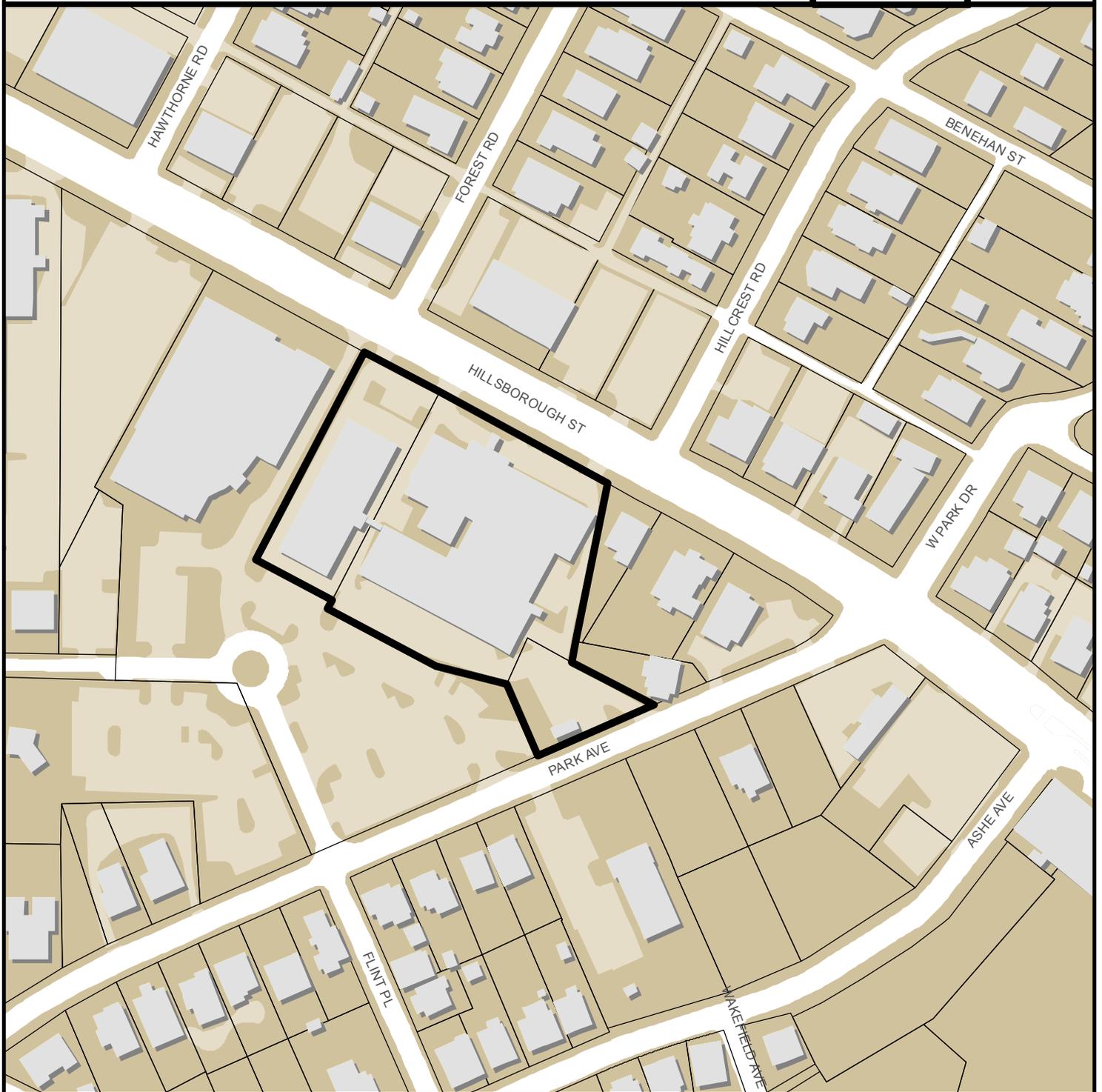


# HILLSBOROUGH STREET APARTMENTS SR-22-2016



0 245 490 Feet

Zoning: **OX-5-GR**  
CAC: **Hillsborough**  
Drainage Basin: **Rocky Branch**  
Acreage: **2.45**  
Square Feet: **271,215**

Planner: **Justin Rametta**  
Phone: **(919) 996-2665**  
Applicant: **Padiak**  
Phone: **(919) 361-5000**





## Administrative Action Administrative Site Review

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

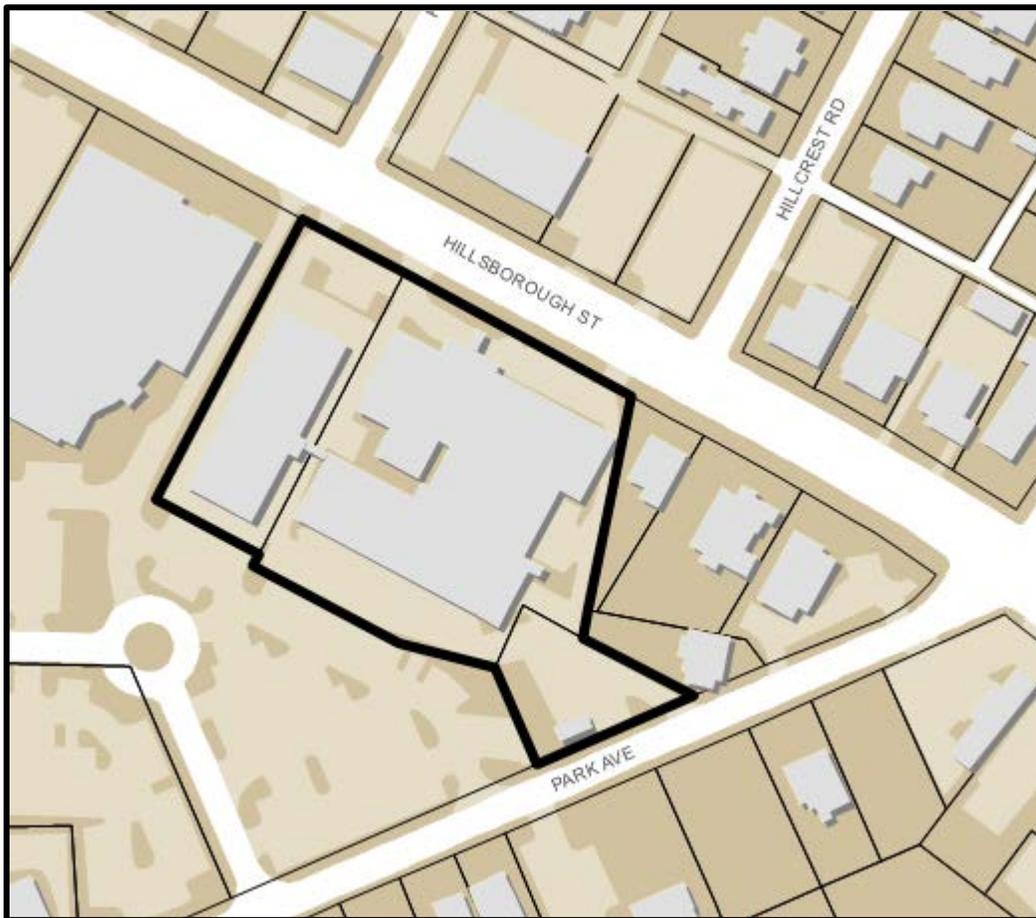
**Case File / Name:** SR-22-16 / Hillsborough Street Apartments

**General Location:** This site is located on the south side of Hillsborough Street and north side of Park Avenue, inside the City limits.

**CAC:** Hillsborough

**Request:** Development of a three tracts totaling 2.51 acres zoned OX-5-GR into a 450,682 square foot, five-story height with basement, 70.2' tall apartment building, consisting of 150 units.

**Cross-Reference:** N/A



SR-22-16 Location Map







# 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.

<b>Project</b>	Project Name Hillsborough Street Apartments		
	Case Number SR-22-16	Transaction Number 465770	
<b>Owner</b>	Name McKinley Raleigh, LLC – Jonathon Barge		
	Address 2970 Clairmont Road NE, Suite 310	City Atlanta	
	State Georgia	Zip Code 30329	Phone 404-920-5332
	Name Andy Padiak		
<b>Applicant</b>	Address 2905 Meridian Parkway		City Durham
	State North Carolina	Zip Code 27713	Phone 919-361-5000
	Firm McAdams Company		
	Name Andy Padiak		

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

<b>Design Adjustment Request</b>	Code Section Referenced Raleigh Street Design Manual Section 6.5.8.A
	Justification
	<p>We are requesting consideration for a Design Adjustment because the driveway spacing between the new driveway for this project does not meet the minimum spacing requirements from the existing YMCA drive along Hillsborough Street. We ask for approval of this Design Adjustment for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The YMCA driveway at Hillsborough Street is ingress only</li> <li>2. The proposed drive to this new project is aligned with existing Forest Road</li> <li>3. We are reducing the number of access points to Hillsborough Street from three to one because of this project</li> </ol> <p>If you have any questions, please call me at 919-475-5514. Thank you for your consideration of this Design Adjustment request.</p>

\*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.

Andy Padiak 6.8.16  
Owner/Owner's Representative Signature Date  
DURHAM COUNTY NORTH CAROLINA  
In witness whereof, the parties signed have executed this document on this date.

**ROBERTA FORBES**  
NOTARY PUBLIC  
Wake County, North Carolina  
My Commission Expires 08-28-2019

Roberta Forbes June 8th 2016  
Notary Signature Date



**Development Services Design Adjustment – Staff Response**

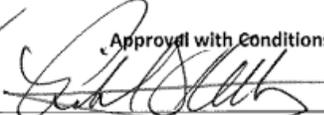
Per Section 10.2.18.C of the Unified Development Ordinance, the Development Services Director may consult with the heads of other City departments regarding the review of the request. The Development Services Director may approve, approve with conditions or deny the request, but must do so within 60 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.

<b>PROJECT</b>	Project Name <b>Hillsborough Street Apartments</b>	Date Completed Application Received: <b>8/5/2016</b>
	Case Number: <b>SR-22-16</b>	Transaction Number: <b>465770</b>

<b>DEPARTMENT RESPONSE/RECOMMENDATION</b>	DEPARTMENT	REPRESENTATIVE SIGNATURE	DEPARTMENT	REPRESENTATIVE SIGNATURE
	<input type="checkbox"/>	Dev. Services Planner:		<input type="checkbox"/>
<input checked="" type="checkbox"/>	Dev. Eng. Services:	Daniel G. King, PE	<input type="checkbox"/>	Transportation:
<input type="checkbox"/>	Engineering Services:		<input type="checkbox"/>	PRCR:
Development Engineering Services staff has consulted with PRCR staff and supports the request to plant street trees behind the existing sidewalk as there is not adequate space to plant them between the sidewalk and back of curb.				

**Development Services Director or Designee Action:**

Approve  Approval with Conditions  Deny


*8/10/16*

Authorized Signature Date

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

<b>CONDITIONS FOR APPROVAL</b>	
--------------------------------	--

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.

<b>Project</b>	Project Name Hillsborough Street Apartments	
	Case Number SR-22-16	Transaction Number 465770
<b>Owner</b>	Name McKinley Raleigh, LLC – Jonathon Barge	
	Address 2970 Clairmont Road NE, Suite 310	City Atlanta
	State Georgia Zip Code 30329	Phone 404-920-5332
<b>Applicant</b>	Name Andy Padiak Firm McAdams Company	
	Address 2905 Meridian Parkway	City Durham
	State North Carolina Zip Code 27713	Phone 919-361-5000

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

<b>Design Adjustment Request</b>	Code Section Referenced UDO Section 8.4.4.A
	<p><b>Justification</b></p> <p>We are requesting consideration for a Design Adjustment to not install a new 6' sidewalk along Park Avenue and instead pay a fee-in-lieu for the additional 1 foot of sidewalk. The existing 5 foot sidewalk is in good condition and will remain so that the existing established Park Avenue streetscape looks uniform.</p> <p>The street trees will be located between the existing sidewalk and the Public Street Right-of-Way instead of between the sidewalk and back of curb.</p> <p>If you have any questions, please call me at 919-475-5514. Thank you for your consideration of this Design Adjustment request.</p>

\*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.

*[Signature]*  
 Owner/Owner's Representative Signature Date 6-8-16  
 DUPHAM COUNTY, NORTH CAROLINA  
 In witness whereof, the parties signed have executed this document on this date.

**ROBERTA FORBES  
NOTARY PUBLIC  
Wake County, North Carolina  
My Commission Expires 06-28-2019**

*[Signature]*  
 Notary Signature Date June 8th 2016

<b>Code Conformance:</b>		<b>Code Section(s)</b>
<b>Zoning District:</b>	OX-5-GR	<a href="#">2.1</a> , <a href="#">3.1</a>
<b>Overlay District:</b>	Special Residential Overlay Parking District (SRPOD)	<a href="#">5.1</a>
<b>Parking:</b>	Minimum 134 spaces required based on 1 space/unit with none required for first 16 units. Maximum of 300 spaces based on 2 spaces per unit. 300 structured parking spaces are provided.	<a href="#">7.1.2</a>
<b>Street Type(s):</b>	<b>Hillsborough Street:</b> Avenue, 3-Lane with Parallel Parking <b>Park Avenue:</b> Neighborhood Yield	<a href="#">8.4</a>
<b>Streetscape:</b>	<b>Hillsborough Street:</b> Mixed Use (8' sidewalk with 6' tree lawn). <b>Park Avenue:</b> Residential (6' sidewalk with 6' tree lawn). Design Adjustment issued to place trees behind existing 5' sidewalk. Fee-in-lieu of construction required for 1' of sidewalk.	<a href="#">8.5</a>
<b>Setbacks/Frontage:</b>	These properties have a Green Frontage, which requires buildings be placed between 20' and 50' for 50% of the primary street's frontage and 35% of the side street's frontage. Side and rear setbacks for apartment building types are 0' or 6'. The proposed building complies with setback requirements.	<a href="#">3.4</a> , <a href="#">3.2</a> , <a href="#">2.2</a>
<b>Neighborhood Transitions:</b>	N/A	<a href="#">3.5</a>
<b>Transitional Protective Yards:</b>	N/A	<a href="#">7.2.4</a>
<b>Stormwater:</b>	This project is exempt from active stormwater control measures and nitrogen reduction per TC-6-15 and 9.2.2.A and exempt from stormwater detention per 9.2.2.E.2.b due to substitution of impervious surfaces and less and a less than 10% increase in peak discharge rate.	<a href="#">9.2</a>
<b>Tree Conservation:</b>	This site is subject to Article 9.1, Tree Conservation; however there are no qualifying tree conservation areas on site.	<a href="#">9.1</a>
<b>Variances, Design Adjustments, Administrative Alternates:</b>	Two Design Adjustments have been issued for this project: <ul style="list-style-type: none"> <li>1. A Design Adjustment for relief from the minimum driveway spacing standards of the Raleigh Street Design Manual.</li> <li>2. A Design Adjustment to allow street trees to be planted behind the existing sidewalk on Park Avenue instead of between the back of curb and sidewalk.</li> </ul>	
<b>Other:</b>	10% outdoor amenity 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 reseeding a site, shall be paid to the City;

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

2. That a sanitary sewer capacity study be completed and forwarded to the Public Utilities Department. Construction drawings shall be required for any sewer system upgrades needed as a result of the study;
3. That a revised landscape plan be submitted showing street trees that meet minimum planting requirements;
4. That a recombination map be recorded combining the three existing lots into a single tract. Demolition permits must be issued for the existing structures and these permit numbers shown on the plat;

**Prior to issuance of building permits:**

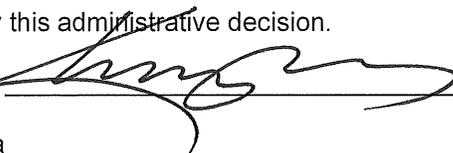
5. That ½ of the required right of way for the proposed or existing street is dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City prior to building permit issuance;
6. That a tree impact permit be obtained;
7. That in accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements, including streetscape trees on Hillsborough Street and Park Avenue is paid to the Public Works Department;
8. That a fee-in-lieu of construction be paid for 1' of sidewalk along the property's Park Avenue frontage.

---

I hereby certify this administrative decision.

**Signed:**

(Planning Dir.)



Date:

8/29/16

**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 7/22/2016, submitted by the John R McAdams Company, Inc.

---

**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:** 8-29-2019

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.