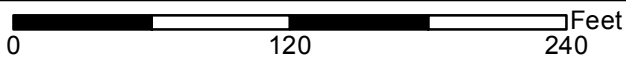


109 PARK AVENUE APARTMENTS SR-26-2016



Zoning: **CX-5-UG-CU**
CAC: **Hillsborough**
Drainage Basin: **Rocky Branch**
Acreage: **1.01**
Lots sq. ft.: **96,188**

Planner: **Meade Bradshaw**
Phone: **(919) 996-2664**
Applicant: **Patrick Barbeau**
Phone: **919 866-4512**





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-26-16 / 109 Park Avenue Apartments (Transaction # 467686)

General Location: This site is located on the south side of Park Avenue, southwest of the intersection of Hillsborough Street, located inside the city limits.

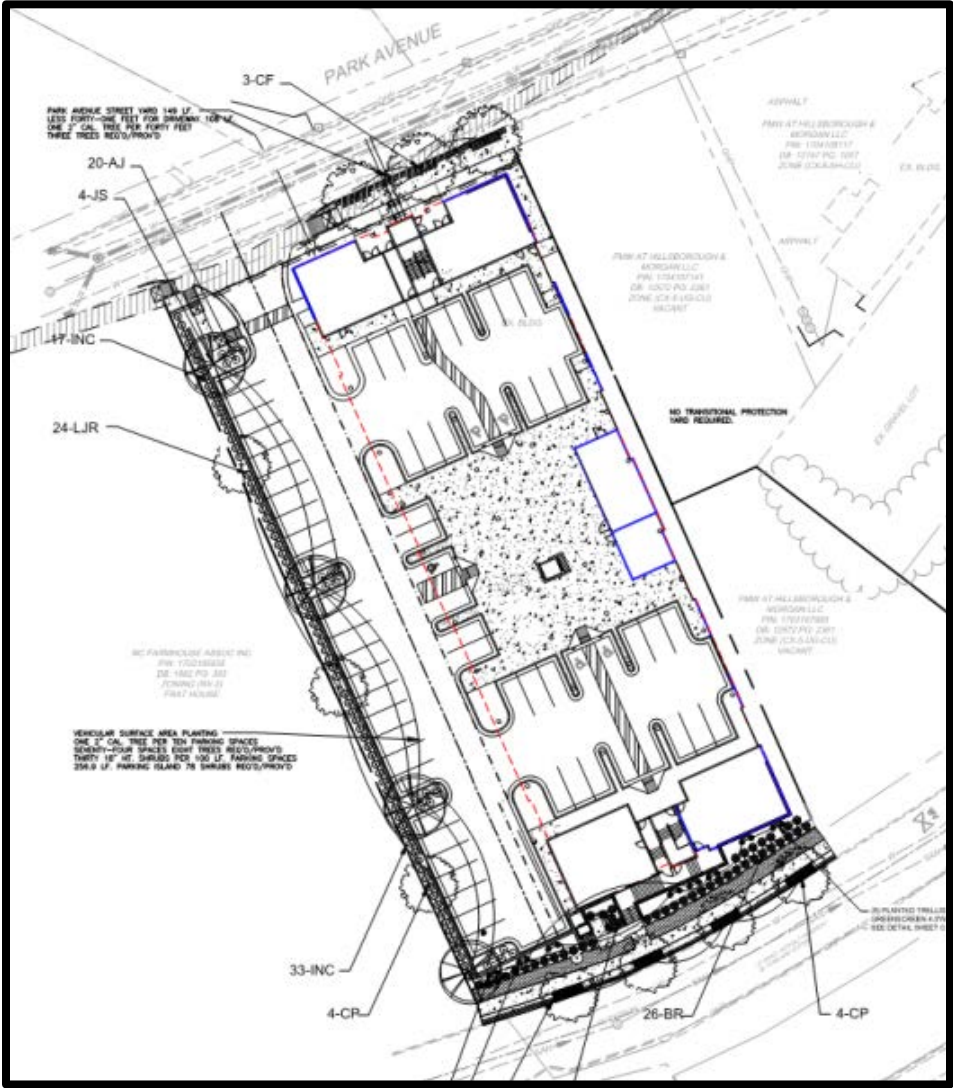
CAC: Wade

Request: Development of a 104,408 square foot, 4-story, 53' in height, apartment building, zoned CX-5-UG with SPROD. The building type is an apartment building type, comprised of 87 units. The existing conditions are four separate parcels that will be recombined into one parcel totaling 1.01 acres. With the recombination, a portion of that parcel identified in Deed Book 012572 Page 02361 will be recombined into the 1.01 acre site while the remainder will not be involved in the project, creating a separate parcel. However, the two new parcels will share a stormwater control device.

Cross-Reference: N/A



Location Map



Site Plan

Code Conformance:		Code Section(s)
Zoning District:	CX-5-UG, Special Residential Parking Overlay	<u>2.1</u> , <u>3.1</u>
Overlay District:	SRPOD	<u>5.1</u>
Parking:	64 parking spaces required. 65 spaces provided; 1 parking space per unit with the 1 st 16 units exempt based off UDO 7.1.4.C. A 10% reduction in required parking is being utilized per UDO 7.1.4 A, proximity to transit.	<u>7.1.2</u>
Street Type(s):	Park – Neighborhood Yield Dedicating ½-55’ section Ashe – Avenue 2-Lane, undivided Dedicating ½-64’ section	<u>8.4</u>
Streetscape:	SSP-6-12 identifies Park Avenue and Ashe Avenue as secondary streets in the streetscape plan. 3.5’x6’ tree grate, 5’ sidewalk, and 5’ landscaped area along Ashe Avenue and Park Avenue	<u>8.5</u>
Setbacks/Frontage:	Front – 0’ (Park Ave) Front – 6’ (Ashe Ave) Side – 6.5’ & 30’	<u>3.4</u> , <u>3.2</u> , <u>2.2</u>
Neighborhood Transitions:	Properties to the east and the west are zoned mixed use zoning districts	<u>3.5</u>
Transitional Protective Yards:	N/A	<u>7.2.4</u>
Stormwater:	This site is subject to stormwater management controls in accordance with Chapter 9 of Part 10 of the Raleigh City Code. Proposed stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual. Shared stormwater control measures include an underground sand filter and underground detention system. Lot 2 is demonstrating compliance with an assigned impervious area of 100% of the total lot area, which has been accounted for in the shared stormwater control measures.	<u>9.2</u>
Tree Conservation:	Exempt per UDO Section 9.1.2	<u>9.1</u>

Variances, Design Adjustments, Administrative Alternates:	Design Adjustment - 8.5.1.G – Street Design - Not providing a 5' General Utility Placement Easement	
Other:	Certain elements of SSP-6-12, the Hillsborough Morgan Streetscape Plan apply	



**Planning &
Development**

**Public Works
Transportation Field Services**
One Exchange Plaza
Suite 300
Raleigh, NC 27602
www.raleighnc.gov

Public Works Design Adjustment Application

The purpose of this request is to seek a design adjustment from the Public Works Director for a specific project only and if granted may be given with special conditions and provisions. This application and all further action shall be consistent with Section 10.2.18 of the Unified Development Ordinance (UDO). The consideration and decision of this request shall be based solely on the conformance of the findings, as outlined in Sections 8.3.6 and 8.4.1.E of the UDO.

Project	Project Name 109 Park Avenue Apartments	
	Case Number SR-26-16	Transaction Number 467686

Owner	Name FMW HILLSBOROUGH AND MORGAN, LLC	
	Address 132 BREVARD COURT	City CHARLOTTE
	State NORTH CAROLINA	Zip Code 28202 Phone 704 334 7211

Applicant	Name PATRICK BARBEAU, PE	Firm TIMMONS GROUP
	Address 5410 TRINITY ROAD	City RALEIGH
	State NORTH CAROLINA	Zip Code 27607 Phone 91 866 4512

***Applicant must be a Licensed Professional (Engineer, Architect, Surveyor, or Contractor)**

Design Adjustment Request	Code Section Referenced
	Justification

A design adjustment is requested for the 5 foot general utility placement easement required along Ashe Avenue which is a proposed Avenue (2-lane) undivided street. Due to the existing topography along Ashe Avenue a retaining wall and ADA lift are required along the proposed property line of the project site. The height (12 feet tall) and location of the retaining wall and ADA lift prevent future installation of utilities along the property frontage (behind the retaining wall) where the 5 foot general utility placement easement would be located.

A design adjustment is also requested for the 5 foot general utility placement easement required along Park Avenue which is a proposed Neighborhood Yield Local Street. Due to the steep topography along Ashe Avenue and having to provide a lift for ADA access the building footprint and parking area has to be shifted towards Park Avenue. A 2.0 foot maintenance strip and a 2.5 foot general utility placement strip has been provided within the right-of-way and a 1.5 foot general utility placement easement has been provide outside the right-of-way along Park Avenue.

*Please include any additional supportive documents (Plan sheets, aerials, etc.) along with this application. It is the applicant's responsibility to provide all pertinent information required for consideration.

By signing this document I hereby acknowledge the information on this application is accurate to the best of my knowledge.

[Signature] 4/8/2016
Owner/Owner's Representative Signature

In witness whereof, the parties signed have executed this document on this date.

[Signature]
Notary Signature



(Seal)

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;
2. That a stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved by the Stormwater Engineer in compliance with Part 10A Chapter 9 of the Unified Development Ordinance including the designation of buffer areas and open space areas for stormwater purposes prior to grading or the approval of construction drawings whichever event comes first;

Prior to approval of a concurrent review, final site review, or whichever comes first:

3. That a nitrogen offset payment must be made to a qualifying mitigation bank;
4. That construction plans for the shared stormwater devices be submitted and approved by the the City;
5. That off-site sewer upgrades to serve the site are be submitted and approved by the Public Utilities Department;
6. That a stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved by the Stormwater Engineer in compliance with Part 10A Chapter 9 of the Unified Development Ordinance including the designation of buffer areas and open space areas for stormwater purposes prior to grading or the approval of construction drawings whichever event comes first;

Prior to issuance of building permits:

7. That all conditions of Z-34-12 are complied with;
8. That a Traffic Control Plan and /or Pedestrian Detour Plan is submitted to the Right-of-Way Services Coordinator to be approved prior to building permit issuance;
9. That a recombination map be recorded, recombining the existing four parcels into a single tract, and that a copy of the recorded map be provided to the City;
10. That Infrastructure Construction Plans are approved by the City of Raleigh, including obtaining stub permits, tree impact permit and a street lighting plan;
11. That in accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements is paid to the Public Works Department;

12. That ½-55' right-of-way along Park 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;
13. That ½-64' right-of-way along Ashe 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;
14. That the developer shall pay to the City a stormwater facility replacement fund payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans;
15. That the City form document entitled Declaration of Maintenance Covenant and Grant of Protection Easement for Stormwater Control Facilities shall be recorded with the county register of deeds office where the property is located prior to any recordation of a subdivision or recombination plat and a copy of the recorded documents be provided to the Planning Department within the 14-day period, further recordings and building permits authorization will be withheld if the recorded document is not provided to the Planning Department; Required legal documents shall be recorded within 1 day of the approval of a recorded map, if applicable;
16. That 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 and the plats shall contain the following note: "All private storm drainage easements & stormwater measures will be maintained by the property owners association;"
17. That in accordance with Part 10A Section 9.2.2, a surety equal to 125% of the cost of the construction of a stormwater device is paid to the Engineering Services Department;

Prior to issuance of a Certificate of Occupancy:

18. That in accordance with Part 10A Section 9.2.2, an as-built plan and certification for any stormwater control device shall be reviewed and accepted by the City prior to final stormwater inspection approval or certificate; and
19. That sanitary sewer upgrades have to be installed and accepted by the City for maintenance.

I hereby certify this administrative decision.

Signed: (Planning Dir.) Kenneth Bowen (S. Baulon) Date: 9-9-16

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 9/7/16, 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: 9-9-2019

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.