



Administrative Approval Action

AA#3841 /S-14-18, Powell Drive Subdivision
Transaction# 549940

City of Raleigh
Development Services Department
One Exchange Plaza
Raleigh, NC 27602
(919) 996-2495
DS.help@raleighnc.gov
www.raleighnc.gov

LOCATION: This site is located south of Western Boulevard on the west side of Powell Drive at 704 Powell Drive.

REQUEST: Subdivision of a 0.755 acre/32,880 sq. ft./ tract zoned R-6 with SRPOD (Special Residential Parking Overlay District) subdivided into a two (2) lots, Lot 1 being .404 acres/17,614 sq. ft. & Lot 2 .345 acres/15,201 sq. ft. with .006 acres/245 sq. ft. of right-of-way dedication.

DESIGN ADJUSTMENT(S)/ ALTERNATES, ETC: A design adjustment for block perimeter requirements of the UDO was approved for this subdivision based on the UDO Section 8.3.6 applicable findings which would allow a waiver from the maximum allowable length of 5,000 feet.

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 Cawthorne, Moss & Panciera, PLS.

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

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.

URBAN FORESTRY

1. Obtain required stub and tree impact permits from the City of Raleigh. (*used with new streets and infrastructure*)

PRIOR TO AUTHORIZATION TO RECORD LOTS:

GENERAL

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

ENGINEERING

3. The required right of way for Powell Drive shall be dedicated to the City of Raleigh and shown on the map 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



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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.

5. In accordance with Part 10A Section 8.1.10, a fee-in-lieu for 6' sidewalk along Powell Drive frontage is to be paid to the City of Raleigh.
6. A 0.5' sidewalk 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.
7. In accordance with Part 10A Section 8.1.3, a public infrastructure surety is provided to the City of Raleigh Development Services – Development Engineering program for any incomplete public improvements
8. A shared driveway/cross-access easement agreement is to be reviewed and approved by City staff, 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 shall be provided to the Development Services Department within 14 days from authorization of lot recordation. If a recorded copy of the documents are not provided within this 14 day period, further recordings and building permit issuance may be withheld

PRIOR TO ISSUANCE OF BUILDING PERMITS:

GENERAL

9. 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 where applicable.
10. A demolition permit shall be obtained and shown on all recorded plats.
11. 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.

STORMWATER

12. These lots are exempt per UDO Section 9.2.2.A.2.b.i as a residential subdivision of one acre or less approved after May 1, 2001, but are subject to impervious limitations of subsection A.4 and subject to further review upon placement of impervious surface areas.



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13. If total land disturbance will be over 12,000 sq. ft. for multiple houses, a separate site plan submittal & approval will be required. Site plans require an erosion control plan. (UDO 9.4.6.)

URBAN FORESTRY

14. A final inspection of required tree conservation and right of way tree protection areas by Urban Forestry staff must be completed.
15. 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:

16. 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.
17. 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. 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.
18. Next Step: Final inspection of all required Tree Conservation and right of way tree protection areas by Urban Forestry Staff

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: 8-8-2021
Record the entire subdivision.

I hereby certify this administrative decision.

Signed: (Planning Dir./Designee)

Date: 8/8/2018

Staff Coordinator: Jermon Purifoy


Design Adjustment Staff Response



**DEVELOPMENT
SERVICES
DEPARTMENT**

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.

| | | | |
|--|--------------------------|---|--|
| PROJECT | Project Name | Powell Drive Subdivision | |
| | Development Case Number | S-14-2018 | |
| | Transaction Number | 549940 | |
| | Design Adjustment Number | DA - 45 - 2018 | |
| Staff recommendation based upon the findings in the applicable code(s): | | | |
| <input checked="" type="checkbox"/> <u>UDO Art. 8.3 Blocks, Lots, Access</u> | | <input type="checkbox"/> <u>UDO Art. 8.5 Existing Streets</u> | |
| <input type="checkbox"/> <u>UDO Art. 8.4 New Streets</u> | | <input type="checkbox"/> <u>Raleigh Street Design Manual</u> | |
| Staff <input checked="" type="checkbox"/> SUPPORTS <input type="checkbox"/> DOES NOT SUPPORT <input type="checkbox"/> the design adjustment request. | | | |
| DEPARTMENTS | | | |
| <input type="checkbox"/> Dev. Services Planner | | <input type="checkbox"/> City Planning | |
| <input checked="" type="checkbox"/> Development Engineering <i>KC Beard</i> | | <input type="checkbox"/> Transportation | |
| <input type="checkbox"/> Engineering Services | | <input type="checkbox"/> Parks & Recreation and Cult. Res. | |
| <input type="checkbox"/> Public Utilities | | | |
| STAFF RESPONSE | CONDITIONS: | | |
| | | | |
| Development Services Director or Designee Action: <input checked="" type="checkbox"/> APPROVE <input type="checkbox"/> APPROVE WITH CONDITIONS <input type="checkbox"/> DENY | | | |



 Authorized Signature KENNETH W. RITCHIE, PE, MAE Date 8/8/2018

ENGINEERING AND INFRASTRUCTURE MANAGER

*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).

Staff Response

Article 8.3 Blocks Lots, Access



**DEVELOPMENT
SERVICES
DEPARTMENT**

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

Powell Drive is developed with single-family residential and townhouses and based on R-6 zoning has a maximum allowable block perimeter of 5,000 linear feet. The measurable block perimeter which is shown on the attached map is 5,315 linear feet. This subdivision is within 83' of Linville Drive which is parallel to this lot and would not be able to provide a public street within this lot based on the minimum street spacing requirements of 150' - 600'. This design adjustment is approved as there would be no benefit to requiring access through this proposed subdivision.

Design Adjustment Application



**DEVELOPMENT
SERVICES
DEPARTMENT**

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 | Project Name <u>POWELL DRIVE SUBDIVISION</u> | | |
| | Case Number <u>5-14-18</u> | | |
| | Transaction Number <u>549940</u> | | |
| OWNER | Name <u>MARY L. WILBURN & EDWARD W. WILBURN</u> | | |
| | Address <u>9619</u> | | City <u>CHARLOTTE</u> |
| | State <u>NC</u> | Zip Code <u>28210</u> | Phone <u>NA</u> |
| CONTACT | Name <u>JORDAN PARKER</u> | | Firm <u>CAUTHORNE, MOSS & PANCHEN</u> |
| | Address <u>333 S. WHITE ST.</u> | | City <u>WAKE FOREST</u> |
| | State <u>NC</u> | Zip Code <u>27587</u> | Phone <u>919 556 3148</u> |
| REQUEST | I am seeking a Design Adjustment from the requirements set forth in the following: | | |
| | <input checked="" type="checkbox"/> UDO Art. 8.3 Blocks, Lots, Access | • See page 2 for findings | |
| | <input type="checkbox"/> UDO Art. 8.4 New Streets | • See page 3 for findings | |
| | <input type="checkbox"/> UDO Art. 8.5 Existing Streets | • See page 4 for findings | |
| | <input type="checkbox"/> Raleigh Street Design Manual | • See page 5 for findings | |
| | Provide details about the request; (please attach a memorandum if additional space is needed): | | |
| | <u>WE NEED A DESIGN ADJUSTMENT FOR THE BLOCK PERIMETER REQUIREMENTS WITHIN THE UDO. THE MAXIMUM OF 5,000 L.F. OF BLOCK PERIMETER IS REQUIRED. THE MEASUREMENT OF THIS BLOCK PERIMETER 5,315 L.F.</u> | | |

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.
Mary L. Wilburn / Edward W. Wilburn 5/11/18
 Owner/Owner's Representative Signature Date

| CHECKLIST | |
|--|--|
| Signed Design Adjustment Application | <input checked="" type="checkbox"/> Included |
| Page(s) addressing required findings | <input checked="" type="checkbox"/> Included |
| Plan(s) and support documentation | <input type="checkbox"/> Included |
| Notary page (page 6) filled out; Must be signed by property owner | <input type="checkbox"/> Included |
| First Class stamped and addressed envelopes with completed notification letter | <input type="checkbox"/> 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 - |
|---------------------|----------------|------|

Article 8.3, Blocks, Lots, Access
Administrative Design Adjustment Findings



DEVELOPMENT
SERVICES
DEPARTMENT

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;

YES

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

YES

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

NO

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

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 adjacent to or in the vicinity of the site.
- 7.

Individual
Acknowledgement



DEVELOPMENT
SERVICES
DEPARTMENT

STATE OF NORTH CAROLINA
COUNTY OF McHenry

INDIVIDUAL

I, Carolyn Balcerzak, a Notary Public do hereby certify that
Mary & Edward Wilbur personally appeared before me this day and
acknowledged the due execution of the forgoing instrument.

This the 11 day of May, 2018.

(SEAL)

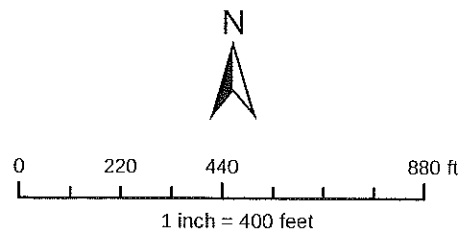
Notary Public Carolyn Balcerzak

My Commission Expires: 11/25/2021

CAROLYN BALCERZAK
NOTARY PUBLIC
UNION COUNTY
STATE OF NORTH CAROLINA
MY COMMISSION EXPIRES 11-25-2021



704 Powell Dr. block perimeter-5,315'



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