



# Administrative Approval Action

Case File / Name: SUB-0054-2020  
DSLCL - Budleigh East

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

**LOCATION:** This site totals 23.41 acres (including right of way to be closed) zoned RX-5-CU, RX-7-CU, NX-3-UL, and R-10 is located in the Northeast corner of the intersection of Oberlin and Fairview Roads. The site can be found at 2600 and 2634 Oberlin Road.

**REQUEST:** This is a conventional subdivision consisting of 64 lots (37 town home lots, 22 single family dwelling lots, and 5 open lots).

**DESIGN  
ADJUSTMENT(S)/  
ALTERNATES, ETC:** SPR-0197-2021: 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 September 16, 2021 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:*

☒ **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. Provide a sheet showing only lots, easements and right-of-way. Revise and update the final site plan to correctly show the number of lots proposed (the current plan does not include a lot labeled as Lot 16). Please number all lots including HOA and open lots. Note on this sheet the number of residential lots and the number of community lots proposed.
2. Notification of final approval by City of Raleigh Solid Waste is to be provided. (Email is acceptable)
3. The striping and markings plans will be reviewed for compliance at time of site permitting review. Additionally traffic signal locates, utility pole and utility relocations as applicable will be reviewed in detail.
4. The on-street public parking elements will need to be reviewed, worked through with Transportation Operations and detailed at time of site permitting approval.

### **Engineering**



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5. That the existing right-of-way between lots 27 and 29 (BM 1920 PG 117) is abandoned and a resolution number shown on all plats. Additionally all easements as required by the City Council resolution, Public Utilities and the shared access needs for lots 27 (2201 St Mary's Street) and 29 (2123 St Mary's Street) shall be addressed as this is tied to the compliance for stub streets and block perimeter for Budleigh Estates.

## Public Utilities

6. 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.

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

☒ **LEGAL DOCUMENTS** - Email to [legaldocumentreview@raleighnc.gov](mailto: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"/>	Utility Placement Easement Required
<input checked="" type="checkbox"/>	Public Access Easement Required
<input checked="" type="checkbox"/>	Cross Access Agreements Required

<input checked="" type="checkbox"/>	Transit Easement Required
<input checked="" type="checkbox"/>	Slope Easement Required
<input checked="" type="checkbox"/>	Stormwater Maintenance Covenant 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. Street names for this development shall be approved by the Raleigh GIS Division and by Wake County.

## Engineering



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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. That the existing right-of-way between lots 27 and 29 (BM 1920 PG 117) is abandoned and a resolution number shown on all plats. Additionally all easements as required by the City Council resolution, Public Utilities and the shared access needs for lots 27 (2201 St Mary's Street) and 29 (2123 St Mary's Street) shall be addressed as this is tied to the compliance for stub streets and block perimeter for Budleigh Estates.
5. 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.
6. A Public Access deed of easement be approved by City staff, 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 plat. A recorded copy of this document shall be provided to the Development Services Department within one day from authorization of lot recordation. If a recorded copy of this document is not provided, further recordings and building permit issuance will be withheld.
7. 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.
8. A Pedestrian and Bicycle Access deed of easement for any public sidewalk on private property shall be approved by City staff, 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 plat. A recorded copy of this document shall be provided to the Development Services Department within one day from authorization of lot recordation. If a recorded copy of this document is not provided, further recordings and building permit issuance will be withheld.
9. A public infrastructure surety is provided to the City of Raleigh Development Services – Development Engineering program (UDO 8.1.3).
10. A sight distance easement shall be approved by the Transportation Department for recording in the Wake County Registry and shown on a plat approved for recordation.
11. That all existing public street rights-of-way are approved for closure as shown on the approved site plan and a resolution number is shown on all plats for recording.

## **Public Utilities**



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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.
13. Initiation of the easement exchange process is required (via dedication of new easement on record plat, ending with abandonment of old easement on subsequent deed).

## Stormwater

14. 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).
15. 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).
16. 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).
17. 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).
18. The maximum allocated impervious area for all applicable lots in the subdivision should be identified on all maps for recording.

## Transportation

19. A transit 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 this document 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.

## Urban Forestry

20. A public infrastructure surety for 194 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





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1. This subdivision will qualify for water and sewer capital facilities fee credits for the removal of: Two existing 2" meters Three existing 1.5" meters and one existing 1" meter. Fee credits are applied at time of building permit. Lot 3 will be attributed the credit for the existing 2-inch meter that is located off of Fairview Road. The remaining credits will be allocated in order to the following lots until no credit remains: Lot 2, Lot 55, Lots 17-30, Lots 32-41, Lots 42-54

## Public Utilities

2. A plat must be recorded at the Wake County Register of Deeds office for all utility easement dedications.
3. Utility re-alignment construction shall be substantially complete (to eliminate conflict with new building).
4. Initiation of the easement exchange process is required (via dedication of new easement on record plat, ending with abandonment of old easement on subsequent deed).

## Urban Forestry

5. A tree impact permit must be obtained for the approved streetscape tree installation in the rights of way. This development proposes 16 street trees along Fairview Road, 63 street trees along Oberlin Road, 23 street trees along Yettington Drive, 14 street trees along Tidwell Street, 20 street trees along Bicton Place, and 58 street trees along Marchmont Street for a total of 194 street trees.

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

## General

1. Final inspection of all right of way street trees by Urban Forestry Staff.
2. All street lights and street signs required as part of the development approval are installed.
3. Required public right-of-way infrastructure improvements shall be, at a minimum, sufficiently completed to provide the necessary, safe emergency and vehicular access.

**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: January 26, 2025**  
**Record at least ½ of the land area approved.**

**5-Year Sunset Date: January 26, 2027**  
**Record entire subdivision.**



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I hereby certify this administrative decision.

Signed: *Alysis Bailey Taylor* Date: 09/29/2021  
Development Services Dir/Designee  
Staff Coordinator: **Michael Walters**

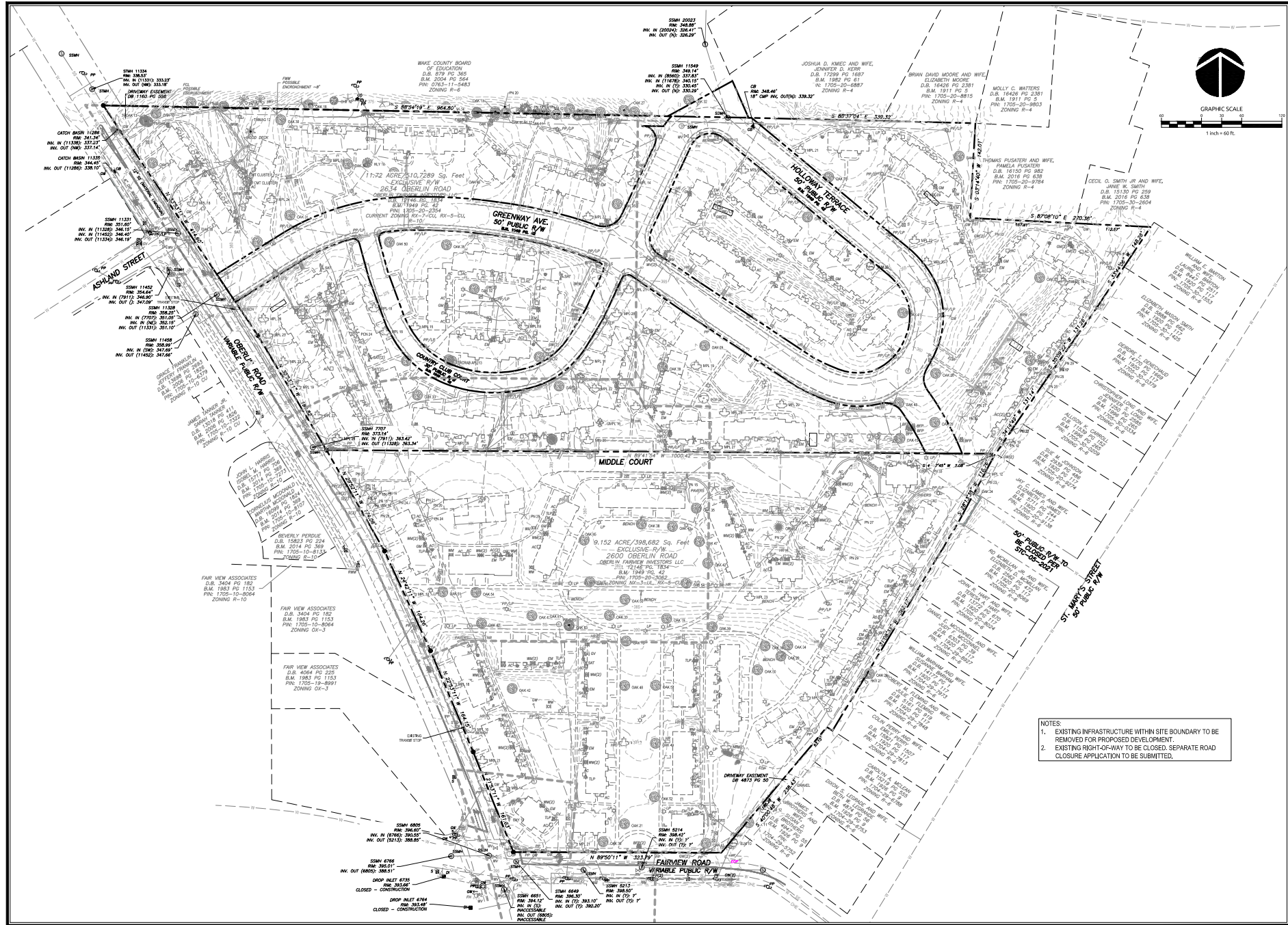
ZONING CONDITIONS - Z-56-20 - RX-5-CU

1. THE FOLLOWING PRINCIPAL USES ARE SET FORTH IN CHAPTER 6.1.4: ALLOWED PRINCIPAL USE (TABLE SHALL BE PREPARED): OUTDOOR RECREATION, SCHOOL, PUBLIC OR PRIVATE (2-4); OUTDOOR SPORTS OR (ENTERTAINMENT) FACILITY (2-5) (2-6) (2-7).
2. **WITHIN THE SUBJECT ZONING CASE AREA, THE LISTED USES ARE NOT PROPOSED:**  
**THE MAXIMUM BUILDING HEIGHT WITHIN 40 FEET OF THE OVERLAP RIGHT-OF-WAY SHALL BE LIMITED THREE (3) STORIES, EXCEPT FOUR (4) STORIES SHALL BE PERMITTED WITHIN THAT PORTION OF THE PROPERTY THAT IS ADJACENT TO OVERLAP RIGHT-OF-WAY AND 150 FEET OF THE NORTHERN BOUNDARY OF THE ZONING DISTRICT LINE.**  
**WITHIN THE SUBJECT ZONING CASE AREA, BUILDING HEIGHT DOES NOT EXCEED THE HEIGHT RESTRICTIONS FOR THE MAXIMUM BUILDING HEIGHT WITHIN 40 FEET OF THE OVERLAP RIGHT-OF-WAY. BUILDING HEIGHT SHALL BE LIMITED TO FOUR (4) STORIES ENTIRELY ABOVE THE HIGHEST POINT OF FINISHED GRADE.**  
**WITHIN THE SUBJECT ZONING CASE AREA, BUILDING HEIGHT DOES NOT EXCEED FOUR (4) STORY RESTRICTIONS FOR THE MAXIMUM BUILDING HEIGHT WITHIN 40 FEET OF THE OVERLAP RIGHT-OF-WAY. BUILDING HEIGHT SHALL BE LIMITED TO FOUR (4) STORIES ENTIRELY ABOVE THE HIGHEST POINT OF FINISHED GRADE.**  
**THE MAXIMUM DWELLING UNIT MAXIMUM IS NOT EXCEEDED WITHIN THE SUBJECT ZONING CASE AREA.**  
**STRUCTURED PARKING FACILITIES SHALL BE SCREENED FROM PUBLIC VIEW EXCEPT FOR OPENINGS FOR POINTS OF ENTRY AND EXIT.**  
**STRUCTURED PARKING IS NOT PROPOSED WITH THIS PROJECT.**

DATE: September 16, 2021

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WithersRavenel  
Engineers | Planners

Preliminary Subdivision Plans  
for  
BUDLEIGH EAST  
RALEIGH, NORTH CAROLINA

OVERALL EXISTING  
CONDITIONS &  
DEMOLITION PLAN

Job No. 62170437.03  
Date: 8/20/2020  
Drawn By: WRS  
Checked By: RSR

PRELIMINARY  
NOT APPROVED FOR  
CONSTRUCTION

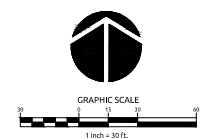
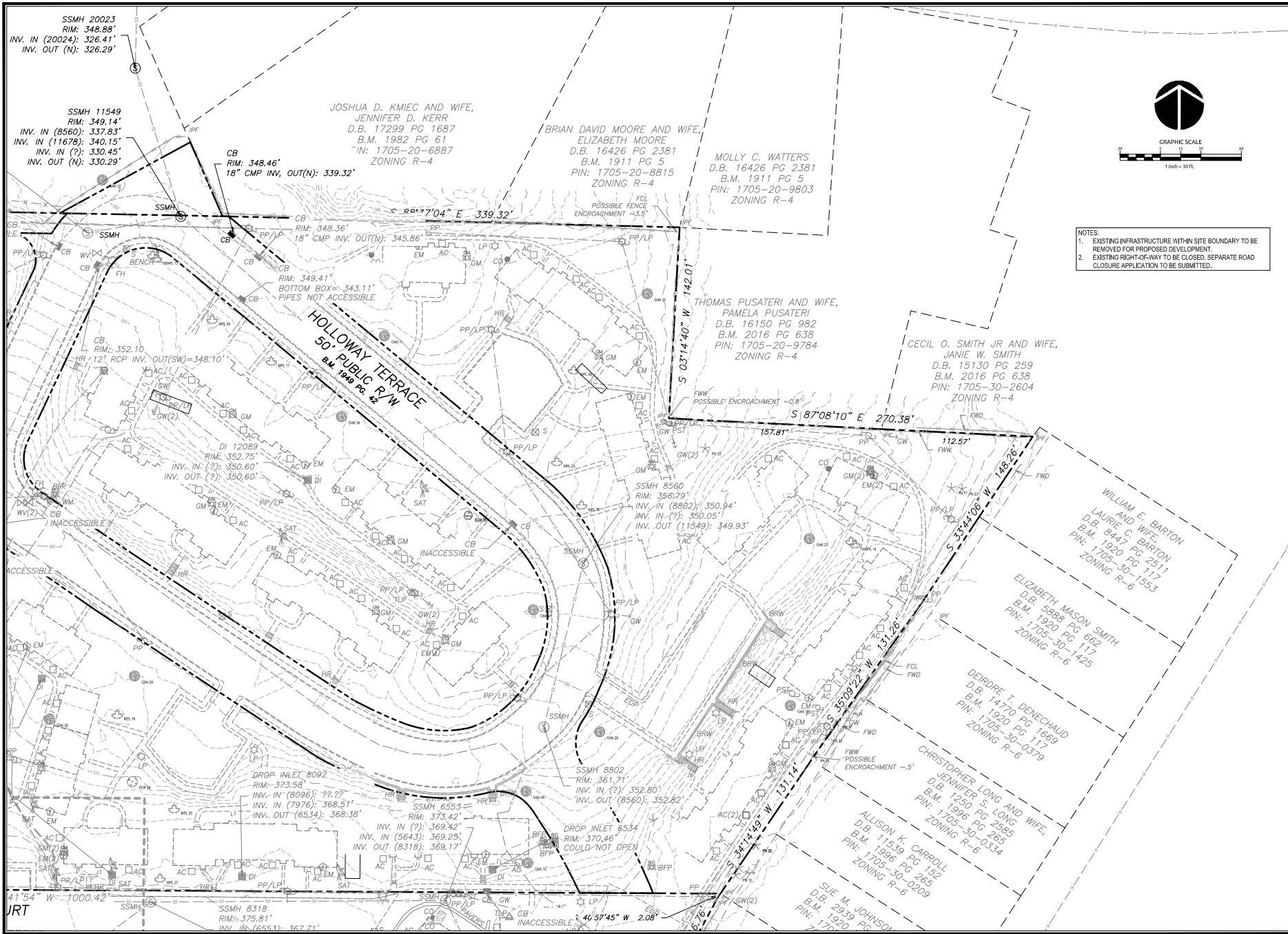
Revisions:  
1. CITY OF RALEIGH COMMENTS 12/21/2020  
2. CITY OF RALEIGH COMMENTS 3/15/2021  
3. CITY OF RALEIGH COMMENTS 6/16/2021  
4. CITY OF RALEIGH COMMENTS 7/16/2021

Sheet No.

C1.00







- NOTES:
1. EXISTING INFRASTRUCTURE WITHIN SITE BOUNDARY TO BE REMOVED FOR PROPOSED DEVELOPMENT.
  2. EXISTING RIGHT-OF-WAY TO BE CLOSED. SEPARATE ROAD CLOSURE APPLICATION TO BE SUBMITTED.



**WithersRavenel**  
Engineers | Planners

Preliminary Subdivision Plans  
for  
**BUDLEIGH EAST**  
RALEIGH, NORTH CAROLINA

**EXISTING CONDITIONS &  
DEMOLITION PLAN**

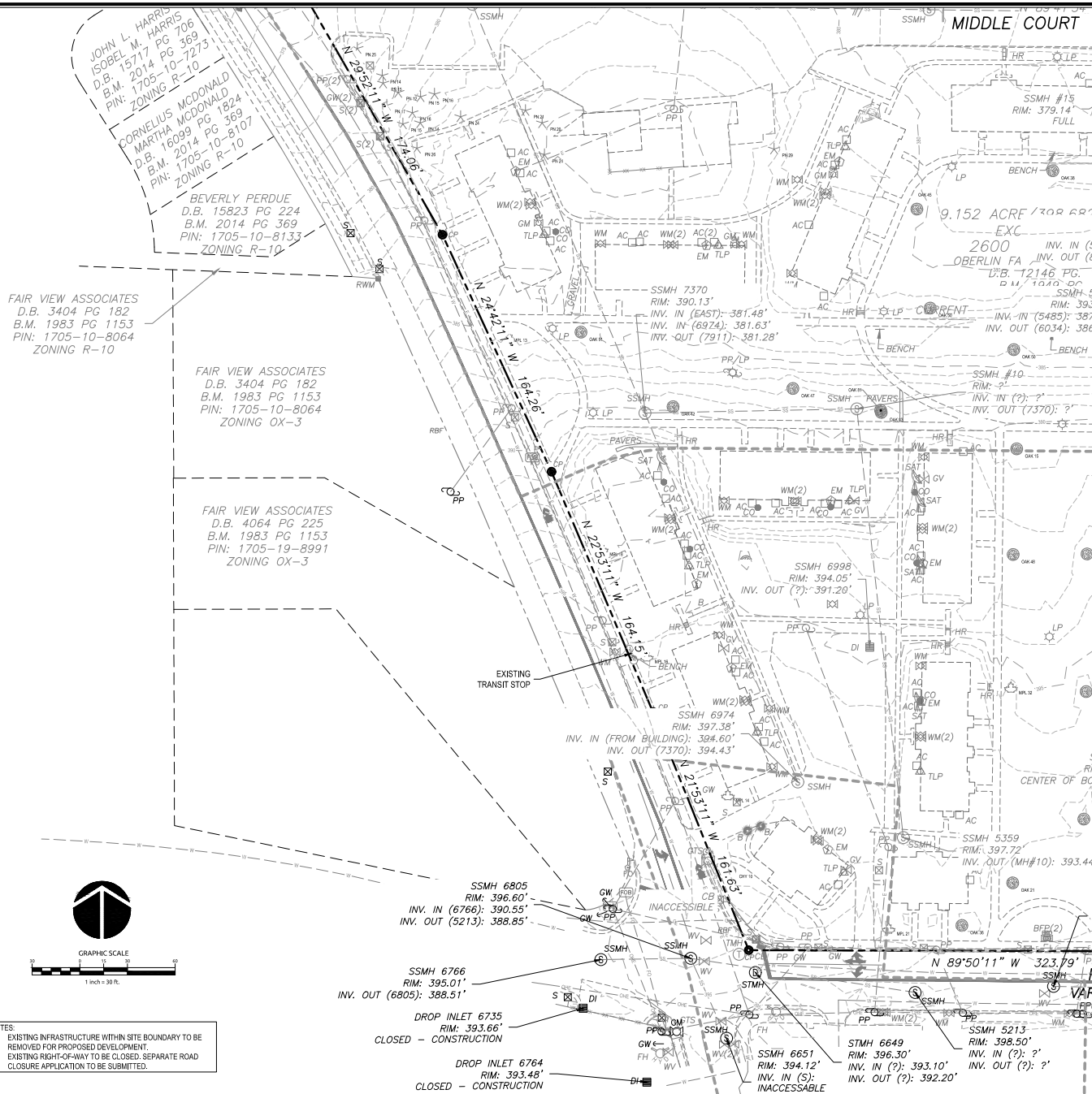
**PRELIMINARY**  
NOT APPROVED FOR  
CONSTRUCTION

Revisions		
1	CITY OF RALEIGH COMMENTS	12/21/2020
2	CITY OF RALEIGH COMMENTS	3/15/2021
3	CITY OF RALEIGH COMMENTS	6/16/2021
4	CITY OF RALEIGH COMMENTS	7/16/2021

Sheet No.

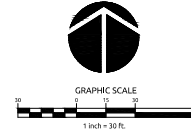
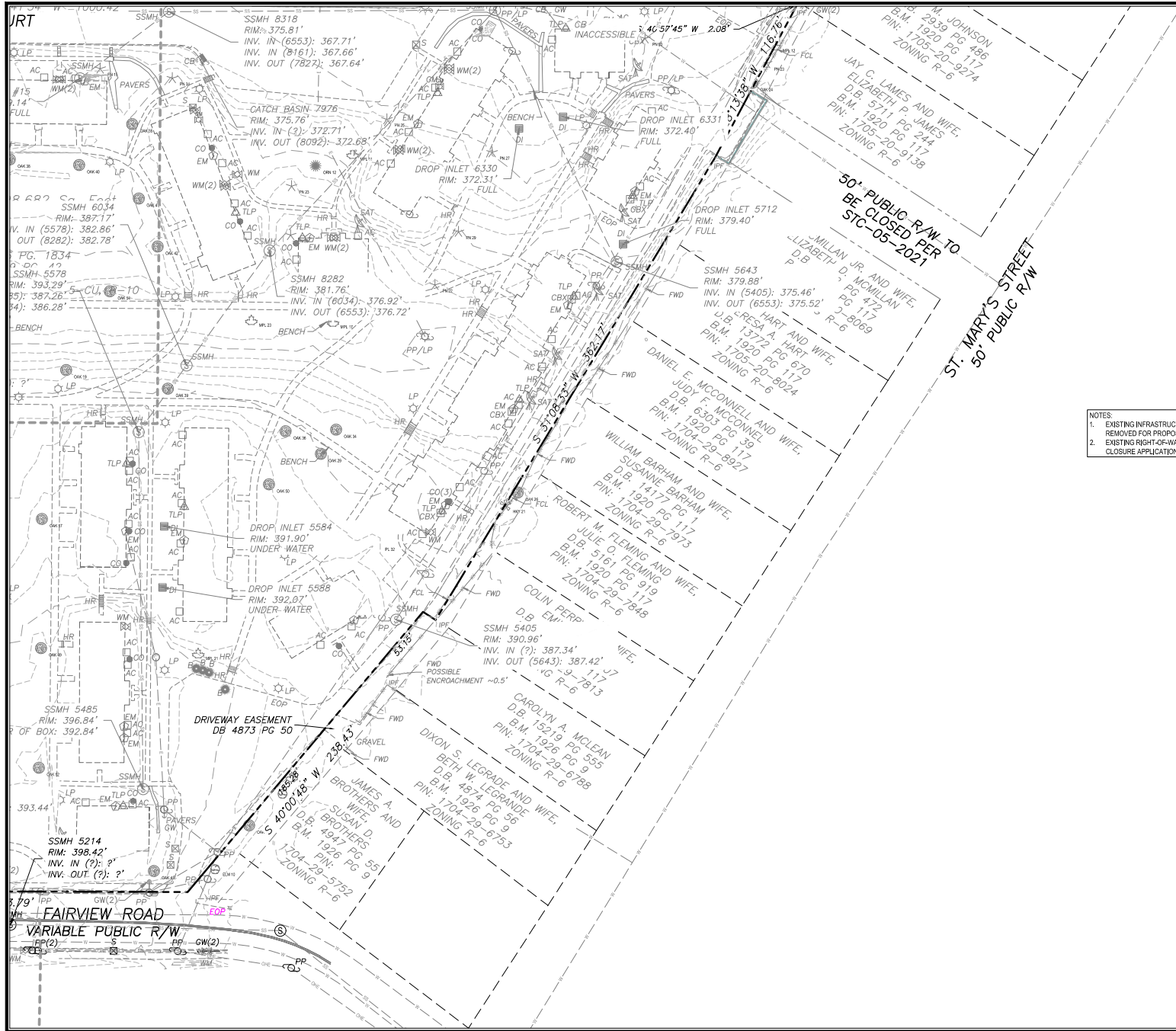
**C1.02**





- NOTES:
1. EXISTING INFRASTRUCTURE WITHIN SITE BOUNDARY TO BE REMOVED FOR PROPOSED DEVELOPMENT.
  2. EXISTING RIGHT-OF-WAY TO BE CLOSED. SEPARATE ROAD CLOSURE APPLICATION TO BE SUBMITTED.

Revisions		
1	CITY OF RALEIGH COMMENTS	12/21/2020
2	CITY OF RALEIGH COMMENTS	3/15/2021
3	CITY OF RALEIGH COMMENTS	6/16/2021
4	CITY OF RALEIGH COMMENTS	7/16/2021



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**WithersRavenel**  
Engineers | Planners

Preliminary Subdivision Plans  
for  
**BUDLEIGH EAST**  
RALEIGH, NORTH CAROLINA

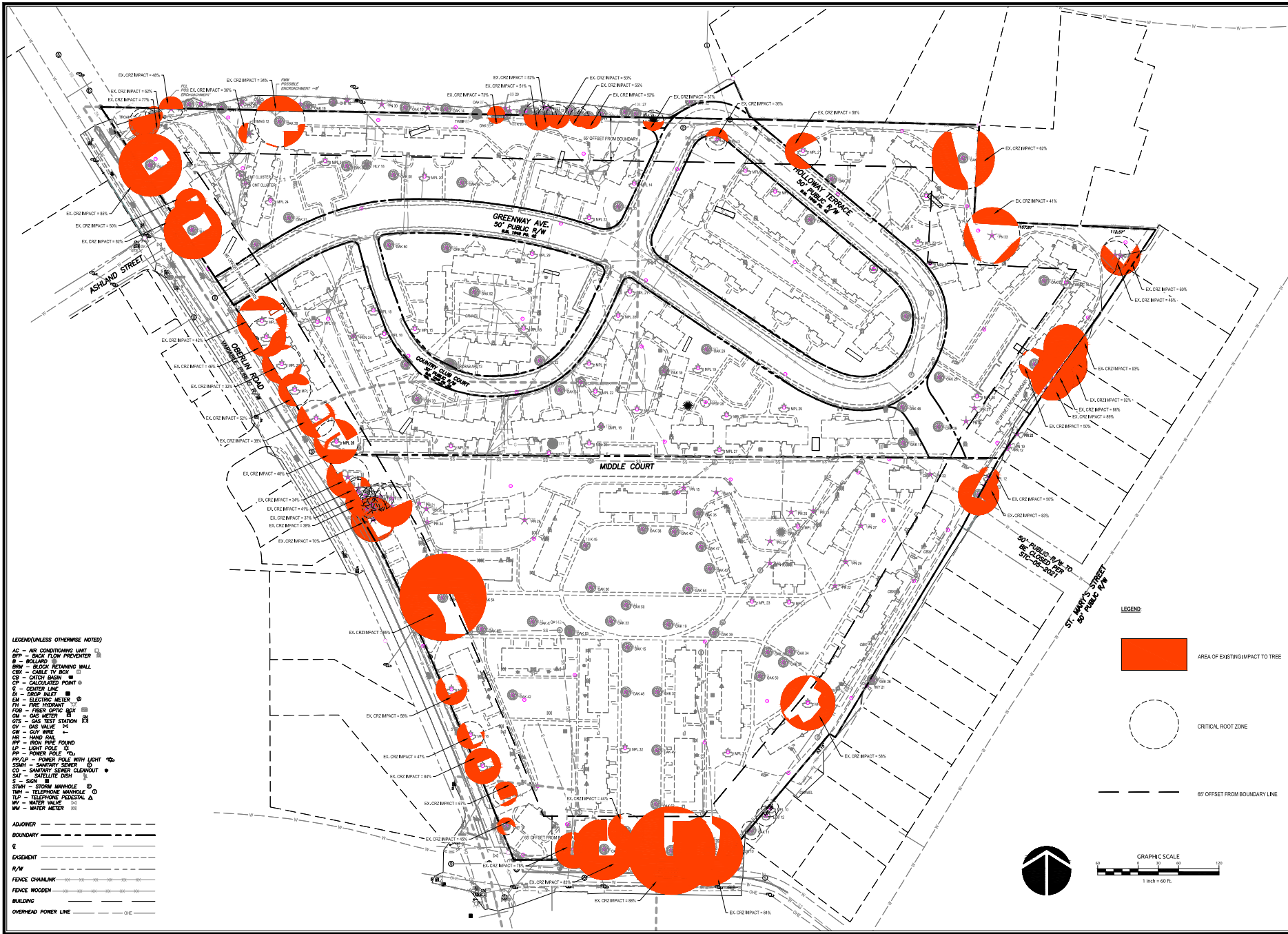
**EXISTING CONDITIONS &  
DEMOLITION PLAN**

Job No. 62176437.03 Drawn By WRS  
Date: 8/20/2020 Engineer: RSR

**PRELIMINARY  
NOT APPROVED FOR  
CONSTRUCTION**

Revisions		
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2	CITY OF RALEIGH COMMENTS	3/15/2021
3	CITY OF RALEIGH COMMENTS	6/16/2021
4	CITY OF RALEIGH COMMENTS	7/16/2021

Sheet No.  
**C1.04**



LEGEND (UNLESS OTHERWISE NOTED)

- AC - AIR CONDITIONING UNIT
- BF - BACK FLOW PREVENTER
- B - BOLLARD
- BWP - BLOCK RETAINING WALL
- CBV - CABLE TV BOX
- CB - CATCH BASIN
- CP - CALCULATED POINT
- C - CENTER LINE
- DI - DROP INLET
- EM - ELECTRIC METER
- FI - FIRE HYDRANT
- FOD - FRESH OIL BOX
- GM - GAS METER
- GTS - GAS TEST STATION
- GV - GAS VALVE
- OW - OIL WARE
- HR - HAND RAIL
- HP - HOLE PILE FOUND
- LP - LIGHT POLE
- PP - POWER POLE
- PP/AP - POWER POLE WITH LIGHT
- SSAM - SANITARY SEWER
- CO - SANITARY SEWER CLEANOUT
- SAT - SATELLITE DISH
- S - SIGN
- STM - STORM MANHOLE
- TMM - TELEPHONE MANHOLE
- TLP - TELEPHONE PEGASIS
- WV - WATER VALVE
- WM - WATER METER

- ADJACENT
- BOUNDARY
- EASEMENT
- R/W
- FENCE CHAINLINK
- FENCE WOODEN
- BUILDING
- OVERHEAD POWER LINE

LEGEND

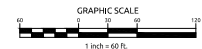


AREA OF EXISTING IMPACT TO TREE



CRITICAL ROOT ZONE

65' OFFSET FROM BOUNDARY LINE



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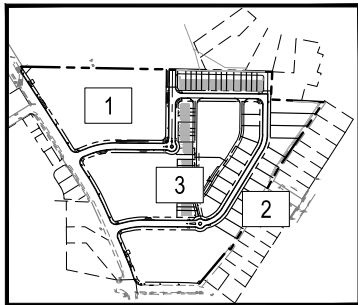
SHEET C2.01

SHEET C2.02

SHEET C2.03

SHEET C2.04

BLOCK PERIMETER MAP

3.384 SF (0.09 AC)  
WITHIN R6-CU DISTRICTYETTINGTON DRIVE  
NEIGHBORHOOD STREET  
64' PUBLIC RIGHT-OF-WAY  
38' BOC TO BOCTOWELL STREET  
NEIGHBORHOOD STREET  
64' PUBLIC RIGHT-OF-WAY  
38' BOC TO BOCBITION PLACE  
NEIGHBORHOOD YIELD  
55' PUBLIC RIGHT-OF-WAY  
27' BOC TO BOCNEIGHBORHOOD YIELD  
55' PUBLIC RIGHT-OF-WAY  
27' BOC TO BOCMARCHMONT STREET  
NEIGHBORHOOD STREET  
64' PUBLIC RIGHT-OF-WAY  
38' BOC TO BOCFAIRVIEW ROAD  
64' PUBLIC RIGHT-OF-WAY  
38' BOC TO BOC

AVENUE 2 LANE UNDEVELOPED CORNER LOT

GRAPHIC SCALE  
1" = 60 FT.

OVERALL SITE DATA SHEET			
PROJECT NAME: SUBDIVISION (NAME PROJECT NUMBER & PHASE)			
1. SITE NAME	2. SITE ADDRESS	3. SITE AREA	4. SITE ZONING
5. SITE MAP	6. SITE PLAN	7. SITE AREA	8. SITE ZONING
9. SITE MAP	10. SITE PLAN	11. SITE AREA	12. SITE ZONING
13. SITE MAP	14. SITE PLAN	15. SITE AREA	16. SITE ZONING
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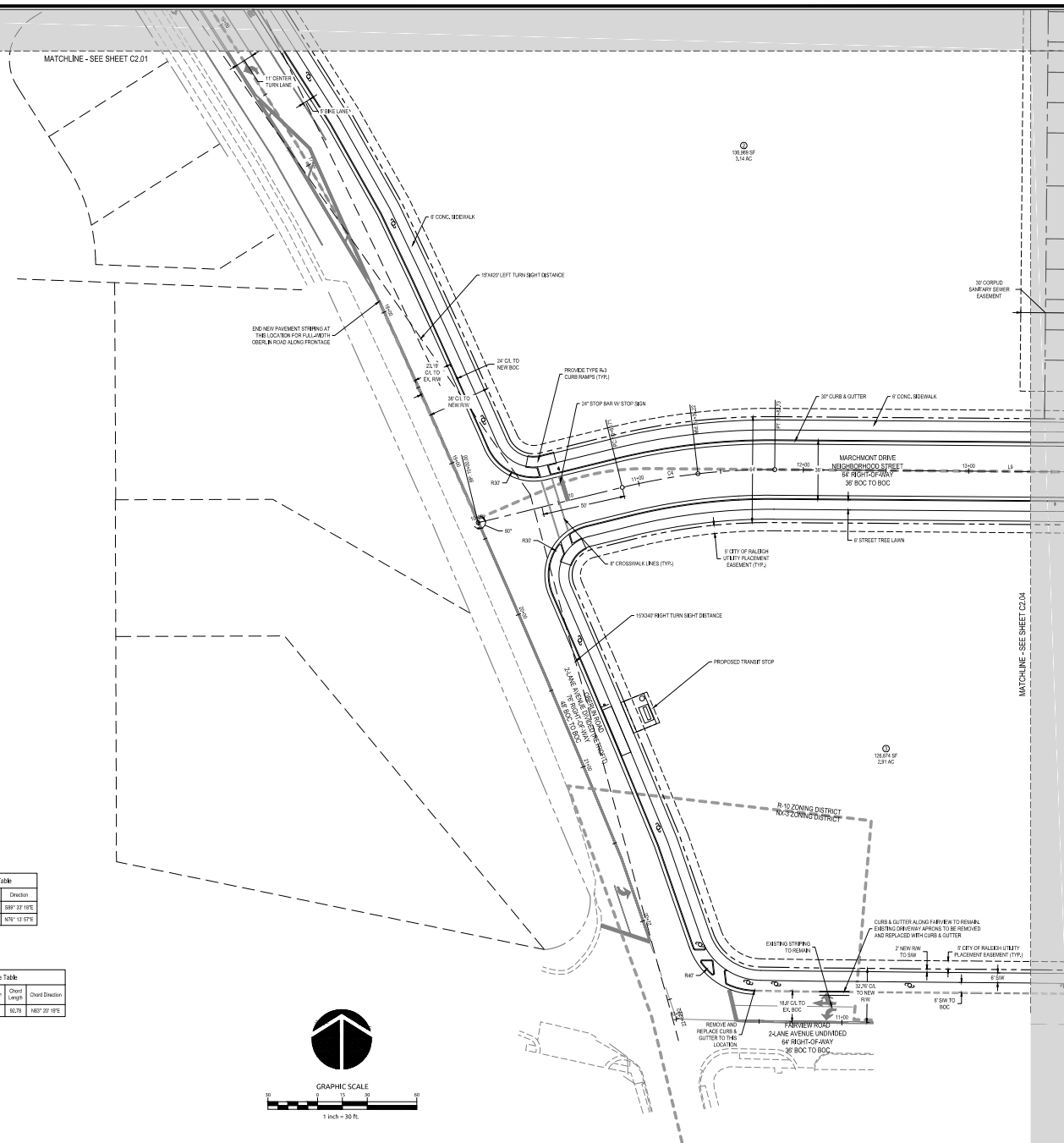
TOTAL SITE AREA DATA SHEET	
1. SITE NAME	2. SITE ADDRESS
3. SITE AREA	4. SITE ZONING
5. SITE MAP	6. SITE PLAN
7. SITE AREA	8. SITE ZONING
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99. SITE AREA	100. SITE ZONING



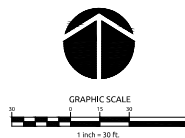








Curve Table				
Curve #	Radius	Length	Chord Length	Chord Direction
C4	375.00	60.02	60.70	N80° 20' 19"E





Curve Table				
Curve #	Radius	Length	Chord Length	Chord Direction
C3	150.00	154.55	147.80	N60° 55' 42"E



Preliminary Subdivision Plans  
for  
**BUDLEIGH EAST**  
RALEIGH, NORTH CAROLINA

## SUBDIVISION PLAN

Job No.	02170437.01	Drawn By	WFL
Date	8/20/2020	Designer	RSB

**PRELIMINARY**  
NOT APPROVED FOR  
CONSTRUCTION

Revisions		
1	CITY OF RALEIGH COMMENTS	12/21/2002
2	CITY OF RALEIGH COMMENTS	3/15/2002
3	CITY OF RALEIGH COMMENTS	6/16/2002
4	CITY OF RALEIGH COMMENTS	7/16/2002

Sheet No. \_\_\_\_\_

C2.04



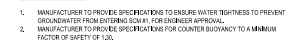












GRAPHIC SCALE

1 inch = 20 ft.



Sheet No.

C5.00