

Case File / Name: SUB-0047-2022 DSLC - BUFFALOE ROAD APARTMENTS

LOCATION:This site is located on the south side of Buffaloe Road, west of Forestville Road at
7300 Buffaloe Road. It is outside the city limits.REQUEST:Development of a vacant 25.63 acre/1,116,584 sf tract zoned OX-3-CU & CX-3-CU
with SHOD-1 overlay, into 2 vacant Open Lots with an existing right-of-way
dedication of Timberfield Way (per SUB-0075-2021) of .10 acres/4,283 sf, and a
new street right-of-way dedication of 1.27 acres/55,199 sf for Ralston Rd as shown,
creating proposed New Lots 1 and 2. Proposed New Lot 1 being 14.02
acres/610,533 sf and New Lot 2 being 10.25 acres/446,569 sf, leaving a residual
net site area of 24.27 acres/1,057,102 sf.Z-3B-92 - Rezoning of Buffaloe & Forestville Roads - Buffaloe Road Part B.
Effective 4-7-92.

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 November 16, 2022 by McAdams 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:

☑ <u>SITE PERMITTING REVIEW</u> - 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. Buffaloe Bend Subdivision (SUB-0075-2021) must have approved construction drawings (SPR) in place and recorded right of way for Timberfield Way prior to any site permit approval (SPR) for Buffaloe Road Apts Subdivision (SUB-0047-2022).
- 2. Retaining wall design elevations shall be inserted into the civil Site Permit Review (SPR) plans set with wall height and design details noted to match the TW/BW elevation grades.

Engineering

3. Required NCDOT encroachment and/or driveway permits must be approved and copies provided to the City of Raleigh Transportation Department – Mobility Strategy and Infrastructure Division prior to concurrent review approval.



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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.
- 5. A Downstream Sewer Capacity Study in compliance with the City of Raleigh Public Utilities Department Handbook shall be submitted by the Project Engineer for review and approval.
- 6. A plat shall be recorded for all necessary offsite right-of-way to accommodate future waterline construction.

Stormwater

- 7. A stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved (UDO 9.2).
- 8. A nitrogen offset payment must be made to a qualifying mitigation bank (UDO 9.2.2.B).
- 9. 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

- 10. Tree protection fence must be inspected by Urban Forestry staff prior to the issuance of a grading permit.
- 11. 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).

☑ <u>LEGAL DOCUMENTS</u> - 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.

Ø	Cross Access Agreements Required
Ø	Right of Way Deed of Easement Required
Ø	Stormwater Maintenance Covenant Required

Ø	Utility Placement Deed of Easement Required
Ø	Slope Easement Deed of Easement Required
Ø	Pedestrian and Bicycle Access Deed of Easement Required

☑ <u>**RECORDED MAP(S)**</u> - 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:



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General

- 1. A demolition permit shall be issued and this building permit number shown on all maps for recording.
- Prior to any plat recordings, subdivision SUB-0075-2021 Buffaloe Bend Subdivision, shall have preliminary & plat approval with book map/pg #'s w/signatures and recorded at Wake Co Register of Deeds.

Engineering

- 3. A pedestrian and bicycle deed of easement, in addition to a plat showing the location of the easement, shall be submitted to the Planning and Development Services Department for review, and if acceptable, approved for recordation. Approved plats must be recorded at the Wake County Register of Deeds Office on or before the 14th day following approval by the City. The 14-day expiration date shall be clearly indicated on the plat. By the end of the next business day following recordation of the plat, all required legal instruments (including deeds of easement) shall be recorded, and recorded copies of the plat and all legal instruments required by the City in association with development approval shall be provided to the City. (Reference: UDO 8.1.7.A; 10.2.5.F.4.d)
- 4. A slope easement deed of easement, in addition to a plat showing the location of the easement, shall be submitted to the Planning and Development Services Department for review, and if acceptable, approved for recordation. Approved plats must be recorded at the Wake County Register of Deeds Office on or before the 14th day following approval by the City. The 14-day expiration date shall be clearly indicated on the plat. By the end of the next business day following recordation of the plat, all required legal instruments (including deeds of easement) shall be recorded, and recorded copies of the plat and all legal instruments required by the City in association with development approval shall be provided to the City. (Reference: UDO 8.1.7.A; 10.2.5.F.4.d)
- 5. A public street right-of-way deed of easement, in addition to a plat showing the location of the easement, shall be submitted to the Planning and Development Services Department for review, and if acceptable, approved for recordation. Approved plats must be recorded at the Wake County Register of Deeds Office on or before the 14th day following approval by the City. The 14-day expiration date shall be clearly indicated on the plat. By the end of the next business day following recordation of the plat, all required legal instruments (including deeds of easement) shall be recorded, and recorded copies of the plat and all legal instruments required by the City in association with development approval shall be provided to the City. (Reference: UDO 8.1.7.A; 10.2.5.F.4.d)
- 6. A public infrastructure surety shall be provided to City of Raleigh Transportation Development Engineering Division (UDO 8.1.3) in the amount of 100% of the improvement cost for the NCDOT portion and 125% of the improvement cost for the City of Raleigh infrastructure.



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- 7. A cross access agreement among the lots identified as Lot 1 and Proposed Commercial Site by Others (PIN 1746324494) 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.
- 8. A 5' utility placement easement deed of easement, in addition to a plat showing the location of the easement, shall be submitted to the Planning and Development Services Department for review, and if acceptable, approved for recordation. Approved plats must be recorded at the Wake County Register of Deeds Office on or before the 14th day following approval by the City. The 14-day expiration date shall be clearly indicated on the plat. By the end of the next business day following recordation of the plat, all required legal instruments (including deeds of easement) shall be recorded, and recorded copies of the plat and all legal instruments required by the City in association with development approval shall be provided to the City. (Reference: UDO 8.1.7.A; 10.2.5.F.4.d)

Public Utilities

- 9. 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.
- 10. A Petition for Annexation into the City limits shall be submitted in accordance with City Council policy for extension of utility service to properties currently outside of the City limits. This voluntary annexation in no way obligates the City to extend utility services to the property.

Stormwater

- 11. 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.G.3).
- 12. 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).
- 13. 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).
- 14. The maximum allocated impervious area for all applicable lots in the subdivision should be identified on all maps for recording.
- 15. 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).

Urban Forestry



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- 16. A public infrastructure street tree surety for 11 street trees along Buffaloe Road and 27 street trees along Ralston Road shall be provided to City of Raleigh Transportation Development Engineering Division (UDO 8.1.3) in the amount of 100% of the improvement cost for the NCDOT portion and 125% of the improvement cost for the City of Raleigh infrastructure.
- 17. A tree conservation plat shall be recorded with metes and bounds showing the designated tree conservation areas (UDO 9.1). This development proposes 2.57 acres of tree conservation area.

☑ <u>BUILDING PERMITS</u> - 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. Comply with all conditions of Z-3B-92
- 2. Prior to any approval for permit plan review (if applicable), all applicable plats and civil design reviews for subdivision plans, SUB-0047-2022 and SUB-0075-2021, shall be inserted into the permit plans set with book map/pg# noted.

Public Utilities

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

Stormwater

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

Urban Forestry

- 5. A tree conservation plat shall be recorded with metes and bounds showing the designated tree conservation areas (UDO 9.1).
- A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 11 street trees along Buffaloe Road, 27 street trees along Ralston Road.

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.



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

Stormwater

3. 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: December 15, 2025 Record at least $\frac{1}{2}$ of the land area approved.

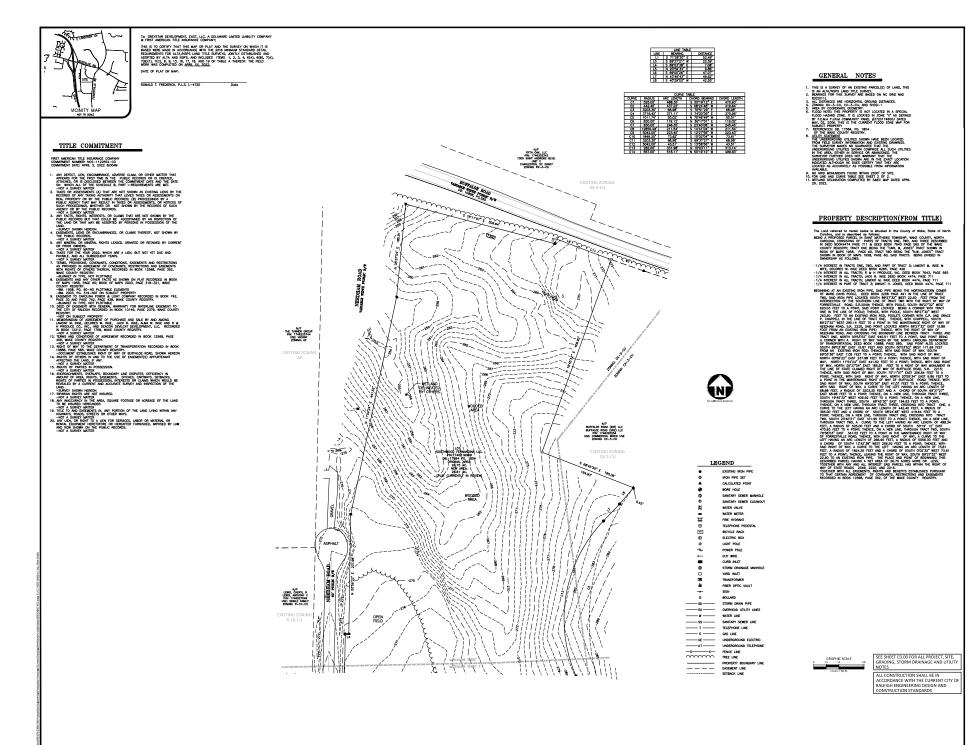
5-Year Sunset Date: December 15, 2027 Record entire subdivision.

I hereby certify this administrative decision.

Signed: _ Date: 12/15/2022

Development Services Dir/Designee Staff Coordinator: Jermont Purifoy

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REVISIONS

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 PER CITY OF PALENER 131 PSP REVIEW

 2
 20. 11. 2022.
 PER CITY OF PALENER 2ND PSP REVIEW

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 PER CITY OF PALENER SND PSP REVIEW

GRE22001-XC1

 $1^{''} = 50'$

EXISTING CONDITIONS 1 OF 2 C1.00

05.25.2022

PLAN INFORMATION

PROJECT NO. GRE-22001

FILENAME

CHECKED BY RTF

DRAWN BY 181 SCALE.

DATE

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SHEET

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