LOCATION: This site is located on the north side of Peace Street, west of Halifax Street at 721 Halifax St and 18 Seaboard Avenue.

REQUEST: Development of Lot 1, a 2.14 acre (93,390 sf) tract, as part of a 5.67 acre site zoned DX-7-UG into a 302,686 square foot/298 unit mixed-use apartment and retail building.

A-96-2019 - Alternate Variance for Block Perimeter

A-12-20 - Design Alternate - Design Adjustment for Variable Width Right-of-Way. Landscaping & Parking

A-13-20 - Design Alternate for forward & backward movement at Loading Dock and a wider Driveway on Franklin St. Park Deck access from alley.

AAD-16-20 - Administrative Alternate - Build-to

AAD-20-20 - Administrative Alternate - Transparency (Halifax St & Franklin St.)

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: SPR-0001-2021: 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 December 4, 2020 by Stewart.

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. An encroachment submittal for all non-typical structures and materials proposed within the public right-of-way shall be approved by City Council. The executed encroachment agreement shall be filed with the Development Services Department for the approval by the City and returned to the Owner. The Owner is responsible to record the executed encroachment agreement with the Wake County Register of Deeds. A recorded copy of these documents must be provided to the Development Services Department.
2. That the existing right-of-way for Abel Alley, portions of Franklin Street, and portions of Seaboard Ave are abandoned and a resolution number shown on all plats.

3. A Traffic Control and Pedestrian (TCPED) Plan must be approved and a right-of-way occupancy permit must be obtained from Right-of-way Services for any construction activities within the right-of-way.

4. For the building foundations proposed within the public right-of-way, an easement and/or agreement, as deemed appropriate and sufficient by City Staff, that permits portions of the building to encroach within the Franklin Street right-of-way must be approved by City Council. Any applicable easement must be executed by the City of Raleigh and the location as identified on the plans 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 the recorded copy of the document is not provided as indicated herein, further recordings and building permit issuance will be withheld.

5. The offsite improvement as recommended in the Traffic Impact Analysis shall be proposed and reviewed.

☑️ **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. A right-of-way abandonment reference case # is shown on all plat recordings.

**Engineering**

3. A public access easement along the proposed alley shall be approved by the Development Services Department for recording in the Wake County Registry, and a copy of the recorded 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.

4. 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.

☑️ **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. A recombination map shall be recorded, recombining the existing lots into a single tract as shown on the preliminary plan.
2. A demolition permit shall be obtained.

Engineering

3. A public infrastructure surety shall be provided to the City of Raleigh Development Services – Development Engineering (UDO 8.1.3).

Public Utilities

4. 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.

Urban Forestry

5. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 8 street trees along Seaboard Ave, 17 street trees along Halifax St and 7 street trees along W Franklin St.
6. A public infrastructure surety for 32 street trees is provided to the City of Raleigh Development Services – Development Engineering program (UDO 8.1.3).

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

Urban Forestry

1. Final inspection of all tree conservation areas and right of way street trees by Urban Forestry Staff.

EXPIRATION DATES: The expiration provisions of UDO Section 10.2.8 E, including the ability to request extensions in the expiration date, apply to this site plan. If significant construction has not taken place on a project after administrative site review approval, that approval may expire and be declared void, requiring re-approval before permits may be issued. To avoid allowing this plan approval to expire the following must take place by the following dates:

3-Year Expiration Date: April 29, 2024
Obtain a valid building permit for the total area of the project, or a phase of the project.
4-Year Completion Date:
Within four years after issuance of the first building permit for the site plan, the
construction of the entire site plan must be completed unless an applicant has
been granted vested rights. Failure to complete construction within this specified
time frame shall automatically void the approved site plan for which no building
permits have been issued.

I hereby certify this administrative decision.

Signed:  Alycia Bailey Taylor                                      Date:  12/31/2020
Development Services Dir/Designee

Staff Coordinator: Jermont Purifoy