Administrative Approval Action
Case File / Name: ASR-SR-112-2018
WALNUT TRACE APARTMENTS

LOCATION:
This 14.71 acre parcel is located on the west side of Rock Quarry Road between Cross Link Road and I-40, at 1800 Rock Quarry Road is zoned RX-3-CU, and is within a SHOD-1 overlay.

REQUEST:
A multi-family development consisting of six main buildings and 180 total units, a clubhouse, parking, and amenities. The total proposed building area will be 78,110 square feet of space. This project includes an associated subdivision, case SUB-66-2019, to create the proposed public street through the site and the resulting two lots to be used for this development.

Two Design Adjustments have been approved for this project, noted below.

1. Due to topographic, environmental and existing conditions as well as the presence of a controlled access highway adjacent to the project, a Design Adjustment has been approved providing relief from the block perimeter requirement (8.3). A-107-19
2. Allowance of an 18% variance in the 70% Build To requirement (3.2.4 d), complete relief from the 2' minimum ground floor requirement (3.2.4 f), and an 8' height variance in a proposed retaining wall. (7.2.6 D) A-108-19

DESIGN ADJUSTMENT(S)/ ALTERNATES, ETC:
SPR-0052-2020: DSLC - Site Permitting Review/Major [Signature Set]

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 10, 2019 by MATT LOWDER.

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:

Stormwater

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

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

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

Urban Forestry

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

6. 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).

7. A tree impact permit must be obtained for the removal of 7 existing trees in the right of way.

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.

| ☑️ Utility Placement Easement Required | ☑️ City Code Covenant Required |
| ☑️ Cross Access Agreements Required | ☑️ Sidewalk Easement Required |
| ☑️ Stormwater Maintenance Covenant 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 infrastructure surety is provided to the City of Raleigh Development Services – Development Engineering program (UDO 8.1.3).

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

4. A fee-in-lieu for 1’ of sidewalk along Poole Road is paid to the City of Raleigh (UDO 8.1.10).
5. A cross access agreement as shown on the preliminary plan shall be approved by the Development Services Department for recording in the Wake County Registry, and a copy of the recorded cross 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.

6. 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 these documents must be provided to the Development Services Department within one day from authorization of lot recordation. If recorded copies of the documents are not provided, further recordings and building permit issuance will be withheld.

Public Utilities

7. 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.

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

Stormwater

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. 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).

11. 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).

Urban Forestry

12. A tree conservation plat shall be recorded with metes and bounds showing the designated tree conservation areas (UDO 9.1). This development proposes 1.5118 acres of 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. A plat shall be recorded in the Wake County Register of Deeds showing all lots, right of way, and
 easements and meeting all conditions of approval of subdivision case SUB-86-2019.

Stormwater

2. 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).

3. 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).

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.

5. 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

6. A tree impact permit must be obtained for the approved streetscape tree installation in the right of
 way.

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

General

1. Final inspection of all tree conservation areas by Urban Forestry Staff.

Stormwater

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

3. As-built impervious survey is accepted by the Engineering Services Department (UDO 9.2).

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: February 4, 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: [Signature]  
Date: 02/05/2020

Development Services Dir/Designee

Staff Coordinator: Michael Walters