LOCATION: This 4.66 acre site zoned CX-5-UL-CU is located at the southwestern corner of the intersection of Sumner Blvd. and Triangle Town Blvd at 3900 Sumner Blvd. This site is proposed Lot 2 of previously approved subdivision case SUB-S-55-18.

REQUEST: An affordable four story 120,034 square foot congregate care facility with amenity areas and associated infrastructure.

Variances have been approved by the Board of Adjustment for this project, noted below. *

1. For Block perimeter exceeding the maximum limit of 2500' (8.3.2 A) (A-70-2019)
2. Complete relief from the ground floor elevation, (3.2.4 F), Primary street facing entrance, Relief from side street build to. (3.4.7 C) (A-102-19)
* The site is in compliance with the 5th supplement of the UDO dated March 2018, with the submittal of SUB-S-55-2018.

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: SUB-S-55-2018: DSLC - Preliminary Subdivision/Preliminary Subdivision

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 July 26, 2022 by J DAVIS ARCHITECTS.

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. Approval and recordation of SUB-S-55-18 is required prior to SPR approval for this ASR plan.
2. Revise site plan sheet (LS1.1) labeling - See sheet LS1.1.
   a.) in regards to primary and side streets (meeting pre text change conditions in accordance with BOA approvals).
   b.) Under site data table - revise/clarify describing how side street build to (Sumner Blvd) is being met
   c.) Under site data table, note #3 at the bottom - Clarify description as to how side street (Sumner Blvd) build To is being met.
3. Floor plans showing first floor should demonstrate compliance to limited use requirement 6.2.2 C d and e showing food prep and manager facilities (30 SF/unit) - Show common food prep area and common dining room meeting minimum square footage. LABEL on plan.

Public Utilities

4. For structures being proposed directly adjacent to existing sanitary sewer easements, the engineer of record shall demonstrate through a sealed engineering report that the City will be able to safely excavate the easement to access, inspect, repair, and/or replace the existing pipe without diminishing the structural integrity of the structure being proposed. If this protection cannot be achieved due to depth of sewer installation or size of proposed structure, the engineer can propose structural reinforcement just outside the easement to provide the protection or provide additional separation between the structure and the easement to allow the City to maintain the existing sewer.

Stormwater

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

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

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

Urban Forestry

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

☑️ 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.

☐ Right of Way Deed of Easement Required
☐ Utility Placement Deed of Easement Required

☑️ 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:

Stormwater

1. 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).
2. 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).

3. 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).

4. 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).

5. 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).

**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:*

**Engineering**

1. A public street right-of-way deed of easement, in addition to a plat showing the location of the easement, shall be submitted to the Planning and Development Services Department for review, and if acceptable, approved for recordation. Approved plats must be recorded at the Wake County Register of Deeds Office on or before the 14th day following approval by the City. The 14-day expiration date shall be clearly indicated on the plat. By the end of the next business day following recordation of the plat, all required legal instruments (including deeds of easement) shall be recorded, and recorded copies of the plat and all legal instruments required by the City in association with development approval shall be provided to the City. (Reference: UDO 8.1.7.A; 10.2.5.F.4.d)

2. A public infrastructure surety shall be provided to City of Raleigh Transportation – Development Engineering Division (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.

3. A 5’ utility placement easement deed of easement, in addition to a plat showing the location of the easement, shall be submitted to the Planning and Development Services Department for review, and if acceptable, approved for recordation. Approved plats must be recorded at the Wake County Register of Deeds Office on or before the 14th day following approval by the City. The 14-day expiration date shall be clearly indicated on the plat. By the end of the next business day following recordation of the plat, all required legal instruments (including deeds of easement) shall be recorded, and recorded copies of the plat and all legal instruments required by the City in association with development approval shall be provided to the City. (Reference: UDO 8.1.7.A; 10.2.5.F.4.d)

**Public Utilities**
4. A plat must be recorded at the Wake County Register of Deeds office for all utility easement dedications.

**Urban Forestry**

5. A tree impact permit must be obtained for the approved streetscape tree installation in the rights of way. This development proposes 15 street trees along Triangle Ridge Road and 6 street trees along Sumner Boulevard for a total of 21 street trees.

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:**

**General**

1. The CO is contingent upon substantial completion of the portion of road needed to serve the building, meaning full unobstructed access that meets public safety and access requirements (everything except final lift of asphalt, street trees, and sidewalk). Public sidewalk for access to the building requesting CO would be required.

2. Final inspection of tree conservation areas and right of way street trees 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:** December 15, 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: Daniel L. Stagall
Development Services Dir/Designee

Date: 08/18/2022

Staff Coordinator: Michael Walters