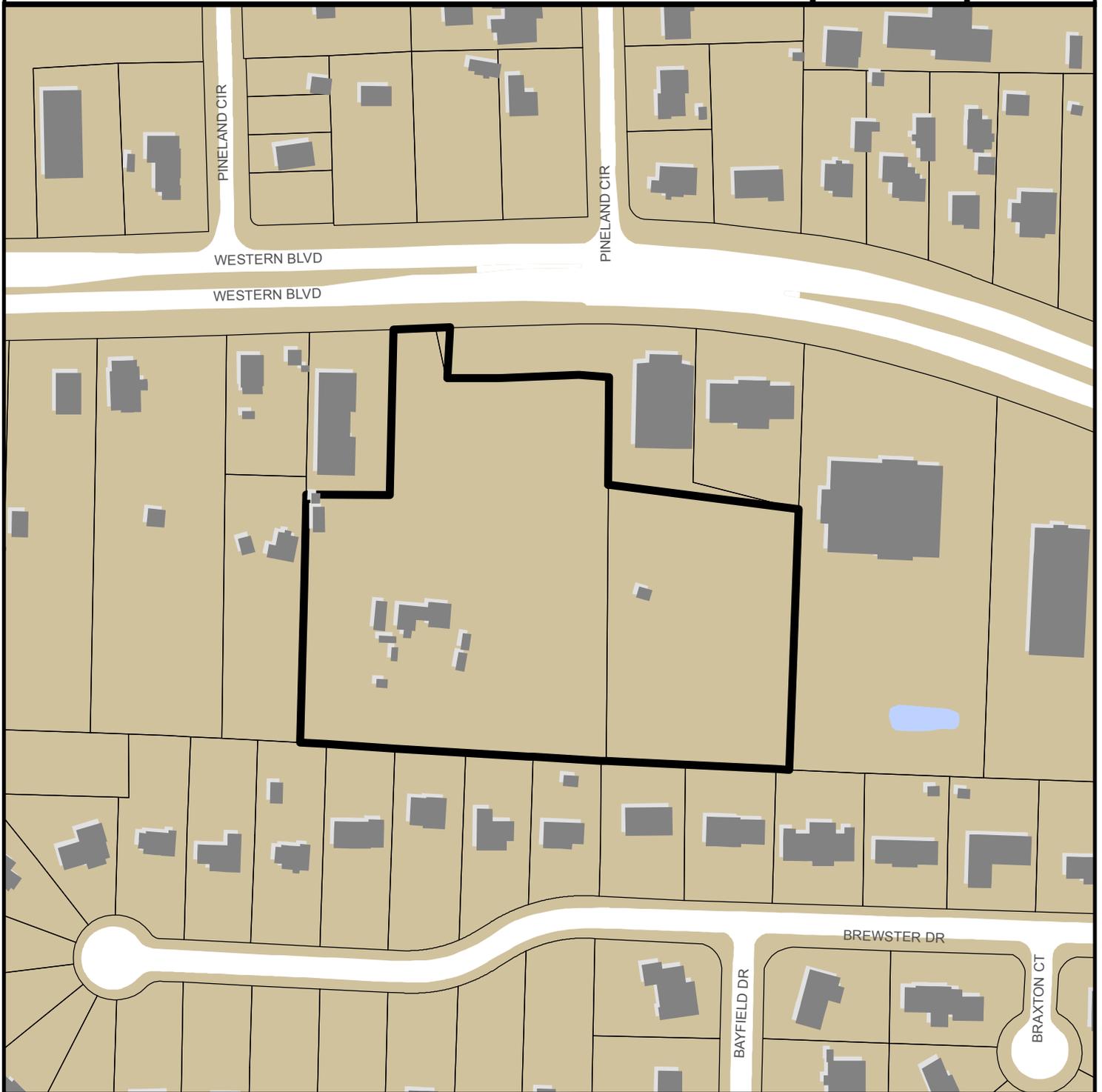


BOLICK PARK S-44-2015



Zoning: **R-6, SRPOD**

CAC: **West**

Drainage Basin: **Bushy Branch**

Acreage: **5.7**

Number of Lots: **20**

Planner: **Meade Brashaw**

Phone: **(919) 996-2664**

Applicant: **A Squared LLC**

Phone: **(919) 623-7719**





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-44-15 / Bolick Park

General Location: The site is located on the south side of Western Boulevard, east of the intersection of Western Boulevard and Powell Drive located within the city limits.

CAC: West

Nature of Case: Recombination and subdivision of two parcels, 2.24 acres zoned Office & Institutional-1 with Special Residential Parking Overlay and 3.46 acres zoned Residential-6, into 20 single-family lots, 3 open space lots, and 1 lot which currently has a church on-site which will remain. (total of 24 lots)

Contact: Pam Porter, Tony M. Tate Landscape Architecture, P.A.

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

1. A Design Adjustment to UDO Article 8.3 - Block Perimeter

Administrative Alternate: NA



SUBJECT: S-44-15 / Bolick Park

**CROSS-
REFERENCE:** N/A

LOCATION: The site is located on the south side of Western Boulevard, east of the intersection of Western Boulevard and Powell Drive located within the city limits.

PIN: 0784600968 & 0784613002

REQUEST: This request is to approve the subdivision of two parcels, 2.24 acres zoned Office & Institutional-1 with Special Residential Parking Overlay and 3.46 acres zoned Residential-6, into 20 single-family lots, 3 open space lots, and 1 lot which currently has a church on-site which will remain. (24 lots total)

OFFICIAL ACTION: **Approval with conditions**

**CONDITIONS OF
APPROVAL:**

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

- (1) That a tree conservation plan in compliance with UDO Article 9.1. must be approved by the Conservation Forester. The plan must include a map of the tree conservation areas with metes and bounds descriptions of all tree conservation area boundaries. Tree protection fence must be located in the field along the boundaries of all tree conservation areas and inspected by the Conservation Forester;
- (2) 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;

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

- (3) That NCDOT approves encroachments and driveway permit on Western Boulevard;
- (4) That a nitrogen offset payment must be made to a qualifying mitigation bank;
- (5) That construction plans for the shared stormwater devices be submitted and approved by the Public Works Department;
- (6) 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;
- (7) 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;

Prior to Planning Department authorization to record lots:

- (8) That prior to or in conjunction with subdivision recordation a plat of all tree conservation areas with metes and bounds descriptions of the boundaries must be recorded at the Wake County Register of Deeds office;
- (9) That ½-126' of the required right-of-way, a 5' General Utility Placement Easement, and a 20' Slope Easement along Western Boulevard as shown on the preliminary plan is dedicated to the City of Raleigh;
- (10) That a demolition permit be issued for the existing house on site to be removed and this building permit number be shown on all maps for recording;
- (11) That street names for this development be approved by the Raleigh GIS Division and by Wake County;
- (12) That a recombination map be recorded prior to or in conjunction with the recording of lots, adjusting the eastern property line of DB 008489 PG 01735 (Pin # 0784519136);
- (13) That Infrastructure Construction Plans, Stub Permits, and Tree Impact Permits are issued/approved by the City of Raleigh;
- (14) That in accordance with Part 10A Section 8.1.3, a surety equal to 125% for city maintained streets and 100% for Western Boulevard be paid for the cost of development related improvements which remain incomplete;
- (15) 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 homeowner association;
- (16) That a homeowner's association declaration prepared in conformity with N.C. Gen. Stat., Chapter 47F for the maintenance and protection of the trees within recorded tree conservation areas; and one or more deeds conveying all tree conservation areas in fee or in easement to the homeowner's association be recorded and a copy returned to the City in accordance with UDO Sections 9.1.5.A.2.c. & d;
- (17) 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

(18) 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; and

(19) 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;

I hereby certify this administrative decision.

Signed: (Planning Dir.) *Kimith Brown (S. Butler)*
Date: 3-21-16

Staff Coordinator: Meade Bradshaw

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, conforms to the Unified Development Ordinance including Chapter 2, Article 2.2, Sections 2.2.1, Chapter 7, Article 7.2 as well as Code Part 10, Section 10-2035. This approval is based on a preliminary plan dated 2/17/16 owned by A Squared, LLC, submitted by Tony M. Tate Landscape Architecture, PA.

ZONING:

ZONING DISTRICTS: Residential-6 & Office & Institutional-1 w/ Special Residential Parking Overlay

TREE CONSERVATION: This project is larger than two acres and compliance with UDO Article 9.1. Tree Conservation is required. The project provides 0.64 acres of tree conservation area which is 11.23% of the net site acreage. Tree conservation acreage is as follows:
Primary: 0.0 acres
Secondary: 0.64 acres

PHASING: There is 1 phase in this development.

**COMPREHENSIVE
PLAN:**

GREENWAY: There is no greenway on this site.

**STREET
PLAN MAP:** Dedication of right-of-way and construction of the following streets are required by the Street Plan Map of the Comprehensive Plan. Dedication of additional right-of-way on Western Boulevard is required.

Street Name	Designation	Exist R/W	Required R/W	Existing street (b to b)	Proposed street (b to b)	Slope Easement
Western Boulevard	6-Lane, Divided	125'	variable	variable	98'	20'

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.

**COMPREHENSIVE
PLAN:** This site is located in the West Citizen Advisory Council in an area designated as Office & Residential Mixed Use.

**SUBDIVISION
STANDARDS:**

LOT LAYOUT: The minimum lot size in Residential-6 zoning district is 7,260 feet. The minimum lot depth in this zoning district is 80' feet. The minimum lot width of an interior lot in this zoning district is 50' feet. The minimum lot size in Office & Institutional-1 zoning district is 5,000 feet. The minimum lot depth in this zoning district is 70 feet. The minimum lot width of an interior lot in this zoning district is 45' feet. Lots in this development conform to these minimum standards.

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 by the City is to be provided.

**BLOCKS / LOTS /
ACCESS:** A Design Adjustment was approved by the Interim Public Works Director from UDO Article 8.3.6 from not providing a stub street to the south or the east due to existing development. A stub street is provided to the west in anticipation of future development. A fee for street signs is required in accordance with the Raleigh Street Design Manual.

STREETSCAPE

TYPE: The applicable streetscape is Residential. A proposed 6' planting strip, 6' sidewalk, and 5' General Utility Placement Easement is proposed on Moye Drive and Centerbud Place. Western Boulevard existing ditch section, 8' asphalt sidewalk and a 5' General Utility Placement Easement.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. A sidewalk is required along both sides of Moye Drive and Centerbud Place. 8' asphalt path exists along Western Boulevard.

FLOOD HAZARD: There are no flood hazard areas on this site.

**STORMWATER
MANAGEMENT:**

This site is subject to stormwater management controls in accordance with Chapter 9 of Part 10 of the Raleigh City Code. Proposed stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual with the use of a grass bioretention basin and proposed nitrogen buydown.

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.

**WETLANDS
/ RIPARIAN
BUFFERS:**

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

STREET NAMES: 2 new streets are being proposed with this development. A fee for street signs is required in accordance with the Raleigh Street Design Manual.

**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: 3/21/2019
Record at least ½ of the land area approved.

5-Year Sunset Date: 3/21/2021
Record entire subdivision.

WHAT NEXT?:

- MEET ALL CONDITIONS OF APPROVAL.
- COMPLETE INFRASTRUCTURE 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 Public Works Department for street construction; by the first working day in November and May each year.



Public Works Design Adjustment – Staff Response

Per Section 10.2.18.C of the Unified Development Ordinance, the Public Works Director may consult with the heads of other City departments regarding the review of the request. The Public Works Director may approve, approve with conditions or deny the request, but must do so within 60 days of the receipt of a completed application. Additional time may be necessary if a municipal or state entity is incorporated in the review process or if a detailed engineering study is submitted in conjunction with the request.

Project	Project Name	Bolick Park	Date Completed Application Received	2/5/2016
	Case Number	S-44-2015	Transaction Number	442704
Staff Response/Recommendation	<p>This subdivision is located on Western Boulevard between Powell Drive to the west and Deboy Street to the east. This plan is not able to meet the block perimeter as explained in the support document and plan view of the proposed subdivision. A stub street is being provided to the western property line, however, this street extension to Powell Drive will not provide relief for the block perimeter due to existing development to the south and east. The benefit of the stub street will be to provide a better grid system for future redevelopment of properties to the west.</p> <p>The staff supports this request. (UDO, Article 8.3, 8.3.6)</p>			
	Staff Member	Kathryn Beard	Support Request	<input checked="" type="checkbox"/>
		Does Not Support	<input type="checkbox"/>	

Public Works Director's Action:

Approve Approval with Conditions Deny


 Richard L. Kelly, Interim Public Works Director

2/24/16
 Date

*The Public Works Director may also authorize a designee to sign in his stead. Please print name and title next to signature.

Conditions for Approval

Appeal of the decision from the Public Works Director shall be made in writing within 30 days to the Board of Adjustment (see Section 10.2.18.C3b).

One Exchange Plaza, Suite 300
Raleigh, NC 27601

Phone: 919-996-3030
www.raleighnc.gov