



Administrative Approval Action

Case File / Name: ASR-0102-2020
Milner Commons

City of Raleigh
Development Services Department
One Exchange Plaza
Raleigh, NC 27602
(919) 996-2492
currentplanning@raleighnc.gov
www.raleighnc.gov

LOCATION: The site is generally located at the southwest corner of New Bern Avenue and S King Charles Road, with a common street address of 1950 New Bern Avenue.

REQUEST: Development of two apartment buildings containing approximately 156 dwelling units and 172,482 square feet combined, and associated site improvements. The site is roughly 4.26 acres zoned RX-4-GR-CU (Z-005-20).

**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 30, 2021 by Cline Design Associates.

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. Demonstrate compliance with UDO Section 7.4 (Site Lighting).
2. Update the landscape plan to demonstrate compliance with the zoning conditions (Z-5-20).

Stormwater

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



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<input checked="" type="checkbox"/>	Utility Placement Easement Required
<input checked="" type="checkbox"/>	Slope Easement Required

<input checked="" type="checkbox"/>	Sidewalk Easement Required
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☒ **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. 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.
2. A Slope easement 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 these documents 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.
3. A 5' utility placement easement and associated deed of easement shall be approved by the City 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 recorded plat. A recorded copy of these documents must be provided to the Development Services Department within one day from authorization of lot recordation. If recorded copies of the documents are not provided, 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 two lots as shown in BM2002 Page 1527 into a single tract.
2. Comply with all conditions of zoning case Z-5-20.



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3. A demolition permit shall be obtained.

Engineering

4. A public infrastructure surety for 41 street trees shall be provided to the City of Raleigh Development Services – Development Engineering (UDO 8.1.3).

Stormwater

5. 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).
6. An encroachment agreement for Stormwater pipes within the public right-of-way shall be approved by City Council and the City Council approved encroachment agreement shall be filed with the Development Services Department, and the encroachment agreement shall be recorded with the Wake County Register of Deeds. A recorded copy of these documents must be provided to the Development Services Department.
7. 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).
8. 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

9. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 17 street trees along Russ Street, 8 street trees along Hawkins Street, 15 street trees along Kennedy Street and 3 street trees along S. King Charles Road.

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

General

1. Final inspection of all 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).
3. 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



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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: October 11, 2024

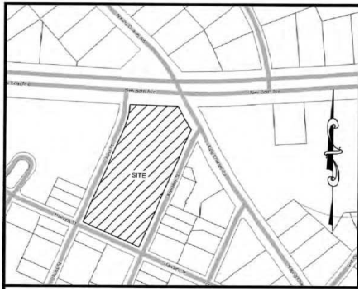
Obtain a valid building permit for the total area of the project, or a phase of the project.

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: *Alysia Bailey Taylor* Date: 06/14/2021
Development Services Dir/Designee
Staff Coordinator: Kasey Evans



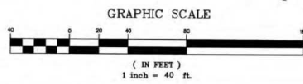
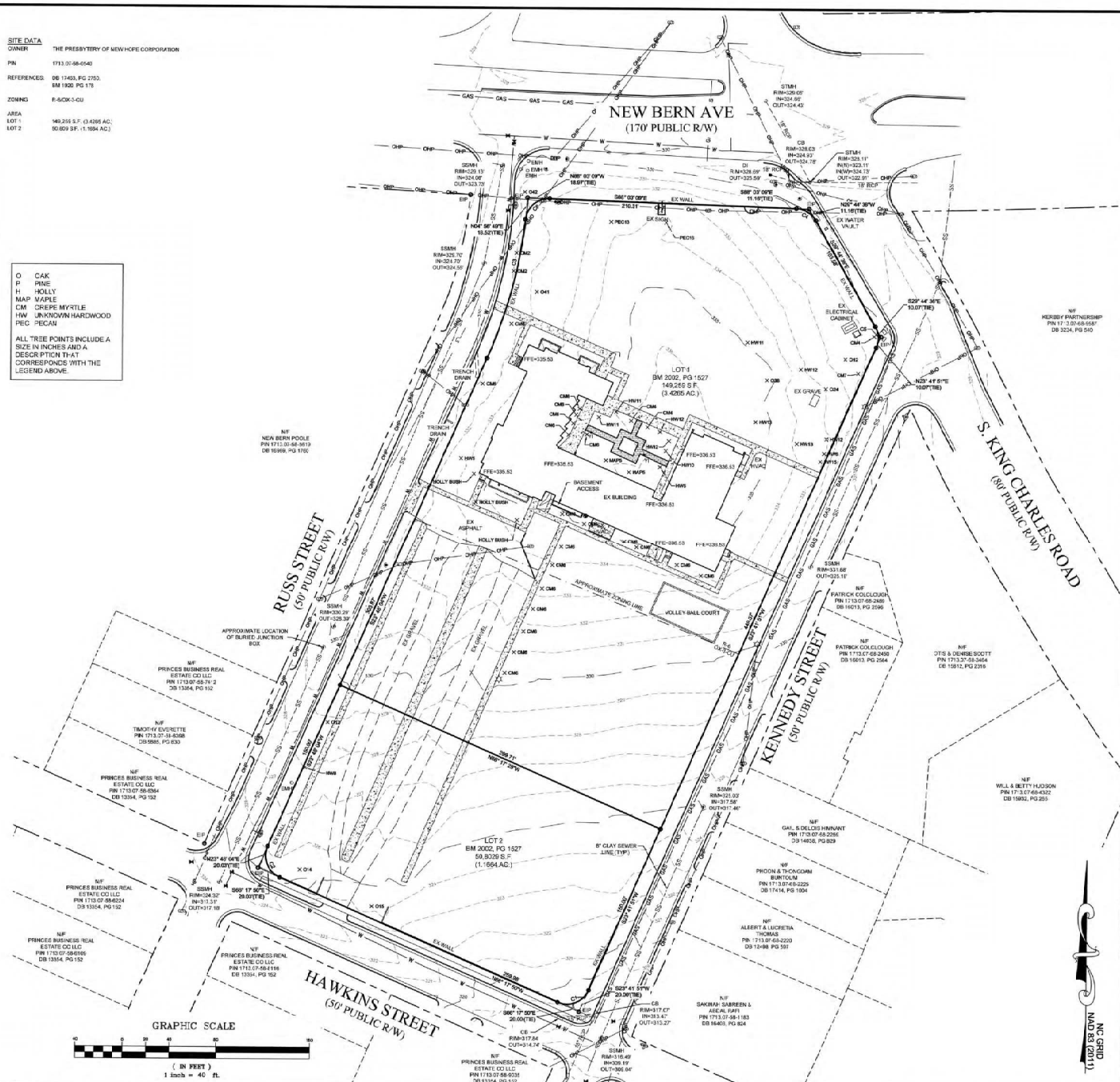
VICINITY MAP
NOT TO SCALE

NOTES

1. ALL DIMENSIONS ARE HORIZONTAL, UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS ARE IN FEET.
3. AREA COMPUTED USING COORDINATE METHOD FROM MEASURED FIELD DATA.
4. BASED ON RECORDS IN THE PUBLIC RECORDS, INCLUDING THE 1950 CITY MAP.
5. THE LOCATION OF THE PROPERTY LINE IS BASED ON THE RECORDS OF THE SURVEY.
6. THE SURVEY WAS PREPARED FOR THE PURPOSE OF A TITLE REPORT AND MAY BE SUBJECT TO ANY AND ALL OTHER FACTS THAT WOULD AFFECT THE SURVEY.
7. ALL REFERENCES ARE MADE TO THE PUBLIC RECORDS.
8. HORIZONTAL DATUM IS NAD 83 (11) AND VERTICAL DATUM IS NAVD 83.

SITE DATA
OWNER: THE PRESBYTERY OF NEW HOPE CORPORATION
PN: 1713.01-68-0540
REFERENCES: DB 11433, PG 253;
BM 1502, PG 171
ZONING: P-60K-3-GU
AREA:
LOT 1: 140,216 S.F. (3.235 AC.)
LOT 2: 50,829 S.F. (1.169 AC.)

○ CAK
□ PINE
H HOLLY
MAP MAPLE
CM CREPE MYRTLE
HW UNKNOWN HARDWOOD
REC RECAU
ALL TREE POINTS INCLUDE A
SIZE IN INCHES AND A
DESCRIPTION THAT
CORRESPONDS WITH THE
LEGEND ABOVE.



JOHN A. EDWARDS & COMPANY
Consulting Engineers
and Land Surveyors
NC License F-0289
333 Wade Ave., Raleigh, N.C. 27605
Phone: (919) 828-4428
Fax: (919) 828-4711
E-mail: info@jaeco.com
www.jaeco.com

**MILNER MEMORIAL
PRESBYTERIAN CHURCH**
1950 NEW BERN AVE
RALEIGH, NC 27610

DHIC
113 S WILMINGTON ST.
RALEIGH, NC 27601

LEGEND

BN	BOOK OF MAPS
DB	DEEDBOOK
PG	PAGE
NF	NEW OR CONFORMITY
RAV	RIGHT OF WAY
EP	EXISTING EPCN PIPE
ENAG	EXISTING MAIL MAIL
EN	EXISTING NAIL SET
MAIS	MAIL MAIL SET
CP	COMPUTED POINT
DS	SANITARY SEWER
GO	SANITARY SEWER CLEARING
HB	HOT RACK
ET	STORM
GW	GUY ANCHOR
CB	STORM CATCH BASIN
WV	WATER VALVE
DN	DOWNHILL
CONC	CONCRETE
SMH	SANITARY SEWER
WM	WATER METER
LP	LIGHT POLE
TP	TELEPHONE PEDESTAL
TH	FIRE HYDRANT
PP	POWER POLE
EMA	ELECTRIC MANHOLE
STH	STORM MANHOLE

Denotes Concrete
Denotes Address

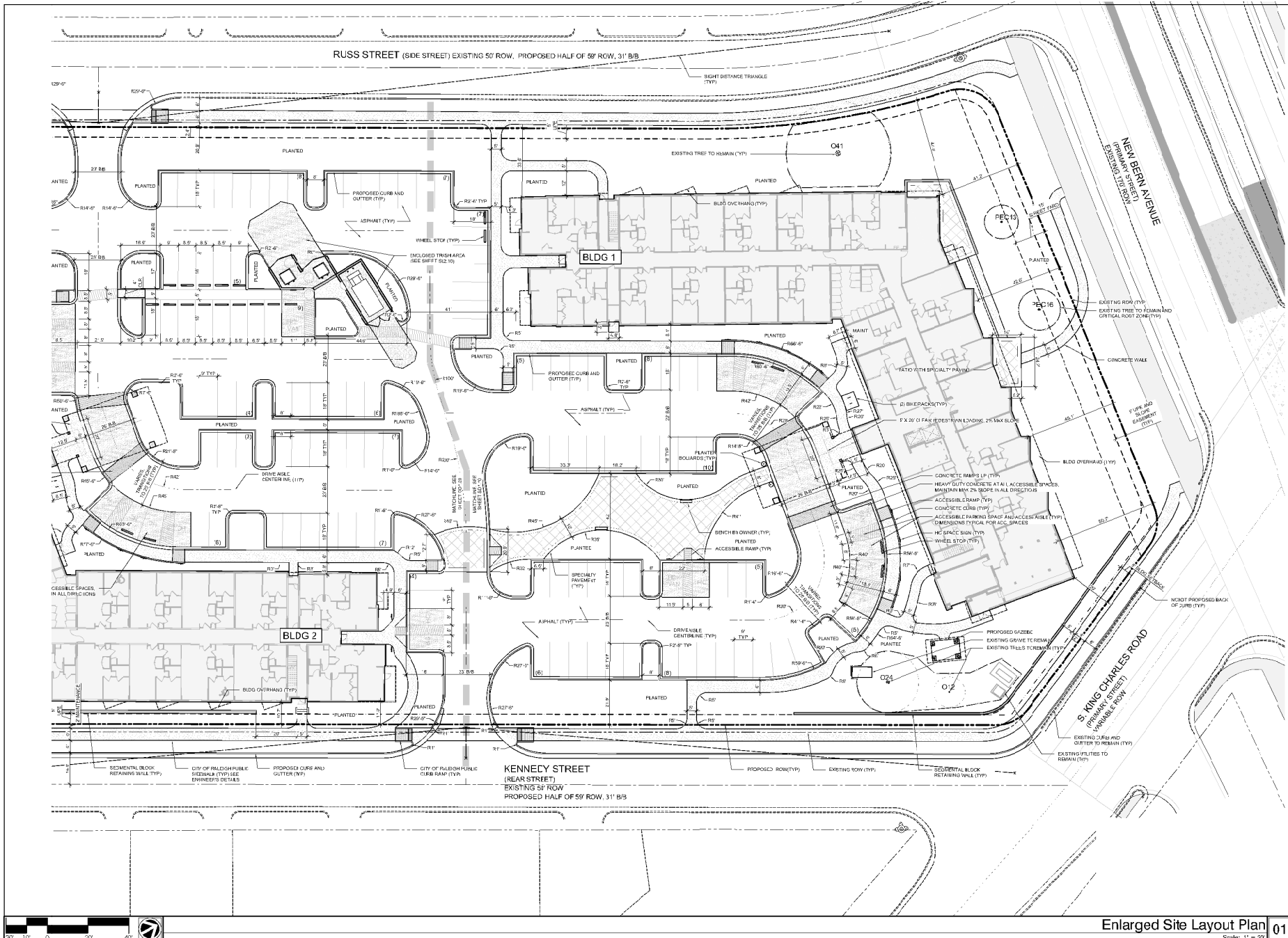
--- PRIORITY LINE
--- RIGHT OF WAY LINE
--- PROPOSED LINE NOT SURVEYED
--- EASEMENT LINE
--- OVERHEAD POWERLINE

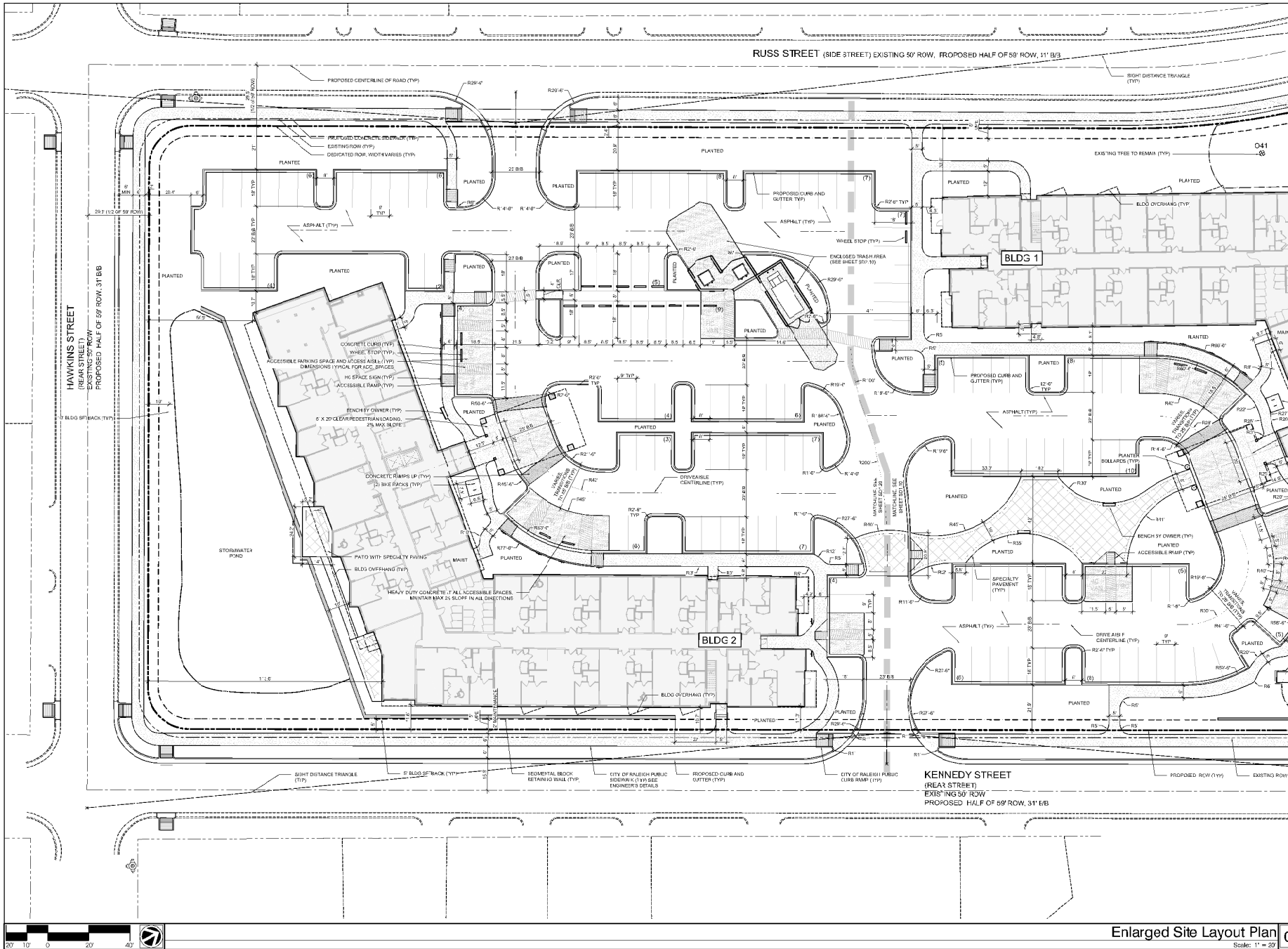
CB EP FH LP HV WV SMH
GW HW PP TP EM

**EXISTING
CONDITIONS SURVEY**

Number	Description	Date
REV. 1	COMMENT REVISIONS	8/15/2020
REV. 2	DATA CORRECTION	8/15/2020

Drawing Scale: 1" = 40'
Drawn By: JCS
Checked By: CJP
Date Issued: 8/27/20





**CLINE
DESIGN**

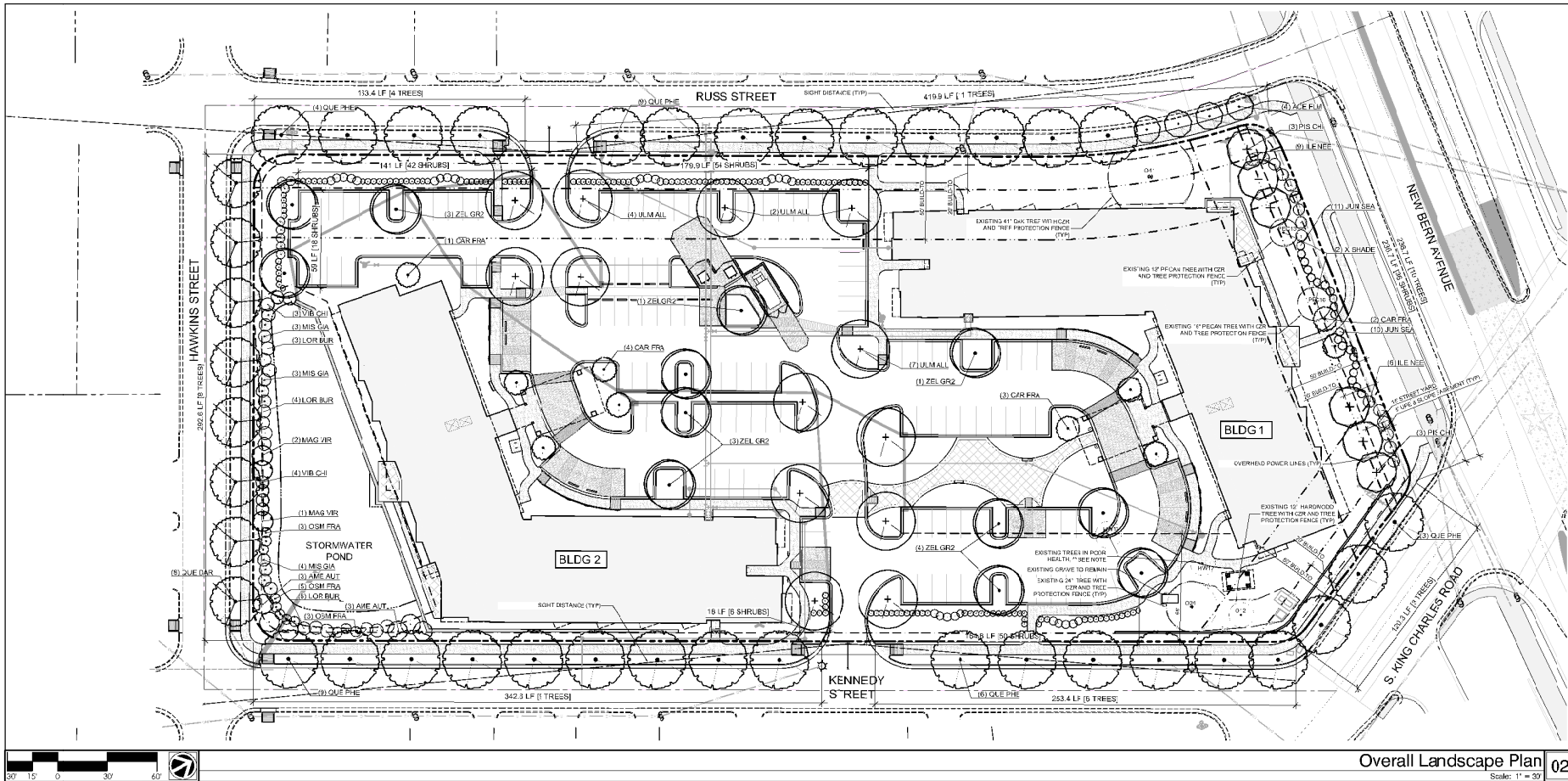
121 N. Harrington St
Raleigh, NC 27603
919/433 6115
919/858 1260 FAX
ClineDesignAssoc.com

DHIC, Inc.
Milner Commons
1950 New Bern Avenue
Raleigh, North Carolina 27610

ASR
Submittal

PROJECT: 018054	DATE: 12.15.2020
REVISIONS:	DATE:
Resp. to: st Crims.	03.12.21
Resp. to: ind Crims.	04.30.21

DRAWN BY: SP
CHECKED BY: ML/UBW
Enlarged Site
Layout Plan



Overall Landscape Plan 02
Scale: 1" = 30'

UNRECORDED DEVELOPMENT ORDINANCE

SEC. 7.1.7 "REQUIREMENTS FOR LOT LANDSCAPING"

► C PERIMETER ISLANDS
- 40% PRIMARY INTERNAL DRIVES
- 30 SHRUBS PER 100 LF, 3X 3' W/IN 3' 10" INSTALL HT.
- SHALL BE MIN 5' WIDE

REQUIRED SHRUBS: 170 SHRUBS REQ
PROPOSED SHRUBS: 170 SHRUBS PRO

UNRECORDED SHRUBS: 170 SHRUBS REQ
PROPOSED SHRUBS: 170 SHRUBS PRO

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PROPOSED SHRUBS: 170 SHRUBS PRO

2.2.5 SCREENING

► SERVICE

4' HT MIN OPAQUE WALL

► MECHANICAL

ORANGE LANDSCAPE SCREEN 10' LOWER THAN HIGHEST

POINT ON EQUIPMENT

2.2.4 STORMWATER PONDS

► SCREENING

75% SCREEN OF VERTICAL PLANE

4' MATURE AVERAGE HEIGHT

75% LOCALLY MONOTED EXISTING SPECIES

VEGETATIVE MATERIAL SHALL EXHIBIT VARIETY IN TEXTURE, COLOR, SPREAD

AND HEIGHT

2.2.7 DESIGN AND INSTALLATION

► PLANT MATERIAL

SHADE TREES 3" MIN CAL INSTALLED, 30 MIN MATURE HT

REQUIRED SHADE TREES UNDER POWER LINES MAY HAVE LESS MATURE HEIGHT

UNDERSTORY TREES 1.5" MIN CAL & 8' MIN HT INSTALLED, 15' MIN MATURE HT

PARKING SHRUBS 18" MIN HT INSTALLED, 7' MIN MATURE HT

PROTECTIVE YARD SHRUBS 18" MIN HT INSTALLED, 3' X 3' MIN MATURE SIZE

STREET YARD SHRUBS CONTINUOUS ROW 3' CC

8.5.2 STREETSCAPES

► STREET TREES

40' CC

REQUIRED TREES: 41 TREES REQ

PROPOSED TREES: 41 TREES PRO

30 SHADE TREES

1 SHADE TREE (PILGRIM PALM) (4 UNDERSTORY TREES UNDER POWER LINES)

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ZONING CONDITION: 2-5-30

► 2. LANDSCAPE REQUIRED AT NEW BERN AVE

10' WIDE STREET YARD CONSISTING OF EXISTING

PRESERVED AND PROPOSED MATERIAL

4 SHADE TREES PER 100 LF CC

4 UNDERSTORY TREES PER 100 LF

10 SHRUBS PER 100 LF

"NOTE: EXISTING TREES HWY 2 & HWY 3 DO NOT QUALIFY FOR T2A PER SEC 8.14.2.3

REQUIRED TREES: 10 TREES REQ

PROPOSED TREES: 10 TREES PRO

2 EXISTING SHADE TREES

14 UNDERSTORY TREES

REQUIRED SHRUBS: 36 SHRUBS REQ

PROPOSED SHRUBS: 36 SHRUBS PRO

21 EXISTING SHRUBS

15 EXISTING SHRUBS

6 EXISTING SHRUBS

15 EXISTING SHRUBS

6 EXISTING SHRUBS

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