LOCATION: This site is located on the west side of Capital Boulevard (US 1) west of Ponderosa Service Rd at 10807, 10809, 10813 & 10815 Ponderosa Service Rd, Raleigh, NC 27587.

REQUEST: Development of a 17.39 acre /757,508 square feet tract zoned Residential-10 for Townhomes. The site has zoning conditions under Z-18-19 and located within the Urban Watershed Protection Overlay District. There will be 94,503 square feet /2.17 acres of right-of-way dedicated leaving a net area of 663,005 square feet /15.22 acres. The proposed development consists of 108 overall lots, 96 multi-unit townhomes with 12 common Area Lots. Density for the proposed subdivision is 5.52 dwelling units per acre.

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 dated by WithersRavenel.

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:

leaders 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. Demonstrate compliance with UDO Section 2.2.3.E and revise the required width in the build-to calculation along Zelda Street or "Street C". Applicant may explore Section 11 of TC-19-19 which amended the build-to requirement in UDO Section 2.2.3.E.

2. Demonstrate compliance with the Raleigh Street Design Manual, specifically B-20.01 regarding spacing for bicycle racks.

Engineering

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

Public Utilities

4. A deed shall be recorded prior to concurrent approval for all necessary offsite City of Raleigh Sanitary Sewer Easements to accommodate future sewer line construction.
Stormwater

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).

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

Urban Forestry

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

9. 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).

☑️ 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.

☐ Slope Easement Required
☐ Stormwater Maintenance Covenant Required
☐ Utility Placement 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. A demolition permit shall be issued and this building permit number shown on all maps for recording.

2. 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.

3. A recombination plat is recorded prior to or in conjunction of the lot recordation for the subdivision plat, SUB-0002-2020.

4. Street names for this development shall be approved by the Raleigh GIS Division and by Wake County.
5. A deed for a cross access easement encroachment shall be submitted and approved for recordation for all retaining walls.

Engineering

6. A fee-in-lieu for all improvements along the frontage on Ponderosa Service Road that are not going to be constructed after approval of NCDOT plans and permits is paid to the City of Raleigh (UDO 8.1.10).

7. 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.

8. A Slope easement 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 these documents 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.

9. 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.

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

11. A public infrastructure surety for 63 street trees is provided to the City of Raleigh Development Services – Development Engineering program (UDO 8.1.3).

Public Utilities

12. 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

13. 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 9.2.2.0.G.3).

14. 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).

15. The maximum allocated impervious area for all applicable lots in the subdivision should be identified on all maps for recording.
16. 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).

17. 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).

18. 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).

19. 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).

20. If demolition causes a land disturbance of more than 12,000 sf, a mass grading permit will be required. (UDO 9.4.6)

**Urban Forestry**

21. A tree conservation plat shall be recorded with metes and bounds showing the designated tree conservation areas and UWPOD areas (UDO 9.1). This development proposes 2 acres of tree conservation area and 5.84 acres of UWPOD Wooded Areas.

• **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 recombination map shall be recorded prior to or in conjunction with the recording of lots, recombing the existing lot into a single tract.

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

3. Townhome elevations shall demonstrate compliance with UDO Section 2.2.3.F and UDO Section 1.5.7.A as amended by TC-4-20.

**Public Utilities**

4. A plat must be recorded at the Wake County Register of Deeds office for all utility easement dedications, right of way dedications, and subdivisions.

**Urban Forestry**
5. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 9 street trees along Zelda Street, 9 street trees along Fishing Pond Lane, 45 street trees along Brookside Reserve Road.

6. A tree conservation plat shall be recorded with metes and bounds showing the designated tree conservation areas (UDO 9.1).

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

General

1. Final inspection of all tree conservation areas and right of way street trees 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).

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: October 26, 2024
Record at least ⅔ of the land area approved.

5-Year Sunset Date: October 26, 2026
Record entire subdivision.

I hereby certify this administrative decision.

Signed: ____________________________ Date: 06/29/2021
Alycia Bailey Taylor
Development Services Dir/Designee

Staff Coordinator: Jermont Purifoy