

## Administrative Approval Action

SR-40-18, North Raleigh Radiator & Automotive Transaction# 553498, AA#3865

- **LOCATION:** This site is located on the southeast side of Atlantic Springs Road at 5312 Atlantic Springs Road.
- **REQUEST:** Development of a 1.29 acre tract zoned CX-3-PL into a 6,000 square foot single story major vehicle repair structure.

#### DESIGN ADJUSTMENT(S)/ ALTERNATES, ETC:

**ATES, ETC:** A Design Adjustment was approved for UDO Section 8.3.2 providing relief from block perimeter requirements.

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 submitted by Engineering & Environmental Science Company.

## **CONDITIONS OF APPROVAL and NEXT STEPS:**

Note:

This document must be applied to the second sheet of all future submittals with the exception of final plats.

## PRIOR TO THE ISSUANCE OF ANY SITE PERMITS OR APPROVAL OF CONCURRENT REVIEW PROCESS, WHICHEVER IS APPLICABLE:

#### ENGINEERING

1. 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

- 2. 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.
- 3. In accordance with Part 10A Section 9.4.4 of the Unified Development Ordinance, a surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City.

#### **URBAN FORESTRY**

4. Obtain required stub and tree impact permits from the City of Raleigh. *(used with new streets and infrastructure)* 

#### PRIOR TO AUTHORIZATION TO RECORD LOTS:

#### STORMWATER

5. 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.



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#### PRIOR TO ISSUANCE OF BUILDING PERMITS:

#### GENERAL

- 6. A Final Plat shall be recorded with the Wake County Register of Deeds office for all Subdivisions, Recombinations, right-of-way and/or Easement Dedications.
- 7. On the elevation sheets and illustration renderings, the label: "50% area of transparency within 3'0" to 5'-0" height" shall be revised showing the correct height distance requirements per UDO Sec.1.5.9.B.1, of "3'ft to 8'ft". This note should be revised on final architectural plans at submittal.
- 8. The transparency calculations table shall be revised, as a result and if necessary, to reflect the revised area/sq.ft between 3'ft to 8'ft per condition number 7 above. NOTE, since the table labels list 3'ft to 8'ft on the transparency table on the proposed preliminary plan but not on the elevation renderings revised calculations might not be required. If the data in the transparency table is correct and reflects the area between 3' to 8'ft, then no revision to the transparency calculations will be required on the final architectural plans for permitting. If not, then the entire table, including calculations, need to be revised to reflect the area between 3'-8'ft per UDO Sec.1.5.9.B.

#### ENGINEERING

- 9. The required ½-69' right of way for Atlantic Springs Road shall be dedicated to the City of Raleigh and shown on the map approved for recordation.
- 10. 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 (1) day of recordation of the recorded plat. A recorded copy of these documents must be provided to the Development Services Department within 14 days from authorization of lot recordation. If a recorded copy of the documents is not provided within this 14-day period, further recordings and building permit issuance may be withheld.
- In accordance with Part 10A Section 8.1.3, an infrastructure surety for incomplete public improvements based on 125% of construction costs is provided to the City of Raleigh Development Services – Development Engineering program.
- 12. <u>Next Step:</u> A right-of-way obstruction permit shall be obtained from Right-of-way Services for any construction activity within the right-of-way.

#### **STORMWATER**

- 13. The developer shall pay to the City a stormwater facility replacement fund payment equal to twentyfour percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans.
- 14. All stormwater control measures and means of transporting stormwater runoff to and from any nitrogen and stormwater runoff control measures shall be shown on a plat for recording as private drainage easements.



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15. In accordance with Part 10A Section 9.2.2, a surety equal to 125% of the cost of the construction of a stormwater device shall be paid to the Engineering Services Department.

#### **URBAN FORESTRY**

16. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way.

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

- 17. 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.
- 18. <u>Next Step:</u> Required public right-of-way infrastructure improvements shall be, at a minimum, sufficiently completed to provide the necessary, safe emergency and vehicular access.
- 19. Next Step: All street lights and street signs required as part of the development approval are installed.
- 20. As-built drawings and associated forms for all Stormwater devices are accepted by the Engineering Services Department

EXPIRATION DATES: The expiration provisions of UDO Section 10.2.8 E, including the ability to request extensions in the epiration 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: 9-27-2021

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:(Planning Dir./Designee)	- Bil	Tylene -	Date: <u>9/27/20</u> 48
Staff Coordinator: Jermont Purifoy	0		• •

SR-40-18 N. Raleigh Radiator & Automotive.

## Design Adjustment Staff Response



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.

-		~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~					
	Project Name	North Rale	igh R	adiator a	and Automotiv	e	
ECT	Development Case Number	SR-40-2018	3				
PROJECT	Transaction Number	553498			· ·		
	Design Adjustment Number	DA - 61	- 201	8		· .	
	Staff recommendation based upon t	he findings i	n the	applicab	le code(s):		
	UDO Art. 8.3 Blocks, Lots, Acce				t. 8.5 Existing	Streets	
	UDO Art. 8.4 New Streets				Street Design		
				Kaleigh	Street Design	IVIAIIUAI	
	Staff SUPPORTS 🖌 DOES NOT SUP				stment request		
		DEPART	IMEN	TS			
i ege di Nediga	Dev. Services Planner			City Pla	inning		
	✓ Development Engineering KC	Beard		Transpo	ortation		
N.	Engineering Services			Parks 8	Recreation an	nd Cult. Res.	
SE	Public Utilities						
NO	CONDITIONS:						
STAFF RESPONSE							
				/			•••
	· ·						
Dev	elopment Services Director or Desig	nee Action:		PPROVE	APPROVE WITH		DENY
		00400000000000000000000000000000000000		<u></u>			
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Auth		નના ઉત્તરા ગુત		acrie	MARKAZ Da	ate	<u> </u>

\*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).

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## **Staff Response** Article 8.3 Blocks Lots, Access



SERVICES

#### 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 🗌
- B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;

YES 🗸 NO 🗌

C. The requested design adjustment does not increase congestion or compromise Safetv:

YES	$\overline{\mathbf{v}}$	NO		
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D. The requested design adjustment does not create any lots without direct street Frontage:

YES 🗸 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 🔽 NO 🗌

### **STAFF FINDINGS**

Staff is in support of this design adjustment for a waiver from a public street requirement to reduce the block perimeter. This site has a CX-3 zoning which restricts a maximum block perimeter to 3,000 linear feet. The constraints of a railroad line (easement) through this project and existing development surrounding this site limit the establishment of a reduced block perimeter.

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**REVISION 1/30/2018** 

## Design Adjustment Application



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.

	Case Number SR-40-18			
5	Transaction Number 553	498		, alland , , , , , , , , , , , , , , , , , , ,
	Name MRH Investmen	t Group, LLC (Co	ntact: Neal	Stewart, Member-Manager)
	Address 102 Frontier Ct.			City Cary
	State NC	Zip Code 275	13	Phone 919 834 7300
	Name Robert W. Brantly		Firm	Engineering & Environmental Science Co
	Address 3008 Anderson E	Dr. Ste, 102		City Raleigh
	State NC	Zip Code 276		Phone 919-781-7798
	I am seeking a Design Adjus	tment from the regula	ements set	forth in the following:
	UDO Art. 8.3 Blocks, Lots	<u>Access</u>	- See pa	ge 2 for findings
	UDO Art. 8.4 New Streets		- See pa	ge 3 for findings
	UDO Art. 8.5 Existing Stre	i <u>ets</u>	- See pa	ge 4 for findings
	Raleigh Street Design Ma	nual	- See pa	ge 5 for findings
	Provide details about the re-	quest; (please attach a	memorand	ium if additional space is needed):
	proposed for this project. The Design Adjustment request is maximum of 3,000 ft. for the CX-3	sed for access to the site s based on the Block Perin 3 zoning. The construction e of existing buildings, the	from Atlantic neter (UDO 8 of a new road	ed at 5312 Atlantic Springs Rd. The site is currently Springs Rd. No new public or private streets are .3.2.A). The existing block perimeter exceeds the d to meet the requirements of UDO 8.3.2.A is nearby developed properties, and the presence of

Applicant must be the Property Owner. By signing this document, I bereby adknowledge the information on this application is, to my knowledge accurate.

Owner/Owner's Representative Signature

 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

For Office Use Only RECEIVED DATE: DA -	
For Office Use Only RECEIVED DATE:	

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**REVISION 1/30/2018** 

Article 8.3, Blocks, Lots, Access

Administrative Design Adjustment Findings



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; The surrounding area is well developed and presently provides a well-connected street network. Atlantic Springs Rd. Intersects with both Atlantic Avenue and Spring Forest Rd. No dead ends are associated with the project area.
- B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;

No new streets are proposed for this project. Since only one (1) driveway is proposed on the existing Atlantic Springs Rd., the request conforms with the Comprehensive Plan and the adopted City Plans.

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

Since no changes to any street are proposed, the design adjustment does not increase congestion or compromise safety.

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

No subdivision is proposed for this project. No new streets are proposed. No new lot will be created, and all lots in the vicinity currently have 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;
  - Ste 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 area is well developed and several buildings are located in the vicinity that would make construction of a new road to meet UDO 8.3.2.A impracticable.

-The existing railroad lines in the vicinity of the project would make construction of a new road to meet UDO 8.3.2.A impracticable.

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#### **REVISION 1/30/2018**

## Individual Acknowledgement

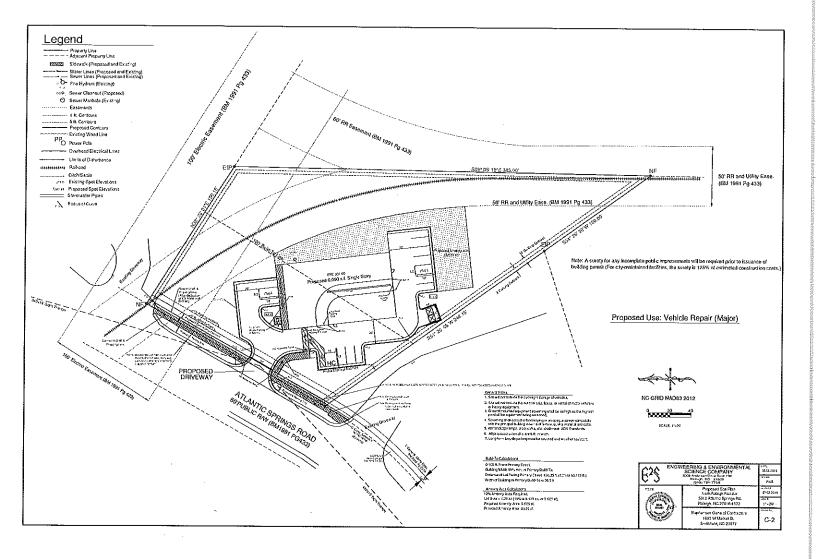


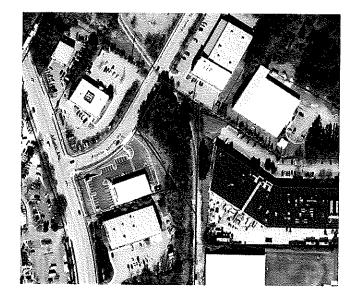
STATE OF NORTH CAROLINA INDIVIDUAL COUNTY OF WAKE K.Halabu borah \_\_\_\_, a Notary Public do hereby certify that NEAL STEWART \_ personally appeared before me this day and acknowledged the due execution of the forgoing instrument. Thia INSIDENA 9 day of < July 20 / Notary Public DEmnah R. Halah Y, My Commission Bablires US 2020 04

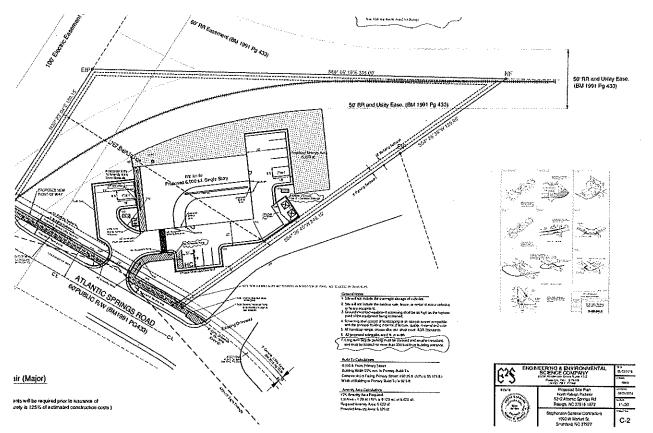
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#### **REVISION JAN. 30, 18**





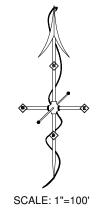


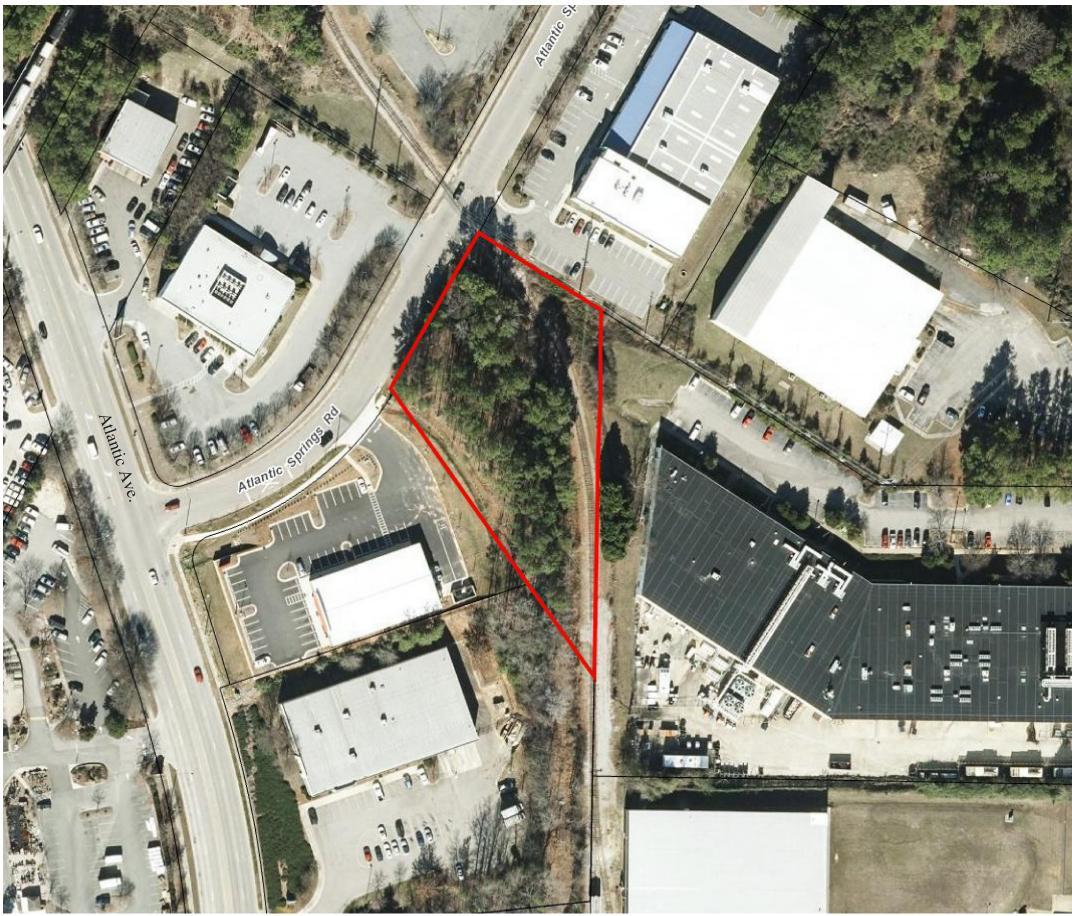
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# NORTH RALEIGH RADIATOR & AUTOMOTIVE 5312 ATLANTIC SPRINGS RD. SR-40-18 - TRANSACTION #553498



 Site will not include the overnight storage of vehicles.
 Site will not include the outdoor sale, lease, or rental of motor vehicles or heavy equipment.





DEVELOP

## Administrative Site Review Application (for UDO Districts only)



Development Services Customer Service Center | 1 Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-996-2495 | efax 919-996-1831 Litchford Satellite Office | 8320 - 130 Litchford Road | Raleigh, NC 27601 | 919-996-4200

When submitting plans, please check the appropriate building type and include the Plan Checklist document.

	BUI	LDING TYPE			FOR OFF	ICE USE ONLY
<ul> <li>Detached</li> <li>Attached</li> <li>Apartment</li> <li>Townhouse</li> </ul>		General Mixed Use			Assigned P	action Number rroject Coordinator ed Team Leader
Has your project previou	isly been through the Due Di	ligence or Sketch Pla	n Review process? If ye	s, provide the t	ransaction #	
		GENERAL IN	IFORMATION			
Development Name N	orth Raleigh Radi	ator & Auton	notive			
Zoning District CX-	3-PL Overlay I	District (if applicable)	None	Inside City L	.imits? I Yes	□ <sub>No</sub>
Proposed Use Vehic	le Repair (Major	-)				
Property Address(es) 5	312 Atlantic Sprin	ngs Rd.	Major Stre	et Locator: <sub>(~20</sub>	0' northeast of inters	section w/ Atlantic Ave
Wake County Property I	dentification Number(s) for	each parcel to which	these guidelines will ap	ply:	2010	
P.I.N. 17169603	08 P.I.N.		P.I.N.		P.I.N.	
What is your project type? Mixed Residential Duplex Other: If other, please of	Apartment Apartment Non-Residential Condo Telecommunication Tower describe: Vehicle Repair (Major)	Elderly Facilit School Religious Insti	Shopping Cer	nter 🗆	Banks	Office Industrial Building Cottage Court
WORK SCOPE	Per City Code Section 10.2 occupancy (per Chapter 6 New construction of (10 spots required).	of the UDO), indicate f 6,000 sf single	impacts on parking rec story slab-on-gr	uirements. ade buildin	-	
DESIGN ADJUSTMENT OR ADMIN ALTERNATE	Per City Code Chapter 8, si Administrative AE Design Adjustr					- Alternate
	Company MRH Inv	estment Gro	up, LLC Name (s	<sup>5)</sup> Neal Stewart &	David Daniels (Me	ember-Managers)
CLIENT/DEVELOPER/ OWNER	Address 102 From	tier Ct. Cary,	NC 27513			
	Phone 919-834-7300	Email N	leal@northraleigha	automotive.c	com Fax	
CONSULTANT	Company Engineering	& Environmental S	Science Co. Name (s	Bobert	W. Brantly	1
(Contact Person for Plans)	Address 3008 And	derson Dr. Su	uite 102 Raleig	h, NC 27	609	
. ianaj	Phone 919-781-7		e2s@bellsou			9-781-7796

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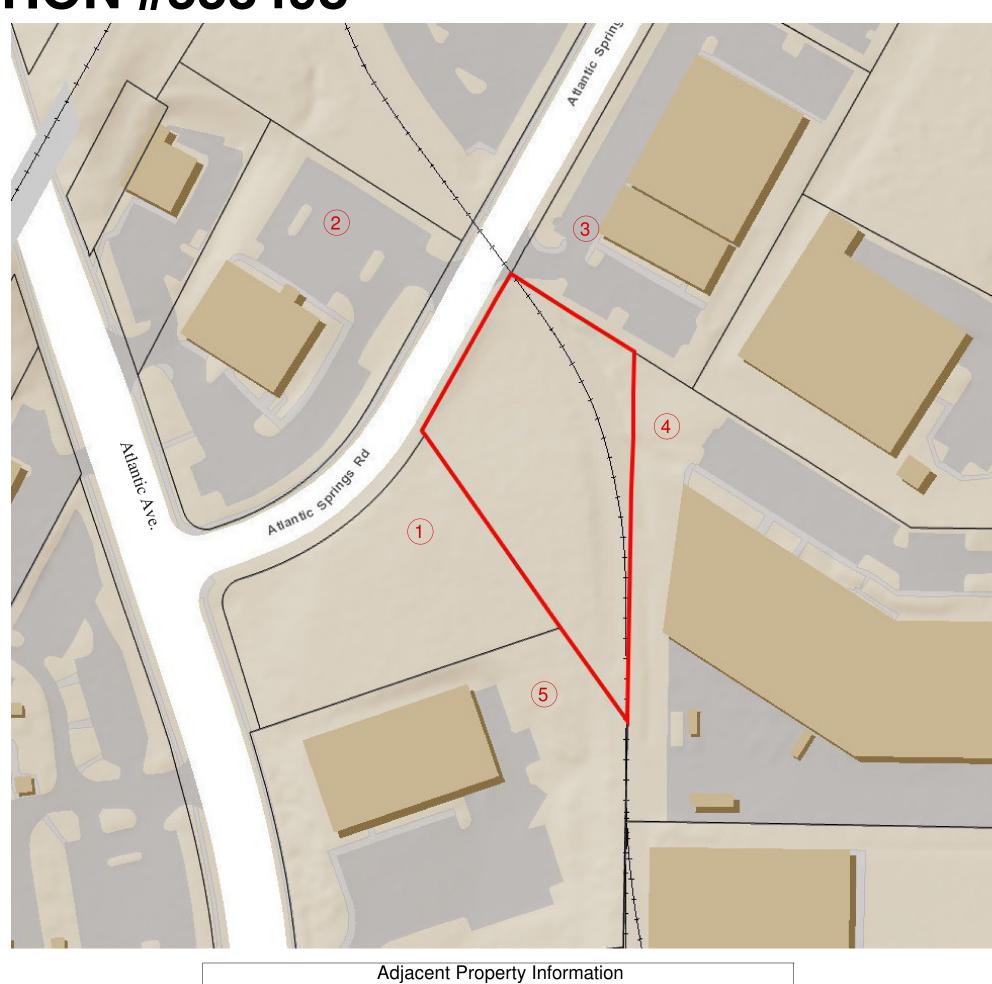
	Zoning Ir
Zoning District(s) CX-3-PL	
If more than one district, provid	le the acr
Overlay District None	
Total Site Acres Inside City Li	mits 🔳 Y
Off street parking: Required 1	0
COA (Certificate of Appropriate	ness) case
BOA (Board of Adjustment) case	e # A-
CUD (Conditional Use District) o	ase # Z-
Existing Impervious Surface	0.07 ac. (ra
Proposed Impervious Surface	0.38 ad
Neuse River Buffer	No No
1. Total # Of Apartment, Condo	minium o
2. Total # Of Congregate Care O	r Life Car
3. Total Number of Hotel Units	
4. Overall Total # Of Dwelling U	nits (1-6 A
In filing this plan as the property and assigns jointly and severally approved by the City.	to constr
I hereby designate Robert receive and respond to administ application.	t VV. E
I/we have read, acknowledge ar use.	nd affirm t
Signed	innel
Printed Name	77
Signad Kland	a
Signed	

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PAGE	Ζ.	OF 3	0

**REVISION 05.13.16** 

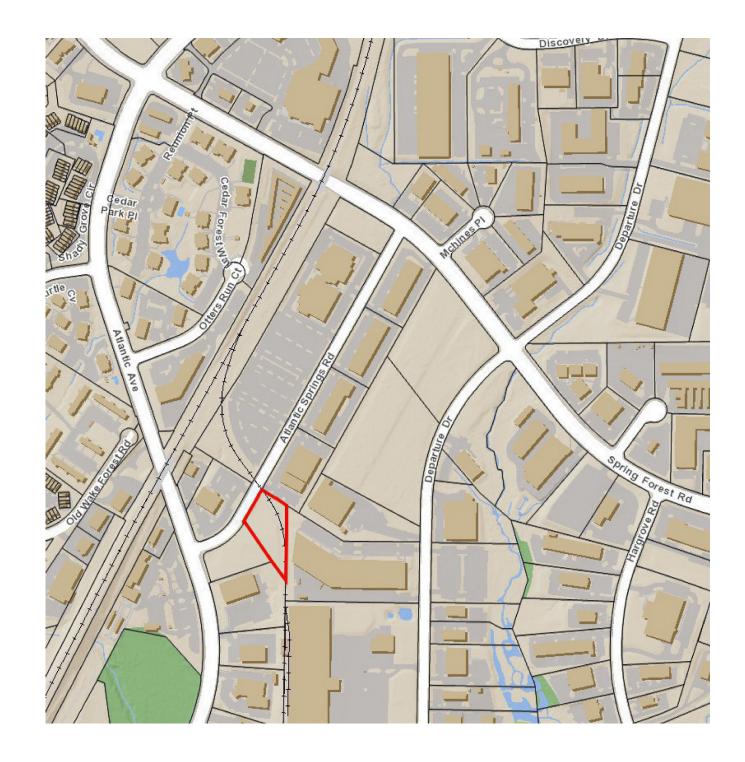
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		Building Information	
		Proposed building use(s) Vehicle Repair (Major)	
eage of each: N/A		Existing Building(s) sq. ft. gross ()	
		Proposed Building(s) sq. ft. gross 6,000	
′es □ <sub>No</sub> 1.29		Total sq. ft. gross (existing & proposed) 6,000	
Provided <del>14</del> 13		Proposed height of building(s) 16'-7 1/2"	
#		# of stories 1	
		Ceiling height of 1 <sup>st</sup> Floor 8'	
Stormy	vater Informatio	on	
Iroad) acres/square feet		Flood Hazard Area Yes No	
acres/square feet		If Yes, please provide:	
	] <sub>No</sub>	Alluvial Soils Flood Study FEMA Map Panel #	
FOR RESIDEN	ITIAL DEVELO	PMENTS	
Residential Units	5. Bedro	oom Units: 1br 2br 3br 4br or more	
Dwelling Units	6. Infill (	6. Infill Development 2.2.7	
	7. Open	7. Open Space (only) or Amenity	
bove)	8. Is you	ur project a cottage court?  Yes No	
SIGNATURE BLOCK (A	pplicable to a	ill developments)	
		tro serve as my agent regarding this application, to	
ments, to resubmit plans		and to represent me in any public meeting regarding this cation requirements applicable with the proposed developm	
hat this project is conform		Date 7/3/18	
L			



Owner	

- 1 MELKE, LLC MELKIT, LLC
- 2 FAIRWAY MEDIA GROUP LLC
- (3) DAVIS, DONALD A DAVIS, KENNETH S
- (4) LEVEL 3 COMMUNICATIONS LLC
- 5 AMERIGLIDE INC



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**REVISION 05.13.16** 

Zoning	
CX-3-PL	
IX-3-PL	
CX-3	
IX-3-PL	
CX-3-PL	

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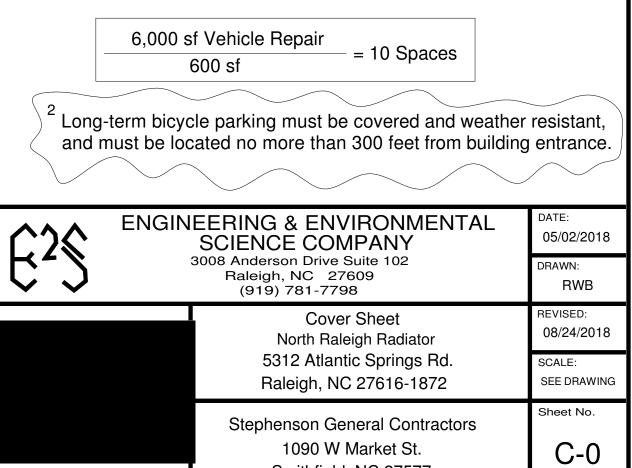
SCALE: 1"=500'

## Page Index

- C-0 Cover Sheet
- C-1 Existing Conditions
- C-2 Proposed Site Plan
- C-3 Proposed Utility Plan
- C-4 Proposed Grading Plan
- C-5 Proposed Stormwater Plan
- L-1 Proposed Landscaping Plan
- A-3 Proposed Building Elevations
- **D-1** Dumpster Drawings

## PROJECT INFORMATION TABLE

Current Landowner Information
MRH Investment Group LLC 102 Frontier Ct.
Cary, NC 27513
919-834-7300 (e-mail Neal@northraleighautomotive.com)
Architect Information
Ron Webb P.O. Box 8273
Greenville, NC 27835
252-531-2711 (e-mail wgarryowen@cs.com)
Civil/Site Engineer Information
Robert W. Brantly, P.E.
Engineering & Environmental Science Company
3008 Anderson Dr. Suite 102
Raleigh, NC 27609
919-781-7798 (e-mail e2s@bellsouth.net) Project Name: North Raleigh Radiator & Automotive
Location: 5312 Atlantic Springs Rd.
Raleigh, NC 27609
Pin Number:1716960308
Current Deed Book/Page: 17140/777
Zoning: CX-3-PL Overlay District: None
Existing Use: Vacant
Proposed Use: Vehicle Repair (Major)
Existing Total Lot Area= 1.29 acres
Proposed Total Lot Area (After Dedication of 4.5' of R.O.W.)= 1.27 acres
Existing Building Area= 0 sf
Existing Impervious Surface = 0.07 ac (Railroad/Gravel)
Impervious Surface After Construction= 0.45 ac.
Proposed Building Area= 6,000 sf (single story)
Allowable Building Height: 50 ft.
Proposed Building Height: 17' - 2" (From Finished Grade)
Right Side Facing Street Building Height (Per UDO 1.5.7.A): 18' - 2" Front Side Facing Street Building Height (Per UDO 1.5.7.A): 17' - 9"
Required Vehicle Parking Spaces= 10 <sup>1</sup>
Proposed Vehicle Parking Spaces= 13
Note: 1 Parking Space is for Handicap Parking
Required Longterm Bicycle Parking Spaces= 4 <sup>2</sup>
Provided Longterm Bicycle Parking Spaces= 4
Project is not located within 100 yr. Floodplain.
Setbacks
Building Parking
Primary Street 5' 10'
Side/Rear Lot Line 0' or 6' 0' or 3'
<sup>1</sup> 1 per 600 SF floor area



Smithfield, NC 27577

