

Administrative Approval Action

Case File / Name: ASR-0020-2021 DSLC - City Gateway Apartments

LOCATION:	This 2.01 acre site zoned DX- 20 is located at the end of Kindley Street, as part of a larger site found on the northeast corner of the intersection of Martin Luther King Blvd and S., McDowell Street. The address is 120 Kindley Street. This is on proposed lot one of subdivision case SUB-0012-2021 approved on September 1, 2021.
REQUEST:	An approximately 221,608 square foot seven story mixed use building. Floors 1-2 retail, parking, residential amenity and lobby; floors 3-7, multi-family residential; a shared driveway and turn around on adjacent proposed lot two. This is a revision to the previously approved plan, the revision being the removal w/conditions of all TCA as per a variance granted after the fact (BOA-0048-2021).
DESIGN	(BOA-0048-2021) - approved 10/13/21 - removal w/conditions of all TCA as per a variance granted after the fact
ADJUSTMENT(S)/ ALTERNATES, ETC:	SPR-0208-2021: DSLC - Site Permitting Review/Major [Signature Set] SUB-0012-2021: DSLC - Preliminary Subdivision/Preliminary Subdivision
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 August 27, 2021 by Urban Design Partners.

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:

General

- 1. The applicant or owner must provide a letter addressed to the assigned Planner, indicating the intent to withdraw ASR-SR-99-2016.
- 2. A Will Serve Letter from the private waste hauler must be provided to the City prior to final approval of the SPR application." (The Will Serve Letter must indicate that they have reviewed the plans, the point of collection, the number and type of containers that will be used, confirm that frequency can be increased based on need, and agree that they are able to service safely and effectively on a weekly basis. In conjunction with the Will Serve Letter a drawing should be included to show the general layout of the project indicating the point of collection in relation to public right of ways and streets. If collection happens within the development and not on a public street, this should be indicated.)



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- 3. Uncovered Outdoor Amenity Areas in DX zoning must demonstrate compliance with UDO Section 1.5.3 C 1-3.
- 4. Record the lot configuration in the approved subdivision, SUB-0012-2021.

Stormwater

- 5. A surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City (UDO 9.4.4).
- 6. A stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved (UDO 9.2).

☑ <u>**RECORDED MAP(S)**</u> - 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:

Stormwater

- 1. If demolition causes a land disturbance of more than 12,000 sf, a mass grading permit will be required. (UDO 9.4.6)
- 2. The maximum allocated impervious area for all applicable lots in the subdivision should be identified on all maps for recording.
- 3. 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).

☑ <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.
- 2. Initiation of the easement exchange process is required (via dedication of new easement on record plat, ending with abandonment of old easement on subsequent deed).
- 3. Utility re-alignment construction shall be substantially complete (to eliminate conflict with new building).



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Urban Forestry

4. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 5 street trees along Kindley Street.

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

General

1. Final inspection of right of way street trees by Urban Forestry Staff.

Stormwater

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

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: January 19, 2025

Obtain a valid building permit for the total area of the project, or a phase of the project.

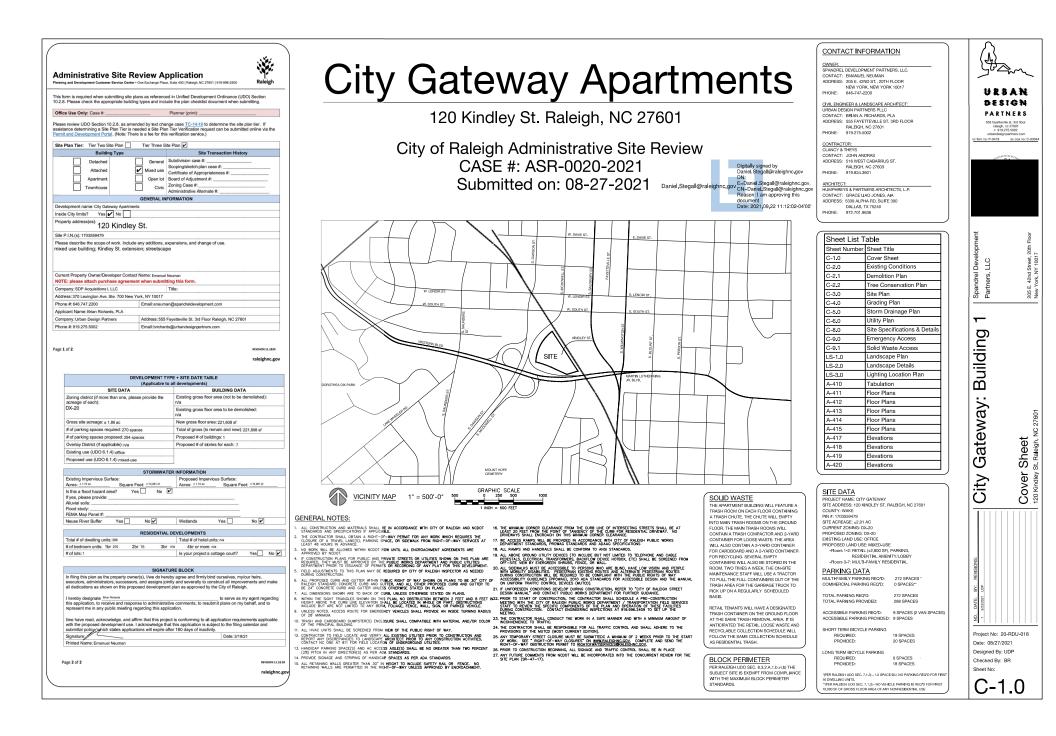
4-Year Completion Date:

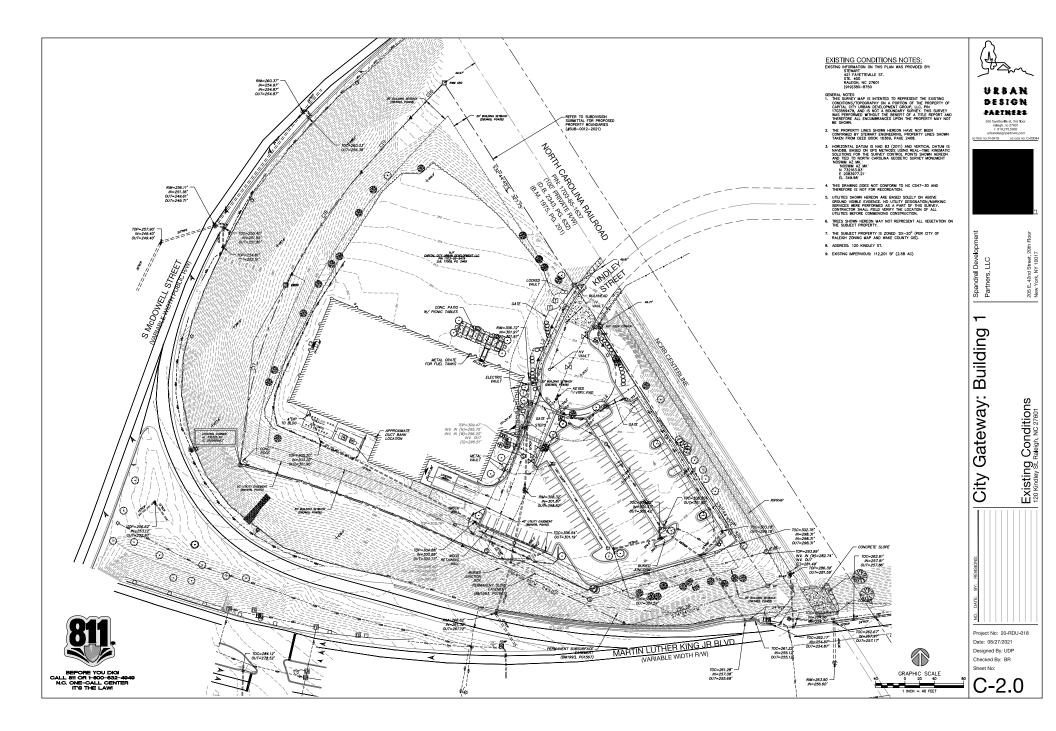
Within four years after issuance of the first building permit for the site plan, the construction of the entire site plan must be completed unless an applicant has been granted vested rights. Failure to complete construction within this specified time frame shall automatically void the approved site plan for which no building permits have been issued.

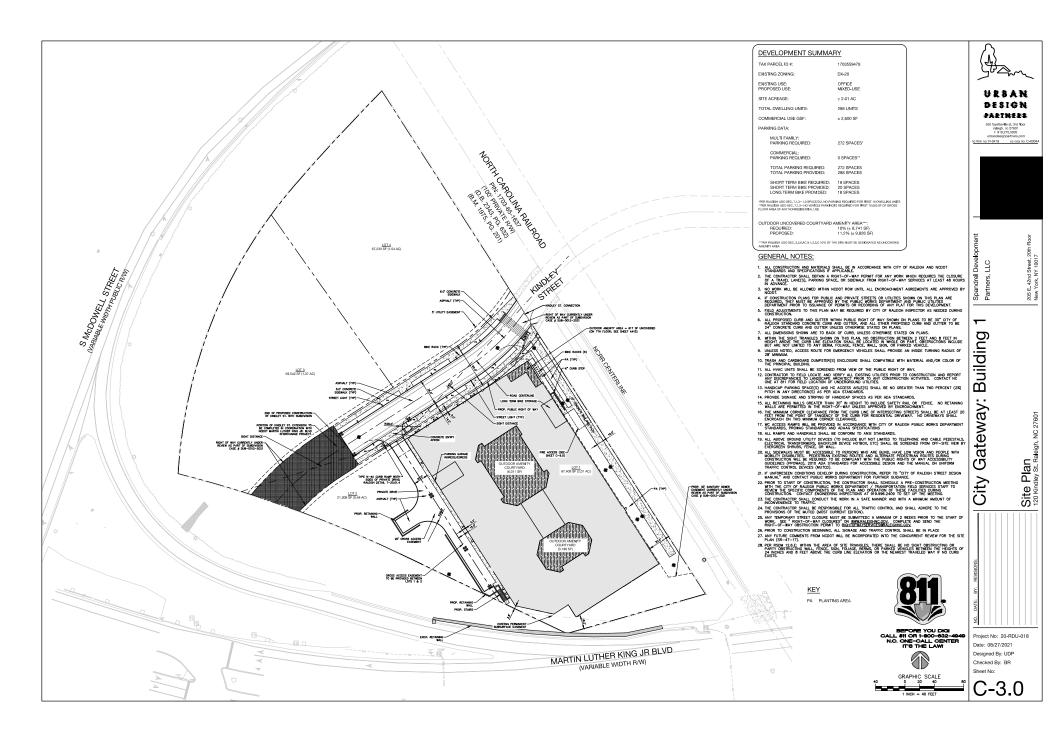
I hereby certify this administrative decision.

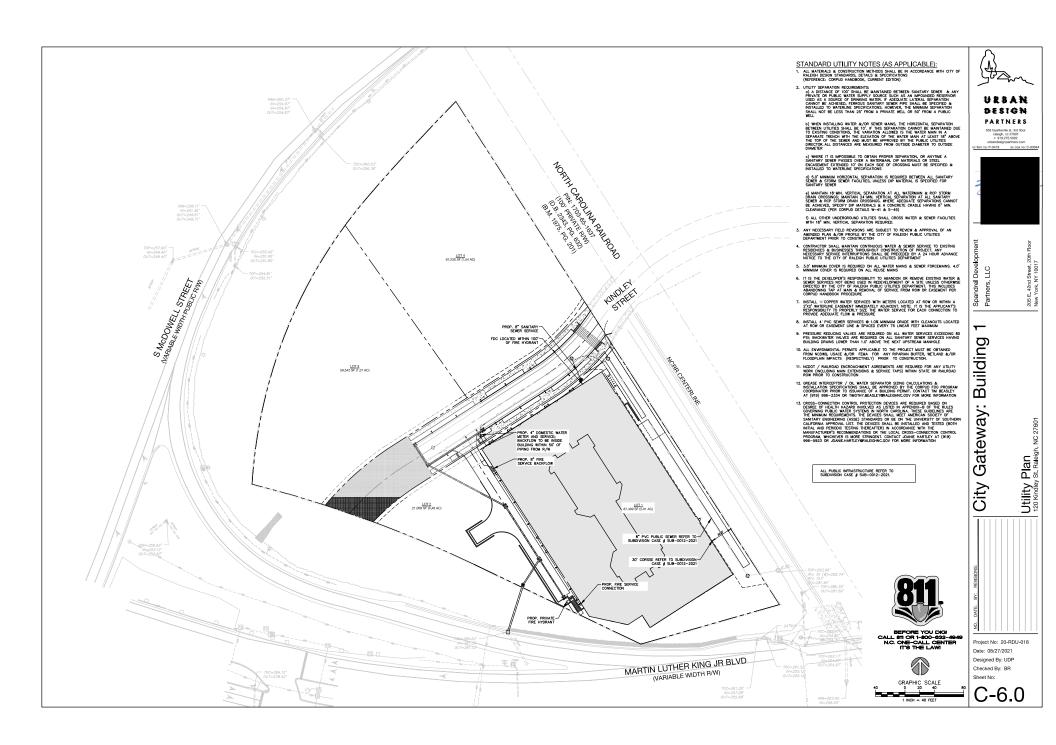
Bailey Taylor Signed: AV. AIA.

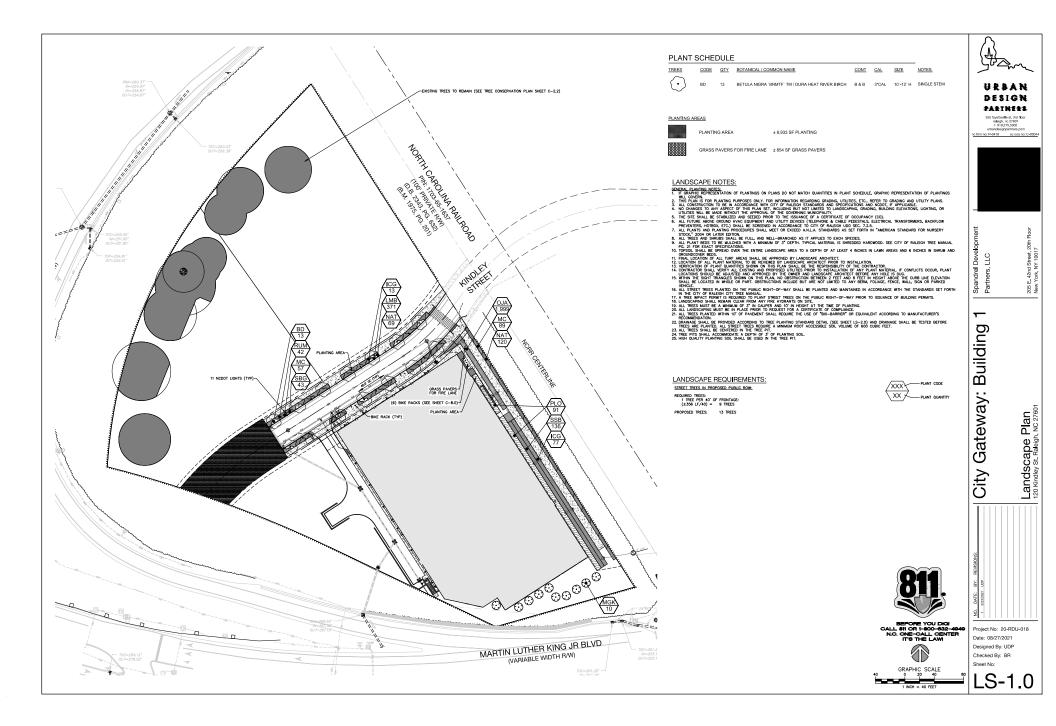
Development Services Dir/Designee Staff Coordinator: Michael Walters Date: 09/22/2021

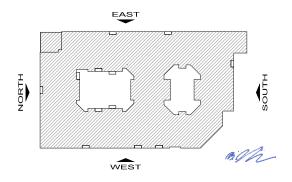










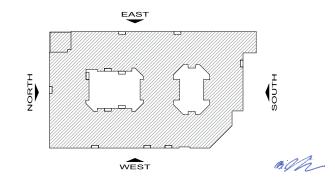




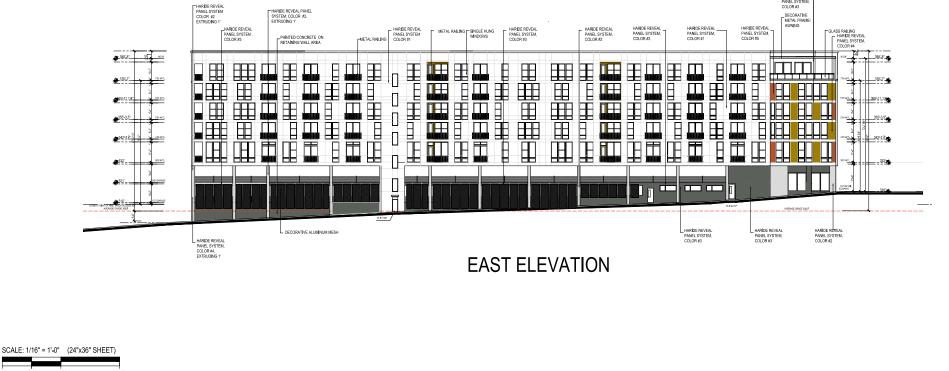
NORTH ELEVATION

TRANSPARENCY % ON GROUND RETAIL AREA: 66% (BETWEEN 0' - 12' ALONG FINISH GRADE)





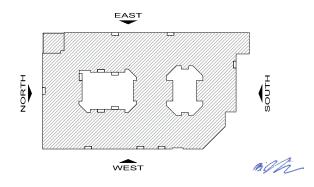
HARIDE REVEAL PANEL SYSTEM COLOR #3

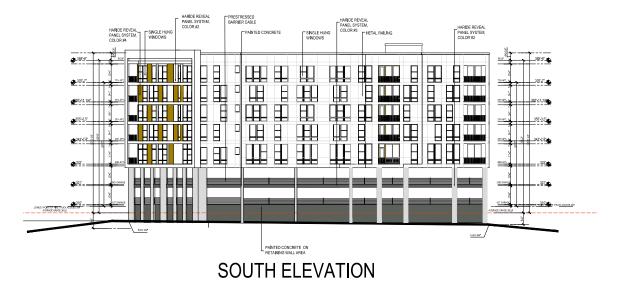




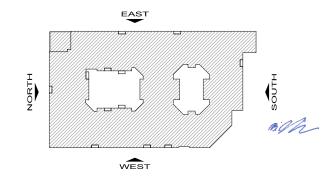
site place are for feasibility purpose only

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WEST ELEVATION

