Administrative Action

Preliminary Subdivision
Cluster Unit Development

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

Case File / Name: **S-79-07 River Town Subdivision**

General Location: On the north side off Buffaloe Road northeast of its intersection with Old Crews Road, inside the city limits

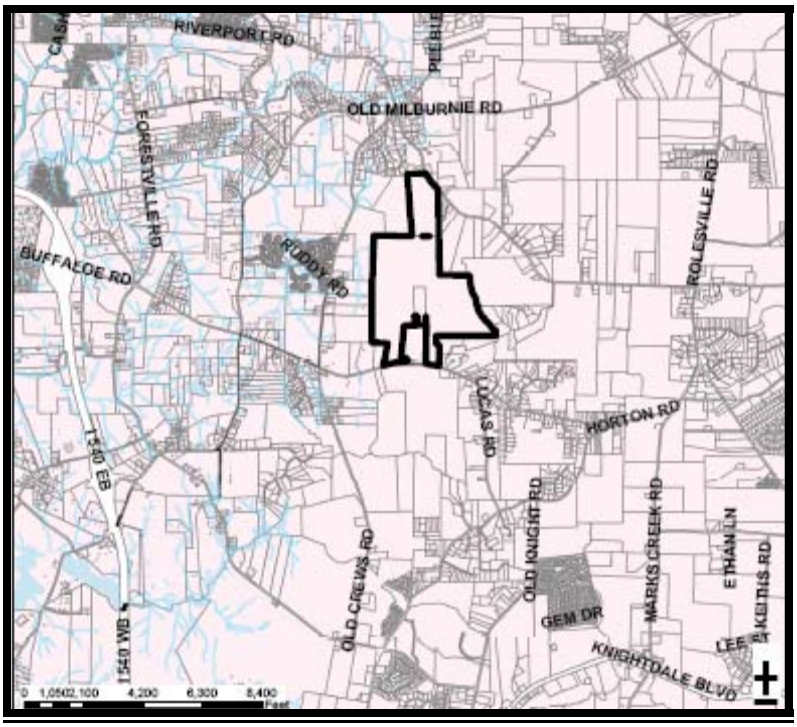
Planning District / CAC: Northeast / Northeast

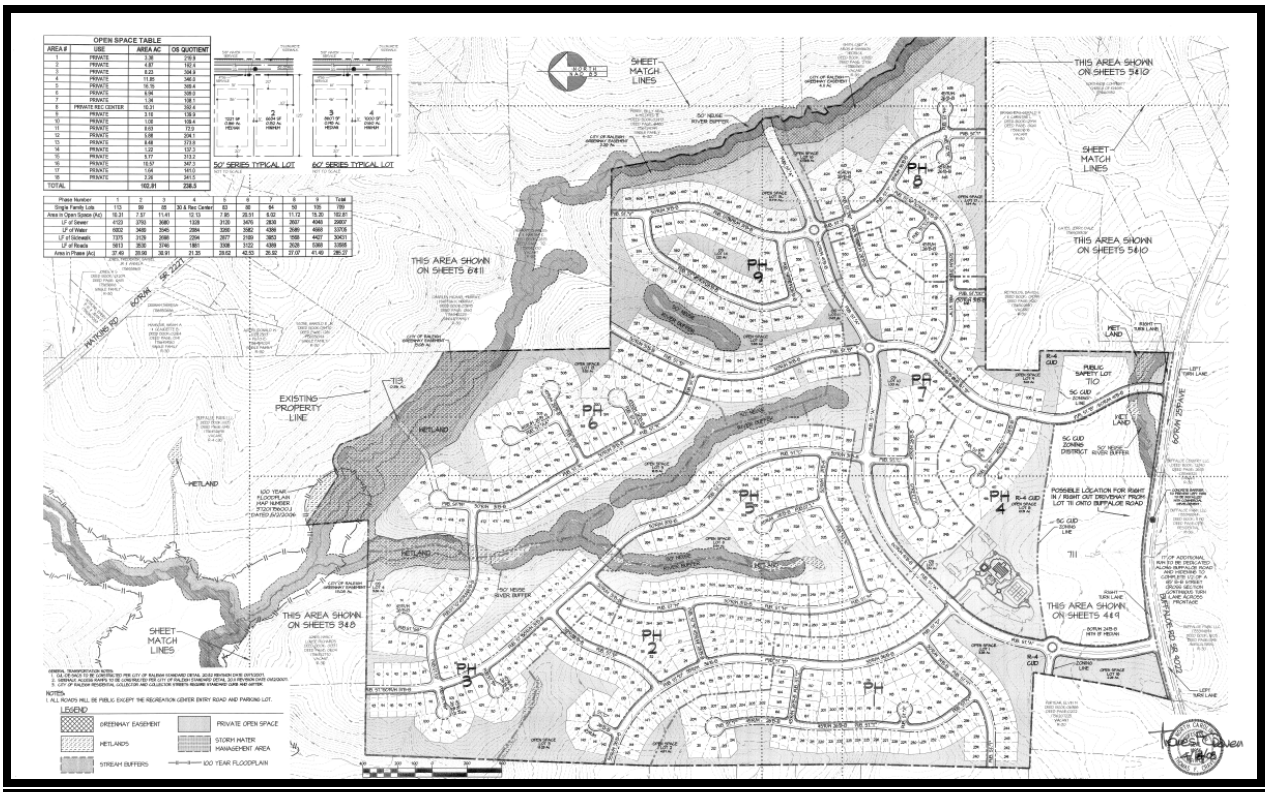
Nature of Case: Subdivision of 307.52-acres into 709-single family lots, 18-open space lots, located upon 1-open space lot will be a club house and pool area (as required per Z-45-06 item A) zoned Residential-4 CUD and 2-non residential lots and 1-public safety lot zoned Shopping Center CUD, outside the city limits.

The cluster development will consist of 14-phases 709 single family lots with a minimum lot size of 6,534 square feet per lot.

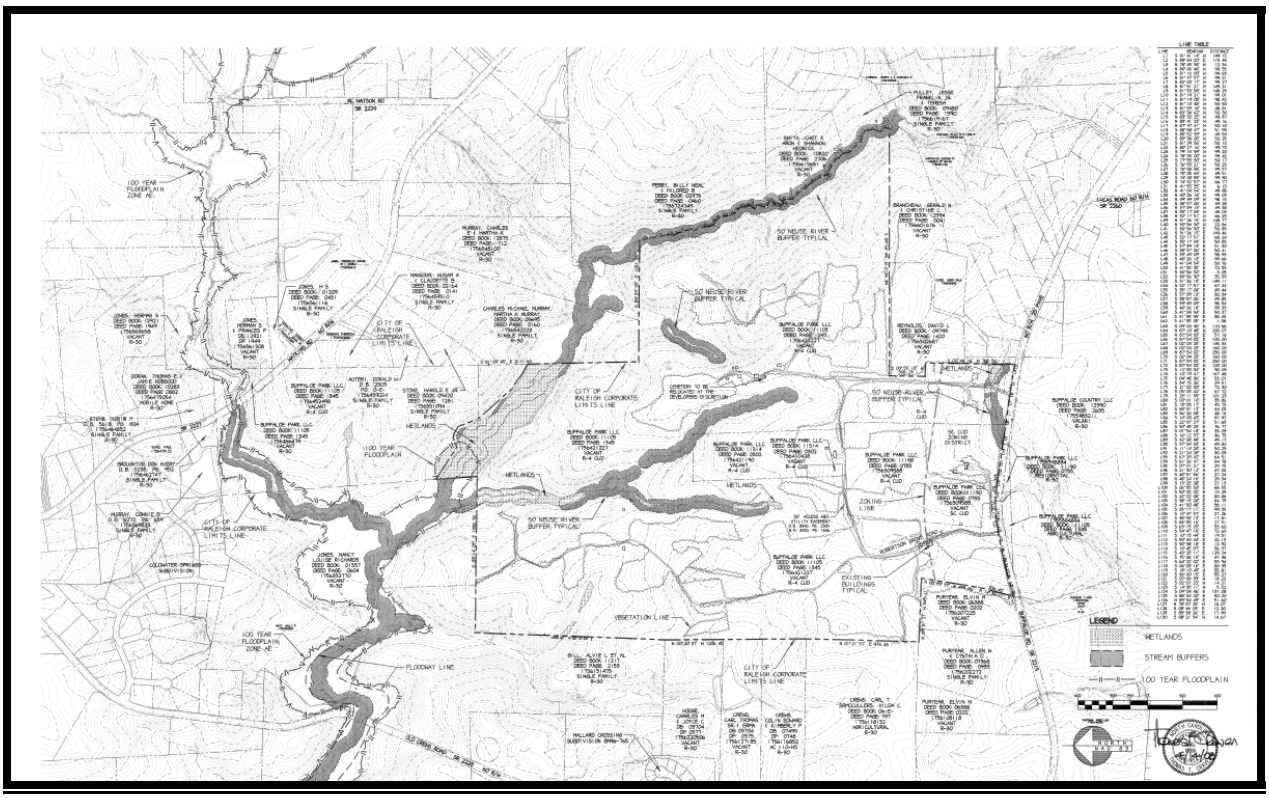
This approval includes two lots located along Buffaloe Road zoned Shopping Center CUD. Lot 711 will require separate approval prior to building permit issuance or further subdivision of the lots, per Z-45-06 item K. Lot 710 will be dedicated and used as a public safety as required in Z-45-06 item E and Z-15-07 item E.

Contact: Priest Craven and Associates





S-79-07 River Town Cluster



Existing Conditions

SUBJECT: S-79-07 River Town Cluster

CROSS-REFERENCE: Z-45-06 & Z-15-07

LOCATION: On the north side off Buffaloe Road northeast of its intersection with Old Crews Road, inside the city limits

REQUEST: This request is to approve a cluster unit development consisting of 709 single-family lots, 2- non residential lots on a 306.65- acre tract, zoned Residential-4 CUD and Shopping Center CUD.

The overall residential density is 2.5 units per acre based on 285.27-acres remaining after right of way dedication and non-residential lots. The minimum lot size for single-family lots is 6,534 square feet.

Lot 710 – 2.34 acres will be dedicated as a "Public Safety Lot" per Z-45-06 &Z-15-07 zoning condition.

OFFICIAL ACTION: **Approval with conditions**

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

(1) That as the developer has chosen to offset a portion of nitrogen export load limitation by paying monies to the North Carolina Ecosystem Enhancement Program (NCEEP) in accordance with Nitrogen reduction requirements of Section 10-9022, this payment shall be made to NCEEP and verification of the amount of payment shall be provided to the City of Raleigh Conservation Engineer;

(2) 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;

(3) 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 10 Chapter 9, 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;

Prior to approval of construction drawings for public improvements:

(4) That an application for an encroachment agreement for landscaping located within the public right-of-way, as indicated on the preliminary plan, is submitted to the City's Encroachment Coordinator in the Inspections Department for review;

(5) That a fee in lieu of construction for portions of road not constructed to the property line, as this fee will be determined at construction drawings, for "public street B" , "public street I", "public street C" , "public street D", "public

street T", "public street DD", "public street II" and "public street V" as shown on the preliminary plan,

Prior to Planning Department authorization to record lots:

(6) 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 and the plats shall contain the following note: "All private storm drainage easements & stormwater measures will be maintained by the homeowner association."

(7)

(8) That the following note be placed on the map for recording: Vehicular access onto Buffaloe Road be limited to mo more than two (2) access points and vehicular access onto Watkins Road shall be limited to no more than one (1) access point. See Z-45-06 and Z15-07 zoning conditions.

(9) That street names for this development be approved by the Raleigh City Planning Department and by Wake County;

(10) That a recombination map be recorded prior to or in conjunction with the recording of lots, recombining the existing lots into a single tract;

(11) That construction plans for public improvements be approved by the Public Utilities Department and the Public Works Department;

(12) That fee-in-lieu of construction for the City of Raleigh water main is paid to the Public Works Department for the extension of a water main in "public street A' located to the east property lines as shown on the preliminary plan;

(13) That the greenway easement as shown on the preliminary plan be dedicated prior to, or in conjunction with the recording of a map in any phase affected by the greenway per Z-45-06 zoning condition;

(14) That a demolition permit be issued by the Inspections Department and this building permit number be shown on all maps for recording;

(15) That prior to recording of lots in phase 2, the applicant submit a cumulative map showing all lots, open space, and public rights-of-way that have been recorded to date along with subdivision case numbers, and a table showing the total units approved in each phase, total and net acreage in each phase, zoning districts and open space allocated for each phase, recorded book and page numbers of required legal documents including amendments and successive annexations to each phase, number of units transferred, and total of all units, acres, and open space for the entire cluster unit development;

(16) That a final detailed landscape plan showing street yards in accordance with 10-2082.5 be submitted/stamped and approved by the Site Review Specialist in the Inspection Department and a stamped approved copy is placed on file in the Planning Department;

(17) That 29' to taper down to 17' in width of right of way along Buffaloe Road be dedicated to the City of Raleigh;

(18) That a tree conservation map be recorded with metes and bound showing the designated Tree Conservation Areas and shall be in compliance with Code section 10-2082.14;

(19) That as this subdivision plan creates lots less than one acre in size, stormwater control measures are required to be shared among all lots, and said stormwater control measures shall be owned and maintained by a homeowners association for which all lot owners shall be a member. The homeowners' legal documents shall be prepared in accordance with Raleigh City Code Section 10-3071 through 10-3074 and 10-9027(b), and the City Attorney shall either actually approve the homeowners' legal documents or a certificate be submitted to the City Attorney from the attorney who prepared the homeowner legal documents state that the declaration of covenants contains all of the provisions of the Raleigh City Code Requirements set forth in City form Article.

The homeowners' declaration shall conform to G.S. 47-F, if applicable, and shall contain the following provisions: (a) a definition of stormwater control measures serving more than one lot and situated outside of the public street rights of way; (b) a statement in the definition of common areas that stormwater control measures are common area; (c) that stormwater control measures shall be maintained by the homeowners' association in strict compliance with the stormwater operations and maintenance manual and budget (approved by the Stormwater Engineer in the Public Works Department as part of condition (5) above) and this manual is attached as an exhibit to the Stormwater Replacement Protection Easement and Access Maintenance agreement required by condition (5) above; (d) that common expenses include: maintenance of stormwater control measures and replacement contribution payments required to be paid by the Association to the City by Stormwater Replacement Protection Easement and Access Maintenance Agreement required by condition (5) above; (e) that within permanently protected undisturbed open space area shown on any plat of the development, no tree-disturbing activity (as defined in Part 10 Chapter 2 of the Raleigh City Code), land-disturbing activity, placement of impervious surface, encroachment, new use or construction of any structure or expansion there of shall occur except in accordance with a watercourse buffer first being issued by the City of Raleigh; (f) that the City of Raleigh is assigned the right to collect stormwater assessments of the Association, file liens against the lots and to foreclose delinquent liens for monies owned to the City. Foreclosure of stormwater assessments liens shall be in accordance with N.C.G.S 47F-3-116 and to foreclose the claim of lien in like manner as a mortgage on real estate under a power of sale under Article 2A of Chapter 45 of the General Statures; (g) a statement that no amendment to the legal documents affecting stormwater control measures or the replacement fund shall be made without the prior written consent of the Raleigh City Attorney as evidenced by signature of the City Attorney or his/her deputy on the recorded original or copy of the amendment; (h) a statement that the stormwater control measures are the joint and several liability of each owner served by the stormwater control measure required to comply with the Raleigh City Code, and the failure to maintain stormwater control measures is a violation potentially subjection each lot owner to significant daily civil penalties and other enforcement action; (i) the homeowners' association shall be empowered to plant, maintain and protect within tree conservation areas shown on recorded plats of the development, and the future owners of lots and their agents shall have the right to enter any of the tree conservation area shown on the recorded plats of the development with the consent of the Association and the City of Raleigh Inspections Department to perform active tree

protection as defined in Chapter 2 Part 10 of the Raleigh City Code to remove trees, plat trees and to replant replacement tree; (j) a statement that any tree disturbing activity as defined in Chapter 2 Part 10 of the Raleigh City Code undertaken in any tree conservation area shown on the recorded plats of the development without the prior issuance of a permit from the City of Raleigh Inspections Department is a violation of the Raleigh City and will result in significant financial consequences. A recorded copy of these deeds must be provided to the Planning Department within 14-day from authorization of lot recording. If recorded copies of the of the deed are not provided to the Planning Department within this 14-day period, further plat recordings and building permit issuance may be withheld;

(20) 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 perpetuity 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).". This covenant is to run with the land, and shall be binding on the Owner, and all parties claiming under it;

(21) That existing wetlands are on this site and shall be shown on all maps for recording;

(22) That the following note be placed on all maps for recording: All newly dedicated right of way shall be reimbursed at Residential-4 value per Z-15-07 zoning condition;

(23) That as the developer purposes to disturb a designated riparian buffer for the purpose of a 2 street crossing, 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 (per code section 10-9044(a);

(24) That the following note be placed on the map for recoding: That any ground sign will be limited to medium profile or low profile signage per Z-15-07 zoning condition;

(25) That a 20' permanent slope easement along both sides of "public street B" , "public street I", "public street C" , "public street D", "public street T", "public street DD", "public street II" and "public street V", as shown on the preliminary plan for the future construction of the street be dedicated to the City of Raleigh;

(26) That a fee in lieu of construction for the portion of "public street A" not built to the property line (approximately 400 linear feet as shown on the preliminary plan),

(27) That a variable width, no less than 20', permanent slope easement for "public street A" be dedicated to the City of Raleigh;

(28) That the tree conservation area be recorded to meet the requirements 10-2082.14 per phase;

(29) That all blue line features (as shown on the USGS map and the SCS Wake County Soil Survey map) on the property will be required to be shown on all recorded maps. All buffers associated with the blue line features shall be shown on the plat unless evaluation/documentation from DWQ is provided stating that the feature no longer exists on the site and, therefore, the buffer does not exist; and

(30) That all conditions of Z-45-06 & Z-15-07 are satisfied;

Prior to issuance of building permits in the Inspections Department:

(31) That an application for an encroachment agreement for landscaping located within the public right-of-way, as indicated on the preliminary plan, is submitted to the City's Encroachment Coordinator in the Inspections Department for review;

(32) That all conditions of Z-45-06 & Z-15-07 are satisfied;

I hereby certify this administrative decision.

Signed: (Planning Dir.) Mitchell Silver (C. Mayo) Date: 9-17-08

Staff Coordinator: Jacque Baker

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

FINDINGS: City Administration finds that this request, with the above conditions being met, conforms to Chapter 2, Part 10, Sections 10-2017 Chapter 3, Part 10, Sections 10-3001-3071-3074. This approval is based on a preliminary plan dated 6-2-08, owned by Buffaloe Park LLC, submitted by Priest, Craven & Associates, Inc.

ADDITIONAL NOTES: The City of Raleigh Parks and Recreation Department along with Buffaloe Park LLC has agreed upon a purchase contract for the lot located to the north (DB11105 PG 1345) that satisfies condition of zoning case Z-45-06 item E. City Council voted and approved the acquisition of 49.27-acres on 5/6/08.
The required "public safety lot" #710 as shown on the preliminary plan will be recorded and dedicated in phase1. This is a requirement of Z-45-06 and Z-15-07 zoning conditions. The Public Safety center will be dedicated in Phase I.

Future subdivision or site plan submittal for lot # 711 will require Planning Commission review per Z-45-06 zoning conditions.

CLUSTER STANDARDS:

ZONING DISTRICTS: Z-45-06 Ordinance 138ZC597 Effective 12/5/06

Z-45-06 – Buffaloe Road on the north side of Buffaloe Road, northeast of its intersection with Old Crews Road being Wake County PIN's 1756 45 3718, 1756 42 6112, 1756 30 9558, 1756 42 1190, and 1756 41 0428. Approximately 359 acres rezoned to Residential-4 Conditional Use.

Conditions: 11/28/06

a) Although all uses permitted in R-4 shall be permitted on the property, any residential development of the property shall include recreational facilities. These recreational facilities shall include a clubhouse of not less than 1,000 square feet, and at least two of the following: swimming pool, tennis court, playground, and ball field.

b) Residential density for the development of this Property shall be limited to no more than three (3) dwelling units per acre or 850 dwelling units, whichever is less.

c) Unless water is already available to the Property at the time of its development, subject to the city's customary joint venture/reimbursement policies, owner will extend water from its closest point then existing in Buffaloe Road to the Property's frontage along Buffaloe Road. Such extension shall be completed prior to issuance of any certificate of occupancy on the subject Property.

d) Unless gravity sanitary sewer is already available to the Property at the time of its development, subject to the city's customary joint venture/reimbursement policies, owner will

extend gravity sanitary sewer from its closest point then existing along Harris Creek Tributary to the Property. Such extension shall be completed prior to issuance of any certificate of occupancy on the subject Property.

e) If requested by the city, during site plan or subdivision approval, which ever first occurs, owner shall dedicate to the city a 2 to 3-acre site, the location of which to be mutually agreed upon, for a fire/public safety station, and to city or county a 7 ½ acre site, the location of which to be mutually agreed upon, for the city to use as a park or for the county to use as part of a future school site, or both. If requested by the city or county, owner shall reserve for a period of two (2) years from the adoption of this rezoning an additional 12 ½ acres adjacent to the aforementioned 7 ½ acre site for purchase by the city or county, or both.

f.) If requested by the city, during site plan or subdivision approval, whichever first occurs, owner shall dedicate to the city a 50-foot greenway easement along Harris Creek Tributary A, Branch 1.

g) Vehicular access onto Buffaloe Road shall be limited to no more than two (2) access points, and vehicular access onto Watkins Road shall be limited to no more than one (1) access point. Each access point may be median-divided. Notwithstanding the foregoing, any access point onto either road for the benefit of properties dedicated to the City as provided in Paragraph (e) above, shall be in addition to the limitation on access points stated herein.

h) Exclusive of the land dedicated to the city, as set forth in Paragraph (e) above, no less than twenty percent (20%) of the Property shall be open space as referenced in Section 10-3073.

i) If requested by the City, at site plan or subdivision approval (whichever first occurs), offers of cross-access or public street stub outs shall be provided to the following landlocked parcels: PIN: 1756118132 (F.E. Crews, DB1807 PG435) and PIN 1756352770 (N.L. Jones, DB'1337 PG604).

j) To achieve a suitable transition to surrounding properties, open space areas having a 50-foot average, (12.5-foot minimum, 75-foot maximum) width shall be provided between recorded buildable lots and the common boundary lines of the following adjoining properties: PIN: 1756369833 (C.B. Murray, Est. 2003-E-531), PIN: 1756462747 (D.A. Broughton, Est. 2003-E-531), PIN: 1756459510 (H.A. Mansour, DB2164 PG141), PIN:1756459024 (D.W. Auteri, DB5602 PG560), PIN: 1756551094 (HE. Stone, DB9470 PG1281), PIN: 1756542223 and 1756548100 (C.E. Murray, DB3695 PG16O & DB3695 PG158), PIN: 1756724749 (B.N. Perry, DB2973 PG460), PIN: 1756615651 (C.A. Smith. DB10820 PG2706) PIN: 1756619167 (J.F. Pulley, DB9480 PG1590), PIN: 1756508780 (C.M. Cates, DB2730 PG834), PIN: 1756502687 (D.L. Reynolds, DB9799 PG1420), PIN: 1756207225 (E.M. Puryear, DB6388 PG202), PIN: 1756202272 (A.W. Puryear, 7368 PG935), PIN: 1756118132 (F.E. Crews, DB1807 PG435), PIN: 1756116852 (C.E. Crews, DB7499 PG748), PIN: 1756127185 (C.T. Crews, DB3704 PG375), PIN: 1756220506 (C.M. Hodge, DB3704 PG377) PIN: 1756151475 (M.T. Gill. DB11792 PG235), and PIN: 1756352770 (N.L. Jones, DB1337 PG604). The open space can be wider than 75 feet; however, only the maximum of 75 feet may be used to calculate the 50-foot average requirement. The open space areas may include public or private greenways.

k) Any subdivision, plot plan or site plan within 400 feet of Buffaloe Road shall be reviewed by the Planning Commission.

ZONING DISTRICTS;

Z-15-07 Ordinance (2007) 275ZC607 Effective 8/7/2007

Z-15-07 – Buffaloe Road on the north side of Buffaloe Road, east of the intersection with Old Crews Roads, being Wake County PIN's 1756309588 and 1756421227. Approximately 27.41 acres rezoned to Shopping Center Conditional Use.

Conditions: 07/19/07

A. If, at the time of the Property's development (site plan or plat plan), the Comprehensive Plan's designation of the Property is for something less intense than Neighborhood Center, then not more than 70,000 square feet floor area gross of retail uses shall be permitted. Any single retail establishment shall be limited to not more than 50,000 square feet floor area gross. (The term "retail" shall refer to that definition found in Part 10, Chapter 8 of the City Code of Ordinances.) That within ninety (90) days following the adoption of this zoning ordinance, a restrictive covenant allocating the allowed floor area gross of retail uses shall be prepared and recorded with the Wake County Register of Deeds; the City Attorney shall approve this covenant prior to its recordation.

B. Reimbursement for any future right-of-way dedication for Buffaloe Road shall be based upon the pre-existing zoning, Residential-4 CUD.

C. Vehicular access onto Buffaloe Road shall be limited to no more than three (3) access points, of which no more than two (2) shall be full access. Each access point may be median-divided. Notwithstanding the foregoing, any access point onto Buffaloe Road for the benefit of properties dedicated to the City as provided in Paragraph (e) below, shall be in addition to the limitation on access points stated herein.

D. Architectural detailing, including the articulation of building facades (building sides fronting public or private pedestrian streets), use of stone and/or other masonry materials (at least 15%), and incorporation of fenestration, awnings, balconies and or other such details, (at least 15%) into the development of the property to provide high level of interest at street level. Exterior building walls facing internal pedestrian streets (public or private) shall comply with Section 10-2055(e)(7).

E. If requested by the city, during site plan or subdivision approval, which ever first occurs, owner shall dedicate to the city a 2 to 3-acre site, the location of which to be mutually agreed upon for fire/public safety station. This condition (e) shall be read in conjunction with, and not in addition to, the similar condition (e) in Z-45-06 applicable to the parent tract, such that only one such dedication be required of the Rivertowne property.

F. Unless water is already available to the Property at the time of its development, subject to the city's customary joint venture/reimbursement policies, owner will extend water from its closest point then existing in Buffaloe Road to the Property's frontage along Buffaloe Road. Such extension shall be completed prior to issuance of any certificate of occupancy on the subject Property. Nothing herein shall limit application of the City's utility extension requirements through the Property upon development of the Property.

G. Unless gravity sewer is already available to the Property at the time of its development, the Property will be sewered in accordance with City of Raleigh Public Utilities Department policy, either by a lift station and force main to the ridge line to the north of the property, and then by a gravity sewer extension made by the owner, from the closest point then existing along Harris Creek Tributary to the property, subject to the City's customary joint venture/reimbursement policies; or to the south by a gravity sewer

extension made by the owner, from the closest point then existing along Beaverdam Creek to the Property, subject to the City's customary joint venture/reimbursement policies. Either such extension shall be completed prior to the issuance of any certificate of occupancy on the subject property. Nothing herein shall limit application of the City's utility extension requirements through the Property upon development of the Property.

H. Any ground signage will be limited to medium profile or low profile signage.

I. The following uses otherwise allowed in the Shopping Center shall not be permitted:

i. Adult establishments
ii. Bar, nightclub tavern, lounge, not associated with a restaurant (as defined in NCGS § 10B-00(l000(6));
iii. Cemetery
iv. Funeral Home
v. Veterinary hospital, kennel, cattery
vi. Airfield, landing strip
vii. Correctional/penal facility (Governmental)
viii. Outdoor stadium, outdoor theater, outdoor racetrack with more than two hundred and fifty (250) seats; outdoor movie theatre.

J. The streetyard along Buffaloe Road shall be a minimum width of 15 feet.

K. No off-street parking shall be permitted between commercial buildings and any public streets, excepting Buffaloe Road or as may be necessary for a public fire safety facility.

L. If requested by the City, at site plan or subdivision approval (whichever first occurs), offers of cross-access or public street stub outs shall be provided to the following parcels: PIN 1756 20 7225 (Elvin M Puryear DB: 6388, PG: 202) and PIN 1756 50 2687 (David L. Reynolds DB: 9799, PG: 1420).

DEVELOPMENT DENSITY: The proposed plan contains 709 single-family units and 2-non single family (public safety lot # 710 and lot # 711 future commercial sites) lots for a total of 711 lots.

PHASING: There are 14 phases in this development. Phases 1-14 are being approved now. Final phasing will be approved at the time of construction drawing approval. The overall density and open space for existing phases approved to date collectively conform to the zoning district. The first phase in this development is 21.04 acres and does not require restrictive covenants to be placed on the remainder of the cluster in accordance with 10-3071(b)(9)b. Tree conservation area is required to be recorded to meet 10% per phase per code section 10-2082.14.

LOTS / SETBACK: The minimum lot size allowed this cluster is 6, 534 square feet. The aggregate side yard setback is 15'. There shall be no less than 5' of side yard setback on any lot in this development. A perimeter protective yard is not required as the perimeter yard is dedicated as open space as shown on the preliminary plan per Z-45-06 zoning conditions.

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.

OPEN SPACE: Open space conforms to minimum requirements in Raleigh City Code Section 10-2103(d). 10% or 28.57 acres required, 36% or 102.81 acres provided. Open space quotient required = 75, provided = 238.5. Open space meets the standards for topography (a maximum average slope of 8% for the lesser of 1/3 or two acres of the required open space). The subdivision is not divided by a thoroughfare. A recreation center with pool and all requirements of Z-45-06 zoning conditions; located on Open space lot #8; 10.51-acres in size.

LANDSCAPING: Street yard landscaping in conformity with Section 10-2082.5 is shown; a 15' street tree yard is required along Buffaloe Road.

TREE CONSERVATION: A total of 30.903-acres or 10% is being provided for the entire cluster.

COMPREHENSIVE PLAN:

GREENWAY: There is greenway on this site and is required to be dedicated; approximately 32.55-acres as required in Z-45-06 item F.

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

Street	ROW	Construct	Slope Esmt.
Buffaloe Road	29' taper to 17'	½ of a 65' b/b with turn lanes	N/A

Additional right-of-way to be dedicated is reimbursable under the facility fees program at Residential-4 value per Z-15-07 item B. Pavement for the taper is not eligible for reimbursement.

TRANSIT: No transit-oriented features are incorporated into the proposed plan. The City's Transit Technician determined there was not a need for any improvements at this location.

URBAN FORM: This site is located in the Northeast Planning District, in an area designated a residential area.

SUBDIVISION 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: Refuse collection is to be provided based on the standards in the Solid Waste Manual.

CIRCULATION: Proposed street improvements shall conform to 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. Stormwater nitrogen reduction and stormwater runoff control are required for this subdivision by City Code Part 10 Chapter 9. Retention / detention facilities are not shown on the preliminary plat.

PAYMENT TO NCDENR

This project has chosen to offset a portion of nitrogen load limitations by paying monies to the North Carolina Department of Environment and Natural Resources fund. [10-9022(c)].

RIPARIAN BUFFER DISTURBANCE

The developer proposes to disturb a designated riparian buffer for the purpose of public right of way, the North Carolina Division of Water Quality shall approve the disturbance of the riparian buffer and evidence of such approval shall be provided to the Conservation Engineer in the Public Works Department.

SHARED FACILITIES / LEGAL DOCUMENTS/ AGREEMENTS

Cluster - This development is a cluster unit development and contains shared stormwater control measures to be owned by a property owners' association. Legal documents shall be prepared in accordance with Raleigh City Code sections 10-3071 to 10-3073. In addition, a Maintenance Covenant shall be prepared and recorded in accordance with Section 10-9027.

Replacement - A "Stormwater Replacement Easement and Access Maintenance Agreement and Replacement Contribution" (Installment or Lump Sum payment version form, as required by Section 10-9027(c), shall be completed between the developer, the property owners' association and the City, recorded, and returned to the Conservation Engineer within 14 days of recording.

WETLANDS / RIPARIAN BUFFERS: Wetlands and Neuse River riparian buffers are required on this site.

STREET NAMES: Approximately 34 new street names are required for this development. A street name application has not yet been approved. All proposed names must be approved by the City and by Wake County prior to recording.

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.

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: 9/17/2011
Record at least ½ of the land area approved.

5-Year Sunset Date: 9/17/2013
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.