LOCATION: The site is located on the north side of Buffaloe Road and east side of Stone Station Drive. The site is addressed at 6501 Buffaloe Rd, which is located in the City of Raleigh Extraterritorial Jurisdiction.

REQUEST: Subdivision of a vacant 17.59-acre tract zoned OX-3CU (Z-60-2004). The plans propose 92 townhome lots and 7 open lots.

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 January 24, 2020 by Morris & Ritchie Associates of NC, PC.

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:

Engineering

1. Required NCDOT encroachment and/or driveway permits must be approved and copies provided to Development Services – Development Engineering prior to concurrent review approval.

Stormwater

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

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

4. The State of North Carolina shall approve any proposed disturbance within the riparian buffer prior to the issuance of any grading or site permit (UDO 9.2.3.E).

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

Urban Forestry

6. 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).
7. Tree protection fence must be inspected by Urban Forestry staff prior to the issuance of a grading permit.

☑️ **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

☑️ **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. 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.

**Engineering**

3. A 5’ utility placement easements and associated deed of easements (as shown on plan along internal streets and Buffaloe) 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. A fee-in-lieu for construction of 1/2 a Neighborhood Local Street within the footprint of the Perry Creek Road Extension is paid to the City of Raleigh (UDO 8.1.10).

5. The required right of way for proposed and/or existing streets (Perry Creek, Buffaloe, Internal Streets, Spring Forest) shall be dedicated to the City of Raleigh and shown on the map approved for recordation.

6. A fee-in-lieu for the remaining sidewalk and curb & gutter along Buffaloe Rd is paid to the City of Raleigh (UDO 8.1.10).
7. Slope easements (10 to 20-ft in width) and associated deeds of easement (along Perry Creek, Buffaloe, Spring Forest) 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.

8. A 15’x20’ transit 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.

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

10. A fee-in-lieu for construction of the internal streets where they stop short of the property line (Streets A & B) is paid to the City of Raleigh (UDO 8.1.10).

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

Public Utilities

12. 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.

13. 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.

14. A fee-in-lieu of construction shall be paid to the City of Raleigh Public Utilities Department for the construction of a water and/or sewer main.

Stormwater

15. The flood prone areas, as approved by the City Stormwater Engineer and shown on the preliminary plan, shall be shown on the recorded map (UDO 9.3.3.G).

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

17. 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).
18. 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).

19. 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).

20. The riparian buffers, in accordance with the preliminary plan and the State of North Carolina regulations, shall be shown on plats for recording along with required buffer statement (Recorded Map Checklist).

21. 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

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

23. A fee-in-lieu for 18 street trees is paid to the City of Raleigh (UDO 8.1.10).

24. A tree conservation plat shall be recorded with metes and bounds showing the designated tree conservation areas (UDO 9.1). This development proposes 1.22 acres of tree conservation area.

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

Urban Forestry

2. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 76 street trees along Buffaloe Road, 46 street trees along 'Street A', 14 street trees along 'Street B', and 8 street trees along 'Street C' for a total of 144 street trees.

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

Stormwater
1. As-built impervious survey is accepted by the Engineering Services Department (UDO 9.2).

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: February 20, 2023  
Record at least ½ of the land area approved.

5-Year Sunset Date: February 20, 2025  
Record entire subdivision.

I hereby certify this administrative decision.

Signed: ___________________________ Date: 02/20/2020

Development Services Dir/Designee

Staff Coordinator: Ryan Boivin