



# Administrative Approval Action

Case File / Name: SUB-S-63-2018  
MILBURNIE RIDGE

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

**LOCATION:** This site is located on the north side of Buffalo Road, west of Old Milburnie Road at 3231 Old Milburnie Road. This site is outside the City limits.

**REQUEST:** This plan is a revision to the original subdivision plan, Milburnie Ridge Subdivision SUB-S-63-2018. The purpose of this revision is to add a new Phase 3 to the original development. No other revisions are being made to this subdivision plan. Development of a 55.83 acre tract zoned R-6 CU into a proposed three phase subdivision with 165 building lots, 8 open lots (173 total lots) and overall residential density of 2.98 units/acre. Phase 1 will be 17.09 acres, 38 lots with 3 Open lots. Proposed Phase 2 will be 15.88 acres with 3 Open Lots & a new Phase 3, 22.86 acres and 2 Open Lots.

Zoning Case Conditions: Z-16-07

## DESIGN

### ADJUSTMENT(S)/

**ALTERNATES, ETC:** SPR-0036-2020: DSLC - 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 October 23, 2020 by Bohler Engineering.

## **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 approved street name determination shown on the coversheet of the approved preliminary plan is also shown on the Site Permit Review and Plat Recording.
2. A detailed of illustration for any street lighting is included and shown with the Site Permit Review plans (if applicable) and meet the standards in Sec.7.4.

### Engineering

3. Required NCDOT encroachment and/or driveway permits must be approved and copies provided to Development Services – Development Engineering prior to concurrent review approval.
4. A right-of-way obstruction permit must be obtained from Right-of-way Services prior to the commencement of any construction activities within the right-of-way.



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**Public Utilities**

5. A deed shall be recorded prior to concurrent approval for all necessary offsite City of Raleigh Sanitary Sewer Easements to accommodate future sewer line construction.
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.
7. Pump station design must be submitted for review and approval prior to site permit approval. Please ref pgs 78-87 of the CORPUD Handbook for design requirements.

**Stormwater**

8. 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).
9. A surety equal to the cost of clearing, grubbing and reseeding a site, shall be paid to the City (UDO 9.4.4).
10. A stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved (UDO 9.2).
11. A nitrogen offset payment must be made to a qualifying mitigation bank (UDO 9.2.2.B).
12. A 100-year floodplain analysis shall be submitted and approved by the Engineering Services Department prior to the issuance of any grading or site permit (UDO 9.3).

**Urban Forestry**

13. Tree protection fence must be inspected by Urban Forestry staff prior to the issuance of a grading permit.
14. 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).

**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"/>	City Code Covenant Required
<input checked="" type="checkbox"/>	Utility Placement Easement Required

<input checked="" type="checkbox"/>	Stormwater Maintenance Covenant Required
<input checked="" type="checkbox"/>	Slope 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.



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***The following items must be approved prior to recording the plat:***

## **General**

1. 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.
2. A demolition permit shall be issued and this building permit number shown on all maps for recording.
3. Street names for this development shall be approved by the Raleigh GIS Division and by Wake County.
4. The Primary Street Determination table, per TC-5A-18, shown on the approved preliminary subdivision set, is also noted & shown on the Plat Recording approval.

## **Engineering**

5. 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.
6. 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.
7. A public infrastructure surety is provided to the City of Raleigh Development Services – Development Engineering program (UDO 8.1.3).

## **Public Utilities**

8. 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.
9. 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.

## **Stormwater**

10. 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).



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11. 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).
12. 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).
13. 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).
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. 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).

## Urban Forestry

16. A tree conservation plat shall be recorded with metes and bounds showing the designated tree conservation areas (UDO 9.1). This development proposes 5.54 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:***

## General

1. Provide fire flow analysis.
2. Comply with all conditions of Z-16-07

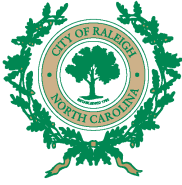
## Public Utilities

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.

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



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## General

1. All street lights and street signs required as part of the development approval are installed.

## Stormwater

2. 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: March 1, 2023**  
Record at least  $\frac{1}{2}$  of the land area approved.

**5-Year Sunset Date: March 1, 2025**  
Record entire subdivision.

I hereby certify this administrative decision.

Signed: *Alysia Bailey Taylor* Date: 12/02/2020  
Development Services Dir/Designee  
Staff Coordinator: Jermont Purifoy