL BODIES OF WATER ARE SHOWN OR RELEVANT TO THE PROPERTY.

4. OPEN SPACE AND TRAILS DO NOT SHOW ANY PROPOSED LONG RANGE TRAILS ON THE PROPERTY.

5. THERE ARE NO STEEP SLOPES ON THE SITE.

SURVEY NOTES:

EXISTING CONDITIONS PLANS WERE DRAWN FROM AN ACTUAL FIELD SURVEY CONDUCTED UNDER THE SUPERVISION OF KETCHEM-CROWDER & ASSOCIATES, PLLC. BASED ON INFORMATION FOUND IN THE PREVIOUSLY REFERENCED RECORD DOCUMENT(S) TO BEST OF THE SURVEYOR'S KNOWLEDGE PER GS 47-30. SAID SURVEY IS NOT TO BE RECORDED OR USED IN CONVEYANCE WITHOUT WRITTEN PERMISSION FROM THE SURVEYOR AND APPROPRIATE TOWN OFFICIALS.

AREAS ARE BY COORDINATE COMPUTATION AND ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.

NORTH ARROW IS REFERENCED TO RECORDED DOCUMENT SHOWN ABOVE UNLESS OTHERWISE NOTED.

BEARINGS AND DISTANCES OF TITLE LINES SHOWN ARE FROM RECORDED PLAT(S) AND/OR DEED(S).

FIELD MEASUREMENTS ARE SHOWN IN PARENTHESES WHERE SIGNIFICANT DIFFERENCES EXIST FROM RECORD LOT, OR WHERE RECORD LOT DOES NOT CLOSE MATHEMATICALLY.

THE ACCURACY OF THE TOPOGRAPHIC INFORMATION SHOWN ON THIS MAP EXCEEDS AN ACCURACY OF WITHIN HALF OF ONE CONTOUR INTERVAL OVER 90% OF THE SITE.

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Primary Tree Conservation Area

Highland Creek Master Association, Inc. landscape area. Permanently maintained landscape area, separate from ROW and subject parcel.

DB 13812 / 452
BM 2007 / 150
BM 2007 / 2715

BUILD TO LINE, 25FT MAX FROM CURB

DARTON WAY
60' WIDTH PUBLIC R-O-W
2-WAY UNDIVIDED SECTION

41' B-B

LELAND DRIVE
70' WIDTH PUBLIC R-O-W

US HIGHWAY 401 - LOUISBURG ROAD
195' WIDTH PUBLIC R-O-W

EXISTING CONDITION NOTES - TCA
1. Site previous agricultural site dating pre 1970 based on historical aerials.
2. Overall master plan began development in 2006.
3. Subject parcel has been maintained in field condition through entirety.
5. Supplemental tree inventory conducted on January 9, 2016.
6. Trees inspected for health and general condition. Information is cataloged by 50 ft segment and listed in the tables provided.
PROPOSED AREAS

Tree Basal Area: 45.65

Trees by DBH

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<tr>
<th>DBH</th>
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<th>Rate Per Tree</th>
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Total Basal Area: 9.129448

Secondary TCA Area: 8,732 Sq Ft

TCA Acreage: 0.200459137 or 1/5 an acre

Square feet per Acre of Basal Area: 4,988.775256

Required Tree Conservation

Total Acreage: 2.770

30% TCA Required: 0.831

Subdivision Information

Required Lot: 1

Required Lot Acreage: 1.080

Tree Conservation Provided Per Lot: 1

Lot Size: 1.080

Lot Size Required to be mitigated: 0.185

Secondary TCA based on Existing Trees: 0.990

Total TCA Required for Lot One: 2.070

Total TCA Lot 1 based on existing trees: 2.070

Tree Conservation Provided for Lot 2

Lot Size: 1.080

Lot Size Required to be mitigated: 0.185

TCA based on Existing Trees: 0.990

Total TCA Lot 2 based on existing trees: 2.070

Total TCA - Lots 1 and 2: 4.140

Total TCA Percentage: 0.200

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