

BOYLAN FLATS APARTMENTS SR-66-2016



Zoning: **NX-5-UL**
CAC: **Hillsborough**
Drainage Basin: **Pigeon House**
Acreage: **0.23**
Sq. Ft./units: **44,250/48**

Planner: **Justin Rametta**
Phone: **(919) 996-2665**
Applicant: **615 Boylan. LLC**
Phone: **(919) 861-2900**





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-66-16 / Boylan Flats Apartments

General Location: This site is located on the west side of North Boylan Avenue between West Peace Street and West Johnson Street.

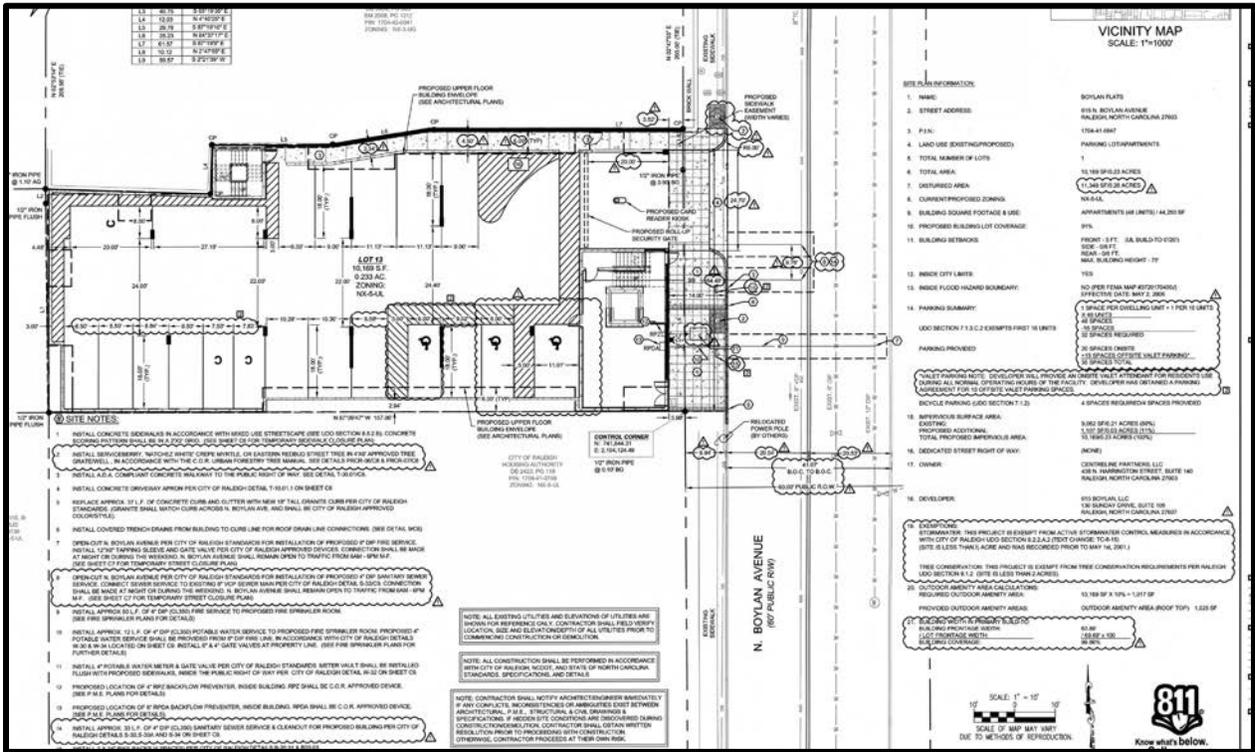
CAC: Hillsborough

Request: Development of a .23 acre tract zoned NX-5-UL into a 45,250 square foot, 72' tall, and 5-story apartment building containing 48 dwelling units.

Cross-Reference: N/A



SR-66-16 Location Map



SR-66-16 Preliminary Site Plan

Code Conformance:		Code Section(s)
Zoning District:	NX-5-UL	2.1 , 3.1
Overlay District:	N/A	5.1
Parking:	32 spaces required based on 1 space per unit with the first 16 units exempted per the Urban Limited Frontage on the site. 20 structured spaces are provided on site and the remaining 15 shall be provided via a valet service that meets the requirements of Section 7.1.5.C.	7.1.2
Street Type(s):	N Boylan Avenue is classified as Avenue, 2-lane, undivided street. A Design Adjustment has been granted by the Engineering Services Director to not require any additional right-of-way dedication (existing is 60').	8.4
Streetscape:	Mixed Use streetscape required and provided per the UL Frontage. A variable width sidewalk easement is required for the portion of public sidewalk on private property.	8.5
Setbacks/Frontage:	UL Frontage requires a minimum/maximum build-to of 0'/20' for 50% of the property's frontage. Proposed building complies with build-to and 0'/6' side and rear setbacks.	3.4 , 3.2 , 2.2
Neighborhood Transitions:	N/A; No adjacent residentially zoned parcels.	3.5
Transitional Protective Yards:	N/A; Not required for this use.	7.2.4
Stormwater:	This site is exempt from active stormwater controls per Section 9.2.2.A2 and TC-6-15.	9.2
Tree Conservation:	This site is less than two acres in size and therefore exempt from Article 9.1, Tree Conservation.	9.1
Variances, Design Adjustments, Administrative Alternates:	A Design Adjustment has been granted by the Engineering Services Director to not require any additional right-of-way dedication (existing is 60').	
Other:	10% outdoor amenity area required and provided.	1.5.3

OFFICIAL ACTION: Approval with conditions

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 reseeded a site, shall be paid to the City;

Prior to issuance of building permits:

2. That a sidewalk deed of easement is approved by the city staff. The deed of easement shall be recorded at Wake County Register of Deeds and a copy returned to City staff prior to the issuance of a building permit;
3. That an encroachment agreement for the proposed bicycle racks and portion of the building in the right-of-way is approved by the City Council by separate action. An application for encroachment into the public right of way as indicated on the preliminary plan shall be submitted to the City's Encroachment Coordinator 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, 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;
4. 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 on N Boylan Avenue is paid to the Engineering Services Department;
5. That the applicant provide proof of an offsite parking lease, agreement or easement for resident parking to fulfill the required parking, and the applicant shall sign and agree in writing to provide the required off-street parking as long as the principal use shall continue and shall agree that the principal use shall be discontinued should the required off-street parking no longer be provided on these off-site parcels or their equivalent.

I hereby certify this administrative decision.

Signed:

(Planning Dir.)

Ken Bann (C. R. Lynn)

Date:

1-5-17

Staff Coordinator:

Justin Rametta

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 11/18/16, submitted by Red Line Engineering, P.C.

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: 1/5/2020

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.



Development Services Design Adjustment – Staff Response

Per Section 10.2.18.C of the Unified Development Ordinance, the Development Services Director may consult with the heads of other City departments regarding the review of the request. The Development Services Director may approve, approve with conditions or deny the request, but must do so within 60 days of the receipt of a completed application. Additional time may be necessary if a municipal or state entity is incorporated in the review process or if a detailed engineering study is submitted in conjunction with the request.

PROJECT	Project Name Boylan Flats	Date Completed Application Received: 11/10/16
	Case Number: SR-66-16	Transaction Number: 485252

DEPARTMENT RESPONSE/RECOMMENDATION	DEPARTMENT	REPRESENTATIVE SIGNATURE	DEPARTMENT	REPRESENTATIVE SIGNATURE
	<input type="checkbox"/>	Dev. Services Planner:		<input type="checkbox"/>
<input checked="" type="checkbox"/>	Dev. Services Eng:	Daniel G. King, PE <i>D.K.</i>	<input type="checkbox"/>	Transportation:
<input type="checkbox"/>	Engineering Services:		<input type="checkbox"/>	PRCR:
<p>Staff supports the attached request to not dedicate additional right-of-way based on topographic challenges and existing developed property which would make any road widening infeasible.</p>				

Development Services Director or Designee Action:

Approve Approval with Conditions Deny

Authorized Signature

[Handwritten Signature]

Date

11/16/16

*The Development Services Director may authorize a designee to sign in his/her stead. Please print name and title next to signature.

CONDITIONS FOR APPROVAL	
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Appeal of the decision from the Development Services Director shall be made in writing within 30 days to the Board of Adjustment (see Section 10.2.18.C3b).

City of Raleigh
Development Services

Phone: 919-996-2495
www.raleighnc.gov



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 Boylan Flats	
	Case Number SR-66-16	Transaction Number 485252

Owner	Name Centreline Partners, LLC	
	Address 436 N. Harrington Street, Suite 140	City Raleigh
	State North Carolina	Phone (919) 838-9934

Applicant	Name Gary J. McCabe, P.E.		Firm Red Line Engineering, P.C.
	Address 4609 Badger Springs Rd		City Raleigh
	State North Carolina	Zip Code 27603	Phone (919) 606-4560

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

Design Adjustment Request	Code Section Referenced Section 8.5.1.A.3, 8.3.6.E.3 & 8.4.5.A
	Justification According to the latest version of the City of Raleigh Street Plan, Boylan Avenue is to be constructed to a "2-Lane, Undivided" roadway section. Section 8.4.5.A of the UDO requires a 64' of right of way, 36' BOC to BOC road width, 6' planted strip, 6' sidewalk (min.), etc. However, the UL frontage requires a 14' wide sidewalk, which requires a small (< 4ft wide) sidewalk easement, which has been provided. Boylan Avenue in this location currently has 60' of right of way with a 41' BOC to BOC road width. The existing roadway section exceeds the requirements of UDO Section 8.4.5.A inside of the existing right of way, eliminating the need for an additional 2 ft. of R/W dedication. Please note, due to the steep grades of Boylan Avenue and the surrounding properties, it is necessary to preserve the existing retaining wall, located on the northern property line. UDO Sections 8.5.1.A.3 & 8.3.6.E both allow for an Administrative Design Adjustment when the existing structures or steep topography would impede expansion of a street. In this case, a significant existing retaining wall and steep topography would prevent the expansion of the street. We request that you consider waiving the 2 ft. R/W dedication for this project. Thank you for your time and consideration. (Please see the enclosed plans)

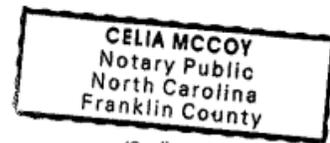
*Please include any additional supportive documents (Plan sheets, aerials, etc.) along with this application. It is the applicant's responsibility to provide all pertinent information required for consideration.

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

Owner/Owner's Representative Signature

Date

10-27-16



(Seal)

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

Celia McCoy
Notary Signature

Date

10-27-16