LOCATION: The site is generally located at the southwest corner of Booker Drive and N Fisher Street, east of Hill Street, with common street addresses of 1810 Bakers Grove Way, 1813 and 1817 Oakwood Avenue, and 440 Hill Street.

REQUEST: Conventional subdivision of approximately 7.2 acres zoned RX-3 to create 58 townhouse lots, 2 common area lots for the proposed townhouses, and 2 additional lots (approximately 1.84 acres and approximately .71 acres) for future development, as well as dedication of approximately 1.7 acres of public right-of-way. A total of 62 lots are proposed.

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 December 22, 2020 by J DAVIS ARCHITECTS.

**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. The SPR plans shall provide the spot grades and average grade calculations required to measure compliance with maximum building height and minimum ground floor elevation, in accordance with UDO Section 1.5.7 (Building Height).

2. Demonstrate compliance with minimum building setbacks, including for all proposed building setback encroachments (UDO Section 1.5.4.D).

Stormwater

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

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

5. A nitrogen offset payment must be made to a qualifying mitigation bank (UDO 9.2.2.B).
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.

| Stormwater Maintenance Covenant Required | City Code Covenant Required |
| Slope Easement Required                  | Public Access Easement Required |
| Utility Placement Easement 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. The City Code Covenant shall be approved by the City and recorded with the county register of deeds office where the property is located and a copy of the recorded document shall be provided to the City by the end of the next business day following the recordation of the final plat. Further recordings and building permits will be withheld if the recorded document is not provided to the City.

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

Engineering

4. 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.

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 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.
7. 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.

8. A public infrastructure surety for 75 street trees is provided to the City of Raleigh Development Services – Development Engineering program (UDO 8.1.3).

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

Public Utilities

10. Infrastructure Construction Plans (site permitting review submittal) must be approved by the City of Raleigh Public Utilities Department for all public water, public sewer and/or private sewer extensions.

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).

☒ 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. Utility re-alignment construction shall be substantially complete (to eliminate conflict with new building).

Urban Forestry

2. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 2 street trees along Booker Drive, 15 street trees along Oak City Lane, 26 street trees along Robin Hill Lane, 5 street trees along Oakwood Avenue, 3 street trees along Hill Street, 14 street trees along Sunglow Lane Extension, and 10 street trees along Fisher Street, for a total of 75 street trees.

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. Final inspection of all right of way street trees by Urban Forestry Staff.

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: May 20, 2024
Record at least ½ of the land area approved.

5-Year Sunset Date: May 20, 2026
Record entire subdivision.

I hereby certify this administrative decision.

Signed: _______________________________  Date: 01/21/2021
Alycia Bailey Taylor
Development Services Dir/Designee

Staff Coordinator: Kasey Evans