



# Administrative Approval Action

Case File / Name: ASR-0050-2020  
5825 North Hills

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 Millbrook Road, west of North Hills Drive at 5825 North Hills Drive.

**REQUEST:** Development of a 5.52 acre/240,451 sf tract zoned RX-4-PL-CU (zoning conditions of Z-41-2019) into two apartment style buildings with a total of 97 units. The site includes right-of-way dedication of .06ac/2,614 sf leaving a net area of 5.46 ac/237,838 sf. One of the proposed buildings will be 102,753 sf with 45 units and the other building will be 121,720 sf with 52 units for an overall total building area of 224,473 sf.

BOA-0006-2021 - BOARD OF ADJUSTMENTS - Variance: Approval of complete relief from the 2'ft ground floor elevation on Building #2 from UDO Sec.3.2.4.F.F1. Approved 3/8/21

DA-0003-2021 - DESIGN ADJUSTMENT: Design Alternate to UDO Sections 8.4.1.B.1 and 2, 8.5.3.A, and 8.5.8.C to allow complete relief from street type roadway requirements easements and streetscape standards for portion of old West Millbrook right-of-way. Approved 3/1/21

**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 April 7, 2021 by Priest Craven.

## **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 Site Permit Review plans landscaping sheet LS1.0 shall conform with the required Neighborhood Transition Yard design requirements in UDO Section 3.5.3. Sheet LS1.0 shall be amended to show the required fencing/wall and corrected shrub count total per UDO Section 3.5.3.A. & Z-41-19 along all exterior lot lines abutting residentially zoned properties, outside noted the tree conservation boundary areas.
2. The proposed lighting fixture and/or tree planting location behind Building #2, shown on sheet LS1.0, is revised to demonstrate compliance with Sec.7.1.7.G of the UDO.



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## Public Utilities

3. 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.
4. A plat shall be recorded for all necessary offsite right-of-way to accommodate future waterline construction.

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

## Urban Forestry

8. Tree protection fence must be inspected by Urban Forestry staff prior to the issuance of a grading permit.
9. 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).

☒ **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 recombination plat is recorded prior to or in conjunction with any plat recording prior to building permit submittal and permit issuance.
2. A demolition permit shall be issued and this building permit number shown on all maps for recording.

## Engineering

3. A Public Access deed of easement be approved by City staff, 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 plat. A recorded copy of this document shall be provided to the Development Services Department within one day from authorization of lot recordation. If a recorded copy of this document is not provided, further recordings and building permit issuance will be withheld.



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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.

## Public Utilities

5. 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

6. 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

7. 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.

## Urban Forestry

8. A tree conservation plat shall be recorded with metes and bounds showing the designated tree conservation areas (UDO 9.1). This development proposes .553 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. A recombination map shall be recorded prior to or in conjunction with the recording of lots, recombining the existing lot into a single tract.
2. Comply with all conditions of BOA-0006-2021.
3. A demolition permit shall be obtained for existing buildings on site.
4. Comply with all conditions of Z-41-19, BOA-0006-2021 and DA-0003-2021.
5. Street names for this development shall be approved by the Raleigh GIS Division and by Wake County.



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## **Engineering**

6. A public infrastructure surety for 15 street trees shall be provided to the City of Raleigh Development Services – Development Engineering (UDO 8.1.3).
7. A public infrastructure surety shall be provided to the City of Raleigh Development Services – Development Engineering (UDO 8.1.3).
8. A fee-in-lieu for improvements to public right-of-way immediately south of the site shall be paid to the City of Raleigh (UDO 8.1.10), unless the requirement is otherwise addressed.
9. A fee-in-lieu for transit infrastructure shall be paid to the City of Raleigh (UDO 8.1.10).

## **Public Utilities**

10. Utility re-alignment construction shall be substantially complete (to eliminate conflict with new building).
11. A plat must be recorded at the Wake County Register of Deeds office for all utility easement dedications.
12. 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).

## **Stormwater**

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 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).
15. 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**

16. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 15 street trees along North Hills Drive.

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

## **General**



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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. 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:** September 8, 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: 05/12/2021  
Development Services Dir/Designee  
Staff Coordinator: **Jermont Purifoy**





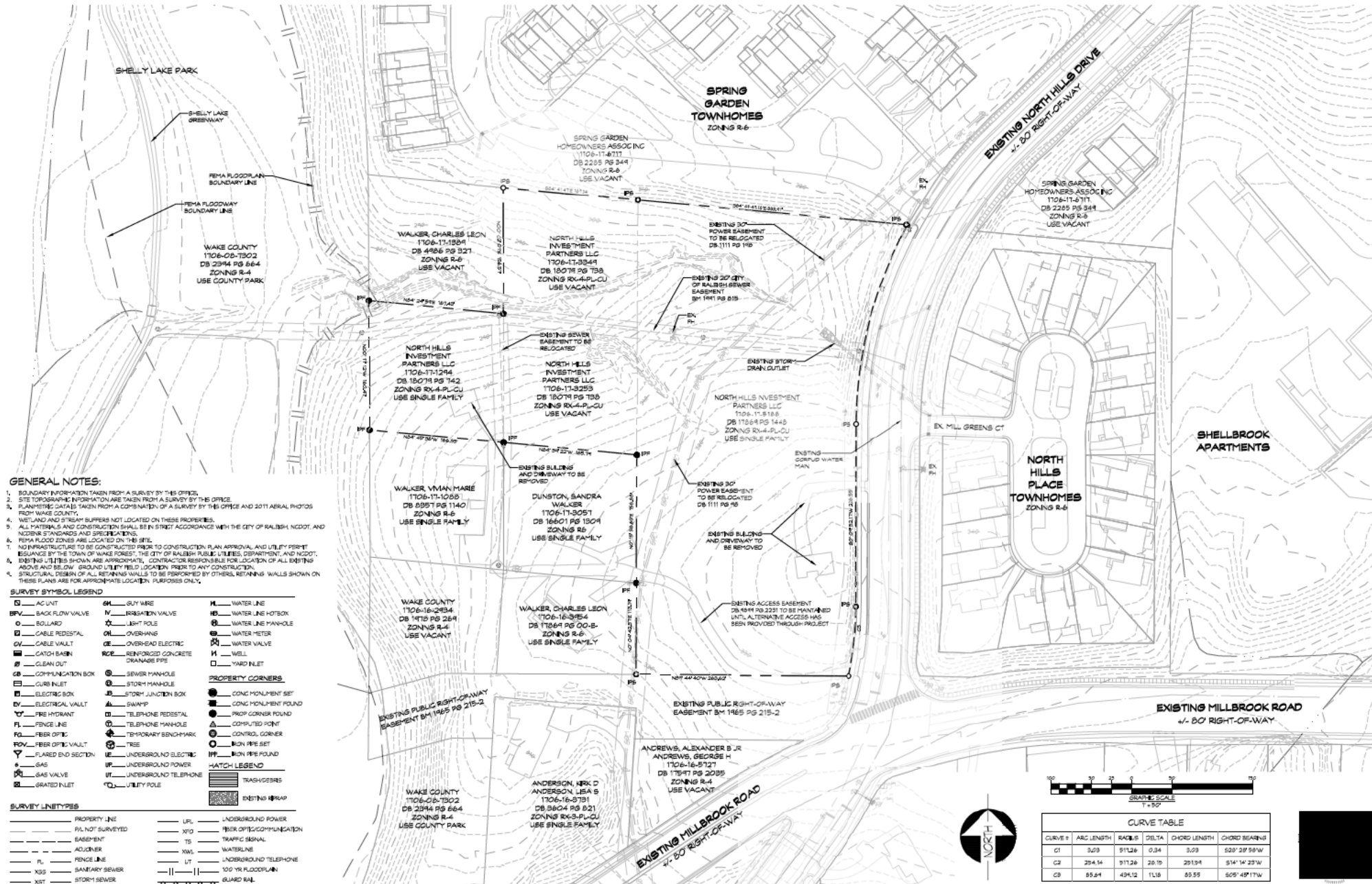
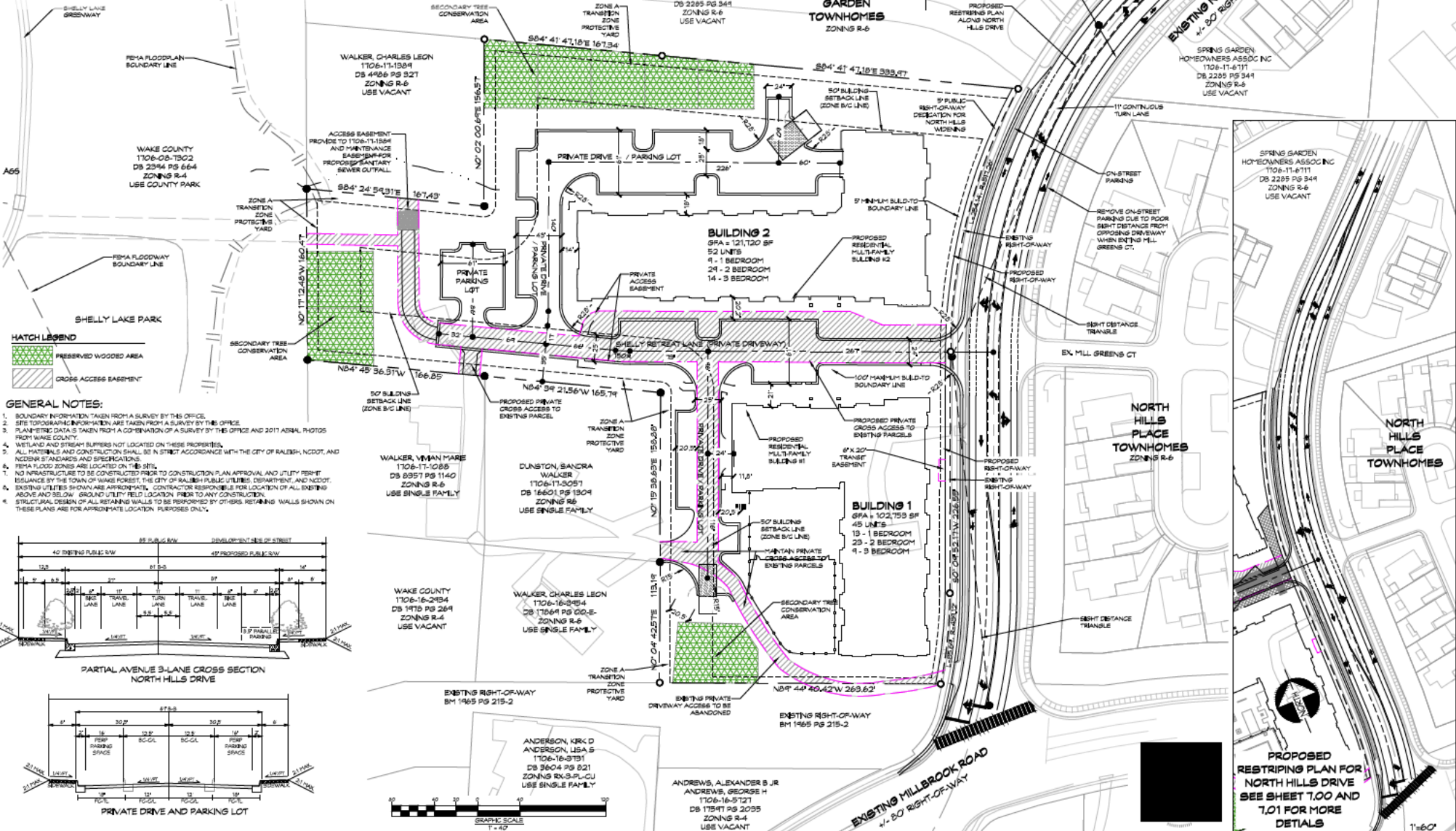




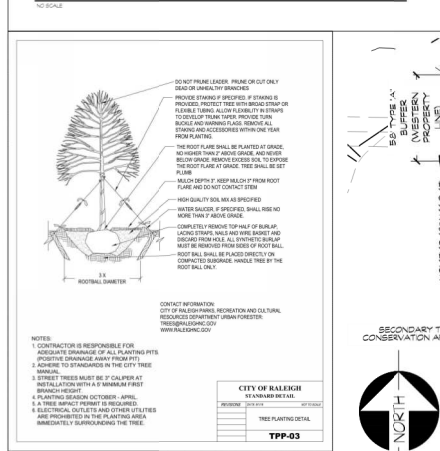
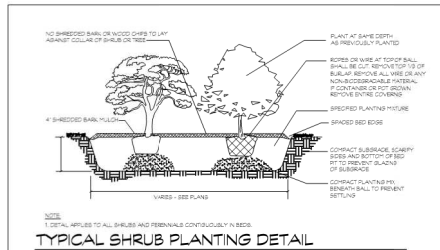
TABLE OF LAND OWNERS						TABLE C-1	
PIN	OWNER	DEED BOOK	DEED PAGE	SURVEY SF	SURVEY ACRES	SITE ADDRESS	ZONING
1706-17-1294	NORTH HILLS INVESTMENT PARTNERS	15078	742	26,972	0.61	734 W MILLBROOK RD	R-4 PLU-G
1706-17-1294	NORTH HILLS INVESTMENT PARTNERS	15078	750	26,136	0.60	716 W MILLBROOK RD	R-4 PLU-G
1706-17-1293	NORTH HILLS INVESTMENT PARTNERS	15078	750	26,136	0.60	810 W MILLBROOK RD	R-4 PLU-G
1706-17-1310	NORTH HILLS INVESTMENT PARTNERS, LLC	17068	1440	111,600	3.71	5125 NORTH HILLS DR	R-4 PLU-G
TOTALS				240,481	8.522		





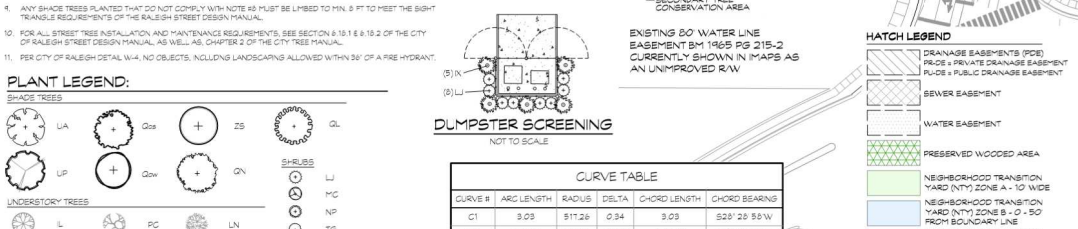
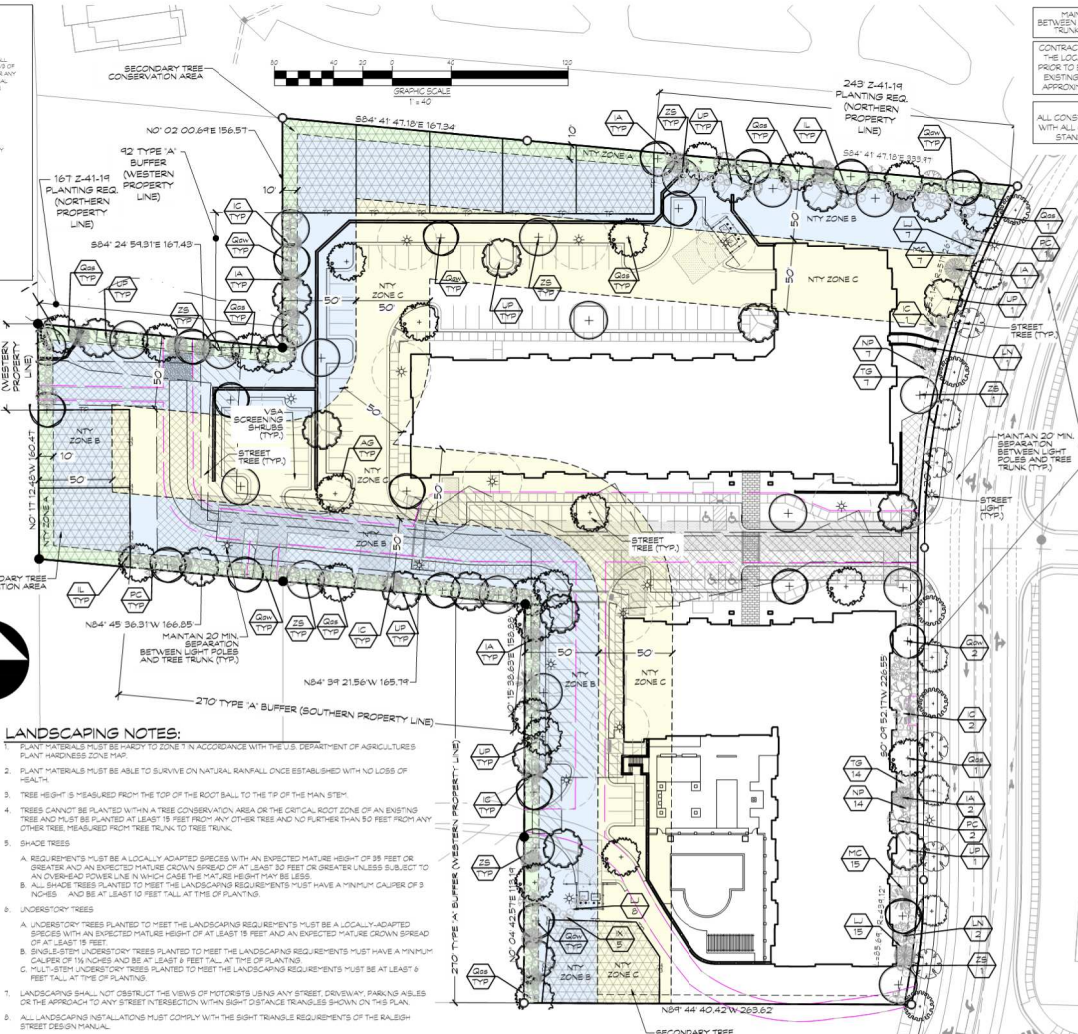






# MAINTENANCE OF LANDSCAPING (PER UDO 7.2.1.D)

- RESPONSIBILITY: THE OWNER OR TENANT IS RESPONSIBLE FOR MAINTAINING ALL REQUIRED LANDSCAPING IN GOOD HEALTH. ANY DEAD, UNHEALTHY OR PESTERED LANDSCAPING MUST BE REPLACED WITH LANDSCAPING THAT CONFORMS TO THIS UDO WITHIN 30 DAYS (OR WITHIN 180 DAYS WHERE WAREHOUSE CONCERNS WOULD JEOPARDIZE THE HEALTH OF PLANT MATERIALS). IN THE EVENT THAT REQUIRED LANDSCAPING IS SEVERELY DAMAGED DUE TO AN UNUSUAL WEATHER OCCURRENCE OR OTHER ACT OF NATURE, THE OWNER OR TENANT MAY HAVE 2 YEARS TO REPLACE THE REQUIRED LANDSCAPING.
- REPLACEMENT: THE OWNER OR TENANT SHALL BE RESPONSIBLE FOR REPLACING ANY DAMAGED OR EXCESSIVELY THINNED TREES. REPLACEMENT TREES MUST BE PLANTED IN THE SAME LOCATION AND MUST BE MAINTAINED FOR THE DURATION OF THE USE.
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SHADE TREES	UNDERSTORY TREES

MAINTAIN 20 MIN. SEPARATION BETWEEN POLES OF LIGHTING FIXTURES TO POLES OF TREES PER UDO 7.11.1.5

CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL EXISTING UTILITIES PRIOR TO BEGINNING OF ANY DRAINAGE. EXISTING UTILITIES SHOWN HEREON ARE APPROXIMATE AND ALL ARE NOT SHOWN.

NOTE: ALL CONSTRUCTION TO BE IN ACCORDANCE WITH ALL CITY OF RALEIGH AND/OR NCDOT STANDARDS AND SPECIFICATIONS.

LANDSCAPING CALCULATIONS:	
STREET TREES	VEHICLE SURFACE AREAS (VSA)
TOTAL AREA IN VSA: 48141 SF	TOTAL AREA IN VSA: 48141 SF
TREES REQ'D (1/2000 SF): 240.7	TREES REQ'D (1/2000 SF): 240.7
TREES PROVIDED: 15	TREES PROVIDED: 25
ADDITIONAL TREES REQUIRED: 225.7	ADDITIONAL TREES REQUIRED: 215.7

VEHICLE SURFACE AREAS (VSA):	
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TOTAL AREA IN VSA: 48141 SF	TOTAL AREA IN VSA: 48141 SF
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ADDITIONAL TREES REQUIRED: 215.7	ADDITIONAL TREES REQUIRED: 215.7

BUFFERS AND STREETScape	
VEHICLE SURFACE AREAS (VSA):	VEHICLE SURFACE AREAS (VSA):
TOTAL AREA IN VSA: 48141 SF	TOTAL AREA IN VSA: 48141 SF
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ADDITIONAL TREES REQUIRED: 215.7	ADDITIONAL TREES REQUIRED: 215.7

PLANT NAME	BOTANICAL NAME	MIN. CALIBER	MATURE HT./SPREAD	QTY.
QUS ACUTIFOLIA	BAYBOW TREE	3/10 MIN.	60-80'	20
QUS SUBSERIATA	WHITE OAK	3/10 MIN.	50-70'	20
MYRTA HYDRANGEA	HIBISCUS OVERLAP GUM	3/10 MIN.	60-80'	5
NUSSALLI BANERJA	NUSSALLI GUM	3/10 MIN.	60-80'	5
SHIGIDA PRINCEPES	AMERICAN ELM	3/10 MIN.	60-80'	5
NUSSALLI BANERJA	CHINESE ELM	3/10 MIN.	60-80'	5
MYRTA VILLAGE GREEN	JAPANESE ELAEOCA	3/10 MIN.	10-50'	10
			TOTAL	160
PLANT NAME	BOTANICAL NAME	MIN. CALIBER	MATURE HT./SPREAD	QTY.
MYRTA HYDRANGEA	ELM HYBRID NO.2	1 1/2" MIN.	30-40'	20
MYRTA HYDRANGEA	DAKON JOLLY	1 1/2" MIN.	30-40'	10
MYRTA HYDRANGEA	LUTHER JOLLY	1 1/2" MIN.	28-38'	10
MYRTA HYDRANGEA	GRAB HYBRID NATCHOZ	8 1/4" MIN.	20-28'	3
MYRTA HYDRANGEA	CHERRY LURE	1 1/2" MIN.	30-20'	20

ANICAL NAME	COMMON NAME	MIN. HT	MATURE HT/SPREAD	QT
LONGUM ROTUNDIFOLIUM	WAX LEAF YUCCALSTRUM	10' MIN.	5' 0"	10
ICA GERBERA	WAX HOTTLE	10' MIN.	10' 0"	10
ALTA NEROLI	NEEDLEPOINT HOLLY	10' MIN.	10' 0"	10
EMIA SYMMATHERA	CLEYERA	10' MIN.	10' 0"	10
ELLIE R STEVENS	HOLLY NELLIE R STEVENS	10' MIN.	15' 0"	5
TOTAL				45

EN & ASSOCIATES, INC.

LANDSCAPE DESIGNERS / SURVEYORS / ENGINEERS

Phone 919.701.4700 Fax 919.703.1700 Email [CA@landscapesystems.com](mailto:CA@landscapesystems.com) or [Don.R.GARH](mailto:Don.R.GARH)

SHEET #

LS1.00





BUILDING 1 SOUTH ELEVATION 2  
1/16" = 1'-0"



BUILDING 1 WEST ELEVATION 1  
1/16" = 1'-0"

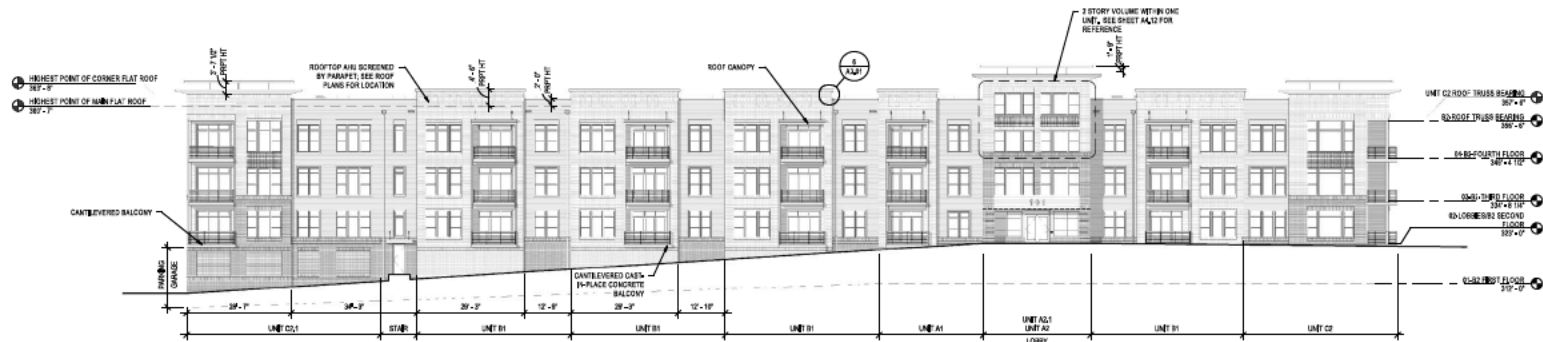
**JDAVIS**  
NORTH HILLS INVESTMENT PARTNERS, LLC  
**NORTH HILLS DRIVE CONDO**  
NORTH HILLS DRIVE, RALEIGH, NC

NOT FOR CONSTRUCTION

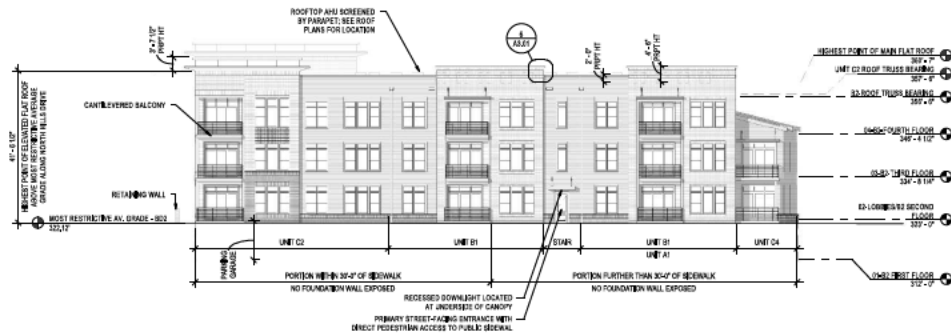
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ISSUE	City Staff Comments	04/03/2021
REVISIONS		
DRAWN BY	Author	
CHECKED BY	Checker	
CONTENT	APPROVAL ELECTRONIC SIGNATURE	

A3.12





BUILDING 2 SOUTH ELEVATION 2



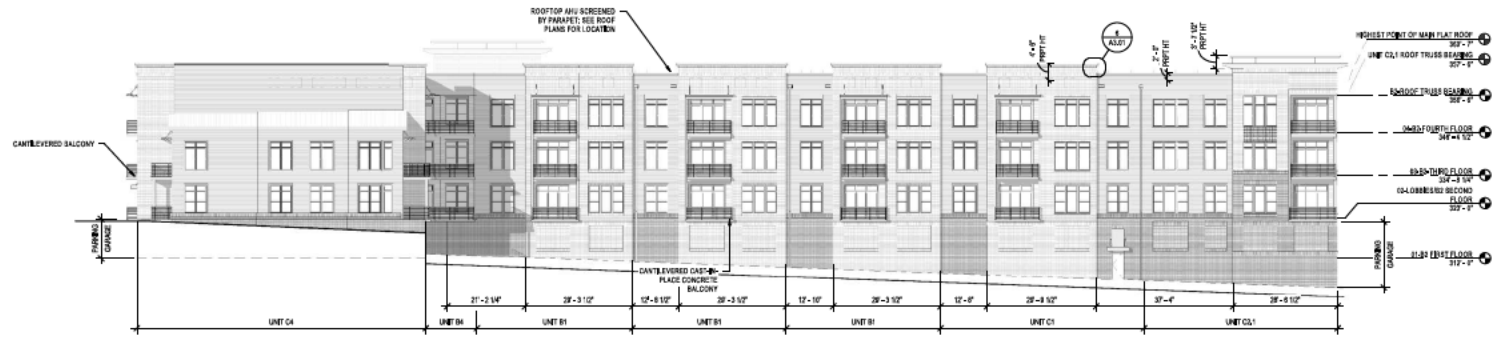
BUILDING 2 EAST ELEVATION - NORTH HILLS DRIVE-FACING PRIMARY STREET 1

BUILDING HEIGHT PER TC-4-20 SECTION 1.5.7.A.2.	AVERAGE GRADE CALCULATION FOR BUILDING 2		
	POST-DEVELOPMENT GRADES		
	HIGH	LOW	AVERAGE
EAST PLANE (PRIMARY STREET)	322.24	322.00	322.12
AVERAGE OF PRIMARY STREET FACING WALL (NORTH HILLS)			322.12

NOT FOR CONSTRUCTION

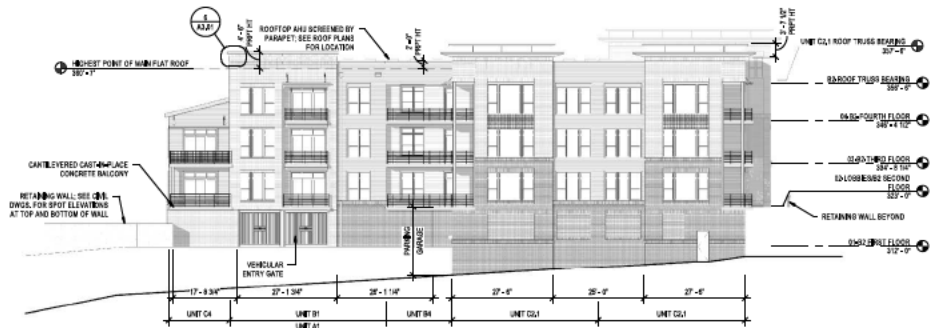
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PROJECT	CD-BET	DATE
ISSUE	City Staff Comments	04/07/2021
REVISIONS		
DESIGNED BY	Author	
CHECKED BY	Checker	
CONTENT		
APPROVAL ELEVATION: CD-BET-02		
TWO		



BUILDING 2 NORTH ELEVATION

2



BUILDING 2 WEST ELEVATION

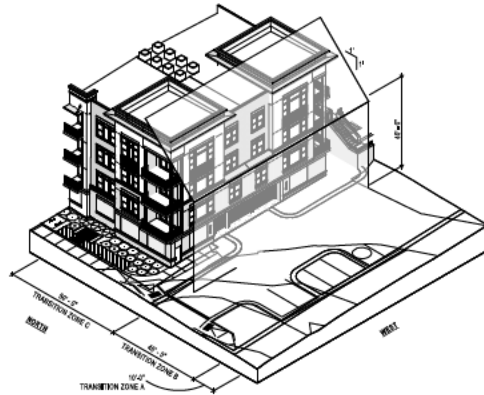
1

**JDAVIS**  
NORTH HILLS INVESTMENT PARTNERS, LLC  
**NORTH HILLS DRIVE CONDO**  
NORTH HILLS DRIVE, RALEIGH, NC

NOT FOR  
CONSTRUCTION

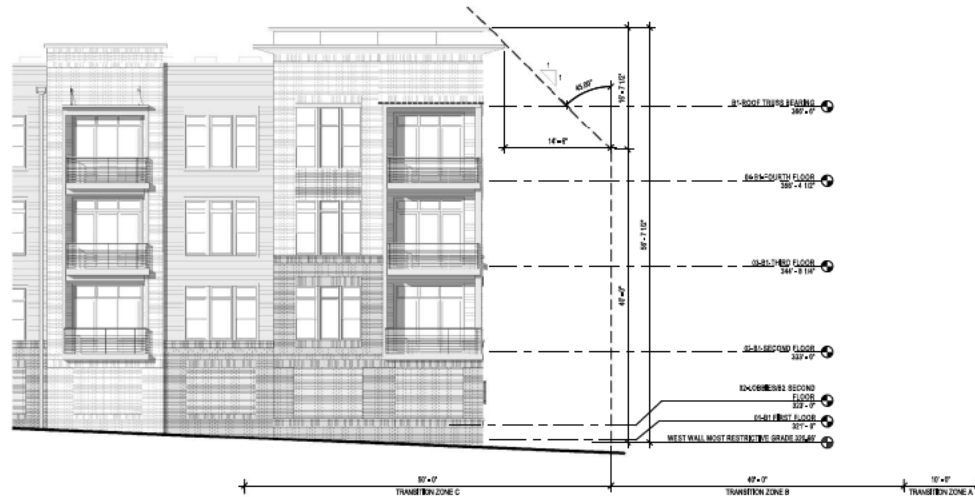
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ISSUE	City Staff Comments	04/07/2021
REVISIONS		
DRAWN BY	Author	
CHECKED BY	Checker	
CONTENT	RESPONSIBLE ELECTRICAL DESIGNER	
	PAW	

A3.14



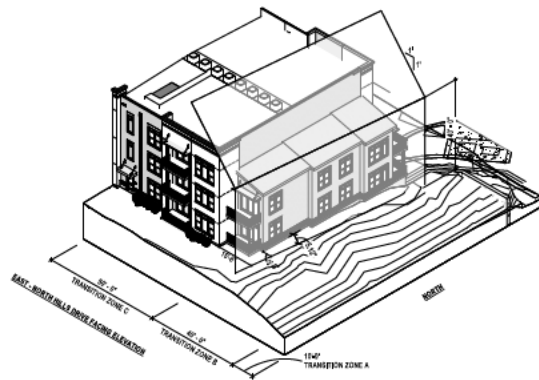
B1 ZONE B/C TRANSITION ALONG WEST ELEVATION - PERSPECTIVE

4



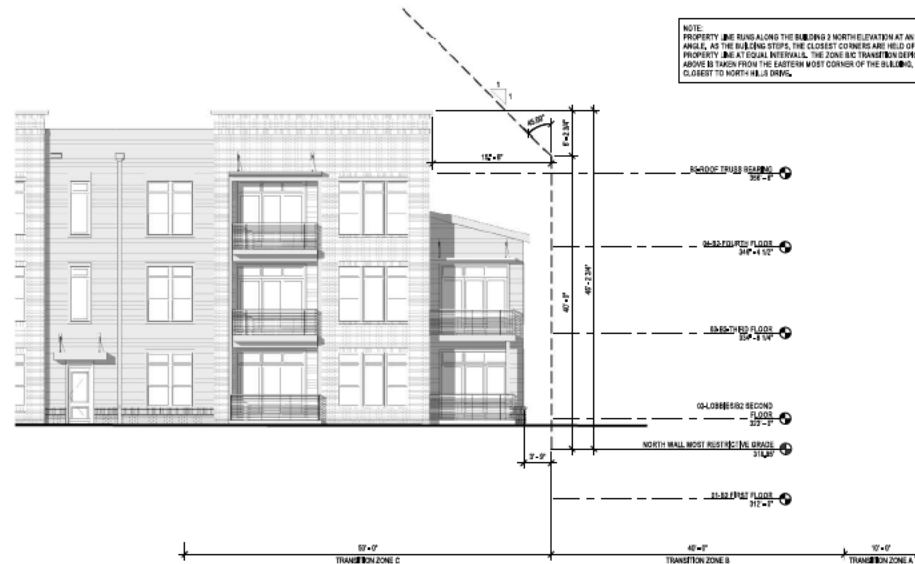
BUILDING ONE ZONE B/C TRANSITION ALONG WEST ELEVATION

2



B2 ZONE B/C TRANSITION ALONG NORTH ELEVATION - PERSPECTIVE

3



BUILDING 2 EAST ELEVATION - NORTH HILLS DRIVE-FACING PRIMARY STREET

1

NOT FOR CONSTRUCTION

PROJECT	DATE
ISSUE	City Staff Comments
REVISIONS	
DRAWN BY	Author
CHECKED BY	Checker
CONTENT	
REVISIONS	