



# Administrative Approval Action

Case File / Name: ASR-0077-2024

DSLC - Atlas Stark New Bern Ave Retail

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

**LOCATION:** The site is generally located on the north side of New Bern Avenue, northeast of the intersection of New Bern Avenue and Maitland Drive, with a common street address of 3601 New Bern Avenue.

**REQUEST:** Development of an approximately 6,900 square foot, one-story retail building and removal of existing surface parking. The subject property is approximately 1.23 acres in size and zoned CX-5.

Variance: (BOA-0009-2025) approved a variance from UDO Section 5.5.1.H.1 to allow a 1 story building and a variance from UDO Section 5.5.1.e and 3.4.7.C2 to allow 33% of the building width to be located in the primary build-to.

**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 December 29, 2025 by Atlas Stark Barrett Drive I, LLC.**

## **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:***

### **General**

1. Add the variance (BOA-0009-2025) approval document to the SPR plan set.
2. Sheet SITE 500 (Landscape plan) Amenity Area - shade in and label the required amenity area. Also provide required and proposed square footage of amenity area to verify code conformance. (UDO Sections 3.2.5 A4 and 1.5.3)
3. Demonstrate compliance with the pedestrian access requirements set forth in UDO Section 3.4.7.E. Site plan shows a building entrance facing New Bern Avenue, however, this is not present on the building elevations.

### **Stormwater**

4. 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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**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:*

## Public Utilities

1. Site Permit Review plans (SPR) must be approved by the City of Raleigh Public Utilities Department for all public water, public sewer and/or private sewer extensions.

**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:*

## Urban Forestry

1. A tree impact permit must be obtained for the approved streetscape tree installation in the right-of-way. This development proposes (3) street trees along Maitland Dr.
2. A public infrastructure surety for (3) street trees shall be provided to City of Raleigh Transportation – Development Engineering Division (UDO 8.1.3) in the amount of 125% of the improvement cost for the City of Raleigh infrastructure.

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

## General

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

## Stormwater

2. As-built impervious survey is accepted by the Engineering Services Department (UDO 9.2).

**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, 2029



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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.

Keegan.McDonald@raleighnc.gov

Digitally signed by Keegan.McDonald@raleighnc.gov  
DN: E=Keegan.McDonald@raleighnc.gov,  
CN=Keegan.McDonald@raleighnc.gov  
Date: 2026.01.26 09:49:41-05'00'

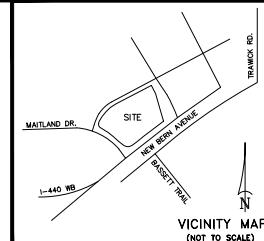
Signed: \_\_\_\_\_ Date: 01/26/2026  
Development Services Dir/Designee  
Staff Coordinator: Sara Rogan

# ATLAS STARK NEW BERN RETAIL

## 3601 NEW BERN AVE.

## RALEIGH, NORTH CAROLINA

ASR-0077-2024



### SITE DATA SUMMARY

PROJECT NAME: ATLAS STARK NEW BERN RETAIL  
PIN: 1724-45-5199

EXISTING SITE ACREAGE: 1.23 AC

JURISDICTION: CITY OF RALEIGH

ZONING: COMMERCIAL MIXED USE (CX-5)

CURRENT USE: RESTAURANT

OVERLAY DISTRICT: TRANSPORTATION OVERLAY DISTRICT

PROPOSED USE: RESTAURANT (EXISTING BLDG)  
RETAIL (4400 SF)

EXISTING BUILDING SF: 86 SPACES (ACCESSIBLE)

PROPOSED VEHICULAR PARKING: 58 SPACES (0 ACCESSIBLE)

MAX. VEHICULAR PARKING ALLOWED: 5,374 REST. SF / 1,000 SF = 54

6,900 RETL. SF / 1,000 SF = 36

8 RECD / 5 PROD (SHORT TERM)

8 RECD / 4 PROD (LONG TERM)

MIN. BICYCLE PARKING: N/A

LOT DIMENSIONS: MAX. LOT AREA REQUIRED: N/A

MIN. LOT AREA REQUIRED: N/A

MIN. LOT WIDTH REQUIRED: 100'

MIN. LOT LENGTH REQUIRED: 100'

BUILDING SETBACKS: PRIMARY STREET: 5' UN. MIN. SIDE LOT LINE: 0' OR 5' UN. SIDE LOT LINE: 0' OR 5' UN.

PARKING SETBACKS: PRIMARY STREET: 10' MIN. SIDE STREET: 0' OR 5' MIN. SIDE LOT LINE: 0' OR 5' MIN. SIDE LOT LINE: 0' OR 5' MIN.

FLOORS: GROUND STORY HEIGHT: 11' MIN.

UPPER STORY HEIGHT: 9' MIN.

### LIST OF RETAIL USES NOT ALLOWED PER UDO 5.5.1.B

- THE FOLLOWING IS A LIST OF PROHIBITED USES PER UDO SECTION 5.5.1.B
- 1. CLOTHING RETAIL
- 2. OUTDOOR SPORTS OR ENTERTAINMENT FACILITY.
- 3. VEHICLE REPAIR (MAJOR).
- 4. VEHICLE REPAIR (COMMERCIAL VEHICLE).
- 5. CAR WASH.
- 6. DRIVE-THRU FACILITY WITH THE EXCEPTION OF PHARMACIES.
- 7. DRIVE-THRU SERVICE STATION.
- 8. VEHICLE FUEL SALES.
- 9. GAS STATION.
- 10. WAREHOUSE & DISTRIBUTION

**THE SITE GROUP**  
CIVIL ENGINEERS • LANDSCAPE ARCHITECTS  
1111 Oberlin Road, Raleigh, NC 27609 USA  
919.339.2255  
Email: SRN@thesitegroup.net

**ATLAS STARK NEW BERN RETAIL**  
3601 NEW BERN AVE., RALEIGH, NC  
WAKE COUNTY

Drawn By  
Checked By  
SRN

DATE:  
27 SEP 2024  
REVISED:  
△ 15 JAN 2025  
△ 08 MAY 2025  
△ 29 DEC 2025

Digital sign-off by  
Sara Rogan  
Review and Approving  
Officer  
22 SEP 2024  
22 SEP 2024

Digitally signed by  
Sara Rogan  
Review and Approving  
Officer  
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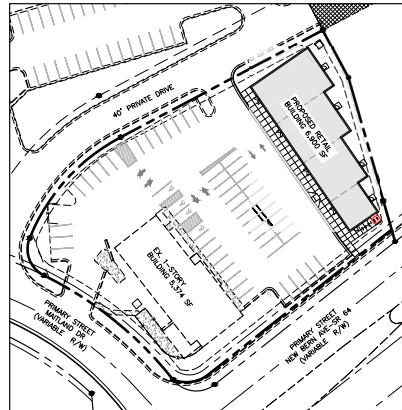
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Sara Rogan  
Review and Approving  
Officer  
22 SEP 2024  
22 SEP 2024



### DRAWINGS INDEX:

SITE DATA	BUILDING DATA
Existing dimensions (please provide the acreage of each):	Existing gross area (not to be demolished): 3,974 SF
Crude site acreage:	Existing gross acre to be demolished: 0.391
# of parking spaces proposed: 18	New gross area of 1,900 SF
Total gross area of site: 4,124 SF	Total gross area of site: 4,124 SF
Overlying District (if applicable) (TOC)	Proposed if of building 1
Existing use (UDO 1.4.6 RESTAURANT)	Proposed if service is ready 1
Proposed use (UDO 1.4.6 RESTAURANT)	Proposed if service is ready 1

STORMWATER INFORMATION	
Impervious Area (in Parcels)	Impervious Area for Compliance (include RWD): 40,345
Existing (sf): 41,218	Proposed total (sf): Existing (sf):

RESIDENTIAL & OVERNIGHT LODGING DEVELOPMENTS	
Total # of dwelling units: N/A	Total # of bedrooms: N/A
# of bedroom units: 2sf	2sf
# of bedrooms: N/A	Is your project a cottage court? Yes No
# of bedrooms: N/A	Is a frequent tract development? Yes No

Administrative Site Review Application

Building and Development Type: Site Plan

Site Transaction History

Building and Development Type: Site Plan

GENERAL INFORMATION

Development name: ATLAS Stark New Bern Retail

Inside City limits? Yes  No

Address: 3601 New Bern Ave, Raleigh, NC 27608

Phone # 919-289-1338

Applicant Name different from owner? See "Who can apply" in instructions?

Relationship to owner:  spouse or partner  owner/authorized agent  Reseller holder

Company:

Address:

Phone # 919-289-1338

Email: [ASR0077-2024@raleigh.gov](mailto:ASR0077-2024@raleigh.gov)

NOTE: please attach purchase agreement or contract, lease or easement when submitting this form.

Developer Contact: Cabinet Guillouz

Site Manager: Cabinet Guillouz

Address: 2020 Progress Ct Suite 130A Raleigh NC 27608

Phone # 919-289-1338

Company: Cabinet Guillouz

Address: 2020 Progress Ct Suite 130A Raleigh NC 27608

Phone # 919-289-1338

Email: [GGUILLOZ@ATLASSTARK.COM](mailto:GGUILLOZ@ATLASSTARK.COM)

DEVELOPMENT TYPE - SITE DATA TABLE

Proposed use of site:

SITE DATA	BUILDING DATA
Existing dimensions (please provide the acreage of each):	Existing gross area (not to be demolished): 3,974 SF
Crude site acreage:	Existing gross acre to be demolished: 0.391 SF
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STORMWATER INFORMATION

Impervious Area (in Parcels)

Existing (sf): 41,218

Proposed total (sf): Existing (sf):

RESIDENTIAL & OVERNIGHT LODGING DEVELOPMENTS

Total # of dwelling units: N/A

Total # of bedrooms: N/A

# of bedroom units: 2sf

# of bedrooms: N/A

Is your project a cottage court? Yes No

Is a frequent tract development? Yes No

Continue to Applicant Signature Block on Page 4.

Phone # 919-289-1338

ACTIVE STORMWATER CONTROL EXEMPTION:

PROJECT PROPOSES AN IMPERVIOUS SURFACE DECREASE. UDO EXEMPTS ACTIVE STORMWATER CONTROLS FOR SUBSTITUTION OF BUILT-UP AREA WHEN ALL THE STANDARDS OF SEC. 103.4.E ARE MET\* PER UDO 9.2.2.A.3.E.

SOLID WASTE DISPOSAL STATEMENT:

EXISTING DUMPSITE WITH EXISTING BUILDING ON SITE.

FLOODPLAIN NOTE:

NO PORTION OF THIS SITE IS LOCATED IN A FLOOD HAZARD AREA ZONE ACCORDING TO FIRM PANEL 3720174002K DATED JULY 19, 2022

TREE CONSERVATION EXEMPTION:

TREE CONSERVATION IS NOT REQUIRED FOR SITE PLANS OF PARCELS LESS THAN 2 ACRES IN SIZE. (REFERENCE RALEIGH UDO SECTION 9.1.2)

PROJECT SCOPE NOTE:

THIS PROJECT PROPOSES THE CONSTRUCTION OF A 6,000 SQUARE FOOT MULTI-TENANT RETAIL BUILDING ON THE PROPERTY. PARKING SPACES LOCATED ON THE EAST PORTION OF THE PARCEL WILL BE REMOVED TO ACCOMMODATE THE PROPOSED WORK IN THE CITY OF RALEIGH.

Phone # 919-289-1338

SITE 001	COVER SHEET
SITE 100	EXISTING CONDITIONS & DEMOLITION PLAN
SITE 200	SITE LAYOUT PLAN
SITE 201	FIRE PROTECTION PLAN
SITE 300	GRAVITY & STORM DRAINAGE PLAN
SITE 400	IMPERVIOUS SURFACE PLAN
SITE 401	UTILITY PLAN
SITE 500	SITE LIGHTING PLAN
SITE 600	LANDSCAPE PLAN
SITE 601	SITE DETAILS
A1.00	BUILDING ELEVATIONS

### PUBLIC IMPROVEMENT QUANTITIES

PHASE NUMBER	N/A
NUMBER OF LOTS	N/A
LOT NUMBERS BY PHASE	N/A
NUMBER OF UNITS	2
UNITS PER LOT	1
PUBLIC WATER (LF)	0 LF
PUBLIC SEWER (LF)	0 LF
PUBLIC STREET (LF)	0 LF
PRIVATE STREET (LF)	11' LF
SEWER SERVICE TIE-IN POINTS	1
SEWER SERVICE TIE-IN POINTS THAT NEED TO BE INSPECTED	1

### ATTENTION CONTRACTORS

The Construction Contractor responsible for the extension of water, sewer, and/or reuse, as approved in these plans, is responsible for contacting the Public Works Department at (919) 996-2469, and the Public Utilities Department at (919) 996-4546 at least twenty four hours prior to beginning any of their construction.

Failure to do so will result in the issuance of monetary fines, and require restoration of any water or sewer facilities not inspected as a result of this notification failure.

Failure to call G-Inspection, install a Downstream Plug, have Permitted Plans on file with the Joltbox, or any other Violation of City of Raleigh Standards will result in a Fine and Possible Exclusion from future work in the City of Raleigh.

OWNER: NEW BERN DEVELOPMENT LLC  
ATT: SAMUEL R. GUILLOZ  
PO BOX: 6309  
RALEIGH, NC 27605  
PHONE: (919) 996-9136  
FAX: (919) 996-2355  
EMAIL: SRN@thesitegroup.net

CONTACT/CM: ENGINEER: THE SITE GROUP, PLLC  
ATT: SAMUEL R. GUILLOZ  
PO BOX: 6309  
RALEIGH, NC 27605  
PHONE: (919) 996-9136  
FAX: (919) 996-2355  
EMAIL: SRN@thesitegroup.net

ADMINISTRATIVE SITE REVIEW

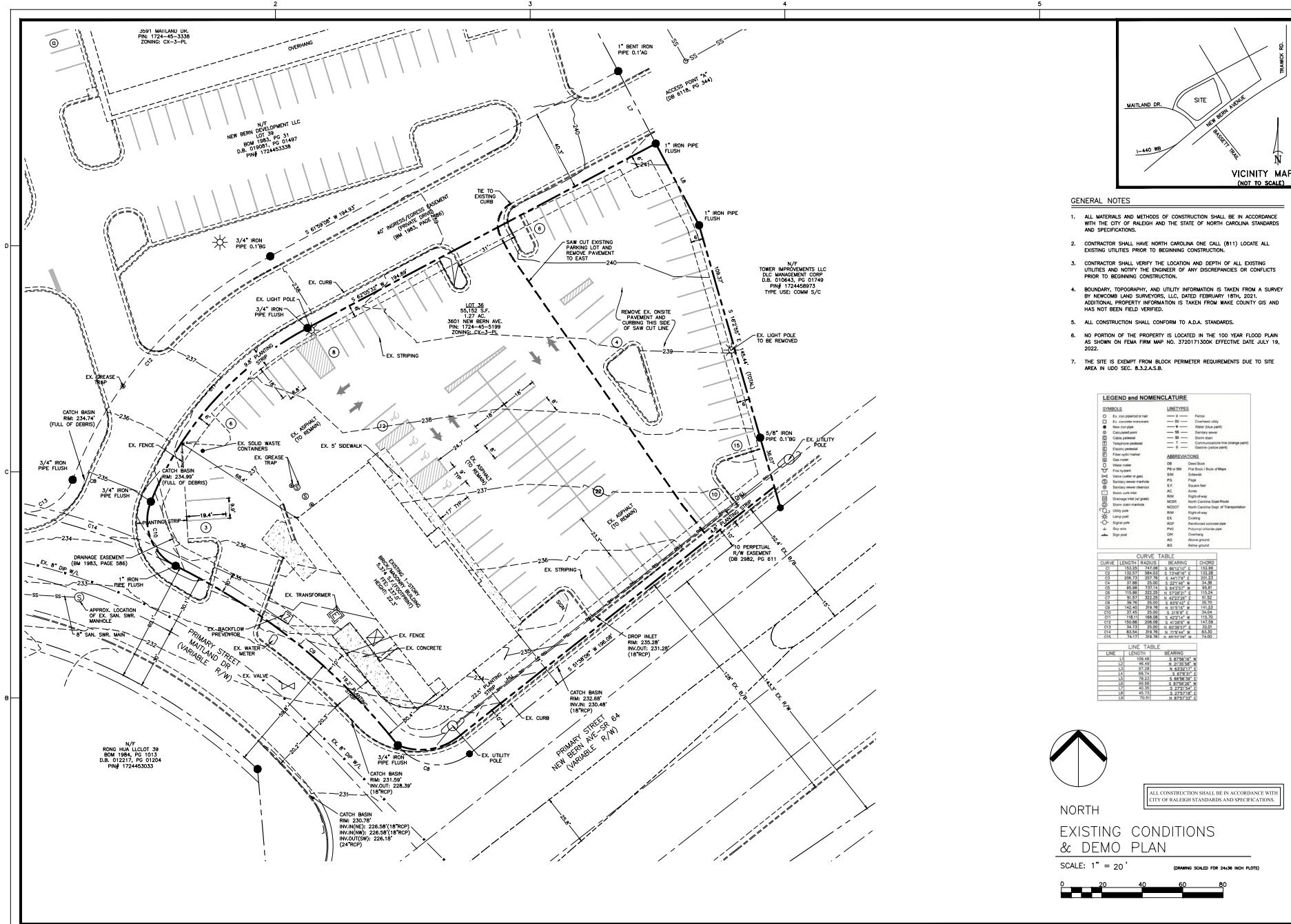
COVER SHEET

SCALE: 1" = 50'

DISTURBED AREA = 21,658 SF. / 0.50 AC.

Job Code: ASTMR

Dwg No. SITE 001



ASR DRAWINGS FOR (ASR-0077-2024):  
**ATLAS STARK**  
**NEW BERN RETAIL**  
501 NEW BERN AVE., RALEIGH, NC  
LAKE COUNTY

Drawn  
By BRK  
Checked  
By SPN

DATE:  
27 SEP 2024  
REVISED:  
A 29 DEC 2025

ADMINISTRATIVE  
SITE REVIEW

## EXISTING CONDITIONS

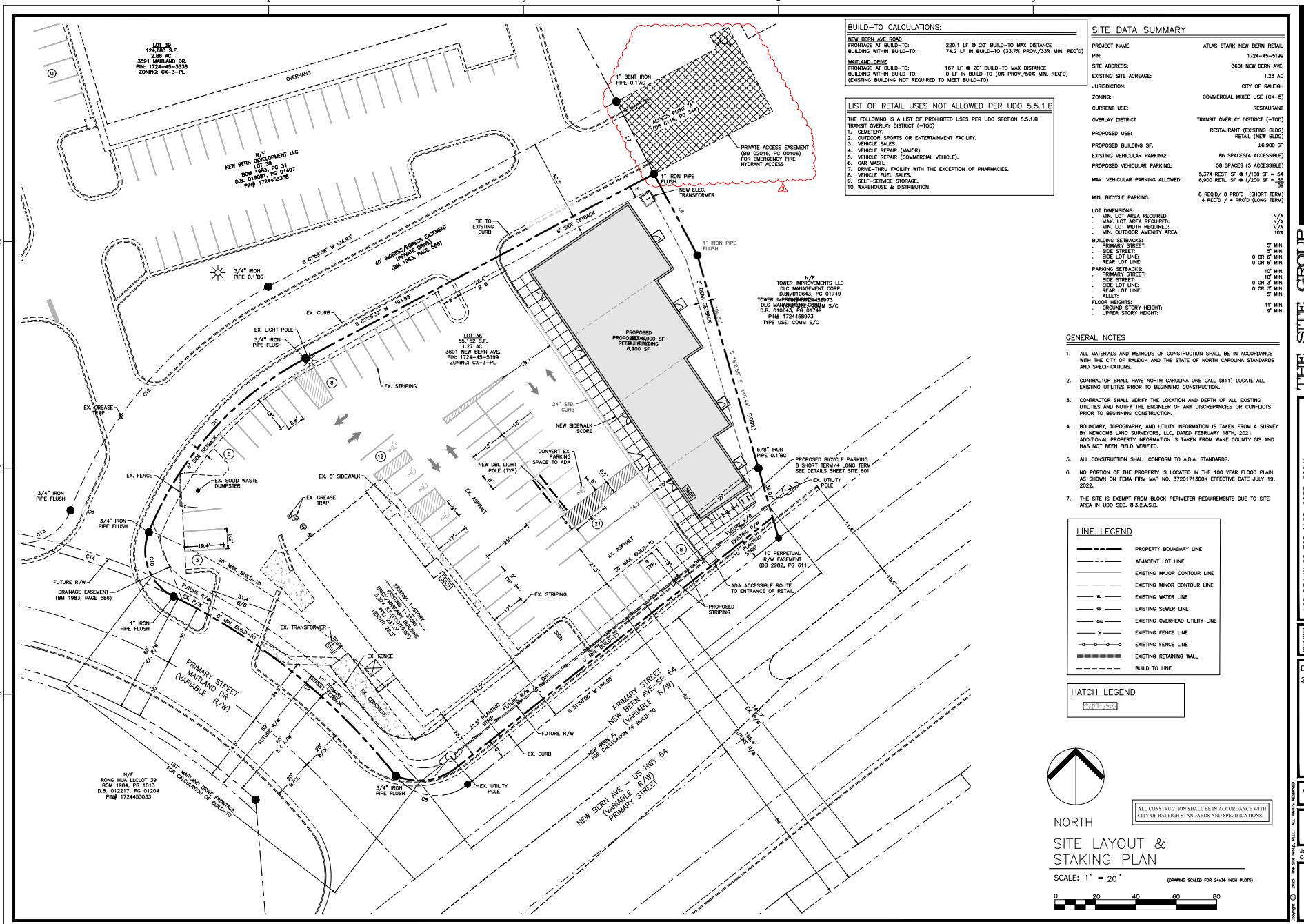
Q DEMO  
PLAN

Code

2025

100

1000



THE SITE GROUP  
CIVIL ENGINEERS & LANDSCAPE ARCHITECTS  
1111 Oberlin Road  
Cary, NC 27513-1346  
919.359.2255  
Fax: 919.359.2255  
E-Mail: SNS@thesitegroup.net

ASR DRAWINGS FOR (CSR-0077-2024):  
**ATLAS STARK**  
NEW BERN RETAIL  
3601 NEW BERN AVE., RALEIGH, NC  
WAKE COUNTY

Drawn By  
Checked By  
BRK  
SRN

DATE:  
27 SEP 2024  
REVISED:  
17 JAN 2025  
08 MAY 2024  
29 DEC 2025

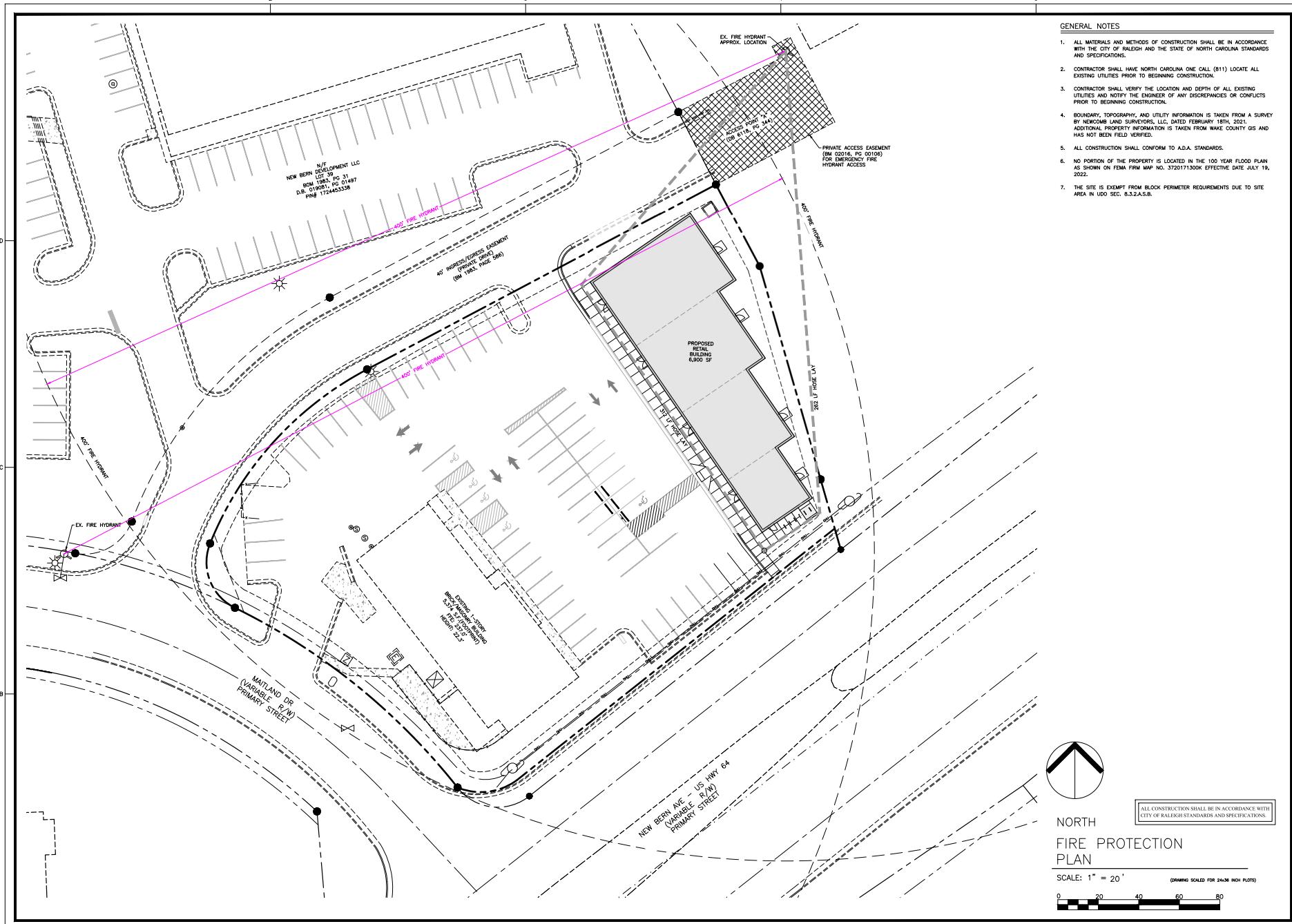
ADMINISTRATIVE SITE REVIEW

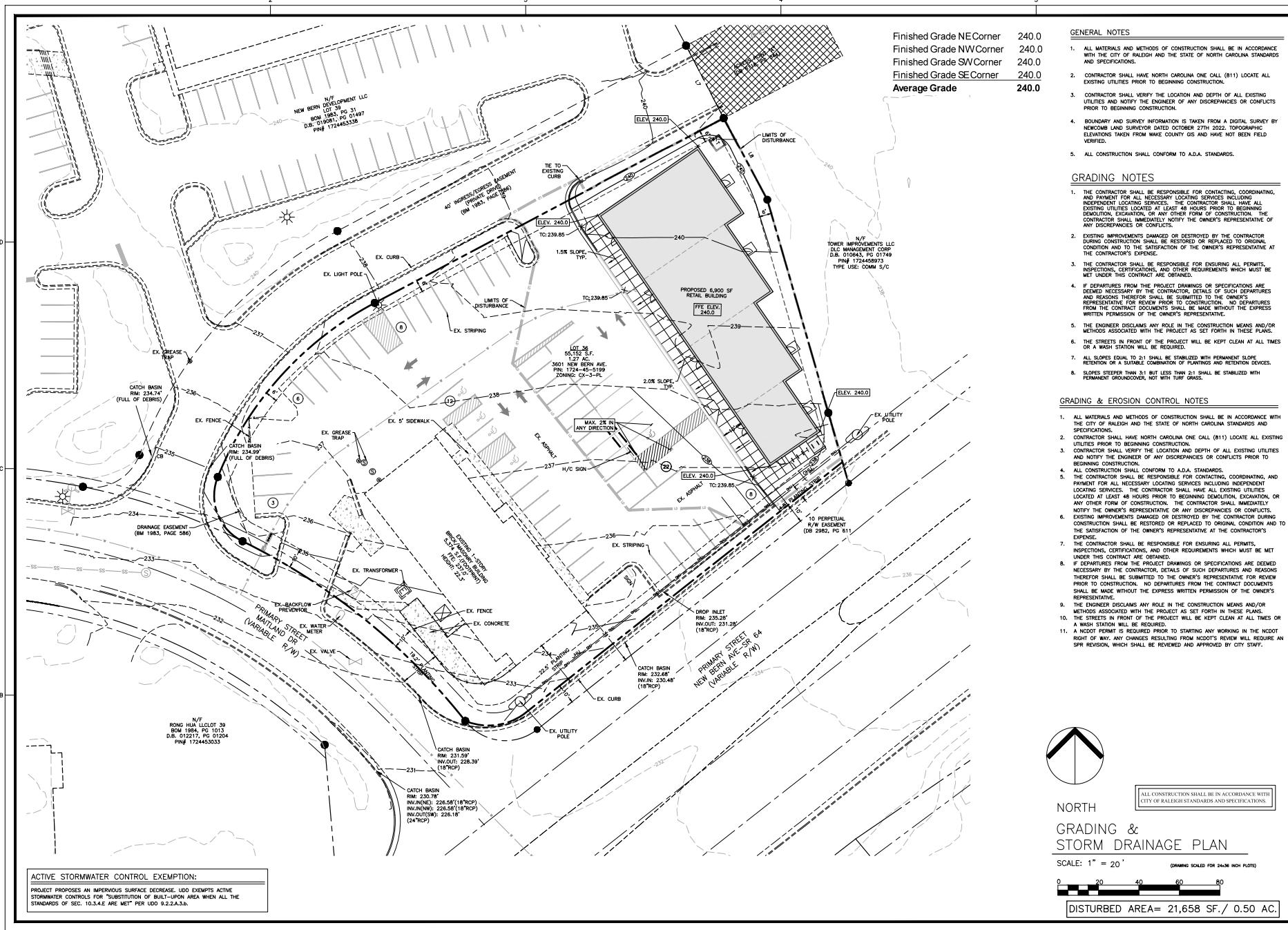
SITE LAYOUT & STAKING PLAN

Job Code ASTMR

Dwg No.  
**SITE  
200**

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Fax: 919.393.2955  
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ASR DRAWINGS FOR (ASR-0077-2024):  
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NEW BERN RETAIL  
3601 NEW BERN AVE., RALEIGH, NC  
WAKE COUNTY

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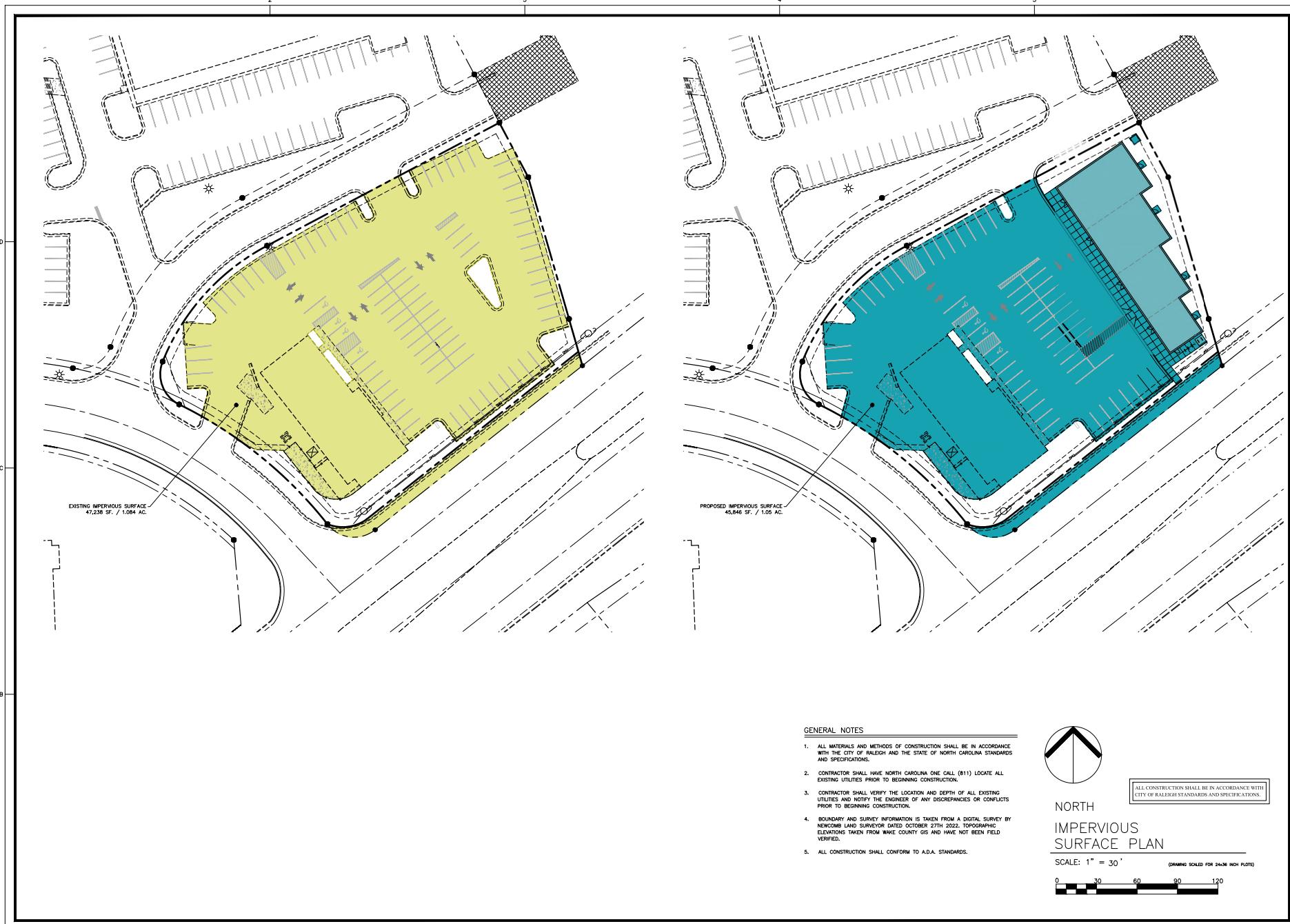
ADMINISTRATIVE SITE REVIEW

GRADING & STORM DRAINAGE PLAN

Job No. ASTMR

Dwg. No. SITE  
300

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3601 NEW BERN AVE., RALEIGH, NC  
WAKE COUNTY

Drawn By  
Checked By  
BRK SRN

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△29 DEC 2025

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH  
CITY OF RALEIGH STANDARDS AND SPECIFICATIONS

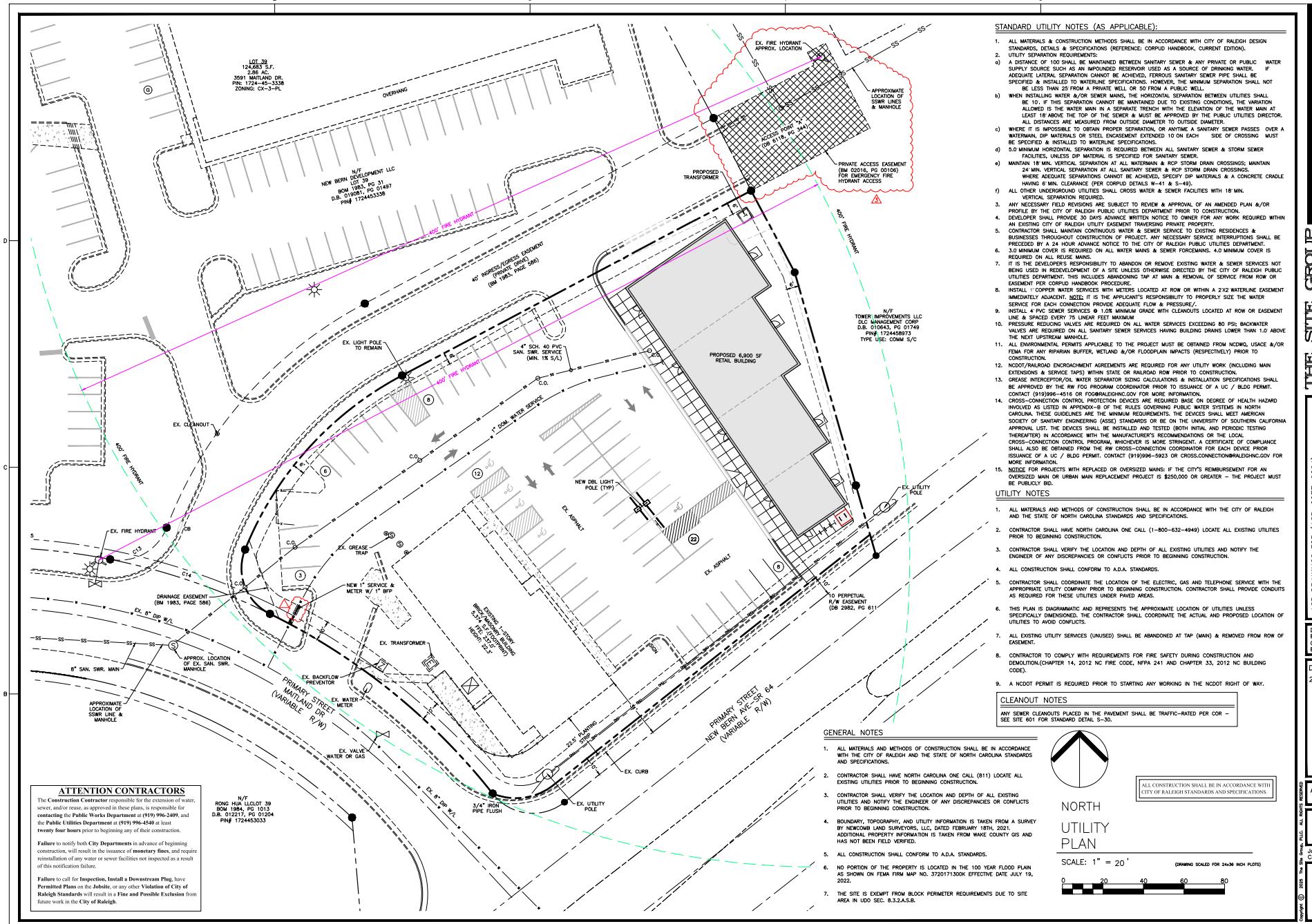
ADMINISTRATIVE SITE REVIEW

IMPERVIOUS SURFACE PLAN

Job Code ASTMR

Dwg No.  
SITE  
301

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**NEW BERN RETAIL**  
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1 17 JAN 2025  
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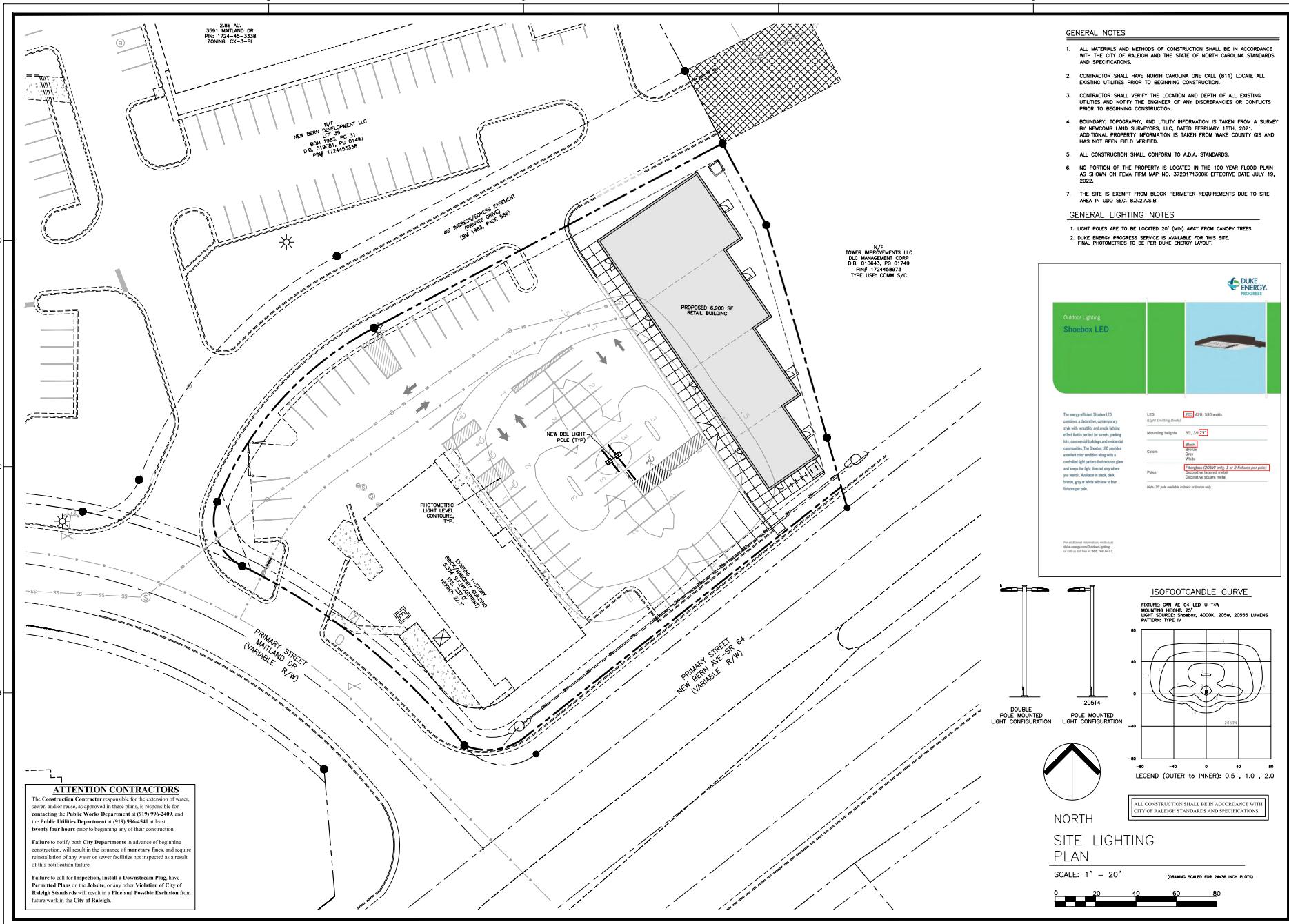
**ADMINISTRATIVE  
SITE REVIEW**

## UTILITY PLAN

Job  
code ASTMR

Dwg No. **Q17E**

SITE  
400



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CIVIL ENGINEERS + LANDSCAPE ARCHITECTS  
1111 Oberlin Road  
Cary, NC 27513-1346  
USA  
919.939.2255  
Fax: 919.939.2255  
E-Mail: [SNB@thesitegroup.net](mailto:SNB@thesitegroup.net)

ASR DRAWINGS FOR (CSR-0077-2024):  
ATLAS STARK  
NEW BERN RETAIL  
3601 NEW BERN AVE., RALEIGH, NC  
WAKE COUNTY

Drawn By  
Checked By  
BRK  
SRN

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△ 08 MAY 2025  
△ 30 DEC 2025

ADMINISTRATIVE SITE REVIEW

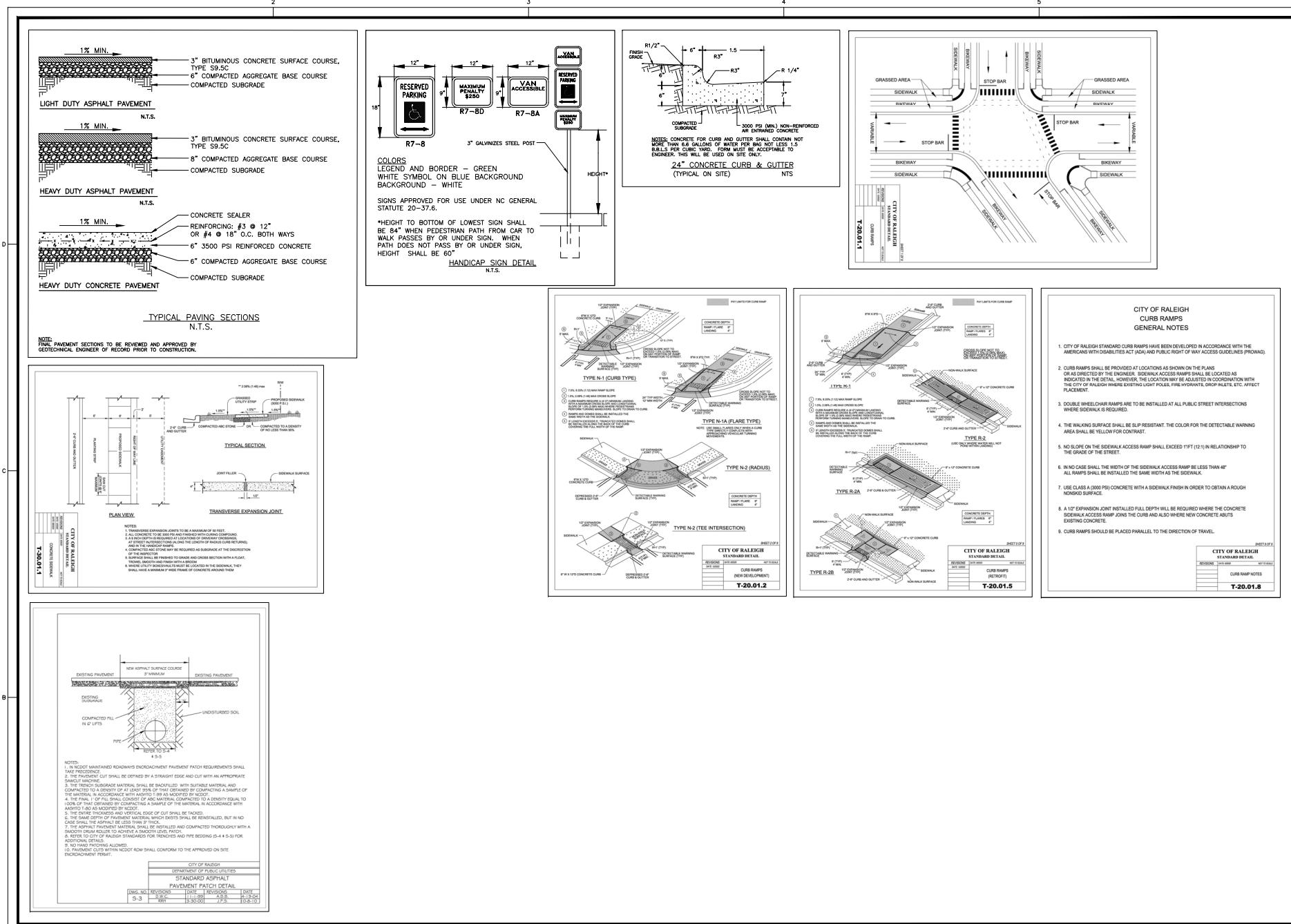
SITE LIGHTING PLAN

Job Code ASTMR

Dwg No.  
SITE  
401

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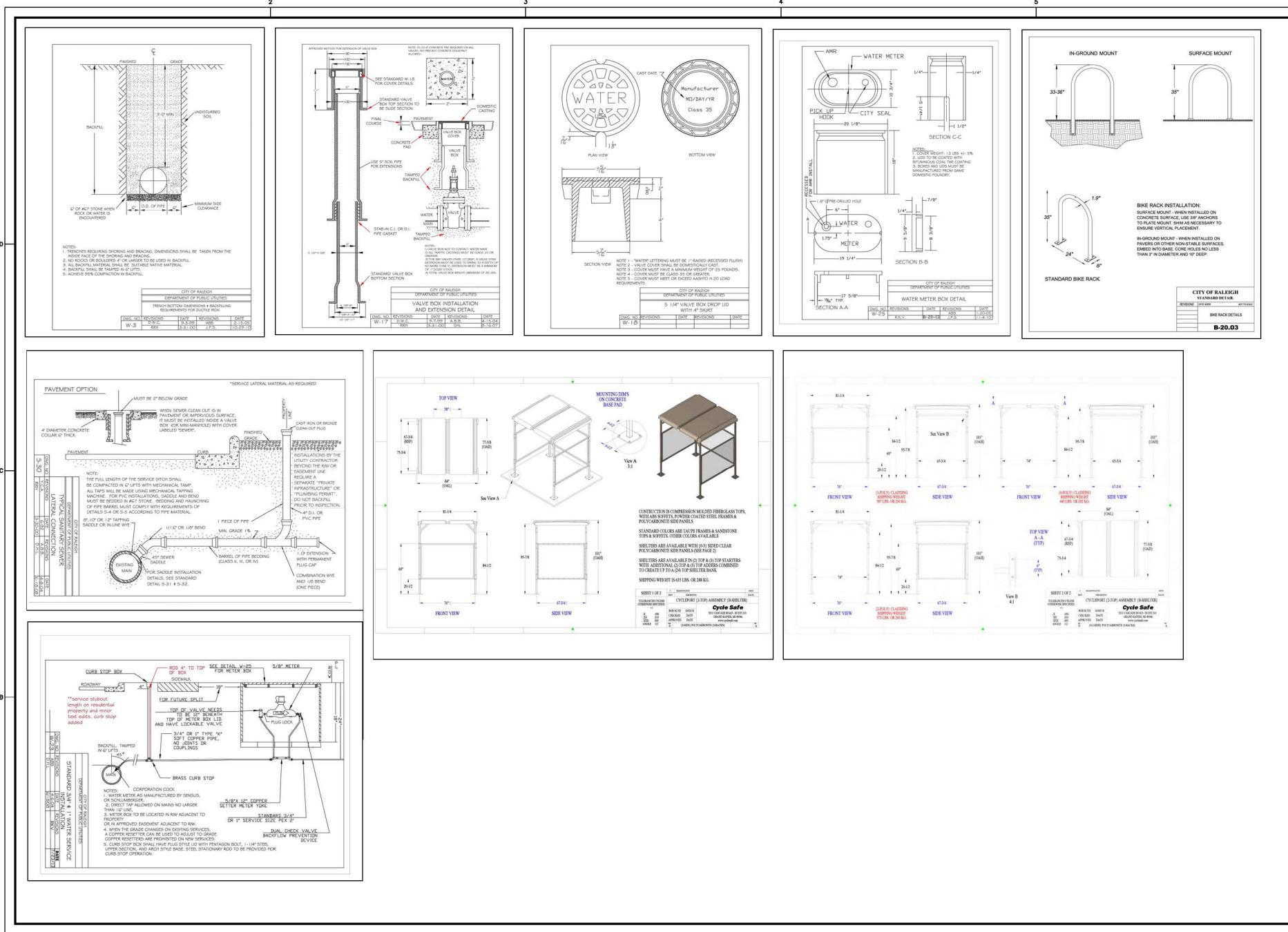


DRAWINGS FOR (ASR-0077-2024):  
**LAS STARK**  
**NEW BERN RETAIL**  
NEW BERN AVE., RALEIGH, NC  
E COUNTY

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Checked By	SRN
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DATE:	
27 SEP 2024	
REVISED:	
△ 17 JAN 2025	
△ 29 DEC 2025	

**ADMINISTRATIVE  
SITE REVIEW**

SITE DETAILS	
Job Code	ASTMR
Dwg No.	
SITE 600	



ASR DRAWINGS FOR (ASR-0077-2024):  
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3601 NEW BERN AVE., RALEIGH, NC  
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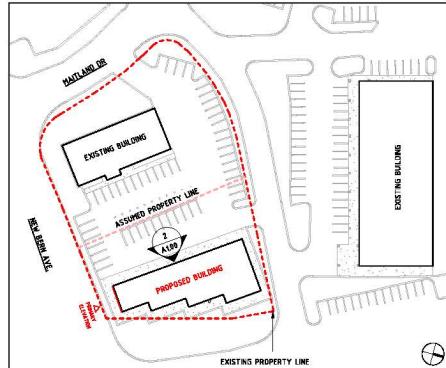
ADMINISTRATIVE SITE REVIEW

SITE DETAILS

Job Code ASTMR

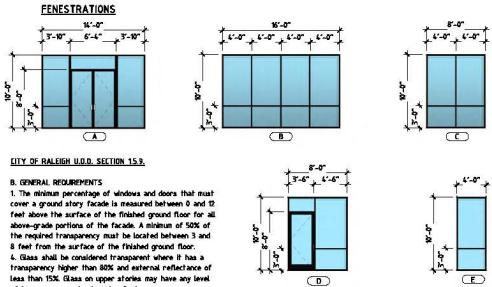
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601**

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KEY PLAN

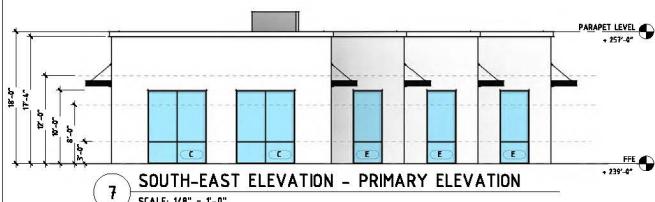
SCALE: 1/64" = 1'-0"



CITY OF RALEIGH U.D. SECTION 15.3

B. GENERAL REQUIREMENTS

1. The minimum percentage of windows and doors that must cover a ground story facade is measured between 0 and 12 feet above the surface of the finished ground floor. All areas of the facade must be covered. The center of the required transparency must be located between 3 and 8 feet from the surface of the finished ground floor.
2. Glass shall be used for transparency where it has a transmittance greater than 40% and external reflectance of less than 10%. Glass on upper stories may have any level of transparency and external reflectance.

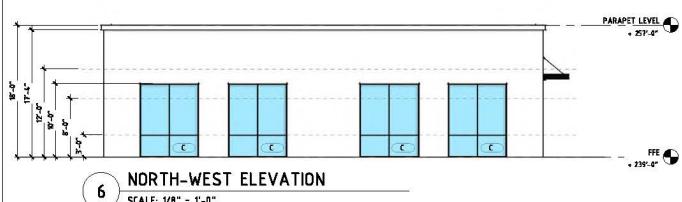


SOUTH-EAST ELEVATION - PRIMARY ELEVATION

SCALE: 1/8" = 1'-0"

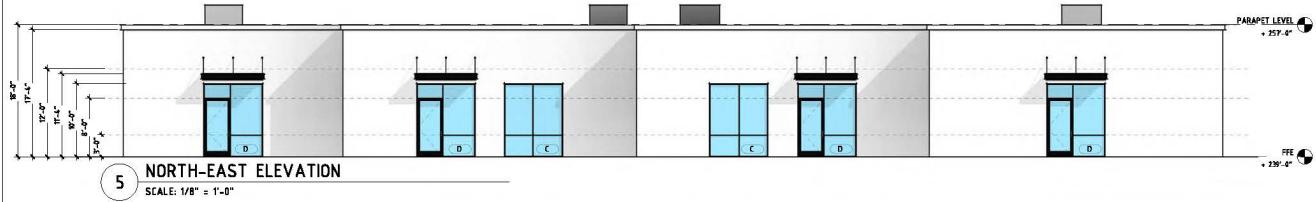
SOUTH-EAST PRIMARY ELEVATION TRANSPARENCY TABLE

GROUND FLOOR	WITHIN 0-12 FT	WITHIN 3-8 FT
	OVERALL AREA	720 SF
TRANSPARENCY REQUIRED	238 SF (33% of 720 SF)	119 SF (25% of 238 SF)
TRANSPARENCY PROVIDED	260 SF	140 SF



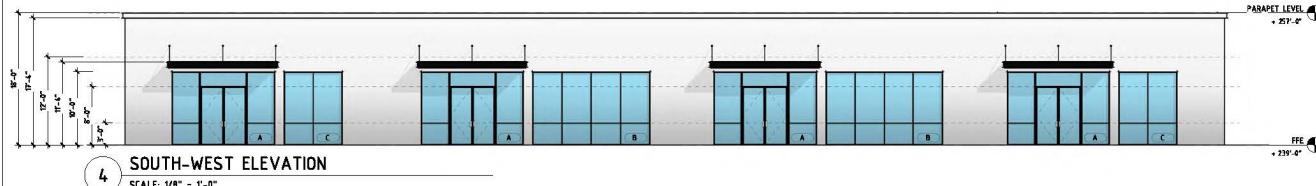
NORTH-WEST ELEVATION

SCALE: 1/8" = 1'-0"



NORTH-EAST ELEVATION

SCALE: 1/8" = 1'-0"

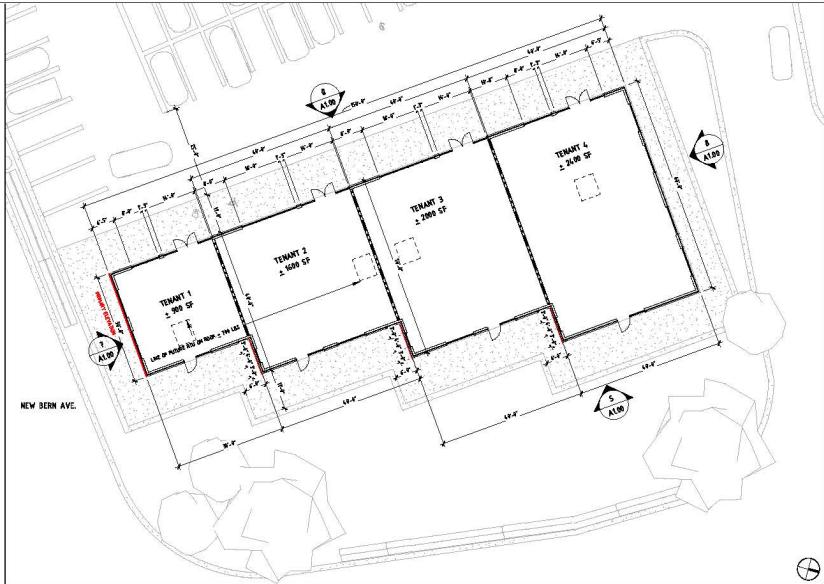


SOUTH-WEST ELEVATION

SCALE: 1/8" = 1'-0"

Finished Grade NE Corner	239.0
Finished Grade NW Corner	239.0
Finished Grade SW Corner	239.0
Finished Grade SE Corner	239.0
Average Grade	239.0

AVERAGE GRADE NOTE: 239 is existing and proposed average grade on all elevations



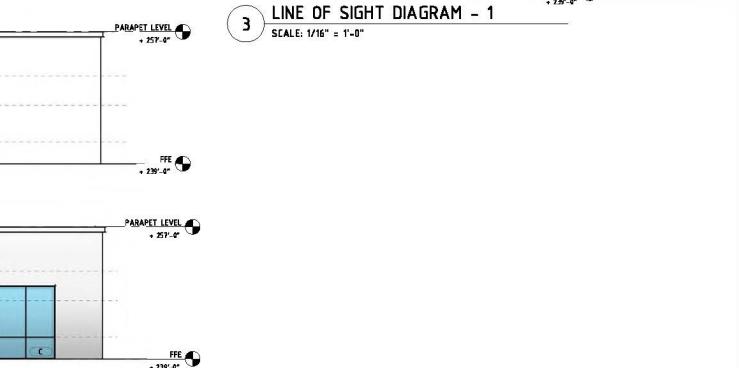
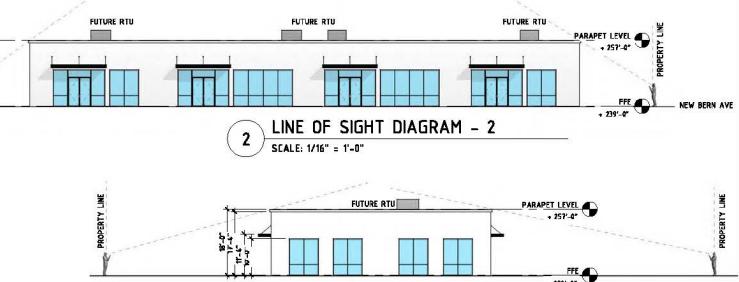
BUILDING & FLOOR PLAN

SCALE: 1/16" = 1'-0"

1

2

3



PROJECT TYPE: SHELL BUILDING

NEW BERN

3601 NEW BERN AVE, RALEIGH, NC 27601

DATE 09.04.2024  
DR. AK  
CH. RS  
PROJ. # 22149

REVISIONS  
NO. DESCRIPTION DATE

UDO EXTERIOR  
ELEVATION  
COMPLIANCE  
DRAWINGS

A1.00

FOR SITE REVIEW ONLY  
NOT FOR CONSTRUCTION

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