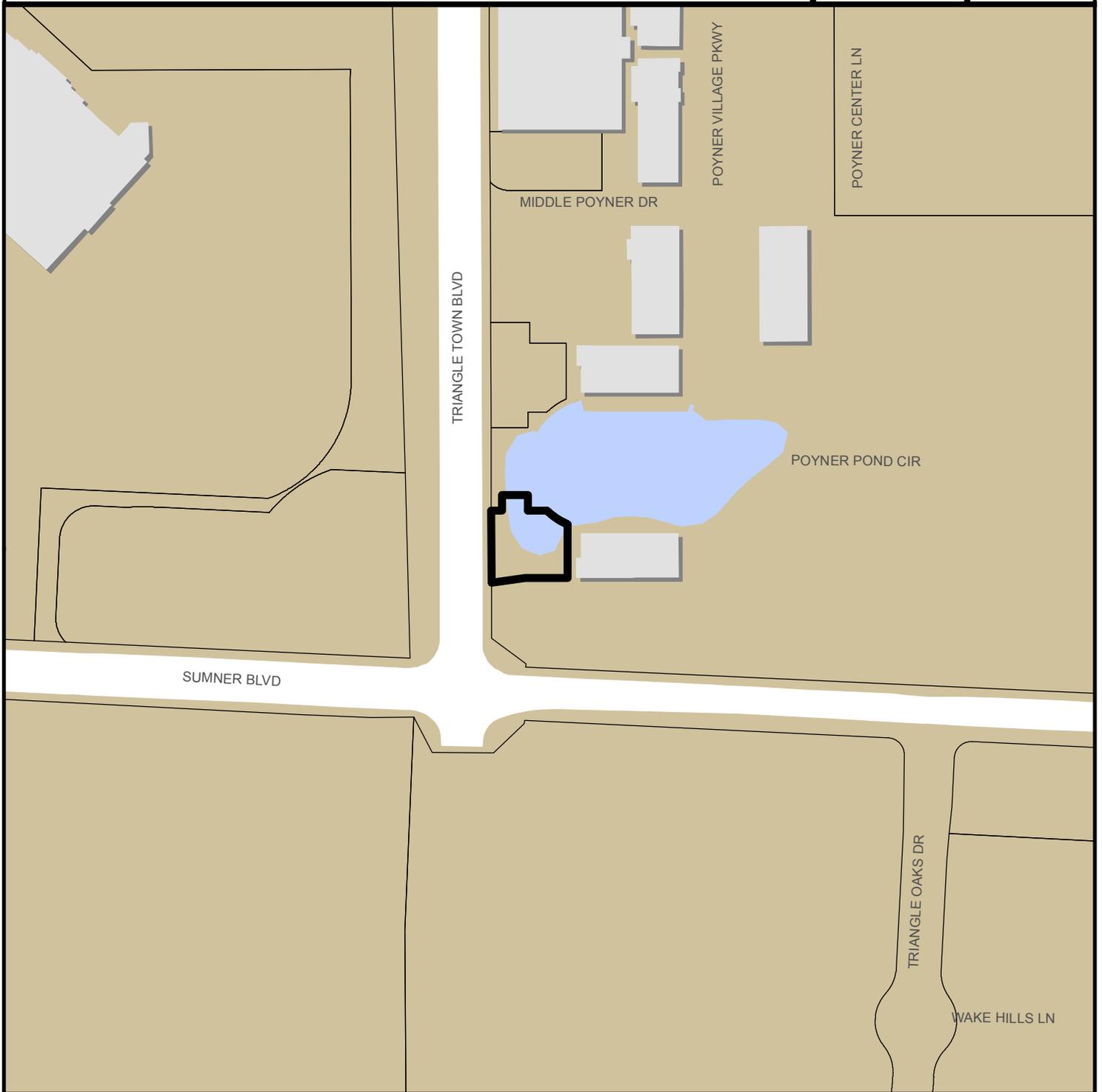


5821 RETAIL SR-72-2016



Zoning: **CX-4 CU**
CAC: **Northeast**

Drainage Basin: **Perry Creek**
Acreage: **0.27**
Sq. Ft.: **6,476**

Planner: **Michael Walters**
Phone: **(919) 996-2636**

Applicant: **Andy Padiak**
Phone: **(919) 361-5000**





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-72-16, 5821 Retail, SR-73-16, 7811 Retail, and SR-74-16, 7810 Retail

General Location: All three individual sites are located on the east side of Triangle Town Blvd. between Sumner Blvd., and Old Wake Forest Road, and all within the city limits.

CAC: Northeast

Request: Development of a .27 acre tract zoned CX-4 CU into a 6752 square foot , 22' tall multi-tenant retail building at 5821 Poyner Village Parkway,

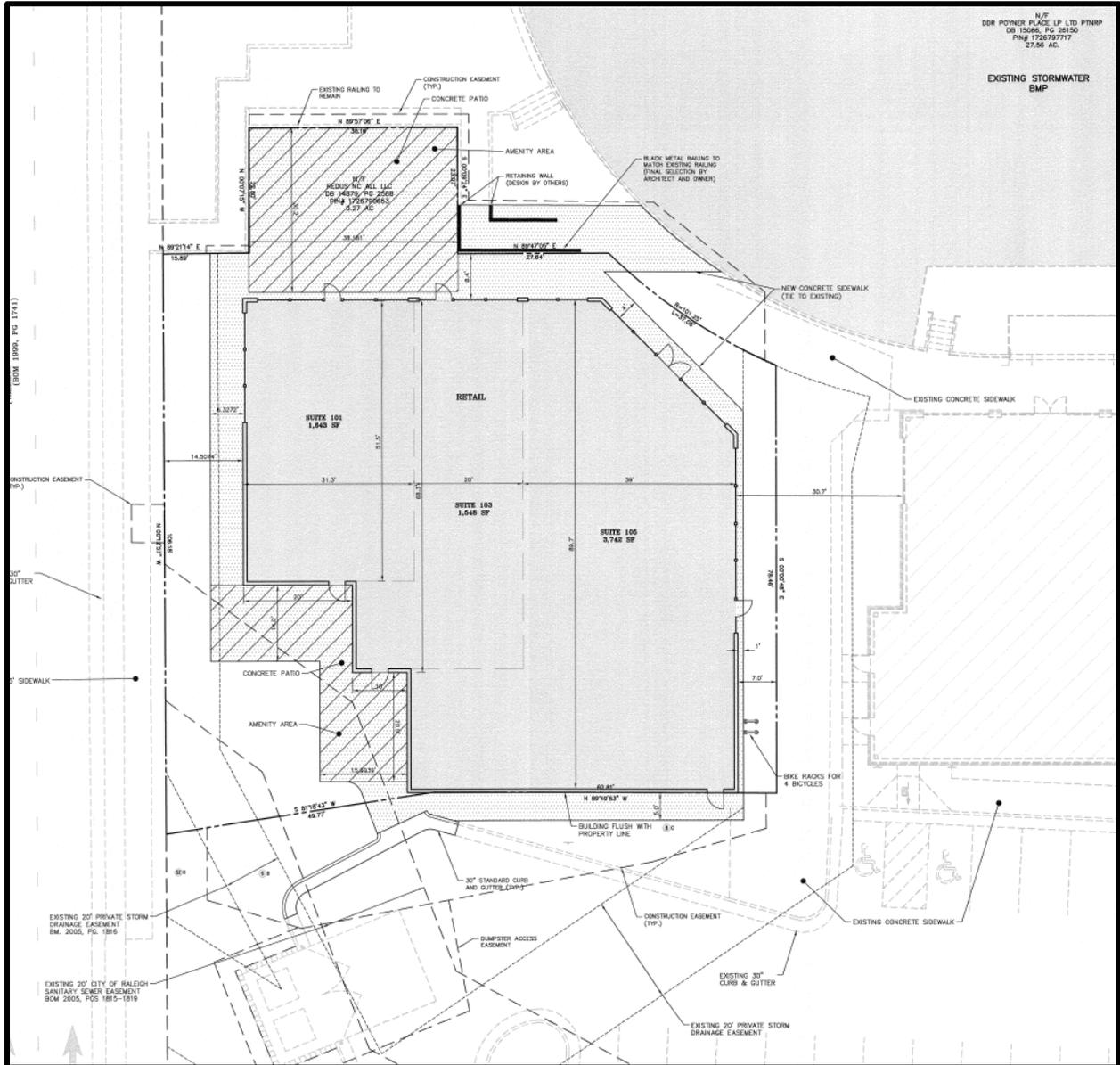
Development of a .33 acre tract zoned CX-4-CU (Z- 05-2001) into a 6329 square foot, 22' tall multi-tenant retail building at 7811 Middle Poyner Drive, and

Development of a .31 acre tract zoned CX-4-CU into a 6068 square foot, 22' tall multi-tenant retail building at 7810 Target Circle Drive.

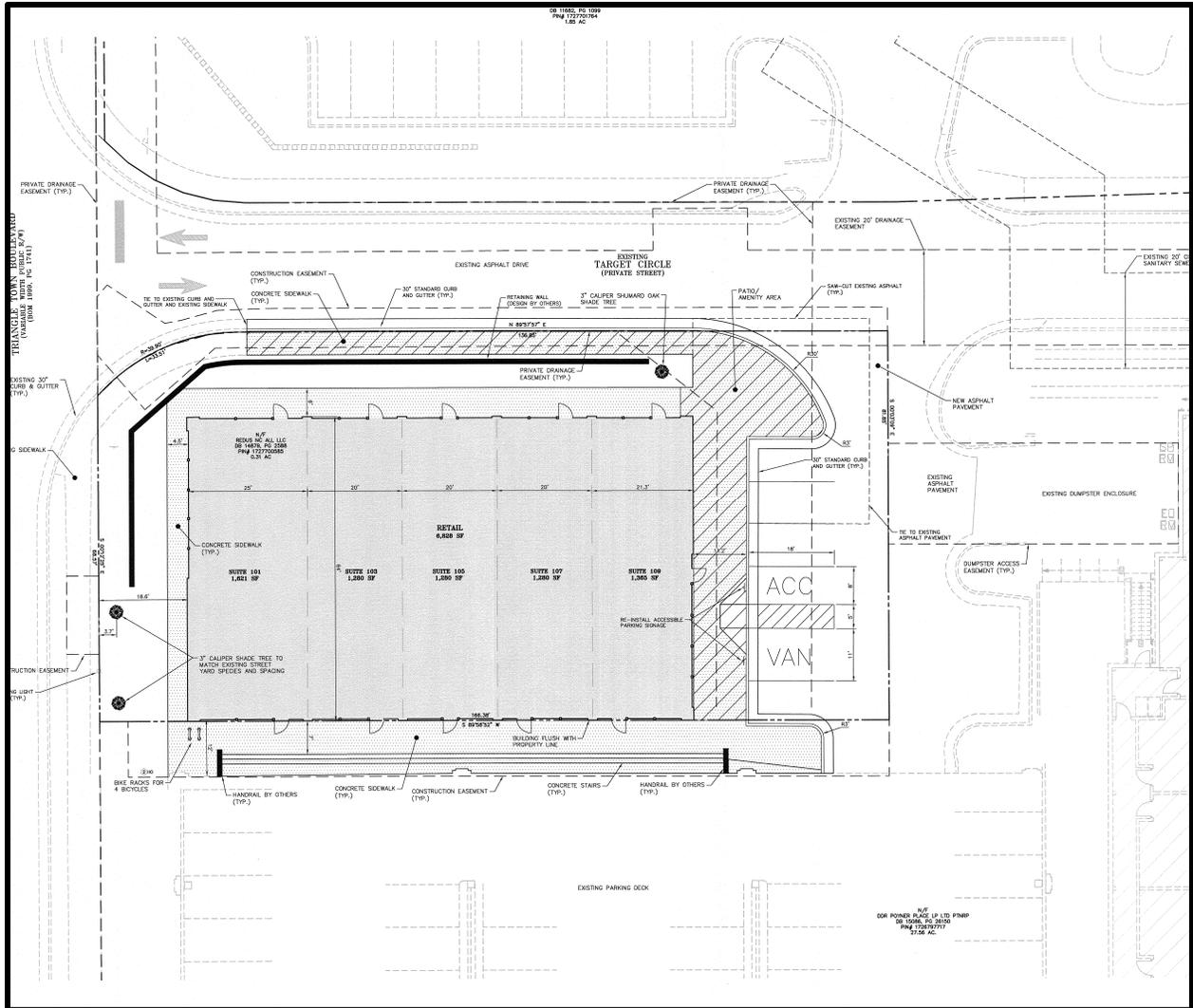
Cross-Reference: Z- 5-2001, TR# 487590, TR# 487592, TR# 487588



Location Map



SR-72-16 Preliminary Site Plan (5821 Poyner Village Parkway)



SR-74-16 Preliminary Site Plan (7810 Target Circle Drive)



Development Services Design Adjustment – Staff Response

Per Section 10.2.18.C of the Unified Development Ordinance, the Development Services Director may consult with the heads of other City departments regarding the review of the request. The Development Services Director may approve, approve with conditions or deny the request, but must do so within 60 days of the receipt of a completed application. Additional time may be necessary if a municipal or state entity is incorporated in the review process or if a detailed engineering study is submitted in conjunction with the request.

PROJECT	Project Name 5821 Retail at Poyner Place	Date Completed Application Received: 11/29/16
	Case Number: SR-72-2016	Transaction Number: 487590

DEPARTMENT RESPONSE/RECOMMENDATION	DEPARTMENT	REPRESENTATIVE SIGNATURE	DEPARTMENT	REPRESENTATIVE SIGNATURE
	<input type="checkbox"/>	Dev. Services Planner:		<input type="checkbox"/>
<input checked="" type="checkbox"/>	Dev. Services Eng:	Daniel G. King, PE <i>[Signature]</i>	<input type="checkbox"/>	Transportation:
<input type="checkbox"/>	Engineering Services:		<input type="checkbox"/>	PRCR:

Based on existing development staff supports the request not to meet block perimeter.

Development Services Director or Designee Action:

Approve Approval with Conditions Deny

[Signature] 12/7/16
 Authorized Signature Date

*The Development Services Director may authorize a designee to sign in his/her stead. Please print name and title next to signature.

CONDITIONS FOR APPROVAL	
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Appeal of the decision from the Development Services Director shall be made in writing within 30 days to the Board of Adjustment (see Section 10.2.18.C3b).

City of Raleigh
 Development Services

Phone: 919-996-2495
 www.raleighnc.gov

Public Works Design Adjustment (typical)



Development Services Design Adjustment – Staff Response

Per Section 10.2.18.C of the Unified Development Ordinance, the Development Services Director may consult with the heads of other City departments regarding the review of the request. The Development Services Director may approve, approve with conditions or deny the request, but must do so within 60 days of the receipt of a completed application. Additional time may be necessary if a municipal or state entity is incorporated in the review process or if a detailed engineering study is submitted in conjunction with the request.

PROJECT	Project Name 7811 Retail at Poyner Place	Date Completed Application Received: 11/29/16
	Case Number: SR-73-2016	Transaction Number: 487592

DEPARTMENT RESPONSE/RECOMMENDATION	DEPARTMENT	REPRESENTATIVE SIGNATURE	DEPARTMENT	REPRESENTATIVE SIGNATURE
	<input type="checkbox"/>	Dev. Services Planner:		<input type="checkbox"/>
<input checked="" type="checkbox"/>	Dev. Services Eng:	Daniel G. King, PE <i>DGK</i>	<input type="checkbox"/>	Transportation:
<input type="checkbox"/>	Engineering Services:		<input type="checkbox"/>	PRCR:

Based on existing sidewalk locations staff supports the request to plant street trees in an alternate location.

Development Services Director or Designee Action:

Approve Approval with Conditions Deny

[Signature] _____ Date 12/7/16

*The Development Services Director may authorize a designee to sign in his/her stead. Please print name and title next to signature.

CONDITIONS FOR APPROVAL	
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Appeal of the decision from the Development Services Director shall be made in writing within 30 days to the Board of Adjustment (see Section 10.2.18.C3b).

City of Raleigh
 Development Services

Phone: 919-996-2495
 www.raleighnc.gov

Public Works Design Adjustment (typical)

Code Conformance:		Code Section(s)
Zoning District:	CX-4-CU (Z-5-2001) Pedestrian Friendly Village Core	3.1
Overlay District:	NA	5.1
Parking:	<p>Parking to be shared with entire retail site. Required = (1 sp/300 sf of gross floor area + 1 sp./600 sf of outdoor display area or (Total 449,227 sf /300 sf) + (2661 sf/600sf) = Total Parking Required = 1502 spaces Total Parking existing = 2117 spaces</p> <p>Parking for 5821 Retail Required = (1 sp/300 sf of gross floor area + 1 sp./600 sf of outdoor display area or 6752 sf/300 sf = 23 spaces. Proposed =23 spaces off site.</p> <p>(Required parking for 5821 Retail is to be off site - there exists 831 spaces within a radius of 660')</p> <p>Bicycle Parking</p> <p>Required = 1 space/5000 sf of gfa (minimum 4) = 4 Proposed = 4 spaces.</p> <p>Parking for 7811 Retail Required = (1 sp/300 sf of gross floor area + 1 sp./600 sf of outdoor display area or 6329 sf/300 sf = 21 spaces. Proposed =21 spaces off site.</p> <p>Required parking for 7811 Retail - 6 on site - 17 off site - there exists 831 spaces within a radius of 660')</p> <p>Bicycle Parking</p> <p>Required = 1 space/5000 square feet of gross floor area (minimum 4) = 4 Proposed = 4 spaces.</p> <p>Parking for 7810 Retail Required = (1 sp/300 sf of gross floor area + 1 sp./600 sf of outdoor display area or 6068 sf/300 sf = 21 spaces. Proposed =21 spaces off site.</p> <p>Required parking for 7810 Retail - 6 spaces on site - 17 to be off site - there exists 831 spaces within a radius of 660')</p> <p>Bicycle Parking</p>	7.1.2

	<p>Required = 1 space/5000 square feet of gross floor area (minimum 4) = 4 Proposed = 4 spaces.</p>	
Street Type(s):	Avenue 2-Lane, Divided (Triangle Town Blvd.)	8.4
Streetscape:	<p>(As per Z-5-2001, PEDESTRIAN FRIENDLY VILLAGE CORE (See Exhibits 1-4 and 6)</p> <p>A fee-in-lieu for the required street trees will need to be paid prior to issuance of building permits for SR-72-16, 5821 Poyner Village Parkway only.</p> <p>Street trees will be installed for SR-73-16 (7811 Middle Poyner Drive), and SR-74-16 (7810 Target Circle Drive) outside of the right of way.</p> <p>A 5' sidewalk exists due to an alternative streetscape cross section along Triangle Town Blvd and a fee in lieu for 1' of sidewalk width is required.</p>	Z-5-2001
Setbacks/Frontage:	<p>Within the Pedestrian Friendly Community, building setbacks shall not exceed a twenty (20') foot front yard setback from either the back of the curb on private accessways or the right-of-way line on public streets unless to accommodate a pedestrian gathering spot as set forth in condition II-C.</p> <p>Buildings shall be set back not more than 20 feet from the back of the curb on private vehicular pedestrian ways or the right-of-way of public streets except in designated pedestrian gathering spots</p> <p>(As per CX) Front = 5' Side = 0 or 6' Rear = 0 or 6'</p>	3.4 , 3.2 ,
Neighborhood Transitions:	NA	3.5
Transitional Protective Yards:	NA	7.2.4
Stormwater:	<p>Stormwater management is being met by providing a shared solution for 5 lots. (SR-72-16, 5821 Retail, SR-73-16, 7811 Retail, and SR-74-16, 7810 Retail, plus two others)</p> <p>The shared solution dictates that all the stormwater management devices be shown in a set on concurrent review drawings.</p> <p>The impervious surface area allocation for all 5 lots</p>	9.2

	<p>will be provided throughout concurrent review.</p> <p>A recorded map is required having a note referencing that the impervious surface area allocation is in the appendix of the concurrent review drawings and will facilitate easier modification. (when the final 2 lots are reviewed and new impervious allocations are addressed)</p> <p>Until modification associated with future development, the shared solution allocates zero impervious surface area allowable on the final 2 parcels.</p> <p>SR-72-16, 5821 Retail, SR-73-16, 7811 Retail, and SR-74-16, 7810 Retail may be submitted under the same transaction number for concurrent review.</p> <p>Each individual parcel may be issued a certificate of occupancy individually, following the acceptance of the as built stormwater solution.</p> <p>(This new shared facility stormwater solution does not superseded or replace any existing shared stormwater solution.)</p>	
Tree Conservation:	All three individual sites are each less than two acres in size and therefore exempt from Article 9.1, Tree Conservation.	9.1
Variances, Design Adjustments, Administrative Alternates:	<p>Site design standards as per CU Z-5-2001</p> <p>In accordance with the criteria of the Triangle Town Center Small Area Plan, retail uses within the subject property shall be limited to 675,000 square feet of the floor area gross.</p> <p>Existing gfa in Poyner Place = 429099 sf. Proposed gfa for 7810, 7811, and 5821 Poyner Place = 19149 sf total. Total gfa (post) in Poyner Place = 448,248 sf.</p> <p>Two Design Adjustments were approved by the Public Works Director for each of these individual sites</p> <ol style="list-style-type: none"> a. Waiving the block perimeter b. Alternative street cross section – planting trees in an alternate location 	Z- 05-2001 Pedestrian Friendly Village Core
Other:	NA	

OFFICIAL ACTION: Approval with conditions

CONDITIONS OF APPROVAL:

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

1. That in accordance with Part 10A Section 9.4.4, a surety equal to the cost of clearing, grubbing and reseeding a site, shall be paid to the City for this specific site;

Prior to the issuance of any site permits, infrastructure construction plans or concurrent review process, whichever is applicable:

2. That a nitrogen offset payment must be made to a qualifying mitigation bank; *
3. 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, prior to grading or the approval of construction drawings whichever event comes first;*
4. 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;*
5. 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 and the plats shall contain the following note: "All private storm drainage easements & stormwater measures will be maintained by the property owners association;*
6. That the City form document entitled Declaration of City of Raleigh Required City Code Provisions for Developments with Common Elements and Common Expenses shall be recorded with the county register of deeds office where the property is located prior to any recordation of a subdivision or recombination plat, and a copy of the recorded documents be provided to the Planning Department within the 14 day period; further plan recordings and building permits authorization will be withheld if the recorded document is not provided to the Planning Department; Required legal documents shall be recorded within 1 day of the approval of a recorded maps;*
7. That 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 where the property is located and a copy of the recorded document be provided to the City by the end of the next business day following the recordation of the final plat; further recordings and building permit authorization will be withheld if the recorded document is not provided to the City;*

Prior to issuance of building permits:

8. 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; *

9. That in accordance with Part 10A Section 9.2.2, a surety equal to 125% of the cost of the construction of a stormwater device is paid to the Public Works Department;*
10. That a fee in lieu for 1' of sidewalk width for the entire width of the parent tract, and for SR-72-16, required street trees for SR-72-16 (5821 Poyner Village Parkway) , shall be paid to the City of Raleigh;
11. That an offer of cross access with the lots owned by Argos, LLC. and DDR Poyner Place LP Ltd. PTNRP be recorded in the Wake County Registry, and that a copy of the recorded offer of cross access easement be returned to the Planning Department prior to building permit issuance;
12. That the applicant provide proof of an offsite parking lease, agreement or easement within 660 feet of entrance of this site plan building to fulfill the required parking, and the applicant shall sign agree in writing to provide the required off-street parking as long as the principal use shall continue and shall agree that the principal use shall be discontinued should the required off-street parking no longer be provided on these off-site parcels or their equivalent as required by section 10-2081(c) (3) a;
13. That the applicant provide proof of a shared dumpster agreement, and development easement as long as the principal use shall continue and shall agree that the principal use shall be discontinued should these easements and agreements no longer be provided on these off-site parcels;
14. That all conditions of Z-5-2001 are complied with;

Prior to issuance of an individual 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;

*As a group sharing a stormwater solution

I hereby certify this administrative decision.

Signed: (Planning Dir.) Kenneth Bowen Date: 6/23/17
(BT)

Staff Coordinator: Michael Walters

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

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 12/16/16, submitted by Andy Padiak, McAdams Co.

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: 06/23/2020

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.