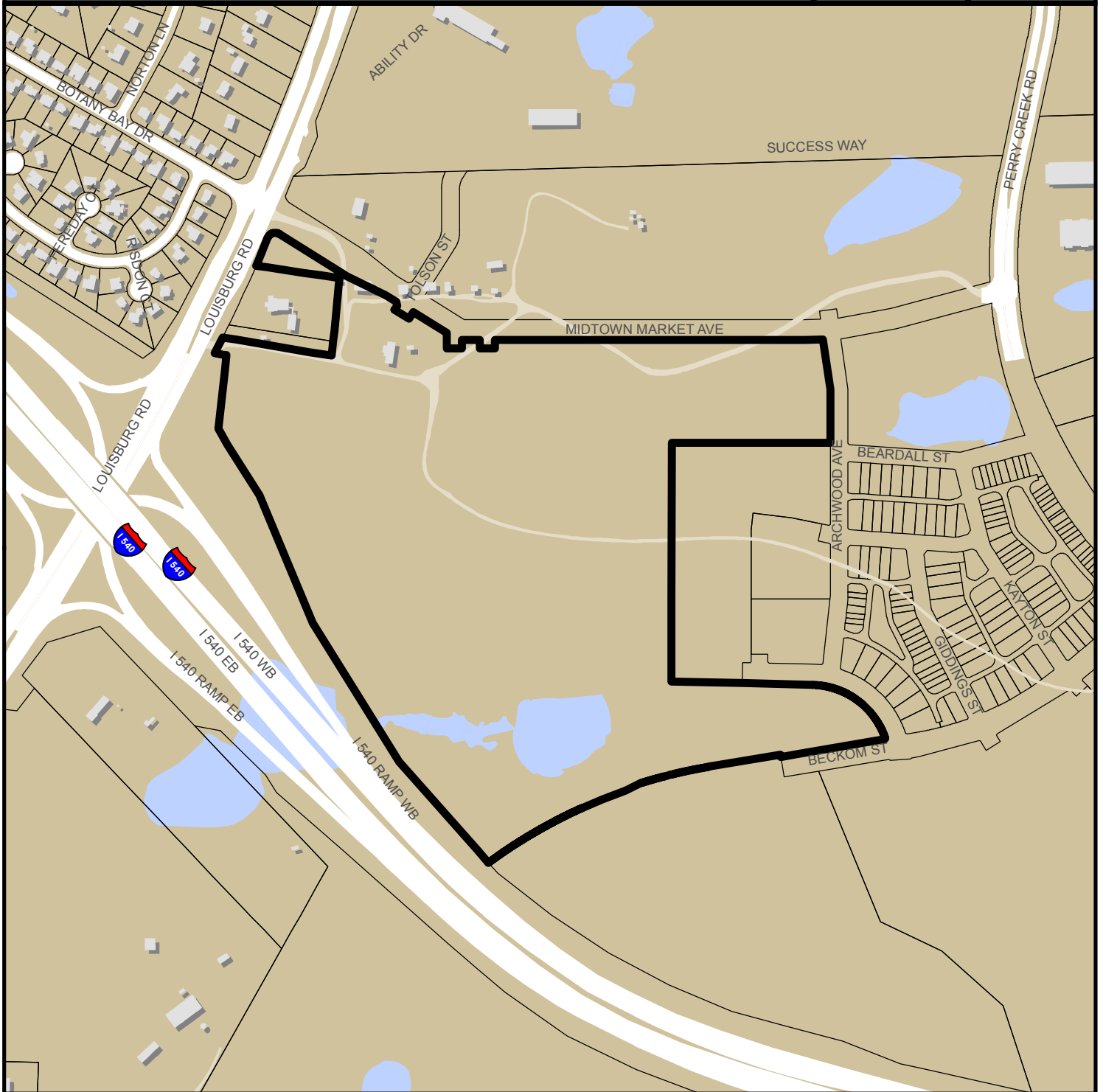


# 5401 NORTH APARTMENTS SR-63-2016



0 300 600 1,200 Feet

Zoning: **PD**  
CAC: **Forestville**  
Drainage Basin: **Perry Creek**  
Acreage: **60.45**  
Sq. Ft.: **232808**

Planner: **Meade Bradshaw**  
Phone: **(919) 996-2664**  
Applicant: **Commercial  
Properties Reality  
Trust**  
Phone: **919-201-3048**





## Administrative Action Administrative Site Review

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

**Case File / Name:** SR-63-16 / 5401 North Lot 11 Apartments

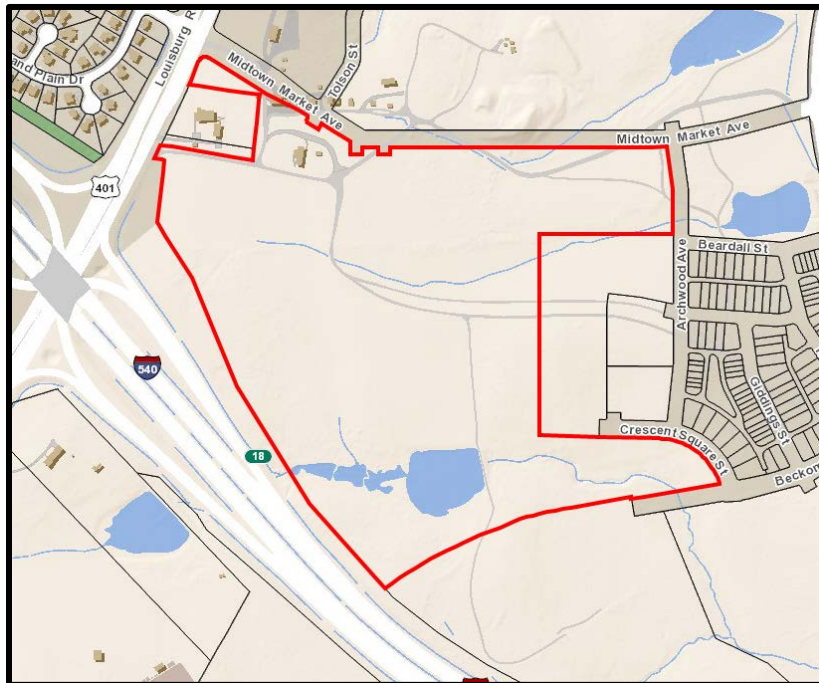
**General Location:** This site is located on the south side of Midtown Market Avenue between Archwood Avenue and Tolson Street.

**CAC:** Forestville

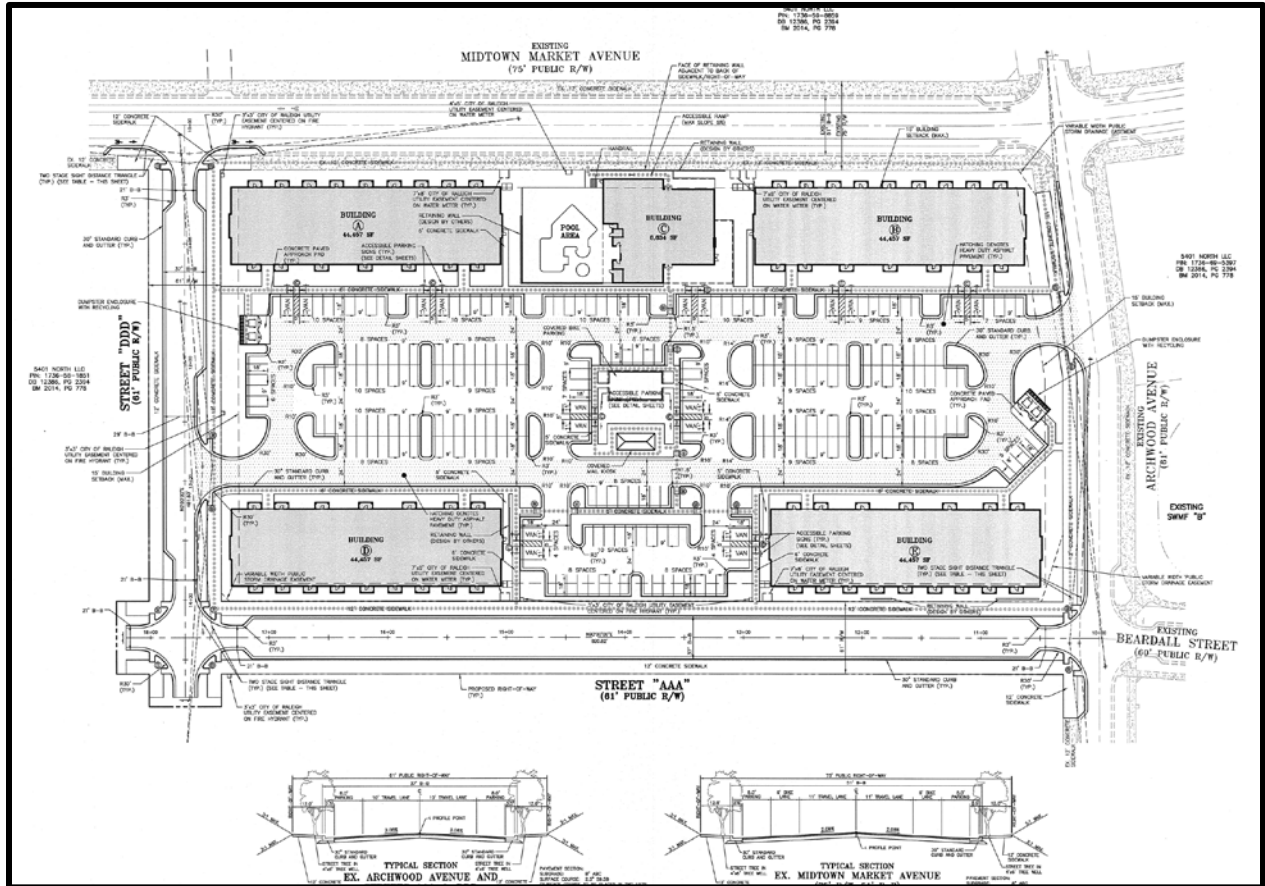
**Request:** Development of three apartment building types and associated clubhouse with a total of 192 dwelling units on proposed Lot 11 (7.54 acres) of the 5401 North Master Plan as shown below. Note that Lot 11 will need to be recorded by subdivision or recombination prior to issuance of any site permits associated with this project. Prior to recording lot 11, Infrastructure Construction Plans will need to be approved for the proposed streets.

- Buildings A,B, D, and E: 44,457 each square foot, 54'3" tall apartment building types.
- Building C: 6,634 square foot, 18' tall amenity center.
- Total: 184,462 square feet, 192 dwelling units.

**Cross-Reference:** Z-20-10, MP-1-10



SR-63-16 Location Map



SR-63-16 Preliminary Site Plan

<b>Code Conformance:</b>		<b>Code Section(s)</b>
<b>Zoning District:</b>	Planned Development (PD)	<a href="#">2.1</a> , <a href="#">3.1</a>
<b>Overlay District:</b>	N/A	<a href="#">5.1</a>
<b>Parking:</b>	200 spaces required based on the approved Master Plan, which allows a 45% reduction in spaces required by Chapter 10-2081 of the Part 10 Code. 273 spaces are provided.	<a href="#">7.1.2</a>
<b>Street Type(s):</b>	Streets approved per existing Master Plan MP-1-10	<a href="#">8.4</a>
<b>Streetscape:</b>	Streetscape approved per existing Master Plan MP-1-10.	<a href="#">8.5</a>
<b>Setbacks/Frontage:</b>	Setbacks in compliance with MP-1-10.	<a href="#">3.4</a> , <a href="#">3.2</a> , <a href="#">2.2</a>
<b>Neighborhood Transitions:</b>	N/A; no adjacent residentially zoned parcels.	<a href="#">3.5</a>
<b>Transitional Protective Yards:</b>	N/A; not required for this use.	<a href="#">7.2.4</a>
<b>Stormwater:</b>	This site is using stormwater management facilities previously approved as part of MP-1-10 (SWMF B on lot 14).	<a href="#">9.2</a>
<b>Tree Conservation:</b>	Tree Conservation areas were previously approved with MP-1-10.	<a href="#">9.1</a>
<b>Variances, Design Adjustments, Administrative Alternates:</b>	N/A	
<b>Other:</b>	Utilities, greenways, transit, infill, etc.	

**OFFICIAL ACTION: Approval with conditions**

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**CONDITIONS OF  
APPROVAL:**

**Prior to issuance of a mass land disturbing 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 subdivision or recombination plat is recorded to create the proposed lot;

**Prior to the issuance of any site permits, infrastructure construction plans or concurrent review process, whichever is applicable:**

3. That a nitrogen offset payment must be made to a qualifying mitigation bank;
4. That a subdivision or recombination plat is recorded to create the proposed lot;
5. That infrastructure construction Plans are approved by the City of Raleigh for the proposed streets;

**Prior to issuance of building permits:**

6. That the required right of way for the proposed streets is dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City prior to building permit issuance;
7. That in accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements, including streetscape trees is paid to the Engineering Services Department;
8. That a petition for annexation into the City limits be submitted in accordance with City Council policy for extension of utility service to properties currently outside of the City limits. This voluntary annexation in no way obligates the City to extend utility services to the property;
9. That street names for this development be approved by the Raleigh GIS Division and by Wake County;
10. That Infrastructure Construction Plans are approved by the City of Raleigh, including a tree impact permit, and street lighting plan;
11. That an encroachment agreement for any stormwater drainage systems that carry private drainage to be located within the public right-of-way is approved by the City Council by separate action. An application for encroachment into the public right of way for the landscaping located within the right of way as indicated on the preliminary plan, shall be submitted to the City's Encroachment Coordinator in the Public Works Department for review, and that the City Council approve the encroachment request. Following City Council approval of the encroachment, an encroachment agreement, prepared in accordance with Raleigh City Code Sections 12-1001 and 12-1021(a), shall be filed with the Public Works Department, and the encroachment agreement is to be recorded with the Wake County Register of Deeds. Maintenance of the encroachment shall be the responsibility of the owner.

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I hereby certify this administrative decision.

**Signed:** (Planning Dir.) Kenneth Benness Date: 5/12/2017

**Staff Coordinator:** Justin Rametta

(JR)

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

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**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 3/14/17, submitted by the McAdams Company.

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**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:** 05/12/2020

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.