Administrative Approval Action
Case File / Name: ASR-0028-2021
DSLC - Calyx Senior Living of Raleigh

LOCATION: This is a 8.4 acre site zoned CX-3-PK and within a UWPOD overlay district, located at the northwest corner of the intersection of Capital Blvd and Common Oaks Drive at 11555 Common Oaks Drive.

REQUEST: A congregate care facility consisting of 105 units with associated parking and infrastructure. The total building size is 52,082 square feet.

One Design Alternate and one variance are associated with this project.
   a. Administrative Alternate (AAD-1-22) location of dumpster
   b. Variance (BOA-0019-2022) Reduced PK frontage due to required slope easement. Landscaping is allowed within the slope easement and will be replaced (if necessary) at the expense of the owner.

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 July 26, 2022 by TONY M TATE.

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:

Engineering

1. That the existing right-of-way for the existing bulb out on Common Oaks Drive is abandoned and a resolution number shown on all plats. The bulb out is located approximately mid way on the site frontage.

2. A Traffic Control and Pedestrian (TCPED) Plan must be approved and a right-of-way occupancy permit must be obtained from Right-of-way Services for any construction activities within the right-of-way.

Stormwater

3. The State of North Carolina shall approve any proposed disturbance within the riparian buffer prior to the issuance of any grading or site permit (UDO 9.2.3.E).

4. A nitrogen offset payment must be made to a qualifying mitigation bank (UDO 9.2.2.B).
5. A stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved (UDO 9.2).

6. A surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City (UDO 9.4.4).

**Urban Forestry**

7. Submit a final tree conservation plan that includes metes and bounds descriptions of all tree conservation areas and tree protection fencing as required (UDO 9.1.5).

8. Tree protection fence must be inspected by Urban Forestry staff prior to the issuance of a grading permit.

**LEGAL DOCUMENTS** - Email to legaldocumentreview@raleighnc.gov. Legal documents must be approved, executed, and recorded prior to or in conjunction with the recorded plat on which the associated easements are shown. Copies of recorded documents must be returned to the City within one business day of recording to avoid withholding of further permit issuance.

<table>
<thead>
<tr>
<th>Right of Way Deed of Easement Required</th>
<th>Slope Easement Deed of Easement Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utility Placement Deed of Easement Required</td>
<td></td>
</tr>
</tbody>
</table>

**RECORDED MAP(S)** - Submit plat to record new property lines, easements, tree conservation areas, etc.). Plats may be submitted for review when the Site Permitting Review plans, if required, have been deemed ready for mylar signature.

**The following items must be approved prior to recording the plat:**

**Engineering**

1. A 5’ utility placement easement and associated deed of easement 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 day of recordation of the recorded plat. A recorded copy of these documents must be provided to the Development Services Department within one day from authorization of lot recordation. If recorded copies of the documents are not provided, further recordings and building permit issuance will be withheld.

2. A slope easement deed of easement, in addition to a plat showing the location of the easement, shall be submitted to the Planning and Development Services Department for review, and if acceptable, approved for recordation. Approved plats must be recorded at the Wake County Register of Deeds Office on or before the 14th day following approval by the City. The 14-day expiration date shall be clearly indicated on the plat. By the end of the next business day following recordation of the plat, all required legal instruments (including deeds of easement) shall be recorded, and recorded copies of the plat and all legal instruments required by the City in association with development approval shall be provided to the City. (Reference: UDO 8.1.7.A; 10.2.5.F.4.d)
3. A public street right-of-way deed of easement, in addition to a plat showing the location of the easement, shall be submitted to the Planning and Development Services Department for review, and if acceptable, approved for recordation. Approved plats must be recorded at the Wake County Register of Deeds Office on or before the 14th day following approval by the City. The 14-day expiration date shall be clearly indicated on the plat. By the end of the next business day following recordation of the plat, all required legal instruments (including deeds of easement) shall be recorded, and recorded copies of the plat and all legal instruments required by the City in association with development approval shall be provided to the City. (Reference: UDO 8.1.7.A; 10.2.5.F.4.d)

Stormwater

4. 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).

5. The riparian buffers, in accordance with the preliminary plan and the State of North Carolina regulations, shall be shown on plats for recording along with required buffer statement (Recorded Map Checklist).

6. 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 (UDO 9.2).

7. 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).

Urban Forestry

8. A tree conservation plat shall be recorded with metes and bounds showing the designated tree conservation areas (UDO 9.1). This development proposes .92 acres of tree conservation area.

*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:*

**Engineering**

1. A public infrastructure surety shall be provided to City of Raleigh Transportation – Development Engineering Division (UDO 8.1.3) in the amount of 100% of the improvement cost for the NCDOT portion and 125% of the improvement cost for the City of Raleigh infrastructure.

2. A fee-in-lieu for 6’ sidewalk sections not shown to be extended along the frontage until the future overpass is completed shall be paid to the City of Raleigh (UDO 8.1.10).

**Urban Forestry**
3. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes (14) street trees along Common Oaks Dr. and (12) existing street trees along Capital Blvd.

4. A tree conservation plat shall be recorded with metes and bounds showing the designated tree conservation areas (UDO 9.1).

5. A public infrastructure surety for (14) street trees (tree lawn) shall be provided to City of Raleigh Transportation – Development Engineering Division (UDO 8.1.3) in the amount of 100% of the improvement cost for the NCDOT portion and 125% of the improvement cost for the City of Raleigh infrastructure.

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

General

1. All street lights and street signs required as part of the development approval are installed.

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

Stormwater

3. As-built drawings and associated forms for all Stormwater devices are accepted by the Engineering Services Department (UDO 9.2.2.D.3).

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: December 22, 2025
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: Daniel L. Stogall
Date: 08/25/2022
Development Services Dir/Designee

Staff Coordinator: Michael Walters
CALYX SENIOR LIVING OF RALEIGH/WAKEFIELD
ASR-0028-2021
11555 COMMON OAKS DRIVE
RALEIGH, WAKE COUNTY,
NORTH CAROLINA
TIER 3 SITE PLAN
PIN: 1830-52-4664
PROJECT AREA: 8.40 AC
ZONE: CX-3-PK
USE: CONGREGATE CARE

ADMINISTRATIVE ALTERNATE NO. 12
APPROVED BY PLANNING DIRECTOR JUNE 7, 2021
VARIANCE: 06/09/2022
Sheet Index
Page 1
Cover Sheet
Existing Conditions / Demo Plan
L-1
Preliminary Site Plan
L-2
Circulation Plan
L-2a
Transportation Plan
L-2b
Overpass Graphic
L-2c
Grading Plan
C-1
Storm Drainage Plan
C-2
Utility Plan
C-3
Landscape Plan
L-3
Tree Conservation Plan
L-4
Details
L-5
Floor Plan
L-1
Front Building Elevations
A-1
Partical Courtyard Elevations
A-2
Partial Courtyard Elevations
A-3

CONGREGATE CARE

a. The facility must comply with the Housing for Older Persons Exemptions of the Fair Housing Act (29 C.F.R. Sections 100.320.209 and 102.320.309).
Response: The facility will comply with the Fair Housing Act (29 C.F.R. Sections 100.300-100.302).

b. In the R-6 and R-10 districts, a congregate care facility shall be a number of housing units and an existing unit equal to 2 times the density of the applicable district.
Response: Not applicable.

c. Each rooming unit or dwelling will be occupied by no more than 2 persons not related by blood, marriage or adoption.
Response: Residence room occupancy shall be 2 persons.

d. Facilities for resident managers or caretakers providing administrative services and medical services for the exclusive use of the residents must be located on site and open and accessible at least 24 hours, 365 days per year.
Response: The facility is staffed 24 hours per day. There are no resident managers.

e. The facility must contain an indoor social function room to accommodate the residents.
Response: The facility building includes a social hall.

The building footprint demonstrates they are being provided.

f. The exterior of the building on the map demonstrates the building footprint.
Response: Building footprint demonstrates compliance with this.

g. Parking spaces must provide a ratio of one space to the area of the building (218 square feet for rooming units and 318 square feet for apartments), or applicable, excluding private driveways and all-stopping parking areas. A majority of the open space or parking area must be located no farther than 50 feet from the controlled entrance.
Response: The 5% plan demonstrates compliance with this.

VICINITY MAP

BIBLIOGRAPHY

SUBMITTALS

First Submittal: 4/1/2021
Second Submittal: 12/1/2021
Third Submittal: 3/3/2022
Fourth Submittal: 7/25/2022

COVER SHEET

INCOMPLETE DOCUMENT

NOTICE: No changes will be made.

COVER SHEET

INCOMPLETE DOCUMENT

NOTICE: No changes will be made.

COVER SHEET

INCOMPLETE DOCUMENT

NOTICE: No changes will be made.

COVER SHEET

INCOMPLETE DOCUMENT

NOTICE: No changes will be made.