



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-39-14 / Dillard Property Subdivision

General Location: This site is located on the south side of Strickland Road, east of Leesville Road.

CAC: Northwest

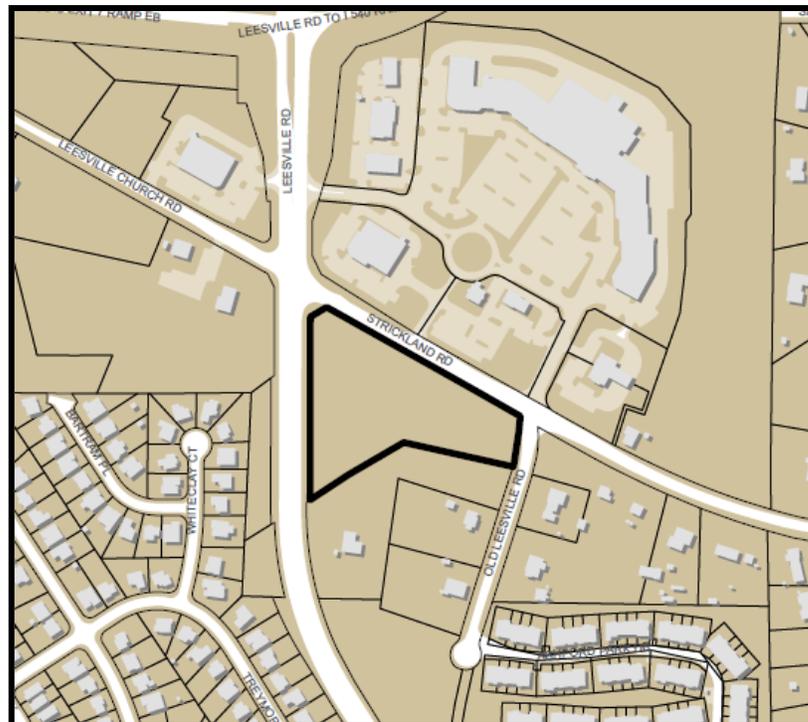
Nature of Case: This request is to approve the subdivision of a 3.54 acre tract into two lots, zoned Shopping Center Conditional Use.

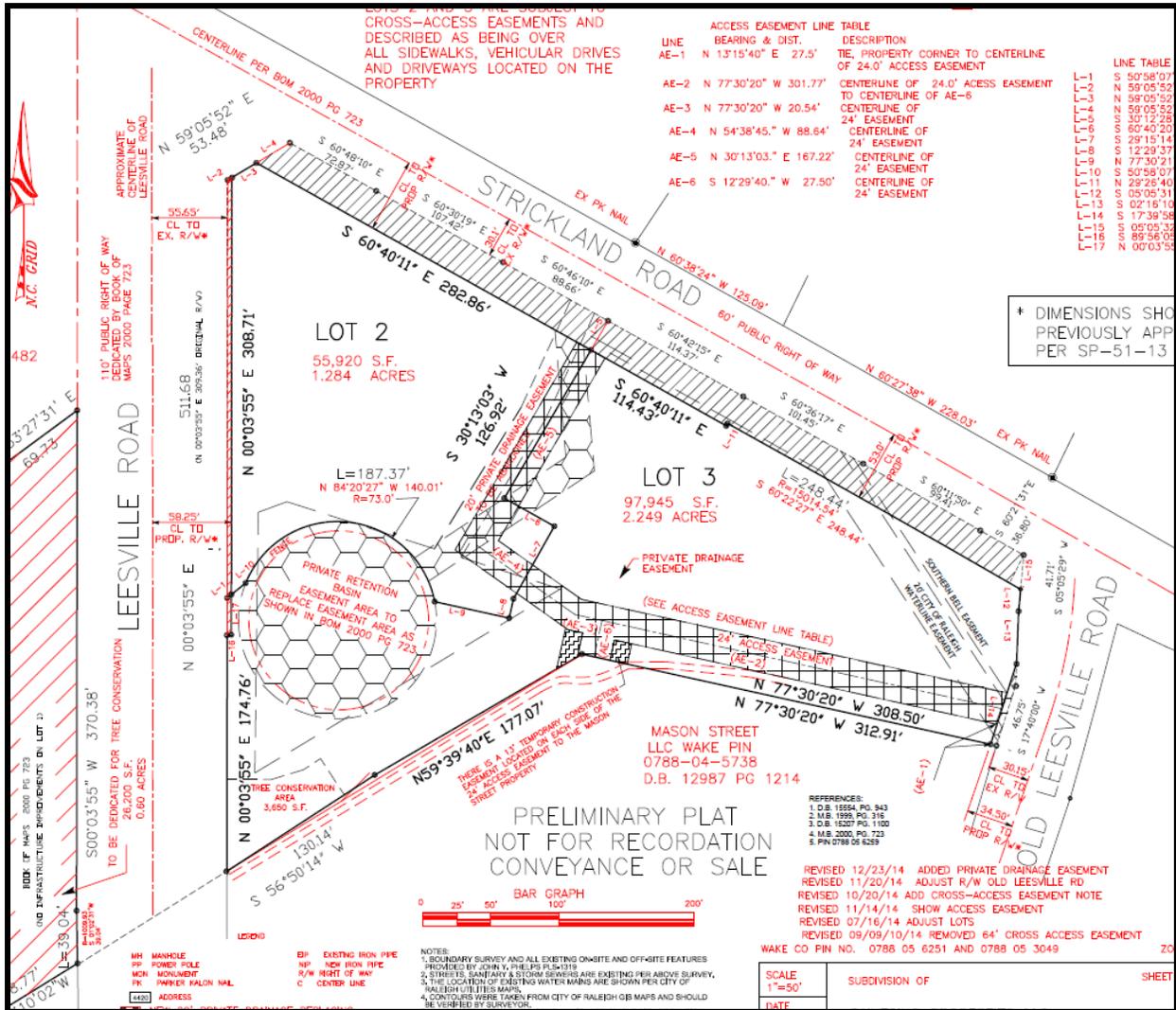
Contact: Jonathan Allen, Stantec

Design Adjustment: One Design Adjustment has been approved by the Public Works Director for this project, noted below.

1. A design adjustment was approved on July 17, 2014 by the Public Works Director for alternative street cross sections along Strickland and Leesville Road.

Administrative Alternate: NA





Preliminary Subdivision Plan

SUBJECT: S-39-14

**CROSS-
REFERENCE:** Z-11-12, SP-51-2013

LOCATION: This site is located on the south side of Strickland Road, east of Leesville Road.

PIN: 0788056251

REQUEST: This request is to approve the subdivision of a 3.54 acre tract into two lots, zoned Shopping Center Conditional Use. Lot 1 is proposed to be 1.29 acres in size with Lot 2 totaling 2.25 acres.

OFFICIAL ACTION: Approval with conditions

**CONDITIONS OF
APPROVAL:**

Prior to issuance of a mass grading permit for the site:

- (1) 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. Tree protection fence must be located in the field and inspected by the Forestry Specialist;

Prior to approval of a concurrent review of Final Site Review and Infrastructure construction plans, or whichever is applicable:

- (2) That a nitrogen offset payment must be made to a qualifying mitigation bank;
- (3) 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;
- (4) That all applicable NCDOT permits shall be obtained;

Prior to Planning Department authorization to record lots:

- (5) 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;
- (6) 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).”

- (7) 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;
- (8) 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;
- (9) That an offer of cross access easement between this parcel and the adjacent parcel to the south, DB 012987 PG01214, 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;
- (10) That infrastructure construction plans for public roadways and shared stormwater devices be submitted and approved by the Public Works Department;
- (11) 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;
- (12) 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;
- (13) 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;
- (14) That all conditions of Z-11-12 are complied with;

- (15) That in accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements is paid to the Public Works Department;
- (16) 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;
- (17) That a tree conservation map be recorded with metes and bound showing the designated Tree Conservation Areas, including the approved alternative tree conservation area located across Leesville Road ;
- (18) That the required right of way is dedicated to the City of Raleigh in accordance with the 7/17/14 approved design adjustment and a copy of the recorded plat be provided to the City;
- (19) 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;
- (20) That in accordance with the Raleigh Street Design Manual all fees for street signs be paid to the Public Works Department.

I hereby certify this administrative decision.

Signed:

(Planning Dir.) Kenneth Bowen (A. Barber) Date: 1-15-15

Staff Coordinator:

Stan Wingo

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 in accordance with Chapter 10 of the Unified Development Ordinance and Part 10 Chapter 2 Section 10-2022 of the legacy Zoning Code. This approval is based on a preliminary plan dated 12/23/14, owned by Saintsing Properties LLC, submitted by Jonathan Allen, Stantec.

ZONING:

**ZONING
DISTRICTS:**

Shopping Center CUD (Z-11-12).

Z-11-12 - Strickland Road located on the Southside, southwest of its intersection with Old Leesville Road being Wake County PIN 0788056251. Approximately 3.91 acres are to be rezoned from Residential-4 to Shopping Center Conditional Use District.

Conditions Dated: 5/1/13

- 1) The following uses shall be prohibited:
 - (a) automotive service and repair facilities;
 - (b) landfills of all types;
 - (c) manufacturing of all types;
 - (d) mini-warehouse storage facilities; and
 - (e) riding stables;
 - (f) outdoor stadium;
 - (g) theater;
 - (h) amphitheater;
 - (i) racetrack;
 - (j) correction/penal facility;
 - (k) kennel/cattery;
 - (l) outdoor movie theater;
 - (m) airfield/landing strip;
 - (n) non-hospital related heliports;
 - (o) adult establishments.

N/A as this is for subdivision approval.

- 2) Building height shall not exceed a maximum of five stories or 75 feet.

N/A as this is for subdivision approval.

- 3) At least thirty-three percent (33%) of the surface of the ground floor level of building facades facing Strickland Road shall be non-opaque glass window(s) and/or non-opaque glass door(s), (with ground floor level being measured between three (3) feet and twelve feet (12) feet above the adjacent sidewalk).

N/A as this is for subdivision approval.

- 4) If requested by the City, prior to the subdivision of the property or the issuance of a building permit for the property, whichever shall occur first, a transit easement, measuring twenty (20) by fifteen (15) feet along Leesville Road (or such lesser size as requested by the City Transit Division), shall be granted to the City pursuant to a transit easement deed approved by the City Attorney and recorded in the Wake County Registry.

Not requested by Transit.

- 5) Any drive-through window serving the subject property shall be located at the rear or side of any building as viewed from Strickland Road and Leesville Road.

N/A as this is for subdivision approval.

- 6) Prior to obtaining a building permit for any development within the subject property, the property owner requesting the permit shall provide for access to the adjoining property identified as PIN 0788045738 (Deed Book 12987/Page 1214) by either making a recorded offer of cross access to such property to the south,

to be approved by the office of the Raleigh City Attorney, or dedicating right-of-way to the public which connects said property to the right-of-way of Strickland Road.

Condition of approval.

7) Retail development shall be limited to no more than 29,000 square feet floor area. Within forty-five (45) days of recording of a plat subdividing the subject property, a covenant allocating the retail square footage to the various lots shall be recorded with the Wake County Registry. For purposes of this condition, "retail" shall mean any retail sales, eating establishments and personal services listed in the permitted land use schedule irrespective of any exclusions.

N/A as this is for subdivision approval.

8) Unless a more stringent standard is required Development of the property shall require covered or uncovered bicycle parking facilities (bike racks) at a ratio of one bike space per 5,000 square feet of building area gross; such bike racks shall be located within 100 feet of a building entrance.

N/A as this is for subdivision approval.

9) That upon the effective date of this rezoning ordinance but before September 1, 2013, the applicant may elect to apply to have all of the following chapters and sections of the UDO apply to the rezoned land:

- i. Article 1.1
- ii. Article 1.2
- iii. Article 7.1
- iv. Chapter 8
- v. Chapter 9
- vi. Chapter 10, except UDO sections 10.2.7 Plot Plan Review and 10.2.8 Site Plan Review. Reviews of plot plans and site plans in legacy zoning districts shall be conducted in accordance with City Code sections 10-2132.1 and 102132.2(a) through (i).

Applicants proposal was submitted with intentions of being reviewed under all sections above excepting Chapter 9.

10) In the event property owner does not elect to develop the property under the provisions of condition 9 above, then in such event, the amount of vehicular surface parking provided to serve the uses on the property shall not exceed 150% of the minimum amount of parking required by the Code at the time of site plan submittal.

N/A, proposal is developed under Condition 9 above.

11) City Council shall have final approval of any alternative means of compliance with the tree conservation ordinance.

City Council approved an alternative tree conservation area at May 6th, 2014 Hearing.

**TREE
CONSERVATION:**

This project is required 10% or .391 acres for tree conservation. The applicant requested an alternative tree conservation area located across Leesville Road which was approved at City Council Hearing. This project has dedicated 0.565 acres which is broken into:

Primary: 0 acres

Secondary: 0.57 acres

PHASING: This is a one phase development.

**COMPREHENSIVE
PLAN:**

GREENWAY: This site is not located along an existing or proposed greenway trail.

**STREET
TYPOLOGY MAP:**

Dedication of right-of-way and construction of the following streets are required by the Street Typology Map of the Comprehensive Plan. Proposed street(s) are classified as: Leesville and Strickland – Avenue 4-Lane Divided, Old Leesville – commercial street. Dedication of right-of-way is required.

Street	ROW	Construct	Slope Esmt.
Leesville Road	Variable width dedication along frontage.	Construct streetscape per the approved Design Adjustment from the Public Works Director.	
Strickland Road	Variable width dedication along frontage.	Construct streetscape per the approved Design Adjustment from the Public Works Director.	
Old Leesville Road	Dedicate half 69' of Right of Way section.		

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

TRANSIT: This site is presently not served by the existing transit system. It is not proposed to be served in the CAT Short Range Transit Plan nor the Wake County 2040 Transit Study.

**COMPREHENSIVE
PLAN:**

This site is located in the Northwest CAC, in an area designated as Neighborhood Mixed Use.

**SUBDIVISION
STANDARDS:**

LOT LAYOUT: Proposed street improvements shall conform to normal City construction standards. Proposed layout meets block perimeter standards as set forth in Chapter 8 of the UDO.

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 is to be provided by private contractor.

**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:** A Design Adjustment has been granted by the Public Works Director for both streetscapes along the frontage of the subject property. The Strickland Road frontage is proposed from back of curb a 6' planting area, 6' sidewalk, 4' maintenance strip then a 3' utility placement easement. The Leesville Road frontage is proposed from back of curb a 3.5' maintenance strip, 6' sidewalk, 4.5' planting area and 5' utility placement easement.
- PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. Sidewalks are proposed along Strickland and Leesville Road, with internal sidewalks connecting to building entrances. Applicant has also included a sidewalk connecting to Old Leesville Road.
- FLOOD HAZARD:** There are no flood hazard areas on this site.
- STORMWATER MANAGEMENT:** This site is subject to stormwater management controls in accordance with Article 9.2 of the Raleigh City UDO. Proposed stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual. The subdivision will utilize shared stormwater control facilities to meet runoff control and water quality regulations.
- WETLANDS / RIPARIAN BUFFERS:** No wetland areas or Neuse River riparian buffers are required on this site.
- 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:** 1/21/18
Record 100% of the land area approved.
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.



City Of Raleigh
North Carolina

MEMORANDUM

From: Bradley Kimbrell, PE, Civil Engineer
To: Carl Dawson, PE – Public Works Director
Date: July 17, 2014
Project Name: Walgreens – Strickland/Leesville, SP-51-13
Applicant: Johnathan Allen, PE, Stantec

Design Adjustment applied for:

- The City's requirement (*Unified Development Ordinance, 8.4.5*) for Right of Way dedication and frontage improvements along an Avenue 4-Lane, Divided roadway, in which the streetscape shall include a 6' planting area, 6' concrete sidewalk, 2' Maintenance Strip and 5' Utility Easement.

See attached letter and streetscape plans from the Applicant requesting your consideration for an alternative cross-section along both Strickland Road and Leesville Road.

Staff Recommendation(s):

Per Section 8.5.1-G of the Unified Development Ordinance, the Public Works Director may approve an alternative streetscape design along an existing street provided the design conforms to the findings found in that section of the UDO.

City staff has discussed the proposed alternative cross-sections with NCDOT and have received favorable consideration for allowing this modified streetscape.

City staff supports this request.

Approved **Denied**

Carl R. Dawson, Jr.

Public Works Director

7/17/14
Date



July 16, 2014
File: 2023310002

Attention: Mr. Carl Dawson
City of Raleigh Public Works Department
222 West Hargett Street, Room 400
Raleigh, NC 27601

Reference: SP-51-13 Walgreens – Leesville Road
Request for Alternate Streetscape Section

Dear Mr. Dawson,

In accordance with UDO Section 8.4.1.E, we understand that the Public Works Director has the authority to approve a request for a street design adjustment. For the Walgreens project located at the intersection of Leesville and Strickland Road (SP-51-13), we request the approval of a Design Adjustment/Alternate for the streetscape sections along the frontage of our development.

Per UDO Section 8.4.6 Major Streets, the streetscape section for an Avenue 4-Lane Divided includes a 6' planting area, a 6' sidewalk, and a 2' maintenance strip between the back of street curb and the right-of-way. The streetscape section also includes a 5' utility placement/easement outside of the right-of-way, creating a 7' clear space for future utilities. Due to the physical constraints of the property and per a meeting held on 7/11/14 with NCDOT and City of Raleigh Transportation staff, we propose the following adjustments to the UDO street sections:

- Strickland Road – We will maintain the 6' planting area and the 6' sidewalk behind the street back of curb. We propose a 4' maintenance strip from the sidewalk to the right-of-way and a 3' utility placement/easement outside of the right-of-way. This alternate section allows for the 7' clear space from sidewalk to site back of curb for future utilities. Street trees will be planted within the 6' planting area in accordance with the NCDOT roadside group. Please see the attached Strickland Road Streetscape Illustration for further clarification.
- Leesville Road – We propose 3.5' from back of street curb to the sidewalk, a 6' sidewalk, 4.5' from the sidewalk to the right-of-way and a 5' utility placement/easement outside of the right-of-way. Per direction by City of Raleigh staff, street trees will be planted 3' behind the back of sidewalk in accordance with the NCDOT roadside group. Please see the attached Leesville Road Streetscape Illustration for further clarification.

We find that this Design Adjustment meets the following requirements of UDO Section 8.4.1.E in that:

1. The approved adjustment meets the intent of this Article;



July 16, 2014
Mr. Carl Dawson
Page 2 of 2

**Reference: SP-51-13 Walgreens - Leesville Road
Request for Alternate Streetscape Section**

2. The approved adjustment conforms with the Comprehensive Plan and adopted City plans;
3. The approved adjustment does not increase congestion or compromise safety;
4. The approved adjustment does not create additional maintenance responsibilities for the City;
5. The approved adjustment has been designed and certified by a Professional Engineer;
and
6. The approved adjustment shall address stormwater collection and conveyance and not adversely impact stormwater collection.

Thank you for your consideration with this request.

Regards,

Stantec Consulting Services Inc.

Jonathan A. Allen, PE
Project Manager
Phone: 919-325-4774
Jonathan.Allen@stantec.com

Attachment: Strickland Road Streetscape, Leesville Road Streetscape

c. Gordon Kolb, Jr., David York, File

