



Administrative Action

Administrative Site Review

City of Raleigh
Development Services
One Exchange Plaza
Raleigh, NC 27602
(919) 996-2626
www.raleighnc.gov

Case File / Name: SR-18-16 / NB5 (Transaction # 464761)

General Location: Located on the north side of New Bern Avenue between North East Street and North Swain Street, inside the city limits

CAC: North Central

Nature of Case: The recombination of four lots into one for the construction of a 3,680 square foot, 31'4" in height, two story, 5 unit condominium building located on 0.302 acres. The proposed building type is apartment building type on properties zoned Neighborhood Mixed Use-3-Detached (NX-3-DE) and Office Mixed Use-3-Detached (OX-3-DE).

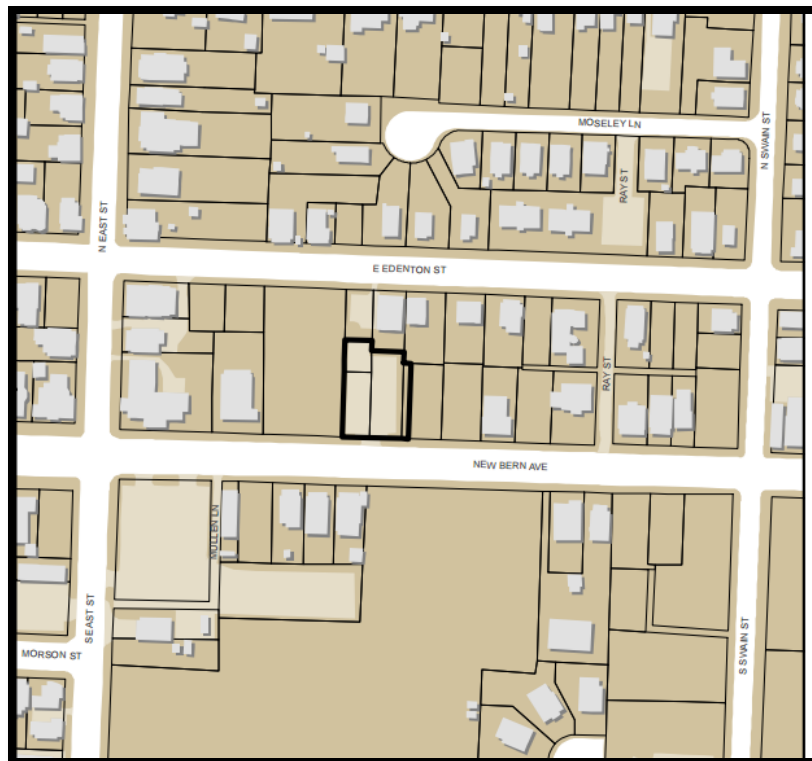
Contact: Stoney Chance, Chance & Associates

Design Adjustment: N/A

Administrative

Alternate: N/A

Cross-Reference: Z-27B-14 & Z-33-92



Location Map

| Code Conformance: | | Code Section(s) |
|--|---|--------------------------------------|
| Zoning District: | CX-3-DE & OX-3-DE | <u>2.1</u> , <u>3.1</u> |
| Overlay District: | <div style="border: 1px solid black; padding: 5px;"> <p>NEWBERN/EDENTON - NCOD MINIMUM LOT SIZE: 4,000 SF MINIMUM LOT FRONTAGE: 30' FRONT YARD SETBACK: MIN. 10' & MAXI. 25' SIDE YARD SETBACK: MIN. 0' WHEN MINIMUM BUILDING SEPARATION IS MET BUILDING SEPARATION: MINIMUM OF 10' MAXIMUM BLDG. HEIGHT: 35'</p> </div> | <u>5.1</u> |
| Parking: | <p>Required: 11 spaces based on 2 spaces per unit + 1 guest parking Provided: 10 spaces. A reduction of 1 space is being applied per UDO Section 7.1.4 A, proximity to transit. Bicycle Required = minimum 4 Proposed = 4 spaces</p> | <u>7.1.2</u> |
| Street Type(s): | New Bern Ave – Avenue, 4-lane parallel parking Dedicating ½-70' of right-of-way | <u>8.4</u> |
| Streetscape: | 10' sidewalk with Type C2 yard | <u>8.5</u> |
| Setbacks/Frontage: | Front – 10' Side – 6' & 18' Rear – 45' | <u>3.4</u> , <u>3.2</u> , <u>2.2</u> |
| Neighborhood Transitions: | Properties to the north, east, and west are zoned mixed use zoning districts | <u>3.5</u> |
| Transitional Protective Yards: | N/A | <u>7.2.4</u> |
| Stormwater: | BOA approved exemption Case A-21-16 on 2/8/16 relieving the project from the active stormwater control measures and requirements set forth in Section 9.2.2.A.of the Unified Development Ordinance. | <u>9.2</u> |
| Tree Conservation: | Exempt per UDO Section 9.1.2 | <u>9.1</u> |
| Variances, Design Adjustments, Administrative Alternates: | Board of Adjustment – A-21-16 Approved a request for relief from the active stormwater control measures and requirements set forth in Section 9.2.2.A. of the Unified Development Ordinance to provide a stormwater exemption for a proposed recombination of 5 lots into 2 lots. Board of Adjustment - A-48-16 | |

| | | |
|---------------|--|--|
| | Approved a variance from the façade articulation requirements of Section 3.4.4.F. for the Detached frontage applicable to this site. | |
| Other: | | |

OFFICIAL ACTION: Approval with conditions

**CONDITIONS OF
APPROVAL:**

Prior to issuance of a grading permit for the site:

1. That in accordance with Part 10A Section 9.4.4, a surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City;

Prior to issuance of building permits:

2. That a Traffic Control Plan and /or Pedestrian Detour Plan is submitted to Right-of-Way Services Coordinator to be approved prior to building permit issuance;
3. That a recombination map be recorded prior to or in conjunction with the recording of lots, recombining the existing four parcels into a single tract as shown on the preliminary plan;
4. That Infrastructure Construction Plans are approved by the City of Raleigh, including obtaining stub permits, tree impact permit and a street lighting plan;
5. That in accordance with Part 10A Section 8.1.3, a surety equal to 120% of the cost of development related improvements is paid to the Public Works Department;
6. That a cross access agreement among the lots referenced in DB 016307 PG 01001 owned by Allen Ventures, LLC and the adjacent lots referenced in DB 016011 PG 02619 owned by Allen Ventures, LLC is approved by the Planning Department for recording in the Wake County Registry, and that a copy of the recorded cross access easement be returned to the City of Raleigh within 1 day of recording;
7. That ½-70' right-of-way along New Bern Avenue is dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City prior to building permit issuance; and
8. That the Public Works Department approve the final location of the public sidewalk easement for any portion of the public sidewalk along New Bern Avenue located within private property, that the City approve the easement document, and that the easement document be recorded in the Wake County Registry. A copy of the recorded easement shall be returned to the City of Raleigh within 1 day of recording.

I hereby certify this administrative decision.

Signed: (Planning Dir.) Kenneth Bouars (J. Balu) Date: 9-1-16

Staff Coordinator: Meade Bradshaw

SEE LAST PAGE FOR IMPORTANT INFORMATION ON THE NEXT STEP IN THE PROCESS.

FINDINGS: City Administration finds that this request, with the above conditions being met, conforms to the Unified Development Ordinance. This approval is based on a preliminary plan dated 6/16/16, submitted by Timmons Group.

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: 9-1-2019

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.

WHAT NEXT?:

- MEET ALL CONDITIONS OF APPROVAL.
- COMPLETE INFRASTRUCTURE CONSTRUCTION DRAWINGS FOR ANY PUBLIC IMPROVEMENTS Streets, Utility lines to be owned and maintained by the City.
- HAVE A REGISTERED SURVEYOR PREPARE FINAL PLATS FOR RECORDING. These also must be submitted to the City for authorization signature prior to recording with the Wake County Register of Deeds.
- MEET THE REQUIREMENTS OF THE EXPIRATION THRESHOLDS AS NOTED ABOVE.