REQUEST: Subdivision of a 21.234 acre site (Lot 11 of BM 2017 PG 1092) zoned OP-4-PK and within a SHOD-1 Overlay District into a total of (2) lots. New lot (Parcel A) will be 18.08 acres and the remainder (Parcel B) will be 3.12 acres. Recordation of this subdivision is a condition of approval of preliminary site plan case SR-53-17.

LOCATION: This site is located on the east side Interstate 40, south of the Trinity Road overpass. Access to the site is gained off of Corporate Center Drive, south of the intersection of Corporate Center Drive and Trinity Road. This property is currently located outside of the City limits.

DESIGN ADJUSTMENTS/ ALTERNATES, ETC: One Design Adjustment has been approved by the Public Works Director for this project, noted below.

1. Due to topographic and environmental conditions as well as the presence of a controlled access highway adjacent to the project, a Design Adjustment has been approved waiving the block perimeter requirement (8.3).

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 Kimley-Horn and Associated, Inc, dated 8/4/17.

CONDITIONS OF APPROVAL AND NEXT STEPS:

Prior to issuance of a land disturbing permit for the site:

1. That in accordance with Part 10A Section 9.4.4, a surety equal to the cost of clearing, grubbing and reseeding a site, shall be paid to the City;

2. That a final tree conservation plan with permit be approved by the Forestry Specialist. The plan must show metes and bounds descriptions of all tree conservation areas, and tree protection fence around all tree conservation areas.

Prior to the issuance of any site permits or approval of concurrent review process, whichever is applicable:

3. That the tree protection fence must be located in the field and inspected by Urban Forestry Staff.

4. That the existing sewer main material in the proposed right of way must be field verified by the applicant during the concurrent review. Replacement of that main may be required due to fill placement increasing depth of cover on pipe;
5. That a right-of-way obstruction permit is obtained from Right-of-way Services prior to the commencement of any construction activities within the right-of-way;

6. 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;

7. That a nitrogen offset payment must be made to a qualifying mitigation bank;

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

8. That a tree conservation map be recorded with metes and bounds showing the designated Tree Conservation Areas and in compliance with Article 9.1 of the Unified Development Ordinance;

9. That Tree Impact Permits are obtained from Urban Forestry staff;

10. That if the proposed public improvements are not installed and inspected by the City to be accepted for maintenance, a surety in the amount of 125% of the cost of construction for the 6' sidewalk and streetscape trees installed on the proposed road is to be paid to the Development Services Department in accordance with code section 8.1.3 of the UDO;

11. That street names for this development be approved by the Raleigh City Planning Department and by Wake County;

12. That a petition for annexation into the City limits be submitted in accordance with City Council policy for extension of utility service to properties currently outside of the City limits. This voluntary annexation in no way obligates the City to extend utility services to the property;

13. That Infrastructure Construction Plans or Concurrent Review Plans are approved by the City of Raleigh;

14. That any required right of way for proposed and/or existing streets is dedicated to the City of Raleigh and is shown on the map approved for recordation;

15. That flood prone areas, as approved by the City Stormwater Engineer, are shown on all maps for recording;

16. That the maximum impervious surface allowed for each lot be shown on all maps for recording;

17. 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;

18. That 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 where the property is located and a copy of the recorded document 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;
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19. 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 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 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;

20. 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 property owners association;

21. 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 their natural or mitigated condition, No person or entity shall fill, grad, 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).”

22. That in accordance with Part 10A Section 9.2.2, a surety equal to 125% of the cost of the construction of a stormwater device is paid to the Public Works Department;

Prior to issuance of building occupancy permits:

23. That in accordance with Part 10A Section 9.2.2, an impervious surface as-built survey shall be reviewed and accepted by the City prior to final stormwater inspection approval;

24. 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.
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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:
The expiration provisions of UDO Section 10.2.5 E, including the ability to request extensions in the expiration date, apply to this subdivision plan. To avoid allowing this plan approval to expire, the following must take place by the following dates:

3-Year Sunset Date: 9-20-2020
Record entire subdivision

I hereby certify this administrative decision.

Signed: (Planning Director) Kenneth Brown Date: 9/20/2017

Staff Coordinator: Michael Walters