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-51-14 / DMI Storage Subdivision**

General Location: The site is located on the south side of Newton Road, east of the intersection of Newton Road, and Six Forks Road.

CAC: North

Nature of Case: Subdivision of one 7.78 acre parcel into two parcels, lot 2 being 2.92 acres, and lot 3, 4.76 acres. Lot 1 exists and is not included in this proposal with the exception of an associated access easement.

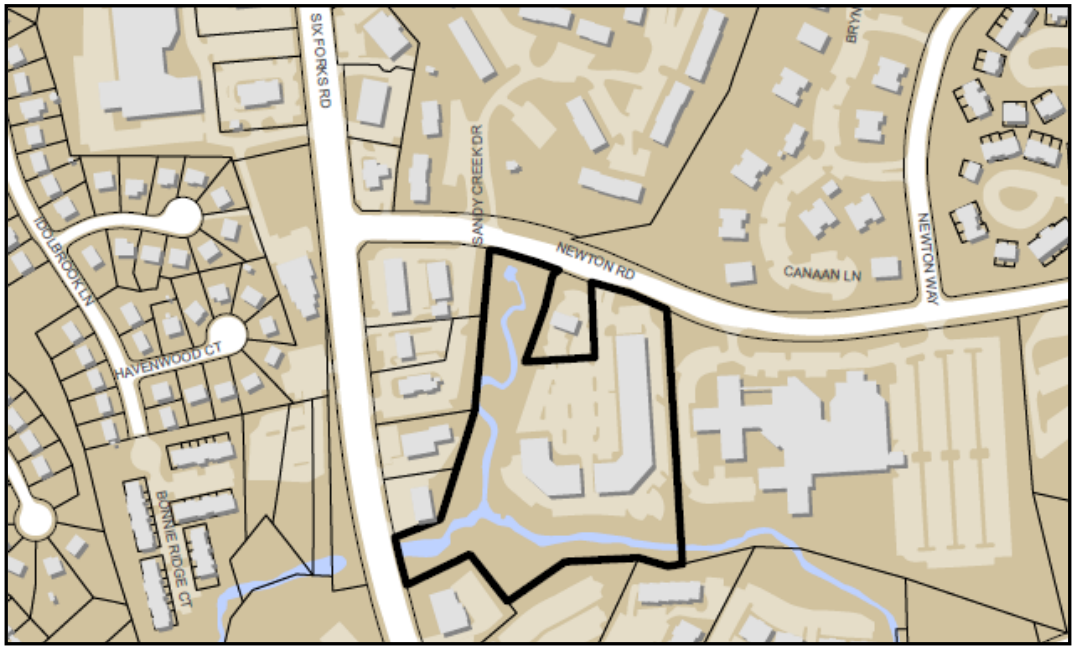
Contact: Chad Chastain, Ayer Design Group

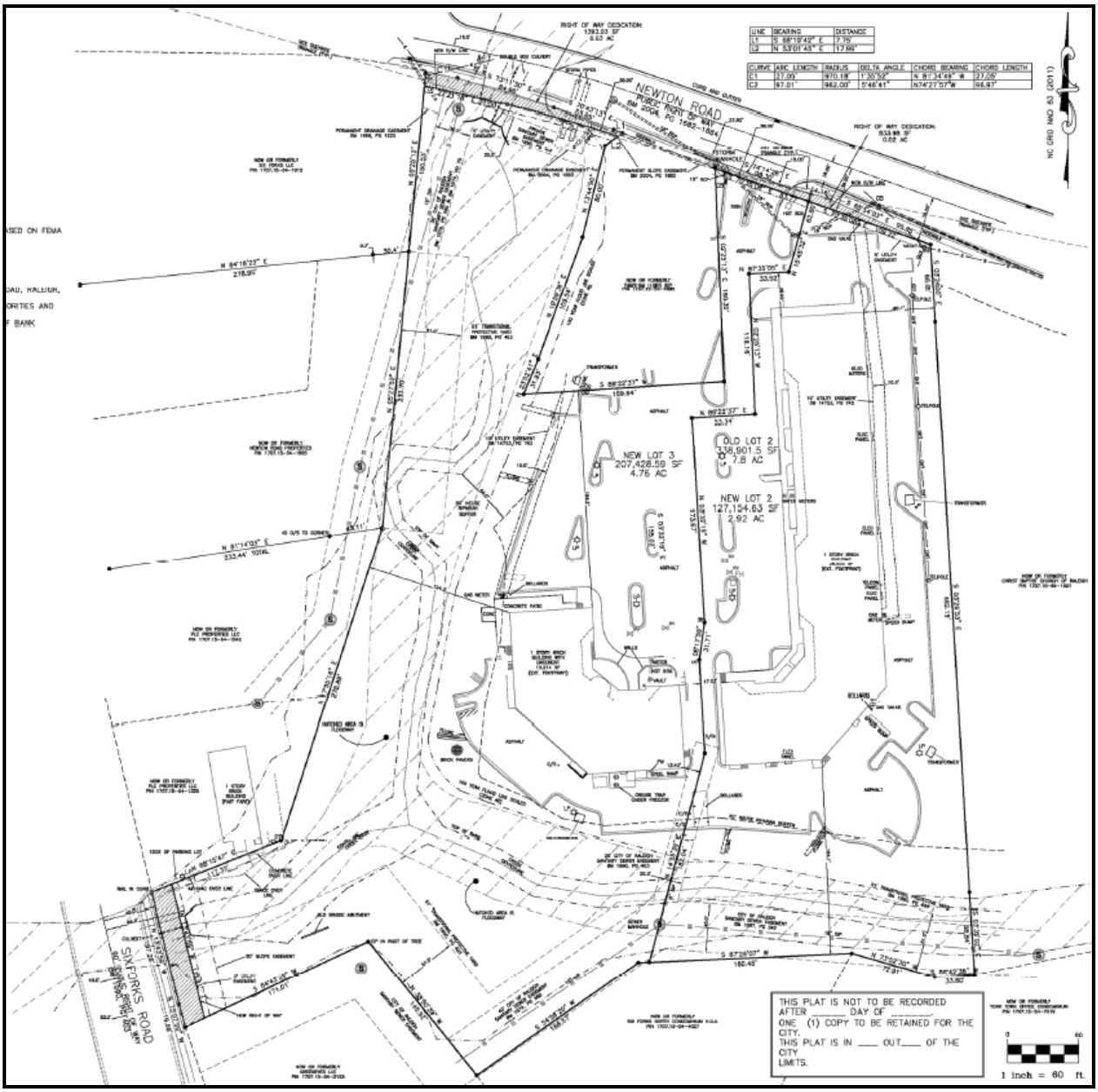
Design Adjustment: Two Design Adjustments have been approved by the Public Works Director:

1. A Design Adjustment waving the required block perimeter. Natural features and existing riparian buffers bisecting the property negate the possibility of a public street through the parcel.

2. A Design Adjustment for the allowance of an alternative streetscape consisting of existing street trees, a planting strip of varying width between back of curb and an existing sidewalk, along both Newton Road (Public works Project PW-2004-10), and Six Forks Road. A fee in lieu is to be charged for the additional 1' of width for the sidewalk along Six Forks Rd.

Administrative Alternate: NA





Proposed Preliminary Subdivision Plan

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	DMI Storage	Date Completed Application Received	5/01/15
Case Number	S-51-14	Transaction Number	413185

Staff Response/Recommendation

Staff supports the request. Highlighted on the next sheet is the buffer area.

Staff Member	Rene haagen	Support Request ☑	Does Not Support ☐

Public Works Director's Action:

Approve ☑ Approval with Conditions ☐ Deny ☐

Richard L. Kelly, Interim Public Works Director — Date 5/7/15

*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).

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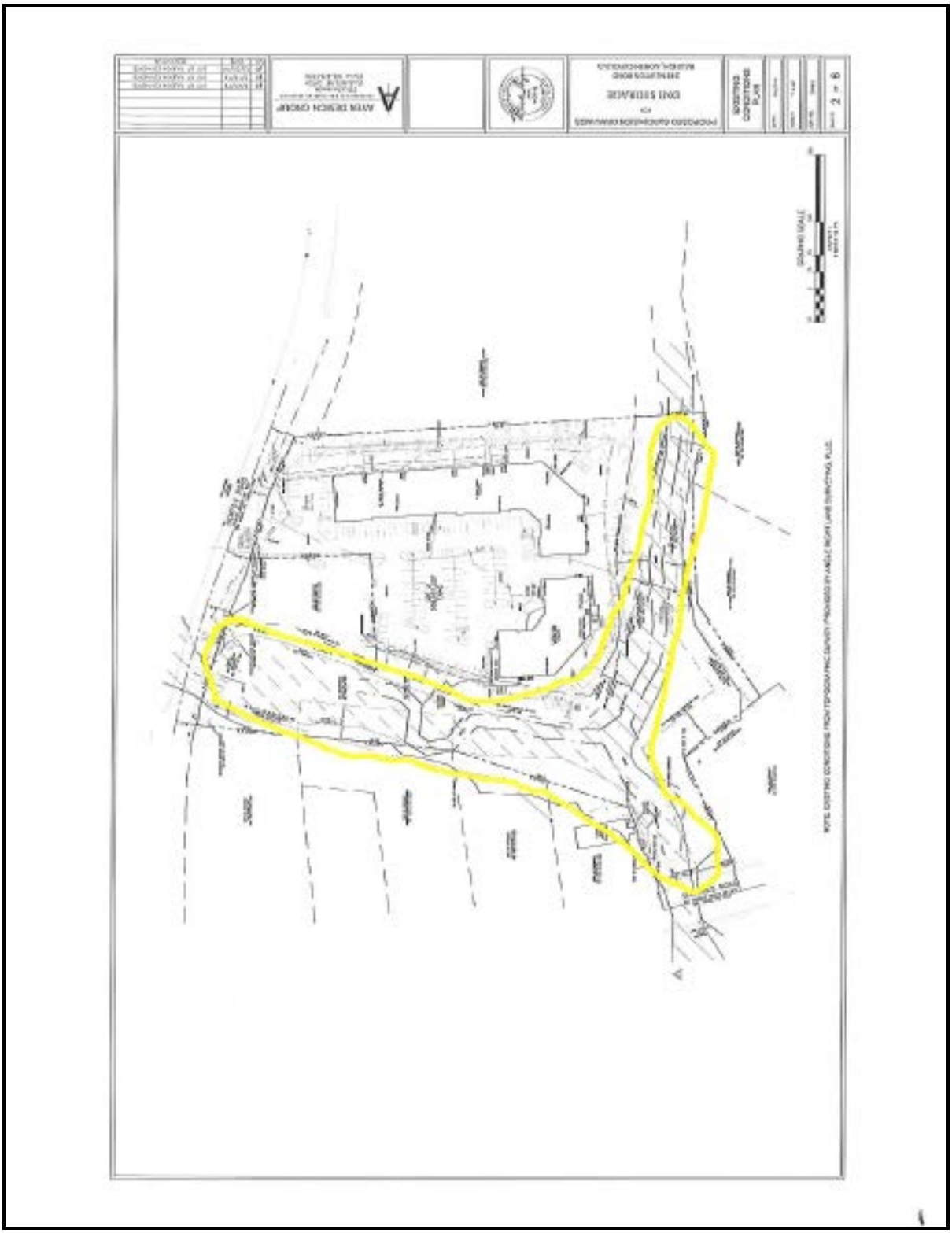
Design Adjustment 1



Design Adjustment 1

Planning & Development

Public Works
Transportation Field Services
One Exchange Plaza
Suite 300
Raleigh, NC 27602
www.raleighnc.gov

Public Works Design Adjustment Application

The purpose of this request is to seek a design adjustment from the Public Works Director for a specific project only and if granted may be given with special conditions and provisions. This application and all further action shall be consistent with Section 10.2.18 of the Unified Development Ordinance (UDO). The consideration and decision of this request shall be based solely on the conformance of the findings, as outlined in Sections 8.3.6 and 8.4.1.E of the UDO.

Project	Project Name DMI Storage Subdivision		
	Case Number S-51-14		Transaction Number 413185
Owner	Name Ivon Rohrer, III		
	Address 1701 East 3rd St.		City Charlotte
	State NC	Zip Code 28235	Phone 704-343-0056
Applicant	Name Chad Chastain	Firm Ayer Design Group	
	Address 215 Johnston St		City Rock Hill
	State SC	Zip Code 29730	Phone 803-328-5858

*Applicant must be a Licensed Professional (Engineer, Architect, Surveyor, or Contractor)

Design Adjustment Request	Code Section Referenced Section 8.3.2 of the UDO
	Justification
	Block Perimeter exemption. Natural features and riparian buffers are bisecting the property, thus making it impossible to put a public street through the property.

*Please include any additional supportive documents (Plan sheets, aerials, etc.) along with this application. It is the applicant's responsibility to provide all pertinent information required for consideration.

By signing this document I hereby acknowledge the information on this application is accurate to the best of my knowledge.

Owner/Owner's Representative Signature — Date 5/1/15

(Seal)

In Witness whereof, the parties signed have executed this document on this date.

Notary Signature — Date 5/1/15

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Design Adjustment 1

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	DMI Storage Subdivision	Date Completed Application Received	4/15/2015
Case Number	S-51-2014	Transaction Number	413185

Staff Response/Recommendation

Staff Recommends Approval.
Newton Road was done as a Public Works Construction Project and widened Newton Road to its ultimate width and installed the streetscape. The project number is PW-2004-10.

Staff Member	Rene Haagen	Support Request ☑	Does Not Support ☐

Public Works Director's Action:

Approve ☑ Approval with Conditions ☐ Deny ☐

Richard L. Kelly, Interim Public Works Director — Date 4/17/20

*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).

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Design Adjustment 2

Planning & Development

Public Works
Transportation Field Services
One Exchange Plaza
Suite 300
Raleigh, NC 27602
www.raleighnc.gov

Public Works Design Adjustment Application

The purpose of this request is to seek a design adjustment from the Public Works Director for a specific project only and if granted may be given with special conditions and provisions. This application and all further action shall be consistent with Section 10.2.18 of the Unified Development Ordinance (UDO). The consideration and decision of this request shall be based solely on the conformance of the findings, as outlined in Sections 8.3.6 and 8.4.1.E of the UDO.

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Case Number S-51-14		Transaction Number 413185

Owner		
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Applicant		
Name Chad Chastain		Firm Ayer Design Group
Address 215 Johnston St/		City Rock Hill
State SC	Zip Code 29730	Phone 803-328-5858

***Applicant must be a Licensed Professional (Engineer, Architect, Surveyor, or Contractor)**

Design Adjustment Request
Code Section Referenced Section 8.5.1.G
Justification
Existing trees planted and growing along existing frontage of Newton Rd. and along Six Forks Rd. frontage will satisfy streetscape requirements. Existing planting strip along Newton Rd. (between back of curb and sidewalk) varies from approx. 2'-2.5' in width. Existing trees to satisfy streetscape requirements are located behind existing sidewalk.

*Please include any additional supportive documents (Plan sheets, aerials, etc.) along with this application. It is the applicant's responsibility to provide all pertinent information required for consideration.

By signing this document I hereby acknowledge the information on this application is accurate to the best of my knowledge.

Owner/Owner's Representative Signature — Date 4/15/15

(Seal)

In witness whereof, the parties signed have executed this document on this date.

Notary Signature — Date 4/15/15

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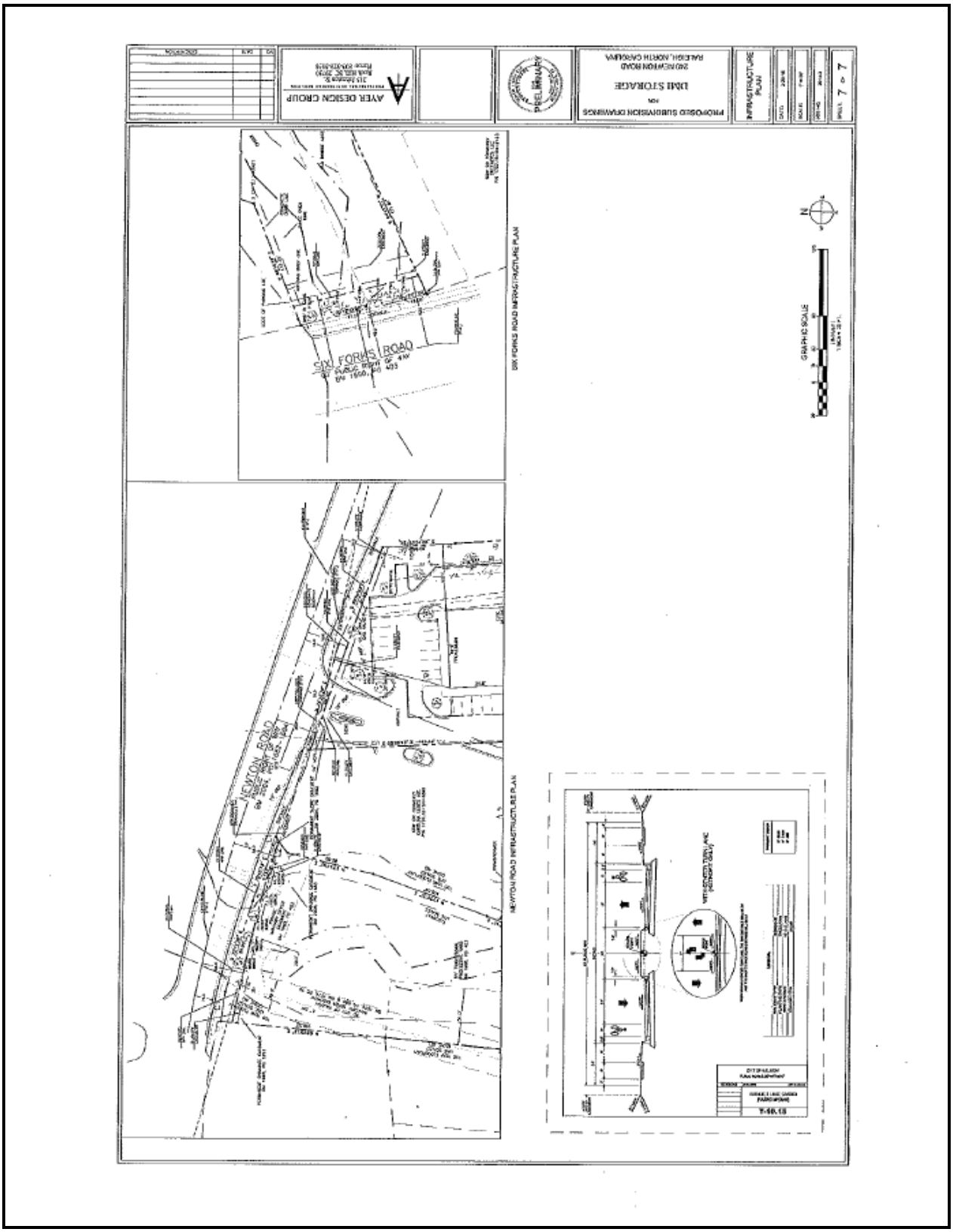
revision 08.25.14

Design Adjustment 2



Design Adjustment 2

SUBJECT:	S-51-14 / DMI Storage Subdivision
CROSS-REFERENCE:	Transaction # 413185, SC-9-89
LOCATION:	The site is located inside the city limits.
PIN:	1707544643
REQUEST:	This request is to approve the subdivision of a 7.78 acre tract into 2 lots, zoned SC (Shopping Center), and CM (Conservation Management).

OFFICIAL ACTION: **Approval with conditions**

CONDITIONS OF APPROVAL:

Prior to Planning Department authorization to record lots:

(1) That the applicant provide an offsite parking lease agreement or easement for customer parking within 400' of any entrance to the principal use, or within1,000 feet for employee parking to fulfill the required parking, and the applicant shall provide the required off-street parking as long as the principal use shall continue and shall agree that the principal use shall be discontinued should the required off-street parking no longer be provided on these off-site parcels or their equivalent as required by section 10-2081(c)(3);

(2) That a cross access agreement among all affected lots is recorded with the Wake County Register of Deeds within 1 working day of the plat recordation. Recorded copies of the documents shall be provided prior within 14 days of recordation;

(3) That as demolition permits are required prior to map recordation the permit number(s) are to be shown on the map;

(4) That the 20' slope easement along the property frontage along Six Forks Road is shown on the plat for recordation with the Wake County Register of Deeds;

(5) That ½ of the 126' required right of way for Six Forks Road, and ½ of the required 76' right of way for Newton Road is dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City prior to building permit issuance;

(6) That the 5' General Utility Placement Easement outside of, and adjacent to, the proposed Right of Way for both Six forks Road and Newton Road is shown on the plat for recordation in the Wake County Register of Deeds Office;

(7) That a fee in lieu will be paid to the City of Raleigh for 1' of additional sidewalk width for the full length of the property frontage along both Six Forks Road, and Newton Road;

(8) 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;

(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)."

(10) That the tree conservation areas shown on the required permit be recorded with metes and bound showing the designated Tree Conservation Areas and shall be in compliance with Chapter 9 of the Unified Development Ordinance;

(11) That 50-foot wide greenway corridor extending from Stream Top of Bank on west side of parcel, or a corridor the width of the floodplain, whichever is less, is to be reserved for greenway easement for the entire length of the stream within the property boundary (Sec.10-3021) and that this reservation is shown on the plat for recordation;

(12) That the appropriate verification of building compliance is provided to the Development Services Department prior to approval of the preliminary plat;

I hereby certify this administrative decision.

Signed:(Planning Dir.) Kenneth Bowen (A. Barlow) Date: 6-22-15

Staff Coordinator: Michael Walters

<u>SEE LAST PAGE FOR IMPORTANT INFORMATION ON THE NEXT STEP IN THE SUBDIVISION PROCESS.</u>

FINDINGS: City Administration finds that this request, with the above conditions being met, conforms to Part 10 Sections 10-2041, and 10-2030, and Part 10A, the Unified Development Ordinance including Chapters 8 and 10. This approval is based on a preliminary plan dated 04/21/15 owned by Development Management, Inc., submitted by Chad Chastain, Ayer Design Group.

<u>ZONING:</u>

ZONING DISTRICTS: SC (Shopping Center), and CM (Conservation Management).

TREE CONSERVATION: This project is required 1.36 acres for tree conservation. This project has proposed 1.50 acres which is broken into:
Primary: 1.50 acres
Secondary: 0 acres

PHASING: There is one phase in this development.

COMPREHENSIVE PLAN:

GREENWAY: There is greenway on the site, 50' reservation in accordance with the city code.

STREET PLAN MAP: Dedication of right-of-way of the following street is required by the Street Plan Map of the Comprehensive Plan. Newton Road was a City Project in 2006 and widened Newton Road to the ultimate section.

Street Name	Designation	Exist. R/W	Prop. R/W	Slope Ease.	Util. Ease.
Six Forks Road	Ave. 6 Ln., Div.	90'	½ - 126'	20	5
Newton Road	Ave. 2-Ln., Div	Variable	½ - 76'	None	5'

Additional right-of-way to be dedicated is reimbursable under the facility fees program.

CONSTRUCTION: Proposed street improvements shall conform to normal City construction standards. Newton Road and Six Forks Road have been improved and will not require construction at this time.

Street Name	Designation	Ex. sidewalk	Prop. sidewalk	Ex. street (boc -boc)	Prop. street (boc to boc)
Six Forks Road	Ave. 6 Ln., Div.	5'	None	65'	None
Newton Road	Ave. 2-Ln., Div	5'	None	41'	None

CIRCULATION: The Block perimeter has been met. There are Riparian Buffers contained within the subdivision that would not allow for any public street. A Design Adjustment has been approved.

TRANSIT: NA

COMPREHENSIVE PLAN: NA

SUBDIVISION STANDARDS:

LOT LAYOUT: The minimum lot size in SC zoning district is 5000 sq. 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. The minimum area and minimum width for a lot in CM zoning district is not applicable. 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: Lot arrangement and access conform to Chapter 8 of the UDO. Block Perimeter requirement has been waved as per a Design Adjustment by the Public Works Director.

STREETSCAPE TYPE: Newton Road has been improved. The street trees are placed behind the sidewalk. A Design Adjustment has been approved. A fee in lieu will be applied for 1' of sidewalk on Six Forks Road prior to recordation. The applicable streetscape for Six Forks Road is an Avenue 6 lane, divided street type, and for Newton Road, an Avenue 2 Lane divided street type. No construction is proposed along either Six Forks road, and/or Newton Road.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. Sidewalks exist along the project side of both Six Forks Road, and Newton Road. A fee in lieu will be applied for 1' of sidewalk on Six Forks Road and Newton Road.

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

STORMWATER MANAGEMENT: This site is subject to stormwater management controls in accordance with Article 9 chapter 2 of the Unified Development Ordinance. Each lot will address stormwater compliance at time of further development or further subdivision.

WETLANDS / RIPARIAN BUFFERS: Neuse River riparian buffers are present on this site.

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: June 22, 2018

Record 100% of the land area approved.

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.