



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-42-15 / ATEB Headquarters Expansion

General Location: This site is located in the northwest quadrant of the intersection of Common Oaks Drive and Forest Pines Drive.

Owner: ATEB Properties, LLC

Designer: Piedmont Land Design

CAC: North

Nature of Case: Proposed 27,271 square foot office building expansion on a 10.88 acre parcel, zoned Thoroughfare Conditional Use District (CUD TD) with Urban Watershed Protection Overlay District (UWPOD). This site plan requires Planning Commission approval as it is an expansion of an office use within 400' of residential where the expansion totals more than 25,000 square feet and is greater than 25% of the existing gross floor area.

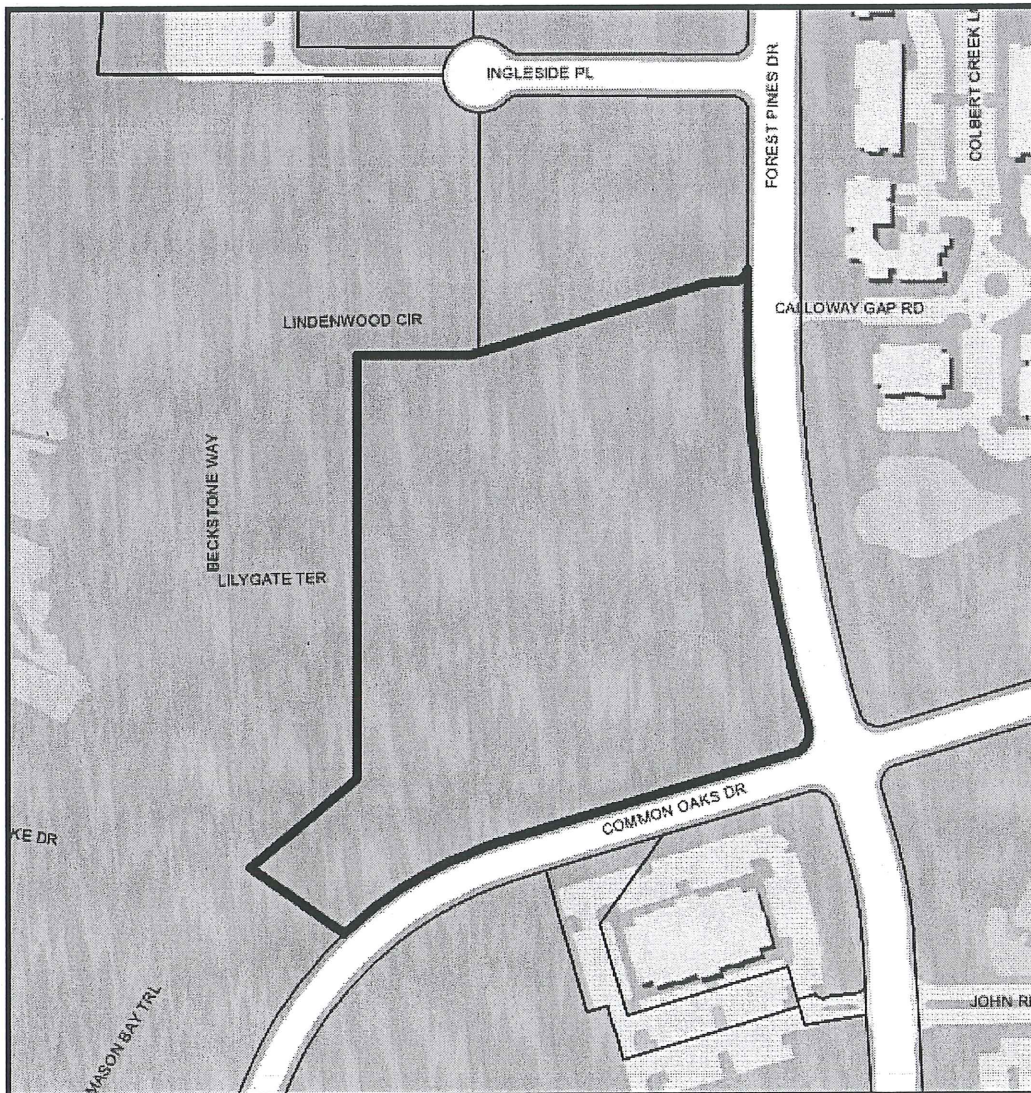
Key Issues: As presented, staff finds that this plan conforms to Code standards and adopted land use policies.

Contact: David Lasley

Design Adjustment: Two Design Adjustments have been approved by the Public Works Director for this project, noted below.

1. A Design Adjustment from the block perimeter standards of Section 8.3.2.
2. A Design Adjustment for an alternate streetscape along Forest Pines Drive and Common Oaks Drive.

Administrative Alternate: NA



SP-42-15 Location Map

SUBJECT: SP-42-15 / ATEB Headquarters Expansion

CROSS-REFERENCE: SP-42-13; S-8-08

LOCATION: This site is located in the northwest quadrant of the intersection of Common Oaks Drive and Forest Pines Drive, inside the city limits.

PIN: 1830401750

REQUEST: Proposed 27,271 square foot office building expansion on a 10.88 acre parcel, zoned Conditional Use District Thoroughfare District (CUD TD) with Urban Watershed Protection Overlay District (UWPOD). The proposed development is an office use within 400' of residential and an expansion greater than 10,000 square feet in size and greater than 25% of the previously approved building.

OFFICIAL ACTION: Approval with conditions

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

FINDINGS: The Planning Commission finds that with the following conditions of approval this request conforms to Part 10, Chapter 2, Sections 10-2045 and 10-2132.2, Part 10A (Unified Development Ordinance) Chapters 8 and 9, and Section 5.2.3. This approval is based on a preliminary plan dated 8/12/15, owned by ATEB properties, LLC, submitted by Piedmont Land Design.

ADDITIONAL NOTES: There are no additional notes for this plan.

VARIANCES / ALTERNATES: NA

To PC: 9/8/15

Case History: NA

Staff Coordinator: Justin Rametta

Motion: Swink

Second: Terando

In Favor: Alcine, Braun, Buxton, Fluhrer, Hicks, Lyle, Schuster, Swink, Terando and Whitsett

Opposed:

Excused:

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.)

(PC Chair)

_____ date: 9/8/15

_____  date: 9/8/15



Staff Report

**RECOMMENDED
ACTION:** Approval with Conditions

**CONDITIONS OF
APPROVAL:**

Administrative Actions:

Prior to issuance of a mass grading permit for the site:

- (1) That in accordance with Part 10A Section 9.4.4, a surety equal to the cost of clearing, grubbing and reseeding a site, shall be paid to the City;

Prior to approval of a concurrent review of Final Site Review and Infrastructure construction plans, or whichever is applicable:

- (2) That condition 1, above, be met;
- (3) That a nitrogen offset payment must be made to a qualifying mitigation bank;

Prior to issuance of building permits:

- (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 owner's association;
- (5) That a fee in lieu of construction be paid to the Public Works Department for 1' of sidewalk along the property's frontage on Common Oaks Drive and Forest Oaks Drive;
- (6) That a revised tree conservation map be recorded with metes and bounds showing the designated Tree Conservation Areas and shall be in compliance with Chapter 9 of the Unified Development Ordinance;
- (7) That $\frac{1}{2}$ of the required right of way for Common Oaks Drive is dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City;

Prior to issuance of a certificate of occupancy:

- (8) That in accordance with Part 10A Section 9.2.2, an impervious surface as-built survey shall be reviewed and accepted by the City prior to final stormwater inspection approval;
- (9) That in accordance with Part 10A Section 9.1.9A, 40% of the lot area be set aside for trees and maintained as wooded areas.

ZONING:

**ZONING
DISTRICTS:**

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

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 section 10-2045. This plan conforms to maximum height standards in this zoning district of 50' without additional setbacks. Proposed height of the building is 20'8".

PARKING:

Off-street parking conforms to minimum requirements: 218 spaces required, based on one parking space per 300 square feet of office space. 238 spaces are provided.

LANDSCAPING:

Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. This is a low impact use adjacent to vacant property zoned Thoroughfare District to the north and west. 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'
Northwest Property Line	Type C	38'
Western Property Line	Type C	54'

TREE CONSERVATION:

This project is not required to provide additional Tree Conservation Area. There is existing recorded Tree Conservation Area that was required for subdivision S-8-2008. A revised tree conservation map will need to be recorded due to the required right-of-way dedication along Common Oaks Drive.

DEVELOPMENT INTENSITY:

The Thoroughfare District zoning does not limit floor area ratio or building lot coverage for office uses.

PHASING:

There is one phase in this development.

UNITY OF DEVELOPMENT:

Not applicable.

COMPREHENSIVE PLAN:

GREENWAY:

There is no greenway on this site.

**STREET
PLAN MAP:**

Dedication of right-of-way and construction of the following streets are required by the Street Plan Map of the Comprehensive Plan as shown below. No new streets are proposed with this development.

Street Name	Designation	Existing R/W	Proposed R/W	Existing B to B	Proposed B to B
Forest Pines Drive	Avenue 2-Lane Divided	80'	80'	± 60'	± 60'
Common Oaks Drive	Avenue 2-Lane Undivided	60'	½ 64'	± 41'	± 41'

TRANSIT: This site is presently not served by the existing transit system.

**COMPREHENSIVE
PLAN:**

The site is located within the North CAC, and is designated for Community Mixed Use on the future land use map. The Community Mixed Use designation encompasses retail areas, but may also include office properties.

Staff has reviewed the following Comprehensive Plan policies:

- LU 4.5 Connectivity
- 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 property is not designated a Raleigh Historic Landmark or within a local historic district, nor is it listed on the National Register of Historic Places.

**APPEARANCE
COMMISSION:**

The Appearance Commission has made the following comments on this preliminary plan. Shown below are comments and applicant responses:

<u>Comment</u>	<u>Applicant Response</u>
The Commission suggests that the applicant make space for additional outdoor amenity areas for building users that is proximate to the building addition, perhaps by eliminating several of the parking spaces that are provided in excess of required. The Commission also suggests the provision of shade trees in the amenity areas.	We have revised the plans to remove two parking spaces in the southeast corner of the rear parking lot to create an outdoor seating area for employees. The area will be shaded with the addition of a nearby shade tree.

**SUBDIVISION
STANDARDS:**

BLOCK LAYOUT: No new lots or streets are proposed with this development. A Design Adjustment has been approved by the Public Works Director for relief from the Block Perimeter requirements of UDO Section 8.3.2.

PUBLIC UTILITIES: City water and sewer services are available and existing at this site. No new utility work is proposed with this development.

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

STREETSCAPE: The applicable streetscape is a sidewalk and tree lawn. 5' sidewalks exist on both Forest Pines Drive and Common Oaks Drive. A fee in lieu is required for the additional required one foot of sidewalk along both streets. A Design Adjustment has been approved by the Public Works Director to not require street trees in the public right-of-way on either street.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. Sidewalk exists along both Forest Pines Drive and Common Oaks Drive

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

**STORMWATER
MANAGEMENT:**

This site is located on Lot 10 of the Wakefield Park Tract 82 Subdivision (S-8-2008) within the Urban Watershed Protection Overlay District. S-8-2008 obtained an exemption to runoff quantity control due to detaining the 2yr & 10yr storm events would result in greater adverse downstream impacts. This project is proposing to use a previously constructed shared stormwater control device along with a onetime buy down payment to meet nitrogen reduction requirements. The S-8-2008 shared facility agreement, DB15496 PG 1452-1455 grants Lot 10 an impervious acreage allocation of 4.59 acres. This project has demonstrated compliance with Urban Watershed requirements which limit impervious to 70% with a retention device treating the first ½ inch of runoff. This project is proposing 4.12 (37.83%) acres of impervious.

**WETLANDS
/ RIPARIAN
BUFFERS:**

Neuse River riparian buffers are present on this site.

**OTHER
REGULATIONS:**

Developer shall meet all other applicable City requirements of Code Part 10 and 10A (Unified Development Ordinance).



**Planning &
Development**

**Public Works
Transportation Field Services**
One Exchange Plaza
Suite 300
Raleigh, NC 27602
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Public Works Design Adjustment Application

The purpose of this request is to seek a design adjustment from the Public Works Director for a specific project only and if granted may be given with special conditions and provisions. This application and all further action shall be consistent with Section 10.2.18 of 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 Sections 8.3.6 and 8.4.1.E of the UDO.

Project	Project Name ATEB Headquarters Building Expansion		
	Case Number SP-42-15	Transaction Number 435417	
Owner	Name ATEB Properties LLC		
	Address 11125 Forest Pines Drive		City Raleigh
	State NC	Zip Code 27614	Phone 919-882-4984
Applicant	Name Mike Davidson		Firm Piedmont Land Design, LLP
	Address 8522 Six Forks Road; Suite 204		City Raleigh
	State NC	Zip Code 27615	Phone 919-845-7600

*Applicant must be a Licensed Professional (Engineer, Architect, Surveyor, or Contractor)

Design Adjustment Request	Code Section Referenced : UDO Section 8.3.2.A
	Justification
	<p>On behalf of the property owner, we are requesting a Design Adjustment to the block perimeter requirements contained in UDO Section 8.3.2.A. An additional public street is not appropriate since the project is located on an existing developed lot. A public street would not provide service to any lots or property that is not currently served by public streets.</p> <p>Attached to this Application is a Preliminary Site Plan and aerial photo for reference.</p>

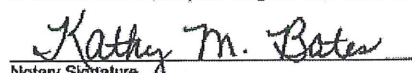
*Please include any additional supportive documents (Plan sheets, aeriels, etc.) along with this application. It is the applicant's responsibility to provide all pertinent information required for consideration.

By signing this document I hereby acknowledge the information on this application is accurate to the best of my knowledge.

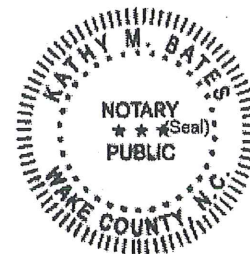

Owner/Owner's Representative Signature

07-08-2015
Date

In witness whereof, the parties signed have executed this document on this date.


Notary Signature

07/08/2015
Date



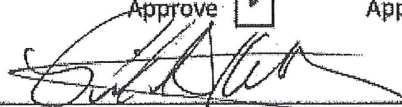


Public Works Design Adjustment – Staff Response

Per Section 10.2.18.C of the Unified Development Ordinance, the Public Works Director may consult with the heads of other City departments regarding the review of the request. The Public Works Director may 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.

Project	Project Name	ATEB Headquarters Building Expansion	Date Completed Application Received	8/5/2015
	Case Number	SP-42-2015	Transaction Number	435417
Staff Response/Recommendation	Staff Supports the design adjustment request for relief from the block perimeter standards due to existing development that does not allow an additional public street connection.			
	Staff Member	Daniel King, PE	Support Request	<input checked="" type="checkbox"/>
			Does Not Support	<input type="checkbox"/>

Public Works Director's Action:

Approve Approval with Conditions Deny

 Richard L. Kelly, Interim Public Works Director Date 8/20/15

*The Public Works Director may also authorize a designee to sign in his stead. Please print name and title next to signature.

Conditions for Approval	
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Appeal of the decision from the Public Works Director shall be made in writing within 30 days to the Board of Adjustment (see Section 10.2.18.C3b).

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	Address 11125 Forest Pines Drive	City Raleigh
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Applicant	Name Mike Davidson		Firm Piedmont Land Design, LLP
	Address 8522 Six Forks Road; Suite 204		City Raleigh
	State NC	Zip Code 27615	Phone 919-845-7600

*Applicant must be a Licensed Professional (Engineer, Architect, Surveyor, or Contractor)

Design Adjustment Request	Code Section Referenced: UDO Section 8.5.1
	Justification

On behalf of the property owner, we are requesting a Design Adjustment to the street tree requirements contained in UDO Section 8.5.1 which require the installation of street trees in a 6' planting strip between the curb and sidewalk based on 40 ft o.c. spacing. Due to the presence of recorded Tree Conservation Areas that front the majority of the property, Neuse River riparian buffer along Common Oaks Drive, and topography which limits development between the building and the public right-of-way, we propose to use the existing frontage trees to meet the street tree requirement. Attached to this Application is a Preliminary Site Plan, Preliminary Grading Plan, and aerial photo depicting tree conservation areas, riparian buffer, topography, and existing vegetation.


*Please include any additional supportive documents (Plan sheets, aeriels, etc.) along with this application. It is the applicant's responsibility to provide all pertinent information required for consideration.

By signing this document I hereby acknowledge the information on this application is accurate to the best of my knowledge.

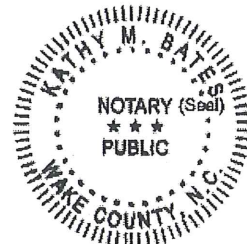

 Owner/Owner's Representative Signature

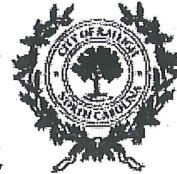
07-08-2015
 Date

In witness whereof, the parties signed have executed this document on this date.


 Notary Signature

07/08/2015
 Date



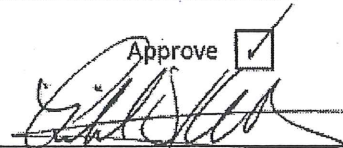


Public Works Design Adjustment – Staff Response

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Project	Project Name ATEB Headquarters Building Expansion	Date Completed Application Received 8/5/2015
	Case Number SP-42-2015	Transaction Number 435417
Staff Response/Recommendation	Staff Supports the design adjustment request to use existing tree conservation and existing on site vegetation to meet the street tree requirements.	
	Staff Member Daniel King, PE	Support Request <input checked="" type="checkbox"/> Does Not Support <input type="checkbox"/>

Public Works Director's Action:

Approve Approval with Conditions Deny

8/20/15

Richard L. Kelly, Interim Public Works Director

Date

*The Public Works Director may also authorize a designee to sign in his stead. Please print name and title next to signature.

Conditions for Approval	
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