LOCATION: This site is located on the north side of Glenwood Avenue, south of Century Drive at 2101 Century Drive.

REQUEST: Development of an existing 4.5 acre tract zoned OP-12 and SHOD-2 into a two (2) lot subdivision, existing Lot 1 now being 111,691 sf/2.56 acres & new Lot 2 being 82,553 sf/1.9 acres.

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: A design adjustment request to the block perimeter requirements found in UDO Article 8.3, case DA-106-18, has been approved.

Board of Adjustment case #A-31-18 granted variances for a reduction of required parking spaces for both the existing (lot 1) & proposed new principal uses (new Lot 2); for the minimum lot size requirement of new Lot 2; and for the width of the required SHOD-2 protective yard.

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 9/27/2018 by The John R. McAdams Inc.

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.

☒ 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: Shared Parking Agreement |
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 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.

3. A slope 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. The encroachments in the proposed slope easement shall be removed.

5. A fee-in-lieu for 1’ in sidewalk width along the entire frontage is paid to the City of Raleigh (UDO 8.1.10).

6. A cross access agreement between lots 1 and 2 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.

7. A shared parking agreement between lots 1 and 2 shall be approved by the Development Services Department for recording in the Wake County Registry, and a copy of the recorded shared parking agreement 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.

8. A public infrastructure surety is provided to the City of Raleigh Development Services – Development Engineering program (UDO 8.1.3).
Stormwater

9. The flood prone areas, as 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 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. A Traffic Impact Analysis must be approved by Transportation Planning within the Engineering Services Department prior to approval of an Administrative Site Approval.

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

**Public Utilities**

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

**Urban Forestry**

4. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 10 new shade trees and 4 existing shade street trees along Glenwood Avenue and 20 new shade trees along Century Drive.

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

1. Final inspection of all right-of-way street trees by Urban Forestry Staff.

**EXPIRATION DATES:** If significant construction has not taken place on a project after preliminary subdivision approval, that approval may "sunset" and be declared void, requiring re-approval before permits may be issued. To avoid allowing this preliminary approval to "sunset", the following must take place by the following dates:

3-Year Sunset Date: 11-20-2021
Record the entire subdivision.

I hereby certify this administrative decision.

Signed: (Planning Dir./Designee)  
Date: 11/20/18

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.

<table>
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<tr>
<th>PROJECT</th>
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<tbody>
<tr>
<td>Project Name</td>
<td>Century Drive Hotel</td>
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<tr>
<td>Development Case Number</td>
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<td>Design Adjustment Number</td>
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**Staff recommendation based upon the findings in the applicable code(s):**

- [x] 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 [x] DOES NOT SUPPORT [ ]** the design adjustment request.

**DEPARTMENTS**

- [ ] Dev. Services Planner
- [x] Development Engineering
- [ ] Engineering Services
- [ ] Public Utilities
- [ ] City Planning
- [ ] Transportation
- [ ] Parks & Recreation and Cult. Res.

**STAFF RESPONSE**

**CONDITIONS:**

*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).*

development Services Director or Designee Action: [x] APPROVE [ ] APPROVE WITH CONDITIONS [ ] DENY

Authorized Signature: [Signature]

Date: 11/20/2018
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 safety;
   YES ✑ NO ☐

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 the proposed design adjustment to the block perimeter requirements of Article 8.3. The OP- zoning requires a 4000' maximum block length. There is not a functional block for the proposed site. The proposed Century Drive Hotel site is bound on three sides by Crabtree Creek and is located adjacent to the I-440 interchange with Glenwood Avenue.

The site is inhibited significantly in meeting block perimeter requirements due to the presence of Crabtree Creek, FEMA flood hazard areas and the site layout of developed properties. In addition, strict compliance would pose a traffic and pedestrian safety hazard. The site is adjacent to the I-440 interchange with frontage on Glenwood Avenue. To complete a compliant block there would have to be a connection onto the I-440 off ramp which is not an option due to control of access requirements and safety measures.

Pedestrian passage is also not recommended due to the controlled access of I-440, Glenwood Avenue and the adjacent solar farm.
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>Andy Padiak, P.E.</td>
<td>Firm</td>
<td>McAdams</td>
<td></td>
</tr>
<tr>
<td>Address</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 - See page 2 for findings
☑️ UDO Art. 8.4 New Streets - See page 3 for findings
☑️ UDO Art. 8.5 Existing Streets - See page 4 for findings
☑️ Raleigh Street Design Manual - See page 5 for findings

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

We are respectively requesting a design variance to the maximum Block Perimeter length of 4,000 feet referenced under UDO Section 8.3.2.A.

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.

[Signature]

Owner/Owner's Representative Signature

Date: 9/27/18

CHECKLIST

- Signed Design Adjustment Application [☑ Included]
- Page(s) addressing required findings [☑ Included]
- Plan(s) and support documentation [☑ Included]
- Notary page (page 5) 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 designdistuements@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 -
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 requested design adjustment meets the intent of this Article because there are natural and man-made barriers that prohibit the extension of a public street within this project boundary that could have any benefit for the public street network.

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   The Comprehensive Plan does not show a public street adjacent to the proposed subdivision area, therefore meeting the intent of this Article per Section 8.3.6.A.

C. The requested design adjustment does not increase congestion or compromise Safety;
   The design adjustment does not increase congestion or compromise safety because there are no congestion or safety issues at this time and the project does not change traffic flow.

D. The requested design adjustment does not create any lots without direct street Frontage;
   This design adjustment does not create any lots without direct street frontage per Section 8.3.6.D.

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.

Per Section 8.3.6.E.2 and 8.3.6.E.3, Century Drive is bounded to the north by Crabtree Creek that is within a flood hazard area preventing an extension of Century Drive to the east. The site is bounded to the east by an existing Solar Farm also prohibiting a public access to the east. It would also not be feasible to create a public access to the south of the property because of the existing I-440 Controlled Access Ramp.
Disclaimer
Maps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.
STATE OF NORTH CAROLINA
COUNTY OF DURHAM

1, Roberta Forbes, a Notary Public do hereby certify that
personally appeared before me this day and
acknowledged the due execution of the forgoing instrument.

This the 27th day of September 2018.

(SEAL)

ROBERTA FORBES
NOTARY PUBLIC
Wake County, North Carolina
My Commission Expires 06-28-2019

Notary Public

My Commission Expires: June 28, 2019
CONTRACTOR SHALL NOTIFY "NC811" (811) OR (1-800-632-4949) AT LEAST 3 FULL BUSINESS DAYS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED.

CONTRACTOR SHALL CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICES INDEPENDENT OF "NC811". REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY.
1. Contractor is responsible for
2. Adhere to standards in the city tree street trees must be 3" caliper at
3. Planting season October - April.
4. A tree impact permit is required.
5. Electrical outlets and other utilities
6. Protect tree with broad strap or flare and do not contact stem

NOTES:
- Provided adequate drainage of all planting pits.
- (Positive drainage away from pit)
- Manual installation with a 5' minimum first branch height.
- Prohibited in the planting area immediately surrounding the tree.
- Do not prune leader. Prune or cut only dead or unhealthy branches
- Provide staking if specified. If staking is flexible tubing. Allow flexibility in straps to develop trunk taper. Provide turn buckle and warning flags. Remove all staking and accessories within one year from planting.
- The root flare shall be planted at grade, no higher than 2" above grade, and never below grade. Remove excess soil to expose the root flare at grade. Tree shall be set plumb.
- Mulch depth 3". Keep mulch 3" from root
- High quality soil mix as specified
- Water saucer, if specified, shall rise no more than 3" above grade.
- Complete remove top half of burlap, lacing straps, nails and wire basket and discard from hole. All synthetic burlap must be removed from sides of root ball.
- Root ball shall be placed directly on compacted subgrade. Handle tree by the contact information:

CITY OF RALEIGH PARKS, RECREATION AND CULTURAL RESOURCES DEPARTMENT URBAN FORESTER:
WWW.RALEIGHNC.GOV