LOCATION: This 13.74 acre site is zoned CX-4-CU and is located at the southeast corner of the intersection of Sumner Blvd. and Triangle Town Blvd, at 4000 and 4060 Sumner Blvd. This is Lot 2 of recently recorded subdivision case SUB-0055-2019 recorded in BM 2021 page 0531 in the Wake County registry.

REQUEST: This is a 305 unit multi-family residential apartment complex consisting of three apartment buildings and four garages of approximately 371,740 square feet total.

One Variance has been granted by the Board of Adjustment for this project, noted below.

1. BOA-0053-2020, Complete relief from the ground floor elevation requirement (3.2.4 F 1).

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: N/A

FINDINGS: City Administration finds that this request, with the below conditions of approval being met, conforms to the Unified Development Ordinance. This approval is based on a preliminary plan dated February 24, 2021 by Capital Land Investment Co.

CONDITIONS OF APPROVAL and NEXT STEPS:

This document must be applied to the second sheet of all future submittals except for final plats. This is a preliminary plan and as such no permits have been issued with this approval. To obtain permits and/or completion of the project, the following steps are required:

☐ SITE PERMITTING REVIEW - For land disturbance of 12,000 square feet or greater, public or private infrastructure, shared stormwater devices, etc. Site Permitting Review may be submitted upon receipt of this signed approval document.

The following items are required prior to approval of Site Permitting Review plans:

General

1. Transit Stop location - That the final transit stop location and infrastructure is approved by the Transit Planner prior to approval of the SPR.

Engineering

2. That the existing right-of-way at Sumner Boulevard and Triangle Town Boulevard is abandoned and a resolution number shown on all plats.

Public Utilities

3. A Downstream Sewer Capacity Study in compliance with the City of Raleigh Public Utilities Department Handbook shall be submitted by the Project Engineer for review and approval.

Stormwater
4. A stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved (UDO 9.2).

5. The State of North Carolina shall approve any proposed disturbance within the riparian buffer prior to the issuance of any grading or site permit (UDO 9.2.3.E).

6. A nitrogen offset payment must be made to a qualifying mitigation bank (UDO 9.2.2.B).

7. A surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City (UDO 9.4.4).

Urban Forestry

8. Tree protection fence must be inspected by Urban Forestry staff prior to the issuance of a grading permit.

☑️ RECORDED MAP(S) - Submit plat to record new property lines, easements, tree conservation areas, etc.). Plats may be submitted for review when the Site Permitting Review plans, if required, have been deemed ready for mylar signature.

The following items must be approved prior to recording the plat:

General

1. The City Code Covenant shall be approved by the City and recorded with the county register of deeds office where the property is located and a copy of the recorded document shall be provided to the City by the end of the next business day following the recordation of the final plat. Further recordings and building permits will be withheld if the recorded document is not provided to the City.

Engineering

2. A sight distance easement shall be approved by the Transportation Department for recording in the Wake County Registry and shown on a plat approved for recordation.

Stormwater

3. The riparian buffers, in accordance with the preliminary plan and the State of North Carolina regulations, shall be shown on plats for recording along with required buffer statement (Recorded Map Checklist).

4. A surety equal to 125% of the cost of the construction of a stormwater device shall be paid to the Engineering Services Department (UDO 9.2.2.D.1.d).

5. The City form document entitled Declaration of Maintenance Covenant and Grant of Protection Easement for Stormwater Control Facilities shall be approved by the City and recorded with the county register of deeds office (UDO 9.2.2.G).
6. A payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans shall be paid by the developer to the City stormwater facility replacement fund (UDO 9.2.2.G.3).

7. 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 (UDO 9.2).

☑️ **BUILDING PERMITS** - For buildings and structures shown on the approved plans. Commercial building permit plans must include the signed, approved Site Permitting Review plans attached, if applicable. Permit sets may be reviewed prior to the recordation of required plats, but cannot be approved.

*The following items must be approved prior to the issuance of building permits:*

**General**

1. Street names for this development shall be approved by the Raleigh GIS Division and by Wake County.

**Engineering**

2. A fee-in-lieu for Transit Stop and amenities shall be paid to the City of Raleigh (UDO 8.1.10).

**Public Utilities**

3. A plat must be recorded at the Wake County Register of Deeds office for all utility easement dedications.

**Stormwater**

4. Impervious restrictions for each lot must be recorded on a plat prior to building permit issuance.

**Urban Forestry**

5. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 16 street trees along Sumner Boulevard and 6 street trees along Triangle Oaks Drive.

6. A tree conservation plat shall be recorded with metes and bounds showing the designated tree conservation areas (UDO 9.1).

*The following are required prior to issuance of building occupancy permit:*

**Stormwater**
1. As-built drawings and associated forms for all Stormwater devices are accepted by the Engineering Services Department (UDO 9.2.2.D.3).

EXPIRATION DATES: The expiration provisions of UDO Section 10.2.8 E, including the ability to request extensions in the expiration date, apply to this site plan. If significant construction has not taken place on a project after administrative site review approval, that approval may expire and be declared void, requiring re-approval before permits may be issued. To avoid allowing this plan approval to expire the following must take place by the following dates:

3-Year Expiration Date: July 21, 2024
Obtain a valid building permit for the total area of the project, or a phase of the project.

4-Year Completion Date:
Within four years after issuance of the first building permit for the site plan, the construction of the entire site plan must be completed unless an applicant has been granted vested rights. Failure to complete construction within this specified time frame shall automatically void the approved site plan for which no building permits have been issued.

I hereby certify this administrative decision.

Signed: Alycia Bailey Taylor  Date: 03/24/2021
Development Services Dir/Designee

Staff Coordinator: Michael Walters