



# Administrative Approval Action

Case File / Name: ASR-SR-9-2017  
400 H

City of Raleigh  
Development Services Department  
One Exchange Plaza  
Raleigh, NC 27602  
(919) 996-2492  
currentplanning@raleighnc.gov  
www.raleighnc.gov

**LOCATION:** This site is located on the southwest corner of the intersection of West Edenton Street and North Harrington Street, zoned DX-20-SH and is within the city limits.

**REQUEST:** This is a revision to a previously approved plan SR-9-17 (AA# 3619) originally approved on 6/15/2017. (Transaction # 501332). This plan is the redevelopment of the entire block contained by Hillsborough, Edenton, Harrington, and West Street(s). This is the development of a twenty story mixed use residential/office/retail building. This revision indicates an increase to 242 units along with the associated required parking. Note that the sunset date is unchanged with this revision.

One Design Adjustment has been approved for this project, noted below.

1. As the development is within the City of Raleigh Christmas Plan, the right of way and property boundaries are to be allowed to remain as existing.

Two Administrative Alternates have been approved for this project, noted below.

1. Admin. Alternate (AAD- 9-17) – approval of an alternative design regarding the building massing requirements along three of the four streets.
2. Admin. Alternate (AAD-9-17) – Approval of an alternate design regarding the 0/15' "Build To" requirement along West Street.

**DESIGN  
ADJUSTMENT(S)/  
ALTERNATES, ETC:** N/A

**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 dated by STEWART.

## CONDITIONS OF APPROVAL and NEXT STEPS:

*This document must be applied to the second sheet of all future submittals except for final plats. This is a preliminary plan and as such no permits have been issued with this approval. To obtain permits and/or completion of the project, the following steps are required:*

**SITE PERMITTING REVIEW** - For land disturbance of 12,000 square feet or greater, public or private infrastructure, shared stormwater devices, etc. Site Permitting Review may be submitted upon receipt of this signed approval document.

*The following items are required prior to approval of Site Permitting Review plans:*

**Stormwater**

1. A stormwater control plan including a soil boring and seasonal high water table report at the location of the proposed stormwater device and a stormwater operations and maintenance manual and budget shall be approved by the stormwater engineer. (UDO 9.2).
2. A nitrogen offset payment must be made to a qualifying mitigation bank (UDO 9.2.2.B).
3. A surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City (UDO 9.4.4).



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**BUILDING PERMITS** - For buildings and structures shown on the approved plans. Commercial building permit plans must include the signed, approved Site Permitting Review plans attached, if applicable. Permit sets may be reviewed prior to the recordation of required plats, but cannot be approved.

*The following items must be approved prior to the issuance of building permits:*

## General

1. The applicant shall provide proof of compliance with remote parking standards by submitting a signed agreement or lease indicating that required off-street parking shall be provided as long as the principal use continues and the principal use shall be discontinued should the required off-street parking no longer be provided on these off-site parcels (UDO 7.1.5).
2. A demolition permit shall be obtained.
3. A recombination map shall be recorded prior to or in conjunction with the recording of lots, recombining the existing lot into a single tract.

## Engineering

4. That approval by the North Carolina Department of Transportation is required prior to the installation of street trees along West Edenton Street. .
5. A public infrastructure surety shall be provided to the City of Raleigh Development Services – Development Engineering (UDO 8.1.3).
6. That an encroachment agreement for any plantings, planters, awnings or 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 Development Services 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 Development Services 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;
7. That a sidewalk deed of easement for 3.5 feet along North Harrington, and 3.5 feet along West Street is approved by the City staff and that the location of the easement as shown on the map approved for recordation. The deed of easement shall be recorded at Wake County Register of Deeds within one day of recordation of the recorded plat; The deed of easement shall be recorded at Wake County Register of Deeds within one day of recordation of the plat. A recorded copy of this document shall be provided to the Development Services Department within one day from authorization of lot recordation. If a recorded copy of the document is not provided, further recordings and building permit issuance will be withheld.

## Stormwater



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8. A surety equal to 125% of the cost of the construction of a stormwater device shall be paid to the Engineering Services Department (UDO 9.2.2.D.1.d).
9. A payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans shall be paid by the developer to the City stormwater facility replacement fund (UDO 9.2.2.G.3).

### Urban Forestry

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

### *The following are required prior to issuance of building occupancy permit:*

#### General

1. As-built drawings and associated forms for all Stormwater devices are accepted by the Engineering Services Department (UDO 9.2.2.D.3).
2. That a certificate of occupancy is issued for the associated expansion of the Power House Parking Deck utilized for remote required parking;

**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:

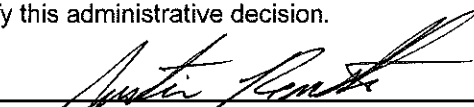
**3-Year Expiration Date:** June 15, 2020

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:  Date: 01/10/2020  
Development Services Dir/Designer  
Staff Coordinator: Michael Walters