

City of Raleigh, NC
Development Plans Review Center
P.O. Box 590, Raleigh, NC 27602
Telephone: (919) 996-2626 Fax: (919) 516-2684
www.raleighnc.gov

OFFICIAL NOTICE
OF DEVELOPMENT PLAN DECISION

TO: Wake County Board of Education; McNeely Associates, PA
PROJECT: M-8 Middle School
FILE NUMBER: SP-47-13
PLANNING COMMISSION: Approval with conditions
DATE OF ACTION: April 22, 2014
COORDINATING PLANNER: Stan Wingo
DATE OF LETTER: May 19, 2014

ACTION OF THE PLANNING COMMISSION:

The Planning Commission finds that this request conforms to Chapter 2, Part 10, Sections 10-2021, 10-2058, 10-2072(b), and 10-2132.2, Chapter 3, Part 10, Sections 10-3001-3059.

This approval is based on a preliminary plan dated 3/11/14, owned by Wake County Public Schools, submitted by Larry Ragland, McNeely & Associates.

See the attached sheets (CA#1333) for conditions of approval.

LAND DISTURBANCE

No land disturbance activity may occur unless permits have been obtained. Please contact the Stormwater Engineer in the Public Works Department for grading permits and Zoning Plans Review Specialist in the Development Services Department for tree removal permits, if applicable.

SUNSET DATES:

If significant activity has not taken place on a project after preliminary approval, that approval may "sunset" and be declared void, requiring re-approval by Planning Commission 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: April 22, 2017

Submit a final site plan and valid building permit application for the total area of the project, or a phase of the project.

5-Year Sunset Date: April 22, 2019

Complete construction of entire development.

WHAT TO DO 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.

COMPLETE THE TECHNICAL REVIEW IN THE INSPECTIONS DEPARTMENT FOR SITE AND BUILDING CONSTRUCTION PLANS.

MEET THE REQUIREMENTS OF THE SUNSET THRESHOLDS AS NOTED ABOVE.

OFFICIAL MINUTES:

Minutes of the Planning Commission meeting approving this plan generally are available approximately two weeks after the meeting date and can be obtained by contacting the Planning Commission Secretary at (919) 996-2644.

This letter represents the official notification of the action of the Planning Commission.

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.

Please do not hesitate to call me or the planner coordinating the review of your project if you are unsure of how to satisfy conditions, or if you have any other questions about this preliminary plan.



Certified Action of the City of Raleigh Planning Commission

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

Case File / Name: SP-47-13 / M-8 Middle School

General Location: This site is located on the west side of Leesville Church Road, west of its intersection with Leesville and Strickland Road and bordered to the north by Highway 540.

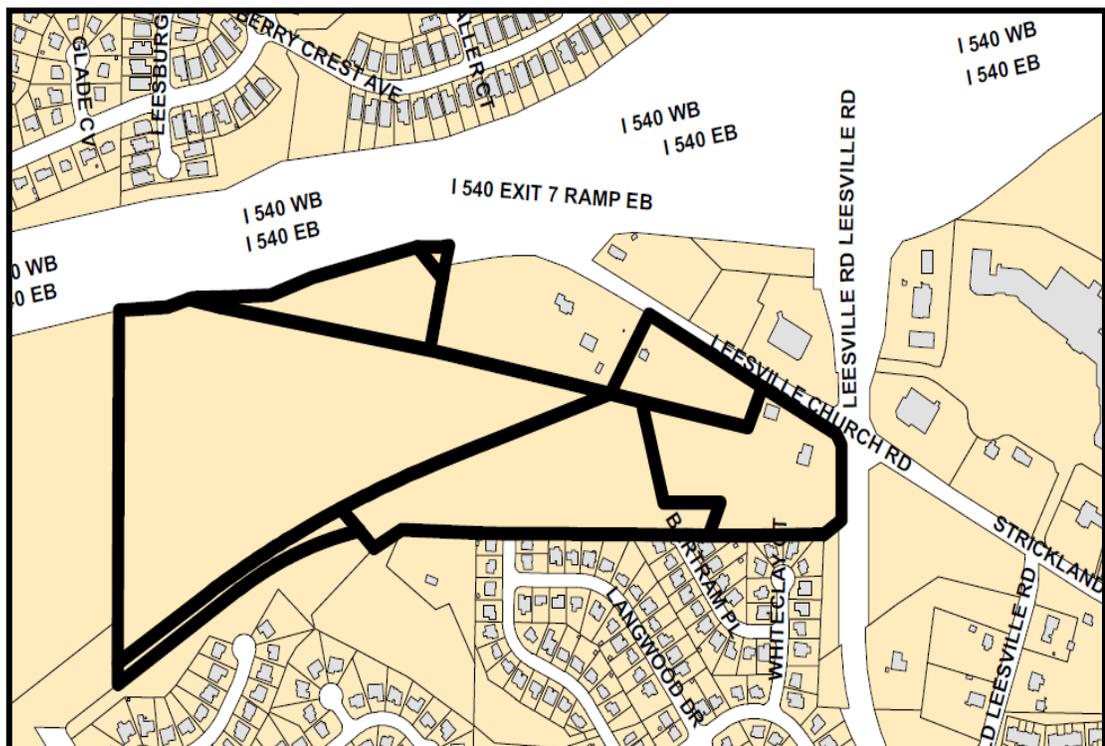
Owner: Wake County Public Schools
Designer: Larry Ragland – McNeely & Associates

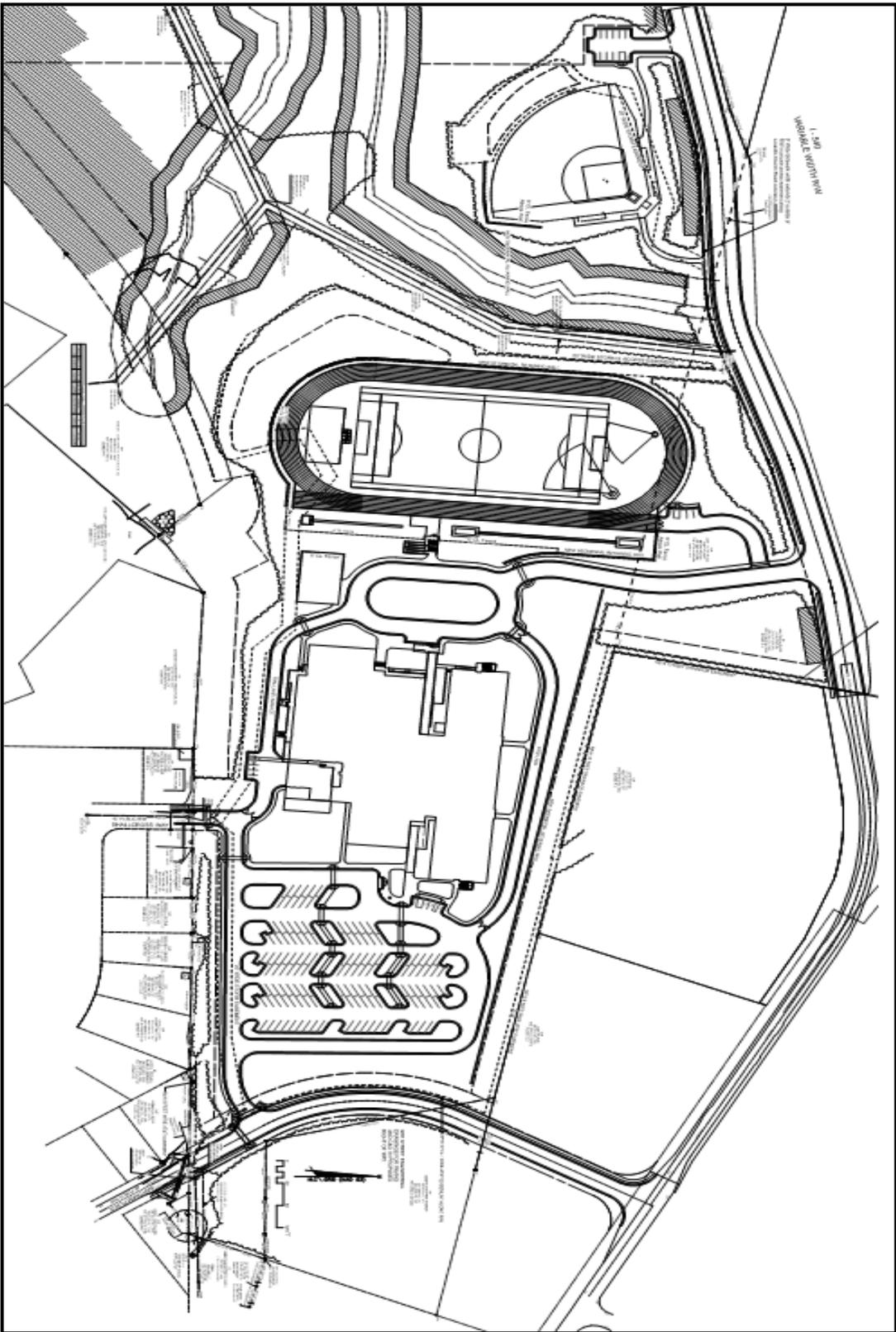
CAC: Northwest

Nature of Case: Proposed development of a 153,000 square foot middle school on a 37.55 acre site zoned Residential-10 Conditional Use, Residential-4 and Special Highway Overlay District-1. As a residential institution in a residential zoning district with a proposed size over 25,000 square feet, site plan approval is required by Planning Commission. This development plan was submitted prior to September 1, 2013.

Key Issues: As presented, staff finds that this plan conforms to Code standards and adopted land use policies.

Contact: Larry Ragland – McNeely & Associates





Site Layout

SUBJECT: SP-47-13 / M-8 Middle School

**CROSS-
REFERENCE:** N/A

LOCATION: This site is located on the west side of Leesville Church Road, west of its intersection with Leesville and Strickland Road, outside the City Limits.

PIN: 0778-95-2399, 0778-85-1532, 0778-85-1024, 0778-85-6958, 0778-85-0937, 0778-05-0482, 0778-95-8702

REQUEST: This request is to approve a 153,000 square foot middle school on a 37.55 acre site, zoned Residential-10 Conditional Use and Residential-4 with Special Highway Overlay District-1.

OFFICIAL ACTION: Approval with conditions

**CONDITIONS OF
APPROVAL:** As noted on the Staff Report, attached

FINDINGS: The Planning Commission finds that this request conforms to Chapter 2, Part 10, Sections 10-2021, 10-2058, 10-2072(b), and 10-2132.2, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 3/11/14, owned by Wake County Public Schools, submitted by Larry Ragland, McNeely & Associates.

**ADDITIONAL
NOTES:** This development plan was submitted prior to September 1, 2013 so the Unified Development Ordinance does not apply.

**VARIANCES /
ALTERNATES:** N/A

To PC: 4/22/2014

Staff Coordinator: Stan Wingo

Motion: Terando
Second: Swink
In Favor: Braun, Buxton, Fleming, Fluhrer, Lyle, Schuster, Sterling-Lewis, Swink, Terando and Whitsett
Opposed: xxxxx
Excused: xxxxx

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the Staff Report attached.

Signatures: (Planning Dir.)

(PC Chair)



date: 4/22/14



date: 4/22/14



Staff Report

**RECOMMENDED
ACTION:** Approval with Conditions

**CONDITIONS OF
APPROVAL:**

Planning Commission Actions:

- (1) That the Planning Commission finds that this site plan meets the standards for approval of Code Section 10-2132.2(d);
- (2) That the site plan post construction level be designed to meet the 25 year storm;

Administrative Actions:

Prior to issuance of a mass land disturbing permit:

- (3) That as the developer purposes to disturb a designated riparian buffer, the North Carolina Division of Water Resources shall approve the disturbance of the riparian buffer before any grading or approval of construction drawings, (whichever first occurs) and evidence of such approval shall be provided to the Stormwater Engineer in the Public Works Department, and a written watercourse buffer permit is thereby issued by the Inspection Department before commencement of work;
- (4) 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 issuance of any land disturbance permits;

Prior to approval of Final Site Review plans, Infrastructure construction plans, or concurrent review, whichever occurs first:

- (5) 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. The final stormwater control plan shall show diffused flow to be maintained thru the Neuse Riparian buffer;
- (6) That a nitrogen offset payment must be made to a qualifying mitigation bank;

- (7) That a recombination map be recorded, recombining the existing lot into a single tract;
- (8) That all required right of way for the proposed streets be dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City;
- (9) That the greenway easement as shown on the preliminary plan be dedicated and shown on the recorded map in any phase affected by the greenway;
- (10) That infrastructure construction plans be approved for water and sewer extensions, public roadways improvements and stormwater management facilities;
- (11) That the final plans for the turnaround at Shallcross be approved at the time of infrastructure construction plan approval. This turnaround shall be in the form of an easement or dedicated right of way and maintain pedestrian access from Shallcross to the school site for pedestrians;
- (12) That a tree conservation map be recorded with metes and bounds showing the designated Tree Conservation Areas;
- (13) That flood prone areas, as approved by the City Stormwater Engineer, are shown on the preliminary plan and shall be shown on the recorded map;
- (14) 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;
- (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. The easements shall tie to the public right-of-way;
- (16) 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).";
- (17) That a fee-in-lieu of construction be paid to the City of Raleigh Public Utilities Department for the 12' waterline in Leesville Church Road;
- (18) 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;

- (19) That the developer obtain approval through City Council Resolution for City of Raleigh Sanitary Sewer exchange and that the resolution number be shown on all plats for recording the exchange.

ZONING:

**ZONING
DISTRICTS:**

Residential-10 CUD (Z-91-1995), Residential-4 and Special Highway Overlay-1

Z-91-95 Westgate Road, north side, and south of the Proposed Northern Wake Expressway, being Map 0778.04, Block 83, Parcel 0975. Approximately 125 acres to Residential-6 Conditional Use and Residential-10 Conditional Use.

Conditions: (10/23/95)

- a. Additional rights of way needed for the extension of Strickland and Ebenezer Church Road shall be reimbursed at R-4 values. The Strickland Road extension shall not exceed a maximum width of one hundred ten (110) feet and the Ebenezer Church Road Extension shall not exceed a maximum width of eighty (80) feet.
- b. The development of this property shall comply with the provisions of C.R. 7107.
- c. The presently existing SHOD-1 affecting the northern portion of the property shall remain in effect.
- d. Additional right of way needed for Westgate Road in its existing alignment shall be reimbursed at R-4 values. This additional right of way upon Petitioner's property shall not exceed a maximum width of fifteen (15) feet.

**SETBACKS /
HEIGHT:**

This plan conforms to all minimum setback standards. Front yard = 377', rear yard = 1100+', side yard = 92' and 129'. All setbacks as shown on plans exceed minimum setbacks standards of Residential-10 and Residential-4 zoning districts. This plan conforms to maximum height standards in this zoning district. Proposed height of the building is 46'8".

PARKING:

Off-street parking conforms to minimum requirements: 79 spaces required, based on 1 parking space per 5 seats in primary assembly space. 163 parking spaces are provided. There is no permanent seating for the proposed stadium; therefore, no special use permit or additional parking is required.

LANDSCAPING:

Street yard and SHOD-1 protective yard landscaping in conformity with Sections 10-2082.5, 10-2082.12, and 10-2058 is shown. Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. This is a low impact use under Section 10-2082.9. Transitional protective yards are shown in compliance with City standards in the following locations:

<u>Location</u>	<u>Yard type required</u>	<u>Width proposed</u>
Southern Property Line	Type C	Variable

TREE CONSERVATION: This project is required 10% or 3.76 acres for tree conservation. This project has proposed 4.09 acres which is broken into:
Primary: 1.67 acres
Secondary: 2.42 acres.

DEVELOPMENT INTENSITY: Proposed development equals a floor area ratio (FAR) of 9.4% and lot coverage of 5.3%.

PHASING: There will be one phase of development.

UNITY OF DEVELOPMENT: N/A

COMPREHENSIVE PLAN:

GREENWAY: This site is located on the Sycamore Creek Tributary greenway trail. Proposed greenway easement to be dedicated is correctly shown on plans.

THOROUGHFARE / COLLECTOR PLAN:

This plan shows extension of one existing public streets stub and termination of one existing street stub adjacent to the school. Dedication of right-of-way and construction of the following streets are required by the Thoroughfare and Collector Street Plan:

Leesville Church Road Extension Min. 60' Public R/W (variable due to existing I-540 Right of Way limits) Construct 41' back to back section along site frontage.

Bartram Place Extension 50' Public R/W Construct 31' back to back section

Shallcross Way A turnaround that meets the standards in the Streets Driveway and Sidewalk Manual, established prior to September 1, 2013, shall be provided. Final design of this turn around shall be approved at the time of permit review.

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 Institutional and Public Facilities.

HISTORIC / DISTRICTS:

The existing building is not a designated Historic Structure. This site is not located in or adjacent to a designated Historic District.

**APPEARANCE
COMMISSION:**

The Appearance Commission has made the following comments on this preliminary plan. Shown below are comments and **applicant responses**:

- The Commission encourages the addition of windows and day lighting in the gymnasium. ***The original design had more windows and day lighting in the gymnasium. These were reduced with the current design due to budget.***
- The Commission supports the inclusion of densely planted areas between the adjacent residential development and the site. ***Proposed landscaping and existing vegetation to remain are very dense and exceeds minimum City of Raleigh requirements for transition yard planting, in both quantity and width.***
- The Commission suggests that additional consideration be given to the entry sequence to signify that the building is a school. ***The original prototype had a custom designed steel canopy at the main entrance intended to do as noted. Design was changed due to budget.***
- The Commission expresses concern about the difficulty of field access by both students and the general public, and suggests consideration be given to future public access, improved connectivity and parking needs given the remoteness of the fields and proximity of residential development. ***The original design had paving that ran through the center of the bus loop to more directly connect the building athletic west entrance to the track and football field. Safety concerns necessitated the removal of this connection to prevent students from crossing the road. ADA access has been provided directly to the field area. Environment concerns prevent a more direct connection to the softball field area.***
- The Commission suggests additional connection between the school and the conservation and wetland areas so as to encourage natural learning opportunities. ***This connection may be provided at a later date if school program and budget allows. All potential negative environmental impacts must be avoided at this time.***

**SUBDIVISION
STANDARDS:**

BLOCK LAYOUT:

The proposed street layout conforms to City Code, providing for efficient circulation of traffic within the entire neighborhood area. The maximum block length in this development meets the 1500-foot standard as noted in the Streets, Sidewalks and Driveway Access Handbook.

- PUBLIC UTILITIES:** City water and sewer services are available. The developer is responsible for installation of all lines necessary to provide service to this site. The plan shows an exchange of an existing sanitary sewer easement and dedication of a new one as well as payment of a fee in lieu of water line construction in Leesville Church Road instead of construction due to the isolation of this section of roadway from the public water line grid at the time of construction.
- SOLID WASTE:** Service to be provided by private contractor.
- CIRCULATION:** Proposed street improvements shall conform to normal City construction standards.
- PEDESTRIAN:** Proposed sidewalk locations conform to City regulations as shown on the plans with public sidewalks being constructed on one side of the extension of Bartram Place and on one side of Leesville Church Road as well as connections from the school building to each street.
- FLOOD HAZARD:** Flood hazard areas are present per a flood study provided by the developer. A detailed final flood analysis is to be provided by the developer within six months of preliminary site plan approval as required by the Public Works Department. A separate memo explaining this requirement is attached to this report.
- 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.
- WETLANDS / RIPARIAN BUFFERS:** Wetland areas and Neuse River riparian buffers are required on this site, are shown on the preliminary plan, and shall be shown on all maps for recording. No disturbance is shown with development of the school; however, the proposed extension of Leesville Church Road will cross the riparian buffer and must be approved by the NC Division of Water Resources.
- OTHER REGULATIONS:** Developer shall meet all City requirements, including underground utility service (§10-3059), flood protection measures (Part 10, Chapter 4), and the soil erosion ordinance (Part 10, Chapter 5), unless specifically varied by this approval.