LOCATION: This site is located west of New Hope Rd, on the north side of Willow Oak Rd. at 4209 Willow Oak Rd.

REQUEST: Development of a 0.55 acre tract zoned OX-3 with a 872 square foot addition to an existing 1,664 gross sf building for office uses.

DESIGN ADJUSTMENT(S)/ ALTERNATES, ETC: A design adjustment to the block perimeter requirements of UDO Article 8.3 has been approved.

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 10/10/2018 by MacConnell & Associates, PC.

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.

☐ 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.

☒ 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.

<table>
<thead>
<tr>
<th></th>
<th>City Code Covenant</th>
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<th>Slope Easement</th>
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<tr>
<td>☐</td>
<td>Stormwater Maintenance Covenant</td>
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<td>Transit Easement</td>
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<td>☒</td>
<td>Utility Placement Easement</td>
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<td>Cross Access Easement</td>
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</tbody>
</table>
Administrative Approval Action
SR-62-18 Highland Express Shuttle Services
Transaction# 559729 AA#3892

☐ 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. 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.

2. A 20’ slope 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 cross access agreement among the lots identified as PINs 1724887751 and 1724889712 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 one day of plat recordation. If a recorded copy of the document is not provided within this time, further recordings and building permit issuance will be withheld.

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 fee-in-lieu for ½ of the street improvements and 6’ sidewalks along the entire frontage shall be paid to the City of Raleigh (UDO 8.1.10).

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

3. 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

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

Urban Forestry

5. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 3 street trees along Willow Oak Rd.

The following are required prior to issuance of building occupancy permit:

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

2. 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

3. Copies of certified inspector reports for alleys and internal access ways are submitted to the City of Raleigh Development Services – Development Engineering program.

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

5. Final inspection of all 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: 11-15-2021
Obtain a valid building permit for the total area of the project, or a phase of the project.

I hereby certify this administrative decision.

Signed: (Planning Dir./Designee) [Signature] Date: 11/15/18

Staff Coordinator: Jermon Purifoy
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>
<td>Project Name</td>
<td>Highland Express Shuttle Services</td>
</tr>
<tr>
<td>Development Case Number</td>
<td>SR-62-2018</td>
</tr>
<tr>
<td>Transaction Number</td>
<td>559729</td>
</tr>
<tr>
<td>Design Adjustment Number</td>
<td>DA - 97 - 2018</td>
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</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.

<table>
<thead>
<tr>
<th>DEPARTMENTS</th>
<th></th>
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<tbody>
<tr>
<td>Dev. Services Planner</td>
<td>City Planning</td>
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<tr>
<td>[x] Development Engineering</td>
<td>Transportation</td>
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<td>[ ] Engineering Services</td>
<td>Parks &amp; Recreation and Cult. Res.</td>
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<td>[ ] Public Utilities</td>
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**STAFF RESPONSE**

**CONDITIONS:**

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

Authorized Signature: [Signature]

Date: 11/15/2018

*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 [x]

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 any lots without direct street Frontage;
   YES [x] 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 [x] NO [ ]

---

**STAFF FINDINGS**

The developer is requesting a design adjustment to the block perimeter requirements found in Raleigh UDO Article 8.3. Staff is in support of the request due to the site layout of developed properties, adjoining uses are incompatible and the development does not conflict with an approved or built construction project.

The site is situated in a neighborhood setting and is an office use (allowed use.) The plan is for a proposed 872 square foot building addition. The proximity to an established neighborhood with single family homes is not conducive to a public street connection. In addition, the proximity to the intersection with New Hope Road does not allow for a scenario where a public street connection would create a logical block length. A stub from this parcel would result in a future block of less than 1500 feet connecting Pin Oak and Willow Oak Roads. Pin Oak and Willow Oak Roads tie into New Hope Road approximately 300 feet apart.
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.

Project Name  Highland Express Shuttle Services
Case Number  SR-62-18
Transaction Number  559729
Name  Kent Shelton
Address  4208 Willow Oak Rd  City  Raleigh
State NC  Zip Code  27604  Phone  919-231-3080
Name  Josh Halsey  Firm  MacConnell & Associates
Address  1101 Nowell Rd. Suite 118  City  Raleigh
State NC  Zip Code  27607  Phone  919-467-1239

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):

We are requesting a Design Adjustment for the block perimeter requirement. The existing block, which is fully developed, is approximately 3,574 linear feet. DX-3 zoning allows for a block perimeter of up to 3,000 linear feet. It is not feasible to provide a stub through our clients property because the properties to the rear (on Pin Oak Rd.) have existing houses, accessory buildings, driveways and fences that would make a connection to Pin Oak Rd. impractical as such would require loss of an existing single family dwelling fronting on Pin Oak Rd.

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  8/30/19

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;

According to 8.3.1.D, an Administrative Design Adjustment "may be appropriate where man made obstructions or site layout of developed properties prevent cross access". There are houses, accessory buildings, driveways and fences on the properties fronting Pin Oak Rd. which would prevent cross access.

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;

The requested Design Adjustment conforms with the Comprehensive Plan and adopted City plans because there is an allowance for the Public Works Director to waive block perimeter requirements due to per-existing development.

C. The requested design adjustment does not increase congestion or compromise safety;

The requested design adjustment will not increase congestion because the proposed office expansion will add, at most, 1 to 2 extra vehicles travelling on Willow Oak Rd. The adjustment will keep the street safer because adding a "cut through" at such a close proximity to the intersection of New Hope Rd. could cause safety concern for cars turning on to Willow Oad from New Hope Rd.

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

No street frontage is impacted.

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 presence of existing residential houses, out buildings, driveways and fences adjacent to the property make it impractical to provide a stub out through the property. Also, due to the proximity of the lot to the intersection of New Hope Rd, this is not an ideal location for the block to be intersected. Strict compliance with the block perimeter requirement at this location could cause a safety hazard due to the proximity of the lot to New Hope Rd. Maintaining the block "as is" does not conflict with any approved or built roadway construction project to our knowledge.
STATE OF NORTH CAROLINA  
COUNTY OF  Johnston

I, KATHRYN A. CHAFFEY, a Notary Public do hereby certify that  
KENY SHELTON  personally appeared before me this day and  
acknowledged the due execution of the forgoing instrument.

This the  26th  day of  October  , 2018.

(SEAL)  
Notary Public  KATHRYN A. CHAFFEY

My Commission Expires:  23 MARCH 2019
NOTES

1. CONTRACTOR is required to adequately drain all planting pits. 
   Comply with drainage as described in the city guidelines. 
2. MULCH DEPTH: 3". KEEP MULCH 3" FROM ROOT FLARE AND DO NOT CONTACT STEM. 
3. TREE PLANTING DETAIL: 
   1. Root flare shall be planted at grade, no higher than 2" above grade, and never below grade. Remove excess soil to expose the root flare at grade. 
   2. Tree shall be set plumb. 
   3. Mulch depth 3". Keep mulch 3" from root flare and do not contact stem. 
   4. Water saucer shall be no more than 3" above grade. 
   5. Complete remove top half of burlap, lacing and wire basket and discard from hole. 
   6. High quality soil mix as specified. 
   7. Root ball shall be placed directly on compacted subgrade. Handle tree by the root ball only. 

CONTACT INFORMATION: CITY OF RALEIGH PARKS, RECREATION AND CULTURAL RESOURCES DEPARTMENT URBAN FORESTER: 
TREES@RALEIGHNC.GOV 
WWW.RALEIGHNC.GOV

HIGHLAND EXPRESS SHUTTLE SERVICES
ADMIN, SITE REVIEW
CASE # SR-22-18
TRANSACTION # 559729
RALEIGH, NC

DETAILS

CERTIFICATE OF COMPLIANCE FOR BACKFLOW PREVENTER

BICYCLE RACK (4 BIKE CAPACITY)

TYPICAL TREE PLANTING

SOUTH ELEVATION: PRIMARY STREET FACING SIDE

NOT TO SCALE

PCCR-03

STICKER

PRIMER

DAWN

DO NOT PRUNE LEADER. PRUNE OR CUT ONLY DEAD OR WEAK BRANCHES.
DO NOT PRUNE IF LEADING. IF LEAD IS PROBLEM PROJECT MAY REQUIRE STUMP SWEEPING.

HIGH QUALITY SOIL MIX AS SPECIFIED

DO NOT PRUNE LEADER. PRUNE OR CUT ONLY WEAK OR DEAD BRANCHES.