104 ASHE AVENUE APARTMENTS
SR-83-2017

Zoning: **CX-5-UG-CU w/ SRPOD**
CAC: **Hillsborough**
Drainage Basin: **Rocky Branch**
Acreage: **0.23**
Sq. Ft.: **18,070**

Planner: **Daniel Stegall**
Phone: **(919) 996-2712**

Applicant: **Timmons Group**
Phone: **(919) 866-4943**
LOCATION: This site is located on the west side of Ashe Avenue and southwest of the intersection of Hillsborough Street and Ashe Avenue. The site address and pin number is 104 Ashe Avenue and 1703198908.

REQUEST: Development of a 0.22 acre tract for 16 apartment units and 1 office in a mixed-use building. The proposed building is 17,665 square feet in size and 4 stories in height. The site is zoned Commercial Mixed Use with an Urban General Frontage (CX-5-UG-CU). In addition, the site is located in a Special Residential Parking Overlay District (SRPOD) with zoning conditions that may be referenced by case Z-34-2012.

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: A Design Adjustment has been approved by the Development Services Designee for this project waiving the requirement for dedication of a General Utility Placement Easement behind the sidewalk on private property.

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 submitted by Patrick Barbeau of Timmons Group.

CONDITIONS OF APPROVAL and NEXT STEPS:

PRIOR TO THE ISSUANCE OF ANY SITE PERMITS OR APPROVAL OF CONCURRENT REVIEW PROCESS, WHICHEVER IS APPLICABLE:

ENGINEERING

1. Next Step: A right-of-way obstruction permit must be obtained from Right-of-way Services prior to the commencement of any construction activities within the right-of-way.

PUBLIC UTILITIES

2. The previous sewer capacity study for 109 Park Ave and Hillsborough St Apartments must be modified to include flow from this development.

PRIOR TO ISSUANCE OF BUILDING PERMITS:

GENERAL

3. Comply with all conditions of Z-34-12.

4. A Final Plat shall be recorded with the Wake County Register of Deeds office for Right of Way and/or Easement Dedications.

5. Provide fire flow analysis.
ENGINEERING

6. The required right of way for proposed and/or existing streets shall be dedicated to the City of Raleigh and is shown on a plat approved for recordation.

7. A cross access agreement between this lot identified by PIN 1703197985 and the adjacent lot identified by PIN 1704107141 as shown on the preliminary plan shall be approved by the Development Services Department for recording with the Wake County Register of Deeds, and a copy of the recorded cross access easement shall be returned to the Development Services Department within one (1) day of recordation. A recorded copy of these documents must be provided to the Development Services Department.

8. Next Step: A right-of-way obstruction permit shall be obtained from Right-of-way Services for any construction activity within the right-of-way.

STORMWATER

9. Next Step: In accordance with Part 10A Section 9.2.2, a surety equal to 125% of the cost of the construction of a stormwater device shall be paid to the Engineering Services Department.

URBAN FORESTRY

10. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way.

PRIOR TO THE ISSUANCE OF BUILDING OCCUPANCY PERMIT:

11. Next Step: Required public right-of-way infrastructure improvements shall be, at a minimum, sufficiently completed to provide the necessary, safe emergency and vehicular access.

12. Next Step: Required underground storm drainage improvements shall be completed and as-built plan(s) and certification(s) reviewed and accepted by the City of Raleigh Development Services – Development Engineering program.

13. Next Step: All street lights and street signs required as part of the development approval are installed.

14. Next Step: Copies of certified inspection reports for alleys and internal access ways are submitted to the City of Raleigh Development Services – Development Engineering program.

15. Next Step: As-built drawings and associated forms for all Stormwater devices are accepted by the Engineering Services Department. (Shared offsite device located and permitted with 109 Ashe Ave)
Administrative Approval Action
104 Ashe Avenue Apartments: SR-83-17, AA# 3770
Transaction# 531899

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: 3-7-2021
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: (Planning Dir./Designee) ____________________________ Date: 3/7/18
Staff Coordinator: Daniel L. Stegall
Design Adjustment  
Staff Response

DEVELOPMENT SERVICES DEPARTMENT

Development Services Customer Service Center | 1 Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-396-2495  
Litchford Satellite Office | 8320 – 130 Litchford Road | Raleigh, NC 27601 | 919-996-4200

Per Section 10.2.18.C of the Unified Development Ordinance, the Development Services Director, or designee, shall consult with the heads of other City Departments regarding the review of the request. The Development Services Director, or designee, shall 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.

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Case Number</th>
<th>Date completed Application received</th>
<th>Transaction Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>104 Ashe Apartments</td>
<td>SR-83-2017</td>
<td>1/10/2018</td>
<td>531899</td>
</tr>
</tbody>
</table>

Staff SUPPORTS the Design Adjustment based upon the findings in these applicable code:
- [ ] UDO Art. 8.3 Blocks, Lots, Access
- [ ] UDO Art. 8.4 New Streets
- [ ] UDO Art. 8.5 Existing Streets
- [x] Raleigh Street Design Manual
- [ ] Other

<table>
<thead>
<tr>
<th>DEPARTMENT</th>
<th>REPRESENTATIVE SIGNATURE</th>
<th>DEPARTMENT</th>
<th>REPRESENTATIVE SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dev. Services Planner</td>
<td>[Signature]</td>
<td>City Planning</td>
<td>[Signature]</td>
</tr>
<tr>
<td>Development Engineering</td>
<td>[Signature]</td>
<td>Transportation</td>
<td>[Signature]</td>
</tr>
<tr>
<td>Engineering Services</td>
<td>[Signature]</td>
<td>PRCR</td>
<td>[Signature]</td>
</tr>
<tr>
<td>Public Utilities</td>
<td>[Signature]</td>
<td></td>
<td>[Signature]</td>
</tr>
</tbody>
</table>

Findings: Staff supports the request for a Design Adjustment to grant relief for the removal of the 5’ General Utility Placement Easement. The approved Hillsborough/Morgan Street Streetscape Plan states that “Utilities are well established in most of the area. Utilities will be on poles in the right-of-way.” There exists a pole line along Ashe Ave on the opposite side of the street from proposed development within the public right-of-way. There is also an additional 9.5’ of space between the proposed right-of-way line and the proposed back of sidewalk. Any future utilities can utilize that space for any future placements if underground utilities are required.

Development Services Director or Designee Action:  
- [x] Approve
- [ ] Approval with Conditions
- [ ] Deny

Authorized Signature  
KELLY N. PUCKET, PE, MPA  
DEVELOPMENT ENGINEERING MANAGER  
3/7/2018

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

Appeal of the decision from the Development Services Director, or his or her designee, shall be made in writing within 30 days to the Board of Adjustment (see Section 10.2.18.C3b).
Design Adjustment Application

Development Services Customer Service Center | 1 Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-996-2495
Litchford Satellite Office | 8320 – 130 Litchford Road | Raleigh, NC 27601 | 919-996-4200

The purpose of this request is to seek a Design Adjustment from the Development Services Director, or designee, for a specific project only and, if granted, may be approved with special conditions and provisions. This application and all further action shall be consistent with Section 10.2.18 in 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 Sec. 8.3.6, Sec. 8.4.1.E and Sec. 8.5.1.G of the UDO or the Raleigh Street Design Manual.

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>104 ASHE APARTMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case Number</td>
<td>Transaction Number 531899</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>OWNER</th>
<th>FMW AT 109 PARK AVENUE LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>1814 EUCLID AVE</td>
</tr>
<tr>
<td>City</td>
<td>CHARLOTTE</td>
</tr>
<tr>
<td>State NC</td>
<td>Zip Code 28203</td>
</tr>
<tr>
<td>Phone</td>
<td>704-805-4805</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>APPLICANT</th>
<th>PATRICK BARBEAU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Firm</td>
<td>TIMMONS GROUP</td>
</tr>
<tr>
<td>Address</td>
<td>6410 TRINITY RD STE 102</td>
</tr>
<tr>
<td>City</td>
<td>RALEIGH</td>
</tr>
<tr>
<td>State NC</td>
<td>Zip Code 27607</td>
</tr>
<tr>
<td>Phone</td>
<td>919-885-4512</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>CODE SECTION REFERENCED</th>
<th>Z-34-12, 8.5.2</th>
</tr>
</thead>
<tbody>
<tr>
<td>JUSTIFICATION</td>
<td>Remove request from Transportation for 5' utility strip behind proposed public ROW.</td>
</tr>
<tr>
<td>Site is zoned CX-5-UG-CU</td>
<td></td>
</tr>
<tr>
<td>Per the adopted Hillsborough Morgan Streetscape and Parking Plan (Z-34-12), the &quot;utilities in the area are well established and will be on poles in the ROW.&quot; Additionally, the building setback is 0'.</td>
<td></td>
</tr>
<tr>
<td>8.5.2.B - Mixed Use Streetscape in UG frontages does not call for utility placement behind the ROW.</td>
<td></td>
</tr>
</tbody>
</table>

*Please include any additional support (Plan sheets, aerials, etc.) along with this application. It is the responsibility of the applicant to provide all pertinent information needed for the consideration of this request.

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

Owner/Owner's Representative Signature

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

Notary Signature

WWW.raleighnc.gov
1. SOLID WASTE FOR EACH RESIDENCE WILL BE MANAGED THROUGH PRIVATE CONTRACTOR. REFUSE CONTAINERS ARE TO BE STORED ON GROUND LEVEL AS SHOWN ON SITE PLAN IN CONDITIONED SPACE. PRIVATE CONTRACTOR SHALL NOT LEAVE CONTAINERS IN PUBLIC RIGHTS OF WAY.

2. ALL INSTALLATION AND MAINTENANCE REQUIREMENTS FOR STREET TREES CAN BE FOUND IN THE RALEIGH CITY TREE MANUAL CHAPTER 2.

3. PROJECT SUBJECT TO HILLSBOROUGH MORGAN STREETSCAPE AND PARKING PLAN.

4. STORMWATER RUNOFF HAS BEEN ADDRESSED UNDER SR-26-2016. SEE BM2016-2033 FOR MAX. IMPERVIOUS AREA.

5. PROJECT IS EXEMPT FROM TREE CONSERVATION REQUIREMENTS PER UDO SEC. 9.1.2 (SITE UNDER 2 ACRES).
ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE CITY OF RALEIGH AND THE STATE OF NORTH CAROLINA STANDARDS AND SPECIFICATIONS.

1. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION.

2. CONTRACTOR SHALL COORDINATE THE ACTUAL AND PROPOSED LOCATION OF UTILITIES TO AVOID CONFLICTS PRIOR TO BEGINNING CONSTRUCTION.

3. CONTRACTOR SHALL COORDINATE THE LOCATION OF THE ELECTRIC, GAS AND TELEPHONE SERVICE WITH THE APPROPRIATE UTILITY COMPANY PRIOR TO BEGINNING CONSTRUCTION.

4. CONTRACTOR SHALL COORDINATE THE LOCATION OF THE ELECTRIC, GAS AND TELEPHONE SERVICE WITH THE APPROPRIATE UTILITY COMPANY PRIOR TO BEGINNING CONSTRUCTION.

5. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION.

6. CONTRACTOR SHALL COORDINATE THE LOCATION OF THE ELECTRIC, GAS AND TELEPHONE SERVICE WITH THE APPROPRIATE UTILITY COMPANY PRIOR TO BEGINNING CONSTRUCTION.

7. CONTRACTOR SHALL PROVIDE THIS DRAWING TO THE BUILDING PLANS.

CONTRACTOR AND THE BUILDING PLANS.

4. LOCATION OF UTILITIES TO AVOID CONFLICTS PRIOR TO BEGINNING CONSTRUCTION.

5. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL EXISTING UTILITIES.

6. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION.

7. CONTRACTOR SHALL PROVIDE THIS DRAWING TO THE BUILDING PLANS.
LANDSCAPING NOTES:
1. PROJECT IS EXEMPT FROM TREE CONSERVATION REQUIREMENTS PER UDO SEC. 9.1.2 (SITE UNDER 2 ACRES).
2. SEE SHEET C7.0 FOR PERTINENT PRCR DETAILS.

PLANT LIST "FULL"

<table>
<thead>
<tr>
<th>COMMON NAME</th>
<th>SCIENTIFIC NAME</th>
<th>MINIMUM INSTALLED SIZE</th>
<th>KEY</th>
</tr>
</thead>
<tbody>
<tr>
<td>BLUE RUG JUNIPER</td>
<td>JUNIPERUS HORIZONTALIS 'WILTONII'</td>
<td>4&quot; HEIGHT CONT.</td>
<td>3-ZS</td>
</tr>
<tr>
<td>JAPANESE SELKOVA</td>
<td>ZELKOVA SERRATA</td>
<td>2&quot; CAL.</td>
<td>6-ZS</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3&quot; CAL.</td>
<td></td>
</tr>
</tbody>
</table>