



# Administrative Action

## Administrative Site Review

City of Raleigh  
Development Plans Review Center  
One Exchange Plaza  
Raleigh, NC 27602  
(919) 996-2626  
www.raleighnc.gov

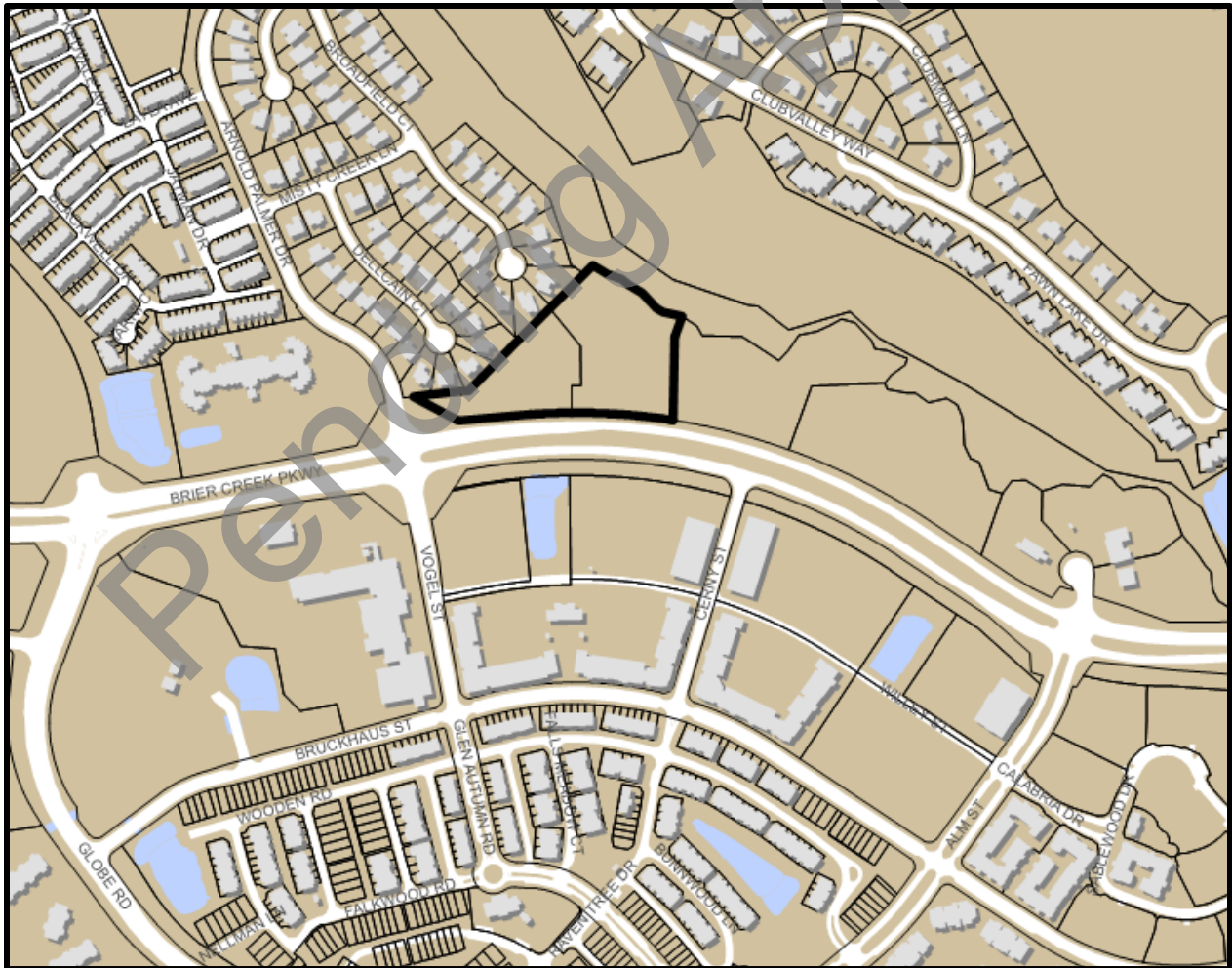
**Case File / Name:** SR-43-16 / BCRD Holdings

**General Location:** This site is located in the northeast corner of the intersection of Arnold Palmer Drive and Brier Creek Parkway, and is within the city limits.

**CAC:** Northwest

**Request:** Development of a 2.94 acre tract zoned CX-3-PK into a 6,675 square foot, 22' tall one story general use building in a mixed use district.

**Cross-Reference:** TR# 476852





Code Conformance:		Code Section(s)
<b>Zoning District:</b>	CX-3-PK (Commercial Mixed Use-3- Parkway frontage)	<a href="#">3.2</a> , and <a href="#">3.4.3</a>
<b>Overlay District:</b>	NA	<a href="#">5.1</a>
<b>Parking:</b>	Required (6675 sq. ft. with 210 seats) = 45 spaces Proposed = 50 Bicycle = 4 short term and 4 long term spaces	<a href="#">7.1.2</a>
<b>Street Type(s):</b>	Brier Creek Pkwy = Avenue 6 Lane Divided (98' b to b, and 126' r/w) and is maintained by the NC DOT. Arnold Palmer Drive = Avenue 2 Lane Undivided (36' b to b, 64' r/w). No Right of Way dedication or Roadway improvement required.	<a href="#">8.4</a>
<b>Streetscape:</b>	Commercial -fee in lieu for 1' of sidewalk width along Brier Creek Parkway, and fee in lieu for 6' of sidewalk along Arnold Palmer Drive	<a href="#">8.5</a>
<b>Setbacks/Frontage:</b>	Front = 50' (3.4.3) Side = 0' or 6' (3.2.5) Rear = 0' or 6' (3.2.5)	<a href="#">3.4</a> , <a href="#">3.2</a> , <a href="#">2.2</a>
<b>Neighborhood Transitions:</b>	Along Northwest border - combination of A 50' Type 3 and a 20' Type 2 Neighborhood Transitional Yard.	<a href="#">3.5</a>
<b>Transitional Protective Yards:</b>	NA	<a href="#">7.2.4</a>
<b>Stormwater:</b>	The developer is proposing compliance with stormwater runoff and water quality regulations through the use of a dry pond and one-time nitrogen offset payment to NCEEP..  Preliminary stormwater review was centered on the proposed lot 1 as identified with this submittal. The second lot shown, listed as 1054, has not been reviewed for stormwater compliance and is not in the scope of this preliminary review. The site will have to show compliance for any future work, and will require separate permitting and approvals for any future work	<a href="#">9.2</a>
<b>Tree Conservation:</b>	This site is providing .48 acres or 16.33% of tree conservation area in accordance with Article 9.1.	<a href="#">9.1</a>

<b>Variances, Design Adjustments, Administrative Alternates:</b>	NA	
<b>Other:</b>	<p>There is an existing City of Raleigh Greenway easement crossing the northern end of the parcel (BM 2004, 1975)</p> <p>On adjacent parcel to the east:</p> <p>NC DOT drainage easement (DB 8289, pg 2464)</p> <p>24' Cross access Driveway Easement (BM 2005, 697)</p> <p>20' COR SSE (BM 2005, 697)</p>	

**OFFICIAL ACTION:** Approval with conditions

**CONDITIONS OF APPROVAL:**

**Prior to issuance of a mass land disturbing permit for the site:**

1. That a nitrogen offset payment must be made to a qualifying mitigation bank prior to the issuance of grading permits;
2. That in accordance with Part 10A Section 9.4.4, a surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City prior to the issuance of grading permits;
3. That a final tree conservation plan with permit be approved by the Forestry Specialist. The plan must show metes and bounds descriptions of all tree conservation areas, and tree protection fence around all tree conservation areas. Tree protection fence must be located in the field and inspected by the Forestry Specialist;
4. That a stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved by the Stormwater Engineer in compliance with Part 10A Chapter 9 of the Unified Development Ordinance, including the designation of buffer areas and open space areas for stormwater purposes prior to grading or the approval of construction drawings whichever event comes first. The stormwater operations and maintenance manual shall include the total itemized costs of the proposed stormwater device and note those amounts equal to 24% and 125% respectively;

**Prior to issuance of building permits:**

5. That a proposed recombination of lot(s) 1 and 2 will be approved as per plan and recorded in the Wake County Register of Deeds;
6. That a cross access agreement between the proposed lot owned by BCRD Holdings, LLC and the adjacent lot to the east, as reconfigured with the proposed recombination, is approved by the City for recording in the Wake County Registry, and that a copy of the recorded easement is provided to the City prior to permit issuance;

7. That a tree conservation map be recorded with metes and bounds showing the designated Tree Conservation Areas and shall be in compliance with Chapter 9 of the Unified Development Ordinance;
8. That a tree impact permit is obtained from the City of Raleigh;
9. That in accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements, including 2 streetscape trees, and, a fee in lieu for 6' of sidewalk width on the project side of Arnold Palmer Drive is paid to the Public Works Department;
10. That a fee in lieu for 1' of sidewalk width along Brier Creek Parkway is paid to the Public Works Department;
11. That the developer shall pay to the City a stormwater facility replacement fund payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans;
12. That in accordance with Part 10A Section 9.2.2, a surety equal to 125% of the cost of construction of a stormwater device shall be paid to the City;
13. That 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;
14. That riparian buffers, in accordance with the preliminary plan and the State of North Carolina regulations, shall be shown on plats for recording along with a note stating "The areas shown on the recorded plat identified as Neuse River Riparian Buffer shall be maintained in their natural mitigated condition, No person or entity shall fill, grad, excavate, or perform any other land-disturbing activities; nor cut, remove, or harm any vegetation; nor construct any structures nor add any additional impervious surface, nor allow animal grazing or water or any other agricultural use on such protected areas without written authorization from NC Division of Water Quality in accordance with the Riparian Buffer Protection Rules (15A NCAC 2B.0233 or.0259).".

**Prior to issuance of building occupancy permit:**

15. That in accordance with Part 10A Section 9.2.2, an as-built plan and certification any stormwater control device shall be reviewed and accepted by the City prior to final stormwater inspection approval or certificate.

I hereby certify this administrative decision.

Signed: (Planning Dir.) Kenneth Bowers (d. Bowers) Date: 9-23-16

Staff Coordinator: Michael Walters

SEE LAST PAGE FOR IMPORTANT INFORMATION ON THE NEXT STEP IN THE PROCESS.

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**FINDINGS:** City Administration finds that this request, with the above conditions being met, conforms to the Unified Development Ordinance. This approval is based on a preliminary plan dated August 31, 2016, submitted by Blair Pittman, Bobbitt Design Build Inc.

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**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:** 9-23-2019

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.

**WHAT NEXT?:**

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