

Appearance Commission

Design Alternate Application

The purpose of this request is to seek a Design Alternate from the Appearance Commission. 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 on the applicable standard, as outlined in Sec. 10.2.18 of the UDO. **A preliminary subdivision plan, plot plan, or site plan must be submitted to Development Services prior to the submittal of a Design Alternate Application.**

PROJECT	Project Information		
	Project Name Olde Towne		Case Number SUB-0071-2020
	PIN Number 1732041118		Zoning District R-10-CU
	Property Address 5161 Keyser Street		
	City Raleigh	State NC	ZIP 27610
	Project Applicant Information		
	Name The Halle Companies		Email erifkin@hallecompanies.com
	Address 56 Hunter Street, Suite 110		City Apex
	State North Carolina	Zip Code 27502	Phone 919-387-1885
	OWNER	Property Owner Information	
Name Olde Towne WEH LP		Email erifkin@hallecompanies.com	
Address 56 Hunter Street, Suite 110		City Apex	
State North Carolina		Zip Code 27502	Phone 919-387-1885
Attorney Information			
Name Laura Goode		Email lauragoode@parkerpoe.com	
ATTORNEY	Address 301 Fayetteville Street, Suite 1400		City Raleigh
	State North Carolina	Zip Code 27601	Phone 919-835-4648
	REQUEST		
REQUEST	I am seeking a Design Alternate from the requirements set forth in the following:		
	☒ UDO Article 8.3.2, 8.3.4, 8.3.5		See page 2 for findings
	☒ UDO Article 8.4, 8.5, Raleigh Street Design Manual		See page 3 for findings

CHECKLIST	
Signed Design Alternate Application	☒ Included
Page(s) addressing required findings	☒ Included
Plan(s) and support documentation	☒ Included
Notary page filled out by owner	☒ Included
Stamped and addressed envelopes; corresponding mailing list per UDO Sec. 10.2.1.C.1.	☒ Included
Fee - \$211.00	☒ Included

SUBMITTAL INFORMATION

Submit all documentation, with the exception of the required addressed envelopes and notarized certification of owner to:

Carter Pettibone

Carter.pettibone@raleighnc.gov

(p) 919-996- 4642

Deliver the addressed envelopes and notarized certification of owner to:

Department of Planning and Development

One Exchange Plaza, Suite 300

Raleigh NC, 27601

UDO Section 8.3.2, 8.3.4, 8.3.5

Design Alternate Findings

The Appearance Commission may in accordance with Sec. 10.2.18.D approve a design alternate, subject to all of the following findings.

For design alternates related to block perimeter, please provide the exact linear footage and exhibit/depiction of the existing or proposed block.

1. The approved Design Alternate meets the intent of Sections 8.3.2, 8.3.4, and 8.3.5
See attached.
2. The approved Design Alternate does not increase congestion or compromise safety;
See attached.
3. The approved Design Alternate does not conflict with an approved or built roadway construction project adjacent to or in the vicinity of the site (no Design Alternate shall be approved when the City Council has authorized a roadway design project in the vicinity, where the roadway design has not yet been finalized); and
See attached.
4. The Design Adjustment is deemed reasonable due to one or more of the following:
 - a. Given the existing physical environment, compliance is not physically feasible;
See attached.
 - b. Compliance would not meaningfully improve connectivity;
See attached.
 - c. Compliance is not compatible with adjacent uses[s]; or
See attached.
 - d. The burden of compliance is not reasonable given the size of the site or the intensity of the development.
See attached.

UDO Articles 8.4, 8.5 and RALEIGH STREET DESIGN MANUAL

Design Alternate Findings

The Appearance Commission may in accordance with Sec. 10.2.18.E approve a design alternate, subject to all of the following findings.

For design alternates related to block perimeter, please provide the exact linear footage and exhibit/depiction of the existing or proposed block.

1. The approved Design Alternate meets the intent of Articles 8.4 and 8.5 or the Raleigh Street Design Manual (if applicable);
See attached.
2. The approved Design Alternate does not increase congestion or compromise safety;
See attached.
3. The approved Design Alternate does not create additional maintenance responsibilities for the City;
See attached.
4. The approved Design Alternate has been designed and certified by a Professional Engineer, or such other Design Professional licensed to design, seal, and certify the alternate;
See attached.
5. The approved Design Alternate will not adversely impact stormwater collection and conveyance; and
See attached.
6. The Design Alternate is deemed reasonable due to one or more of the following:
 - a. Given the existing physical environment, including but not limited to the following, compliance is not physically feasible:
 - i. An existing building would impede roadway expansion; or
See attached.
 - ii. Transitioning from a different street section; or
See attached.
 - b. The burden of compliance is not reasonable given the size of the site or intensity of the development.
See attached.

City of Raleigh, NC Appearance Commission Application Instructions



PRE-APPLICATION MEETING

A pre-application meeting with City staff is required **prior to** the submittal of a Design Alternate Application. Please contact the Transportation Reviewer assigned to your Development Plan Application to schedule a Pre-application meeting. For general questions regarding the process to seek a Design Alternate, please contact Daniel.king@raleighnc.gov.

FILING FEE: \$211.00

SUBMITTAL REQUIREMENTS

Design Alternate Applications can be downloaded from City's official website [Design Alternate Process](#). An application will not be considered complete until **ALL** the following items have been submitted:

1. Payment of filing fee - All applications must be paid via check made out to the "City of Raleigh";
2. The most current version of your Development Plan highlighting the Design Alternates requested must be included with your application. If the Development Plan is amended, you must update the Design Alternate Application to include a copy of the most recent version of the Development Plan **no later than 15 business days prior to the evidentiary hearing on your Application.**
3. A list that includes the names and mailing addresses of the following: (1) owner(s) of the subject property included in the Application and (2) the owners of all property within 100 feet on all sides of the Subject Property, all as listed in the Wake County tax records at the time of submittal. Applicants may utilize the Label Creator tool located on the City's webpage <https://raleighnc.gov/board-adjustment>;
4. One (1) original hard copy of the signed and notarized Certification of Owner(s) or Applicant(s); and
5. Stamped (first class) and labeled envelopes addressed to the owner(s) of the Subject Property and the owners of all property within 100 feet on all sides of the Subject Property as noted on the required list. It is requested that the envelopes be self-sealing (peel and stick) and labeled with the following return address: Department of Planning and Development, City of Raleigh, P.O. Box 590, Raleigh, NC 27602-0590

**** Notarized Certification of Owner(s) or Applicant(s) and Stamped and Addressed Envelopes MUST be submitted by the filing deadline ****

FILING DEADLINES

Complete applications must be filed minimum a of 60 days prior to the date the Appearance Commission conducts the evidentiary hearing on the application. If the Development Plan is amended, you must update the Design Alternate Application to include a copy of the most recent version of the Development Plan no later than 15 business days prior to the evidentiary hearing on the application.

PUBLIC HEARING REQUIREMENT

The Raleigh Appearance Commission conducts evidentiary hearings on requests for Design Alternates. The Appearance Commission considers the application and the sworn testimony, and other relevant written and/or illustrative evidence entered into the record at the evidentiary hearing on the application.

Notification of the public hearing will take place by each of the following methods:

- **By Mail** – City Staff will prepare and mail a written notice to the owner(s) of the property (the “Subject Property”) included in the Design Alternate Application and the owners of all property within 100 feet on all sides of the Subject Property. This notice will be postmarked not more than 25 calendar days and no less than 10 calendar days prior to the date of the evidentiary hearing.
- **By Web** - Notice will be posted on the City’s official website no less than 10 calendar days prior to the date of the evidentiary hearing.
- **On-Site** - Notice will also be posted by City staff on the Subject Property at least 10 days prior to the date of the evidentiary hearing. ***NOTICE TO APPLICANT - The applicant must retrieve the posted sign the morning of the evidentiary hearing and return it to the City either at the evidentiary hearing or within three (3) business days following the evidentiary hearing or they will be charged \$45.00.***

QUASI-JUDICIAL EVIDENTIARY HEARING

You or your legal representative are **required** to attend and present your case before the Appearance Commission. The Appearance Commission will consider the application, any other relevant written and/or illustrative evidence entered into the record, including the Staff Report, and any sworn testimony, all at an evidentiary hearing. After the evidentiary hearing, the Appearance Commission will vote to approve, approve with conditions, or deny the application.

Appearance Commission meetings are typically held the 1st and 3rd Monday of each month in the City Council Chamber, Room 201 of the Raleigh Municipal Building located at 222 W. Hargett Street. Meetings begin at 4:30 p.m. unless otherwise specified.

The Appearance Commission conducts evidentiary hearings on Design Alternate Applications at its meeting on the 1st Thursday of each month.

The Appearance Commission conducts an evidentiary hearing and makes its decision based on the written and oral evidence in the record. Members of the Appearance Commission must refrain from *ex parte* communications (communications outside of the hearing itself) regarding upcoming or ongoing cases including the applicant and other members of the Appearance Commission. All testimony before the Appearance Commission must be “sworn” testimony; therefore, all persons wishing to speak on the matter must be sworn in

All applicants are advised to have an attorney represent them as this is a legal proceeding. Applicants that are entities, including governmental entities, corporations, LLCs, LLPs and Partnerships must be represented by an attorney. Engineers, architects, real estate agents, planners and other non-attorneys may only appear as witnesses; they may not appear on behalf of an applicant or those opposed to an application in a representative capacity. In addition, only an expert can testify regarding matters that require expert testimony such as impacts of proposed activities on property values, traffic, or stormwater runoff. Individuals opposed to an application may appear and represent themselves at the hearing (entities opposing an application, however, must be represented by an attorney as explained above).

ADDITIONAL INFORMATION:

The aforementioned is provided for informational purposes only. For further information, applicants are advised to consult the appropriate sections of the North Carolina General Statutes, the City Code, and the City’s Unified Development Ordinance (“UDO”).

For further information on the quasi-judicial hearing process, please review “A Citizen’s Guide to Evidentiary Hearings” available on the City’s website here:

<https://cityofraleigh0drupal.blob.core.usgovcloudapi.net/drupal-prod/COR14/EvidentiaryHearing.pdf>

Olde Towne Project
SUB-0071-2020
Design Alternate Application Addendum

Summary of Request: Applicant seeks relief from the following requirements: (1) the block perimeter requirement of UDO Section 8.3.2.A and Raleigh Street Design Manual (RSDM) Section 9.1 to increase the permitted maximum block from 2,500 linear feet to 13,427 linear feet; (2) RSDM Section 4.6.1.11 to reduce the 3.5 feet setback of residential driveways to a 0 feet setback from the side lot line; (3) UDO Section 8.3.5.C.b and RSDM Section 9.5.d to increase the permitted width of a residential driveway for up to 6 off-street parking spaces from 18 feet to 36 feet; (4) UDO Section 8.3.5.D and RSDM Section 9.5.3 to remove cross-access requirements (i) to connect Alley A to the northwestern boundary line south of Anamosa Street with PIN 1732041995, (ii) to connect Arkose Drive to the western boundary line with PIN 1722846081, (iii) to connect Street B to the western boundary line with PIN 1722846081, (iv) to connect Street D on the southern boundary line with PIN 1722937516, and (v) to connect Alley A on the southwestern boundary line with PIN 1722937516; and (5) UDO Section 8.3.4.C and RSDM Section 9.3 to remove the requirement to extend a stub street to the boundary of adjoining undeveloped land (i) to connect Alley A to the northwestern boundary line south of Anamosa Street with PIN 1732041995, (ii) to connect Arkose Drive to the western boundary line with PIN 1722846081, (iii) to connect Street B to the western boundary line with PIN 1722846081, (iv) to connect Street D on the southern boundary line with PIN 1722937516, and (v) to connect Alley A on the southwestern boundary line with PIN 1722937516.

I. Project Address

Parcel No. 173204111: 5161 Keyser Street, Raleigh, NC 27610

II. UDO Section 8.3.2, 8.3.4, 8.3.5 Design Alternate Findings

The Appearance Commission may in accordance with Section 10.2.18.D approve a design alternate, subject to all of the following findings. For design alternates related to block perimeter, please provide the exact linear footage and exhibit/depiction of the existing or proposed block.

1. The approved design alternate meets the intent of Sections 8.3.2, 8.3.4 and 8.3.5; and

Response: The intent of this article is to provide a well-connected and safe street network for vehicular and pedestrian connectivity and provide satisfactory means of ingress and egress to and from a street or abutting site, as well as to provide for alternates when this article's requirements are not compatible.

The design alternate from block perimeter meets the intent of Article 8.3 because this lot designed for townhouse development will still have a well-connected and safe street network for vehicular and pedestrian connectivity. There will be multiple streets within this lot to create smaller blocks, meeting the intent of the block perimeter requirement and providing connectivity within the lot. There will also be 1 point of access to Anamosa Street and 3 points of access to Kasota Lane from this lot, two of the main roads running

through the development. There will also be an alley with a public access easement running north to south connecting Caen Street at the north to Keyser Street to the south, a sidewalk running east to west connecting Street D to Kasota Street, a trail at the south of the lot connecting to a trail permitted under ASR-0095-2020 connecting to Keyser Street and the apartment portion of the development to provide pedestrian and bicycle connectivity with the larger development. It is not feasible to conform with the block perimeter standard on this oversized block, as shown on the attached exhibit showing the linear footage of the existing block, due to existing recorded tree conservation areas, wetlands, streams with required buffers and an existing pond south of the lot. The block will be 13,427 linear feet, and the requested design alternate is 10,927 linear feet from the maximum 2,500 linear feet requirement.

The design alternate from maximum driveway width will meet the intent of Article 8.3 because there will be sufficient vehicular, pedestrian and bicycle ingress and egress to each lot from a street even when the driveways serving each lot exceeds 18 feet in width. Lot constraints, townhouse frontages and compliance with other street design requirements requires shared driveways for some townhouse lots that result in a combined width in excess of the 18 feet maximum. However, the combined driveways will be designed to provide safe, direct and convenient pedestrian, bike and vehicular access to these lots.

The design alternate for cross-access and stub-street extension requirements will meet the intent of Article 8.3 because there will be sufficient vehicular and pedestrian connectivity between the lots without the required cross-access and stub street extensions. There will be sufficient vehicular and pedestrian connectivity between PIN 1732041995 to the west without the cross-access connecting Alley A to the northwestern property line just south of the intersection of Anamosa Street and Caen Street as there will be another connection via Caen Street within 140' of the northwestern property line, as well as two other connections to PIN 1732041995 further south from Chert Street and Street C. Vehicular connectivity to PIN 1722937516 to the south is not necessary as it primarily consists of an existing pond, existing tree conservation areas and stormwater management facilities. At the south of the lot, there will be a trail connection to a trail permitted under ASR-0095-2020 providing pedestrian connection between the lot and PIN 1722937516. Vehicular connectivity to PIN 1722846081 to the west is not necessary as it primarily consists of an existing buffered stream, existing tree conservation areas, an existing powerline easement and the only developable space left is for stormwater management facility that has already been built. Finally, there will be ample connectivity from the new internal streets within the lot with 1 access point to Anamosa Street and 3 access points to Kasota Lane, two of the main roads running through the development.

2. The approved design alternate does not increase congestion or compromise safety; and

Response: The design alternate from block perimeter will not increase congestion or compromise safety. There will be ample connectivity from the new internal streets within the lot with 1 access point to Anamosa Street and 3 access points to Kasota Lane, two of the main roads running through the development, to prevent congestion. Also, a total of four stub streets will be constructed along the boundaries with PINs 1732041995 and

1722945976 to allow for connection upon future development of these adjacent properties.

The design alternate from maximum driveway width will not increase congestion or compromise safety. Each driveway will be engineered to be of an appropriate width to ensure safe ingress and egress from each lot in a way that will not result in congestion.

The design alternate from cross-access and stub street extension requirements will not increase congestion or compromise safety. There will be another connection to PIN 1732041995 via Caen Street within 140' of the northwestern property line, as well as two other connections to PIN 1732041995 further south from Chert Street and Street C, providing ample and safe access between these lots without increasing congestion. Additionally, providing the connection of Alley A to the northwest property line with PIN 1732041995 would result in a 4-way stop at the intersection with Caen Street in close proximity to Anamosa Street, which may result in increased congestion and safety risks. Vehicular connectivity to PIN 1722937516 is not necessary as it primarily consists of an existing pond, existing tree conservation areas and stormwater management facilities, thus there will be no increase to congestion or risk to safety. At the south of the lot, there will be a trail connection to a trail permitted under ASR-0095-2020 providing pedestrian connection between the lot and PIN 1722937516, which will be a more appropriate connection between the lots. Vehicular connectivity to PIN 1722846081 to the west is not necessary as it primarily consists of an existing buffered stream, existing tree conservation areas, an existing powerline easement and the only developable space left is for stormwater management facility that has already been built, thus there will be no increase to congestion or risk of safety. Finally, there will be ample connectivity from the new internal streets within the lot with 1 access point to Anamosa Street and 3 access points to Kasota Lane, two of the main roads running through the development such that there will not be an increase in congestion or safety risks.

3. The approved design alternate does not conflict with an approved or built roadway construction project adjacent to or in the vicinity of the site (no design alternate shall be approved when the City Council has authorized a roadway project in the vicinity, where the roadway design has not yet been finalized); and

Response: The design alternates will not conflict with an approved or built roadway construction project adjacent to or in the vicinity of the site.

4. The design alternate is deemed reasonable due to one or more of the following:

a. Given the existing physical environment, compliance is not physically feasible;

Response: For the block perimeter design alternate, the existing physical environment does not make compliance physically feasible. There are significant environmental constraints to providing connecting public roads to adjacent properties, including previously recorded tree conservation areas, wetlands, streams with required buffers and an existing pond to the south.

For the design alternates from cross-access and stub street extension requirements for connecting Akrose Drive and Street B to the western boundary line with PIN 1722846081 and connecting Street D and Alley A on the southern boundary line with PIN 1722937516, there are also significant environmental constraints to providing cross-access and stub street extension. These include previously recorded tree conservation areas, wetlands, streams with required buffers and an existing pond to the south. There is also a Duke Energy power line easement on PIN 1722846081, which further restricts this connection.

b. Compliance would not meaningfully improve connectivity;

Response: Compliance with the UDO Section 8.3.5.C.b maximum driveway width would not meaningfully improve connectivity. Maximum driveway width must be exceeded for townhouse lots that will have a shared driveway. Relief from this standard will still result in pedestrian, vehicular and bicycle access to each lot from a street within the development.

Compliance with the UDO Section requiring cross-access and stub street extension with (i) the northwestern boundary line south of Anamosa Street with PIN 1732041995, (ii) the western boundary line with PIN 1722846081, and (iii) the southern boundary line with PIN 1722937516 would not meaningfully improve connectivity. There will be ample vehicular and pedestrian connectivity between the lot and PIN 1722846081 through another connection via Caen Street within 140' of the northwestern property line, as well as two other connections further south from Chert Street and Street C. Vehicular connectivity to PIN 1722937516 is not necessary as it primarily consists of an existing pond, tree conservation areas and stormwater management facilities. At the south of the lot, there will be a trail connection to a trail permitted under ASR-0095-2020 providing pedestrian connection between the lot and PIN 1722937516. Vehicular connectivity to PIN 1722846081 to the west is not necessary as it primarily consists of an existing buffered stream, existing tree conservation areas, an existing powerline easement and the only developable space left is for stormwater management facility that has already been built. Finally, there will be ample connectivity from the new internal streets within the lot with 1 access point to Anamosa Street and 3 access points to Kasota Lane, two of the main roads running through the development.

c. Compliance is not compatible with adjacent use[s]; or

Response: Compliance with the UDO Section requiring cross-access connection and stub street extension with the northwestern boundary line with PIN 1732041995, just south of Anamosa Street, is not compatible with adjacent uses. The cross-access connection and stub street extension for compliance would be met through the extension of private Alley A, which will serve residential townhouses on the lot. This would not be compatible with the contemplated future commercial development for PIN 1732041995. The more appropriate cross-access connection and stub street extension between this residential townhouse development and the anticipated future commercial development on PIN 1732041995 will be through the extension of Caen Street, a public right of way within 140' feet of the northwest property line, just south of the intersection of Anamosa Street and Caen Street. Also, vehicular connectivity to PIN 1722937516 to the south is not compatible with its primary anticipated use for an existing pond, tree conservation areas and stormwater management facilities. Finally, vehicular connectivity to PIN

1722846081 to the west is not necessary as it primarily consists of an existing buffered stream, existing tree conservation areas, an existing powerline easement and the only developable space left is for stormwater management facility that has already been built.

d. The burden of compliance is not reasonable in light of the size of the site or intensity of the development

Response: For the design alternate from maximum driveway width, compliance is not reasonable given the size and intensity of this townhouse development as there will be safe, direct and convenient pedestrian, bicycle and vehicular access to each townhouse lot without strict compliance with the maximum width requirement. This design alternate will allow for the townhouse development, which necessitates this alternate due to the more compact nature of this type of development as opposed to the single family detached development, and will provide an additional housing type to create housing diversity in the area.

For the design alternate from cross-access and stub street extension with the northwestern boundary line with PIN 1732041995, just south of Anamosa Street, compliance is not reasonable given the size and intensity of the development as there are already 3 other planned connections via stub street to PIN 1732041995, one of which will be via Caen Street within 140' of the northwest property line. 3 cross-access points for the acreage and density of this proposed townhouse development is sufficient and an additional cross-access point should not be required.

II. UDO Articles 8.4, 8.5 and RALEIGH STREET DESIGN MANUAL Design Alternate Findings

The Appearance Commission may in accordance with Sec. 10.2.18.E approve a design alternate, subject to all of the following findings. For design alternates related to block perimeter, please provide the exact linear footage and exhibit/depiction of the existing or proposed block.

1. The approved Design Alternate meets the intent of Articles 8.4 and 8.5 or the Raleigh Street Design Manual (if applicable);

Response: The intent of the RSDM block, driveway and access standards are to provide a well-connected and safe street network, to provide safe and convenient vehicular and pedestrian access within developments and between adjacent developments, to lessen traffic congestion, and to provide safe, direct and convenient pedestrian, bike and vehicular access.

The design alternate from block perimeter meets the intent of the RSDM because this lot designed for townhouse development will still have a well-connected and safe street network for vehicular and pedestrian connectivity. There will be multiple streets within this lot to create smaller blocks, meeting the intent of the block perimeter requirement and providing connectivity within the lot. There will also be 1 point of access to Anamosa Street and 3 points of access to Kasota Lane from this lot, two of the main roads running through the development. There will also be an alley with a public access easement running north to south connecting Caen Street at the north to Anamosa Street to the

south, a sidewalk running east to west connecting Street D to Kasota Street, a trail at the south of the lot connecting to a trail permitted under ASR-0095-2020 connecting to Keyser Street and the apartment portion of the development to provide vehicular, pedestrian and bicycle connectivity with the larger development. It is not feasible to conform with the block perimeter standard on this oversized block, as shown on the attached exhibit showing the linear footage of the existing block, due to existing recorded tree conservation areas, wetlands, streams with required buffers and an existing pond south of the lot. The block will be 13,427 linear feet, and the requested design alternate is 10,927 linear feet from the maximum 2,500 linear feet requirement.

The design alternates from driveway standards meets the intent of RSDM because there will be sufficient vehicular, pedestrian and bicycle ingress and egress to each lot from a street even when the driveways serving each lot are setback from the side lot line less than 3.5 feet and when the driveway width exceeds 18 feet. Driveways will be setback from the side lot line as far as possible, but cannot meet the 3.5 feet setback, more appropriate for single family detached structures, due to lot constraints, townhouse frontages and need to comply with other street design requirements including driveway separation from intersections. Finally, lot constraints, townhouse frontages and compliance with other street design requirements requires shared driveways for some townhouse lots that result in a combined width in excess of the 18 feet maximum, however, the combined driveways will be designed to provide safe, direct and convenient pedestrian, bike and vehicular access to these lots.

The design alternate for cross-access and stub street extension requirements will meet the intent of the RSDM because there will be sufficient vehicular and pedestrian connectivity between the lots without the points of required cross-access and stub street extension. There will be sufficient vehicular and pedestrian connectivity between PIN 1732041995 to the west without the cross-access and stub street extension connecting Alley A to the northwestern property line just south of the intersection of Anamosa Street and Caen Street as there will be another connection via Caen Street within 140' of the northwestern property line, as well as two other connections to PIN 1732041995 further south from Chert Street and Street C. Vehicular connectivity to PIN 1722937516 to the south is not necessary as it primarily consists of an existing pond, existing tree conservation areas and stormwater management facilities. At the south of the lot, there will be a trail connection to a trail permitted under ASR-0095-2020 providing pedestrian connection between the lot and PIN 1722937516. Vehicular connectivity to PIN 1722846081 to the west is not necessary as it primarily consists of an existing buffered stream, existing tree conservation areas, an existing powerline easement and the only developable space left is for a stormwater management facility currently that has already been built. Finally, there will be ample connectivity from the new internal streets within the lot with 1 access point to Anamosa Street and 3 access points to Kasota Lane, two of the main roads running through the development.

2. The approved Design Alternate does not increase congestion or compromise safety;

Response: The design alternate from block perimeter will not increase congestion or compromise safety. There will be ample connectivity from the new internal streets within the lot with 1 access point to Anamosa Street and 3 access points to Kasota Lane, two of

the main roads running through the development, to prevent congestion. Also, a total of four stub streets will be constructed along the boundaries with PINs 1732041995 and 1722945976 to allow for connection upon future development of these adjacent properties.

The design alternates from driveway standards will not increase congestion or compromise safety. Each driveway will be engineered to be appropriately setback from the side lot lines and of an appropriate width to ensure safe ingress and egress from each lot in a way that will not result in congestion.

The design alternate from cross-access and stub street extension requirements will not increase congestion or compromise safety. There will be another connection to PIN 1732041995 via Caen Street within 140' of the northwestern property line, as well as two other connections to PIN 1732041995 further south from Chert Street and Street C, providing ample and safe access between these lots without increasing congestion. Additionally, providing the connection of Alley A to the northwest property line with PIN 1732041995 would result in a 4-way stop at the intersection with Caen Street in close proximity to Anamosa Street, which may result in increased congestion and safety risks. Vehicular connectivity to PIN 1722937516 is not necessary as it primarily consists of an existing pond, tree conservation areas and stormwater management facilities, thus there will be no increase to congestion or risk to safety. At the south of the lot, there will be a trail connection to a trail permitted under ASR-0095-2020 providing pedestrian connection between the lot and PIN 1722937516, which will be a more appropriate connection between the lots. Vehicular connectivity to PIN 1722846081 to the west is not necessary as it primarily consists of an existing buffered stream, existing tree conservation areas, an existing powerline easement and the only developable space left is for a stormwater management facility currently that has already been built. Finally, there will be ample connectivity from the new internal streets within the lot with 1 access point to Anamosa Street and 3 access points to Kasota Lane, two of the main roads running through the development such that there will not be an increase in congestion or safety risks.

3. The approved Design Alternate does not create additional maintenance responsibilities for the City;

Response: The design alternates from block perimeter, cross-access and stub street extension will not create additional maintenance responsibilities for the City as there will be less public right of way with less pavement for maintenance.

The design alternates from driveway standards will not create additional maintenance responsibilities for the City as a reduction in the side lot setback and deviation from the perpendicularity requirement should not impact the City's maintenance responsibilities. Additionally, the design alternate for increased driveway width will reduce access points such that City maintenance should not increase. Finally, the increased driveway width is applicable to shared driveways only. The total paved area for the shared driveways serving two townhouses will not exceed the 36 feet, or the maximum allowable paved area for two separate driveways. As a result, the maintenance responsibilities for the City should not be increased. Additionally, shared driveways will eliminate small grass strips between driveways that the City would otherwise be required to maintain.

4. The approved Design Alternate has been designed and certified by a Professional Engineer, or such other Design Professional licensed to design, seal and certify the alternate;

Response: The design alternates have been designed and certified by a Professional Engineer.

5. The approved Design Alternate will not adversely impact stormwater collection and conveyance; and

Response: The design alternates will be served by the planned Stormwater collection and conveyance mechanisms required by the UDO for the proposed development and will not adversely impact Stormwater collection.

6. The Design Alternate is deemed reasonable due to one or more of the following:

- a. Given the existing physical environment, including but not limited to the following, compliance is not physically feasible:**
 - i. An existing building would impede roadway expansion; or**
 - ii. Transitioning from a different street section; or**

Response: For the block perimeter design alternate, the existing physical environment does not make compliance physically feasible. There are significant environmental constraints to providing connecting public roads to adjacent properties, including previously recorded tree conservation areas, wetlands, streams with required buffers and an existing pond to the south.

For the design alternates from driveway standards, the existing physical environment does not make compliance physically possible. The physical environment of the site, including adjacent streams, tree conservation area and topography limit street layout and buildable area making compliance with the 3.5 feet side lot setback and maximum driveway width infeasible given the townhouse building type. Additionally, compliance with other UDO and RSDM requirements, including separation of driveways from intersections, further restricts compliance with the 3.5 feet side lot setback and maximum driveway width for the townhouse building type.

For the design alternates from cross-access and stub street extension requirements for connecting Akrose Drive and Street B to the western boundary line with PIN 1722846081 and connecting Street D and Alley A to the southern boundary line with PIN 1722937516, there are also significant environmental constraints to providing cross-access, including previously recorded tree conservation areas, wetlands, streams with required buffers and an existing pond to the south. There is also a Duke Energy power line easement on PIN 1722846081, which further restricts this connection.

b. The burden of compliance is not reasonable given the size of the site or intensity of the development.

Response: For the design alternates from driveway standards in Sections 4.6.1.7, 4.6.1.11 and 9.5.d, compliance is not reasonable given the size and intensity of this townhouse development as there will be safe, direct and convenient pedestrian, bicycle and vehicular access to each townhouse lot without strict compliance with the 3.5' side lot setback and maximum width requirements. These design alternates will allow for the townhouse development, which necessitates these alternates due to the more compact nature of this type of development as opposed to the single family detached development, and will provide an additional housing type to create housing diversity in the area.

For the design alternate from cross-access and stub street extension with the northwestern boundary line with PIN 1732041995, just south of Anamosa Street, compliance is not reasonable given the size and intensity of the development as there are already 3 other planned connections via stub street to PIN 1732041995, one of which will be via Caen Street within 140' of the northwest property line. 3 cross-access points for the acreage and density of this proposed townhouse development is sufficient and an additional cross-access point should not be required.

NOTARIZED CERTIFICATION OF OWNER(S)

Owner Information

Name(s)	<u>Olde Towne WEH LP, a North Carolina limited partnership</u>
Mailing Address	<u>56 Hunter Street, Suite 110, Apex, NC 27502</u>
Telephone	<u>919-387-1885</u>
Fax	<u>N/A</u>
Email	<u>erifkin@hallecompanies.com</u>
Project PIN/Address	<u>PIN No. 1732041118</u>

I, Eric Rifkin, the undersigned, being first duly sworn, depose and say that I voluntarily submitted this Design Alternate Application to the City of Raleigh; that I am the owner(s) of the property described and which is the subject matter of this Application; that all answers to the questions in this application, and all plot plan(s), sketches, data and other supplementary information attached to this application are honest and true to the best of my knowledge and belief. Submission of an incomplete or incorrect application may result in a delay in processing or the rejection of my application.

[NOTE: If the owner is a corporation, this must be signed by an authorized corporate officer; If the owner is a partnership, this must be signed by a general partner; If the owner is a limited liability company, this must be signed by the Manager for a manager managed LLC, or all the members for a member managed LLC.] For multiple owners, attach additional Notarized Certification of Owner(s) pages.

Date: 1/22/21

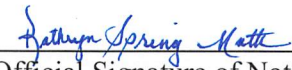

Signature Eric Rifkin
Assistant Vice President

STATE OF NORTH CAROLINA
Wake COUNTY

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing application for the purpose stated therein and in the capacity indicated:

Eric Rifkin, Assistant Vice President

Date: January 22, 2021


Official Signature of Notary

[NOTARY SEAL]

Kathryn Spring Mattson, Notary Public
Notary's Printed or Typed Name

My Commission expires: January 28, 2025

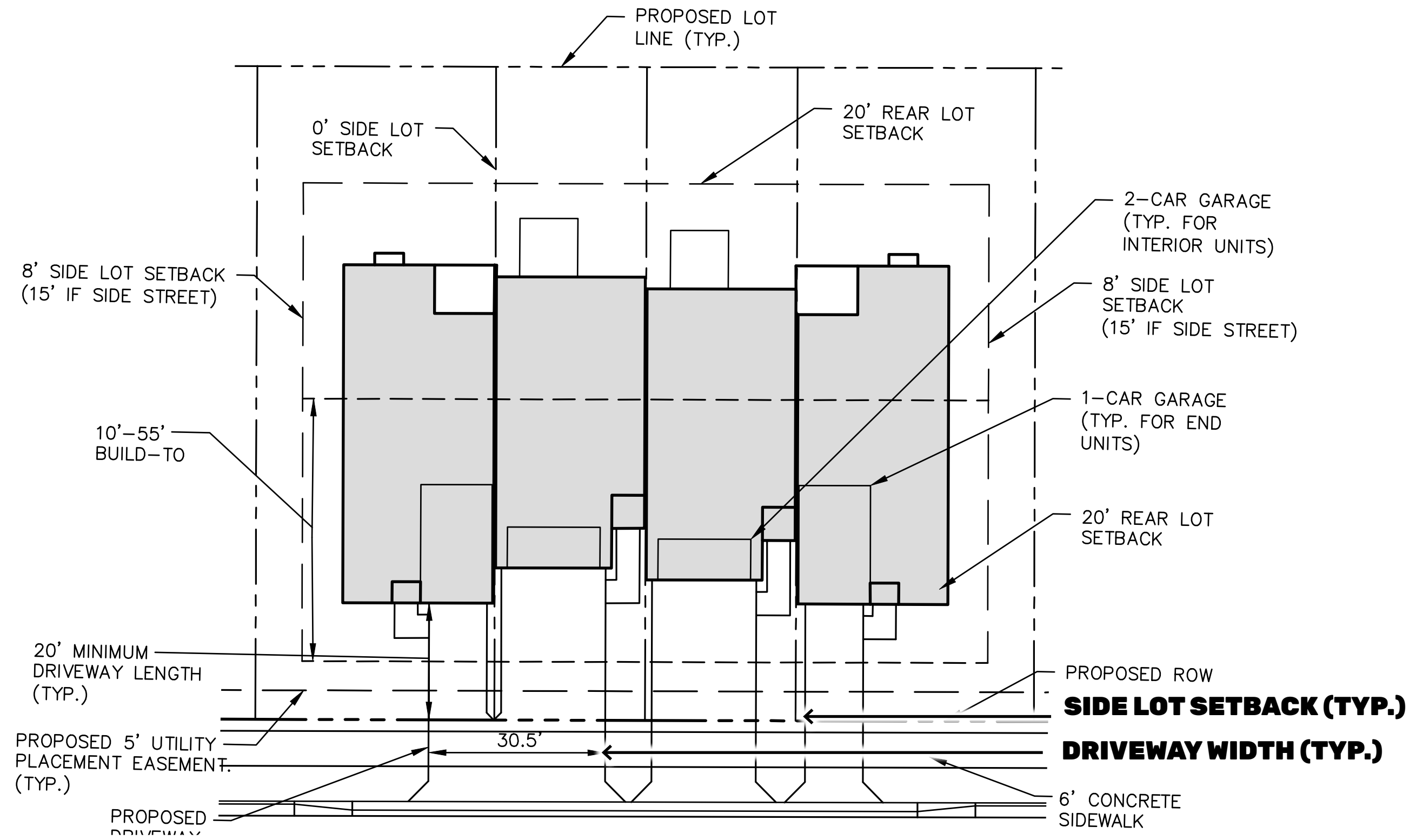


SUB-0071-2020

Ownership Signing Authority

1. Olde Towne WEH LP
 - a. Signing Authority: Eric Rifkin (Assistant Vice President and authorized corporate officer for WEH Associates, Inc., General Partner of Olde Towne WEH LP)

Design Alternate : Driveway Standards (Side Lot Setbacks & Max Driveway Width)



Standard Front Load Townhouse Lot Layout

ADOPTED TEXT CHANGE TC-6-19

The creation (on the property to be developed) or continuation (on an adjacent property) of any new street or street stub would be obstructed by any of the following:

- a. existing improvements where the value of such improvements is more than the land value of the parcel on which the improvements are located;
- b. railroad, or controlled access highway;
- c. watercourse that has one (1) square mile of drainage area or more; or
- d. previously established tree conservation area, open space or public park.

The maximum block perimeter shall may be permitted to extended by 50% where the block includes a pedestrian passage (see Sec. 8.4.8.) or an alley (Sec. 8.4.7.) that connects the two 2 streets on opposing block faces. Pedestrian including pedestrian passages and alleys may that connect dead-end streets.

BASE STANDARD LENGTH:	2500 LF
50% INCREASE WITH PRIVATE ALLEY (PER TEXT CHANGE TC-6-19 SEC. 2.B.3.)	1250 LF
BLOCK PERIMETER (MAX.):	3750 LF

Block #	Perimeter (LF)	Allowable (LF)
1	1562	2500
2	1993	2500
3	2216	3750
4	2529	3750
5	2204	3750
Average Length	2100.8	3250

Overall Block 13,427

*Private Alley "A" allowable 50% increase per Text Change TC-6-19

EXISTING
S NEW HOPE ROAD
SR 2697
(110' PUBLIC R/W)
BM 2008, PG 280

PERMANENTLY UNDISTURBED
TREE CONSERVATION AREA
PER BM 2008, PG 1412

EXISTING WETLANDS AND
PERMANENTLY UNDISTURBED
TREE CONSERVATION AREA
PER BM 2008, PG 1412
NO POSSIBLE CONNECTIONS

EXISTING
ROCK QUARRY ROAD
SR 2542
(VARIABLE WIDTH PUBLIC R/W)
BM 2010, PG 112

LOT 9
10.81 AC.

LOT 2
47.07 AC.

LOT 3
12.08 AC.

LOT 4
42.78 AC.

ANAMOSA STREET

PRIVATE ALLEY "A"

BLOCK 5
PERIMETER = 2,204
BASE STD LENGTH = 2,500 LF
ALLOWABLE 50% INCREASE (ALLEY) = 3,750 LF

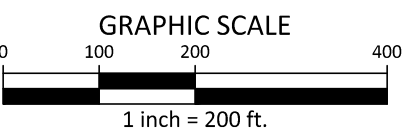
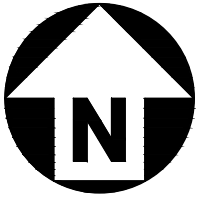
BLOCK 4
PERIMETER = 2,529
BASE STD LENGTH = 2,500 LF
ALLOWABLE 50% INCREASE (ALLEY) = 3,750 LF

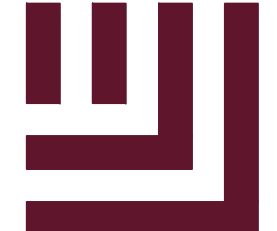
BLOCK 1
PERIMETER = 1,562
BASE STD LENGTH = 2,500 LF

BLOCK 2
PERIMETER = 1,993
BASE STD LENGTH = 2,500 LF

BLOCK 3
PERIMETER = 2,216
BASE STD LENGTH = 2,500 LF

EXISTING
ROYAL ACRES ROAD
(60' PUBLIC R/W)
BM 1969, PG 375





McADAMS
The John R. McAdams Company, Inc.
One Glenwood Avenue
Suite 201
Raleigh, NC 27603
phone 919. 823. 4300
fax 919. 361. 2269
license number: C-0293, C-187
www.mcadamsco.com

CLIENT

HALLE BUILDING GROUP
56 HUNTER STREET, SUITE 110
APEX, NORTH CAROLINA 27502
ERIC RIFKIN
PHONE: 919. 387. 1885



OLDE TOWNE - LOT 10
PRELIMINARY SUBDIVISION PLAN
RALEIGH, NORTH CAROLINA



REVISIONS

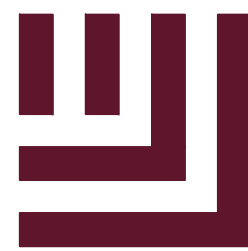
NO.	DATE
1	

PLAN INFORMATION

PROJECT NO.	HLE-20010
FILENAME	HLE20010-BP1
CHECKED BY	MDS
DRAWN BY	MDS
SCALE	1"=200'
DATE	02. 12. 2021

SHEET

BLOCK PERIMETER
PLAN
EX-1



McAdams

The John R. McAdams Company, Inc.
One Glenwood Avenue
Suite 201
Raleigh, NC 27603
phone 919. 823. 4300
fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CLIENT

HALLE BUILDING GROUP
56 HUNTER STREET, SUITE 110
APEX, NORTH CAROLINA 27502
ERIC RIFKIN
PHONE: 919. 387. 1885



OLDE TOWNE - LOT 10
PRELIMINARY SUBDIVISION PLAN
RALEIGH, NORTH CAROLINA



REVISIONS

NO.	DATE
1	

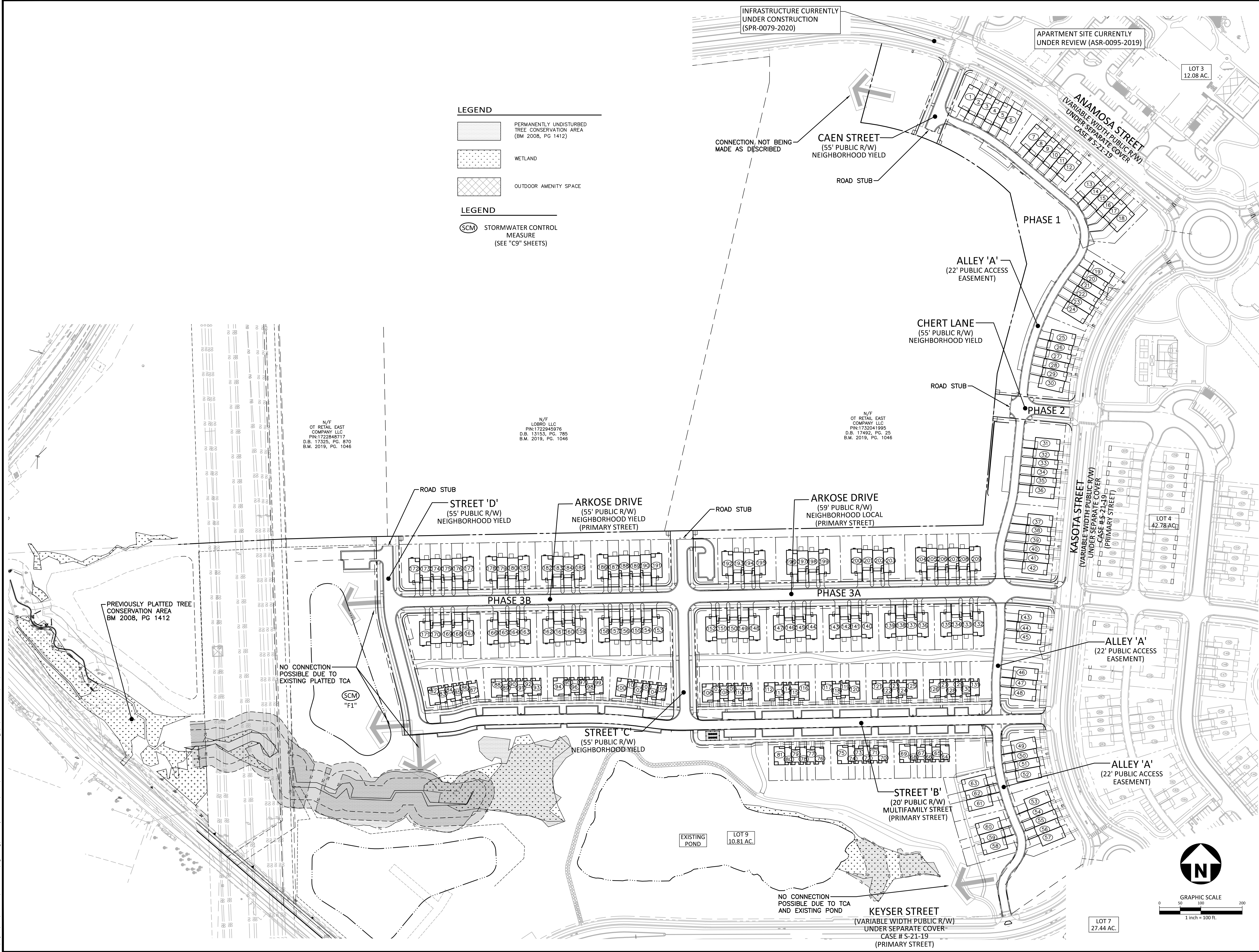
PLAN INFORMATION

PROJECT NO.	HLE-20010
FILENAME	HLE20010-S1
CHECKED BY	MDS
DRAWN BY	MDS
SCALE	1"=100'
DATE	11. 13. 2020

SHEET

CROSS-ACCESS EXHIBIT

EX-2



I:\Projects\Halle\20010\04-Production\Engineering\Pre\Halle\20010-04-PSF-04-2.dwg, 1/29/2021 1:12:39 PM, Mark, Matt