Zoning: IX-3-PL
CAC: Atlantic
Drainage Basin: Marsh Creek
Acreage: 4.25
Sq. Ft.: 24,450

Planner: Michael Walters
Phone: (919) 996-2636

Applicant: Gary MCCabe
Phone: (919) 779-6851
LOCATION: This site is located on the east side of Atlantic Avenue, north of the intersection of Atlantic Avenue and Pacific Drive, at 4500 Atlantic Avenue.

REQUEST: Development of a 4.25 acre tract zoned IX-3-PL into a 24,450 square foot building and associated site improvements to support a light manufacturing use.

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: A design adjustment has been granted providing relief from the cross-access requirements of Section 8.3.5 of the Raleigh UDO. More specifically, cross access with the adjacent parcel to the north at 4600 Atlantic Avenue. The case is DA-32-2018.

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 Red Line Engineering, P.C. (3/27/18)

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. Required NCDOT encroachment and/or driveway permits must be approved and copies provided to Development Services – Development Engineering prior to concurrent review approval.

2. 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.

PUBLIC UTILITIES

3. A Deed shall be recorded prior to concurrent approval for all necessary offsite City of Raleigh Sanitary Sewer Easements to accommodate future sewerline construction.

STORMWATER

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

URBAN FORESTRY

4. 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 Subdivisions, Recombinations, Right of Way and/or Easement Dedications, and Tree Save Areas.

2. Provide fire flow analysis.

ENGINEERING

3. In accordance with Part 10A Section 8.1.10, a fee-in-lieu for widening of Atlantic Avenue to its ultimate section across the frontage, shall be paid to the City of Raleigh. The right-of-way dedication, slope easements and 5’ utility easement were previously recorded as part of S-52-13. The fee in lieu for 1’ of additional sidewalk width across the frontage was previously paid with S-52-13.

4. Required NCDOT encroachment and/or driveway permits must be approved and copies provided to Development Services – Development Engineering.

5. **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

6. 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 flood prone areas, as approved by the City Stormwater Engineer, must be shown on the plan and shall be shown on the recorded map;

URBAN FORESTRY

20. A final inspection of required tree conservation areas by Urban Forestry staff must be completed.

21. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way.
Administrative Approval Action
AA #3792 / SR-109-17, Closets by Design
Transaction# 539567

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:** Final inspection of all required Tree Conservation and right of way tree protection areas 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: 5-2-2021
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: 5/2/2018

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 Name</th>
<th>Closets By Design</th>
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</thead>
<tbody>
<tr>
<td>Development Case Number</td>
<td>SR-109-17</td>
</tr>
<tr>
<td>Transaction Number</td>
<td>539567</td>
</tr>
<tr>
<td>Design Adjustment Number</td>
<td>DA - 32 - 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
- [ ] City Planning
- [ ] Transportation
- [ ] Parks & Recreation and Cult. Res.
- [ ] Public Utilities

**STAFF RESPONSE**

**CONDITIONS:**

**Development Services Director or Designee Action:**

- [x] APPROVE
- [ ] APPROVE WITH CONDITIONS
- [ ] DENY

**Authorized Signature:**

[Signature]

**Date:** 5/2/18

*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 [X] NO [ ]

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

There are topographical constraints in creating a cross access connection from this development associated with SR-109-17 to the adjacent lot at 4600 Atlantic Avenue. The most logical cross access connection is blocked by a recorded Tree Conservation area.

In addition, 4600 Atlantic Avenue is linked to a previously recorded subdivision (through recombination) where lots were limited driveway access due to required cross access agreements. 4600 Atlantic Avenue is isolated from those existing cross access connections due to environmental features.

When considering the 330+/- linear feet of frontage, industrial zoning and isolation from existing cross access on adjacent parcels, allowing a future driveway at 4600 Atlantic Avenue without adjacent cross access is justified in staff's opinion. These items including limitations on access points by Tree Conservation areas, staff supports a design adjustment to cross access requirements at 4500 Atlantic Avenue under case SR-109-17.
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. 8.4.1.1.E and Sec. 8.5.1.6 of the UDO or the Raleigh Street Design Manual.

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>OWNER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Name: Closets By Design</td>
<td>Name: Guy L. Lampe</td>
</tr>
<tr>
<td>Case Number: SR-109-17</td>
<td>Address: P.O. Box 608</td>
</tr>
<tr>
<td>Transaction Number: 539567</td>
<td>City: Smithfield</td>
</tr>
<tr>
<td>Name: Gary J. McCabe, P.E.</td>
<td>State: North Carolina</td>
</tr>
<tr>
<td>Address: 1401 Aversboro Road, Suite #210</td>
<td>Zip Code: 27577</td>
</tr>
<tr>
<td>City: Garner</td>
<td>Phone:</td>
</tr>
<tr>
<td>State: North Carolina</td>
<td>Zip Code: 27529</td>
</tr>
<tr>
<td>Phone: (919) 779-6851</td>
<td></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):

This design adjustment request is to be exempted from the cross-access requirement to the adjacent lot to the north of the property. Cross-access has been provided to the property to the south. Cross-access to the north cannot be provided due to the location of the existing Tree Conservation Area (TCA) and the steep slopes between the two properties on the northwest corner of the property, where cross-access would need to be provided.

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, you 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 project provides cross access to the lot adjacent to the south, which meets the intent of Article 8.3. However, an existing Primary Tree Conservation Area with steep topographic slopes prevents the cross-access to the north. In addition, steep slopes, greenway easements and floodplains prevent cross-access to the rear. Cross-access to the south is the only viable option.

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   This project has been designed to meet the Comprehensive Plan and adopted City plans, providing cross-access to the south of the proposed site. This is the only area viable for cross-access.

C. The requested design adjustment does not increase congestion or compromise safety;
   The requested Design Adjustment does not increase congestion or compromise safety as designed because cross-access has been provided to the south. It should also be noted that driveways are spaced adequately to ensure safe ingress and egress.

D. The requested design adjustment does not create any lots without direct street frontage;
   The proposed site and all adjacent properties all have direct street frontage on Atlantic Avenue. The design adjustment requested would not change this.

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.

   An existing primary Tree Conservation Area (TCA) and steep topographic slopes prevent the cross-access to the north. Cross-access has been provided to the adjacent property to the south where no physical features prevent it. In addition, steep slopes, greenway easements and floodplains prevent cross-access to the rear. As such, cross-access to the south is the only viable option for cross-access and is already recorded.
STATE OF NORTH CAROLINA
COUNTY OF Johnston

I, Laurel Benson Biggs, a Notary Public do hereby certify that
Guy Lampa, a Notary Public, personally appeared before me this day and
acknowledged the due execution of the foregoing instrument.

This the 28th day of Feb, 2018.

Notary Public

My Commission Expires: July 7, 2020