LOCATION: This site is located on the south side of Spring Forest Road, west side of Falls of Commons Drive, and north side of Springfield Commons Drive. The site is addressed at 832 Springfield Commons Dr, which is inside City limits.

REQUEST: Subdivision of a 1.99-acre tract zoned CX-3-PL-CU (Z-43-90) into 2 lots for commercial use.

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: Design adjustments have been submitted to the cross access standards of UDO Article 8.3 and for reduced right-of-way dedication on lot 2. The applicable section of the UDO is Article 8.5.

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 12/27/2018 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.

☒ 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. 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.

2. 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.

3. A fee-in-lieu for widening of Spring Forest Road and Springfield Commons Drive along the subdivision frontage is paid to the City of Raleigh (UDO 8.1.10). In addition, fee in lieu for 1’ of sidewalk width along the Spring Forest Road, Falls of Commons and Springfield Commons Drives will be required.

4. A public infrastructure surety shall be provided to the City of Raleigh Development Services – Development Engineering program (UDO 8.1.3).

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:

Engineering

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

Urban Forestry

2. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 8 new street trees along Spring Forest Road, 10 street
trees along Springfield Commons Drive and 5 street trees along Falls of Commons Drive for a total of 23 street trees.

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 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 surface drawings.

7. Final inspection of all tree conservation areas and right of way street trees by Urban Forestry Staff.

EXPIRATION DATES: If significant construction has not taken place on a project after preliminary subdivision approval, that approval may “sunset” and be declared void, requiring re-approval before permits may be issued. To avoid allowing this preliminary approval to "sunset", the following must take place by the following dates:

3-Year Sunset Date: 3-5-2022
Record the entire subdivision.

I hereby certify this administrative decision.

Signed: (Development Services Dir./Designee) Date: 3/5/19

Staff Coordinator: Ryan Boivin
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</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Name: 832 Springfield Subdivision</td>
</tr>
<tr>
<td>Development Case Number: S-32-2018</td>
</tr>
<tr>
<td>Transaction Number: 563617</td>
</tr>
<tr>
<td>Design Adjustment Number: DA - 87 - 2018</td>
</tr>
</tbody>
</table>

**Staff recommendation based upon the findings in the applicable code(s):**

- [x] UDO Art. 8.3 Blocks, Lots, Access
- [x] 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
- [x] Development Engineering [12/17]
- [ ] City Planning
- [ ] Transportation
- [ ] Engineering Services
- [ ] Parks & Recreation and Cult. Res.
- [ ] Public Utilities

**CONDITIONS:**

---

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

Authorized Signature: Daniel G. King

Date: 3/5/19

*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**

The proposed design adjustment to waive the requirements of cross access is supported by staff. The site layout of developed properties. The adjacent site at 301 Ridgefield Drive is approximately 4' lower at common property line with the proposed Springfield Commons lot 2. The width of the lot, building placement, sight distance concerns and effective radius from a driveway connection inhibit a cross access connection.

No additional driveways are proposed with the redevelopment. Access from the proposed subdivision is onto Springfield Commons Drive. The subdivision complies with both driveway spacing standards and driveway separation from the intersection of the closest intersection.
A. The requested design adjustment meets the intent of this Article;  
YES [x] NO [ ]
B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;  
YES [x] NO [ ]
C. The requested design adjustment does not increase congestion or compromise safety;  
YES [x] NO [ ]
D. The requested design adjustment does not create additional maintenance responsibilities for the City; and  
YES [x] NO [ ]
E. The requested design adjustment has been designed and certified by a Professional Engineer.  
YES [x] NO [ ]

STAFF FINDINGS

The proposed design adjustment is to waive ROW dedication along the Springfield Commons frontage of proposed lot 1. Staff is in support of the proposed design adjustment due to the constraints of the existing building and associated structures such as pedestrian access. The building on proposed lot 1 is not being removed with the proposed subdivision and associated administrative site review.

Redevelopment of lot 1 going forward would require the associated ROW dedication.
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.

<table>
<thead>
<tr>
<th>REQUEST</th>
<th>CONTACT</th>
<th>OWNER</th>
<th>PROJECT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Name: 832 Springfield Subdivision</td>
<td>Case Number: S-32-18</td>
<td>Name: 832 Springfield Partners, LLC c/o Alax Kelly</td>
<td>Transaction Number: 563617</td>
</tr>
<tr>
<td>Address: 2820 Selwyn Ave, Ste. 500</td>
<td>City: Charlotte</td>
<td>State: NC</td>
<td>Zip Code: 28209</td>
</tr>
<tr>
<td>Name: Chris Pope</td>
<td>Firm: Piedmont Land Design, LLP</td>
<td>Address: 8522 - 204 Six Forks Road</td>
<td>City: Raleigh</td>
</tr>
<tr>
<td>State: NC</td>
<td>Zip Code: 27615</td>
<td>Phone: 704-317-3675</td>
<td>Phone: 919-845-7600</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
- 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):

Per coordination with City Staff, this request is for a waiver of cross-access requirement on subject parcel.

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: 10/1/2018

CHECKLIST

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

PAGE 1 OF 6

WWW.RALEIGHNC.GOV

REVISION 1/30/2018
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;
   Subject property and adjacent property are already developed. The overall Springfield Commons development was designed to utilize Springfield Commons drive as an internal access route for the development. Pedestrian and bicycle cross access is provided on both Spring Forest Rd. and Springfield Commons Dr.

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   With Springfield Commons drive serving as an internal circulation route cross-access intent is met. Pedestrian and bicycle cross-access is provided on both Spring Forest Rd. and Springfield Commons Dr.

C. The requested design adjustment does not increase congestion or compromise Safety;
   Subject site and adjacent site are developed and are of different uses. Cross-access along Springfield Commons Rd. provides a safe route for vehicular connectivity.

D. The requested design adjustment does not create any lots without direct street Frontage;
   The subject lot as well as the adjacent lot currently have direct street access. These access points are not proposed to be removed.

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.

3. Both sites are currently developed with different uses. On-site cross access would result in the loss of necessary parking on each site.
STATE OF NORTH CAROLINA
COUNTY OF Mecklenburg

I, Alexandra H. Espinoza, a Notary Public do hereby certify that
Alexander C. Kelly personally appeared before me this day and
acknowledged the due execution of the foregoing instrument.

This the 1st day of October, 2018.

(SEAL)

Alexandra H. Espinoza
Notary Public
Mecklenburg County, NC
My Commission Expires December 28, 2021

Notary Public

My Commission Expires: 12/28/2021
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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<td>583617</td>
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**Owner:** 832 Springfield Partners, LLC c/o Alex Kelly

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<tr>
<th>Address</th>
<th>2820 Selwyn Ave., Ste. 600</th>
</tr>
</thead>
<tbody>
<tr>
<td>City</td>
<td>Charlotte</td>
</tr>
<tr>
<td>State</td>
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<td>28209</td>
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<td>704-817-3675</td>
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**Contact:** Chris Pope

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  - See page 2 for findings
- [ ] UDO Art. 8.4 New Streets  
  - See page 3 for findings
- [x] 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):

Per coordination with City Staff, this request is for a waiver of right-of-way dedication for the Lot 2 frontage along Springfield Commons Dr.

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

10/3/2018

**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:
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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;
   Existing right-of-way accommodates the necessary street section for this location. An additional r/w dedication would conflict with existing improvements on site including the building, electrical transformer and solid waste enclosure. Future need for additional r/w dedication is unlikely as Springfield Commons Dr. serves the existing facilities adequately. Should the site be re-developed, additional r/w can be obtained at that time.

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   The existing Springfield Commons Dr. serves as a parallel connection to the adjacent development and satisfies the cross-access and inter-connectivity intent in the Comprehensive Plan.

C. The requested design adjustment does not increase congestion or compromise safety;
   Public improvements exist for this portion of the site and the design adjustment proposed does not impact the congestion or safe usage of these facilities.

D. The requested design adjustment does not create additional maintenance responsibilities for the City; and
   No additional maintenance is necessitated by this request.

E. The requested design adjustment has been designed and certified by a Professional Engineer.
   Plans are prepared and certified by Piedmont Land Design, a licensed professional engineering firm.
STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON  

I, Alexandra H. Espinoza, a Notary Public do hereby certify that Alexander Goodman Wells personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

This the 8th day of October, 2018

(SEAL)  

Notary Public  
Alexandra H. Espinoza  
Notary Public  
Henderson County, NC  
My Commission Expires December 28, 2021

My Commission Expires: Dec 28, 2021