LOCATION: The site consists of two lots located at 4124 and 4204 Virtuous Street. The PIN numbers are 1721480092 and 1721471800.

REQUEST: The applicant is requesting to develop a 2.37 acre site for office and warehouse. The site is zoned Industrial Mixed Use in a Special Highway Overlay District (IX-3, SHOD-1). The proposal includes two 10,000 square foot buildings to accommodate 4,000 square feet of gross floor area for office and 16,000 square feet of indoor warehouse area (total of 20,000 square feet of building space). The existing two lots on this site are to be recombined.

A Design Adjustment was approved for this development plan regarding block perimeter and existing streets. Reference Unified Development Ordinance Article 8.3, Article 8.5 and case# DA-76-2018.

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 September 6, 2019 by Stocks Engineering.

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 Condition

1. If site lighting is proposed, a site lighting plan with fixture detail must demonstrate compliance with Unified Development Ordinance Article 7.4

Public Utilities

2. The Developer shall provide a letter or e-mail from any Private Utility Company authorizing new water and sewer main encroachments across existing transmission easements prior to concurrent approval.

Stormwater

3. A stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved (UDO 9.2).
4. A nitrogen offset payment must be made to a qualifying mitigation bank (UDO 9.2.2.B).

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

Urban Forestry

6. 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.

☐ Cross Access Agreements Required ☐ Utility Placement 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 cross access agreement among the lots as shown on the preliminary plan 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.

2. 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.

Public Utilities

3. 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.

Stormwater

4. 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).
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 (UDO 9.2).

6. The flood prone areas, as approved by the City Stormwater Engineer and shown on the preliminary plan, shall be shown on the recorded map (UDO 9.3.3.G).

**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. Record a plat showing lot 4 and lot 5 being recombined.

**Engineering**

2. A fee-in-lieu for 1' of sidewalk along the frontage of the property shall be paid to the City of Raleigh (UDO 8.1.10).

**Public Utilities**

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

**Stormwater**

4. 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).

5. An encroachment agreement for Stormwater pipes within the public right-of-way shall be approved by City Council and the City Council approved encroachment agreement shall be filed with the Development Services Department, and the encroachment agreement shall be recorded with the Wake County Register of Deeds. A recorded copy of these documents must be provided to the Development Services Department.

6. 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).

**Urban Forestry**

7. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 12 street trees along Virtuous Street.
8. A public infrastructure surety for the street trees 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:**

**General**

1. Final inspection of all tree conservation areas and right of way street trees by Urban Forestry Staff

2. 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.

**Stormwater**

3. 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:** November 25, 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: ___________________________  Date: 11/26/2019

Development Services Dir/Designee

Staff Coordinator: Daniel Stegall
EAST ELEVATION - VIRTUOUS STREET

(256 SF TRANSPARENCY [97 SF+159 SF] / 1200 SF WALL BETWEEN 0'-12' [100'x12']) X 100 = 21% TRANSPARENCY BETWEEN 0 AND 12 FEET ABOVE GRADE - 20% REQUIRED (UDO 1.5.9.B.1)

(129 SF ACTUAL TRANSPARENCY / 257 SF REQUIRED TRANSPARENCY) X 100 = 52% OF TRANSPARENCY BETWEEN 3 AND 8 FEET - 50% REQUIRED (UDO 1.5.9.B.1)

VIRTUOUS STREET TOTAL ACTUAL FACADE AREA = 1873 SF
VIRTUOUS STREET FACADE AREA BETWEEN 0'-12' = 1200 SF

(703 SF / 1873 SF) X 100 = 38% BLANK WALL AREA - MAX 40%

TRANSPARENCY AREA

BLANK WALL AREA
VIRTUOUS STREET TOTAL ACTUAL FACADE AREA =1873 SF
VIRTUOUS STREET FACADE AREA BETWEEN 0'-12' =1200 SF

(256 SF TRANSPARENCY [97 SF+159 SF] / 1200 SF WALL BETWEEN 0'-12'[100'x12']) X 100 = 21% TRANSPARENCY BETWEEN 0 AND 12 FEET ABOVE GRADE - 20% REQUIRED (UDO 1.5.9.B.1)

(129 SF ACTUAL TRANSPARENCY / 257 SF REQUIRED TRANSPARENCY) X 100 = 52% OF TRANSPARENCY BETWEEN 3 AND 8 FEET - 50% REQUIRED (UDO 1.5.9.B.1)