LOCATION: This site is located on the east side of Duraleigh Road, north of Cypress Tree Lane at 4700 & 4701 Cypress Tree Ln.

REQUEST: Development of a vacant 7.12 acre/313,419 sf tract zone RX-5-CU. Proposed 63 3-bedroom townhomes and two HOA common lots development on existing Lots 2 & 3 (per subdivision SUB-75-2020). A total of 65 lots will be created.


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 May 6, 2022 by JOHN A. EDWARDS & COMPANY.

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. A SWS collective staging area design, for roll-out carts, for Lots 29-37 is labeled and shown on the Site Permit Review plans set and reviewed & approved by SWS prior to SPR approval.

2. Approved lighting plan, as approved in civil plans set SPR-0156-2021 are inserted into the civil plans set for SUB-0019-2022 and demonstrate compliance with UDO Sec.7.1.7.G and Sec.7.4.4, Sec.7.4.5.

3. Approved preliminary ASR plan is amended and the Common Lots with lot #s are provided and labeled accordingly on the civil plans (SPR) set data table & parcels.

4. Grading sheet C4 notes the TW/BW grade levels for new proposed retaining walls and demonstrate compliance with UDO Sec.7.2.8.D.

5. The proposed landscaping plantings comply with easement designs for the Private Drainage Easement (PDE) location and plantings, including any redesigns or layouts, are confirmed with the Stormwater division prior to civil plan approval.
6. A reference book map & page # is noted in the civil plans (SPR) set for all previously approved easements.

**Stormwater**

7. A surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City (UDO 9.4.4).

**Urban Forestry**

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

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

2. Provide documentation indicating a Property Owner’s Association has been established for the subject development.

**Engineering**

3. A cross access agreement among the Lot 1 thru Lot 11 AND Lot 29 thru 32 & Lot 33 thru 37 shall be approved by the Development Services Department for recording in the Wake County Registry, and a copy of the recorded offer of 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.

**Stormwater**

4. The maximum allocated impervious area for all applicable lots in the subdivision should be identified on all maps for recording.
5. 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).

6. 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).

☑️ 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 SWS staging area conceptual design plan, for the roll-out carts, is reviewed and approved by Solid Waste Services (SWS) prior to permit issuance for Lots 29-37.

2. Comply with all conditions of Z-47-19.

Public Utilities

3. A plat must be recorded at the Wake County Register of Deeds office for all utility easement dedications.

Urban Forestry

4. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 17 street trees along Mint Leaf Lane and 22 street trees along Cypress Tree Lane.

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

General

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. The collective staging area design for SWS service pickup is approved by SWS for Lots 29-37.

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

4. All street lights and street signs required as part of the development approval are installed.
5. 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.

6. Final inspection of all tree conservation areas and right of way street trees by Urban Forestry Staff

7. Prior to any building permit occupancy & issuance, zoning inspection officer shall ensure all required landscaping plantings for the development site (as shown on the approved preliminary and Site Permit Review plans set) for those residential lots adjacent to residential lot 4117 Balsam Drive/PIN#0786516122, are planted and all playground equipment is removed from the proposed site development (per SUB-0019-2022) prior to plantings.

8. All street lights and street signs required as part of the development approval are installed.

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 5, 2025
Record at least ½ of the land area approved.

5-Year Sunset Date: October 5, 2027
Record entire subdivision.

I hereby certify this administrative decision.

Signed:  
Date: 06/08/2022

Staff Coordinator: Jermont Purifoy