Administrative Approval Action
AA #3930 / SR-116-18, Glenlake VII
Transaction# 579203

LOCATION: This site is located on the west side of Parklake Avenue, between the intersections of Parklake Avenue and Glen Eden Drive, and Parklake Avenue and Edwards Mill Road. The site is located at 4131 Parklake Avenue.

REQUEST: Development of 6.04 acre tract zoned OX-7-UL CU (Z-40-06) with the addition of 130,125 square foot office building and the expansion of an existing parking deck. The total office square footage (existing and proposed) on site equals 302,225 square feet.

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: One Design Adjustment has been approved for this project, noted below. (DA-8-19)

1. Due to existing and environmental conditions, a Design Adjustment has been approved waiving the block perimeter and cross access requirement (8.3).

A hardship variance has been granted by the Board of Adjustment for this project, for the following, noted below. (A-4-19)

1. Reduction of required outdoor amenity area from 10% to 4.94% (1.5.3 D)
2. Granting relief from the primary entrance requirement (3.4.7 E 2)

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 18 February 2019, by Piedmont Land Design, LLP.

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

**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.

**Stormwater**

2. 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).
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 showing how the site complies with impervious assumptions per approved subdivision and previous site plan shall be approved (UDO 9.2).
5. A surety equal to 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.

| ☒ | City Code Covenant | ☐ | Slope Easement |
| ☐ | Stormwater Maintenance Covenant | ☐ | Transit Easement |
| ☒ | Utility Placement Easement | ☒ | Cross Access Easement |
| ☐ | Sidewalk Easement | ☐ | Public Access Easement |
| ☐ | Other: |

**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**

1. 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
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 proposed waterline easement shall be dedicated to the City of Raleigh as shown on the preliminary plan and be shown on all plats for recording.

**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:

**General**

2. Provide fire flow analysis.

**Engineering**

3. A fee-in-lieu for 3’ of sidewalk across your property frontage shall be paid to the City of Raleigh (UDO 8.1.10).
4. A cross access agreement among the lots identified as PINs 0795189797 (subject site) and 0795199134 (adjacent site to the north) 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, further recordings and building permit issuance will be withheld.
5. A right-of-way obstruction permit shall be obtained from Right-of-way Services for any construction activity within the right-of-way.

**Stormwater**

19. 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).

**Urban Forestry**

20. A tree impact permit must be obtained for the installation of tree protection fence in the right of way.
The following are required prior to issuance of building occupancy permit:

1. 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.

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

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

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

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

6. As-built impervious survey shall be submitted and accepted by the Engineering Services Department

7. Final inspection of all existing right of way street trees by Urban Forestry Staff.

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: 2-28-2022
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: (Development Services Dir./Designee) [Signature] Date: 2/28/19

Staff Coordinator: Michael Walters
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>GlenLake Building VII</th>
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</thead>
<tbody>
<tr>
<td>Development Case Number</td>
<td>SR-116-2018</td>
</tr>
<tr>
<td>Transaction Number</td>
<td>579203</td>
</tr>
<tr>
<td>Design Adjustment Number</td>
<td>DA-8  - 2019</td>
</tr>
</tbody>
</table>

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.

### DEPARTMENTS

- ☐ Dev. Services Planner
- ☑ Development Engineering
- ☐ Engineering Services
- ☐ Public Utilities
- ☐ City Planning
- ☐ Transportation
- ☐ Parks & Recreation and Cult. Res.

### CONDITIONS:

![Signature]

**Authorised Signature**

**Date:** 2/26/19

*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 supports the request for relief from block perimeter standards due to the outlined reasons given on the application attachment. Existing buildings on the site prohibit the creation of a new public street and adjacent properties are developed with incompatible uses with existing structures blocking any proposed public right-of-way extension.

Staff supports the request for relief from block perimeter standards due to the outlined reasons given on the application attachment. Existing topography makes any proposed connections unfeasible and the properties to the north and west are previously developed incompatible uses. The use to the north is a public school and the use to the west is a previously developed town-home community where the rear of existing structures buts up to the property line.
Design Adjustment Application

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>
<td>Name</td>
<td>Highwoods Properties, Inc.</td>
</tr>
<tr>
<td>Address</td>
<td>3100 Smoketree Court, Suite 600</td>
</tr>
<tr>
<td>City</td>
<td>Raleigh</td>
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<tr>
<td>State</td>
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<tr>
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<tr>
<td>Phone</td>
<td>919-872-4924</td>
</tr>
<tr>
<td>Name</td>
<td>Ron Hendricks</td>
</tr>
<tr>
<td>Firm</td>
<td>Piedmont Land Design, LLP</td>
</tr>
<tr>
<td>Address</td>
<td>8522-204 Six Forks Road</td>
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<tr>
<td>City</td>
<td>Raleigh</td>
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<tr>
<td>State</td>
<td>NC</td>
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<tr>
<td>Zip Code</td>
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<tr>
<td>Phone</td>
<td>919-845-7600</td>
</tr>
</tbody>
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I am seeking a Design Adjustment from the requirements set forth in the following:

- [x] 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 requesting a Design Adjustment to the block perimeter and cross-access requirements contained in UDO Section 8.3.2 and 8.3.5.

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: [1/18/2019]

CHECKLIST

<table>
<thead>
<tr>
<th>Item</th>
<th>Included</th>
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<tbody>
<tr>
<td>Signed Design Adjustment Application</td>
<td>Yes</td>
</tr>
<tr>
<td>Page(s) addressing required findings</td>
<td>Yes</td>
</tr>
<tr>
<td>Plan(s) and support documentation</td>
<td>Yes</td>
</tr>
<tr>
<td>Notary page (page 6) filled out; Must be signed by property owner</td>
<td>Yes</td>
</tr>
<tr>
<td>First Class stamped and addressed envelopes with completed notification letter</td>
<td>Yes</td>
</tr>
</tbody>
</table>

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;
   Refer to the attachment.

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   No road extensions are shown on these plans that impact this property.

C. The requested design adjustment does not increase congestion or compromise Safety;
   The design adjustment does not impact congestion or traffic safety.

D. The requested design adjustment does not create any lots without direct street Frontage;
   No additional lots are being created as part of this project. All adjacent lots have direct street access.

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.
   Refer to the attachment.
STATE OF NORTH CAROLINA
COUNTY OF Wake

INDIVIDUAL

I, Kathy M. Bates, a Notary Public do hereby certify that Jeff Emerson personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

This the 18th day of January, 2019.

Notary Public

My Commission Expires: 12/18/2022
January 22, 2019

DESIGN ADJUSTMENT APPLICATION ATTACHMENT

We are requesting a Design Adjustment to the block perimeter and cross-access requirements contained in UDO Section 8.3.2 and 8.3.5.

The existing block perimeter exceeds the 2,500’ maximum allowed in the OX district. The block perimeter is approximately 9000’. An additional public street is not appropriate on this property for the following reasons:

1. The location of the existing office building and parking deck on this lot does not allow the extension of a public street to the adjacent lot to the north. This adjacent lot is developed with an office building and parking deck too and is too shallow to have a public street parallel to Parklake Avenue.
2. The adjacent lot to the northwest is developed with a public elementary school. In addition the school lot is significantly higher than this lot.
3. The adjacent lots to the west were recently developed with residential townhomes. The rear of these homes faces this lot along the common property line.

Cross-access has been provided with the adjacent lot to the north. Cross-access is not appropriate with the adjacent lots located to the northwest and west for the following reasons:

1. The adjacent lot to the northwest is developed with a public elementary school. Cross-access with a public school is not appropriate. In addition, the school lot is significantly higher than this lot.
2. The adjacent lots to the west were recently developed with residential townhomes. The rear of these homes faces this lot along the common property line.

HWDPB7 RPH:rph
NOTE: USE ABOVE 75'-0" IS A MECHANICAL PENTHOUSE AND MECHANICAL ENCLOSURE HOLDING PUMPS, ENERGY RECOVERY UNIT AND COOLING TOWERS.