



Administrative Approval Action

Case File / Name: SUB-0012-2021
DSLCL - City Gateway Subdivision

City of Raleigh
Development Services Department
One Exchange Plaza
Raleigh, NC 27602
(919) 996-2492
currentplanning@raleighnc.gov
www.raleighnc.gov

LOCATION: This 6.03 acre parcel zoned DX-20 can be found at the end of Kindley Street just north of Martin Luther King Jr. Blvd at 120 Kindley Street.

REQUEST: This is a four lot conventional subdivision with associated infrastructure. This is a revision to the previously approved plan, the revision being the removal with conditions of all tree conservation area (TCA) per a variance granted after the fact (BOA-0048-2021).

(BOA-0048-2021) - approved 10/13/21 - removal with conditions of all TCA as per a variance granted after the fact.

This plan was originally approved on 9/1/21. The sunset date for this plan is unchanged with approval of this revision.

DESIGN

ADJUSTMENT(S)/

ALTERNATES, ETC: ASR-0020-2021: DSLCL - Administrative Site Review [ASR]/Administrative Site Review
SPR-0186-2021: DSLCL - 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 October 21, 2021 by Urban Design Partners.

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:

Public Utilities

1. Plans indicate future apartments and mixed use for the subdivision. Please provide calculations with 1st SPR submittal that the 8" san sew outfall has adequate capacity for the project, i.e. - is less than half full at peak flow for all 4 lots.

Stormwater

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



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☒ **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.

<input checked="" type="checkbox"/>	Stormwater Maintenance Covenant Required
<input checked="" type="checkbox"/>	Cross Access Agreements Required

<input checked="" type="checkbox"/>	Utility Placement Easement Required
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☒ **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.

Engineering

2. A cross access agreement among the lots identified as between Lot 1 and Lot 2 as well as Lot 3 and Lot 4 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.
3. 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.
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.
5. A public infrastructure surety is provided to the City of Raleigh Development Services – Development Engineering program (UDO 8.1.3).

Public Utilities

6. A fee-in-lieu of construction shall be paid to the City of Raleigh Public Utilities Department for an 8" waterline in the unconstructed portion of Kindley Street



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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.

Stormwater

8. If demolition causes a land disturbance of more than 12,000 sf, a mass grading permit will be required. (UDO 9.4.6)
9. 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).
10. The maximum allocated impervious area for all applicable lots in the subdivision should be identified on all maps for recording.

Urban Forestry

11. A public infrastructure surety for 13 street trees is provided to the City of Raleigh Development Services – Development Engineering program (UDO 8.1.3).
12. A fee-in-lieu for 5 street trees is paid to the City of Raleigh (UDO 8.1.10).

☒ **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:

Public Utilities

1. A subdivision plat must be recorded at the Wake County Register of Deeds office to include all utility easement dedications

Stormwater

2. Impervious restrictions for each lot must be recorded on a plat prior to building permit issuance.

Urban Forestry

3. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 13 street trees along Kindley Street.

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

General



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1. All Water, Sanitary Sewer and Reuse facilities shall be installed, inspected, tested and accepted by the City of Raleigh Public Utilities Department for operations and maintenance.
2. Final inspection of all right of way street trees by Urban Forestry Staff.
3. No later than issuance of a certificate of occupancy for a new building on Lot 2 or Lot 3, whichever shall first occur, or at an earlier time at the election of the property owner, the property owner shall pay to the City of Raleigh an amount of \$26,510, which shall be held and used by the City in accordance with UDO section 9.1.5.E.3. (requiring funds to be used on tree planting or acquisition of land with preserved trees). However, this amount (\$26,510) may, at the election of the property owner, be reduced at a rate of \$100/caliper inch for every new tree planted on the property that is at least 2 caliper inches in size. Trees counting toward compliance with this condition may be planted on the property, within adjacent right-of-way that may hereafter become part of the property, within the adjacent public right-of-way (subject to the approval of the applicable governmental entity), or within the adjacent railroad corridor (subject to the approval of the applicable entity). Trees required to be planted on the property or within the right-of-way by the UDO may be counted toward compliance with this condition so long as the trees are at least 2" in size.

Stormwater

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

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: December 29, 2024

Record at least ½ of the land area approved.

5-Year Sunset Date: December 29, 2026

Record entire subdivision.

I hereby certify this administrative decision.

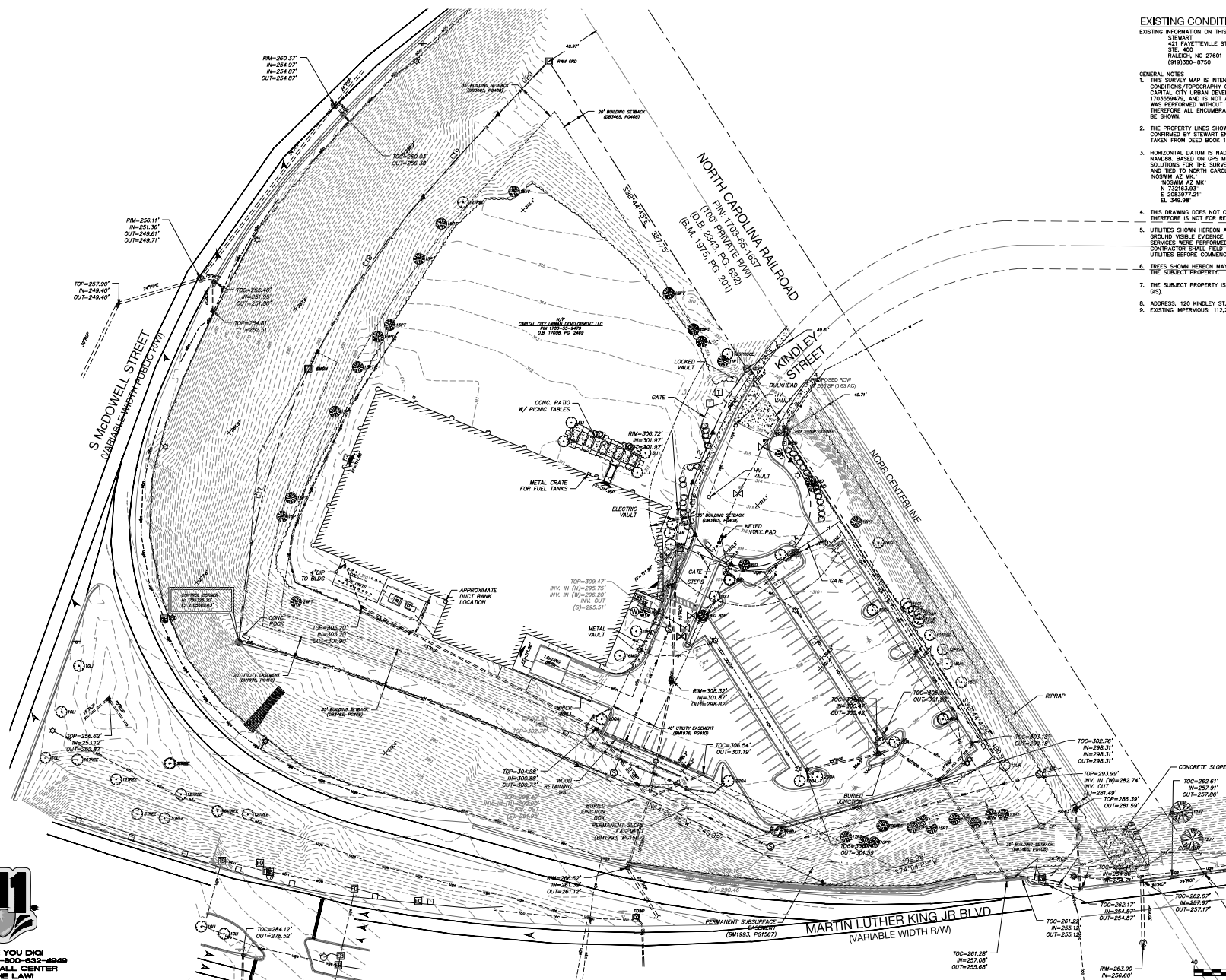
Signed: Alycia Bailey Taylor
Development Services Dir/Designee

Date: 11/01/2021

Staff Coordinator: Michael Walters



BEFORE YOU DIG!
CALL 811 OR 1-800-632-4949
N.C. ONE-CALL CENTER
IT'S THE LAW



EXISTING CONDITIONS NOTES:

EXISTING INFORMATION ON THIS PLAN WAS PROVIDED BY:
STEWART
421 FAYETTEVILLE ST.
STE. 400
RALEIGH, NC 27601
(919)860-8700

GENERAL NOTES:

1. THIS SURVEY MAP IS INTENDED TO REPRESENT THE EXISTING CONDITIONS/TOPOGRAPHY ON A PORTION OF THE PROPERTY OF CAPITAL CITY URBAN DEVELOPMENT GROUP, LLC, P/N 1708-85-1637, AND IS NOT A BOUNDARY SURVEY. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND THEREFORE ALL ENCUMBRANCES UPON THE PROPERTY MAY NOT BE SHOWN.
2. THE PROPERTY LINES SHOWN HEREON HAVE NOT BEEN CONFIRMED BY STEWART ENGINEERING. PROPERTY LINES SHOWN TAKEN FROM DEED BOOK 16369, PAGE 2408.
3. HORIZONTAL DATUM IS NAD 83 (2011) AND VERTICAL DATUM IS NAVD83. BASED ON GPS METHODS USING REAL-TIME KINEMATIC SOLUTIONS FOR THE SURVEY CONTROL POINTS SHOWN HEREON AND TIED TO NORTH CAROLINA GEODETIC SURVEY MONUMENT 'NOSM AZ MC'.
NOSM AZ MC:
N 732163.93
E 2083077.21
EL. 349.08
4. THIS DRAWING DOES NOT CONFORM TO NC CS47-30 AND THEREFORE IS NOT FOR RECORDED.
5. UTILITIES SHOWN HEREON ARE BASED SOLELY ON ABOVE GROUND VISIBLE EVIDENCE. NO UTILITY DESIGNATION/MARKING SERVICES WERE PERFORMED AS A PART OF THIS SURVEY. CONTRACTOR SHALL FIELD VERIFY THE LOCATION OF ALL UTILITIES BEFORE COMMENCING CONSTRUCTION.
6. TREES SHOWN HEREON MAY NOT REPRESENT ALL VEGETATION ON THE SUBJECT PROPERTY.
7. THE SUBJECT PROPERTY IS ZONED 'O & I-2' (PER WAKE COUNTY ORD).
8. ADDRESS: 120 KINDLEY ST.
9. EXISTING IMPERVIOUS: 112,201 SF (2.58 AC)



**URBAN
DESIGN
PARTNERS**

565 Sycamore Rd. Ste. 300
Raleigh, NC 27601
P: 919.275.2000
urban@urbanpartners.com
N.C. Firm No. P-0418 SE 008 No. C-0004

PRELIMINARY DRAWING
FOR INFORMATION ONLY
08/16/2021

Capital City Urban
Development Group, LLC.

4400 Silas Creek Pkwy Ste. 200
Winston Salem, NC 27104

City Gateway

Existing Conditions Plan

NO.	DATE	BY	REVISIONS

Project No: 21-RDU-007
Date: 08/16/2021
Designed By: UDP
Checked By: BAR
Sheet No:

C-2.0

