The site is generally located on the west side of S Dawson Street between W Lenoir Street and W South Street, with common street addresses of 320 and 328 W South Street.

Development of an approximately 400,593 square foot, 20-story mixed-use building containing approximately 297 dwelling units, and an approximately 390 space parking structure. The subject property is approximately 1.1 acres zoned DX-20-UL-CU (Z-29-20).

Design Alternates (DA-20-21) approved granting a 115’ alternate from UDO Section 8.3.5.C.3.c to allow an 85’ separation between the parking deck driveway and the move-in service driveway along W Lenoir Street, a 23’ alternate from UDO Section 8.3.5.C.3.c to allow the parking deck entrance along W South Street to be located 177’ from a neighboring driveway, a 59’ alternate to RSDM Section 9.5 to allow the move-in service driveway along W Lenoir Street to be located 91’ from the intersection of W Lenoir Street and S Dawson Street, an alternate from RSDM Section 9.4.A.c to allow vehicles to reverse maneuver into the move-in service parking area, an alternate to UDO Section 8.5.5.D to construct road improvements along the south side of W Lenoir Street without providing a parallel parking lane, and an alternate to UDO Section 8.5.5.C to construct road improvements along the north side of W South Street without providing a parallel parking lane, all subject to several conditions (see Sheet L0.3).

Administrative Alternates (AAD-10-21) approved granting 52% transparency for the ground floor along S Lenoir Street, in lieu of the 66% ground floor transparency requirement set forth in UDO Section 3.2.6.F1, and granting alternative building massing in lieu of the 15’ building stepback requirement set forth in UDO Section 3.3.3.

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 6, 2021 by J DAVIS ARCHITECTS.

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 plan does not clearly identify how the conditions of the Appearance Commission have been met through exhibits, notes or dimensioning. See page 4 for example on the Raleigh Appearance Commission findings of fact and conclusion of law. These items will need to be addressed. As discussed in Appearance Commission the 32’ wide driveway for move in exceeds the standard driveway width needs and the driveway will be required to be no wider than 20’ to 24’ wide. See the other items cited starting on page 4 and provide proper notations and graphical updates to show compliance prior to site permitting approval.

2. Driveway spacing and intersection clearance continues to lack dimensioning. Therefore it cannot be fully confirmed that compliance with the Appearance Commission DA-20-2021 is being met. Site permitting approval cannot be granted until it has been shown that the dimensioning as cited in DA-20-2021 complies. If there is variation from approved additional discussion will have to occur as to the plan process and compliance with the appearance commission findings of fact.

3. Striping, marking and street signage updates to be reviewed with site permitting review. Including and not limited to the intersection at Lenoir Street and Dawson, and both South and Lenoir Street frontages with the updated driveway access.

4. The transit stop location on Dawson Street will be confirmed prior to approval of site permitting review.

5. Demonstrate compliance with UDO Section 3.2.6.F (Transparency) in accordance with UDO Section 1.5.9 (Transparency).

6. Right-of-way closure, which is subject to City Council approval or denial, must occur prior to SPR approval.

**Engineering**

7. That those portions of the existing right-of-way noted to be abandoned on the Lenoir Street frontage as discussed with Transportation Planning and the City Attorneys Office is abandoned per the stipulations of those discussions and a City Council resolution number shown on all plats.

8. 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.

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

**Stormwater**

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

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

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

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:

Engineering

1. 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.

Public Utilities

2. 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

3. 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).

Transportation

4. A transit deed of easement shall be approved by City staff and the location of the easement shall be shown on a plat 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 this document must be provided to the Development Services Department within one day from authorization of lot recording. If a recorded copy of the document is not provided, further recordings and building permit issuance will be withheld.

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 property, including all right-of-way to be closed, into a single lot.

**Engineering**

2. A public infrastructure surety 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.

**Stormwater**

3. 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).

4. 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).

**Urban Forestry**

5. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes (5) street trees w/tree grate along W. South St., (5) street trees w/tree grate along S. Dawson St., (6) street trees w/tree grate along W. Lenoir St.

6. A public infrastructure surety for (16) street trees w/grate shall be provided to the City of Raleigh Development Services – Development Engineering (UDO 8.1.3).

**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.

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

3. Required public right-of-way infrastructure improvements shall be, at a minimum, sufficiently completed to provide the necessary, safe emergency and vehicular access.

**Stormwater**

4. 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:** 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:  May 11, 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.

Signed: Alysia Bailey Taylor  Date: 01/12/2022
Staff Coordinator:  Kasey Evans