Administrative Approval Action
Case File / Name: SUB-S-46-2017
DLC - East II North Hills

LOCATION: The 33.58 acre site zoned PD (MP-3-16) is located on the south side of St. Albans Drive and north side of I-440 east of Church at North Hills Street, inside the city limits.

REQUEST: This is a REVISION to a previously approved thirteen lot subdivision as well as a SUNSET EXTENSION. The original approval was on October 25, 2017 with a 3-year sunset date of March 25, 2021. With approval of this revision and sunset extension the new sunset date is April 22, 2024 per UDO Section 10.2.5.E.7.c. This subdivision of 33.58 acres is zoned Planned Development (North Hills East PD, MP-3-16). There are five phases in this development plan. Reference original approval Case File / Name: S-46-17, North Hills East II, Transaction# 521956.

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: RCMP-538309-S-46-2017-RA040646-12954: DSLC - Recorded Maps/Subdivision
RCMP-0163-2019: DSLC - Recorded Maps/Boundary Survey - Major
SPR-0013-2020: DSLC - Site Permitting Review/Major [Signature Set]
RCMP-0172-2020: DSLC - Recorded Maps/Boundary Survey - Major
RCMP-0009-2021: DSLC - Recorded Maps/Subdivision
RCMP-0058-2021: DSLC - Recorded Maps/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 March 24, 2021 by McAdams.

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:

☑ 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:

General

1. Revise the existing SPR to demonstrate the approved revisions to this subdivision

Engineering
2. A public infrastructure surety for 124 right of way trees is provided to the City of Raleigh Development Services – Development Engineering program (UDO 8.1.3).

3. A public infrastructure surety is provided to the City of Raleigh Development Services – Development Engineering program (UDO 8.1.3).

4. 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.

Transportation

5. A transit easement meeting City of Raleigh standards shall be provided along eastbound St. Alban’s Drive east of the intersection at Church at North Hills Street. The final location of the easement shall be determined at the time of site review. The transit easement shall be improved per City of Raleigh standards. The 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 tree conservation plat shall be recorded with metes and bounds showing the designated tree conservation areas (UDO 9.1). This development proposes 2.75 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:

Urban Forestry

1. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 42 street trees along St Albans Drive, 50 street trees along Church at North Hills Street and 32 street trees along Hardimon Road.

EXPIRATION 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:

3-Year Sunset Date: April 22, 2024

Record entire subdivision
I hereby certify this administrative decision.

Signed: Alyvia Bailey Taylor

Development Services Dir/Designee

Date: 04/22/2021

Staff Coordinator: Michael Walters
Zoning: PD
CAC: Midtown
Drainage Basin: Big Branch
Acreage: 33.58
Number of Lots: 2

Planner: Justin Rametta
Phone: (919) 996-2665
Applicant: North Hills East Master Development
Phone: (919) 719-5438
Administrative Approval Action
Case File / Name: S-46-17, North Hills East II
Transaction# 521956

LOCATION: The site is located on the south side of St. Albans Drive and north side of I-440 east of Church at North Hills Street, inside the city limits.

REQUEST: Subdivision and recombination of two tracts totaling 33.58 acres into thirteen lots zoned Planned Development (North Hills East PD).

DESIGN ADJUSTMENT(S)/ ALTERNATES, ETC: N/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 submitted by McAdams.

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 THE ISSUANCE OF ANY SITE PERMITS OR APPROVAL OF CONCURRENT REVIEW PROCESS, WHICHEVER IS APPLICABLE:

STORMWATER
1. The State of North Carolina shall approve any proposed disturbance within the riparian buffer prior to the issuance of a mass grading permit or other site permit, whichever comes first.

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

3. **Next Step:** 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.

**Next Step:** In accordance with Part 10A Section 9.4.4 of the Unified Development Ordinance, a surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City.

URBAN FORESTRY
4. Obtain required stub and tree impact permits from the City of Raleigh.

5. **Next Step:** Prior to the issuance of a mass grading permit or other site permit, whichever comes first, submit a final tree conservation plan with a permit approved by Urban Forestry staff that includes metes and bounds descriptions of all tree conservation areas and tree protection fencing as required.

6. **Next Step:** Tree protection fence must be located in the field and inspected by Urban Forestry staff prior to the issuance of a mass grading permit or other site permit, whichever comes first.

PRIOR TO AUTHORIZATION TO RECORD LOTS:

GENERAL
1. 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 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 permit authorization will be withheld if the recorded document is not provided to the City.

2. The greenway easement as shown on the preliminary plan shall be dedicated prior to, or in conjunction with the recording of a map in any phase affected by the greenway.

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

4. That all applicable requirements of Z-28-16 are adhered to;

5. Next Step: Concurrent Review Plans for public infrastructure and site grading shall be approved by the City of Raleigh, including obtaining stub permits, tree impact permit and a street lighting plan, if applicable.

ENGINEERING
6. 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.

7. Next Step: In accordance with Part 10A Section 8.1.3, a public infrastructure surety is provided to the City of Raleigh Development Services – Development Engineering program.

PUBLIC UTILITIES
8. 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
9. Next Step: 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.

10. Next Step: The flood prone areas, as approved by the City Stormwater Engineer and shown on the preliminary plan, shall be shown on the recorded map.

11. Next Step: 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.
12. **Next Step:** 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.

13. **Next Step:** 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 a note stating: "The areas shown on the recorded plat identified as Neuse River Riparian Buffer shall be maintained in their natural or mitigated 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 water or any other agricultural use on such protected areas without written authorization from the state of North Carolina in accordance with the Riparian Buffer Protection Rules (15A NCAC 2B.0233 or .0259)."

14. **Next Step:** In accordance with Part 10A Section 9.2.2, a surety equal to 125% of the cost of the construction of a stormwater device shall be paid to the Engineering Services Department;

15. That in accordance with Part 10A Section 8.1.10, a fee-in-lieu for the stream crossing and extension of Church at North Hills Street to the property line is paid to the City of Raleigh;

**URBAN FORESTRY**

16. **Next Step:** A tree conservation map in compliance with Chapter 9 of the Unified Development Ordinance shall be recorded with metes and bound showing the designated Tree Conservation Areas.

Prior to Issuance of a certificate of occupancy:

17. As-built plans and certification for any stormwater control device shall be reviewed and accepted.

**EXPIRATION 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:

3-Year Sunset Date: 10/25/2020
Record at least ½ of the land area approved.

5-Year Sunset Date: 10/25/2022
Record entire subdivision.

I hereby certify this administrative decision.

**Signed:** (Planning Dir./Designee) ___________________________ Date: 10/25/17

Staff Coordinator: Justin Rametta