



# Administrative Action Preliminary Subdivision

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

**Case File / Name:** S-30-10 / Mt. Herman Road Subdivision

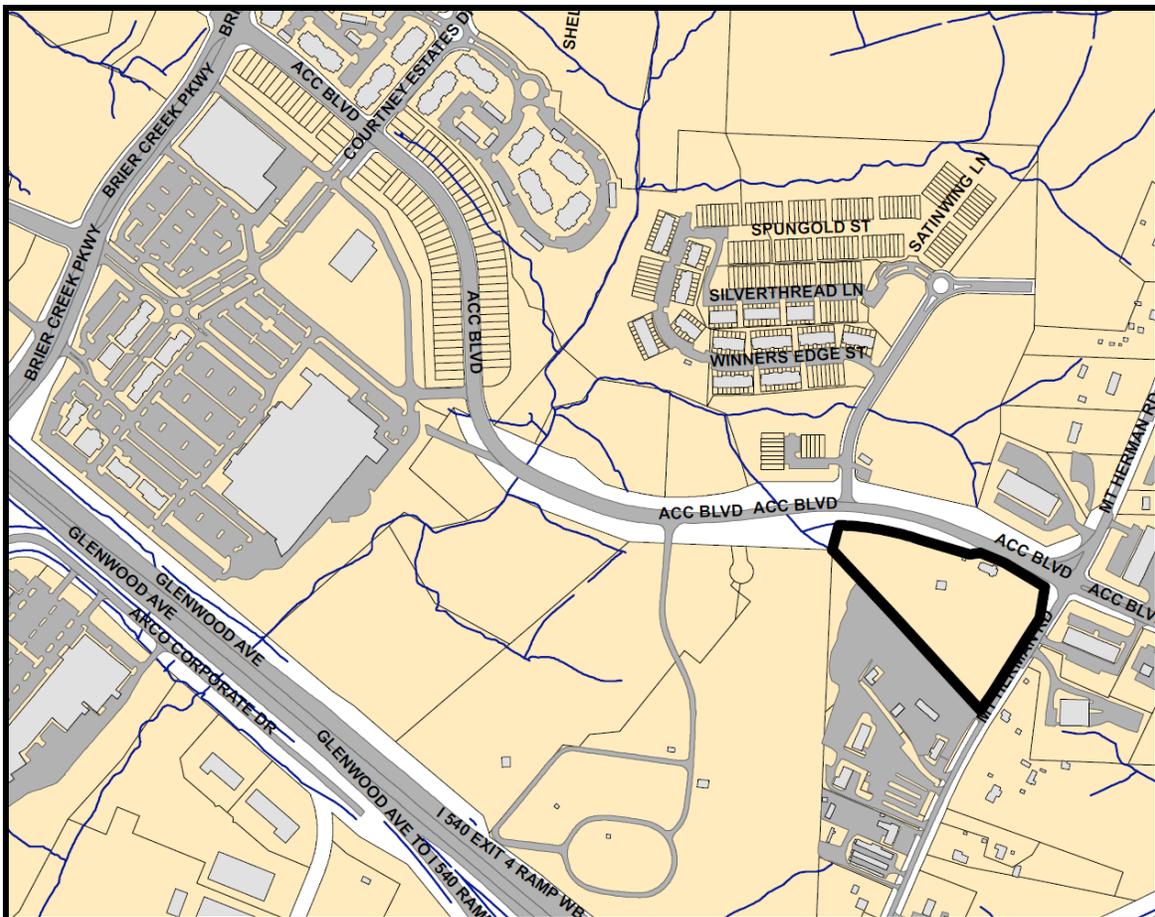
**General Location:** The site is located on the southwest corner of the intersection of ACC Boulevard and Mt. Herman Road.

**Owner:** Long Brothers Landscaping  
**Designer:** Blakely Design Group

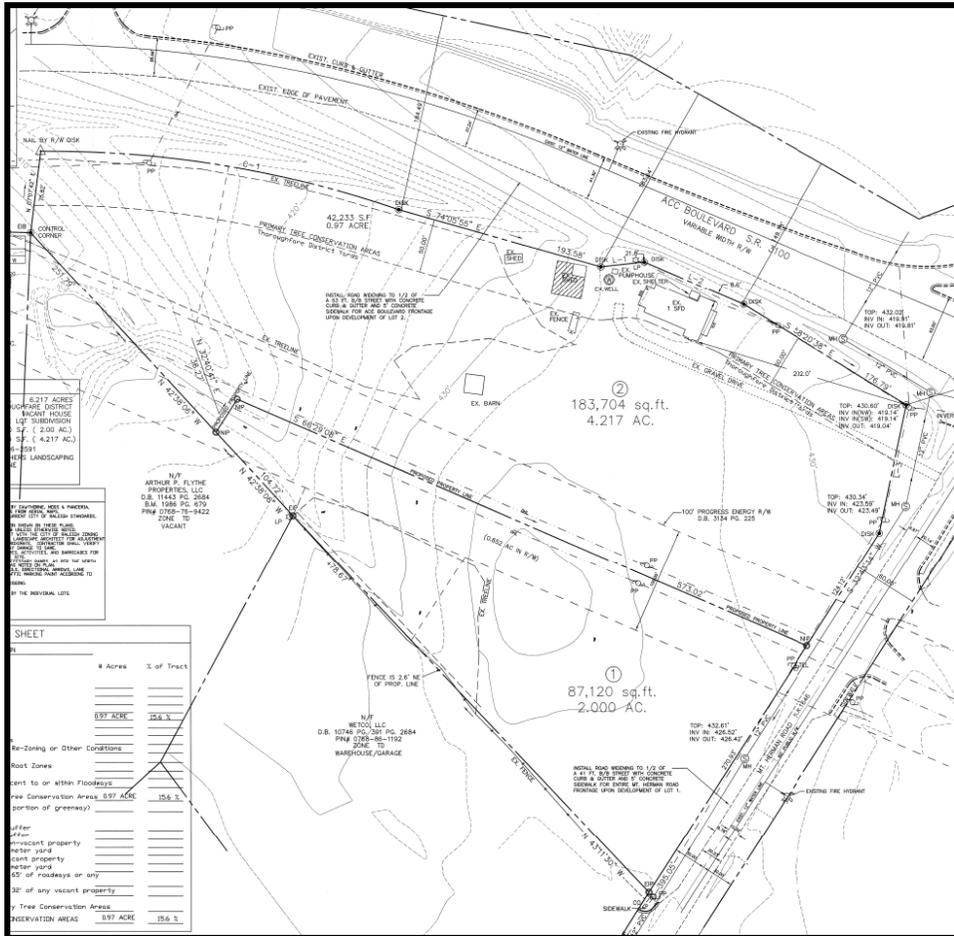
**CAC:** Northwest

**Nature of Case:** The subdivision of a 6.6 acre parcel into 2 lots zoned Thoroughfare District with Special Highway Overlay District-2 and Airport Overlay District, inside the city limits. Lot 1 will be 2.0 acres and lot 2 will be 4.217 acres.

**Contact:** Taylor Blakely



**S-30-10 Mt. Herman Road Subdivision**



**S-30-10 Lot Layout**

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**SUBJECT:**  
**CROSS-REFERENCE:** S-30-10 / Mt. Herman Road Subdivision

**LOCATION:** This site is located on the south side of ACC Boulevard, east of its intersection with Mt. Herman Road, inside the City Limits.

**REQUEST:** The request is to subdivide a 6.6 acre parcel into two lots zoned Thoroughfare District with Special Highway Overlay District-2 and Airport Overlay District, inside the city limits. Lot 1 will be 2.0 acres and lot 2 will be 4.217 acres.

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**OFFICIAL ACTION:** Approval with conditions

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**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 Planning 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 Public Works Department authorization to approve construction drawings:***

- (2) That all NCDOT driveway and / or encroachment permits must be obtained;
- (3) That as public improvements for Mount Herman Road Subdivision will be required when each lot is submitted for development, infrastructure construction will be required in the following sequence with these notes included on infrastructure construction drawings:
  - a. If Lot 1 is developed prior to Lot 2, the construction of the widening of Mount Herman Road will be required as a commercial street section along the 550' of frontage for both Lots 1 and 2. Approval of the construction drawings, with traffic control and pavement marking plans, will be required prior to building permit. The widening will be ½-41' b-b curb and gutter facility with 5' sidewalk;
  - b. If Lot 2 develops prior to Lot 1, the construction of the widening of ACC Boulevard and Mount Herman Road will be required. ACC Boulevard will be constructed as a minor thoroughfare section, 1/2 -53' b-b curb and gutter section with sidewalk along the 930' Lot 2 frontage. Mount Herman Road will be constructed as a commercial street section, ½-41' b-b section with sidewalk along the 550' frontage. Approval of the construction drawings, with traffic control and pavement marking plans, will be required prior to building permit. ACC Boulevard construction may require coordination (data and /or construction) with an adjacent proposed development west of this property on ACC Boulevard;

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

- (4) That infrastructure construction drawings be approved by the Public Works Department;
- (5) All sight easements on the preliminary plan shall be placed on all plats for recording stating: "Within the sight triangles shown on this plan, no obstruction between 2 feet and 8 feet in height above the curb line elevation shall be located in whole or part. Obstructions include but are not limited to any berm, foliage, fence, wall, sign, parked vehicle or other object".
- (6) That prior to or in conjunction with subdivision plat recordation, a tree conservation map be recorded with metes and bounds showing the designated Tree Conservation Areas in compliance with Code section 10-2082.14;

**Prior to Inspections Department Issuance of a Building Permit:**

- (7) That a demolition permit be issued for Lot 2 by the Inspections Department prior to issuance of a building permit on lot 2. If this demolition permit is issued prior to plat recordation then this permit number shall be shown on all maps for recording; and

**Prior to Inspections Department Issuance of a Certificate of Occupancy:**

- (8) That in the case Lot 2 develops before Lot 1, then Lot 2 is responsible for the construction of the widening of ACC Boulevard and Mount Herman Road.

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I hereby certify this administrative decision.

**Signed:** (Planning Dir.) Mitchell Silver (S. Barlow) Date: 2/21/11

**Staff Coordinator:** Meade Bradshaw

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, 10-2050, 10-2059 Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 12/15/10, owned by Long Brothers Landscaping, submitted by Blakely Design Group.

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**ZONING:**

**ZONING DISTRICTS:** Thoroughfare District with Airport Overlay District and Special Highway Overlay District-2

**LANDSCAPING:** A landscape plan will be approved with individual lot development.

**TREE CONSERVATION:** **Site Acreage: 6.217 acres**

**Primary Tree Conservation**

- 0.7267 acres—50'-Wide TD Yard along ACC Blvd

**Total = 0.7267 acres (11.68% tree conservation area)**

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

**PHASING:** There are 2 phases in this development. Public improvements for Mount Herman Road Subdivision will be required when each lot is submitted for development as follows: Recording of lots will be in one phase and road improvements are phased based on the timing of lot development.

- a. If Lot 1 is developed prior to Lot 2, the construction of the widening of Mount Herman Road will be required as a commercial street section along the 550' of frontage for both Lots 1 and 2. Approval of the construction drawings, with traffic control and pavement marking plans, will be required prior to subdivision plat recordation. The widening will be ½-41' b-b curb and gutter facility with 5' sidewalk;
- b. If Lot 2 develops prior to Lot 1, the construction of the widening of ACC Boulevard and Mount Herman Road will be required. ACC Boulevard will be constructed as a minor thoroughfare section, 1/2 -53' b-b curb and gutter section with sidewalk along the 930' Lot 2 frontage. Mount Herman Road will be constructed as a commercial street section, ½-41' b-b section with sidewalk along the 550' frontage. Approval of the construction drawings, with traffic control and pavement marking plans, will be required prior to subdivision plat recordation. ACC Boulevard construction may require coordination (data and /or construction) with an adjacent proposed development west of this property on ACC Boulevard;

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**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:

<u>Street</u>	<u>ROW</u>	<u>Construct</u>	<u>Slope Esmt.</u>
ACC Boulevard	N/A	widen to 1/2-53' b-b w/ curb and gutter	N/A
Mt. Herman Church Rd.	N/A	widen to 1/2-41' b-b w/ curb gutter	N/A

The difference between the required 1/2 -53' roadway with curb, gutter and 5' sidewalk and the proposed construction of 1/2-41' roadway and 1/2-5' sidewalk on ACC Boulevard is reimbursable.

The timing of the construction of the lots determines which improvements will be constructed first. The condition of approval # 3 specifies that if a site plan is submitted on Lot 1 first, construction improvements on Mt. Herman Road will be required. If Lot 2 site plan approval precedes a site plan on Lot 1, the construction of ACC Boulevard and Mount Herman Road will be required with Lot 2 development.

**TRANSIT:** This site is presently not served by the existing transit system.

**URBAN FORM:** This site is located in the Northwest Citizen Advisory Council, in an area designated Business & Commercial Services area.

**SUBDIVISION  
STANDARDS:**

**LOT LAYOUT:** No minimum lot size for non residential uses.

**BLOCK LAYOUT:** No new streets are being created.

**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:** Refuse collection will be provided by a private contractor. The location and design of refuse collection facilities is shown in accordance with the Solid Waste Services Design Manual.

**CIRCULATION:** Proposed street improvements shall conform to normal City construction standards.

**PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. A sidewalk is required along ACC Boulevard and Mt. Herman Road.

**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 exceed 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.

**WETLANDS  
/ RIPARIAN  
BUFFERS:**

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

**STREET NAMES:**

No new street names are required for 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 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:** 2/21/14

Record at least ½ of the land area approved.

**5-Year Sunset Date:** 2/21/16

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.