LOCATION: This site is located on the west side of Rock Quarry Road, north of Martin Luther King, Jr Blvd at 1205 Martin L. King Jr Blvd.

REQUEST: Development of a 1.43 acre tract zone OX-3-PL-CU (Z-35-17) into a proposed 7,207 square foot, one-story, medical clinic office.

BOA Variance - BOA-0027-2020 - An approved Board of Adjustment Variance, for relief of the Neighborhood Transition Yard - Zone A, along Martin Luther King, Jr Blvd.

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 9, 2020 by Pabst Design Group, PA.

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. A detail for the bike rack placement, per Raleigh Street Design Manual B.20-01, is provided for long-term & short-term bicycle parking.

2. All details for any proposed wall pack & building lighting is provided with Site Permit Review plans & demonstrate compliance with Sec.7.4.10.

Engineering

3. Notification will need to be given to the property owners at 1132 Upchurch Street and 1125 Page Street as a condition through certified mailing. A copy of the approved site plan sheet would need to be included. An updated survey of the driveway location existing at 1132 Upchurch Street is to be provided (specific to that mailing.) The driveway cut location along Vardaman Street for 1132 Upchurch Street is to be further analyzed pending conversations with the property owner. Kevin Kidd would be a City contact subsequent to a contact from the engineering design firm of the developer. The developer’s team is to continue to look into the property research for the most current survey information.
4. A Traffic Control and Pedestrian (TCPED) Plan must be approved and a right-of-way occupancy permit must be obtained from Right-of-way Services for any construction activities within the right-of-way.

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

6. The developer has proposed a temporary construction easement on a portion of the property at PIN 1713258291 for construction of Vardaman Street. Recordation of an approved easement shall be required prior to site permitting.

Stormwater

7. 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).

Urban Forestry

10. A tree impact permit must be obtained for the removal of existing trees in the public street right-of-way along Vardaman Street.

**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.

- Utility Placement Easement Required
- Cross Access Agreements Required
- Slope Easement Required
- Temp Const 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. 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.
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 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.

4. A cross access agreement among the lots as shown on the preliminary plan 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 within this time, further recordings and building permit issuance will be withheld.

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.

[CHECKED] 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:

Engineering

1. A fee-in-lieu for a 1’ width of sidewalk for a length of 268’ and 6’ wide sidewalk for a length of 34’ shall be paid to the City of Raleigh (UDO 8.1.10).

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

Public Utilities

3. Initiation of the easement exchange process is required (via dedication of new easement on record plat, ending with abandonment of old easement on subsequent deed).

4. A plat must be recorded at the Wake County Register of Deeds office for all utility easement dedications.
5. Utility re-alignment construction shall be substantially complete (to eliminate conflict with new building).

**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. 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. 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).

**Urban Forestry**

9. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 8 street trees along Martin Luther King, Jr. Boulevard and 3 street trees along Vardaman Street for a total of 11 street trees.

10. A public infrastructure surety for 11 street trees shall be provided to the City of Raleigh Development Services – Development Engineering (UDO 8.1.3).

**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.

2. All Water, Sanitary Sewer and Reuse facilities shall be installed, inspected, tested and accepted by the City of Raleigh Public Utilities Department for operations and maintenance.

**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).

**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 23, 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: Alyson Bailey Taylor
Development Services Dir/Designee
Date: 10/23/2020

Staff Coordinator: Jermont Purifoy
ADMINISTRATIVE SITE REVIEW PLANS FOR:
FRESENIUS MEDICAL CARE
RALEIGH, NORTH CAROLINA

VICINITY MAP
1" = 500'

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A3.0

DESCRIPTION:
Approved as requested.

NOTES:
1. ALL CONSTRUCTION SHALL BE CONDUCTED IN ACCORDANCE WITH ALL CITY OF RALEIGH, COUNTY AND STATE PERMITS AND SPECIFICATIONS.
2. ALL DEVELOPMENT PLANS MUST BE SUBMITTED TO THE CITY OF RALEIGH STAFF FOR REVIEW AND APPROVAL.
3. THE PLANS AND SPECIFICATIONS MUST BE SUBMITTED TO THE CITY OF RALEIGH STAFF FOR REVIEW AND APPROVAL.
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