



# Administrative Action Preliminary Subdivision

City of Raleigh  
Development Plans Review Center  
One Exchange Plaza  
Raleigh, NC 27602  
(919) 516-2626  
www.raleighnc.gov

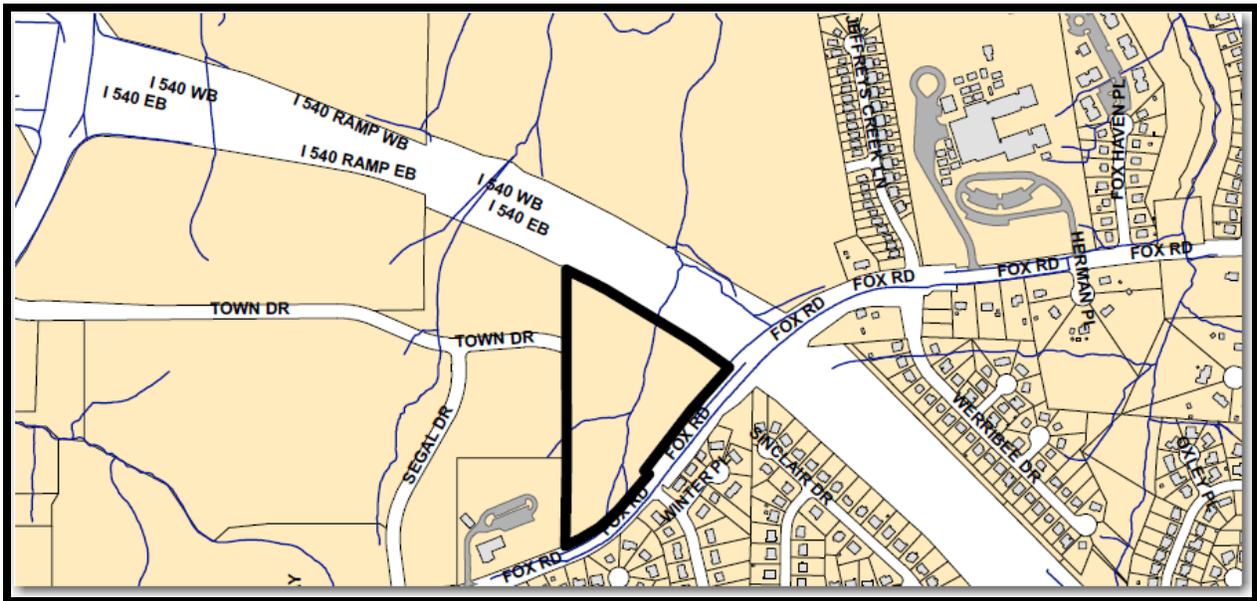
**Case File / Name:** S-13-10 / Thales Academy Fox Road

**General Location:** On the northwest quadrant of Fox Road, Town Drive and I-540, inside the city limits.

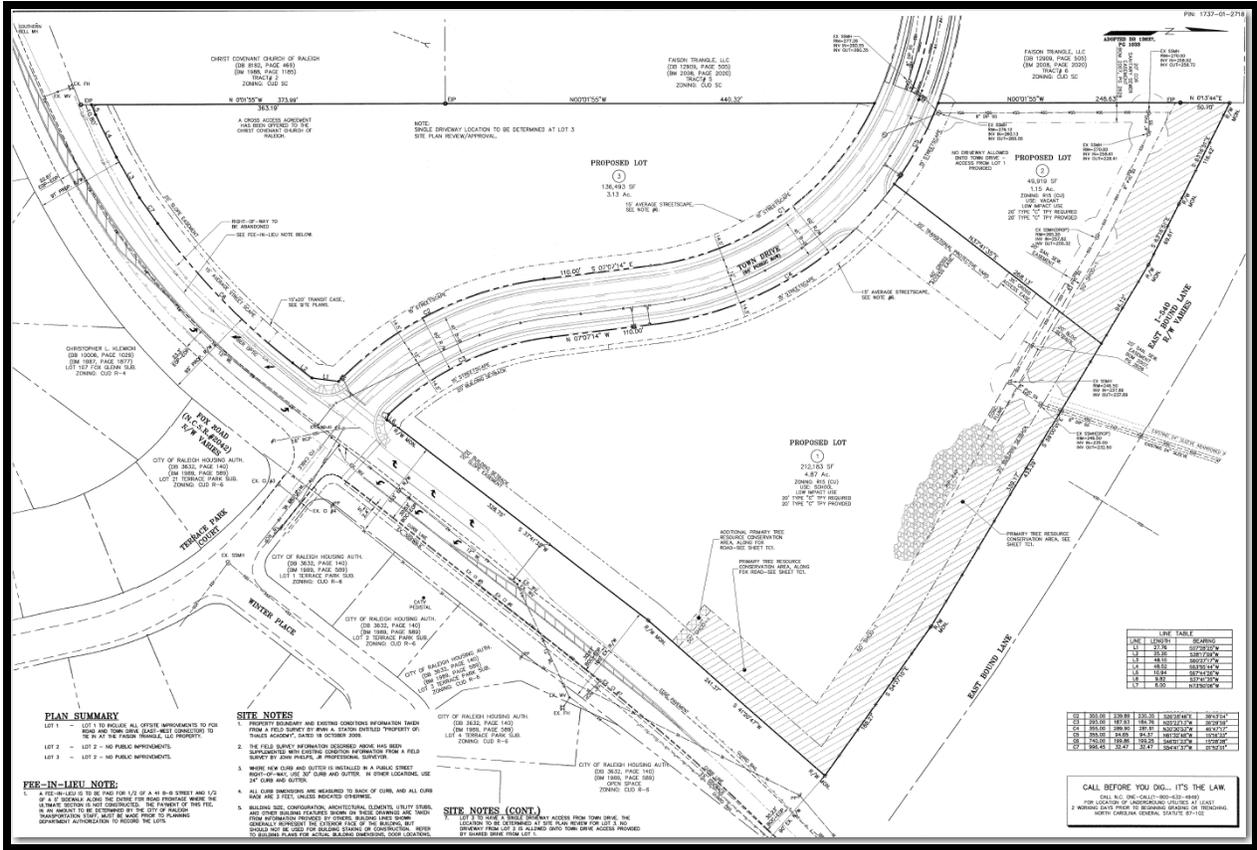
**CAC:** Northeast

**Nature of Case:** Subdivision of 10.02 acre tract into 3 lots and the extension and dedication and construction of Town Drive zoned Residential – 15 CUD.

**Contact:** Civil Consultants, Inc



**S-13-10 Thales Academy – Fox Road site location**



S-13-10 Thales Academy – Fox Road subdivision plan

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**SUBJECT:**  
**CROSS-REFERENCE:** SP-24-10 & Z-25-87

**LOCATION:** On the northwest quadrant of Fox Road, Town Drive and I-540, inside the city limits.

**REQUEST:** Subdivision of 10.02 acre tract into 3 lots and the extension and dedication and construction of Town Drive zoned Residential – 15 CUD.

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**OFFICIAL ACTION:** Approval with conditions

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**CONDITIONS OF APPROVAL:**

*Prior to issuance of a land disturbing permit for the site:*

- (1) That prior to the issuance of a grading permit, the final tree conservation plan must be approved by the Forestry Specialist in the Inspections Department. 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 Inspections Department. A copy of the approved plan is placed on file in the Planning Department;

*Prior to Planning Department authorization to record lots:*

- (2) That a fee-in-lieu of construction for curb, gutter and ½ of a 5' sidewalk along Fox Road in an amount determined by the City Engineer, is paid in the Public Works Department;
- (3) That cross access agreements between lots 1 and 2 are recorded in accordance with the City Code and a recorded copy is returned to the Planning Department within 14-days of recording. If a recorded copy of this recorded document is not provided to the Planning department within the 14-day period, further plat recordings and building permits authorization may be withheld;
- (4) That an offer of cross access agreements between lot 3 and Christ Covenant Church of Raleigh located along the western property line (DB 8182 PG 469, BM 1988 PG 1185) shall be recoded in accordance with the City Code and a recorded copy is returned to the Planning Department within 14-days of recording. If a recorded copy of this recorded documents is not provided to the Planning Department within the 14-day period, further plat recordings and building permit authorization may be withheld;
- (5) That construction plans for public improvements be submitted and approved by the Public Utilities Department and the Public Works Department;
- (6) That a 15x20 foot transit easement located on Fox Road be approved by the Transit Planner in the Public Works Transportation Department, be shown on all maps for recording, and that a transit easement approved by the City Attorney is recorded with the local County Register of Deeds. That the recorded copy of this transit easement be provided to the Planning

copy of this easement is not provided to the Planning Department within the 14 day period, further plat recordings and building permits authorization may be withheld;

- (7) That a tree conservation map be recorded with metes and bounds showing the designed Tree Conservation Areas and shall be in compliance with Code section 10-2082.14;
- (8) That the following note be shown on all maps for recording; Lot 2 will not be allowed a driveway onto Town Drive but will maintain a shared driveway;
- (9) That the following note be shown on all maps for recording: Lot 3 will only be allowed to have one driveway onto Town Drive and this driveway must align with the driveway located on lot 1;
- (10) That a 20' permanent slope easement on Fox Road be dedicated prior to or in conjunction with the recording of any map;
- (11) That 10' of additional right of way long Fox Road be dedicated prior to or in conjunction with the recording of any map;
- (12) That the entire 60' of right of way for the extension of Town Drive be dedicated prior to or in conjunction with the recording of any map;

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I hereby certify this administrative decision.

**Signed:**

(Planning Dir.)

*Mitchell Sila (C. Sila)*

Date: 9-14-10

**Staff Coordinator:**

Jacque Baker

SEE LAST PAGE FOR IMPORTANT INFORMATION ON THE NEXT STEP IN THE SUBDIVISION PROCESS.

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**FINDINGS:**

City Administration finds that this request, with the above conditions being met, conforms to Chapter 2, Part 10, Sections 10-2022 & 10-2058 Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 9/7/10, owned by Thales Academy, LLC, submitted by Civil Consultants.

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**ADDITIONAL**

**NOTES:**

A site plan SP-24-10 Thales Academy – Fox Road has been submitted and is scheduled for Planning Commission review on September 14, 2010. That Towne Drive shall be constructed by the developer and accepted for maintenance by the Transportation Public Works Department.

**ZONING:**

**ZONING DISTRICTS:** Residential 15 CUD with SHOD-1 Overlay.  
Ordinance (1987) 974 ZC 211 Effective 4/21/87.

**Z-25-87 Fox Road**, north side, between Spring Forest Road and Louisburg Road, being the northwestern portion of Parcel 13, Tax Map 355, rezoned to Residential-15 Conditional Use District, according to map on file in the Planning Department.

**CONDITIONS:**

- 1) Those uses permitted in a Residential-15 District
- 2) The owner will reserve and dedicate to the City of Raleigh the right-of-way for Raleigh's Outer Belt Loop in accordance with the preliminary location shown on the attached map.
- 3) The provision for density transfer as provided for under Ordinance No. (1985) 678 TC 255 (TC-22-85) will not be utilized on the property covered by this petition.
- 4) The owners will dedicate an additional 10' of right-of-way along Fox Road (to be renamed Old Wake Forest Road) thereby providing one-half (40 feet) of the proposed 80 foot right-of-way for the street to be classified a Minor Thoroughfare.

**LANDSCAPING:** A 15' streetscape area is show and landscape plans will be required upon development of individual lots.

**TREE CONSERVATION:** The site is 10.2 acres in size and is required 10% tree conservation area or 1.02 acres. The plan provides 1.02 acres of primary tree conservation area.

**UNITY OF DEVELOPMENT:** Unity of development criteria is not required in this subdivision.

**PHASING:** There are no phases in this development.

**COMPREHENSIVE PLAN:**

**GREENWAY:** There is no greenway on this site.

**THOROUGHFARE / COLLECTOR PLAN:** Dedication of right-of-way and construction of the following streets are required by the Thoroughfare and Collector Street Plan:

<u>Street</u>	<u>ROW</u>	<u>Construct</u>	<u>Slope Esmt.</u>
Fox Rd	additional 10' fee in lieu for ½ of a 5' sidewalk	curb and gutter	20'
Town Dr	full 60'	41' b/b with 5' sidewalk	n/a

**TRANSIT:** The following transit-oriented features of this site are incorporated into the proposed plan: 15'x20' along Fox Road.

**URBAN FORM:** This site is located in the Northeast Citizen Advisory Council.

1. This site is within the Northeast Quadrant of the Triangle Town Center Small Area Plan in an area designated as being appropriate for residential, with open space/greenway suggested along I540 and Fox Road.
  - a. Required 50' SHOD Yard meets suggested open space buffering of I540 and Fox Road.
2. Policy LU 4.5 Connectivity – New development and redevelopment should provide pedestrian and vehicular connectivity between individual development sites to provide alternative means of access along corridors.
  - a. Plan as shown conforms to the above policy. When sites 2 and 3 are developed, cross access to the northern adjacent parcels will be suggested.
3. Policy T 5.5 Sidewalk Requirements – New subdivisions and developments should provide sidewalks on both sides of the street.
  - a. Plan should show sidewalks continuing from Town Drive along Fox Road, and pedestrian access should extend to the transit easement.

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**SUBDIVISION  
STANDARDS:**

**LOT LAYOUT:** The minimum lot size in this zoning district is 5,000 square feet. The minimum lot depth in this zoning district is 70'. The minimum lot width in this zoning district is 45'. Lots in this development conform to these minimum 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, Sidewalk and Driveway Access Manual. No dead end street in this development exceeds 800 feet in length.

**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:** Solid Waste collections will be shown as each lot is submitted and approved for development.

**CIRCULATION:** Proposed street improvements shall conform to normal City construction standards.

**PEDESTRIAN:** Proposed sidewalk locations conform to City regulations.

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

**STORMWATER  
MANAGEMENT:**

This site is subject to stormwater management controls in accordance with Chapter 9 of Part 10 of the Raleigh City Code. All proposed lots exceed one acre in size. Stormwater management measures will be required at the time of site plan submittal for each lot or at the time of further subdivision. The impervious surface area associated with the roadway improvements is assigned to Lot 1 and will be accounted for in the design of the wet pond BMP to be located there.

**WETLANDS  
/ RIPARIAN  
BUFFERS:**

No wetland areas or Neuse River riparian buffers are required on this site.

**STREET NAMES:  
OTHER  
REGULATIONS:**

No new street names are required for this development.

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.

**SUNSET DATES:**

If significant lot recording 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:** 9/14/2013

Record at least ½ of the land area approved.

**5-Year Sunset Date:** 9/14/2015

Record entire subdivision.

**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.