Zoning: DX-5-UL
CAC: Central
Drainage Basin: Rocky Branch
Acreage: 0.74
Sq. Ft.: 103,250

Planner: Justin Rametta
Phone: (919) 996-2665

Applicant: David Boyette
Phone: (919) 866-4804
LOCATION: This site is located on the east side of S West Street, north side of W Lenoir Street, and west side of S Harrington Street.

REQUEST: Development of two parcels totaling .76 acres zoned DX-5-UL into a 103,151 square foot mixed use building type containing 1,836 square feet of retail, 61 structured parking spaces, and 45 dwelling units.

DESIGN ADJUSTMENT(S)/ ALTERNATES, ETC: A Design Adjustment has been approved to not require right-of-way dedication.

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 Stewart.

CONDITIONS OF APPROVAL and NEXT STEPS:

Note: This document must be applied to the second sheet of all future submittals with the exception of final plats.

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.

STORMWATER

2. Next Step: In accordance with Part 10A Section 9.4.4 of the Unified Development Ordinance, a surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City.

3. Next Step: 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.

4. Next Step: A nitrogen offset payment must be made to a qualifying mitigation bank.

PRIOR TO ISSUANCE OF BUILDING PERMITS:

GENERAL

1. A Final Plat shall be recorded with the Wake County Register of Deeds office for all Subdivisions, Recombinations, Right Of Way and/or Easement Dedications, and Tree Save Areas.

2. A demolition permit shall be obtained.

3. Next Step: Site and infrastructure permitting drawings shall be approved through the concurrent review process prior to submitting building permits.

SR-90-16 522 S Harrington Street (revised May 15, 2016)
4. The City form document entitled Declaration of City of Raleigh Required City Code Provisions for Developments with Common Elements and Common Expenses shall be approved by the City and recorded with the county register of deeds office where the property is located and a copy of the recorded document shall be provided to the City by the end of the next business day following the recording of the final plat; further recordings and building permit authorization will be withheld if the recorded document is not provided to the City.

5. The 'declaration of easements for light, air, open space, and construction' as shown on the site plans between 522 S Harrington Street, 414 West Street, and 530 S Harrington Street must be recorded with the Wake County Register of Deeds and shown on all plats for recording.

ENGINEERING

6. A sidewalk deed of easement for any public sidewalk on private property shall be approved by the City and the location of the easement shall be shown on the map approved for recordation. The deed of easement shall be recorded at Wake County Register of Deeds within one (1) day of recordation of the recorded plat. A recorded copy of these documents must be provided to the Development Services Department.

7. An encroachment agreement for retaining walls, tree grates, street furniture, bike racks, etc. within the public right-of-way shall be approved by City Council and the City Council approved encroachment agreement shall be filed with the Development Services Department, and the encroachment agreement shall be recorded with the Wake County Register of Deeds. 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.

9. Next Step: In accordance with Part 10A Section 8.1.3, a public infrastructure surety is provided to the City of Raleigh Development Services – Development Engineering program.

STORMWATER

19. Next Step: In accordance with Part 10A Section 8.1.3, a public infrastructure surety shall be provided to the City of Raleigh Development Services – Development Engineering program.

20. Next Step: 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.

21. Next Step: The City form document entitled Declaration of Maintenance Covenant and Grant of Protection Easement for Stormwater Control Facilities shall be approved by the City and recorded with the county register of deeds office.

22. Next Step: 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.
23. **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**

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

**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:** 11-8-2020
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.

I hereby certify this administrative decision.

**Signed:** (Planning Dir./Designee)  

**Date:** 5/15/15

**Staff Coordinator:** JustinRametta
## Administrative Site Review

### General Notes:

1. The drawings are intended for construction and are not to scale.

2. All materials and methods of construction shall be in compliance with the project specifications and construction documents. The Contractor is responsible for ensuring that all work is performed in accordance with the approved drawings and specifications.

3. The Contractor shall be responsible for maintaining the project site in a clean and safe condition throughout the construction period. All waste materials and debris shall be removed from the site daily.

4. The Contractor shall perform all work in a professional and efficient manner, ensuring that the project is completed on time and within budget.

5. All subcontractors and suppliers shall be responsible for their performance and for ensuring that their work complies with the project specifications and construction documents.

6. The Contractor shall maintain all necessary permits and approvals throughout the construction period.

7. The Contractor shall coordinate all utilities with the Utility Locate Service and the local utility companies to ensure that all utilities are located and protected during construction.

8. The Contractor shall be responsible for coordinating with other construction contractors and trade unions to ensure smooth progress and avoid conflicts.

9. The Contractor shall be responsible for providing all necessary equipment and materials for the project.

10. The Contractor shall be responsible for ensuring that all work is completed in a safe manner, following all relevant safety regulations and guidelines.

11. The Contractor shall be responsible for providing all necessary documentation and reports as required by the City of Raleigh and other regulatory agencies.

12. The Contractor shall be responsible for ensuring that all work is completed to the satisfaction of the owner and the City of Raleigh.

13. The Contractor shall be responsible for ensuring that all work is completed in accordance with the City of Raleigh's Right of Way Standards and Specifications.

14. The Contractor shall be responsible for ensuring that all work is completed in accordance with the City of Raleigh's Stormwater Management Plan.

15. The Contractor shall be responsible for ensuring that all work is completed in accordance with the City of Raleigh's Solid Waste Management Plan.

16. The Contractor shall be responsible for ensuring that all work is completed in accordance with the City of Raleigh's Traffic Management Plan.

17. The Contractor shall be responsible for ensuring that all work is completed in accordance with the City of Raleigh's Fire Protection Plan.

18. The Contractor shall be responsible for ensuring that all work is completed in accordance with the City of Raleigh's Access Management Plan.

19. The Contractor shall be responsible for ensuring that all work is completed in accordance with the City of Raleigh's Erosion Control Plan.

20. The Contractor shall be responsible for ensuring that all work is completed in accordance with the City of Raleigh's Noise Abatement Plan.

21. The Contractor shall be responsible for ensuring that all work is completed in accordance with the City of Raleigh's Waste Management Plan.

22. The Contractor shall be responsible for ensuring that all work is completed in accordance with the City of Raleigh's Health and Safety Plan.

23. The Contractor shall be responsible for ensuring that all work is completed in accordance with the City of Raleigh's Transportation Plan.

24. The Contractor shall be responsible for ensuring that all work is completed in accordance with the City of Raleigh's Environmental Plan.

25. The Contractor shall be responsible for ensuring that all work is completed in accordance with the City of Raleigh's Archaeological Plan.

26. The Contractor shall be responsible for ensuring that all work is completed in accordance with the City of Raleigh's Cultural Resources Plan.

27. The Contractor shall be responsible for ensuring that all work is completed in accordance with the City of Raleigh's Historical Preservation Plan.

28. The Contractor shall be responsible for ensuring that all work is completed in accordance with the City of Raleigh's Energy Management Plan.

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