



Certified Recommendation of the City of Raleigh Planning Commission

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27601
(919) 516-2626
www.raleighnc.gov

Case File / Name: SP-74-09 / E.M. Johnson Water Treatment Plant Solar System

General Location: Southwest corner of Falls of Neuse Road and Raven Ridge Road.

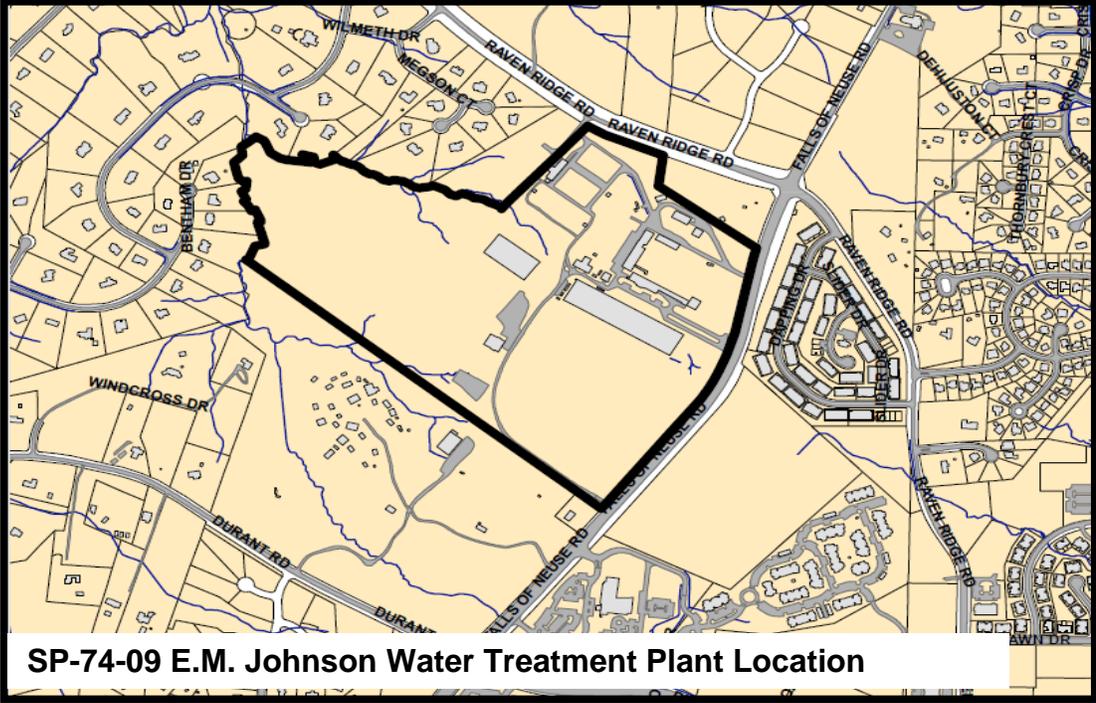
Owner: City of Raleigh
Designer: City of Raleigh & Carolina Solar Energy

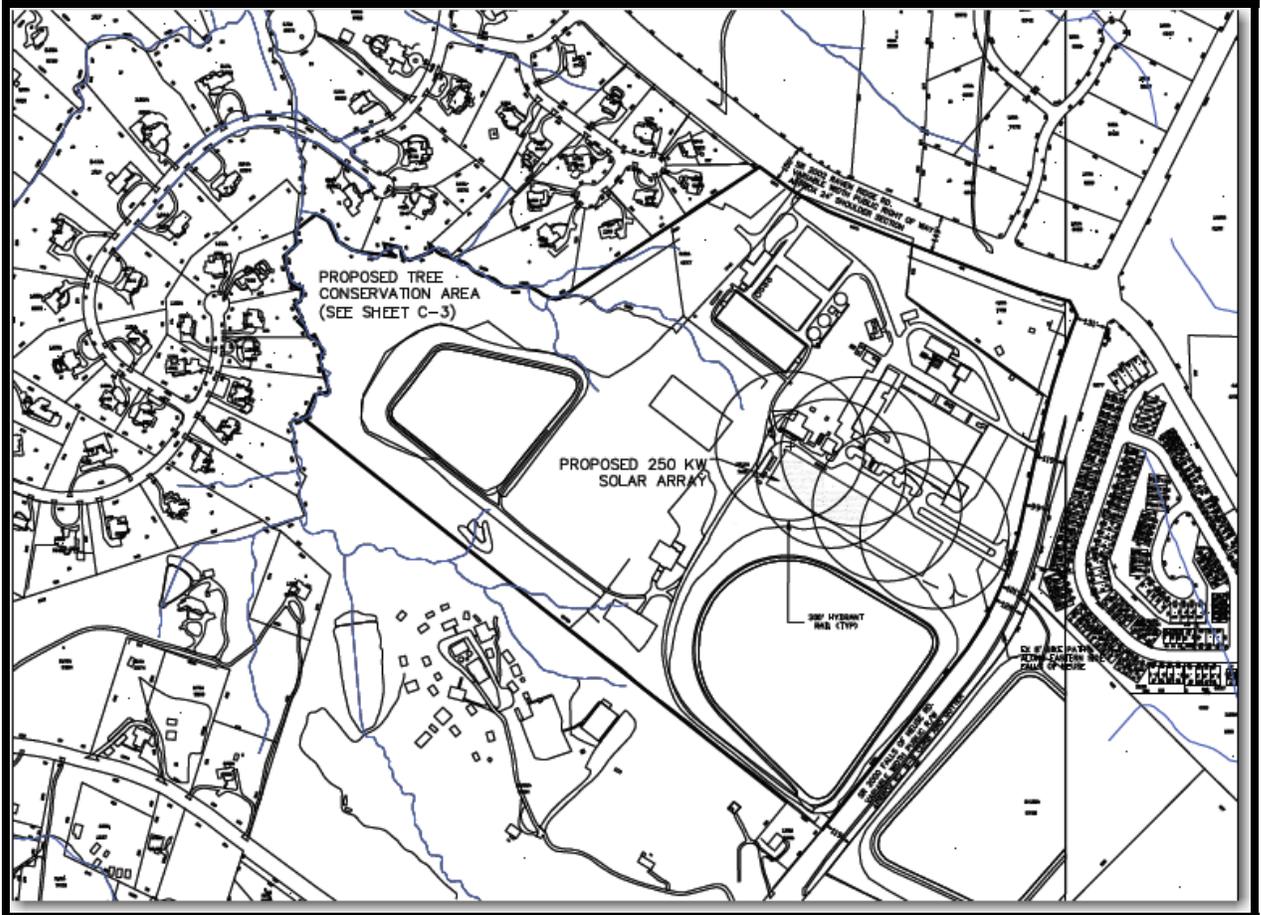
**Planning District
/ CAC:** North / North

Nature of Case: Approval of a rooftop photovoltaic array to be located on the clearwell of the E.M. Johnson Water Treatment Plant. The clearwell is a 117,000 square foot enclosed concrete structure holding treated water ready to be distributed throughout the City's water supply system. The clearwell site is below Falls of Neuse Road and minimally visible from the road and neighbors because of the location of the dam of the treatment plant's raw water retention pond. This 110.14 acre site is zoned Rural Residential with Secondary Watershed Protection Overlay District.

This proposal requires City Council approval based on §10-2132.2(b)(5) because this is a power plant relying on solar energy and located within a residential zoning district.

Key Issues: The Public Utilities Department is requesting that the requirement for payment of a fee in lieu for ½ of 5' sidewalk along Falls of Neuse Road be deferred. The Public Utilities has a Capital Improvement project currently under design to construct a new Sodium Permanganate Facility at the E.M. Johnson Water Treatment Plant. The design is approximately 95% complete and is expected to be submitted through the City's Development Plan Review process in December 2009, at which time the fee payment will be addressed. The applicant is also requesting deferral of recordation of the final tree conservation plan until January 4, 2010.





SP-74-09 E.M. Johnson Water Treatment Plant Solar System

SUBJECT: SP-74-09 / E.M. Johnson Water Treatment Plant Solar System

CROSS-REFERENCE: SU-20-95

LOCATION: On the southwest corner of Falls of Neuse Road and Raven Ridge Road, inside the city limits

REQUEST: This request is for the approval of a rooftop photovoltaic array to be located on the clearwell of the E.M. Johnson Water Treatment Plant. The site currently consists of 110.14-acres zoned Rural Residential with Secondary Watershed Overlay District. This proposal requires City Council approval based on §10-2132.2(b)(5) – power plants relying on wind, solar or water, located within a residential zoning district.

OFFICIAL ACTION: **Approval with conditions**

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

FINDINGS: The Planning Commission finds that this request, with the following conditions of approval, conforms to Chapter 2, Part 10, Sections 10-2015, 10-10-2056 and 10-2132.2, Chapter 3, Part 10, and Sections 10-3001-3059. This approval is based on a preliminary plan dated 10/19/09, owned by City of Raleigh, submitted by City of Raleigh.

ADDITIONAL NOTES: There are no additional notes for this plan.

VARIANCES / ALTERNATES: The Public Utilities Department is requesting that the requirement for payment of a fee in lieu for ½ of 5' sidewalk along Falls of Neuse Road be deferred. The Public Utilities has a Capital Improvement project currently under design to construct a new Sodium Permanganate Facility at the E.M. Johnson Water Treatment Plant. The design is approximately 95% complete and is expected to be submitted through the City's Review process in December 2009, at which time the fee payment will be addressed.
The applicant is also requesting deferral of recordation of the final tree conservation plan until January 4, 2010.

To PC: 10/27/09

Case History:

To CC: 11/3/09

City Council Status: _____

Staff Coordinator: Jacquie Baker

Motion: Harris Edmisten
Second: Haq
In Favor: Anderson, Bartholomew, Butler, Chambliss, Fleming, Gaylord, Haq, Harris Edmisten, Mullins, Smith, Vance
Opposed:
Excused:

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)
	_____	<u>Maha Chambliss</u>
	date: _____	date: 10/28/09 _____



Staff Report

**RECOMMENDED
ACTION:** Approval with Conditions

**CONDITIONS OF
APPROVAL:**

City Council Actions:

- (1) That in lieu of the fee in lieu for ½ of a 5 sidewalk along Falls of Neuse Road frontage of the site, the applicant is requesting a deferral until the future expansion of the site that is proposed to be submitted in December 2009;
 - (2) That a final tree conservation plan must be approved by the Forestry Specialist in the Inspections Department. The applicant is requesting a deferral of recordation of the tree conservation plan until January 1, 2010. The plan must show metes and bounds descriptions of all tree conservation areas. A copy of the approved plan is to be placed on file in the Planning Department prior to January 4, 2010;
 - (3) That a tree conservation map be recorded with metes and bound showing the designated Tree Conservation Areas. The applicant is requesting a deferral until January 1, 2010. Tree conservation shall be in compliance with Code section 10-2082.14 and a copy of the recorded plat must be provided to the Site Review Specialist in the Inspections Department prior to January 4, 2010;
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ZONING:

**ZONING
DISTRICTS:** Rural Residential with Secondary Watershed Protection Overlay District.

**SETBACKS /
HEIGHT:** There is no site disturbance or expansion to the existing buildings; no changes are proposed to the side, front or rear yard setback areas.

PARKING: There is no site disturbance or addition to the existing building that requires additional parking.

LANDSCAPING: Street yard landscaping in conformity with Section 10-2082.5 is shown. Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. This is a high 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>
Northern property	Type "A"	40'
Western property	Type "A"	40'
Southern property	Type "A"	40'

**TREE
CONSERVATION:**

Pursuant to section 10-2082.14, the site is required to provide 15% or 13.27 acres of tree conservation area. A copy of the approved stamped plan by the Forestry Specialist shall be placed in the file in the Planning Department. The tree conservation plan is required to be submitted to staff for final review and approval by January 1, 2010 contingent upon City Council approval of a request for deferral of final recordation.

That a copy of a plan showing the Reservoir Watershed Protection Overlay District Required Tree Preservation or Replanting plan showing all the required tree conservation areas to be preserved or replanted in accordance with 10-5006(a)(11)f will be required to be submitted in accordance with 10-5006(a) with the future land-disturbance of the site that is projected to occur with the new Sodium Permanganate Facility at the E.M. Johnson Water Treatment Plant.

**DEVELOPMENT
INTENSITY:**

N/A

PHASING:

This is a one phase development. There will be no land disturbances with this site plan.

**UNITY OF
DEVELOPMENT:**

Unity of development and sign criteria are not required in this development.

**COMPREHENSIVE
PLAN:**

GREENWAY:

There is no greenway on this site.

**THOROUGHFARE
/ COLLECTOR
PLAN:**

All required right-of-way for the following streets exists per the Thoroughfare and Collector Street Plan:

<u>Street</u>	<u>ROW</u>	<u>Construct</u>	<u>Slope Esmt.</u>
Falls of Neuse Road	99 -131' existing	62' b/b with curb & gutter existing	N/A
Raven Ridge Road	149-150 existing	24' shoulder section/ in watershed	N/A

TRANSIT: No transit-oriented features of this site are incorporated into the proposed plan.

URBAN FORM: This site is located in the North Planning District, and subject to the provisions of the Falls of Neuse Corridor Plan. The proposed use is consistent with the existing non-residential use, as identified in the corridor plan.

APPEARANCE COMMISSION: The Appearance Commission Development Review Committee had no comments on the proposal and applauded the City for installment of the solar array.

**SUBDIVISION
STANDARDS:**

BLOCK LAYOUT: No new streets are proposed with this development.

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.

SOLID WASTE: N/A

CIRCULATION: Existing street improvements conform to normal City construction standards.

PEDESTRIAN: The Public Utilities Department is requesting that the requirement for payment of a fee in lieu for ½ of 5' sidewalk along Falls of Neuse Road be deferred. The Public Utilities has a Capital Improvement project currently under design to construct a new Sodium Permanganate Facility at the E.M. Johnson Water Treatment Plant. This improvement is required by Federal and State Law. The design is approximately 95% complete and is expected to be submitted through the City's Review process in December 2009;

FLOOD HAZARD: No flood hazard soil exists on site.

STORMWATER MANAGEMENT: The site plan proposes the installation of solar panels on top of an existing tank located on the site. No new impervious surface or land disturbance is proposed and therefore the site will comply with Part 10, Chapter 9 of Raleigh City Code. No BMP's are required. No floodplain exists on the site.

**WETLANDS
/ RIPARIAN
BUFFERS:** N/A.

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.