Administrative Approval Action
Case File / Name: ASR-0064-2019
McDonald’s on E South St

LOCATION: The site is located on the northwest corner of the intersection of E. South Street and S. Wilmington Street at 101 E. South Street.

REQUEST: Demolition of an existing fast food restaurant and the redevelopment of a new restaurant (4,688 SF) with drive through and associated parking all on a site zoned CX-4-UL and DX-4-UG.

A hardship variance and a Design Adjustment was approved by the Board of Adjustment for this project as noted below.

Relief from the Build-to percentage requirements as well as the driveway location (BOA-0041-2019), and relief from right of way widths, driveway spacing, and cross access requirements. (A-135-2019)

DESIGN ADJUSTMENT(S)/ ALTERNATES, ETC:
BOA-0041-2019: CP - Board of Adjustment/Variance
SPR-0023-2020: DSLC - Site Permitting Review/Major [Signature Set]

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 November 13, 2019 by Commercial Site Design, PLLC.

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

☑ LEGAL DOCUMENTS - Email to legaldocumntreview@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.

☑ Slope Easement Required ☑ Sidewalk Easement Required
☑ **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 sight distance easement is to be shown per ASR-0064-2019

2. A sidewalk deed of easement for any public sidewalk on private property shall be approved by City staff, 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 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 this document is not provided, further recordings and building permit issuance will be withheld.

3. The sidewalk easement shall be shown on the plat.

4. Slope 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.

**Urban Forestry**

5. A public infrastructure surety for 8 Tree Crate (Urban Street Tree) shall be provided to the City of Raleigh Development Services – Development Engineering (UDO 8.1.3).

6. A fee-in-lieu for 1 street tree (Tree Lawn) shall be paid to the City of Raleigh (UDO 8.1.10).

☑ **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. A demolition permit shall be obtained.

**Engineering**

2. A right-of-way obstruction permit shall be obtained from Right-of-Way Services for any construction activity within the right-of-way.
3. A public infrastructure surety shall be provided to the City of Raleigh Development Services – Development Engineering (UDO 8.1.3).

Public Utilities

4. A plat must be recorded at the Wake County Register of Deeds office for all utility easement dedications.

Urban Forestry

5. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 6 street trees along East South Street, 2 street trees along South Wilmington Street.

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

General

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

Urban Forestry

2. Final inspection of all right of way street trees by Urban Forestry Staff.

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: January 26, 2023
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.
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I hereby certify this administrative decision.

Signed: [Signature]
Development Services Dir/Designee
Date: 01/27/2020

Staff Coordinator: Michael Walters
FLOOD INFORMATION

SUBJECT PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE (SFH) THAT IS LOCATED IN THE 1% ANNUAL CHANCE 100-YEAR FLOODWAY, NAMED TOPOGRAPHIC MAPS WITH EFFECTIVE DATE OF MAY 7, 2000.

GENERAL NOTES:
1. THE LOCATION OF ALL UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE AND SHOULD BE CONFIRMED WITH THE CITY OR COUNTY UTILITIES PRIOR TO COMMENCEMENT OF CONSTRUCTION.

DEMOLOITION ACTIVITIES:
1. REMOVE EXISTING PERM PERMANENT BUILDING WITH ATTACHED PRIVY.
2. REMOVE EXISTING PERM PERMANENT BUILDING WITH ATTACHED PRIVY.
3. REMOVE EXISTING PERM PERMANENT BUILDING WITH ATTACHED PRIVY.

PLAN SCALE: 1" = 20'