LOCATION: This site (Lot 77 of BM1953, page 111) is located on the east side of N. Raleigh Blvd, east of N. King Charles Road at 1001 Phoenix Place.

REQUEST: Subdivision of a vacant Lot 77, 0.83 acre/36,363.47 sf tract (PIN#1714-74-0214) zoned R-6 into 2 lots and 0.003ac/124.31 sf of right-of-way dedication. New Lot 1 being 0.42ac (18,160.81 sf) and new Lot 2 being 0.41 ac (18,078.35sf) with a net area of 0.83 ac (36,239.16 sf) and density of 2.41 units/ac.

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 February 1, 2021 by Jones & Cnossen Engineering, PLLC.

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:

Engineering

1. A Traffic Control and Pedestrian (TCPED) Plan must be approved and a right-of-way occupancy permit must be obtained from Right-of-way Services for any construction activities within the right-of-way.

2. The developer has split the Phoenix Place improvements over 3 subdivisions - SUB-0040-2020, SUB-0041-2020 and SUB-0042-2020. The public improvements however are to be shown on a site permitting review set for full review of the public improvements at time of site permitting review.

Stormwater

3. A 100-year floodplain analysis shall be submitted and approved by the Engineering Services Department prior to the issuance of any grading or site permit (UDO 9.3). Provide flood study approval memo and files for permitting flood study to address downstream structural flooding.

4. The State of North Carolina shall approve any proposed disturbance within the riparian buffer prior to the issuance of any grading or site permit (UDO 9.2.3.E).

5. These lots are exempt per UDO Section 9.2.2.A.2.b.i as a residential subdivision of one acre or less approved after May 1, 2001, but are subject to impervious limitations of subsection A.4 and subject to further review upon placement of impervious surface areas.
6. A surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City (UDO 9.4.4).

☐ 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. The subdivision plat for SUB-0040-2020 (1001 Phoenix Pl) shall be recorded at the Wake County Register of Deeds and an electronic copy returned to the Planning and Development Department within 14 days of recordation.

**Engineering**

2. The lots will have a shared driveway easement for the two lot property owners. It is a residential driveway shared access easement for the two property owners. It is not a cross access easement and will need to be shown on the plat for recording.

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. Infrastructure Construction Plans must be approved by the City of Raleigh Public Utilities Department for all public water and public sewer extensions.

**Stormwater**
7. The maximum allocated impervious area for all applicable lots in the subdivision should be identified on all maps for recording.

8. 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).

Urban Forestry

9. A public infrastructure surety for 6 street trees is provided to the City of Raleigh Development Services – Development Engineering program (UDO 8.1.3).

**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 subdivision plat for SUB-0040-2020 (1001 Phoenix Pl) shall be recorded with the Wake County Register of Deeds for Lots 1 and 2.

2. Prior to issuance of a building permit, a separate permit for the retaining wall shown on Lot 2 of SUB-0040-2020 shall be reviewed and approved by staff.

**Stormwater**

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

**Urban Forestry**

4. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 6 street trees along Phoenix Place.

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

**General**

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

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

**Stormwater**
3. 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: March 3, 2024
Record at least ½ of the land area approved.

5-Year Sunset Date: March 3, 2026
Record entire subdivision.

I hereby certify this administrative decision.

Signed: Alycia Bailey Taylor
Development Services Dir/Desigee

Date: 03/03/2021

Staff Coordinator: Jermont Purifoy