LOCATION: This site is located on the east side of Common Oaks Drive, west of the intersection of common Oaks Drive and Capital Blvd. The site address is 11370 Common Oaks Drive.

REQUEST: Development of a 2.008 acre tract zoned CX-3-PK and within an Urban Watershed Protection Overlay District, into an 11,727 square foot Daycare Center. (Learning Care Academy)

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: One Design Adjustment has been approved for this project, noted below.

1. Design Adjustment application DA-54-2018 as it relates to cross access requirements and block perimeter standards.

One Hardship Variance has been approved by the City of Raleigh Board of Adjustment for this project, noted below.

1. A variance to Section 9.1.9.A. of the Unified Development Ordinance to reduce the forestation requirement area for the Urban Watershed Protection Overlay District down from 40% to 21% of the site as well as a variance to Section 9.1.9.A.1. of the Unified Development Ordinance to reduce the minimum contiguous gross land area for qualifying forestation areas on a 2.008 acre property zoned Commercial Mixed-Use-3-Parkway and Urban Watershed Protection Overlay District and located at 11370 Common Oaks Drive. (BOA - A-108-17)

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 Bluewater Civil Design, LLC.

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. **Next Step:** A stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved by the Stormwater Engineer in compliance with Part 10A Chapter 9 of the Unified Development Ordinance.

   **Next Step:** In accordance with Part 10A Section 9.4.4 of the Unified Development Ordinance, a surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City.

### URBAN FORESTRY

3. Obtain required tree impact permits from the City of Raleigh.

4. **Next Step:** Prior to the issuance of a mass grading permit or other site permit, whichever comes first, submit a final tree conservation plan with a permit approved by Urban Forestry staff that includes metes and bounds descriptions of all tree conservation areas and tree protection fencing as required.

5. **Next Step:** Tree protection fence must be located in the field and inspected by Urban Forestry staff prior to the issuance of a mass grading permit or other site permit, whichever comes first.

### PRIOR TO ISSUANCE OF BUILDING PERMITS:

**GENERAL**

1. A Final Plat shall be recorded with the Wake County Register of Deeds office for all Recombinations, Right of Way and/or Easement Dedications, and Tree Conservation Areas.

2. Provide fire flow analysis.

**ENGINEERING**

3. 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.

4. 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.

5. Existing cross access easement BM 2000 PG 1536, DB 8723 PG 354 will need to be revised or a new cross access easement will need to be recorded that encapsulates the existing vehicular and pedestrian access into the site as depicted in the preliminary drawings.

6. In accordance with Part 10A Section 8.1.10, a fee-in-lieu for 1’ of sidewalk across the property frontage shall be paid to the City of Raleigh.

7. **Next Step:** 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

8. A Final Plat must be recorded at the Wake County Register of Deeds office for all necessary Subdivisions / Recombinations, Right-of-Way, Utility / Stormwater Easement Dedications and/or Tree Save Areas

STORMWATER

19. Next Step: The developer shall pay to the City a stormwater facility replacement fund payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans.

20. Next Step: 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.

21. Next Step: In accordance with Part 10A Section 9.2.2, a surety equal to 125% of the cost of the construction of a stormwater device shall be paid to the Engineering Services Department.

URBAN FORESTRY

22. A final inspection of required tree conservation and right of way tree protection areas by Urban Forestry staff must be completed.

23. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way.

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. Next Step: Required public right-of-way infrastructure improvements shall be, at a minimum, sufficiently completed to provide the necessary, safe emergency and vehicular access.

3. Next Step: 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. Next Step: All street lights and street signs required as part of the development approval are installed.

5. Next Step: Copies of certified inspection reports for alleys and internal access ways are submitted to the City of Raleigh Development Services – Development Engineering program.

6. Next Step: As-built drawings and associated forms for all Stormwater devices are accepted by the Engineering Services Department

7. Next Step: Final inspection of all required Tree Conservation and right of way tree plantings 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 reapproval 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: 11-13-2021
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: (Planning Dir./Designee) ___________________________ Date: 11/13/18

Staff Coordinator: Michael Walters
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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</thead>
<tbody>
<tr>
<td>Project Name</td>
<td>Learning Care Academy</td>
<td></td>
</tr>
<tr>
<td>Development Case Number</td>
<td>SR-38-18</td>
<td></td>
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<tr>
<td>Transaction Number</td>
<td>552946</td>
<td></td>
</tr>
<tr>
<td>Design Adjustment Number</td>
<td>DA - 54 - 2018</td>
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</tr>
</tbody>
</table>

**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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<tr>
<td>☑ Development Engineering</td>
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<tr>
<td>❌ Engineering Services</td>
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<td>☑ Public Utilities</td>
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</tbody>
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<tr>
<th>CONDITIONS</th>
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</thead>
</table>

**Development Services Director or Designee Action:**
- ☑ APPROVE
- ❌ APPROVE WITH CONDITIONS
- ❌ DENY

- Authorized Signature: KENNETH W. RICE, P.E., PE
- Date: 11/13/2018

*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 as it relates to cross access and block perimeter.

Cross access to the north and west are already granted through a previously recorded access easement. The property to the south is an issue due to a dramatic grade change as well as a blue line stream that runs approximately along the property line. The request to relieve the cross access requirement is supported due to the topographic changes and the presence of a stream.

The request for block perimeter relief is supported due to the existing street pattern, the existing cross access/internal driveways, and that any road connections that would be connected to Capital Blvd which is a Limited Access Highway. Cross access was recorded in BM 2000 PGS 1537-1538.
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>
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<tbody>
<tr>
<td>Project Name</td>
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<tr>
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<tr>
<td>Transaction Number</td>
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<td>State</td>
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<tr>
<td>Zip Code</td>
</tr>
<tr>
<td>Phone</td>
</tr>
<tr>
<td>Firm</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):

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: Jason Henderson, P.E. Date: 7-23-2018

CHECKLIST

<table>
<thead>
<tr>
<th>Item</th>
<th>Included</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signed Design Adjustment Application</td>
<td></td>
</tr>
<tr>
<td>Page(s) addressing required findings</td>
<td></td>
</tr>
<tr>
<td>Plan(s) and support documentation</td>
<td></td>
</tr>
<tr>
<td>Notary page (page 6) filled out; Must be signed by property owner</td>
<td></td>
</tr>
<tr>
<td>First Class stamped and addressed envelopes with completed notification letter</td>
<td></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 - |
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;
   Design adjustment requested during administrative site review due to existing conditions on subject property and adjacent property (specifically elevation difference).

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   The proposed project meets commercial mixed use standards.

C. The requested design adjustment does not increase congestion or compromise safety;
   The proposed project will not change access to subject property and adjacent sites.

D. The requested design adjustment does not create any lots without direct street frontage;
   No new lots created - all have street frontage.

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 topographic changes between subject property and adjacent property makes a connection between the two infeasible. It is not feasible to provide a public road through the subject property due to property size and topographical differences between adjacent properties to the south. Also, there is already an existing private access drive located directly adjacent (north) of the site which connects to multiple properties to the north and east.
South Carolina
STATE OF NORTH CAROLINA
COUNTY OF Greenville

I, Paul J. Harrison, a Notary Public do hereby certify that Jason Henderson personally appeared before me this day and acknowledged the due execution of the forgoing instrument.

This the 23rd day of July, 2018.

Paul J. Harrison
Notary Public

My Commission Expires: 02/25/25
SITE DEVELOPMENT PLANS FOR:
LEARNING CARE ACADEMY
11370 Common Oaks Drive
City of Raleigh, NC

LOCATION MAP

ATTENTION CONTRACTORS
THE
CONSTRUCTION CONTRACTOR
RESPONSIBLE FOR THE EXTENSION OF WATER,
SEWER, AND/OR REUSE, AS APPROVED IN THESE PLANS, IS RESPONSIBLE FOR
CONTACTING THE
PUBLIC WORKS DEPARTMENT AT (919) 996-2409
AND
THE PUBLIC
UTILITIES DEPARTMENT AT (919) 996-4540
AT LEAST
TWENTY FOUR HOURS
PRIOR TO
BEGINNING ANY OF THEIR CONSTRUCTION.
FAILURE
TO NOTIFY
BOTH CITY DEPARTMENTS
IN ADVANCE OF BEGINNING
CONSTRUCTION, WILL RESULT IN THE ISSUANCE OF
MONETARY FINES,
AND REQUIRE
REINSTALLATION OF ANY WATER OR SEWER FACILITIES NOT INSPECTED AS A RESULT
OF THIS NOTIFICATION FAILURE.
FAILURE
TO CALL FOR
INSPECTION, INSTALL A DOWNSTREAM PLUG,
HAVE
PERMITTED
PLANS
ON THE
JOBSITE
OF OTHER
VIOLATION OF CITY OF RALEIGH STANDARDS
WILL RESULT IN A
FINE AND POSSIBLE EXCLUSION
FROM FUTURE WORK IN THE C
ITY
OF RALEIGH.

SOLID WASTE COMPLIANCE STATEMENT
These plans are in compliance with the requirements
set forth in the Solid Waste Design Manual. This site
will use a private hauler to handle trash needs. Solid
Waste Services requirements are shown on C101,
C505, & L101.

COMPLIANCE STATEMENT
THE PROPOSED USE WILL COMPLY WITH ALL STATE
AND LOCAL STANDARDS.

SHEET INDEX

DEVELOPER
COMPANY
ADDRESS
PHONE
CONTACT
EMAIL
LCG Wake Forest, LLC
101 South Kings Drive
Charlotte, NC 28204
704-714-2858
Blanton Hamilton
bhamilton@tribek.com

CIVIL ENGINEER
COMPANY
ADDRESS
PHONE
CONTACT
EMAIL
Bluewater Civil Design, PLLC
19 Washington Park, Suite 100
Greenville, SC 29601
864-326-4204
Jason S. Henderson, PE
jason@bluewatercivil.com

SURVEYOR
COMPANY
ADDRESS
PHONE
CONTACT
EMAIL
WithersRavenel
115 MaKenan Drive
Cary, NC 27511
919-469-3340
Rudolf Vanervelde, PLS
rjvanervelde@withersravenel.com

ARCHITECT
COMPANY
ADDRESS
PHONE
CONTACT
EMAIL
GreenbergFarrow
21 South Evergreen Avenue, Suite 200
Arlington Heights, IL 60005
847-788-9200
Jesse Walker
jwalker@greenbergfarrow.com

CIVIL TITLE SHEET

REV
DATE
ISSUE
COMMENT
2018-100
8-16-2016
A
7-13-2018 REVISED PER RALEIGH
9-4-2018 REVISED PER RALEIGH

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SHEET INDEX
PLANT SCHEDULE

<table>
<thead>
<tr>
<th>#</th>
<th>COMMON NAME</th>
<th>BOTANICAL NAME</th>
<th>CALIPER</th>
<th>SPACING</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Common Oak</td>
<td>Quercus alba</td>
<td>1&quot; CAL.</td>
<td>5'-6'</td>
</tr>
<tr>
<td>2</td>
<td>Loblolly Pine</td>
<td>Pinus taeda</td>
<td>8&quot; CAL.</td>
<td>6' O.C.</td>
</tr>
<tr>
<td>3</td>
<td>Trident Maple</td>
<td>Acer buergerianum</td>
<td>3&quot; CAL.</td>
<td>6' O.C.</td>
</tr>
<tr>
<td>4</td>
<td>Dwarf White Loropetalum</td>
<td>Loropetalum chinense</td>
<td>3 GAL.</td>
<td>2' O.C.</td>
</tr>
<tr>
<td>5</td>
<td>Blue-Green Japanese Cedar</td>
<td>Cryptomeria japonica</td>
<td>3&quot; CAL.</td>
<td>2' O.C.</td>
</tr>
</tbody>
</table>

REMARKS:

1. The construction area includes: 24' W x 212' L (5348 sq ft).

2. Trees to be placed are shown for reference only and should be reviewed by the Contractor.

3. The plant schedule is intended to give an indication of the types of trees to be planted and should not be used as a record for certification of compliance with the contract documents.

4. The project is subject to State and County approvals.
PROPOSED SITE GRADING ELEVATION
SCALE: 3/32" = 1'-0"

EXISTING SITE GRADING ELEVATION
SCALE: 3/32" = 1'-0"

PROPOSED SITE GRADING ELEVATION
SCALE: 3/32" = 1'-0"