

# Administrative Approval Action

Case File / Name: SUB-0068-2022
DSLC - BIRCH AND BRANCH SUBDIVISION

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

**LOCATION:** This 9.91 acre site is located at 3499 Middle Branch Road, south of Poole Road,

west of Interstate 87, north of the Walnut Creek Athletic Complex, adjacent to Walnut Creek Shopping Center. The parcel is zoned CX-3 and is located within the

Special Highway Overlay District-1 (SHOD-1).

**REQUEST:** A conventional subdivision to divide the 9.91 acre parcel into two lots (Lot 1: 2.186

acres, 95,211.09 SF and Lot 2: 7.357 acres, 320,482.86 SF). The existing parcel is currently vacant. New Lot 2 is proposed to be developed with multi-unit living.

**DESIGN** 

ADJUSTMENT(S)/

ALTERNATES, ETC: ASR-0004-2023: DSLC - Administrative Site Review [ASR]/Administrative Site

Review

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 April 17, 2023 by VHB.

## **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:

#### **Stormwater**

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

### **Urban Forestry**

- 2. 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).
- 3. Tree protection fence must be inspected by Urban Forestry staff prior to the issuance of a grading permit.

☑ <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.

☐ Cross Access Agreements Required
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✓ Slope Easement Deed of Easement Required

Right of Way Deed of Easement
Required



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☑ **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:

### **Engineering**

- 1. An additional cross access agreement in the area between the lots identified as proposed LOT 2A and the existing cross access easement 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.
- 2. 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)
- 3. 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.
- 4. 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)

#### **Stormwater**

5. The r/w impervious improvement responsibility associated with the required 12' MUP must be allocated to all applicable lots in the subdivision and should be identified on all maps for recording.

#### **Urban Forestry**

6. A tree conservation plat shall be recorded with metes and bounds showing the designated tree conservation areas (UDO 9.1). This development proposes .29 acres of tree conservation area.



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 A public infrastructure surety for the 37 required street trees shall be provided to City of Raleigh Transportation – Development Engineering Division (UDO 8.1.3) in the amount of 125% of the improvement cost for the City of Raleigh infrastructure.

☑ <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:

#### **Public Utilities**

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

### **Urban Forestry**

- A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 21 street trees along Middle Branch Rd and 16 street trees along Birch Ridge Dr.
- A public infrastructure surety for the 37 required street trees shall be provided to City of Raleigh Transportation – Development Engineering Division (UDO 8.1.3) in the amount of 125% of the improvement cost for the City of Raleigh infrastructure.

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 31, 2026

Record at least ½ of the land area approved.

I hereby certify this administrative decision.

5-Year Sunset Date: May 31, 2028

Record entire subdivision.

Signed: \_

Development Services Dir/Designee

Staff Coordinator: Jessica Gladwin

05/31/2023

Date:

## **Subdivision Plan**

Issued for **Preliminary Subdivision Review** October 14, 2022 Date Issued April 17, 2023 Latest Issue

# **Birch and Branch Subdivision**

3499 Middle Branch Road Raleigh, NC



Sheet Index		
No.	Drawing Title	Latest Issue
C0.00	Cover Sheet	April 17, 2023
C1.00	Demolition Plan	March 15, 2023
C2.00	Site Plan	March 15, 2023
C3.00	Grading and Utility Plan	March 15, 2023
C7.00	Site Details	March 15, 2023
L1.00	Landscape Plan	March 15, 2023
L1.01	Landscape Details	March 15, 2023

NUMBER OF LOTS AND DENSITY

#### Site Data

3499 MIDDLE BRANCH ROAD RALEIGH, NC 27610

GROSS TOTAL ACREAGE 9.909 AC (431.645.5E) R/W DEDICATION: 0.366 AC (15,941.09 SF) NET SITE ACREAGE ZONING DISTRICT: OVERLAY DISTRICT SHOD-1 2.186 AC (95,211.09 SF) PROPOSED LOT 1 PROPOSED LOT 2: 7.357 AC (320.482.86 SF) JURISDICTION CITY OF RALBIGH PROPOSED USE: MULTIFAMILY RESIDENTIAL IMPERVIOUS AREA

0.716 AC (31,181.35 SF) LOT 2 0.719 AC (31,333.08 SF)

**Reference Drawings** 

GRADING AND LITH ITY NOTES

. NO NEW STORMWATER RUNOFF CONTROLS ARE PROPOSED PER 9.2.2.E.2.B. SEE ENGINEERING BEAUTE ONE DETAILS

/ATION PLAN IS REQUIRED PER UDO SEC. 9.1.2. MANAGEMENT IS REQUIRED PER UDO SEC. 9.2.2 A. & 10.3.4.E.

SUB-0068-2022

No.	Revision	Date	Appvo
1	2nd Submittal for COR	1/9/2023	CT
S	3rd Submittal for COR	3/15/2023	CT
3	4th Submittal for COR	4/17/2023	CT



940 Main Campus Drive Suite 500 Raleigh, NC 27606 919.829.0328 Corp. # C-3705

#### Owner

Latest Issue

April 17, 2023

Middle Branch Assoc Limited Partnership 33 S Service Road Jericho, NY 11753-1036

#### Applicant

Oppidan Investment Company 400 Water Street Suite 200 Excelsior, MV 55331 Contact: Noah Wagner Telephone: 262.312.0216 Email: noah.wagner@oppidan.com

#### Engineer

VHB Engineering NC, P.C. 940 Main Campus Drive Suite 500 Raleigh, NC 27606 Contact: Charles Townsend, PF Telephone: 919.741.5567 Email: ctownsend@vhb.com

#### TCA Consultant

Prospect Landscape Architecture, PLLC Contact: Jennifer Wagner, PLA, LEED AP, ASLA Telephone: 919.607.0025 Email: jenwagnerlandscape@gmail.com

Drawing Title

TCA Plan

1100

- INSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH CITY OF RALEIGH AND NODOT MRDS AND SPECIFICATIONS IF APPLICABLE. INTRIBATION SHALL ORIGINAL REPORT OF
- OPMENT.
  ADJUSTMENTS TO THIS PLAN MAY BE REQUIRED BY CITY OF RALEIGH INSPECTOR AS NEEDED.
- CONSTRUCTION.

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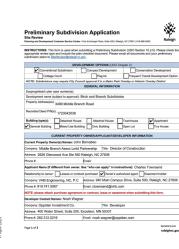
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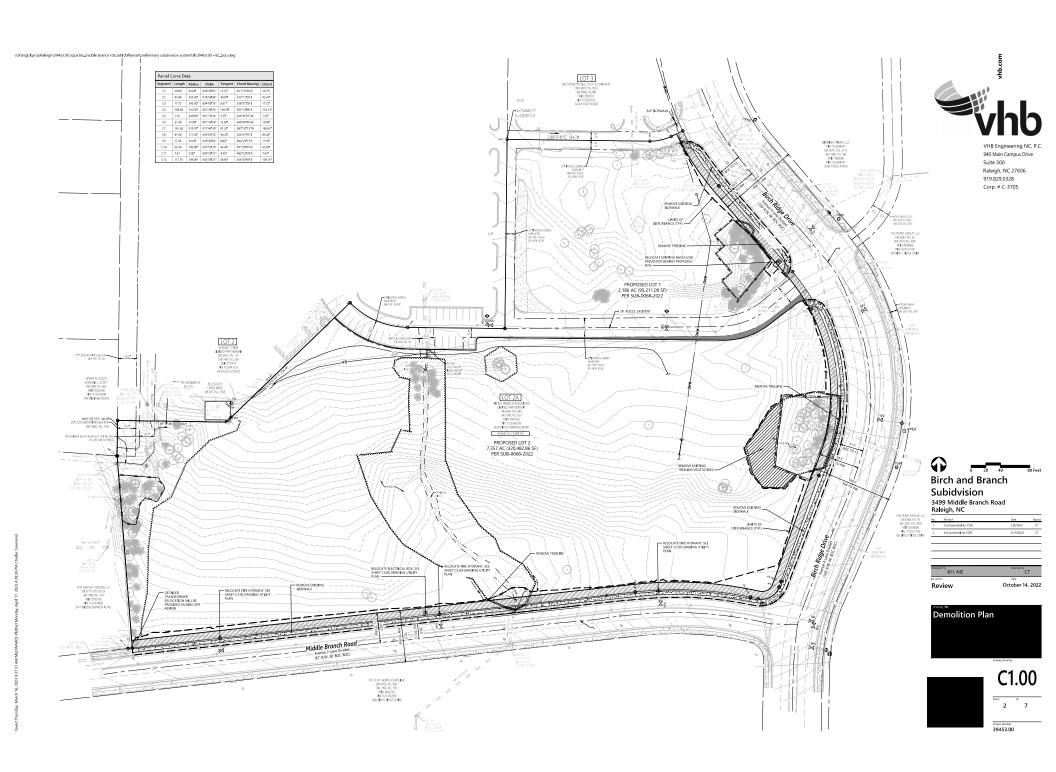
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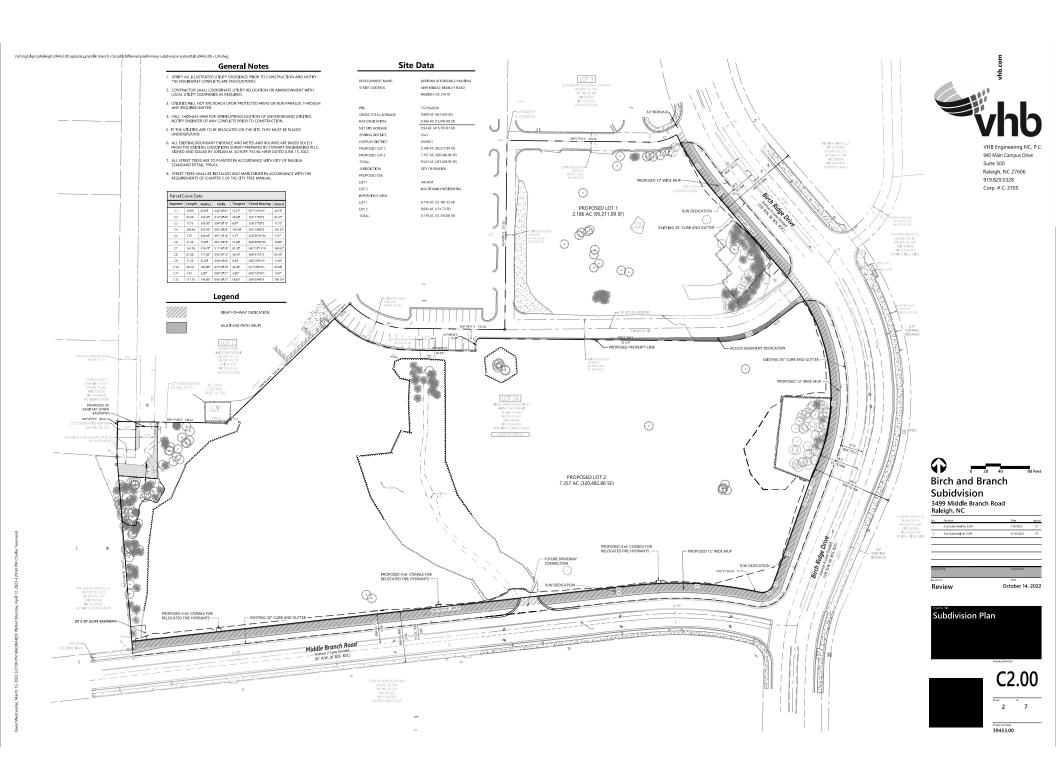
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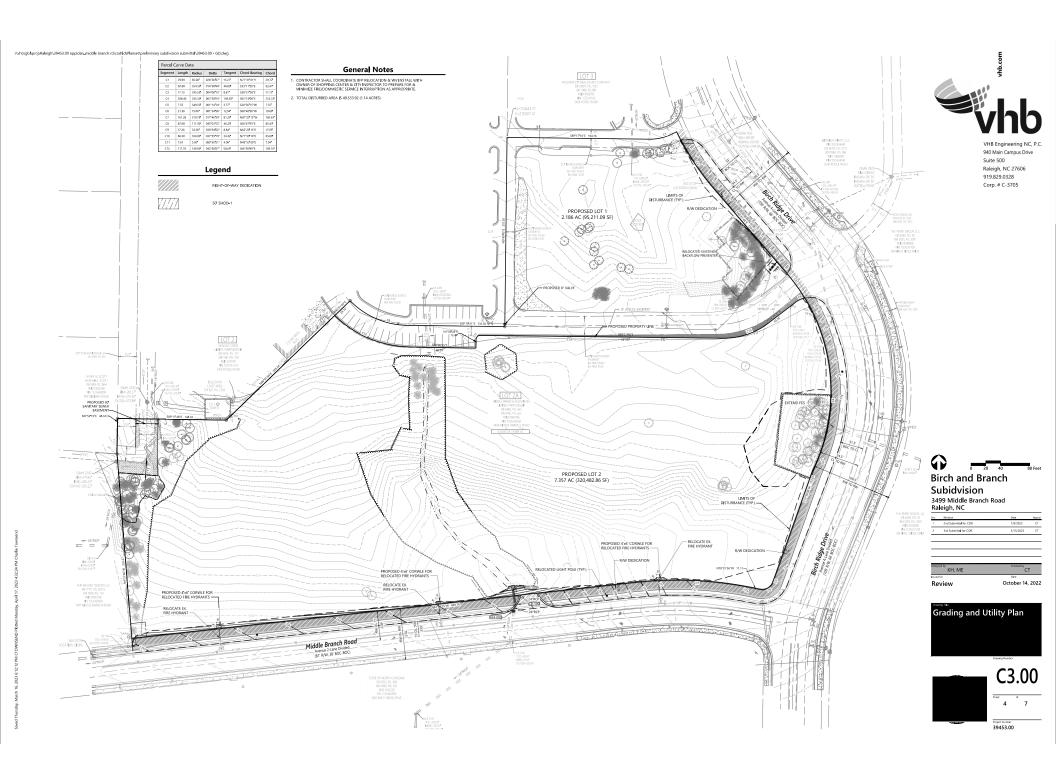














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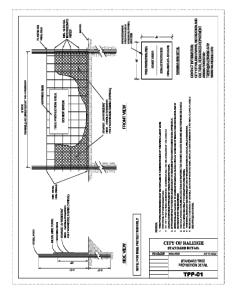
# Avenue 4-Lane, Divided (109' R/W)

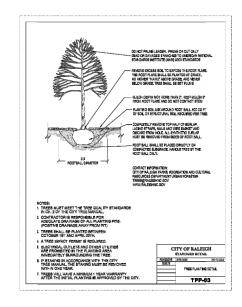


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Avenue 2-Lane, Divided (81' R/W) Source: City of Raleigh UDO







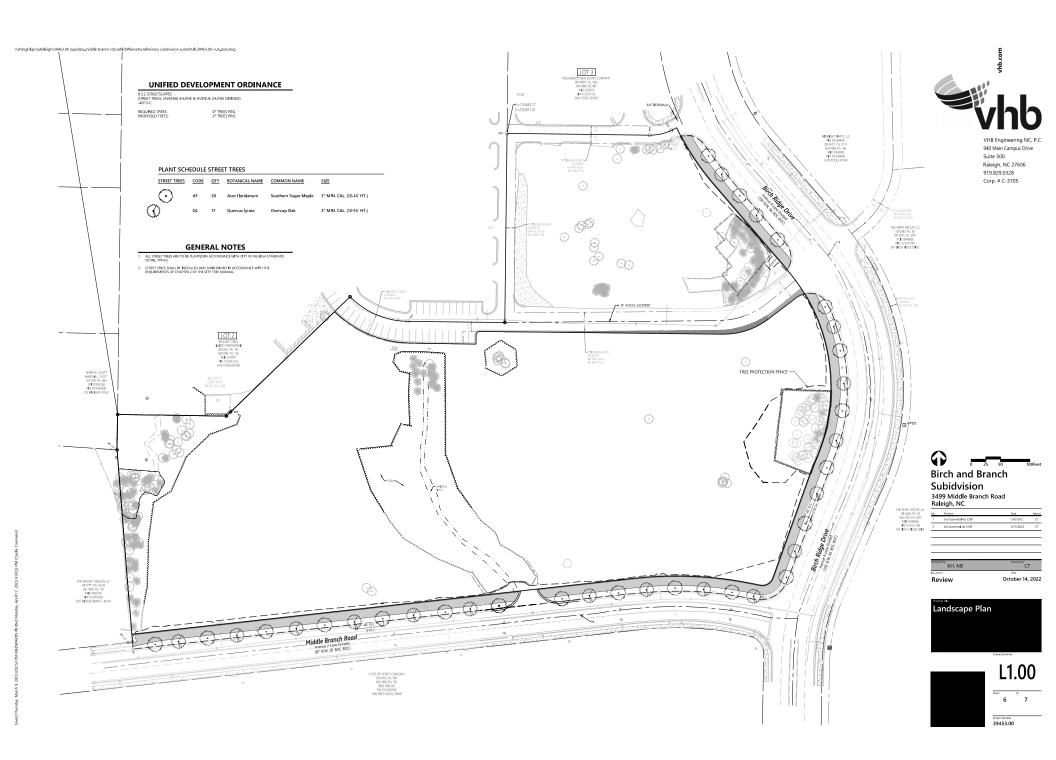
Raleigh, NC 27606 919.829.0328 Corp. # C-3705

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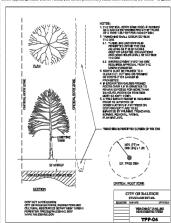
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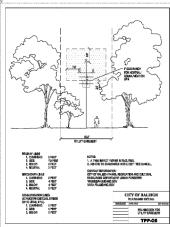


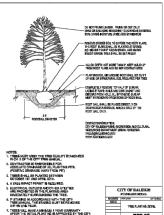


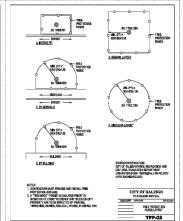


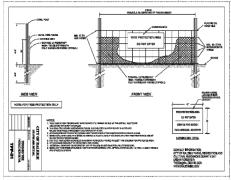
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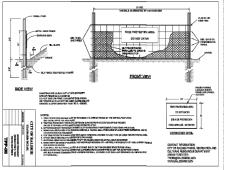














## Birch and Branch Subidvision 3499 Middle Branch Road Raleigh, NC

2 3rd Submittal for COR	3/15/2023
Designed by	Checked by
KH. ME	CT

Review



Project Number 39453.00

