



# Administrative Action Preliminary Subdivision

City of Raleigh  
Development Plans Review Center  
One Exchange Plaza  
Raleigh, NC 27602  
(919) 996-2626  
www.raleighnc.gov

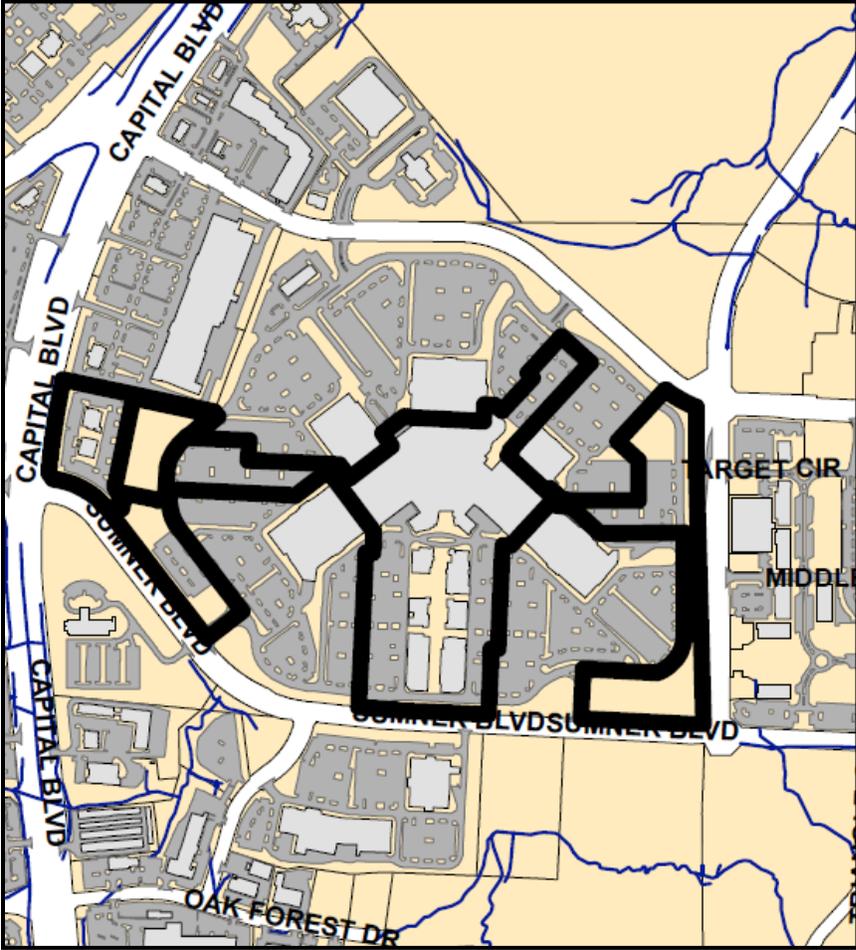
**Case File / Name:** S-29-13 Triangle Town Center Subdivision

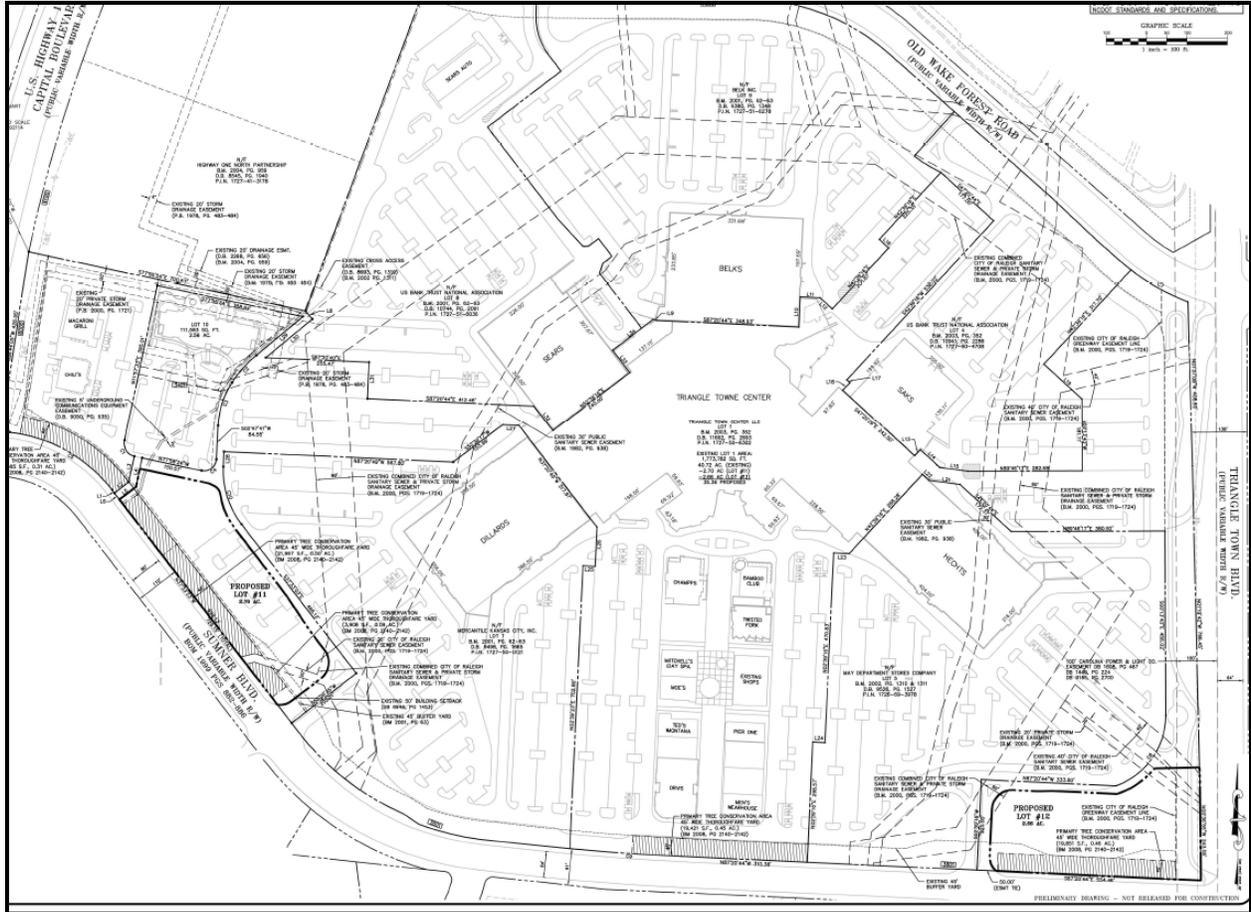
**General Location:** This site is located on the north side of Sumner Boulevard; located east of its intersection with Capital Boulevard.

**CAC:** Northeast

**Nature of Case:** Subdivision of one commercial lot into three commercial lots currently zoned Thoroughfare District.

**Contact:** Jeremy Finch (919)361-5000





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**SUBJECT:** S-29-13 / Triangle Town Center Subdivision

**CROSS-  
REFERENCE:** S-36-2008

**LOCATION:** This site is located on the north side of Sumner Boulevard; located east of its intersection with Capital Boulevard.

**REQUEST:** This request is to approve the subdivision of a 40.72 acre tract into three lots, zoned Thoroughfare District. Proposed Lot 11 will be 2.71 acres in size, with Lot 12 being 2.64 acres in size. Proposed lot lines and setbacks do not render any existing buildings nonconforming. Lot #1 acreage will be 35.37 acres. Lot 1 contains the existing mall structure and future lot 11 has existing parking. Lot 12 is vacant.

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**OFFICIAL ACTION:** Approval with conditions

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**CONDITIONS OF  
APPROVAL:**

***Prior to issuance of land disturbance permits upon site review:***

- (1) That a nitrogen offset payment must be made to a qualifying mitigation bank;

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

- (2) That the existing stormwater agreement is amended and approved by the City Attorney's office to include lots 11 and 12. The existing device is to be used for future development on lots 11 and 12 and was constructed prior to 2001.
- (3) That the existing shared parking and cross access agreement titled "Easement, Restriction and Operating Agreement" dated May 10, 2001 for lots on Book 008946 and Page 01453 be amended to include lots 11 and 12 and a copy be provided to the Planning Department.
- (4) 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 owner. The private drainage easements shall tie to the public right of way.
- (5) 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 10 Chapter 9, 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;

- (6) That the developer will make a contribution of twenty-four percent (24%) of the initial construction cost of all stormwater control device(s) to the City in accordance with City Code 10-9027.

***Prior to issuance of building occupancy permits:***

- (7) That prior to Issuance of any Certificate of Occupancy for future development, an as-built certification for all stormwater control devices as required under Code section 10-9025(c) shall be provided to the Public Works Department, all stormwater systems shall be in place and functioning, and an original inspection report per Code Section 10-9028.

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I hereby certify this administrative decision.

**Signed:**

(Planning Dir.)

*Mitchell Silu (C. Hayes)*

Date:

*9-27-13*

**Staff Coordinator:**

Stan Wingo

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 10-2045, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 8/21/13, owned by Triangle Town Center, LLC, submitted by Jeremy Finch.

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**ZONING:**

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DISTRICTS:**

Thoroughfare District.

**LANDSCAPING:**

Landscaping in conformity with Section 10-2082 is shown.

**TREE  
CONSERVATION:**

Tree conservation areas were approved with the previously approved overall subdivision and still apply (BM 2003 PG 352)

**UNITY OF  
DEVELOPMENT:**

Triangle Town Center Unity of Development

**PHASING:**

This is a one phase development.

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**COMPREHENSIVE  
PLAN:**

- GREENWAY:** There is no greenway on this site.
- THOROUGHFARE  
/ COLLECTOR  
PLAN:** Dedication of right-of-way is not required in this location.
- TRANSIT:** This site is presently served by the existing transit system.
- URBAN FORM:** This site is located in the Northeast Citizen Advisory Council, in an area designated as a Regional Mixed Use area.
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**SUBDIVISION  
STANDARDS:**

- LOT LAYOUT:** There are no minimum lot sizes or dimensional requirements in this zoning district as currently developed with commercial uses. If developed for residential, minimum lot size would be 10 acres.
- BLOCK LAYOUT:** No new streets are required or proposed with this subdivision.
- 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:** Solid waste service will be provided by private contractor.
- CIRCULATION:** Both lots have frontage along Sumner Boulevard, however will gain vehicular access from shared internal streets within the overall Triangle Town Center development.
- PEDESTRIAN:** Existing sidewalk locations conform to City regulations.
- FLOOD HAZARD:** There are no flood hazard areas on this site.
- STORMWATER  
MANAGEMENT:** New lots 11 and 12 are subject to stormwater management controls in accordance with Chapter 9 Part 10 of the Raleigh City Code. The original site, SP-11-97, was developed prior to current stormwater regulations as approved in 2001.
- WETLANDS  
/ RIPARIAN  
BUFFERS:** No wetland areas or Neuse River riparian buffers are required on this site.
- STREET NAMES:** No new street names are being proposed with this development.

**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:** 9/27/2016  
Record at least ½ of the land area approved.

**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.