Administrative Approval Action
Triangle Pond Management: SR-6-18
Transaction# 542408, AA#3844

LOCATION: This site is located on the south side of Overlook Road and west of the intersection of Gresham Lake Road and Capital Boulevard outside the City limits. The address for the site is 3717 Overlook Road and the PIN number is 1727553505.

REQUEST: Development of a 0.72-acre tract zoned Heavy Industrial (IH) with SHOD-2 Overlay. The applicant is proposing a 1 story 5,000 square foot building for light industrial use.

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: One Design Adjustment has been approved by the Development Services Director Designee for this project, noted below:

1. A Design Adjustment granting relief from the block perimeter requirements due to the location existing conditions surrounding the site make the connections extremely difficult. There are significant grade changes and a blue line stream surrounding the entire property. No proposed streets are shown on the Raleigh Street Plan for this area. Reference DA-35-2018.

Stormwater exemption:

2. Exempt from stormwater runoff rate control measures per UDO Sec. 9.2.2.E.2 less than 10% increase in peak runoff rate at each point of discharge for 2,10, & 25-year storm events.

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 8/22/2018 by Blair Pittman of Bobbitt Design Build.

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.
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.

2. A minimum two car stacking needs to be confirmed between the edge of pavement from the future build out on Overlook Road (Avenue 2 Lane Divided Street type) to the proposed rolling fence gate.

Stormwater

3. 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).

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

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

☐ 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.

☐ RECORDED MAP(S) - Submit plat to record new property lines, easements, tree conservation areas, etc.). Plats may be submitted for review when the Concurrent Site Review plans, if required, have been deemed ready for mylar signature.
The following items must be approved prior to recording the plat:

Engineering

6. 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.

7. 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.

8. 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.

Stormwater

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 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).

11. 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).

12. The riparian buffers, in accordance with the preliminary plan and the State of North Carolina regulations, shall be shown on plats for recording along with required buffer statement (Recorded Map Checklist).

13. 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).

☐ 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.
PRIOR TO ISSUANCE OF BUILDING PERMITS:

General

14. A Petition for Annexation into the City limits shall be submitted in accordance with City Council policy for extension of utility service to properties currently outside of the City limits. This voluntary annexation in no way obligates the City to extend utility services to the property.

Engineering

15. The required right of way for proposed and/or existing streets shall be dedicated to the City of Raleigh and is shown on a plat approved for recordation.

16. 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 this document must 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 within this time, further recordings and building permit issuance will be withheld.

17. 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.

18. A fee-in-lieu for along the entire frontage for ½ of a 48’ wide back of curb to back of curb street and 6’ wide sidewalk shall be paid to the City of Raleigh (UDO 8.1.10).

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

Stormwater

20. 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).

21. A 100-year floodplain analysis shall be submitted and approved by the Engineering Services Department prior to the issuance of any grading or site permit. (UDO 9.3).

22. 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).
23. 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).

PRIOR TO ISSUANCE OF BUILDING OCCUPANCY PERMIT:

24. 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.

25. Required public right-of-way infrastructure improvements shall be, at a minimum, sufficiently completed to provide the necessary, safe emergency and vehicular access.

26. Required underground storm drainage improvements shall be completed and as-built plan(s) and certification(s) reviewed and accepted by the City of Raleigh Development Services – Development Engineering program.

27. All street lights and street signs required as part of the development approval are installed.

28. Copies of certified inspection reports for alleys and internal access ways are submitted to the City of Raleigh Development Services – Development Engineering program.

29. 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: 8-29-2021
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) __________________________ Date: 8/29/2018

Staff Coordinator: Daniel L. Stegall
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.

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Triangle Pond Management</th>
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<tbody>
<tr>
<td>Development Case Number</td>
<td>SR-6-18</td>
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<tr>
<td>Transaction Number</td>
<td>542408</td>
</tr>
<tr>
<td>Design Adjustment Number</td>
<td>DA - 35 - 2018</td>
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</tbody>
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Staff recommendation based upon the findings in the applicable code(s):

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

<table>
<thead>
<tr>
<th>DEPARTMENTS</th>
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<tbody>
<tr>
<td>Dev. Services Planner [ ]</td>
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<tr>
<td>Parks &amp; Recreation and Cult. Res. [ ]</td>
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<td>Public Utilities [ ]</td>
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CONDITIONS:

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

Authorized Signature: [Signature]

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*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).
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.

The parcel is adjacent to a lake and without a logical or feasible connection point to shorten the block. The parcel fronts Overlook Road which long term is projected to tie into Sumner Boulevard on the comprehensive plan.
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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<th>PROJECT</th>
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<tr>
<td>Project Name</td>
<td>Triangle Pond Management</td>
<td>Name</td>
<td>Blair Pittman</td>
</tr>
<tr>
<td>Case Number</td>
<td>SR-6-18</td>
<td>Address</td>
<td>100 Oak Grove Church Road</td>
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<tr>
<td>City</td>
<td>Youngsville</td>
<td>Phone</td>
<td>(919) 398-3221</td>
</tr>
<tr>
<td>Name</td>
<td>Blair Pittman</td>
<td>Address</td>
<td>600 Germantown Road</td>
</tr>
<tr>
<td>State</td>
<td>NC</td>
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<td>27607</td>
</tr>
<tr>
<td>City</td>
<td>Raleigh</td>
<td>Phone</td>
<td>(919) 851-1980</td>
</tr>
</tbody>
</table>

I am seeking a Design Adjustment from the requirements set forth in the following:

- UDO Art. 8.3 Blocks, Lots, Access
- UDO Art. 8.4 New Streets
- UDO Art. 8.5 Existing Streets
- Raleigh Street Design Manual

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

UDO Art. 8.3 - Request waiver of block perimeter requirements per Raleigh UDO Sec. 8.3.2.B.6. An existing waterbody (Gresham Lake) makes the provision of a complete block infeasible.

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.

Owner/Owner’s Representative Signature: [Signature]
Date: 4/4/2018

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 - -
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;
   Yes. This design adjustment meets the intent of this Article. Connection of a dead-end connection from Outlook Road to Gresham Lake would not provide for a well connected street system nor would it improve emergency service in the area.

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   This design adjustment meets the Comprehensive Plan and adopted City plans. There are no proposed roads in the Comprehensive Plan that conflict with the requested adjustment.

C. The requested design adjustment does not increase congestion or compromise Safety;
   The design adjustment will not have negative impacts to congestion or compromise safety. This parcel is part of an existing subdivision with existing infrastructure.

D. The requested design adjustment does not create any lots without direct street Frontage;
   All lots have direct street frontage. No new parcels are created.

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.

   The property is adjacent to a natural feature (Gresham Lake). Gresham Lake limits the availability of interconnection for vehicles and pedestrians. There is no proposed or approved roadway construction that is in conflict with the requested adjustment.
STATE OF NORTH CAROLINA  
COUNTY OF Wake 

I, ________________, a Notary Public do hereby certify that  
____________________, personally appeared before me this day and 
acknowledged the due execution of the forgoing instrument.  

This the 4th day of April, 2018.  

Notary Public ________________ 

My Commission Expires: 5.5.2021