LOCATION: This 1.6 acre site is located at 3116 Tryon Road, west of the intersection of Trailwood Hills Drive on the north side of Tryon Road. It is outside the city limits.

REQUEST: Development of a 1.6 acre site zoned OX-3-CU (Z-52-02) and also within an SRPOD into an apartment building of 22,062 square feet size (16 units) with associated infrastructure. Hardship Variances and Design Adjustments have been approved by the City of Raleigh Board of Adjustment for this project, noted below. (BOA-130-2019)

a. Relief from the minimum Build To percentage allowing 40% of the building facade within the Build To area.
b. Complete relief from the cross access requirement (8.3.5 D)
c. A design adjustment allowing a reduced block perimeter (8.3.2 A)

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: SPR-0086-2020: 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 January 31, 2020 by TC ROCK QUARRY ROAD LLC.

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. Verification shall be provided of conformance with zoning condition #2 of Z-52-02, specifically with regard to the requirement for an average of twenty (20) feet natural protective yard located for tree preservation within the required streetyard. Verification shall include a survey locating all existing trees within the 25 feet average width streetyard referenced in the zoning condition. Tree protection measures to show conformance with the zoning condition shall be included in the plan set including any necessary changes to the grading, site, utility, and landscape plans.

Engineering

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

3. A right-of-way obstruction permit must be obtained from Right-of-way Services prior to the commencement of any construction activities within the right-of-way.
Administrative Approval Action
Case File / Name: ASR-SR-36-2019
TRYON FLATS APARTMENTS

Stormwater

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

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

Urban Forestry

7. Final approval of proposed right of way plantings is required. Current proposed species are on City of Raleigh "Do Not Plant" list.

☐ 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:

Engineering

1. A cross access agreement among the lots 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.

2. 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.

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.
Public Utilities

4. A Water and/or Sewer Assessment fee shall be paid to the Assessment Specialist in the City of Raleigh Engineering Services Department.

Transportation

5. A transit deed of easement shall be approved by City staff and the location of the easement shall be shown on a plat 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 recording. If a recorded copy of the document is not provided, further recordings and building permit issuance will be withheld.

Urban Forestry

6. A public infrastructure surety for 7 street trees is provided to the City of Raleigh Development Services – Development Engineering program (UDO 8.1.3).

☑ 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 conditions of Z-52-02.

Engineering

2. A fee-in-lieu for 1’ of sidewalk across the site frontage shall be paid to the City of Raleigh (UDO 8.1.10).

Public Utilities

3. A Petition for Annexation into the City limits shall be submitted in accordance with City Council policy for extension of utility service to properties currently outside of the City limits. This voluntary annexation in no way obligates the City to extend utility services to the property.

Stormwater

4. 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).

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).
6. 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

7. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 7 street trees along Tryon Rd.

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

General

1. Required public right-of-way infrastructure improvements shall be, at a minimum, sufficiently completed to provide the necessary, safe emergency and vehicular access.

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).

Urban Forestry

3. Final inspection of all 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: March 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: ___________________________ Date: 03/04/2020
Development Services Dir/Designee

Staff Coordinator: Daniel Stegall