LOCATION: This site is located on the east side of Jones Franklin Road, north of the intersection of Jones Franklin Road and Waters Edge Drive, at 503-511 Jones Franklin Road.

REQUEST: Recombination and subdivision of three parcels totaling 2.105 acre zoned R-6 and within the Special Residential Parking Overlay District into five lots all with road frontage off of Jones Franklin Road.

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

1. Design Adjustment (DA-81-2018) has been approved waiving the block perimeter requirement (8.3).

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 Chance and Associates.

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.

STORMWATER

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

5. 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.

6. **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 AUTHORIZATION TO RECORD LOTS:**

**GENERAL**

7. A demolition permit shall be issued and this building permit number be shown on all maps for recording.

8. **Next Step:** Concurrent Review Plans for public infrastructure and site grading shall be approved by the City of Raleigh, including obtaining stub permits, tree impact permit and a street lighting plan, if applicable.

9. Applicable permits shall be obtained from Wake County Environmental Services regarding the abandonment of the existing well, and any possible septic systems.

**ENGINEERING**

10. 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.

11. 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 within 14 days from authorization of lot recordation. If a recorded copy of the documents is not provided within this 14-day period, further recordings and building permit issuance may be withheld.

12. In accordance with Part 10A Section 8.1.10, a fee-in-lieu for 6’ wide sidewalks across the entire frontage and ½ of a 52’ street section to back of curb across the entire frontage is paid to the City of Raleigh.

13. A cross access agreement among the proposed lots 1 and 2 in addition to 3 and 4 through two driveway cuts on the proposed access easements shall be approved by the Development Services Department for recording in the Wake County Registry, and a copy of the recorded cross access easement documents shall be returned to the Development Services Department within 1 day of lot recordation. A recorded copy of these documents shall be provided to the Development Services Department within 14 days from authorization of lot recording. If a recorded copy of the documents is not provided within this 14-day period, further recordings and building permit issuance may be withheld.

14. 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 (1) day of recordation of the recorded plat. A recorded copy of these documents must be provided to the Development Services Department.
Services Department within 14 days from authorization of lot recordation. If a recorded copy of the documents is not provided within this 14-day period, further recordings and building permit issuance may be withheld.

URBAN FORESTRY

15. Next Step: A tree conservation map in compliance with Chapter 9 of the Unified Development Ordinance shall be recorded with metes and bound showing the designated Tree Conservation Areas.

EXPIRATION DATES: If significant construction has not taken place on a project after preliminary subdivision approval, that approval may "sunset" and be declared void, requiring re-approval before permits may be issued. To avoid allowing this preliminary approval to "sunset", the following must take place by the following dates:

3-Year Sunset Date: 9-11-2021
Record at least ⅓ of the land area approved.

5-Year Sunset Date: 9-11-2023
Record entire subdivision.

I hereby certify this administrative decision.

Signed: (Planning Dir./Designee) [Signature] Date: 9/11/2018

Staff Coordinator: Michael Walters
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>Jones Franklin Townhomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Case Number</td>
<td>S-4-18</td>
</tr>
<tr>
<td>Transaction Number</td>
<td>542931</td>
</tr>
<tr>
<td>Design Adjustment Number</td>
<td>DA - 81 - 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
- [ ] City Planning
- [ ] Transportation
- [ ] Engineering Services
- [ ] Parks & Recreation and Cult. Res.
- [ ] Public Utilities

CONDITIONS:

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

Approved by [Signature]

*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**

The site is within 500 feet of the I-440 interchange and without a logical connection point due to adjacent cul-de-sacs and existing single family development. The controlled access, street typology of Jones Franklin Road, surrounding development and topography are limiting factors.

NCDOT is also making significant improvements along Jones Franklin Road. Jones Franklin Road is an Avenue 2 Lane Divided street type and the driveways will ultimately right in/right out driveways upon construction of the median section with the NCDOT project.
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 and Sec. 8.5.1.6 of the UDO or the Raleigh Street Design Manual.

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Jones Franklin Townes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case Number</td>
<td>S-4-18</td>
</tr>
<tr>
<td>Transaction Number</td>
<td>542931</td>
</tr>
<tr>
<td>Name</td>
<td>Michael &amp; Ronni J. Riccardi</td>
</tr>
<tr>
<td>Address</td>
<td>4608 Jarrett Drive</td>
</tr>
<tr>
<td>State</td>
<td>NC</td>
</tr>
<tr>
<td>Zip Code</td>
<td>27539</td>
</tr>
<tr>
<td>Phone</td>
<td>919-427-8437</td>
</tr>
<tr>
<td>City</td>
<td>Apex</td>
</tr>
<tr>
<td>Name</td>
<td>Stoney Chance</td>
</tr>
<tr>
<td>Firm</td>
<td>Chance &amp; Associates</td>
</tr>
<tr>
<td>Address</td>
<td>500 Benson Road, Ste. 207</td>
</tr>
<tr>
<td>State</td>
<td>NC</td>
</tr>
<tr>
<td>Zip Code</td>
<td>27629</td>
</tr>
<tr>
<td>Phone</td>
<td>919-779-7246</td>
</tr>
<tr>
<td>City</td>
<td>Garner</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
- [ ] UDO Art. 8.4 New Streets
- [ ] UDO Art. 8.5 Existing Streets
- [ ] Raleigh Street Design Manual

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: ____________________________ Date: ____________

CHECKLIST

- [ ] Signed Design Adjustment Application
- [ ] Page(s) addressing required findings
- [ ] Plan(s) and support documentation
- [ ] Notary page (page 6) filled out; Must be signed by property owner
- [ ] First Class stamped and addressed envelopes with completed notification letter

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 - 81 - 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;
   Due to existing developments surrounding this project, there is no opportunity to interconnect public streets. However, public fire, police, transit, trash and emergency services are already provided to this project through existing infrastructure system that is consistent with the intent of this Article.

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   This project is surrounded by a mix of residential and office uses. The Comprehensive Plan proposed uses for this area are office and residential mixed use. The proposed development of R-6 residential is consistent with adopted Comprehensive Plan.

C. The requested design adjustment does not increase congestion or compromise safety;
   The total number of driveways serving these properties will be reduced from 4 to 3 and spacing between driveways will be increased to comply with City of Raleigh Standards.

D. The requested design adjustment does not create any lots without direct street frontage;
   Per S-4-18, all new lots have frontage on a public street, Jones Franklin Road.

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.

Number 3: Due to existing street and development infrastructure surrounding this project, there is no opportunity for further street connectivity within this block area; therefore, we are unable to comply with above Block Perimeter requirements. For these reasons, this Design Adjustment Application is requesting the Block Perimeter requirements of the UDO and RSDM be waived.
STATE OF NORTH CAROLINA
COUNTY OF Wake.

I, Jaime Zarnosky, Notary Public, do hereby certify that Michael Richard and Stonny Chance personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

This the 16th day of July, 2018.

Jaime Zarnosky
Notary Public
Wake County, NC

My Commission Expires: 11/11/2022

State of North Carolina
County of Wake.

I, Jonathan R. Fortis, a Notary Public for said County and State, do hereby certify that Stonny Chance, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 7th day of August, 2018.

Signature of notary public

My commission expires April 17, 2023.
JONES FRANKLIN TOWNES
PROJECT OWNER/DEVELOPER:
MICHAEL & RONNI J. RICCARDI
4608 JERNIGAN DRIVE
APEX, NC 27539

PLANS SHEET INDEX
SHEET 1 OF 7 - COVER SHEET
SHEET 2 OF 7 - EXISTING CONDITIONS SHEET
SHEET 3 OF 7 - PRELIMINARY SUBDIVISION PLAN
SHEET 4 OF 7 - PRELIMINARY UTILITY PLAN
SHEET 5 OF 7 - PRELIMINARY STORMWATER PLAN
SHEET 6 OF 7 - STREETSCAPE PLAN
SHEET 7 OF 7 - TREE CONSERVATION AREA PLAN

NOTES:
1. BOUNDARY SURVEY AND ALL EXISTING ON-SITE AND OFF-SITE FEATURES WERE PROVIDED BY CHANCE SURVEY COMPANY DATED 06/21/17.
2. STREETS, SANITARY & STORM SEWER ARE EXISTING PER MUNICIPAL SURVEY.
3. THE LOCATION OF EXISTING WATER MAINS IS SHOWN PER CITY OF RALEIGH WATER MAINS MAPS.
4. CONTURS WERE TAKEN FROM SURVEY PROVIDED BY CHANCE SURVEY COMPANY DATED 06/21/17.
5. ALL CONSTRUCTION SHALL COMPLY WITH APPLICABLE CITY OF RALEIGH & NOC DEVELOPMENT STANDARDS AND SPECIFICATIONS.
6. SOLID WASTE SERVICE WILL BE PROVIDED AT PUBLIC STREET BY INDIVIDUAL RESIDENTIAL SERVICE CANS AS DETERMINED PER CITY OF RALEIGH WASTE DESIGN MANUAL.
7. CONSTRUCTION PERMITS FOR THE EXISTING STRUCTURES MUST BE ISSUED BY CITY AND PERMIT NUMBER MUST BE SHOWN ON ALL PLANS FOR RECORDING.