Administrative Approval Action  
SR-94-18 / Iglesia Nuevo Renacer 
Transaction# 570694 AA#3944

LOCATION: This site is located on the south side of Rock Quarry Road, south of Pearl Road at 4400 Pearl Road.

REQUEST: Development of a 3.65 acre vacant tract zoned R-4 into a 6,232 square foot proposed religious civic use building. Note a previous similar site plan was approved on this site (case SR-5-14) which sunset.

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: Design Adjustment DA-131-2018 was approved for a block perimeter adjustment and not requiring cross access to the south with this proposal due to a proposed septic field on site.

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 1/14/2019 by John A Edwards & Company.

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:

☐ CONCURRENT SITE REVIEW NOT REQUIRED AT THIS TIME – However, plan revisions or further development that includes land disturbance of 12,000 square feet or greater, public or private infrastructure, shared stormwater devices, etc. will require concurrent site review.

☒ CONCURRENT SITE REVIEW - For land disturbance of 12,000 square feet or greater, public or private infrastructure, shared stormwater devices, etc. Concurrent Site Review may be submitted upon receipt of this signed approval document.

The following items are required prior to approval of Concurrent Site Review plans:

General

1. A final tree inventory count and detailed planting schedule table for the “existing trees” shall be provided and shown, per the note on sheets L-1 and L-2 of the landscaping plan stating the “30 existing trees will remain in place” & “canopy tree(s) to remain in place”; which are being used to meet the required Type A2 Transitional Protective Yard (per Sec.6.3.1.E & Sec.7.2.4). The existing trees must meet the required design & installation standards noted in Sec.7.2.7 and noted on the table.
Engineering

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

3. A right-of-way obstruction permit must be obtained from Right-of-way Services prior to the commencement of any construction activities within the right-of-way.

Stormwater

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

5. A surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City (UDO 9.4.4).

Urban Forestry

6. 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).

7. 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.

☐ City Code Covenant ☒ Slope Easement
☐ Stormwater Maintenance Covenant ☐ Transit Easement
☒ Utility Placement Easement ☒ Cross Access Easement
☐ Sidewalk Easement ☐ Public Access Easement
☐ Other:

RECORDED MAP(S) - Submit plat to record new property lines, easements, tree conservation areas, etc.). Plats may be submitted for review when the Concurrent Site 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 20' Slope easement shall be shown along Pearl Road for any future road widening.

3. A 5’ general utility 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. A fee-in-lieu for a 6’ sidewalk, ½ - Avenue 2-Lane Undivided, and any other necessary infrastructure is paid to the City of Raleigh (UDO 8.1.10).

5. An offer of cross access agreement between the adjacent lot identified by PIN 1731-17-2767 and the subject lot PIN 1731-17-5744 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, further recordings and building permit issuance will be withheld.

**Public Utilities**

6. 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.

7. A Petition for Annexation into the City limits shall be submitted in accordance with City Council policy for extension of utility service to properties currently outside of the City limits. This voluntary annexation in no way obligates the City to extend utility services to the property.

**Stormwater**

8. 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).

9. 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

10. A tree conservation plat shall be recorded with metes and bounds showing the designated tree conservation areas (UDO 9.1). This development proposes 0.365 acres of tree conservation area.

**BUILDING PERMITS** – For buildings and structures shown on the approved plans. Commercial building permit plans must include the signed, approved Concurrent Site 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. The required right of way for proposed and/or existing streets shall be dedicated to the City of Raleigh and is shown on a plat approved for recordation.

2. A 5’ general utility 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 this document must be provided to the Development Services Department within one day from authorization of lot recordation. If a recorded copy of the document is not provided within this time, further recordings and building permit issuance will be withheld.

3. A 20’ Slope easement shall be shown along Pearl Road for any future road widening.

4. An offer of cross access agreement between the adjacent lot identified by PIN 1731-17-2767 and the subject lot PIN 1731-17-5744 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, further recordings and building permit issuance will be withheld.

5. A fee-in-lieu for a 6’ sidewalk, ½ - Avenue 2-Lane Undivided, and any other necessary infrastructure is paid to the City of Raleigh (UDO 8.1.10).

6. Required NCDOT encroachment and/or driveway permits must be approved and copies provided to Development Services – Development Engineering.

7. A right-of-way obstruction permit shall be obtained from Right-of-way Services for any construction activity within the right-of-way.

**Stormwater**

8. 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).
9. 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).

10. 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).

Urban Forestry

11. A tree conservation plat shall be recorded with metes and bounds showing the designated tree conservation areas (UDO 9.1).

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

13. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 10 street trees along Pearl Road.

The following are required prior to issuance of building occupancy permit:

1. 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.

2. Required public right-of-way infrastructure improvements shall be, at a minimum, sufficiently completed to provide the necessary, safe emergency and vehicular access.

3. Required underground storm drainage improvements shall be completed and as-built plan(s) and certification(s) reviewed and accepted by the City of Raleigh Development Services – Development Engineering program.

4. All street lights and street signs required as part of the development approval are installed.

5. Copies of certified inspection reports for alleys and internal access ways are submitted to the City of Raleigh Development Services – Development Engineering program.

6. As-built drawings and associated forms for all Stormwater devices are accepted by the Engineering Services Department (UDO 9.2.2.D.3).

7. Final inspection of all tree conservation areas and right of way street trees by Urban Forestry Staff.
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: 4-3-2022
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: (Development Services Dir./Designee) [Signature] Date: 4/3/19

Staff Coordinator: Jermont Purifoy
Per Section 10.2.18.C of the Unified Development Ordinance, the Development Services Director, or designee, shall consult with the heads of other City Departments regarding the review of the request. The Development Services Director, or designee, shall 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.

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<tr>
<th>PROJECT</th>
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<tbody>
<tr>
<td>Project Name</td>
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Staff recommendation based upon the findings in the applicable code(s):

- [✓] UDO Art. 8.3 Blocks, Lots, Access
- [ ] UDO Art. 8.5 Existing Streets
- [ ] UDO Art. 8.4 New Streets
- [ ] Raleigh Street Design Manual

Staff SUPPORTS [✓] DOES NOT SUPPORT [ ] the design adjustment request.

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<tr>
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<tr>
<td>Dev. Services Planner</td>
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**STAFF RESPONSE**

**CONDITIONS:**

Development Services Director or Designee Action: [✓] APPROVE [ ] APPROVE WITH CONDITIONS [ ] DENY

Authorized Signature: [Signature]

Engineering and Infrastructure Manager: [Name]

Date: 4/3/2019

*The Development Services Director may authorize a designee to sign in his/her stead. Please print name and title next to signature. Appeal of the decision from the Development Services Director, or his or her designee, shall be made in writing within 30 days to the Board of Adjustment (see Section 10.2.18.C3b).
The Development Services Director may in accordance with Sec. 10.2.18. approve a design adjustment, subject to all of the following findings.

A. The requested design adjustment meets the intent of this Article;
   YES [ ] NO [x]

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   YES [x] NO [ ]

C. The requested design adjustment does not increase congestion or compromise Safety;
   YES [x] NO [ ]

D. The requested design adjustment does not create any lots without direct street Frontage;
   YES [x] NO [ ]

E. The requested design adjustment is deemed reasonable due to one or more of the following:
   1. Topographic changes are too steep;
   2. The presence of existing buildings, stream and other natural features;
   3. Site layout of developed properties;
   4. Adjoining uses or their vehicles are incompatible;
   5. Strict compliance would pose a safety hazard; or
   6. Does not conflict with an approved or built roadway construction project
   7. adjacent to or in the vicinity of the site.
   YES [x] NO [ ]

**STAFF FINDINGS**

Per Section 8.3.2, the maximum block perimeter for a lot 40,000+ s.f. in size in R-4 Zoning is 8,000 feet. The current block perimeter is over 10,000 feet. Meeting block perimeter requirements through a new public street connection is inhibited due to steep topographic changes, a septic field necessary for the sewer.

The Developer is requesting an adjustment from the requirement of cross access to the east to the single family property. The proposed septic area encompasses the entire east side of the property necessary for waste disposal and treatment and will not allow any construction or connection on the east side. The plans propose a cross access from the entrance into the site to the adjacent property to the west, which is also a church use.
The purpose of this request is to seek a Design Adjustment from the Development Services Director, or designee, for a specific project only and, if granted, may be approved with special conditions and provisions. This application and all further action shall be consistent with Section 10.2.18 in the Unified Development Ordinance (UDO). The consideration and decision of this request shall be based solely on the conformance of the findings, as outlined in Sec. 8.3.6, Sec. 8.4.1.E and Sec. 8.5.1.G of the UDO or the Raleigh Street Design Manual.

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<tr>
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<tr>
<td>Name</td>
<td>Jason Meadows</td>
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<tr>
<td>Address</td>
<td>333 Wade Ave</td>
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<td>Zip Code</td>
<td>27605</td>
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<td>City</td>
<td>Raleigh</td>
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I am seeking a Design Adjustment from the requirements set forth in the following:

- UDO Art. 8.3 Blocks, Lots, Access
- UDO Art. 8.4 New Streets
- UDO Art. 8.5 Existing Streets
- Raleigh Street Design Manual

Provide details about the request; (please attach a memorandum if additional space is needed):

The applicant is requesting a design adjustment from the required block perimeter as established under UDO Article 8.3 due to required Tree Conservation areas and required septic repair areas required to serve this development. The existing block perimeter is approximately 10,800’. The current zoning is R-4 which indicates a 8,000 maximum block perimeter under UDO Sec 8.3.2.

It is the responsibility of the applicant to provide all pertinent information needed for the consideration of this request. Applicant must be the Property Owner.

By signing this document, I hereby acknowledge the information on this application is, to my knowledge, accurate.

Owner/Owner's Representative Signature: [Signature]
Date: [2/5/18]

CHECKLIST

- Signed Design Adjustment Application: Included
- Page(s) addressing required findings: Included
- Plan(s) and support documentation: Included
- Notary page (page 6) filled out: Must be signed by property owner: Included
- First Class stamped and addressed envelopes with completed notification letter: Included

Submit all documentation, with the exception of the required addressed envelopes and letters to designadjustments@raleighnc.gov.
Deliver the addressed envelopes and letters to:
Development Services, Development Engineering
One Exchange Plaza, Suite 500
Raleigh NC, 27601
The Development Services Director may in accordance with Sec. 10.2.18. approve a design adjustment, subject to all of the following findings. Describe how each item is met:

A. The requested design adjustment meets the intent of this Article;
   This request meets the established requirements due to the required septic repair area and Tree Conservation area prohibiting a block to be established.

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   There are no proposed improvements will effect subject property.

C. The requested design adjustment does not increase congestion or compromise Safety;
   The requested design adjustment will not increase congestion or compromise safety.

D. The requested design adjustment does not create any lots without direct street Frontage;
   The requested design adjustment does not create any lots without direct street frontage.

E. The requested design adjustment is deemed reasonable due to one or more of the following:
   1. Topographic changes are too steep;
   2. The presence of existing buildings, stream and other natural features;
   3. Site layout of developed properties;
   4. Adjoining uses or their vehicles are incompatible;
   5. Strict compliance would pose a safety hazard; or
   6. Does not conflict with an approved or built roadway construction project
   7. adjacent to or in the vicinity of the site.

   The requested design adjustment is deemed reasonable due the the location of required septic repair area as identified by Central Carolina Soil Consulting(See attached). This area is needed in the event the proposed primary septic field area fails and the drain field needs to be located elsewhere onsite.

   In addition, required secondary Tree Conservation areas are located along the rear property line which would prohibit a block connection from being established.
STATE OF NORTH CAROLINA
COUNTY OF Johnston

I, Tracy Rairigh, a Notary Public do hereby certify that Jason Meadlois personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

This the 31st day of December, 2018.

Notary Public

My Commission Expires: May 23, 2023
ADMINISTRATIVE SITE REVIEW
IGLESIA NUEVO RENACER
4400 PEARL ROAD RALEIGH, N.C.
SR-94-18
TRANS #570694

SEPTEMBER 10, 2018
REVISED DECEMBER 13, 2018
REVISED JANUARY 14, 2019

OWNER:
North Carolina Assemblies of God
Mr. Randall Rogers
4004 Viewmont Dr.
Raleigh, North Carolina 27610
Phone (919) 621-1532

CLIENT/DEVELOPER:
Iglesia Nuevo Renacer
Mr. Carlos Cortez
4004 Viewmont Dr.
Raleigh, North Carolina 27610
Phone (919) 621-1532

CIVIL ENGINEER:
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Consulting Engineers
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