Zoning: CX-3-PL  
CAC: Southwest  
Drainage Basin: Walnut Creek  
Acreage: 3.69  
Number of Lots: 9

Planner: Martha Lobo  
Phone: (919) 996-2664  
Applicant: Hubrich Contracting, Inc  
Phone: (919) 471-2895
REQUEST: Subdivision of a 3.352 acre site zoned CX-3-PL into a total of ten (10) lots. Of the ten (10) lots, eight (8) lots are for Townhomes, one (1) lot is to be Open Space/Common Area associated with the townhomes, and one (1) lot is for General Building Use.

LOCATION: This site is located on the north side of Chapanoke Road between S Wilmington Street and Ileagnes Road. Per Ordinance No. (2017) 712/Resolution (2017) 474, this property, effective June 6, 2017, has been annexed, and is now located inside the City limits.

DESIGN ADJUSTMENTS/ALTERNATES, ETC: Design adjustment for block perimeter has been approved by staff providing relief from additional improvements being constructed for this 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 24, 2017 /submitted by Horvath Associates.

CONDITIONS OF APPROVAL AND NEXT STEPS:

Note: This document must be applied to the second sheet of all future submittals with the exception of final plats.

Prior to issuance of a land disturbing permit for the site:

1. That in accordance with Part 10A Section 9.4.4, pay a surety equal to of the cost of clearing, grubbing and reseeding a site;

2. That a Tree Protection Fence will need to be in place, protecting the tree conservation areas and the existing street trees to remain;

Prior to the issuance of any site permits or approval of concurrent review process, whichever is applicable:

3. That a stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved by the Stormwater Engineer in compliance with Part 10A Chapter 9 of the Unified Development Ordinance, including the designation of buffer areas and open space areas for stormwater purposes prior to grading or the approval of construction drawings whichever event comes first;

4. A nitrogen offset payment must be made to a qualifying mitigation bank;

5. That a final tree conservation plan with permit be approved by the Forestry Specialist. The plan must show metes and bounds descriptions of all tree conservation areas, and tree protection fence around all tree conservation areas;
Prior to Planning Department authorization to record lots:

6. That the developer shall pay to the City a stormwater facility replacement fund payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans;

7. That 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 where the property is located and a copy of the recorded document be provided to the City by the end of the next business day following the recordation of the final plat; further recordings and building permit authorization will be withheld if the recorded document is not provided to the City;

8. That the City form document entitled Declaration of City of Raleigh Required City Code Provisions for Developments with Common Elements and Common Expenses 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 be provided to the City by the end of the next business day following the recordation of the final plat; further recordings and building permit authorization will be withheld if the recorded document is not provided to the City;

9. That 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 and the plats shall contain the following note: "All private storm drainage easements & stormwater measures will be maintained by the property owners association."

10. That the final subdivision map for recording include the following statement for all Permanently Preserved Undisturbed Open Space: "Areas identified as Permanently Preserved Undisturbed Open Space shall be maintained in perpetuity in their natural condition. No person or entity shall fill, grade, excavate, or perform any other land-disturbing activities; nor cut, remove, or harm any vegetation; nor construct any structures nor add any additional impervious surface, nor allow animal grazing or watering or any other agricultural use on such protected areas. This covenant is to run with the land, and shall be binding on the Owner, and all parties claiming under it."

11. That in accordance with Part 10A Section 9.2.2, a surety equal to 125% of the cost of the construction of a stormwater device is paid to the City;

12. That as shown on the preliminary plan a cross access and shared driveway easement among the proposed lots be approved by the Development Services Department for recording in the Wake County Registry, that the cross access easement be shown on the final subdivision map for recording, and that a copy of the recorded easement deed be returned to the City within 1 day of lot recording;

13. That infrastructure construction plans for public improvements must be approved through the concurrent review process. This includes obtaining stub permits, a tree impact permit and a street lighting plan, if applicable;
14. That a tree conservation map be recorded with metes and bound showing the designated Tree Conservation Areas in compliance with Chapter 9 of the Unified Development Ordinance;

15. That a fee-in-lieu for the street trees along the new right-of-way (on the east side of the property) be paid;

16. That a fee-in-lieu for the required pavement, sidewalk, curb and gutter for the proposed 4-lane divided avenue, along the east side of the property be paid;

17. That in accordance with Section 8.1.3, a surety equal to 125% of the cost of development related improvements, including streetscape trees on Ileagnes Road and Chapanoke Road, must be paid to the Development Services Department;

18. That a fee-in-lieu of construction for a 12” DIP waterline for the new dedicated right-of-way will be required;

19. That all proposed street right-of-way and general utility easements as shown on the preliminary plan be shown on the final subdivision map as dedications to the City of Raleigh;

Prior to issuance of building permits:

20. That prior to issuance of building permits for a site plan on proposed lot 10 a preliminary site plan shall be submitted for administrative site review and shall be approved;

21. That prior to issuance of building permits for a site plan on proposed lots 2 through 9, including a site plan for attached houses or townhouse buildings, a preliminary site plan shall be submitted for administrative site review and shall be approved;

Prior to issuance of building occupancy permit:

22. That in accordance with Part 10A Section 9.2.2, an as-built plan and certification of any stormwater control device shall be reviewed and accepted by the City prior to final stormwater inspection approval or certificate;

23. That a final inspection of required street trees by Urban Forestry staff is required;
SUNSET DATES: If significant construction has not taken place on a project after preliminary subdivision approval, that approval may "sunset" and be declared void, requiring re-approval before permits may be issued. To avoid allowing this preliminary approval to "sunset", the following must take place by the following dates:
The expiration provisions of UDO Section 10.2.5 E, including the ability to request extensions in the expiration date, apply to this subdivision plan. To avoid allowing this plan approval to expire, the following must take place by the following dates:

3-Year Sunset Date: 8-29-2020
Record at least ½ of the land area approved.

5-Year Sunset Date: 8-29-2022
Record entire subdivision.

I hereby certify this administrative decision.

Signed: (Planning Director) Kenneth Bowen Date: 8/29/2017

Staff Coordinator: Martha Y Lobo