LOCATION: This 32.4 acre site, zoned CX-3-CU (Z-25-96) and CX-3-PK-CU (Z-25-96) is located at the northeast corner of the intersection of Rock Quarry Road and Sunnybrook Road at 2301 Sunnybrook Road.

REQUEST: This is a 360 unit multi-family apartment complex with multiple buildings, a clubhouse and pool and associated infrastructure.

- DA-0017-2021 allows for a multi-use path in lieu of a bike lane
- BOA-0042-2021 allows a residential development pool to exceed a linear dimension of 65’ and/or 4000 square feet.
- The site will utilize TC-19-19 for ground floor elevation compliance.

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 October 13, 2021 by KIMLEY HORN.

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. Construction drawings shall show the construction of the center median in conjunction with the adjacent project (ASR-0015-2021).

2. Provide a will serve letter regarding solid waste services. Solid waste contact information - E-mail: swscodesompliance@raleighnc.gov, Phone #: 919-996-3245

Engineering

3. Required NCDOT encroachment and/or driveway permits must be approved and copies provided to Development Services – Development Engineering prior to concurrent review approval.

Stormwater

4. 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).
5. A nitrogen offset payment must be made to a qualifying mitigation bank (UDO 9.2.2.B).

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

7. A surety equal to or 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.

9. Submit a final tree conservation plan that includes metes and bounds descriptions of all tree conservation areas and tree protection fencing as required (UDO 9.1.5).

**LEGAL DOCUMENTS** - Email to legaldocumentreview@raleighnc.gov. Legal documents must be approved, executed, and recorded prior to or in conjunction with the recorded plat on which the associated easements are shown. Copies of recorded documents must be returned to the City within one business day of recording to avoid withholding of further permit issuance.

**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:

**Public Utilities**

1. Infrastructure Construction Plans (concurrent submittal) must be approved by the City of Raleigh Public Utilities Department for all public water, public sewer and/or private sewer extensions.

**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. A recombination map shall be recorded recombining the existing lots into a single tract.

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

3. The required right of way for proposed and/or existing streets shall be dedicated to the City of Raleigh and is shown on a plat approved for recordation.

4. A 5’ utility placement easement and associated deed of easement shall be approved by the City and the location of the easement shall be shown on the map approved for recordation. The deed of easement shall be recorded at Wake County Register of Deeds within one day of recordation of the recorded plat. A recorded copy of this document must be provided to the Development Services Department within one day from authorization of lot recordation. If a recorded copy of the document is not provided within this time, further recordings and building permit issuance will be withheld.

5. A public infrastructure surety shall be provided to the City of Raleigh Development Services – Development Engineering (UDO 8.1.3)in the amount of 100% of the improvement cost for the NCDOT portion and 125% of the improvement cost for the City of Raleigh infrastructure.

6. A sidewalk deed of easement for any public sidewalk on private property shall be approved by City staff, and the location of the easement shall be shown on the map approved for recordation. The deed of easement shall be recorded at Wake County Register of Deeds within one day of recordation of the plat. A recorded copy of this document shall be provided to the Development Services Department within one day from authorization of lot recordation. If a recorded copy of the document is not provided, further recordings and building permit issuance will be withheld.

Public Utilities

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

Stormwater

8. 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).

9. 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).

Urban Forestry

10. A tree conservation permit must be obtained for the planting of trees in areas of Zone 2 of Neuse River Riparian Buffers that do not contain trees. This development proposes 24 shade trees in areas that do not contain trees.

11. A tree conservation plat shall be recorded with metes and bounds showing the designated tree conservation areas (UDO 9.1). This development proposes 3.29 acres of tree conservation area.

The following are required prior to issuance of building occupancy permit:
Administrative Approval Action
Case File / Name: ASR-0043-2021
DSLC - The Villages at Sunnybrook

General

1. All Water, Sanitary Sewer and Reuse facilities shall be installed, inspected, tested and accepted by the City of Raleigh Public Utilities Department for operations and maintenance.

2. Final inspection of required plantings in areas of Zone 2 of Neuse River Riparian Buffers that do not contain trees (UDO 9.1.4.E.6) and final inspection of all tree conservation areas by Urban Forestry Staff.

Stormwater

3. 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: March 23, 2025
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
Development Services Dir/Designee

Date: 11/24/2021

Staff Coordinator: Michael Walters