LOCATION: This 45.13 acre site zoned R-10 CU (Z-7-18) is located on the northeast and southeast corners of the intersection of proposed Keyser Street and Rock Quarry Road at 5125 Rock Quarry Road and is part of the Olde Towne Subdivision. The development is to be on five lots of proposed subdivision S-21-2019 (Lots 6, 7, 8, 9, and 12) which has not been recorded at the time of this plan approval. The site is inside the City limits.

REQUEST: Fifteen apartment buildings containing 360 apartment units, an associated clubhouse, covered parking areas, parking lots, and amenity areas. The total gross floor area proposed in the buildings is 470,518 square feet. Three Design Alternates and one Special Use Permit have been approved by the Board of Adjustment for this project, noted below.

A-166-19, a Special Use Permit allowing the pool to exceed the maximum size standards of 6.7.3 G 5 of the UDO.
A-134-19, a design adjustment 2,500', a 9,500', and a 32,500' in order to meet the block perimeter requirement of 8.3.2 A of the UDO.
A-16-20, a design adjustment for relief of the street section requirements of 8.4.6 B. of the UDO.
A-17-20, a 2,165 design alternate to the 2500' block perimeter of the 45.13 acre property as per 8.3.2 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 September 1, 2020 by McAdams 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. All conditions of approval for subdivision S-0021-2019 shall be met and the lots for this proposed development shall be recorded in the Wake County Registry.

2. Confirmation that MASS grading for this section is complete (1.5.7) (MASS-0070-2019)

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

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

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 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

7. Submit a final tree conservation plan of the abandoned and replacement Tree Conservation area 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.

| Stormwater Maintenance Covenant Required | City Code Covenant Required |
| Public Access Easement Required          | Pedestrian and Bicycle Access 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:*

**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 public access easement over Tonoloway Drive shall be approved by the Development Services Department for recording in the Wake County Registry, and a copy of the recorded public access easement shall be returned to the Development Services Department within one day of plat recordation. If a recorded copy of the document is not provided within this time, further recordings and building permit issuance will be withheld.
3. A Pedestrian and Bicycle Access 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 this document is not provided, further recordings and building permit issuance will be withheld.

Public Utilities

4. 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.

Stormwater

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. The maximum allocated impervious area for all applicable lots in the subdivision should be identified on all maps for recording.

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. 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).

10. The flood prone areas, as approved by the City Stormwater Engineer and shown on the preliminary plan, shall be shown on the recorded map (UDO 9.3.3.G).

11. 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).

Urban Forestry

12. A public infrastructure surety for all street trees approved with SUB-S-21-2019 is provided to the City of Raleigh Development Services – Development Engineering program (UDO 8.1.3).

13. A tree conservation plat shall be recorded with metes and bounds showing the approved abandoned and replacement tree conservation areas (UDO 9.1). This development proposes .02 acres of replacement tree conservation area.
� 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. Comply with all applicable conditions of Z-7-18

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

Public Utilities

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

Stormwater

4. An encroachment agreement for Stormwater pipes within the public right-of-way shall be approved by City Council and the City Council approved encroachment agreement shall be filed with the Development Services Department, and the encroachment agreement shall be recorded with the Wake County Register of Deeds. A recorded copy of these documents must be provided to the Development Services Department.

Urban Forestry

5. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 82 street trees along Kasota Lane and 74 street trees along Keyser Street. Street trees were approved with SUB-S-21-2019.

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).

Urban Forestry

2. Final inspection of all tree conservation areas and right of way street trees by Urban Forestry Staff

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: October 29, 2023
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: 10/29/2020
Development Services Dir/Designee
Staff Coordinator: Michael Walters