LOCATION: The site is generally located at the southwest corner of W Hargett Street and S West Street, with common street addresses of 200, 206 and 210 S West Street.

REQUEST: Development of an approximately 623,180 square feet, 34 story mixed use building containing approximately 305 dwelling units, 208 hotel rooms, a passenger terminal, approximately 18,700 square feet of commercial space, and structured parking. The subject property is approximately 1.74 acres zoned DX-40-CU.

Design Alternates (DA-0024-2021) approved related to direction of travel entering and exiting a parking area, spacing between driveways, spacing between driveways and intersections, street tree spacing, size of planting areas, sidewalk size along West Street and Hargett Street, removal of bike lanes, right-of-way width, replacement of onstreet parking with a hotel drop-off/loading area, travel lane width, minimum façade stepback, and blank wall area, subject to the following conditions: the applicant will provide a) a traffic calming measure to reduce speed of vehicles egressing the parking deck on Hargett Street, and b) increased transparency between pedestrians traveling on the south side of Hargett Street and vehicles exiting the parking deck. See DA-0024-2021 for details.

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 March 16, 2022 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:

General

1. Site plan approval is subject to review and approval of all required encroachment and agency approvals for all proposed encroachments, including but not limited to canopies, balconies, skybridge, etc.

2. Demonstrate compliance with the Solid Waste Collection Design Manual.

3. Demonstrate compliance with UDO Section 7.4. (Lighting).

Engineering

5. 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.

Public Utilities

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.

Stormwater

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

☐ 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.

☐ Sidewalk Deed of 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.

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

General

1. Prior to recorded map approval the developer shall prepare a form document for the required affordable housing deed restriction per Zoning condition number 2 of case Z-19-19. The required form document shall be approved by the City for recordation prior to the issuance of a certificate of occupancy.

Engineering

2. A sidewalk deed of easement for any public sidewalk on private property shall 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.

Public Utilities
3. Infrastructure Construction Plans (spr submittal) must be approved by the City of Raleigh Public Utilities Department for all public water, public sewer and/or private sewer extensions.

☑️ 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. Demonstrate compliance with Zoning Condition #6 and #7 (Z-19-19).

2. The subject property shall be recombined into a single lot. Said recombination shall be recorded prior to issuance of building permits.

3. Prior to building permit approval and issuance the required affordable housing deed restriction per Zoning condition number 2 of case Z-19-19 shall be approved by the City for recordation prior to the project receiving a certificate of occupancy

Engineering

4. 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.

5. An encroachment submittal for pavers for sidewalk and vehicle loading area 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 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.

6. A sidewalk deed of easement, in addition to a plat showing the location of the easement, shall be submitted to the Planning and Development Services Department for review, and if acceptable, approved for recordation. Approved plats must be recorded at the Wake County Register of Deeds Office on or before the 14th day following approval by the City. The 14-day expiration date shall be clearly indicated on the plat. By the end of the next business day following recordation of the plat, all required legal instruments (including deeds of easement) shall be recorded, and recorded copies of the plat and all legal instruments required by the City in association with development approval shall be provided to the City. (Reference: UDO 8.1.7.A; 10.2.5.F.4.d)

Urban Forestry

7. A public infrastructure surety for (9) street trees (tree pit) and (1) street tree/tree pit fee-in-lieu) 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.
8. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes (1) street tree (tree pit) along W. Hargett St. (and (1) street tree (tree pit) fee-in-lieu) and (8) street trees (in tree pits) along S. West St.

9. An encroachment agreement will be required prior to building permit for a design alternate for non-standard tree grates to be used in the right-of-way.

**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. Demonstrate compliance with zoning condition #2 (Z-19-19).

**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:** August 4, 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: [Signature]  
Development Services Dir/Designee  
[Name]

Date: 04/07/2022

Staff Coordinator: Kasey Evans