LOCATION: This site is located on the west side of Glenwood Ave, south of Peace Street at 710 W. Johnson Street.

REQUEST: Development of a .16 acre tract zoned CX-5-UL of an existing structure 1.457 sf with interior alterations of an existing building in addition to a proposed addition of a 2nd story addition of 2, 296 gross square feet totaling an overall gsf of 3,753 of building.

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: Design Adjustment request to maintain an existing substandard drive aisle is supported. Existing aisle is 9.4’, while Raleigh Street Design Manual Article 9.5 states the minimum drive aisle is 12’. Building façade is not being altered with the proposed development and the existing nonconformity is not being exacerbated.

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 10/23/2018 by Eric L Thompson & Associates P.C.

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.

| ☐  | 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.

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:

General
1. The amenity area calculations square footage (sf) shown on floor plan and Amenity table illustration on Sheet A0006 will need to be recalculated (added) & revised to reflect to correct sum at permit review submittal. The amenity area calculations shown on the floor plan do not match the sum of the sf shown on the table.

Engineering
2. 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.

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

3. A cross access agreement among the lots identified as PINs 1704319739 and 1704410749 shall be approved by the Development Services Department for recording in the Wake County Registry, and a copy of the recorded offer of 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, further recordings and building permit issuance will be withheld.

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

5. The approved Peace Street Streetscape will need to be shown on the building permit plans to be properly constructed in the field.

Public Utilities
6. Sanitary sewer service of adjacent property must be field surveyed to verify if it is in conflict with proposed wall design. A sketch must be submitted at building permits showing that it either is not in conflict with proposed wall, a wall design adjustment if it is in conflict, or a re-routed sanitary sewer service not in conflict with proposed wall design.
7. A Certificate of Compliance for approved backflow preventors must be digitally affixed to the plans and will remain in effect until the next scheduled test date.

**Urban Forestry**

8. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 1 street tree in new tree pit along W. Johnson St.

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

1. All Water, Sanitary Sewer and Reuse facilities hall 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. Copies of certified inspection reports for alleys and internal access ways are submitted to the City of Raleigh Development Services – Development Engineering program.

5. Final inspection of new tree pit and tree planting of right of way street tree 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: 11-5-2021**

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) [Signature] Date: 11/5/2018

Staff Coordinator: Jermont Purifoy

SR-67-18 710 W. Johnson Street.
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 Name</th>
<th>710 W Johnson St</th>
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<tbody>
<tr>
<td>Development Case Number</td>
<td>SR-67-18</td>
</tr>
<tr>
<td>Transaction Number</td>
<td>563555</td>
</tr>
<tr>
<td>Design Adjustment Number</td>
<td>DA - 115 - 2018</td>
</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.

**DEPARTMENTS**

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

**CONDITIONS:**

It is determined that the design adjustment request meets the requirements of the applicable code(s).

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

Authorized Signature: [Signature]

Date: 11/5/2018

*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.C3(h)).
A. The requested design adjustment meets the intent of the Raleigh Street Design Manual;  
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 to maintain the existing substandard driveway as it passes past the existing  
building. The drive aisle as shown exists today prior to the proposed development. There are no  
proposed changes that affect the existing facade and further exacerbate an existing nonconformity.
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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<tr>
<th>PROJECT OWNER</th>
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<tr>
<td>Name</td>
<td>Johnson 710 LLC</td>
<td></td>
</tr>
<tr>
<td>Address</td>
<td>500 Westover Dr. Suite 17443</td>
<td>City Sanford</td>
</tr>
<tr>
<td>State NC</td>
<td></td>
<td>Zip Code 27330</td>
</tr>
<tr>
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</tr>
<tr>
<td>Name</td>
<td>Jennifer Truman</td>
<td>Firm Matthew Konar Architect</td>
</tr>
<tr>
<td>Address</td>
<td>611 W Club Blvd</td>
<td>City Durham</td>
</tr>
<tr>
<td>State NC</td>
<td></td>
<td>Zip Code 27701</td>
</tr>
<tr>
<td>Phone</td>
<td></td>
<td>919.792.8105</td>
</tr>
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</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):

The property owner is requesting a design adjustment to be allowed to maintain the existing driveway width for the existing one-way drive aisle to the east of the existing building. The existing one-way driveway is documented as 9.4' wide at its narrowest point where it is bound on each side by the existing property line and the existing building, respectively. Per UDO 8.3 and RSDM 9.5, the minimum drive aisle width for new one-way driveways is 12'. The proposed development will not change the existing building or existing east property line. Therefore a design adjustment from the width requirement is requested to maintain the existing condition.

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: 6 October 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:
Development Services, Development Engineering
One Exchange Plaza, Suite 500
Raleigh NC, 27601

For Office Use Only

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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;
   by maintaining the existing conditions of drive aisle width.

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   because the Comprehensive Plan respects the maintenance of existing conditions.

C. The requested design adjustment does not increase congestion or compromise Safety;
   by maintaining the existing conditions of drive aisle width.

D. The requested design adjustment does not create any lots without direct street Frontage;
   by maintaining the existing conditions of drive aisle width.

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 design adjustment is reasonable based on condition 2 above. The location of the existing building limits the width of the existing drive aisle from being widened.
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 the Raleigh Street Design Manual; by maintaining the existing drive aisle width.

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans; the Comprehensive Plan respects the maintenance of existing conditions.

C. The requested design adjustment does not increase congestion or compromise safety; by maintaining the existing conditions of drive aisle width.

D. The requested design adjustment does not create additional maintenance responsibilities for the City; and is on private property. The requested design adjustment maintains the existing conditions of drive aisle width.

E. The requested design adjustment has been designed and certified by a Professional Engineer.

Yes. The PE for the design adjustment is Eric Thompson. Refer to submitted plans for SR-67-18 and T#563555
STATE OF NORTH CAROLINA
COUNTY OF Montgomery

Kimberly Bolin

Timothy Wood

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

This the _____ day of October, 2015.

My Commission Expires: 05/04/22

Kimberly Bolin
Notary Public, State of Ohio
My Commission Expires 05-04-2022

Notary Public

Kimberly Bolin