LOCATION: The 12.58 area zoned IX-3-PL at the northwest corner of the intersection of Laurelbrook St and Wicker Drive and the northeast corner of the intersection of Wicker Drive and Atlantic Avenue at 1249 Wicker Drive.

REQUEST: The repurposing and renovation of four existing industrial buildings (approximately 135,716 gross square feet) to be reused as a combination of industrial, retail, office, and food and beverage uses. The project will also include construction of a parking garage and associated infrastructure.

DA-0016-2021 - The following design alternates were approved, relief from specific cross access requirements, replacement of the 7.5' bike lane standard with a 10' multi-use path, an alternative street cross section, and driveway accessing.

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 October 14, 2021 by STEWART.

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. Sheet A2.01 E should note proposed use for each tenant space (for future permitting)

2. A cross access easement shall be shown from the Atlantic Avenue driveway to the property line where the cross access stub is shown on the plans. If it is shown that the multiuse path cannot be fully extended to the property line from the north side of the Atlantic Ave driveway a slope easement shall be provided with recorded plat. If it can be shown that the multiuse path cannot be constructed a fee in lieu will be required prior to recorded map approval.

Public Utilities

3. A Downstream Sewer Capacity Study in compliance with the City of Raleigh Public Utilities Department Handbook shall be submitted by the Project Engineer for review and approval.

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).

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

6. A nitrogen offset payment must be made to a qualifying mitigation bank (UDO 9.2.2.B).

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.

- Stormwater Maintenance Covenant Required
- Cross Access Agreements Required
- Utility Placement Easement Required
- Transit Easement Required
- Slope 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 cross access agreement among the proposed development (ASR-0101-2020) and 1715300479 shall be approved by the Development Services Department for recording in the Wake County Registry, and a copy of the recorded offer of 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 within this time, then further recordings and building permit issuance will be withheld.

2. A Slope easement 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 lot recording. If a recorded copy of the document is not provided, further recordings and building permit issuance will be withheld.
3. 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.

4. The required right of way for proposed and/or existing streets shall be dedicated to the City of Raleigh and shown on the map approved for recordation.

Public Utilities

5. Infrastructure Construction Plans (concurrent submittal) must be approved by the City of Raleigh Public Utilities Department for all public water, public sewer and/or private sewer extensions.

Stormwater

6. 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).

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

8. 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).

9. If demolition causes a land disturbance of more than 12,000 sf, a mass grading permit will be required. (UDO 9.4.6)

10. The flood prone areas, as approved by the City Stormwater Engineer and shown on the preliminary plan, shall be shown on the recorded map (UDO 9.3.3.G).

11. 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).

12. 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).

Transportation

13. 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 this document must be provided to the Development Services Department within one day from authorization of lot recording. If a recorded copy of the document is not provided, further recordings and building permit issuance will be withheld.
Urban Forestry

14. A tree conservation plat shall be recorded with metes and bounds showing the designated tree conservation areas (UDO 9.1). This development proposes .26 acres of secondary 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:*

**General**

1. A recombination map shall be recorded prior to or in conjunction with the recording of lots, recombining the existing lots as shown on the preliminary plans.

**Engineering**

2. A public infrastructure surety for (33) - (28 shade trees, 10 understory trees) street trees shall be provided to the City of Raleigh Development Services – Development Engineering (UDO 8.1.3).

3. 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.

4. A fee-in-lieu for 8’ of 10’ wide multiuse path shall be paid to the City of Raleigh (UDO 8.1.10) or it will have been shown that the multiuse path and associated ADA ramp will be constructed with site permitting review process.

**Public Utilities**

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

**Urban Forestry**

6. 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 Ave., 22 street trees along Wicker Dr., 4 street trees along Laurelbrook St.

*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).

4. 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:** March 9, 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: **Alysia Bailey Taylor**
Staff Coordinator: **Michael Walters**

Date: 11/10/2021