



## 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-12-14 / Capital Center Business Park Subdivision

**General Location:** The site is located on Capital Center Drive, west of its intersection with Jones Franklin Road and south of Interstate-440.

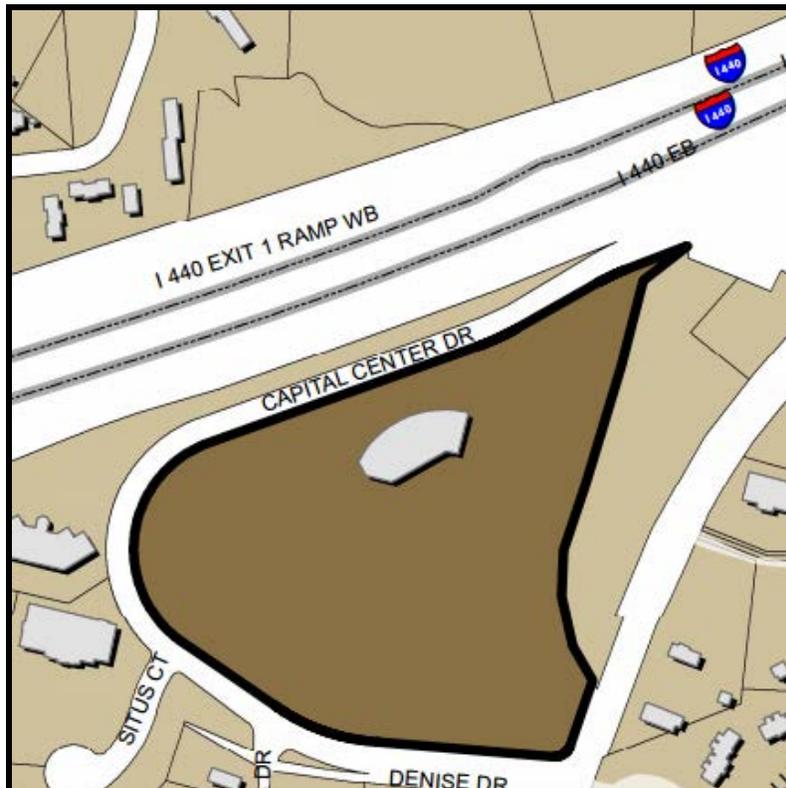
**CAC:** West

**Nature of Case:** Subdivision of 17.73 acres into three lots, zoned Conditional Use District Office and Institutional-2 (CUD O&I-2) with Special Highway Overlay District-2 (SHOD-2).

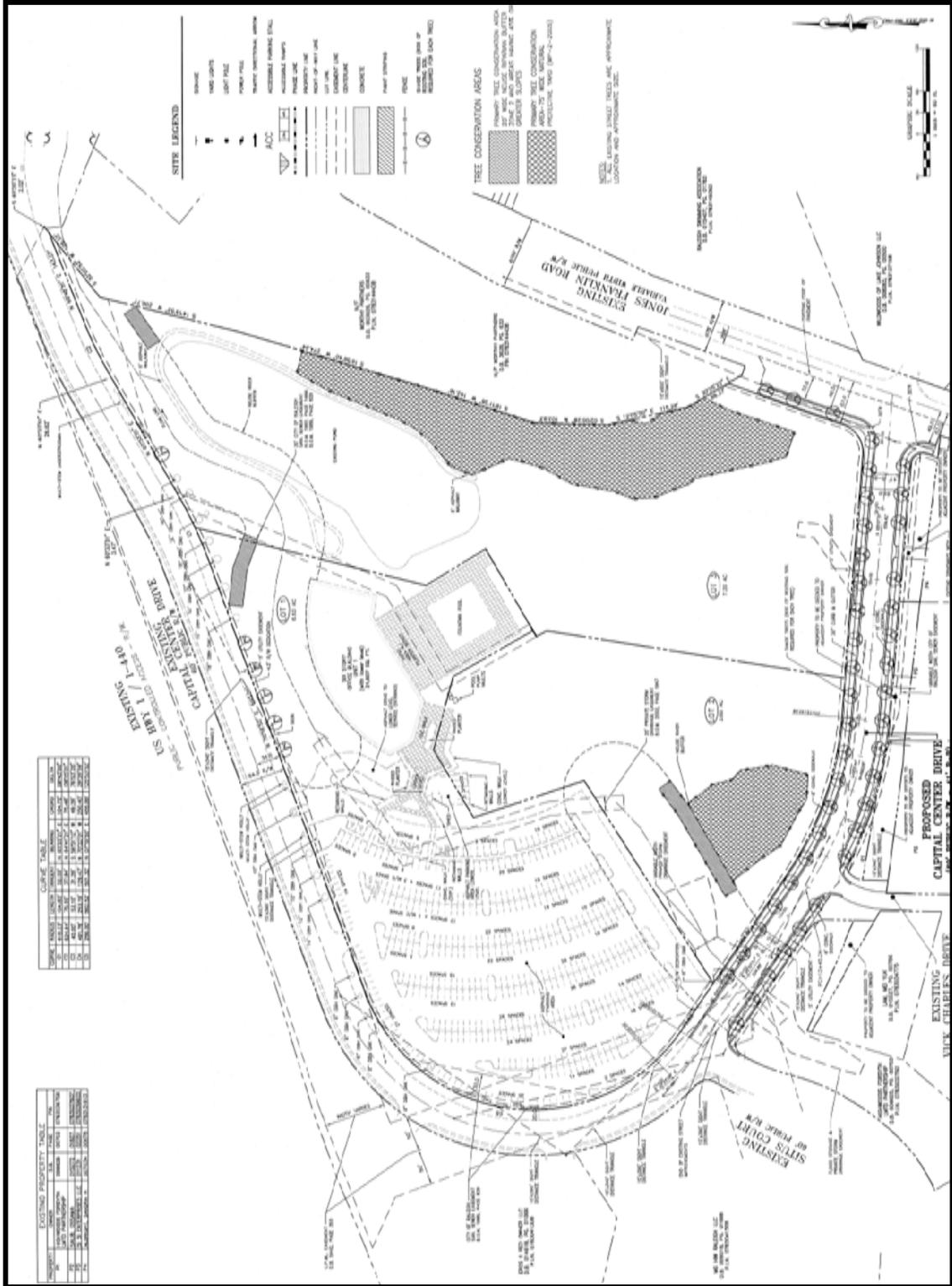
**Contact:** Andy Padiak, The John R. McAdams Company

**Design Adjustment:** A design adjustment has been granted by the Public Works Director for this project. This adjustment permits the use of existing trees along Capital Center Drive to be used to meet the streetscape requirements of Article 8.5.

**Administrative Alternate:** NA



S-12-14 Location Map



S-12-14 Preliminary Subdivision Plan

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**SUBJECT:** S-12-14

**CROSS-  
REFERENCE:** Z-27-86

**LOCATION:** The site is located on Capital Center Drive, on the site of the existing Capital Center office building, west of its intersection with Jones Franklin Road, and just south of Interstate-440, inside the city limits.

**PIN:** 0783048297

**REQUEST:** This request is to approve the subdivision of a 17.73 acre tract into three lots of 6.63 acres, 3.6 acres, and 7.2 acres, zoned CUD O&I-2 with SHOD-2.

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**OFFICIAL ACTION:** Approval with conditions

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**CONDITIONS OF  
APPROVAL:**

***Prior to issuance of a mass grading permit for the site:***

- (1) 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;
- (2) That as the developer proposes to disturb a designated riparian buffer, the North Carolina Division of Water Quality 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;
- (3) That in accordance with Part 10A Section 9.4.4, a surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City;

***Prior to approval of a concurrent review of Final Site Review and Infrastructure construction plans, or whichever is applicable:***

- (4) That conditions 1-3 above be met;

***Prior to Planning Department authorization to record lots:***

- (5) That a tree conservation map 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;
- (6) That in accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements is paid to the Public Works Department;

- (7) That construction drawings for the proposed public improvements be submitted and approved by the Public Works Department;
- (8) That a fee-in-lieu for 6' sidewalk and street trees along the development side of Capital Center Drive along the property frontage that abuts the existing improved roadway must be paid to the Public Works Department;
- (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 all applicable regulations of Z-27-86 are complied with;
- (11) That a street name change is approved by the GIS Department;
- (12) That private agreements for cross-access and any shared amenities or parking are recorded with the Wake County Register of Deeds within 1 day of the plat recordation and a copies of such agreements returned to the Planning Department.

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I hereby certify this administrative decision.

Signed:(Planning Dir.) Ken Bauer (C. Hays) Date: 3-9-15

Staff Coordinator: Justin Rametta

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 City Administration finds that this request, with the above conditions being met, conforms to Chapter 2, Article 2.2, Section 2.2.1. Approval is based on a preliminary plan dated 12/29/14 owned by TCDC Partnership, LLC., submitted by The John R McAdams Company.

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**ZONING:**

**ZONING DISTRICTS:** CUD-O&I-2 with SHOD-2. Ordinance 7572C184 Effective 4/1/1986.

**Z-27-86 Jones Franklin Road and Capital Center Drive**, south of the U.S. 1 Beltline, being parcel 490, Tax Map 575, rezoned to Office & Institution-II Conditional Use District.

Conditions as follows:

All of the uses permitted in the O&I-II district shall be allowed on the property except for hotels, motels, motor hotels and motor courts, which shall not be allowed on the property.

1. The area of the office buildings located on the property shall not exceed 525,000 square feet of gross floor area.
2. Access from the property to Jones Franklin Road shall be limited to Capital Center Drive.

The existing building is 169,120 square feet and will be located on lot 1.

**TREE  
CONSERVATION:**

This project is larger than two acres and compliance with Code Section 10-2082.14—Tree Conservation is required. The project provides 1.76 acres of tree conservation area which is 10% of gross site acreage.

Tree conservation acreage is as follows:  
Primary: 0.16 acres  
Secondary: 1.60 acres

**PHASING:** This is a one-phase development.

**DEVELOPMENT  
INTENSITY:**

Proposed floor area ratio (FAR) of .59 and lot coverage of 8.6% conform to the maximum zoning district standards of 1.25 FAR and 30% lot coverage.

**COMPREHENSIVE  
PLAN:**

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

**STREET  
TYPOLOGY MAP:**

Dedication of right-of-way and construction of the following streets are required by the Street Typology Map of the Comprehensive Plan. Capital Center Drive is an existing Industrial Street that will be extended to a new connection point on Jones Franklin Road, which is classified as an Avenue 6-lane, divided. The new Capital Center Drive extension will replace the existing Denise Drive, which will be abandoned and removed. Three existing driveways on Denise Drive will be extended to the new road. Dedication of right-of-way is required for both streets as shown below.

Street Name	Designation	Exist R/W	Requ red R/W	Existing street (b to b)	Proposed street (b to b)
Capital Center Drive	Industrial	50'	1/2- 69'	31'	41'
Jones Franklin Road	Avenue 6-lane divided	variable	1/2- 126'	variable	98'

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

A surety for the required improvements shall be provided in accordance with 8.1 of the UDO. Additional right-of-way to be dedicated is reimbursable under the facility fees program. The difference between the required 1/2 41' b-b street with curb, gutter and sidewalk and the proposed construction of 1/2 98' b-b is reimbursable.

**TRANSIT:** This site is not presently served by the transit system.

**COMPREHENSIVE PLAN:** This site is located in the West Citizens Advisory Council in an area designated for Office Research and Development.

**SUBDIVISION STANDARDS:**

**LOT LAYOUT:** There are no minimum dimensional requirements for lots in the O&I-2 zoning district.

**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:** Block perimeters, lot arrangement and access conform to Chapter 8 of the UDO. Recorded documents for the private agreements for shared parking and private amenities will be required prior to the issuance of building permits for any lot. A fee for street signs is required in accordance with the Raleigh Street Design Manual.

**STREETSCAPE TYPE:** The applicable streetscape is Commercial. A design adjustment has been granted by the Public Works Director to allow the use of existing trees to meet the streetscape requirements of Article 8.5 for the already constructed portion of Capital Center Drive. A fee in lieu for a 6' sidewalk is required for this section prior to lot recordation. Construction of a 6' wide sidewalk and tree lawn and installation of street trees is proposed for both the new section of Capital Center Drive and along the Jones Franklin Road frontage.

**PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. A sidewalk is required along both sides of the new section of Capital Center Drive and the Jones Franklin Road section. A fee in lieu will be required for 6' of sidewalk along the existing section of Capital Center Drive. Access to the public right of way in addition to internal connection requirements is provided in accordance with 8.3.4 of the UDO.

**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 of the commercial subdivision will be over 1 acre in size and will address stormwater independently at time of site plan submittal or further subdivision. Compliance

with stormwater regulations regarding runoff and nitrogen for the proposed extension of Capital Center Drive will be the responsibility of the properties at time of site plan or further subdivision.

**WETLANDS  
/ RIPARIAN  
BUFFERS:**

Neuse River riparian buffers are required on this site.

**STREET NAMES:**

**One existing street is proposed to be extended and one will be abandoned with this development.** A fee for a new street sign is required in accordance with the Raleigh Street Design Manual.

**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:** 3/9/2018

Record at least ½ of the land area approved

**5-Year Sunset Date:** 3/9/2020

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.