Administrative Approval Action
Triangle Shooting Academy Expansion: SR-9-18,
Transaction# 544333, AA#3871

LOCATION: This site is located east of Mount Herman Road and south of the intersection of Mount Herman Road and ACC Boulevard. The site address is 6501 Mt. Herman Road and the PIN number is 0768-95-0697. This site is inside the City limits.

REQUEST: The applicant proposes to expand an existing 40,600 square foot Shooting Academy by 7,200 square foot. The facility is located on 12.67 acres and zoned Industrial Mixed Use with a Parkway Frontage (IX-3-PK). The site also is located in the Airport Overlay District (AOD) and Special Highway Overlay District-2 (SHOD-2).

DESIGN ADJUSTMENT(S)/ ALTERNATES, ETC: Two Design Adjustments have been approved by the Development Services Director Designee for this project, noted below:

1. A Design Adjustment granting relief from the block perimeter requirements due to the Interstate-540. No immediate streets can be extended in the immediate area. Reference DA-83-2018.

2. A Design Adjustment granting relief from dedication of the 5’ Utility Placement Easements due to Mt Herman Road being a NCDOT maintained ROW and not allowing street trees to be planted. This creates an open space within the public right-of-way where utilities can be placed free of conflict.

One Parking Administrative Alternate was approved by the Planning Director in accordance with UDO Section 7.1.2.B, noted below:

1. The Triangle Shooting Academy should provide 118 parking spaces to the facilities demand. Please see letter on the plan set cover sheet for details.

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 12/7/2018 by Blair Pittman of Bobbitt Design Build

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 - For land disturbance of 12,000 square feet or greater, public or private infrastructure, shared stormwater devices, etc. Concurrent Site Review may be submitted upon receipt of this signed approval document.
The following items are required prior to approval of Concurrent Site Review plans:

Engineering

1. A right-of-way obstruction permit must be obtained from Right-of-way Services prior to the commencement of any construction activities within the right-of-way.

Stormwater

2. The State of North Carolina shall approve any proposed disturbance within the riparian buffer prior to the issuance of any grading or site permit (UDO 9.2.3.E).

3. A surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City (UDO 9.4.4).

Urban Forestry

4. Submit a final tree conservation plan that includes metes and bounds descriptions of all tree conservation areas and tree protection fencing as required (UDO 9.1.5).

5. Tree protection fence must be inspected by Urban Forestry staff prior to the issuance of a grading permit.

☒ 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.

Stormwater

2. All stormwater control measures and means of transporting stormwater runoff to and from any nitrogen and stormwater runoff control measures shall be shown on all plats for recording as private drainage easements (UDO 9.2).

3. The riparian buffers, in accordance with the preliminary plan and the State of North Carolina regulations, shall be shown on plats for recording along with required buffer statement (Recorded Map Checklist).

4. A surety equal to 125% of the cost of the construction of a stormwater device shall be paid to the Engineering Services Department (UDO 9.2.2.D.1.d).
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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. The required right of way for proposed and/or existing streets shall be dedicated to the City of Raleigh and is shown on a plat approved for recordation.

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

3. Any previously paid fee-in-lieu amounts for streetscape improvements may be reimbursed due to the requirement to construct the UDO approved 6’ sidewalk with a 6’ tree lawn based on continued development in the immediate area.

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

Public Utilities

5. A plat must be recorded at the Wake County Register of Deeds office for all utility easement dedications.

Stormwater

6. A surety equal to 125% of the cost of the construction of a stormwater device shall be paid to the Engineering Services Department (UDO 9.2.2.D.1.d).

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.
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6. As-built drawings and associated forms for all Stormwater devices are accepted by the Engineering Services Department (UDO 9.2.2.D.3).

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

EXPIRATION DATES: The expiration provisions of UDO Section 10.2.8 E, including the ability to request extensions in the expiration date, apply to this site plan. If significant construction has not taken place on a project after administrative site review approval, that approval may expire and be declared void, requiring re-approval before permits may be issued. To avoid allowing this plan approval to expire the following must take place by the following dates:

3-Year Expiration Date: 1-10-2022
Obtain a valid building permit for the total area of the project, or a phase of the project.

4-Year Completion Date:
Within four years after issuance of the first building permit for the site plan, the construction of the entire site plan must be completed unless an applicant has been granted vested rights. Failure to complete construction within this specified time frame shall automatically void the approved site plan for which no building permits have been issued.

I hereby certify this administrative decision.

Signed: (Development Services Dir./Designee) [Signature] Date: 1/10/19

Staff Coordinator: Daniel L. Stegall
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>
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<tbody>
<tr>
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<td>TSA - 100 Yard Range</td>
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<td>Design Adjustment Number</td>
<td>DA - 83 - 2018</td>
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Staff recommendation based upon the findings in the applicable code(s):
- [ ] UDO Art. 8.3 Blocks, Lots, Access
- [ ] UDO Art. 8.5 Existing Streets
- [ ] UDO Art. 8.4 New Streets
- [ ] Raleigh Street Design Manual

Staff SUPPORTS [ ] DOES NOT SUPPORT [ ] the design adjustment request.

<table>
<thead>
<tr>
<th>DEPARTMENTS</th>
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<tbody>
<tr>
<td>Dev. Services Planner</td>
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<th>STAFF RESPONSE</th>
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<td>CONDITIONS:</td>
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Development Services Director or Designee Action: [ ] APPROVE [ ] APPROVE WITH CONDITIONS [ ] DENY

Authorized Signature: [Signature]

Engineering Review Manager: Daniel G. Parks, PE

Date: 1/19/19

*The Development Services Director may authorize a designee to sign in his/her stead. Please print name and title next to signature.

Appeal of the decision from the Development Services Director, or his or her designee, shall be made in writing within 30 days to the Board of Adjustment (see Section 10.2.18.C3b).
The Development Services Director may in accordance with Sec. 10.2.18. approve a design adjustment, subject to all of the following findings.

A. The requested design adjustment meets the intent of this Article;
   YES ☑ NO ☐
B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   YES ☑ NO ☐
C. The requested design adjustment does not increase congestion or compromise Safety;
   YES ☑ NO ☐
D. The requested design adjustment does not create any lots without direct street Frontage;
   YES ☑ NO ☐
E. The requested design adjustment is deemed reasonable due to one or more of the following:
   1. Topographic changes are too steep;
   2. The presence of existing buildings, stream and other natural features;
   3. Site layout of developed properties;
   4. Adjoining uses or their vehicles are incompatible;
   5. Strict compliance would pose a safety hazard; or
   6. Does not conflict with an approved or built roadway construction project
   7. adjacent to or in the vicinity of the site.
   YES ☑ NO ☐

**STAFF FINDINGS**

Staff supports the request for a Design Adjustment as it relates to block perimeter due to the presence of 540. Mt Herman Rd is a street that existed prior to 540. When the highway passed through, Mt Herman Rd was cut in the middle, leaving a dead end street. No additional streets can be extended in the immediate area.
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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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):

UDO Art. 8.3 - Request waiver of block perimeter requirements per Raleigh UDO Sec. 8.3.1.D and 8.3.2.B.6. Existing freeways and preexisting development make the provision of a complete block, or a reduced dead-end infeasible.

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.

[Signature]
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
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;
   Yes. This design adjustment meets the intent of this Article. Per UDO Sec. 8.3.1.D this project is subject to waiver of the maximum dead-end street length due to existing development and existing interstate highways and freeways and natural ponds.

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   This design adjustment meets the Comprehensive Plan and adopted City plans. There are no small area plans covering this parcel and the Raleigh Street Typology Map does not show a future road through this property.

C. The requested design adjustment does not increase congestion or compromise Safety;
   The design adjustment will not have negative impacts to congestion or compromise safety. This parcel is part of an existing subdivision with existing infrastructure.

D. The requested design adjustment does not create any lots without direct street Frontage;
   All lots have direct street frontage. No new parcels are created.

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.

The property is located on the north side of Mt. Herman Road. Due to the construction of the HWY 70 / I-540 Interchange, Mt. Herman Road was truncated and resulted in a dead end that does not meet the current Raleigh UDO dead end road max of 500'. The location of I-540 and the existing development on Mt Herman Road limits the availability of interconnection for vehicles and pedestrians. There is no proposed or approved roadway construction that is in conflict with the requested adjustment.
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 additional maintenance responsibilities for the City; and  
   YES [✓]  NO [ ]
E. The requested design adjustment has been designed and certified by a Professional Engineer.  
   YES [✓]  NO [ ]

STAFF FINDINGS
Staff supports the request for relief regarding the 5' Utility Placement Easement dedication behind the public right-of-way line. Mt Herman Rd is a NCDOT maintained street and has denied the request for plantings within the public right-of-way. This will leave the designated 6' planting strip open and allow for utility placement in that area.
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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- [ ] UDO Art. 8.3 Blocks, Lots, Access - 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):
UDO Art. 8.5 B.1.a - Request waiver of 5’ Utility easement outside of Right-of-way of existing Mt. Herman Road, as required per Raleigh UDO Sec. 8.5.2.c. Existing development of subject property was required to provide a 15’ wide Street Protective yard along Mt. Herman Rd., Mt. Herman Rd. is a NCDOT controlled right-of-way and street trees were not approved in R/W (per NCDOT), therefore proposed expansion is required to supplement this Protective Yard to current Type C2 standards. Enforcement of utility easement would require removal of established landscaping.

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: 12-5-18

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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;
   Approval of this design adjustment will meet the intent of the of sec. 8.5. The right-of-way of Mt. Herman Rd. is controlled by NCDOT and tree plantings within the R/W were not approved, therefore there is available space within the R/W should any additional utilities be necessary. This is an existing street section with utilities run in the R/W.

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   This design adjustment meets the Comprehensive Plan and adopted City plans. There are no small area plans covering this parcel.

C. The requested design adjustment does not increase congestion or compromise safety;
   The design adjustment will not have negative impacts to congestion or compromise safety. This parcel is part of an existing subdivision with existing infrastructure.

D. The requested design adjustment does not create additional maintenance responsibilities for the City; and
   Approval of this Design Adjustment does not create any additional maintenance responsibilities for the City of Raleigh

E. The requested design adjustment has been designed and certified by a Professional Engineer.
   Requested Design Adjustment has been designed and certified by a Professional Engineer.
STATE OF NORTH CAROLINA
COUNTY OF Wake

I, Christina Sitall, a Notary Public do hereby certify that William H. Edwards personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

This the 5th day of December, 2018.

Notary Public ________________

My Commission Expires: 5.5.2021