Zoning: **CX-12-CU SHOD-1**
CAC: **West**
Drainage Basin: **Richland Creek**
Acreage: **18.41**
Number of Lots: **5**

Planner: **Daniel Stegall**  
Phone: **(919) 996-2712**

Applicant: **The Station at Raleigh**
Station At Raleigh: S-79-17, AA# 3705
Transaction# 535877

LOCATION: This site is located north of Trinity Road and south of Westchase Boulevard. The addresses and PIN numbers are 4110 Trinity Road/PIN 0784569220 and 4200 Trinity Road/ PIN 0784565495.

REQUEST: Recombination and subdivision of an 8.4 acre tract and a 10 acre tract zoned Commercial Mixed Use (CX-12-CU) to create 5 lots. The tracts are located in a SHOD-1 overlay district with zoning conditions under Z-24-2009. Please note the preliminary submittal is part of a bundle process which includes a concurrent review.

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: None.

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 Chris Bostic of Kimley-Horn & Associates, Inc.

CONDITIONS OF APPROVAL and NEXT STEPS:

Note: This document must be applied to the second sheet of all future submittals with the exception of final plats.

PRIOR TO THE ISSUANCE OF ANY SITE PERMITS OR APPROVAL OF CONCURRENT REVIEW PROCESS, WHICHEVER IS APPLICABLE:

ENGINEERING
1. Required NCDOT encroachment and/or driveway permits must be approved and copies provided to Development Services – Development Engineering prior to concurrent review approval.

2. An encroachment agreement for storm pipe that directly drains from stormwater control measures without a means to access at the ROW, storm pipes in the ROW diverted to stormwater control measures and storm pipes less than the minimum allowable diameter within the public right-of-way shall be approved by City Council and the City Council approved encroachment agreement shall be filed with the Development Services Department. The encroachment agreement shall also be recorded with the Wake County Register of Deeds prior to concurrent review approval.

3. Next Step: A right-of-way obstruction permit must be obtained from Right-of-way Services prior to the commencement of any construction activities within the right-of-way.

STORMWATER
4. A 100-year floodplain analysis shall be submitted and approved by the Engineering Services Department. Floodplain limits shall be shown on all plans submitted, and Flood storage easements delineated for increases in accordance with the approved floodplain analysis.

5. The State of North Carolina and Army Corps of Engineers shall approve any proposed disturbance within the stream and/or riparian buffer prior to the issuance of a site permit.
6. All stormwater devices and culverts must be shown within required Private Drainage Easements as appropriate.

7. A payment for Nitrogen Offset Fees must be paid to a qualifying mitigation bank.

8. A Stormwater Design Exception for the retaining walls within Private Drainage Easements must be approved by the Engineering Services Director prior to site permit approval.

9. The 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.

10. In accordance with Part 10A Section 9.4.4 of the Unified Development Ordinance, a surety equal to the cost of clearing, grubbing and reseeding a site, shall be paid to the City.

URBAN FORESTRY

11. Obtain required stub and tree impact permits from the City of Raleigh.

12. Next Step: Prior to the issuance of a mass grading permit or other site permit, whichever comes first, submit a final tree conservation plan with a permit approved by Urban Forestry staff that includes metes and bounds descriptions of all tree conservation areas and tree protection fencing as required.

13. Next Step: Tree protection fence must be located in the field and inspected by Urban Forestry staff prior to the issuance of a mass grading permit or other site permit, whichever comes first.

PRIOR TO AUTHORIZATION TO RECORD LOTS:

GENERAL

1. 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 shall be provided to the City by the end of the next business day following the recording of the final plat; further recordings and building permit authorization will be withheld if the recorded document is not provided to the City.

2. Street names for this development shall be approved by the Raleigh GIS Division and by Wake County.

3. Demolition permits for the existing structures be issued and this building permit number be shown on all maps for recording

4. Next Step: Concurrent Review Plans for public infrastructure and site grading shall be approved by the City of Raleigh, including obtaining stub permits, tree impact permit and a street lighting plan, if applicable.

ENGINEERING

5. The required right of way for proposed and/or existing streets shall be dedicated to the City of Raleigh and shown on the map approved for recordation.
6. A 5’ general utility easement and associated deed of easement shall be approved by the City and the location of the easement shall be shown on the map approved for recordation. The deed of easement shall be recorded at Wake County Register of Deeds within one (1) day of recordation of the recorded plat. A recorded copy of these documents must be provided to the Development Services Department within 14 days from authorization of lot recordation. If a recorded copy of the documents are not provided within this 14 day period, further recordings and building permit issuance may be withheld.

7. In accordance with Part 10A Section 8.1.10, a fee-in-lieu for the portions of sidewalk not being constructed is paid to the City of Raleigh. The sidewalk network is largely being constructed with the exception of approximately 330 linear feet of sidewalk at the western side of Thornberry St.

8. A cross access agreement among the proposed lot 3 and the adjacent properties identified by PIN 0784563392 and PIN 0784469137 owned by Board of Trustees of The Endowment Fund of NC and NCSU Student Aid Assoc. Inc., respectively, shall be approved by the Development Services Department for recording in the Wake County Registry, and a copy of the recorded cross access easement shall be returned to the Development Services Department within 1 day of lot recordation. A recorded copy of these documents shall be provided to the Development Services Department within 14 days from authorization of lot recording. If a recorded copy of the documents are not provided within this 14 day period, further recordings and building permit issuance may be withheld.

9. A sidewalk deed of easement for any public sidewalk on private property shall be approved by City staff, and the location of the easement shall be shown on the map approved for recordation. The deed of easement shall be recorded at Wake County Register of Deeds within one day of recordation of the recorded plat. A recorded copy of these documents shall be provided to the Development Services Department within 14 days from authorization of lot recordation. If a recorded copy of the documents are not provided within this 14 day period, further recordings and building permit issuance may be withheld.

10. Next Step: In accordance with Part 10A Section 8.1.3, a public infrastructure surety is provided to the City of Raleigh Development Services – Development Engineering program.

STORMWATER

11. A payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans shall be paid by the developer to the City stormwater facility replacement fund.

12. The flood prone areas and/or required Flood Storage Easements, as approved by the City Stormwater Engineer and shown on the preliminary plan, shall be shown on the recorded map.

13. 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.

14. 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. Plat shall include note stating: "All private storm drainage easements & stormwater measures will be maintained by the property owners' association."

15. The 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, grade, 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 the state of North Carolina in accordance with the Riparian Buffer Protection Rules (15A NCAC 2B.0233 or .0259)."

16. In accordance with Part 10A Section 9.2.2, a surety equal to 125% of the cost of the construction of a stormwater device shall be paid to the Engineering Services Department.

17. The maximum allowed impervious surface allocated to each lot shall be identified on all maps for recording.

18. That an encroachment agreement for any stormwater drainage systems that carry private drainage located within the public right-of-way is approved by the City Council by separate action.

**URBAN FORESTRY**

19. A tree conservation map in compliance with Chapter 9 of the Unified Development Ordinance shall be recorded with metes and bound showing the designated Tree Conservation Areas.

**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:

- **3-Year Sunset Date:** 2-14-2021
  Record at least ⅓ of the land area approved.

- **5-Year Sunset Date:** 2-14-2023
  Record entire subdivision.

I hereby certify this administrative decision.

**Signed:** (Planning Dir./Designee) [Signature] Date: 2/4/2018

Staff Coordinator: Daniel L. Stegall