



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-52-13 / Atlantic Avenue Subdivision

General Location: The site is located on the east side of Atlantic Avenue, south of the intersection of Atlantic Avenue and Millbrook Road.

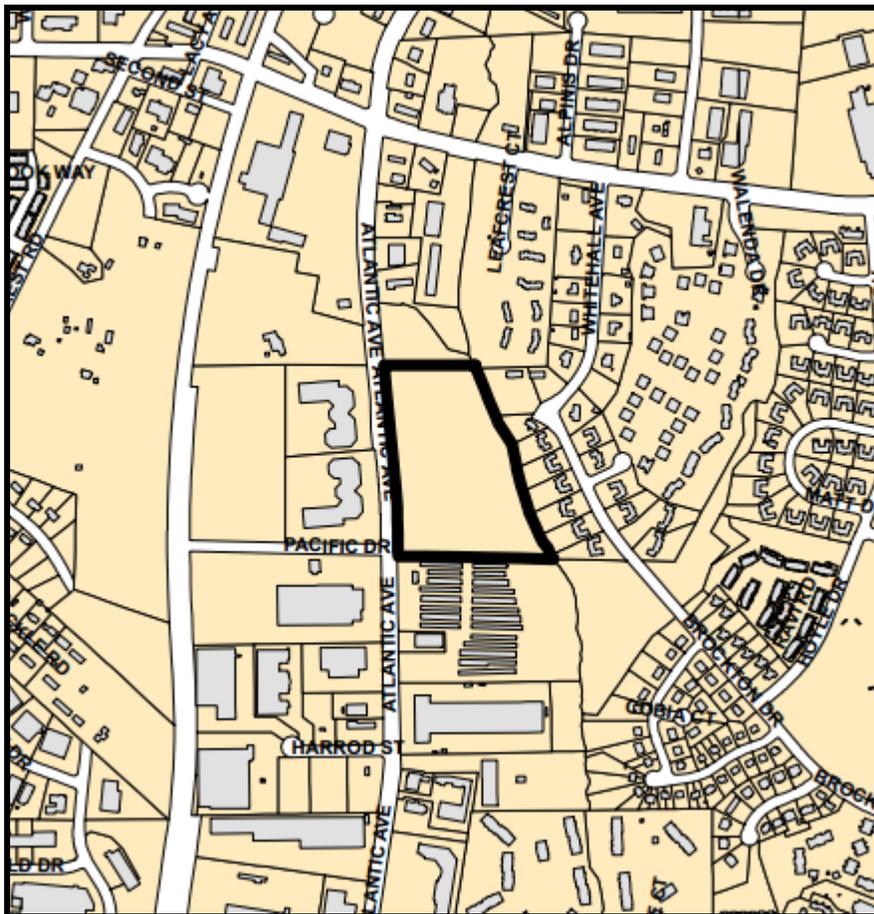
CAC: Atlantic

Nature of Case: Subdivision of 14.96 acres into two nonresidential lots of 4.3 acres and 10.59 acres, zoned Industrial-1.

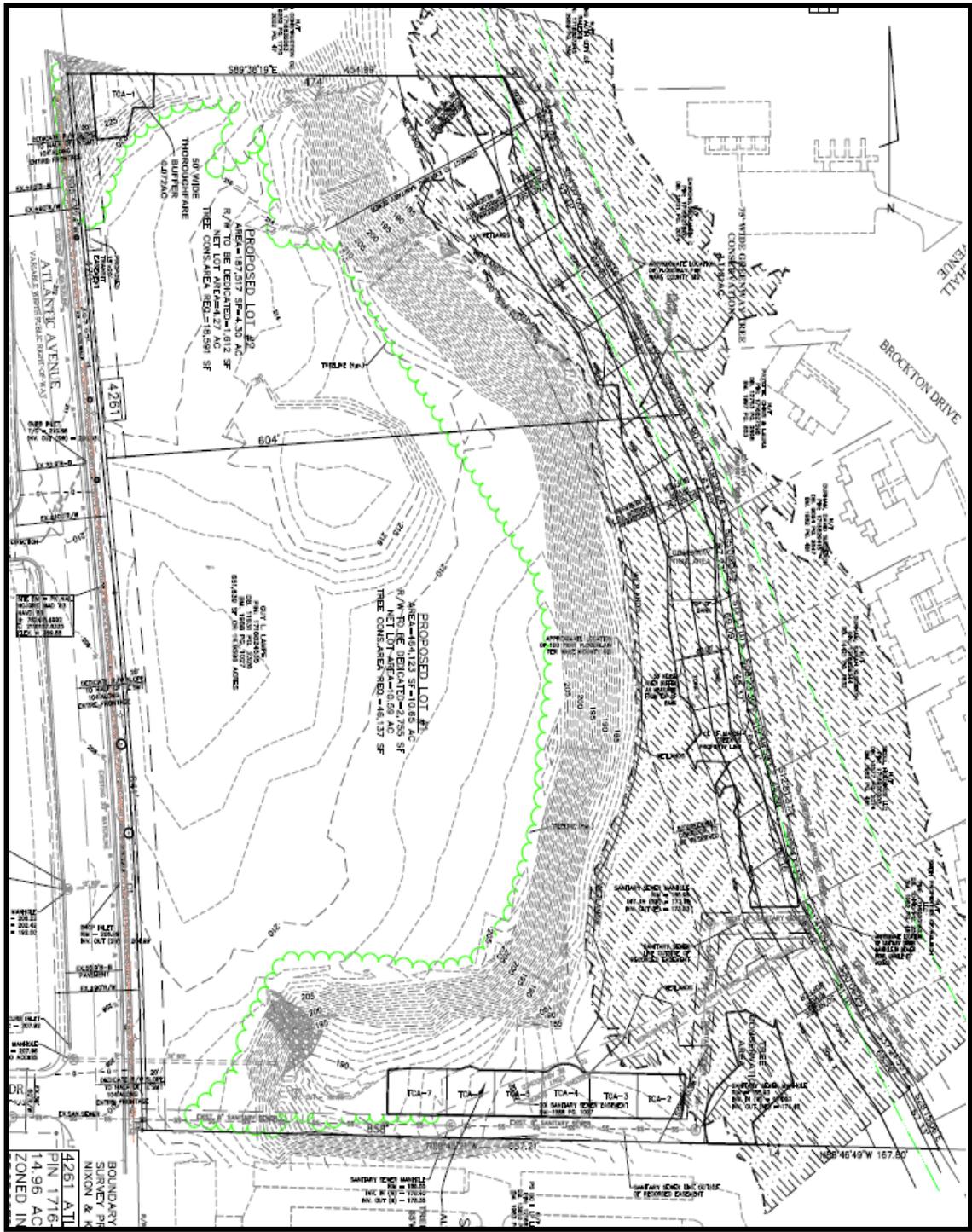
Contact: Patti Hildreth, CMS Engineering

Design Adjustment: A Design Adjustment for the Block Perimeter requirements of Section 8.3.2 has been granted by the Public Works Director.

Administrative Alternate: NA



S-52-13 / Location Map



S-52-13 / Preliminary Subdivision Plan

SUBJECT: S-52-13

**CROSS-
REFERENCE:** NA

LOCATION: The site is located at 4261 Atlantic Avenue, inside the city limits.

PIN: 1716824535

REQUEST: This request is to approve the subdivision of a 14.96 acre tract into two nonresidential lots (4.3 acres and 10.59 acres), zoned Industrial-1.

OFFICIAL ACTION: Approval with conditions

**CONDITIONS OF
APPROVAL:**

Prior to Planning Department authorization to record lots:

- (1) That a payment for fee-in-lieu of construction for 1' of additional sidewalk and street trees along the Atlantic Avenue frontage based on the City's current rates be made;
- (2) Prior to lot recordation, the owner of the property shall deed to the City transit easements measuring twenty feet (20') long by fifteen feet (15') wide adjacent to the public right-of-way on Atlantic Avenue to support bus stops for current and future transit services in the area. The location of the transit easements shall be reviewed and approved by the Transit Program of the City and the City Attorney or his designee shall approve the transit easement deed prior to recordation in the Wake County Registry;
- (3) That ½ of the required right of way Atlantic Avenue and 20' slope easement is dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City;
- (4) That a cross access agreement among proposed lots one and two, is approved by the Planning Department for recording in the Wake County Registry, and that a copy of the recorded offer of cross access easement be returned to the Planning Department within 1 day of lot recording;
- (5) That the City Attorney approve an off-site sanitary sewer easement deed and map for the City of Raleigh sewer extension from PIN # 1716827820 property located east of the subdivision and that the deed and map are recorded with the County Register of Deeds office. A recorded copy of these documents must be provided to the Planning Department within 14 days from authorization of lot recording. If a recorded copy of the documents is not provided to the Planning Department within this 14 day period, further recordings and building permit issuance may be withheld;
- (6) That the 50' greenway reservation is shown on all plats for recording;

- (7) That a Council resolution to abandon the sewer easement be approved, and the Council resolution number provided on the final plat.
- (8) 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;
- (9) 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)."

I hereby certify this administrative decision.

Signed: (Planning Dir.) Kenneth Bowen (C. Ray) Date: 9-18-14

Staff Coordinator: Justin Rametta

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 City Administration finds that this request, with the above conditions being met, conforms Part 10, Chapter 2, Sections 10-2046, Part 10A (Unified Development Ordinance) Articles 8, and 9. This approval is based on a preliminary plan dated 7/22/14 owned by Guy L Lampe, submitted by CMS Engineering.

ZONING:

ZONING DISTRICTS: Industrial-1

TREE CONSERVATION: This project is larger than two acres and compliance with UDO Code Section 9.1—Tree Conservation is required. The project provides 1.544 acres of tree conservation area which is 10.39% of gross site acreage.

Tree conservation acreage is as follows:
Primary: 0.408 acres

Secondary: 0.419 acres
Greenway: 0.717 acres

PHASING: This is a one phase development.

**COMPREHENSIVE
PLAN:**

GREENWAY: There is proposed greenway on this site, shown as the Crabtree Creek Marsh Creek Tributary 'A' on the Greenway Corridor Master Plan. A 50' wide greenway corridor is shown to be reserved.

**STREET
TYPOLOGY MAP:** Dedication of right-of-way is required by the Street Typology Map of the Comprehensive Plan. Dedication of right-of-way is required along Atlantic Avenue as shown below.

Street Name	Designation	Exist R/W	Required R/W	Existing street (b to b)	Proposed street (b to b)
Atlantic Avenue	Avenue, 4-lane, divided	Variable	½- 104'	Variable	76'

TRANSIT: The following transit-oriented features of this site are incorporated into the proposed plan: Dedication of a transit easement. This site is not presently served by the existing transit system but both the City of Raleigh Short Range Transit Plan and the Wake County 2040 Transit Study propose transit here.

**COMPREHENSIVE
PLAN:** This site is located in the Atlantic Citizens Advisory Council in an area designated for medium density residential.

**SUBDIVISION
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. An off-site sewer easement will be required to serve proposed lot 2.

SOLID WASTE: Individual lot service by the City is to be provided.

**BLOCKS / LOTS /
ACCESS:** Block perimeters, lot arrangement and access conform to Chapter 8 of the UDO. A Design Adjustment to the Block Perimeter requirements has been granted by the Public Works Director.

STREETSCAPE

- TYPE:** The applicable streetscape is a sidewalk and tree lawn. A 5' sidewalk currently exists along Atlantic Avenue. A fee in lieu for 1' of additional sidewalk and street trees is required prior to lot recordation to meet the streetscape requirements.
- PEDESTRIAN:** Existing sidewalk locations do not conform to City regulations. 5' currently exists along Atlantic Avenue. Access to the public right of way in addition to internal connection requirements shall be provided in accordance with 8.3.4 of the UDO when the parcels are developed.
- FLOOD HAZARD:** This property has FEMA floodplain on site.
- STORMWATER MANAGEMENT:** This site is subject to stormwater management controls in accordance with Article 9 chapter 2 of the Unified Development Ordinance. Because all proposed lots exceed one acre in size the stormwater management measures may be required at the time of site plan submittal for each lot or at the time of further subdivision as required by Sec. 9.8.3, Stormwater Control Plans.
- WETLANDS / RIPARIAN BUFFERS:** Neuse River riparian buffers exist on this site and are shown on the plans.
- 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:** 9/18/17
Record at least ½ of the land area approved.
- 5-Year Sunset Date:** 9/18/19
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.