LOCATION: This site is located on the north side of Capital Boulevard, south of E. Whitaker Mill Road at 1521, 1523, 1525 & 1527 Sunrise Avenue.

REQUEST: Development of a 1.39 acre/60,557 sf tract zoned R-10 NCOD (Neighborhood Conservation Overlay District) with .06 acres/2,690 sf of right-of-way dedication, leaving a net area of 1.33 acres/57,867 sf. A proposed townhome development including 20 lots- 18 residential and 2 HOA maintained Open Lots. Site located in the NCOD-Five Points East Core.

BOA-0071-2021: Variance approved 2/14/22 for relief of the 10% front yard setback per the NCOD pursuant to UDO Sec.5.4.3.F.3.a.ii, with a 7’ft front yard setback from Sunrise Avenue.

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 April 4, 2022 by Swift Partners 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:

Stormwater

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

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

3. 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. 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
Utility Placement Deed of Easement Required
Slope Easement Deed of Easement Required
Right of Way Deed of 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. Street names for this development shall be approved by the Raleigh GIS Division and by Wake County.

2. A demolition permit shall be issued and this building permit number shown on all maps for recording.

3. Provide documentation indicating a Property Owner's Association has been established for the subject development.

4. A recombination shall be recorded in conjunction with or prior to the recordation and approval of the residential lots for SUB-0069-2021.

5. Comply with all conditions of BOA-0071-2021 as applicable.

Engineering

6. A cross access agreement to the lots identified as PIN 1704776463 and PIN 1704778212 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.

7. A public infrastructure surety for the sidewalk construction 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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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)

9. 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)

10. 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)

Public Utilities

11. 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.

Stormwater

12. 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).

13. 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).

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

**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**


2. Building elevation designs for each residential or set of building townhome blocks are provided for Post-Development average grades, in accordance to TC-4-20.

**Public Utilities**

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

**Urban Forestry**

4. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes (10) street trees along Sunrise Ave.

5. A public infrastructure surety for (5) tree lawn trees 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.

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.

**Stormwater**

2. As-built impervious survey is accepted by the Engineering Services Department (UDO 9.2).
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: September 7, 2025  
Record at least ½ of the land area approved.

5-Year Sunset Date: September 7, 2027  
Record entire subdivision.

I hereby certify this administrative decision.

Signed: ____________________________ Date: 05/11/2022
Daniel L. Stogall
Development Services Dir/Designee

Staff Coordinator: Jermont Purifoy
SUNRISE TOWNHOMES
0, 1521, 1523, 1525, & 1527 SUNRISE AVENUE
CITY OF RALEIGH PRELIMINARY SUBDIVISION SUBMITTAL
SUB-0069-2021
SUBMITTED ON: 04.04.2022