LOCATION: The site is generally bound by W Cabarrus Street on the south, S West Street on the east, the railway on the north and Dupont Circle on the west, with common street addresses of 518 and 600 W Cabarrus Street, and 400 S West Street.

REQUEST: REVISION TO THE APPROVED ASR (revised approved plans last dated 12/14/20): New scope of work includes development of 1 mixed use building of 436,020 square feet including a 592 space parking structure on the western portion of the property. The mixed use building contains approximately 27,128 square feet of retail space, 443 apartment style dwelling units and approximately 12,250 square feet of lobby/leasing space. The property is approximately 5.82 acres zoned IX-7-UL.

The sunset date for this plan is unchanged.

ORIGINAL APPROVED PLAN: Development of 3 mixed use buildings including a 1,075 space parking structure. Building 1 contains approximately 4,058 square feet of retail and approximately 191,882 square feet of office; Building 2 contains approximately 3,473 square feet of retail and approximately 126,851 square feet of office; and Building 3 contains approximately 26,806 square feet of retail space, 329 apartment style dwelling units in 710,129 square feet and approximately 10,220 square feet of lobby/leasing space. The property is approximately 5.82 acres zoned IX-7-UL.

Design Alternates (A-2-20) approved granting a 190 foot design alternate from UDO Section 8.3.5.C.3 to permit a new driveway located approximately 10 feet from another new driveway; a 170 foot design alternate to permit a new driveway approximately 30 feet from an existing driveway; a 200 foot design alternate to permit a new driveway located immediately next to an existing driveway; and an 80 foot design alternate from UDO Section 8.3.5.C.1 to permit a two-way mixed-use/commercial driveway measuring approximately 112 feet in width.

Variances (A-8-20) approved granting relief from the corner build-to requirement set forth in UDO Section 1.5.6.C.1 for the mixed-use building at W Cabarrus Street and Dupont Circle; a 50 foot variance from Articles 9.4 and 9.5 of the Raleigh Street Design Manual to permit a driveway on W Cabarrus Street spaced approximately 100 feet from S Saunders Street; and a 200 foot variance from Article 12.1.4 of the Raleigh Street Design Manual to permit a driveway on W Cabarrus Street spaced approximately 100 feet from S Saunders Street.

Administrative Alternate (AAD-6-2020) allowing outdoor amenity area to be counted towards the corner build-to requirement set forth in UDO Section 1.5.6.C.1 for the mixed-use building at W Cabarrus Street and S West Street, and towards the build-to requirement set forth in UDO Section 3.4.7.C for the mixed-use building along W Cabarrus Street; granting relief from the primary street-facing pedestrian entrance requirement set forth in UDO Section 3.4.7.E for the mixed-use building at the corner of W Cabarrus Street and S West Street; and granting relief from the transparency requirements set forth in UDO Section 3.2.6.F for the mixed-use building in the northeast corner of the site fronting S West Street.
DESIGN
ADJUSTMENT(S)/ ALTERNATES, ETC: N/A

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 December 14, 2020 by MCADAMS.

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:

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

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

General

1. A signed and notarized letter from the railroad company must be provided This must say they have reviewed the plans, they approve of the plans and they give their approval to proceed with all construction activity related to the plans.

2. Provide buoyancy calculations for the Stormwater device. It must be shown the device will not float.

3. The Build-to information shall be updated for consistency across all applicable pages.

Public Utilities

4. A deed shall be recorded prior to concurrent approval for all necessary offsite City of Raleigh Sanitary Sewer Easements to accommodate future sewer line construction.

5. A Downstream Sewer Capacity Study in compliance with the City of Raleigh Public Utilities Department Handbook shall be submitted by the Project Engineer for review and approval.

6. A Water Model in compliance with the City of Raleigh Public Utilities Department Handbook shall be submitted by the Project Engineer for review and approval prior to concurrent approval.

Stormwater

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

8. A nitrogen offset payment must be made to a qualifying mitigation bank (UDO 9.2.2.B).
9. A surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City (UDO 9.4.4).

10. The State of North Carolina shall approve any proposed disturbance within the riparian buffer prior to the issuance of any grading or site permit (UDO 9.2.3.E).

11. These lots are exempt per UDO Section 9.2.2.A.2.b.i as a commercial subdivision of one-half acre or less approved after May 1, 2001, but are subject to impervious limitations of subsection A.4 and subject to further review upon placement of impervious surface areas.

**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.

- Utility Placement Easement Required
- Sidewalk Easement Required
- Stormwater Maintenance Covenant Required
- Cross Access Agreements Required
- Slope Easement Required

**RECORDED MAP(S)** - Submit plat to record new property lines, easements, tree conservation areas, etc.). Plats may be submitted for review when the Site Permitting Review plans, if required, have been deemed ready for mylar signature.

*The following items must be approved prior to recording the plat:*

**Engineering**

1. A 5’ utility placement 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.

2. 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.

3. A cross access agreement across the Lot 2 parcel to West Street must be shall be approved by the Development Services Department for recording in the Wake County Registry, and a copy of the recorded 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**
4. 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.

** BUILDING PERMITS -** For buildings and structures shown on the approved plans. Commercial building permit plans must include the signed, approved Site Permitting 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:*

**General**

1. The applicant shall provide proof of compliance with remote parking standards by submitting a signed agreement or lease indicating that required off-street parking shall be provided as long as the principal use continues and the principal use shall be discontinued should the required off-street parking no longer be provided on these off-site parcels (UDO 7.1.5).

2. A recombination map shall be recorded, recombining the existing lots as shown on the preliminary plan.

**Engineering**

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

4. A sidewalk deed of easement for any public sidewalk on private property shall be approved by City staff, 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 plat. A recorded copy of this document shall 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, further recordings and building permit issuance will be withheld.

**Public Utilities**

5. A plat must be recorded at the Wake County Register of Deeds office for all utility easement dedications.

**Stormwater**

6. 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).

7. 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).

8. Impervious restrictions for each lot must be recorded on a plat prior to building permit issuance.
9. 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).

10. 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 (UDO 9.2.2.G).

Urban Forestry

11. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes shade trees on two (2) streets: (13) street trees in tree grates along W. Cabarrus St.; (10) street trees in tree grates along Dupont Circle.

12. A public infrastructure surety for (23) street trees in tree grates shall be provided to the City of Raleigh Development Services – Development Engineering (UDO 8.1.3).

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

Stormwater

1. As-built impervious survey is accepted by the Engineering Services Department (UDO 9.2).

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

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: May 28, 2023
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: Alycia Bailey Taylor  
Development Services Dir/Designee  
Date: 12/23/2020

Staff Coordinator: Kasey Evans
### Building 1 - Existing vs. Proposed

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<thead>
<tr>
<th>Plane</th>
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<th>Proposed</th>
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<tbody>
<tr>
<td>West</td>
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<tr>
<td>South</td>
<td>204.00</td>
<td>209.00</td>
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### Building 1 Averages

- **Existing Averages**: 228.00
- **Proposed Averages**: 233.00

### Building 2 - Existing vs. Proposed

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<tr>
<td>North</td>
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<td>318.00</td>
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<tr>
<td>East</td>
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<tr>
<td>South</td>
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</tr>
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### Building 2 Averages

- **Existing Averages**: 308.00
- **Proposed Averages**: 318.00

**Note**: Building 1 experiences restrictive conditions with a wall slope of 2.38%. Building 2 experiences restrictive conditions with an average grade of 2.70%.

---

**West Cabarrus Offices**

518 West Cabarrus St.
Raleigh, NC 27603
<table>
<thead>
<tr>
<th>Building 1</th>
<th>Existing</th>
<th>Proposed</th>
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<tbody>
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Building 2:

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<th>High</th>
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Building 1 - North Elevation - Private Drive Facing

Building 2 - North Elevation - Private Drive Facing
### Building 1 - Averages of Wall Planes

<table>
<thead>
<tr>
<th>Plane</th>
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<th>Proposed</th>
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<tr>
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### Building 2 - Averages of Wall Planes

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</tr>
</thead>
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<tr>
<td>North</td>
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<td>0.50</td>
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<tr>
<td>East</td>
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<td>0.50</td>
</tr>
<tr>
<td>South</td>
<td>0.00</td>
<td>0.50</td>
</tr>
</tbody>
</table>

**Note:** All values are in feet.

Building 1 Averages are higher due to the use of a grade of 2%, while Building 2 Averages are lower due to the use of a grade of 1%.
VIEW FROM CORNER OF W. CABARRUS STREET AND S. WEST STREET AT AMENITY SPACE