



# Certified Action of the City of Raleigh Planning Commission

City of Raleigh  
Development Plans Review Center  
One Exchange Plaza  
Raleigh, NC 27601  
(919) 996-2626  
www.raleighnc.gov

**Case File / Name:** SP-42-13 / Sunshine Office Building

**General Location:** Located along Forest Pines Drive north of its intersection with Common Oaks Drive.

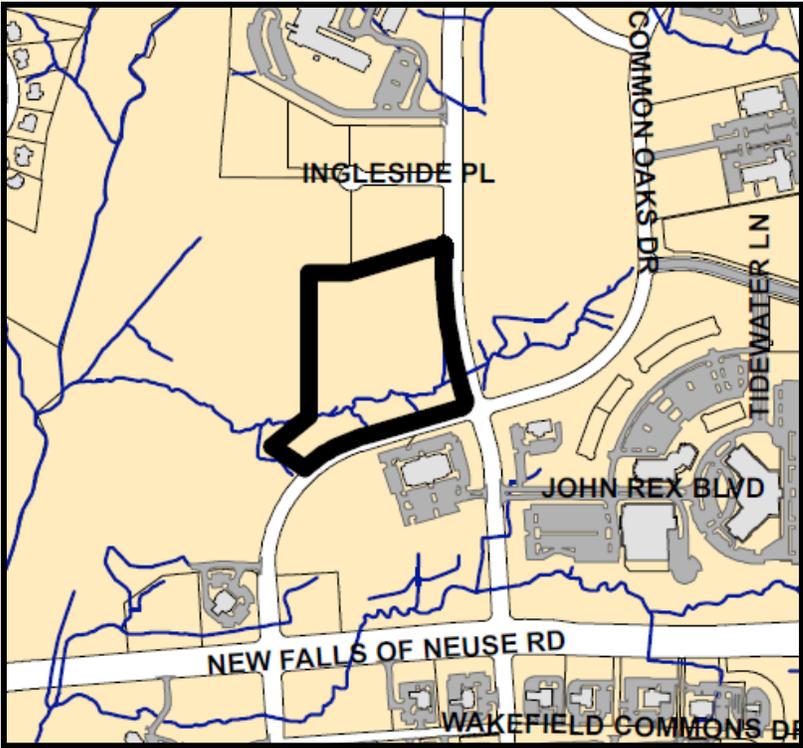
**Owner:** Cross Williams  
**Designer:** Piedmont Land Design

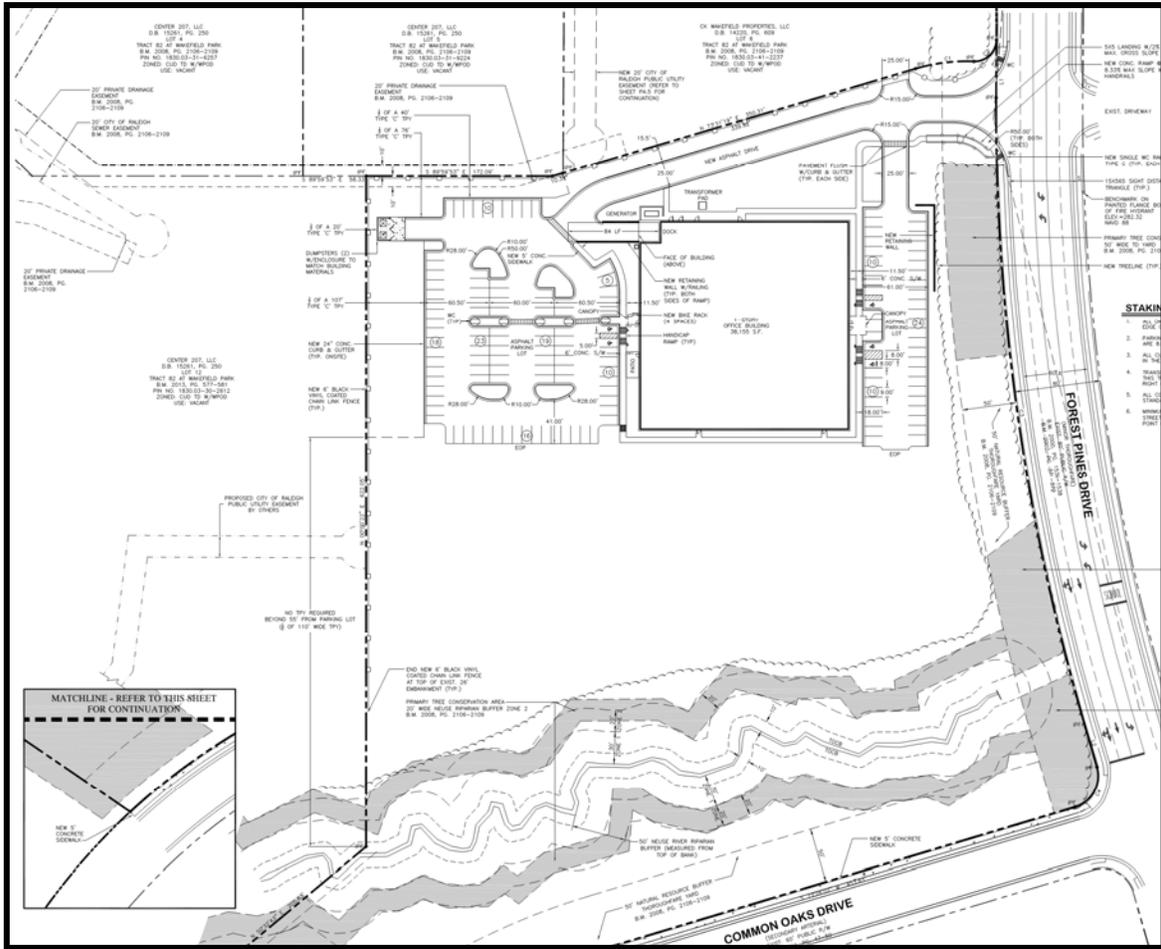
**CAC:** North

**Nature of Case:** Construction of a 38,155 square foot office building on a 10.88 acre parcel zoned Thoroughfare District Conditional Use with Urban Water Supply Watershed Protection Overlay District. The proposed development is an office use over 25,000 square feet within 400' of residential.

**Key Issues:** As presented, staff finds that this plan conforms to Code standards and adopted land use policies.

**Contact:** David Lasley, Piedmont Land Design





**SUBJECT:** SP-42-13 / Sunshine Office Building

**CROSS-  
REFERENCE:** S-8-2008

**LOCATION:** Located along Forest Pines Drive north of its intersection with Common Oaks Drive.

**REQUEST:** Construction of a 38,155 square foot office building on a 10.88 acre parcel zoned Thoroughfare District Conditional Use with Urban Water Supply Watershed Protection Overlay District. The proposed development is an office use over 25,000 square feet within 400' of residential.

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**OFFICIAL ACTION:** **Approval with conditions**

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**CONDITIONS OF  
APPROVAL:** **As noted on the Staff Report, attached**

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**FINDINGS:** The Planning Commission finds that, with the following conditions of approval being met, this request conforms to Chapter 2, Part 10, Sections 10-2045, 10-2064 and 10-2132.2 and to Chapter 3, Part 10, Sections 10-3001-3059. and Section 10-10022 This approval is based on a preliminary plan dated 9/26/13, owned by Cross Williams, submitted by David Lasley.

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**ADDITIONAL  
NOTES:** This development plan was submitted prior to September 1, 2013 and the Unified Development Ordinance does not apply.

**VARIANCES /  
ALTERNATES:** N/A

To PC: October 22, 2013

Case History: N/A

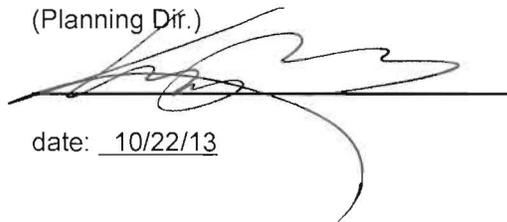
Staff Coordinator: Stan Wingo

Motion: Braun  
Second: Buxton  
In Favor: Braun, Buxton, Fleming, Lyle, Sterling Lewis, Swink and Terando  
Opposed: xxxxx

Excused: Fluhrer, Mattox and Schuster

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the Staff Report attached.

Signatures: (Planning Dir.)



date: 10/22/13

(PC Chair)



date: 10/22/13



## Staff Report

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**RECOMMENDED ACTION:** Approval with Conditions

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**CONDITIONS OF APPROVAL:** Planning Commission Actions:

- (1) That the Planning Commission finds that this site plan meets the standards for approval of Code Section 10-2132.2(d);

**Administrative Actions:**

***Prior to issuance of a grading permit or site review for the site:***

- (2) That a nitrogen offset payment must be made to a qualifying mitigation bank;
- (3) That a stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved by the Stormwater Engineer in compliance with Part 10 Chapter 9, including the designation of buffer areas and open space areas for stormwater purposes prior to grading or the approval of construction drawings whichever event comes first;

***Prior to approval of construction drawings for public or private improvements:***

- (4) That 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 and the plats shall contain the following note: "All private storm drainage easements & stormwater measures will be maintained by the homeowner association.
- (5) That offsite City of Raleigh Sanitary Sewer Easement deeds from lots referenced in DB 14220 PG 609 be recorded prior to construction drawings, and the easement deeds be approved by the City Attorney's office;

***Prior to issuance of building permits:***

- (6) That a stormwater tracking permit shall be issued with the building permit to ensure impervious surface limits are not exceeded;
- (7) That riparian buffers, in accordance with the preliminary plan and the State of North Carolina regulations, shall be shown on plats for recording along with a note stating "The areas shown on the recorded plat

identified as Neuse River Riparian Buffer shall be maintained in their natural or mitigated condition, No person or entity shall fill, grade, excavate, or perform any other land-disturbing activities; nor cut, remove, or harm any vegetation; nor construct any structures nor add any additional impervious surface, nor allow animal grazing or water or any other agricultural use on such protected areas without written authorization from NC Division of Water Quality in accordance with the Riparian Buffer Protection Rules (15A NCAC 2B.0233 or .0259;

- (8) That a cross access easement to the northern adjacent property DB 14220 PG 609 and any construction easements associated with this connection are required and that this easement shall be recorded in the Wake County Registry and a copy provided to the Planning Department prior to permit issuance;
- (9) That a security in the amount of 1.5 times the total cost of public infrastructure improvements is required and to be reviewed by the Public Works Department;

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

- (10) That an impervious surface as-built survey must be submitted to ensure compliance with impervious restrictions set with approved subdivision S-8-08.

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**ZONING:**

**ZONING  
DISTRICTS:**

Thoroughfare District Conditional Use (Z-69-1995, Z-7-2002), Watershed Protection Overlay

**Z-69-95 Wakefield**

US 1 (Capital Boulevard) west side, and the east side of Falls of Neuse Road, from the Neuse River to Old NC 98, being map 1830.04, Block 51, Parcel 0535, and Map 1739.02, Block 58, Parcel 8832 and a portion of Map 1830.03, Block 04, Parcel 2768, approximately 1792 acres rezoned to Thoroughfare District Conditional Use District (1131.9 acres) and Residential-6 Conditional Use District (660.8 acres).

**CONDITIONS:**

- (1) The portion of the Thoroughfare District zoned area within two hundred (200) feet measured perpendicularly to the common boundary of the parcels listed herein within the Crenshaw Manor Subdivision will be developed in residential lots with a minimum area of thirty thousand (30,000) square feet.

Wake County PIN #  
1830.01 46 0974

1830.01 37 9093  
1830.01 37 9102  
1830.01 37 7282  
1830.01 37 6258  
1830.01 37 5355  
1830.01 37 4451  
1830.01 37 3468  
1830.01 37 2575  
1830.01 37 1598  
1830.01 37 1645  
1830.01 37 0742  
1830.01 27 9749  
1830.01 27 8845  
1830.01 27 7951  
1830.01 27 6968  
1830.01 28 6017

(2) The portion of the R-6 zoned area within two hundred (200) feet measured perpendicularly to the common boundary of the parcels listed herein with the Highland Park Subdivision will be developed in residential lots with a minimum area of thirty thousand (30,000) square feet.

Wake County PIN #

1729.02 59 9933  
1729.02 59 7793  
1729.02 59 7467  
1729.02 59 6681  
1729.02 59 7289  
1729.02 59 5191  
1729.02 69 1191  
1729.02 68 2719  
1729.02 68 2613  
1729.02 68 2408  
1729.02 68 2204  
1729.02 68 1092  
1729.02 67 1898  
1729.02 67 1742  
1729.02 67 1557  
1729.02 67 2490

**Z-7-02 Capital Boulevard (ETJ-2-02)**

West side, being Wake County PIN 1830.03-40-8813, approximately 6.3 acres rezoned to Thoroughfare District Conditional Use.

Conditions dated:(12/12/01)

- (1) Any right-of-way reimbursement for any portion of the subject parcel shall be based on Rural Residential value.

**SETBACKS /  
HEIGHT:**

This plan conforms to all minimum setback standards as set forth in Code sections 10-2045 and 10-2064. This plan conforms to maximum height standards in this zoning district of 50'. Proposed height of the building is 20'.

**PARKING:** Off-street parking conforms to minimum requirements: Development proposes 38,155 square feet of office, which requires one (1) parking space per 300 square feet. A total of 128 parking spaces are required, and 141 parking spaces are proposed.

**LANDSCAPING:** Street yard landscaping in conformity with Section 10-2082.5 is shown. A thoroughfare protective yard along Common Oaks Drive is provided per Section 10-2045. Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. Proposed office use is considered a low impact use adjacent to vacant property zoned Thoroughfare District to the North and West; which requires half of a Type C Transitional Protective Yard. Transitional protective yards are shown in compliance with City standards in the following locations:

<u>Location</u>	<u>Yard type required</u>	<u>Width proposed</u>
Northern Property Line	Type C	20'
Northwestern Property Line	Type C	38'
Western Property Line	Type C	54'

**TREE CONSERVATION:** This project is not required to provide additional Tree Conservation Area. The existing recorded Tree Conservation Area was required for subdivision S-8-2008.

**URBAN WATERSUPPLY WATERSHED BUFFERS:** This development contains a 50' natural resource buffer yard.

**DEVELOPMENT INTENSITY:** Proposed floor area ratio (FAR) of 0.08 and lot coverage of 0.08 conform to the maximum zoning district standards. The Thoroughfare District zoning district does not limit floor area ratio or building lot coverage for office uses.

**PHASING:** There is one phase in this development.

**UNITY OF DEVELOPMENT:** N/A.

**COMPREHENSIVE PLAN:**

**GREENWAY:** There is no greenway on this site.

**THOROUGHFARE / COLLECTOR PLAN:** Dedication of right-of-way is not required with this development.

**TRANSIT:** The site is not currently served by the existing transit system.

**COMPREHENSIVE  
PLAN:**

The site is located within North CAC, in an area designated Community Mixed Use on the Future Land Use Map.

Staff has reviewed the site plan and finds this plan in compliance with the Comprehensive Plan and the following policies:

- LU 5.6 – Buffering Requirements
- LU 6.1 – Composition of Mixed Use Centers
- LU 6.2 – Complementary Uses and Urban Vitality
- T 5.10 – Building Orientation

**HISTORIC /  
DISTRICTS:**

The existing building is not a designated Historic Structure. This site is not located in or adjacent to a designated Historic District.

**APPEARANCE  
COMMISSION:**

The Appearance Commission reviewed this proposal on September 19th, 2013 and had the following comments:

- In an effort to enhance the outside employee space, the Commission suggests adding outdoor amenities for employees in the lawn space to the north of the building and/or expanding the employee area on the west side of building. **Applicant has incorporated additional outdoor amenities.**
- The Commission suggests the addition of a dedicated pathway in the parking lot connecting employee parking to the rear building entrance. **Applicant has included.**
- The Commission suggests the use of a level spreader or alternate stormwater devices until future stormwater pipes are extended to the site to control potential erosion. **Applicant has chosen not to include this device.**
- The Commission suggests the placement of additional planting materials in the grassed embankments to encourage soil stability. **Applicant has included additional plantings.**
- The Commission suggests the use of taller multi-stemmed plants adjacent to the building on the east and west elevations to break up the scale of those elevations. **Applicant has addressed.**

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**SUBDIVISION  
STANDARDS:**

**BLOCK LAYOUT:** No new streets are required or proposed.

**PUBLIC UTILITIES:** City water and sewer services are available. The developer is responsible for installation of all lines necessary to provide service to this site, which will require the recordation of an off-site sewer easement.

**SOLID WASTE:** Solid Waste Service will be provided by a private contractor.

**CIRCULATION:** Proposed street improvements shall conform to normal City construction standards.

**PEDESTRIAN:** Construction of a 5' sidewalk will be required along the frontage of Common Oaks Drive.

**FLOOD HAZARD:** There are no flood hazard areas on this site.

**STORMWATER  
MANAGEMENT:** This site is exempt from stormwater runoff requirements by section 10-9023(b)(3) which was granted for the Wakefield Park Tract 82 subdivision S-8-08. Stormwater quality control requirements are met with nitrogen offset payment.

This site is in the urban water supply watershed and given the stormwater wetland approved for the entire subdivision, the impervious surface area limitation for this site is less than the maximum allowed in this watershed.

**WETLANDS  
/ RIPARIAN  
BUFFERS:**

There are existing Neuse River riparian buffers on this site but they are not proposed to be disturbed.

**OTHER  
REGULATIONS:**

Developer shall meet all City requirements, including underground utility service (§10-3059), flood protection measures (Part 10, Chapter 4), and the soil erosion ordinance (Part 10, Chapter 5), unless specifically varied by this approval.