Zoning: **R-6**  
CAC: **West**  
Drainage Basin: **Walnut Creek**  
Acreage: **0.99**  
Number of Lots: **5**

Planner: **Ryan Boivin**  
Phone: **(919) 996-2681**

Applicant: **Alan Keith**  
Phone: **(919) 467-9972**
Administrative Approval Action
S-90-17, 506 Jones Franklin Rd Subdivision
Transaction # 539547, AA # 3822

LOCATION: This site is located on the west side of Jones Franklin Road and south side of Barringer Drive. The site is addressed at 506 Jones Franklin Road, which is inside City limits.

REQUEST: Subdivision of a 0.99 acre tract zoned R-6 into five (5) lots for residential detached homes. The proposed lot sizes are:

- Lot 1 – 8914.43 SF/0.20 acres
- Lot 2 – 6119.56/0.14 acres
- Lot 3 – 9398.75 SF/0.22 acres
- Lot 4 – 7861.61 SF/0.18 acres
- Lot 5 – 7496.28 SF/0.17 acres

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC:
1) A Design Adjustment was approved for UDO Section 8.3.2 providing relief from block perimeter requirements.
2) An Administrative Alternate (AAD-7-18) was granted for the required C2 street protective yard along Jones Franklin Rd.

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 submitted by Alan Keith, PE of Diehl & Phillips, P.A.

CONDITIONS OF APPROVAL and NEXT STEPS:

Note: This document must be applied to the second sheet of all future submittals with the exception of final plats.

PRIOR TO THE ISSUANCE OF ANY SITE PERMITS OR APPROVAL OF CONCURRENT REVIEW PROCESS, WHICHEVER IS APPLICABLE:

ENGINEERING

1. Next Step: 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. If demolition causes a land disturbance of more than 12,000 sf. a mass grading permit will be required. (UDO 9.4.6)

PRIOR TO AUTHORIZATION TO RECORD LOTS:

GENERAL

3. A note will be placed on the plat for recording, regarding the required C2 street protective yard for Lots 1, 2, and 3 fronting Jones Franklin Rd (as shown in the approved preliminary subdivision plan).
4. FYI – future development plans for building permits will need to show the C2 street protective yard as depicted in the approved preliminary subdivision plan.

ENGINEERING

5. 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.

6. 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 (1) day of recordation of the recorded plat. A recorded copy of these documents must be provided to the Development Services Department within 14 days from authorization of lot recordation. If a recorded copy of the documents is not provided within this 14-day period, further recordings and building permit issuance may be withheld.

7. In accordance with Part 10A Section 8.1.10, a fee-in-lieu for 417’ of 6’ sidewalk and 2.5’ of road width for 225’ is paid to the City of Raleigh.

8. A cross access agreement among the proposed lots 2 and 3 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 1 day of lot recordation. A recorded copy of these documents shall be provided to the Development Services Department within 14 days from authorization of lot recording. If a recorded copy of the documents is not provided within this 14-day period, further recordings and building permit issuance may be withheld.

STORMWATER

9. These lots are exempt per UDO Section 9.2.2.A.2.b.i as a residential subdivision of one acre or less approved after May 1, 2001, but are subject to impervious limitations of subsection A.4 and subject to further review upon placement of impervious surface areas.

10. If total land disturbance will be over 12,000 sq. ft. for multiple houses, a separate plan submittal & approval will be required showing an erosion control plan in compliance with UDO Section 9.4.6.

URBAN FORESTRY

11. Next Step: A fee in lieu is required for five street trees along Barringer Dr.

Prior to issuance of building occupancy permit:

1. The C2 street protective yard on Lots 1, 2, and 3 fronting Jones Franklin Rd (as shown on approved preliminary subdivision plans) will be installed.

2. Next Step: As-built drawings and associated forms for all Stormwater devices and/or any required as built impervious surveys are accepted by the Engineering Services Department.
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: 6-27-2021
   Record at least ½ of the land area approved.

5-Year Sunset Date: 6-27-2023
   Record entire subdivision.

I hereby certify this administrative decision.

Signed: [Planning Dir./Designee] [Signature] Date: 6/27/18

Staff Coordinator: Ryan Boivin
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>506 Jones Franklin Rd Subdivision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Case Number</td>
<td>S-90-17</td>
</tr>
<tr>
<td>Transaction Number</td>
<td>539547</td>
</tr>
<tr>
<td>Design Adjustment Number</td>
<td>DA - 4 - 2018</td>
</tr>
</tbody>
</table>

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

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

**DEPARTMENTS**

- [ ] Dev. Services Planner
- [x] Development Engineering
- [ ] Engineering Services
- [ ] Public Utilities
- [ ] City Planning
- [ ] Transportation
- [ ] Parks & Recreation and Cult. Res.

**CONDITIONS:**

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

Authorized Signature: [Signature]
Date: 6/27/18

*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 a Design Adjustment pertaining to Block Perimeter due to the existing buildings and layout of existing properties within the immediate vicinity is not conducive for additional connections (UDO 8.3.6).
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>PROJECT</th>
<th>CONTACT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Name 506 Jones Franklin Road Subdivision</td>
<td>Name Alan Keith, P.E.</td>
</tr>
<tr>
<td>Case Number S-90-17</td>
<td>Firm Diehl &amp; Phillips, P.A.</td>
</tr>
<tr>
<td>Transaction Number 539547</td>
<td>Address 1500 Piney Plains Road Suite 200</td>
</tr>
<tr>
<td>Name BGM Development Company, Inc.</td>
<td>City Cary</td>
</tr>
<tr>
<td>Address 51 Kilgave Drive Suite 100</td>
<td>State NC</td>
</tr>
<tr>
<td>City Cary</td>
<td>Zip Code 27511</td>
</tr>
<tr>
<td>Phone 919 481 9000</td>
<td>State NC</td>
</tr>
<tr>
<td>Phone 919 467 9972</td>
<td>Zip Code 27518</td>
</tr>
</tbody>
</table>

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

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

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

The proposed 506 Jones Franklin Road Subdivision creates 5 R-8 lots from an existing corner lot fronting on Jones Franklin Road and Barringer Drive. Two new lots will face Jones Franklin and two new lots will face Barringer. One lot is a corner lot. The block containing the new subdivision contains multiple zonings. The most restrictive block perimeter maximum length is 3,000 to 8,000 feet. The existing block perimeter is approximately 15,280 feet in length. Nearly all property within the block is fully developed, with various uses from single family residential to apartment uses. There are several dead-end streets or looped streets within the block, that if extended, would have created a much shorter block perimeter. Due to development approved in the past by the City of Raleigh, the existing block perimeter was created. A Design Adjustment is deemed reasonable, meeting conditions 2, 3, and 6 of UDO Section 8.3.6.E.

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

Date

CHECKLIST

Signed Design Adjustment Application: Included
Page(s) addressing required findings: Included
Plan(s) and support documentation: Included
Notary page (page 6) filled out; Must be signed by property owner: Included
First Class stamped and addressed envelopes with completed notification letter: Included

Submit all documentation, with the exception of the required addressed envelopes and letters to designadjustments@raleighnc.gov.

Deliver the addressed envelopes and letters to:
Development Services, Development Engineering
One Exchange Plaza, Suite 500
Raleigh NC, 27601

For Office Use Only

RECEIVED DATE: DA -
The Development Services Director may in accordance with Sec. 10.2.18. approve a design adjustment, subject to all of the following findings. Describe how each item is met:

A. The requested design adjustment meets the intent of this Article;
   The proposed subdivision creates lots at the intersection of two existing streets. Vehicle and pedestrian access is provided via the street frontage.

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   The proposed subdivision is single family residential according to the current zoning. Further, additional right of way will be dedicated on Jones Franklin Road for future improvement of the street which will allow construction of a street section per the City plans.

C. The requested design adjustment does not increase congestion or compromise safety;
   The proposed subdivision creates two lots facing Barringer Drive, two lots facing Jones Franklin Road, and one corner lot. The trips generated by the additional lots will not significantly increase traffic volume. Emergency vehicle access is provided via Barringer or Jones Franklin.

D. The requested design adjustment does not create any lots without direct street frontage;
   All proposed lots have street frontage for 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.

2 & 3. The proposed subdivision adjoins an existing apartment complex with no opportunity to connect to a public street. The existing block is almost completely built out with existing streets configured such that additional extensions or connections are precluded. The proposed subdivision can gain street access for all lots from existing streets without new street construction. A new street across the subject property would create an extremely small block with no benefit for traffic or pedestrian circulation. Therefore, no new street is proposed.

6. To our knowledge, there are no current plans for construction on Jones Franklin Road or Barringer Drive. The proposed subdivision provides additional right of way for Jones Franklin Road. The additional right of way associated with the subdivision will benefit any future construction.
STATE OF NORTH CAROLINA
COUNTY OF Wake

I, Paige Teeter, a Notary Public do hereby certify that Colin MacNair personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

This the 12 day of February, 2018

(SEAL)

Notary Public Paige Teeter

My Commission Expires: 12-27-2021

WAKE COUNTY, NC

DEVELOPMENT SERVICES DEPARTMENT
506 JONES FRANKLIN ROAD

SINGLE FAMILY SUBDIVISION
PRELIMINARY SUBDIVISION PLANS
S-90-17
TRANSACTION No. 539547

OWNER & DEVELOPER:
BGM DEVELOPMENT COMPANY, INC.
51 KILMAYNE DRIVE SUITE 100
CARY, N.C. 27511
(919) 481-9000

PIN 0783 26 2982
PROPERTY ADDRESS:
506 JONES FRANKLIN ROAD
RALEIGH, N.C.
INSIDE CITY LIMITS
ZONE: R-6
TOTAL AREA: 0.99 AC.

NOTES:
The Solid Waste Design Manual has been reviewed. Trash services will be by the City of Raleigh SWS, with rollout containers that will be stored in the individual lot garages or on a concrete pad beside the residence per design manual.

INDEX OF DRAWINGS

COVER SHEET
1 EXISTING CONDITIONS
2 SUBDIVISION PLAN
3 UTILITY PLAN
4 LANDSCAPE PLAN

PLANS PREPARED BY:
DIEHL & PHILLIPS, P.A.
CONSULTING ENGINEERS - LIC. NO. C-0465
1500 PINERY PLAINS ROAD, SUITE 200
CARY, N.C. 27518 • (919) 467-9972

DATE: 4/2/18
224.5/100' = 2.24 x 4 = 9 SHADE TREES REQ'D. 9 PROVIDED
224.5/100' = 2.24 x 15 = 33.6 - 34 SHRUBS REQ'D. 41 PROVIDED

NOTE: PLANTINGS APPROVED BY ADMINISTRATIVE
ALTERNATE AAD-7-18 APPROVED 5/29/18