



Administrative Approval Action

Case File / Name: SUB-0014-2021
DSLCL - Johnson Lexus Subdivision

City of Raleigh
Development Services Department
One Exchange Plaza
Raleigh, NC 27602
(919) 996-2492
currentplanning@raleighnc.gov
www.raleighnc.gov

LOCATION: This site is located on the west side of Capital Boulevard, south of Old Wake Forest Road at 5839 Capital Boulevard.

REQUEST: Development of a 24.21 acre site zoned IX-5, IX-5-PL, IX-7 & IX-7-PL and comprised of six existing parcels with the extension of right-of-way for Sumner Boulevard roadway extension onto Lots 1, 2, 3, 4 & 6. The existing lots are being reconfigured and no additional lots are being created. Proposed New Lot 1 being 1.77 acres; New Lot 2 being 1.81 acres New Lot 3 being 2.1 acres; New Lot 4 being 1.82 acres; New Lot 5 being 6.32 acres; New Lot 6 being 8.96 acres per the approved preliminary subdivision plans.

**DESIGN
ADJUSTMENT(S)/
ALTERNATES, ETC:** ASR-0057-2021: DSLCL - Administrative Site Review [ASR]/Administrative Site Review

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 dated June 20, 2022 by WithersRavenel.

CONDITIONS OF APPROVAL and NEXT STEPS:

This document must be applied to the second sheet of all future submittals except for final plats. This is a preliminary plan and as such no permits have been issued with this approval. To obtain permits and/or completion of the project, the following steps are required:

☒ **SITE PERMITTING REVIEW** - For land disturbance of 12,000 square feet or greater, public or private infrastructure, shared stormwater devices, etc. Site Permitting Review may be submitted upon receipt of this signed approval document.

The following items are required prior to approval of Site Permitting Review plans:

General

1. Provide ROW dedication on Old Wake Forest Road - 52' from road centerline. Reminder on the Cross Access Easement at the location of the new ROW dedication here.
2. Applicant demonstrates compliance with maximum parking standards in Sec.7.1.2.C & TC-11-21 & notes the # of parking spaces being removed with the site data improvement detail information.
3. Applicant demonstrates required landscaping vehicular surface parking design & use standard requirements noted in UDO Sec.6.4.13.B & Sec.7.1.7.
4. The "Existing Conditions" sheet, sheet C1.0, referencing the "Old" lots to read "Existing" or current Lot #s, in the Site Permit plans set to reflect the recombination from prior approved plat instruments
5. A revised site data information table is provided with the Site Permit Review plans set, detailing the existing/old, proposed/new & right-of-way dedication area (sf/acreages) data and residual areas after the road extension right-of-way dedication.



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6. Solid Waste Services notation is added to the coversheet: "Developers have reviewed and are in compliance with the requirements set forth in the Solid Waste Design Manual."
7. A note is added to the coversheet noting: "Per TC-5A-18, the Primary Street designation for Lot 6 will be Sumner & Capital Boulevards."
8. Site Permit Plans show and demonstrate compliance with the parking & structure setbacks per UDO Sec.3.2.5.B.C.

Public Utilities

9. A Downstream Sewer Capacity Study in compliance with the City of Raleigh Public Utilities Department Handbook shall be submitted by the Project Engineer for review and approval.

Stormwater

10. A surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City (UDO 9.4.4).
11. A stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved (UDO 9.2).

☒ **LEGAL DOCUMENTS** - Email to legaldocumentreview@raleighnc.gov. Legal documents must be approved, executed, and recorded prior to or in conjunction with the recorded plat on which the associated easements are shown. Copies of recorded documents must be returned to the City within one business day of recording to avoid withholding of further permit issuance.

<input checked="" type="checkbox"/>	Cross Access Agreements Required
<input checked="" type="checkbox"/>	Right of Way Deed of Easement Required

<input checked="" type="checkbox"/>	Other Requirements
<input checked="" type="checkbox"/>	Utility Placement Deed of Easement Required

☒ **RECORDED MAP(S)** - Submit plat to record new property lines, easements, tree conservation areas, etc.). Plats may be submitted for review when the Site Permitting Review plans, if required, have been deemed ready for mylar signature.

The following items must be approved prior to recording the plat:

General

1. A recombination map shall be recorded prior to or in conjunction with the recording of lots (1-6), showing the recombining of affected, existing and revised property lines with the Sumner Blvd Extension right-of-way dedication, to match the approved preliminary subdivision plan.

Engineering



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2. A cross access agreement among the lots identified as New Lot 4 and New Lot 5 as well as New Lot 1, New Lot 2, and New Lot 3 shall be approved by the Development Services Department for recording in the Wake County Registry, and a copy of the recorded offer of cross access easement shall be returned to the Development Services Department within one day of plat recordation. If a recorded copy of the document is not provided within this time, further recordings and building permit issuance will be withheld.
3. A sight distance easement shall be approved by the Transportation Department for recording in the Wake County Registry and shown on a plat approved for recordation.
4. A public street right-of-way deed of easement, in addition to a plat showing the location of the easement, shall be submitted to the Planning and Development Services Department for review, and if acceptable, approved for recordation. Approved plats must be recorded at the Wake County Register of Deeds Office on or before the 14th day following approval by the City. The 14-day expiration date shall be clearly indicated on the plat. By the end of the next business day following recordation of the plat, all required legal instruments (including deeds of easement) shall be recorded, and recorded copies of the plat and all legal instruments required by the City in association with development approval shall be provided to the City. (Reference: UDO 8.1.7.A; 10.2.5.F.4.d)
5. A 5' utility placement easement deed of easement, in addition to a plat showing the location of the easement, shall be submitted to the Planning and Development Services Department for review, and if acceptable, approved for recordation. Approved plats must be recorded at the Wake County Register of Deeds Office on or before the 14th day following approval by the City. The 14-day expiration date shall be clearly indicated on the plat. By the end of the next business day following recordation of the plat, all required legal instruments (including deeds of easement) shall be recorded, and recorded copies of the plat and all legal instruments required by the City in association with development approval shall be provided to the City. (Reference: UDO 8.1.7.A; 10.2.5.F.4.d)
6. A public infrastructure surety shall be provided to City of Raleigh Transportation – Development Engineering Division (UDO 8.1.3) in the amount of 100% of the improvement cost for the NCDOT portion and 125% of the improvement cost for the City of Raleigh infrastructure.

Public Utilities

7. Infrastructure Construction Plans (concurrent submittal) must be approved by the City of Raleigh Public Utilities Department for all public water, public sewer and/or private sewer extensions.

Stormwater

8. If demolition causes a land disturbance of more than 12,000 sf, a mass grading permit will be required. (UDO 9.4.6)

Urban Forestry



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9. A public infrastructure surety for street trees shall be provided to City of Raleigh Transportation – Development Engineering Division (UDO 8.1.3) in the amount of 100% of the improvement cost for the NCDOT portion, 33 street trees, and 125% of the improvement cost for the City of Raleigh infrastructure, 33 street trees.

☒ **BUILDING PERMITS** - For buildings and structures shown on the approved plans. Commercial building permit plans must include the signed, approved Site Permitting Review plans attached, if applicable. Permit sets may be reviewed prior to the recordation of required plats, but cannot be approved.

The following items must be approved prior to the issuance of building permits:

Public Utilities

1. A plat must be recorded at the Wake County Register of Deeds office for all utility easement dedications.

Urban Forestry

2. Tree impact permits must be obtained for the approved streetscape tree installations in the rights-of-way. This development proposes 33 street trees along Sumner Boulevard, 18 street trees along Old Wake Forest Road, and 15 street trees along Capital Boulevard for a total of 66 street trees.

The following are required prior to issuance of building occupancy permit:

General

1. All Water, Sanitary Sewer and Reuse facilities shall be installed, inspected, tested and accepted by the City of Raleigh Public Utilities Department for operations and maintenance.
2. Final inspection of rights-of-way street trees by Urban Forestry Staff.

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: November 17, 2025
Record at least ½ of the land area approved.

5-Year Sunset Date: November 17, 2027
Record entire subdivision.



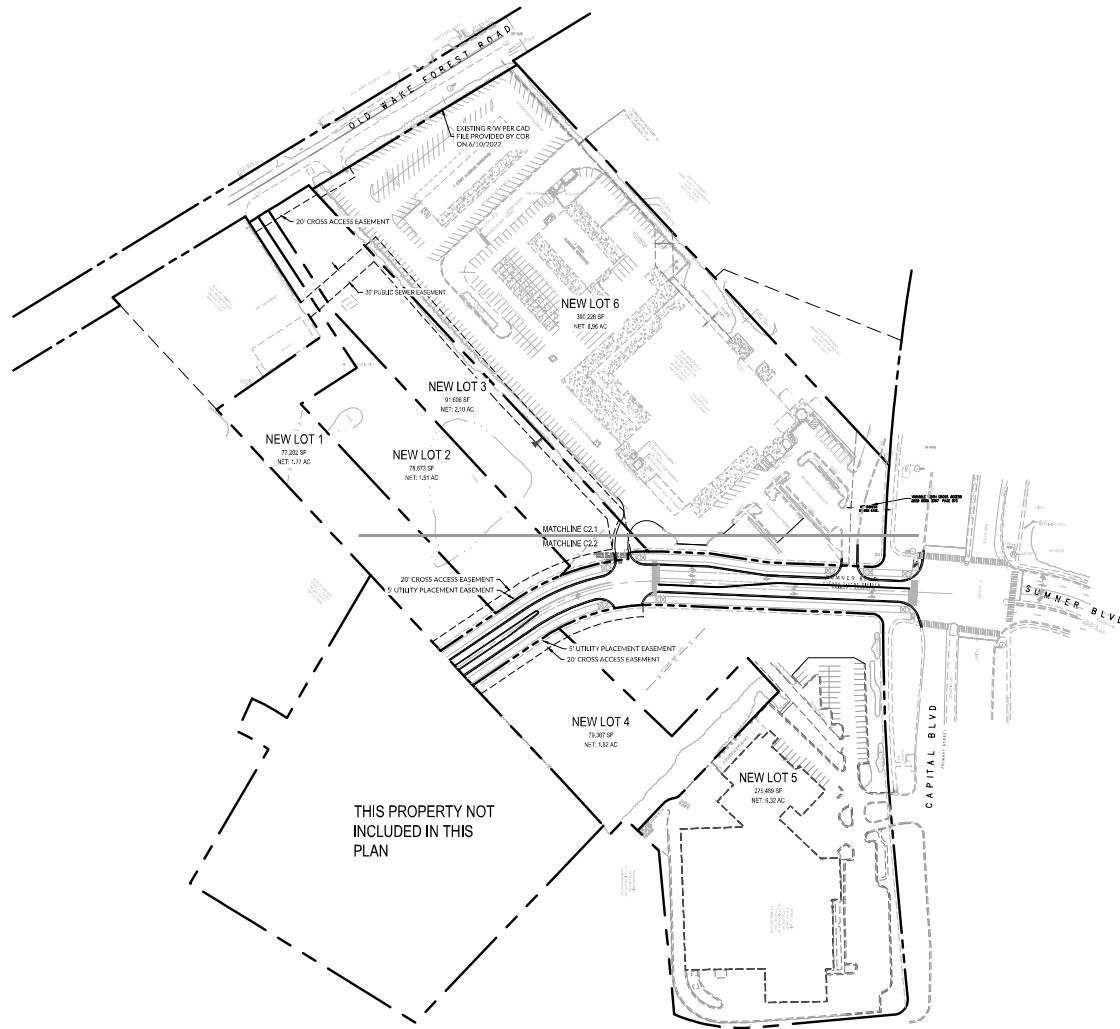
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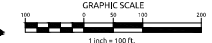
I hereby certify this administrative decision.

Signed: *Daniel L. Stegall* Date: 07/21/2022
Development Services Dir/Designee
Staff Coordinator: **Jermont Purifoy**

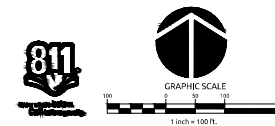
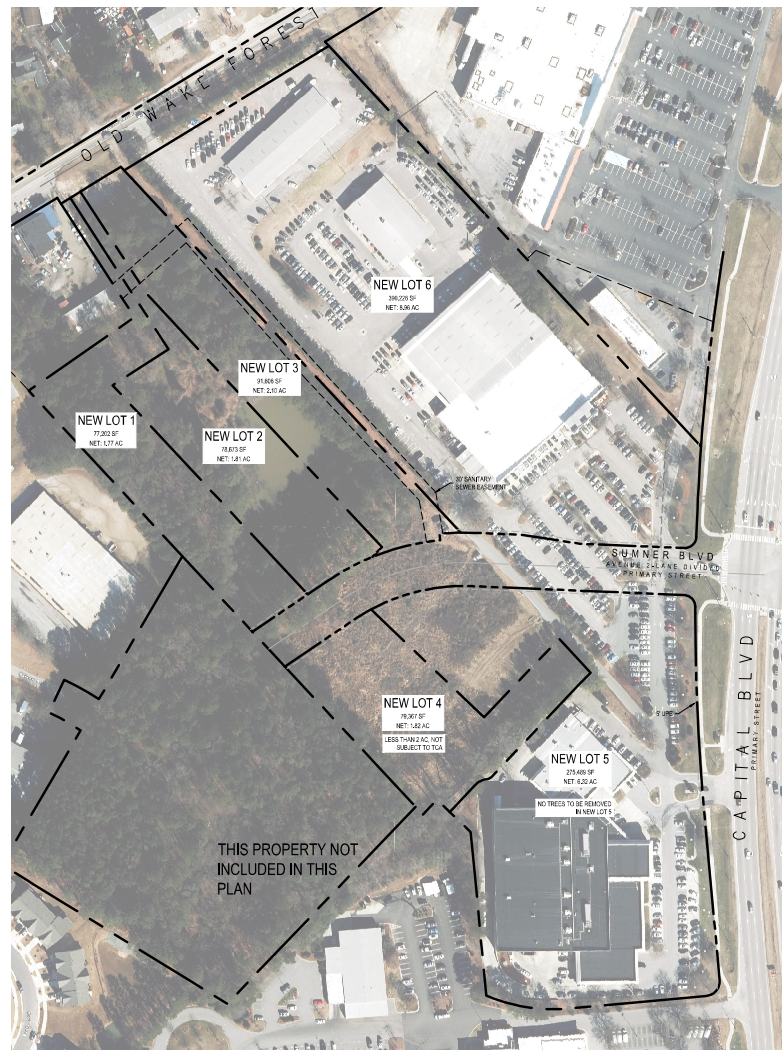
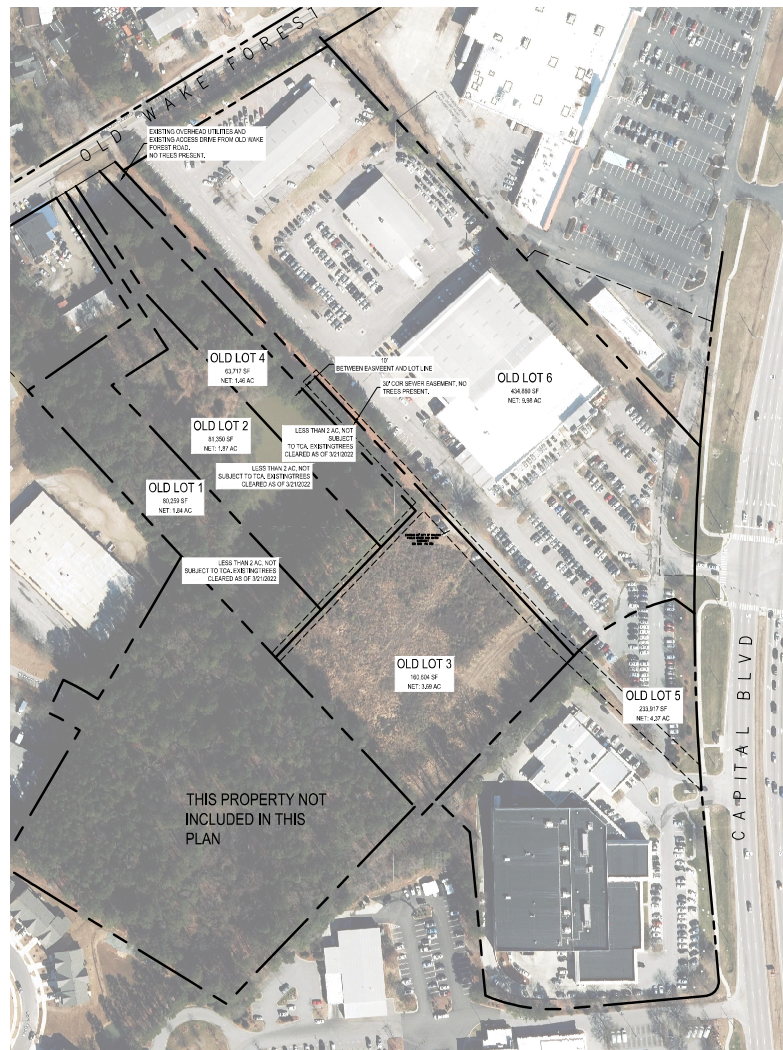


GROSS AREA		
Lot Number	Area (SF)	Area (AC)
Lot 1	88,239	1.84
Lot 2	81,350	1.87
Lot 3	160,024	3.69
Lot 4	61,777	1.46
Lot 5	233,871	5.37
Lot 6	434,880	9.98
Total	1,054,581	24.21

NET AREA		
Lot Number	Area (SF)	Area (AC)
Lot 1	77,282	1.77
Lot 2	78,673	1.81
Lot 3	91,666	2.10
Lot 4	79,367	1.82
Lot 5	275,480	6.32
Lot 6	390,226	8.96
ROW DEDICATION	62,118	1.43
Total	1,054,581	24.21



Revisions		
1	COR COMMENTS	05/21/21
2	COR COMMENTS	06/17/21
3	COR COMMENTS	01/22/22
4	COR COMMENTS	03/21/22
5	COR COMMENTS	03/27/22
6	COR COMMENTS	04/20/22



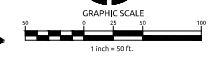
NEW LOT 1
77,202 SF
NET: 1.77 AC

NEW LOT 4
79,367 SF
NET: 1.82 AC

NEW LOT 5
275,489 SF
NET: 6.32 AC

THIS PROPERTY NOT
INCLUDED IN THIS
PLAN

NOTE:
ANY EXISTING WATER OR SEWER
SERVICE TO BE ABANDONED SHALL BE
ABANDONED PER CORPULD STANDARDS.



Job No.	201-00141	Drawn By	WR
Date	5/26/2021	Engineer	WR

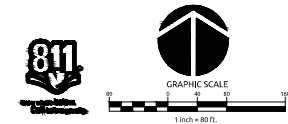
PRELIMINARY
NOT APPROVED FOR
CONSTRUCTION

Revisions		
1	COR COMMENTS	05/21/21
2	COR COMMENTS	06/17/21
3	COR COMMENTS	01/22/22
4	COR COMMENTS	03/21/22
5	COR COMMENTS	03/27/22
6	COR COMMENTS	06/20/22



STREET TREE CALCULATIONS

REQUIREMENT	1 TREE PER 40 FT OF FRONTAGE
<u>SUMNER BOULEVARD</u>	
NORTH LOT:	
REQUIRED	645LF / 40' = 17 TREES
PROVIDED	17 TREES
<u>SOUTH LOT:</u>	
REQUIRED	638 LF / 40' = 16 TREES
PROVIDED	16 TREES
<u>CAPITAL BOULEVARD</u>	
REQUIRED	625 LF / 40' = 15 TREES
REQUIRED	15 TREES
PROVIDED	
<u>OLD WAKE FOREST ROAD</u>	
REQUIRED	475 LF / 20' = 23 TREES
PROVIDED	23 UNDERSTORY TREES



Revisions		
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4	COR COMMENTS	03/21/22
5	COR COMMENTS	03/27/22
6	COR COMMENTS	06/20/22