LOCATION: The site is generally located on the west side of Atlantic Avenue north of Spring Forks Road, with a common street address of 5601 Atlantic Avenue.

REQUEST: Development of two commercial buildings with associated parking and site improvements; one building at 3,180 square feet and the second building at 3,600 square feet for a total of 6,780 square feet. The site is approximately 3.4 acres, a portion is zoned CX-3-PL-CU and the remainder is zoned CX-3-CU.

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 September 14, 2020 by KIMLEY HORN.

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. The SPR shall demonstrate compliance with UDO Section 7.4 (Lighting)

Engineering

2. Required NCDOT encroachment and/or driveway permits must be approved and copies provided to Development Services – Development Engineering prior to concurrent review approval.

3. An encroachment submittal for the stairs within the public right-of-way shall be approved by City Council. The executed encroachment agreement shall be filed with the Development Services Department for the approval by City and returned to the Owner. The Owner is responsible to record the executed encroachment agreement with the Wake County Register of Deeds. A recorded copy of these documents must be provided to the Development Services Department.

Stormwater

4. A stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved (UDO 9.2).

5. A surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City (UDO 9.4.4).
Administrative Approval Action
Case File / Name: ASR-0084-2019
Atlantic Plaza Phase II

6. A nitrogen offset payment must be made to a qualifying mitigation bank (UDO 9.2.2.B). Because this project changes the adjacent projects TN loading rate, an additional TN offset payment must be made for the adjacent property for this project to be permitted.

Urban Forestry

7. 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>City Code Covenant Required</th>
<th>Cross Access Agreements Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stormwater Maintenance Covenant Required</td>
<td>Transit Easement Required</td>
</tr>
<tr>
<td>Utility Placement 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:

General

1. A recombination map shall be recorded, recombining the existing lots as shown on the preliminary plan.

Engineering

2. 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.

3. A sight distance easement shall be approved by the Transportation Department for recording in the Wake County Registry, and a copy of the recorded easement shall be returned to the Development Services Department within one day of plat recordation. If a recorded copy of the document is not provided within this time, further recordings and building permit issuance will be withheld.

4. A transit easement shall be approved by City staff and the location of the easement shall be shown on a plat approved for recordation.
5. A cross access agreement shall be approved by the Development Services Department for recording in the Wake County Registry, and a copy of the recorded cross access easement shall be returned to the Development Services Department within one day of plat recordation. If a recorded copy of the document is not provided, further recordings and building permit issuance will be withheld.

Stormwater

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. The maximum allocated impervious area for all applicable lots in the subdivision should be identified on all maps for recording.

☑ 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 recombination map shall be recorded, recombining the existing lots as shown on the preliminary plan.

2. The City Code Covenant shall be approved by the City and recorded with the county register of deeds office where the property is located and a copy of the recorded document shall be provided to the City by the end of the next business day following the recordation of the final plat. Further recordings and building permits will be withheld if the recorded document is not provided to the City.

Engineering

3. A fee-in-lieu for 1-ft sidewalk width along both frontages shall be paid to the City of Raleigh (UDO 8.1.10).

4. A public infrastructure surety shall be provided to the City of Raleigh Development Services – Development Engineering (UDO 8.1.3).

5. A transit deed of easement shall be approved by City staff and the location of the easement shall be shown on a plat 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 recording. If a recorded copy of the document is not provided, further recordings and building permit issuance will be withheld.

Stormwater
6. 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).

7. The City form document entitled Declaration of Maintenance Covenant and Grant of Protection Easement for Stormwater Control Facilities shall be approved by the City and recorded with the county register of deeds office (UDO 9.2.2.G).

8. 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

9. A public infrastructure surety for the street trees shall be provided to the City of Raleigh Development Services – Development Engineering (UDO 8.1.3).

10. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 12 street trees along Atlantic Avenue and 11 street trees along Spring Forest Road for a total of 23 street trees.

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

Stormwater

1. 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: October 7, 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.
I hereby certify this administrative decision.

Signed: [Signature]  
Date: 10/07/2020

Staff Coordinator: Ryan Boivin

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