



Administrative Action Preliminary Site Plan

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

Case File / Name: SP-11-15 / Whiskey Kitchen

General Location: Southwest corner of the intersection of West Martin and South McDowell Streets.

Owner: Execucorp, LLC
Designer: Commercial Site Design

CAC: Central

Nature of Case: Interior renovation and change of use with site improvements from vehicle rentals (previous use) to an eating establishment.

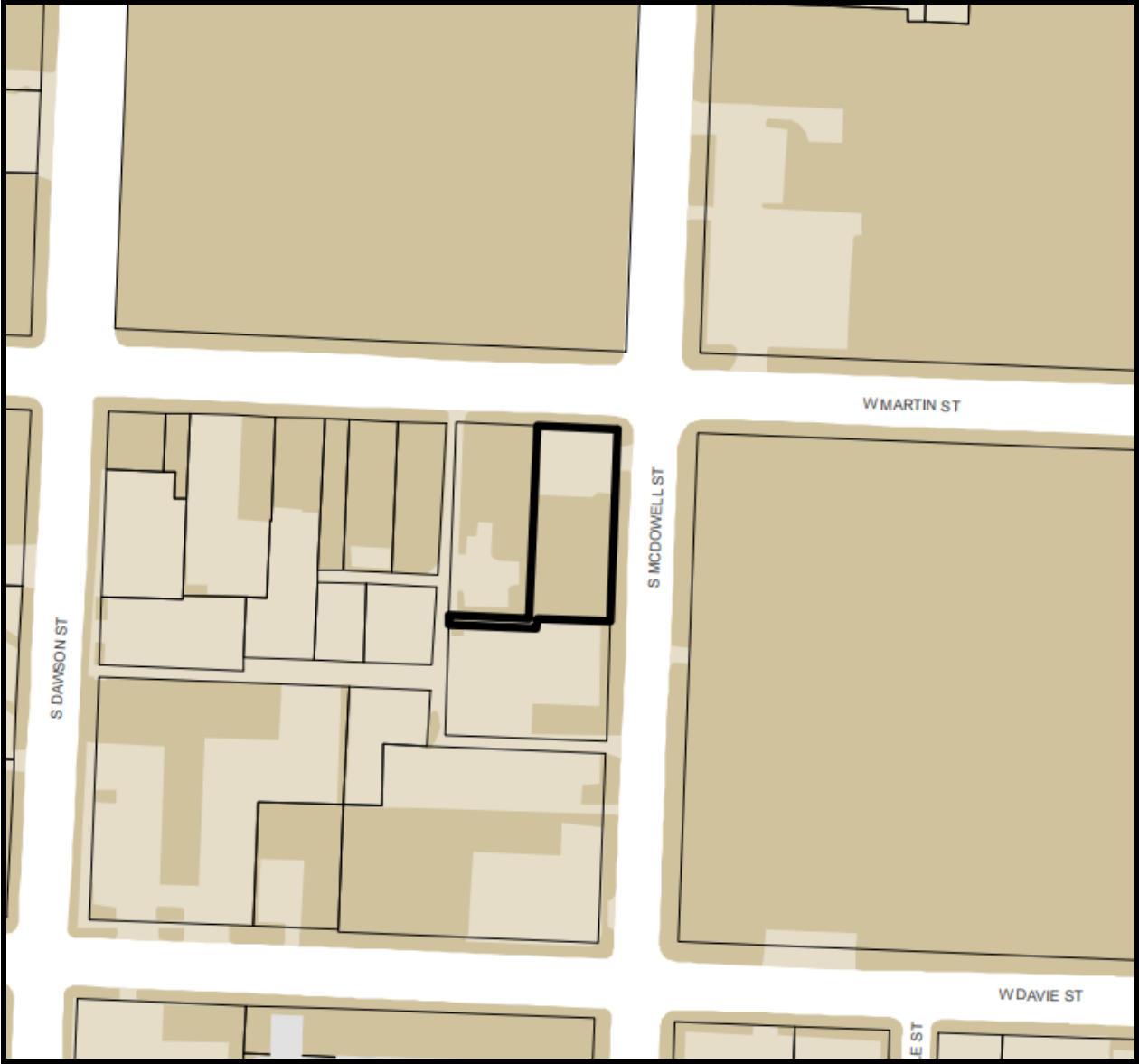
Key Issues: As presented, staff finds that this plan conforms to Code standards and adopted land use policies.

Contact: Brian Soltz, Commercial Site Design

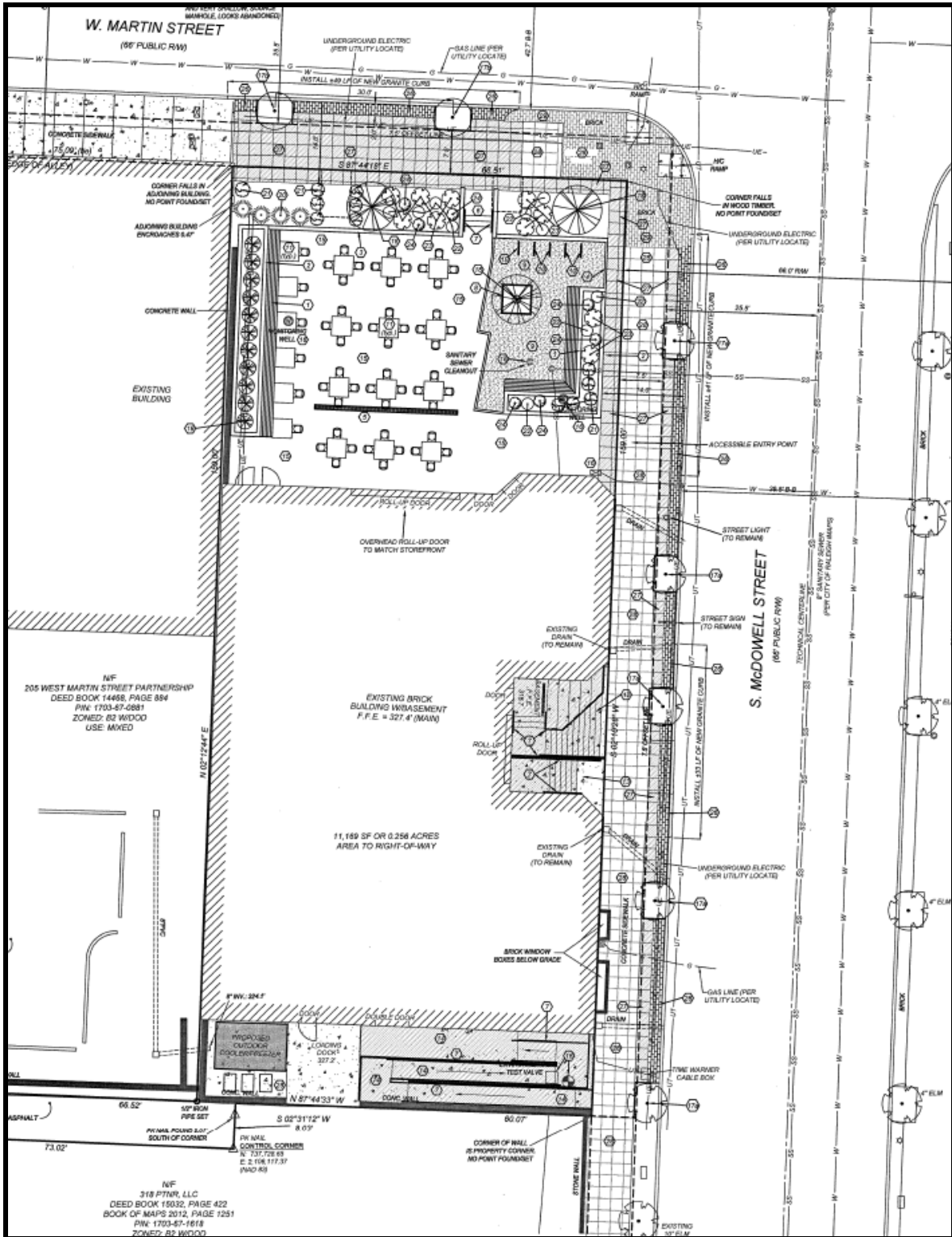
Design Adjustment: Two Design Adjustments have been approved by the Public Works Director in accordance with Article 8.5.1, for this project, noted below.

1. A Design Adjustment for not requiring right-of-way dedication for Martin or McDowell Streets as the site is within the original William Christmas plan boundary.
2. A Design Adjustment for not requiring 14' sidewalks in accordance with the downtown streetscape master plan in areas where the existing building prohibits construction of the sidewalk.

**Administrative
Alternate:** NA



SP-11-15 Location Map



SP-11-15 Site Plan

SUBJECT: SP-11-15 / Whiskey Kitchen

CROSS-REFERENCE: NA

LOCATION: This site is located at the southwest corner of the intersection of West Martin and South McDowell Streets, inside the City Limits.

PIN: 1703671841

REQUEST: This request is to approve a change of use of an existing 6,074 square foot building on a .26 acre site from vehicle rentals to an eating establishment, zoned Business (BUS) with Downtown Overlay District (DOD).

OFFICIAL ACTION: Approval with conditions

CONDITIONS OF APPROVAL:

Administrative Actions:

Prior to issuance of building permits:

1. That in accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements is paid to the Public Works Department and a recorded copy of the document provided to the Public Works Department;
2. That the City Attorney approve a public sidewalk easement for all portions of the public sidewalk along McDowell and / or Hargett Street located on private property. In accordance with 10.2.5. F.4.D., a copy of the recorded document shall be provided to the Public Works Department;
3. That the required encroachment agreements are obtained from NCDOT for all work in their right-of-way and copies of the approved agreements are provided to the Public Works Department;
4. That a map is approved by the Planning Department and recorded at the Wake County Register of Deeds showing the required Public Utility easements for water meters and hydrants outside the public right-of-way.

Signed: (Planning Dir.) *Kenneth Bowen (S. Bowen)* Date: 4-13-15

Staff Coordinator: Justin Rametta

FINDINGS: City Administration finds that this request, with the above conditions being met, conforms to Part 10, Chapter 2, Sections 10-2043, 10-2051, 10-2132.2, and Part 10A (Unified Development Ordinance) Articles 8, and 9. This approval is based on a preliminary plan dated 3/17/15, submitted by Commercial Site Design.

ZONING:

ZONING DISTRICTS: Business (BUS) with Downtown Overlay District (DOD).

SETBACKS / HEIGHT: This plan conforms to all minimum setback and height standards as set forth in Code Sections 10-2043 and 10-2051.

PARKING: No parking is required for this development. Section 10-2051 exempts up to 30,000 square feet of retail space in the Downtown Overlay District from parking requirements. The proposed space for this use is 6,074 square feet, which is less than 30,000, in a multi-tenant building.

LANDSCAPING: No transitional protective yards or vehicular surface area screening is proposed or required. The existing building is not being expanded and no new vehicular surface is proposed.

TREE CONSERVATION: Tree conservation is not required for this development as the parcel is less than two acres in size.

OPEN SPACE: The Downtown Overlay District requires that a minimum of 5% of the total land area of the development to be set aside as open space. "Open space" includes greenways and any common outdoor landscaped and recreation spaces; outdoor decks, roof gardens and other similar outdoor community space accessible to and available for use by visitors of the development." The code calls for open space first to be met by widening the sidewalks to a minimum of 14' in width. After that is achieved, any deficit in open space can be met with courtyards, roof gardens, outside dining and recreation space so long as 1/2 of the required open space shall be in one continuous part with a minimum length and width dimension of 20 feet. Based on the property's size of 11,169 square feet, the base minimum amount of open space required for the tract is 559 square feet. The applicant's plan for of 3,250 square feet of qualifying open space is to be provided through 14' sidewalks along McDowell and Martin Streets and an outdoor dining patio in front of the building. Open space configuration meets the provisions of the code.

DEVELOPMENT INTENSITY: NA

PHASING: This is a one phase development.

UNITY OF DEVELOPMENT: Unity of development and sign criteria are not required.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

STREET TYPOLOGY MAP: McDowell Street is classified as an Avenue 6-Lane, Divided section and Martin Street is classified as a Main Street. Dedication of additional right-of-way is not

required on either street as an administrative design adjustment from the Public Works Director has been granted to waive right-of-way dedication.

TRANSIT: No transit-oriented features are incorporated into the proposed plan.

**COMPREHENSIVE
PLAN:**

This site is located in the Central Citizen Advisory Council, in an area designated as Central Business District.

**HISTORIC /
DISTRICTS:**

The existing building is not a designated Historic Structure. This site is not located in or adjacent to a designated Historic District.

**SUBDIVISION
STANDARDS:**

**BLOCKS / LOTS /
ACCESS:**

Block perimeters, lot arrangement and access conform to Chapter 8 of the UDO.

**STREETSCAPE
TYPE:**

This development is subject to the Downtown Streetscape Master Plan. The proposal shows compliance with the standards of this plan by providing 14' concrete grid sidewalks with brick banding and tree grates along Martin and McDowell Streets.

PUBLIC UTILITIES:

City water and sewer services are available. The developer is responsible for installation of all lines necessary to provide service to this site.

SOLID WASTE:

Individual lot service by the City is to be provided in accordance with the Solid Waste Design Manual.

CIRCULATION:

Proposed street improvements shall conform to normal City construction standards. Existing driveways on McDowell and Martin Streets are being closed.

PEDESTRIAN:

Proposed sidewalk locations conform to City regulations. Sidewalks exist along both McDowell and Martin Streets. Both are being widened to 14' in accordance with the Downtown Overlay District and Downtown Master Streetscape Plan standards.

FLOOD HAZARD:

There are no flood hazard areas on this site.

**STORMWATER
MANAGEMENT:**

This site is exercising the exemption to active stormwater control requirements in accordance with UDO Section 9.2.2.5, Substitution of impervious surfaces with approved pervious surfaces. Existing impervious area is 10,826 SF. Proposed impervious area is 10,286 SF, a net reduction of 540 SF.

**WETLANDS
/ RIPARIAN
BUFFERS:**

No wetland areas or Neuse River riparian buffers are required on this site.

**OTHER
REGULATIONS:**

Developer shall meet all other applicable City requirements of Code Part 10 and 10A (Unified Development Ordinance).

SUNSET DATES: The sunset provisions of City Code Section 10-2132.2 (j), including the ability to request extensions in the sunset date, apply to this site plan. If significant construction has not taken place on a project after preliminary site plan approval, that approval may "sunset" and be declared void, requiring re-approval before permits may be issued. To avoid allowing this preliminary approval to "sunset", the following must take place by the following dates:

3-Year Sunset Date: 4/13/2018

Submit a final site plan and valid building permit application for the total area of the project, or a phase of the project.

5-Year Sunset Date: 4/13/2020

Complete construction of entire development.

WHAT NEXT?:

- MEET ALL CONDITIONS OF APPROVAL.
- COMPLETE CONSTRUCTION DRAWINGS FOR ANY PUBLIC IMPROVEMENTS Streets, Utility lines to be owned and maintained by the City. and submit them to the Development Plans Review Center for approval.
- HAVE A REGISTERED SURVEYOR PREPARE FINAL PLATS FOR RECORDING. These also must be submitted to the Development Plans Review Center for authorization signature prior to recording with the Wake County Register of Deeds.
- MEET THE REQUIREMENTS OF THE SUNSET THRESHOLDS AS NOTED ABOVE.

**FACILITY FEES
REIMBURSEMENT:**

If oversized street construction takes place, or greenway or oversized public street right-of-way is conveyed to the public, the owner is responsible for application to the City for reimbursement allowed by Code. Reimbursement takes place twice a year in January and July; a written request must be filed with the Planning Department for greenway and street right-of-way; and in the Engineering Department for street construction; by the first working day in November and May each year.