

Case File / Name: ASR-0094-2021 DSLC - HWY 55 City of Raleigh
Development Services Department
One Exchange Plaza
Raleigh, NC 27602
(919) 996-2492
currentplanning@raleighnc.gov
www.raleighnc.gov

LOCATION: This site is located on the south side of New Bern Avenue, west of N Rogers Lane,

at 5160 New Bern Ave.

REQUEST: Development of an existing, vacant Lot 7, zoned PD (Rogers Farm Master Plan), of

a 1.29 acres/56,305 sf tract with 480 sf of right-of-way dedication leaving a net area of 1.28 acres/55,825 sf. A proposed drive-thru restaurant, building area of 2,501 s

MP-1-96 Rogers Farm Master Plan Redevelopment Tract & Z-45-96 - US 65 East.

(Effective September 3, 1996) - rezoning PD with conditional uses.

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 June 17, 2022 by

Commercial Site Design.

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:

☑ <u>SITE PERMITTING REVIEW</u> - 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. Proposed amenity sf area totals, as shown on the coversheet data table & site plan sheet C3 are revised to match the provided total area for the development, in accordance with Sec.1.5.3.B and labeled on the site plan.
- 2. A detail for the bike rack and space maneuverability designs, per the Raleigh Transit Manual B.20.01, are provided with the Site Permit plans set.
- 3. A detail of the SWS enclosure is provided and dimensioned in accordance with Sec.7.2.5.C and SWS Design Manual.
- 4. Proposed retaining walls comply with design requirements noted in Sec.7.2.8.D.7 and the TW/BW grade levels are listed along the entire walls on the Grading sheet C4.



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5. Elevations sheets and transparency design calculation tables are revised for the North, East & South elevation details, labeling the LF length or building widths for the enclosed building structures and demonstrate compliance with UDO Sec.1.5.9.B. And transparency calculations for the West elevation are removed, since the facade side fronts a private easement.

Engineering

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

Stormwater

- A surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City (UDO 9.4.4).
- 8. A nitrogen offset payment must be made to a qualifying mitigation bank (UDO 9.2.2.B).
- 9. A stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved (UDO 9.2).

☑ **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.

V	Public Access Deed of Easement Required
Ø	Utility Placement Deed of Easement Required

☑	Right of Way Deed of 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:

General

1. Comply with all recorded plat conditions noted in MP-1-96.

Stormwater

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



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 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).

☑ <u>BUILDING PERMITS</u> - 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. Comply with all conditions of Z-45-96 and MP-1-96

Engineering

- 2. 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)
- 3. A public access 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)
- 4. A fee-in-lieu for 1 ft of sidewalk along New Bern Avenue, Rogers Farm Drive, and North Rogers Lane shall be paid to the City of Raleigh (UDO 8.1.10).
- 5. A 5' utility placement 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)



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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. 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).
- 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 tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 10 street trees along New Bern Ave, 10 street trees along N Rogers Lane and 9 street trees along Rogers Farm Drive.
- 10. A public infrastructure surety for 19 total street trees (5 along New Bern Ave, 5 along N Rogers Lane and 9 along Rogers Farm Drive) 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. Final inspection of all right of way street trees by Urban Forestry Staff.

Stormwater

- As-built impervious survey is accepted by the Engineering Services Department (UDO 9.2).
- 4. 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:



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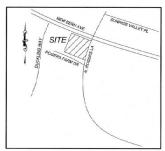
3-Year Expiration Date: November 17, 2025

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 certif	fy this administrative decision.		
Signed:	Daniel L. Stegall	Date:	07/21/2022
	Development Services Dir/Designee	_	
Staff Coordin	nator: Jermont Purifoy		



VICINITY MAP

	SITE INFOR	MATION		
OWNER		OP EDGEWATER LLC S30 PASSACA AVE. SUITE 110 PARVIEW. N. 07504-3059 TRACK WEST PARTIFIES 445 SISHOT ST 100' PHONE (464) 513-913 MRITIGHTEN COMMENSACIONES THE ST 100' PHONE (464) 513-913		
DEVELOPER:				
DESIGNER:	- la	CCMMERCIAL SITE DESIGN, PLLC 8312 CREEDMOOR RCAD PALEIGH, NORTH CAROLINA 27613 PHONE: (919) 848-6121		
ZONING		FLANNED DEVELOPMENT CONDITIONAL USE CVERLAY DISTRICT (CASE # MP-1-96, Z-45-96) BASE ZONING DISTRICT (MP-1-96): CX DISTRICT		
LOT 7 EXISTING 'USE:		VACANT		
LOT 7 PROPOSED USE	5	EATING ESTABLISHMENT W	TH DRIVE THRU	
SITE ADDRESS:		£180 NEW BERN AVENUE		
PARCEL IDENTIFICATI	OW NUMBER:	1734-34-5171		
PARKING REQUIREME NOTE: 1 PARKING SP/ SPACE PER MP-1-96 A	CE PER 35 SF OF PUBLIC	1 SPACE PER 35 SF PUBLIC SPACE 1.130 SF OF PUBLIC SPACE = 32 SPACES REQUIRED		
PARKING PROVIDED: NOTE: PROPOSED RE REQUIREMENTS AND MP-1-96 (PER REGULA	STAURANT USE PARKING CALCULATIONS BASED ON ITION CCDE 10-2081)	32 REGULAR SPACES 2 HANDICAP SPACES 34 TOTAL SPACES		
BICYCLE PARKING:		SHORT TERM 4 SPACES REQ LONG TERM 4 SPACES REQ		
EUILDING SETBACKS:	PRIMARY STREET (NORTH) PRIMARY STREET (EAST) SIDE STREET (WEST) REAR STREET (SOUTH) BUILDING SETBACKS PER MP-1-96 // ORD. 10-2033-5_2 AGGREGATE FRONT YARD AND REAR YARD CORNIER LOT SIDE YARD	REQUIRED PER JDO -CX 5 FEET 6 FEET 6 FEET C OR 6 FEET FRONT YARD - 30 FEET, AGO YARDS - 50 FEET, SIDE YAR 20 FEET		
FARKING SETBACKS:	PRIMARY STREET (NORTH) PRIMARY STREET (EAST) SIDE LOT LINE (MEST) REAR STREET (SOUTH)	REQUIRED PER UDO 10 FEET 10 FEET C OR 3 FEET C OR 3 FEET	PROVIDED 37 FEET 32.5 FEET 25.9 FEET 25.9 FEET	
LOT 7 AREA (EXISTING LOT 7 RW DEDICATIO LOT 7 AREA (AFTER R OFFSITE IMPROVEME)	V: W DEDICATED):	55.305 SF OR 1.29 ACRES 430 SF 53.325 SF OR 1.28 ACRES 6,938 SF OR 0.16 ACRES		
DISTURBED AREA:		60,485 SF OR 1.38 ACRES		
LOT 7 EXISTING IMPER LOT 7 PROPOSED IMP OFF-SITE EXISTING IM OFF-SITE PROPOSED	ERVIOUS AREA: PERVIOUS AREA:	0 SF OR 0 ACRES 32,890 SF OR 0.76 ACRES 1,346 SF OR 0.02 ACRES 6,154 SF OR 0.14 ACRES		
PROPOSED BUILDING	AREA:	2.490 SF - 1 STORY - 24 FEET HEIGHT (40 MAX PLUS 1' PER ADDITIONAL SETBACK PER MP-1-96)		
WATER:		CITY OF RALEIGH PUBLIC UTILITIES		
SEWER:		CITY OF PALEIGH PUBLIC UTILITIES		
AMENITY AREA LOT 7:		REQUIRED = 10 % OR 5,631 SF PROVIDED = 10% OR 5,634 SF = NET AREA = MINUS RIGHT-OF-WAY DEDICATION		
TREE CONSERVATION	AREA:	NOT REQUIRED - LESS THAN 2 ACRES		

Hwy55

TRACK WEST PARTNERS
445 BISHOP ST NW
ATLANTA, GEORGIA
PHONE: (404) 913-9131
Matt@Trackwestpartners.com

ADMINISTRATIVE SITE PLAN CASE NUMBER: ASR-0094-2021 MP-1-96 & SUB-S-58-02

> SITE ADDRESS: 5160 NEW BERN AVENUE RALEIGH. NORTH CAROLINA 27610

CSD PROJECT NUMBER: TRW-2109

SHEET INDEX

- C-1 RECORD PLAT
- C-2 EXISTING CONDITIONS
- C-3 SITE PLAN
- C-3a SOLID WASTE TRUCK TURN PLAN
- C-4 GRADING & EROSION CONTROL PLAN
- C-5 UTILITY PLAN
- C-6 LANDSCAPE PLAN
- -7 LIGHTING PLAN
- C-8 BMP STORMWATER DETAILS
- C-9 BMP STORMWATER DETAILS
- A1 ARCHITECTURAL ELEVATIONS
- A2 ARCHITECTURAL ELEVATIONS
- AS2 ARCHITECTURAL ELEVATIONS

REVISIONS:

TOTAL AREA DEDICATED = 480 SF

A	12-7-2021	REVISE PER ASR COMMENTS #1	DDH
A	03-18-2922	REVISE PER ASA COMMENTS #2	DDH
A	06-17-2922	REVISE PER ASA COMMENTS #3	DDH
110.	DATE	DESCRIPTION	BY

RIGHT OF WAY DEDICATION:

STORMWATER NARRATIVE:

THE ENERGIAMENT OF THE SITE VIEL RESULT IN THE ADDITION OF SUBJECT OF PREPARADIO SUPPLIED.

ABEN AND THE RESULTATION OF STORMANTER WHE TROUBLY THE PRIMER FOR EVERS AND RINGHOUSE THE WATER QUALITY THE MADE TO EVER SO THE OFFICE THE WATER QUALITY THE ATTEMENT DEVICES ARE SIZED TO HOPIZINE THE ADDITION REPRESSION PREPARADIOS OF THE PRINCE TO CENTRAL HIM THE PROBLEM TO THE SIZE OF THE PRINCE TO CENTRAL HIM THE PROBLEM TO THE SIZE OF THE PRINCE TO SECURITY SECURITY OF THE PRINCE TO SECURITY SECU

PER 1C-5A-18. THE PRIMARY STREET DESIGNATION FOR LOT 7 SHALL BE NEW BERN AVENUE AND NORTH RODGERS LANE.

ALL PRIVATE STORM DRAINAGE & STORMWATER MEASURES WILL BE MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION

PRIMARY STREET DESIGNATION

DEVELOPERS HAVE RENEWED AND ARE IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN THE SOLID WASTE MANUAL

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CURRENT CITY OF RALEIGH AND NODOT STANDARDS, SPECIFICATIONS AND DETAILS.







877 CREEDMOOR ROAD PHONE: (9/9) 848-6121

