LOCATION: This site is located at the south end of Slippery Elm Drive, south of the intersection of Maidenhair Drive and Slippery Elm Drive. The existing address of this parcel is 2820 Rock Quarry Road.

REQUEST: Development of a 12.06-acre tract zoned R-6 into a Compact Subdivision consisting of 52 lots, of which 50 lots are residential lots, and two are community open lots. This compact subdivision is proposing recordation in two phases.

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

1. Waiver of block perimeter requirements with the introduction of additional stub streets being provided in this development to connect to future planned streets as shown in the Raleigh Street Plan Map.

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 Penny Engineering Design.

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. 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
2. The State of North Carolina shall approve any proposed disturbance within the riparian buffer prior to the issuance of a mass grading permit or other site permit, whichever comes first.

3. Next Step: A stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved by the Stormwater Engineer in compliance with Part 10A Chapter 9 of the Unified Development Ordinance.

Next Step: In accordance with Part 10A Section 9.4.4 of the Unified Development Ordinance, a surety equal to of 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**

1. The City form document entitled Declaration of City of Raleigh Required City Code Provisions for Developments with Common Elements and Common Expenses shall be approved by the City and recorded with the county register of deeds office where the property is located and a copy of the recorded document shall be provided to the City by the end of the next business day following the recordation of the final plat; further recordings and building permit authorization will be withheld if the recorded document is not provided to the City.

2. The greenway easement as shown on the preliminary plan shall be dedicated prior to, or in conjunction with the recording of a map in any phase affected by the greenway.

3. Street names for this development shall be approved by the Raleigh GIS Division and by Wake County.

4. **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.

5. That the final subdivision map approved for recording show all of open space lot 51 recorded with phase one lots.

**ENGINEERING**

6. The required right of way and easements for proposed and/or existing streets shall be dedicated to the City of Raleigh and be shown on the map approved for recordation.

7. A 5’ utility placement 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.

8. **Next Step:** 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.

**PUBLIC UTILITIES**

9. Infrastructure Construction Plans (concurrent submittal) must be approved by the City of Raleigh Public Utilities Department for all public water, public sewer and/or private sewer extensions

**STORMWATER**

10. **Next Step:** A payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans shall be paid by the developer to the City stormwater facility replacement fund.
11. **Next Step:** The flood prone areas, as approved by the City Stormwater Engineer and shown on the preliminary plan, shall be shown on the recorded map.

12. **Next Step:** The City form document entitled Declaration of Maintenance Covenant and Grant of Protection Easement for Stormwater Control Facilities shall be approved by the City and recorded with the county register of deeds office.

13. **Next Step:** All stormwater control measures and means of transporting stormwater runoff to and from any nitrogen and stormwater runoff control measures shall be shown on all plats for recording as private drainage easements.

14. **Next Step:** The riparian buffers, in accordance with the preliminary plan and the State of North Carolina regulations, shall be shown on plats for recording along with a note stating: "The areas shown on the recorded plat identified as Neuse River Riparian Buffer shall be maintained in their natural or mitigated condition, No person or entity shall fill, grade, excavate, or perform any other land-disturbing activities; nor cut, remove, or harm any vegetation; nor construct any structures nor add any additional impervious surface, nor allow animal grazing or water or any other agricultural use on such protected areas without written authorization from the state of North Carolina in accordance with the Riparian Buffer Protection Rules (15A NCAC 2B.0233 or .0259)."

15. **Next Step:** In accordance with Part 10A Section 9.2.2, a surety equal to 125% of the cost of the construction of a stormwater device shall be paid to the Engineering Services Department.

**URBAN FORESTRY**

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

17. Obtain required tree impact permit from the City of Raleigh.

**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:** 10-10-2021
  Record at least ⅓ of the land area approved.

- **5-Year Sunset Date:** 10-10-2023
  Record entire subdivision.

I hereby certify this administrative decision.

**Signed:** (Planning Dir./Designee)  

**Staff Coordinator:** Michael Walters

Date: 10/10/2018
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>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Name</td>
<td>Elmwood Subdivision</td>
</tr>
<tr>
<td>Development Case Number</td>
<td>S-20-2016</td>
</tr>
<tr>
<td>Transaction Number</td>
<td>465316</td>
</tr>
<tr>
<td>Design Adjustment Number</td>
<td>DA - 93 - 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

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

CONDITIONS:

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

Authorized Signature: [Signature]

KIRK M. ECHOLS, PE, MPA
Date: 10/16/2018

*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 □

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**

This design adjustment for Elmwood Subdivision is addressing the block perimeter required for an R-6 zoning which limits the block perimeter to a maximum of 4,500 linear feet. The perimeter measurement of existing public streets is a block perimeter of approximately 32,000 linear feet. This subdivision is providing 2 new stub street connections which will set the alignment for additional future southeast Raleigh infrastructure. In measuring the stub street connection from Slippery Elm Drive and connecting to the proposed future E. Tryon Road, this reduces the block perimeter to approximately 11,000 linear feet.
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: Elmwood Subdivision
Case Number: S-20-2016
Transaction Number: 465316
Name: Glenwood Homes LLC
Address: PO Box 90427
City: Raleigh
State: NC
Zip Code: 27675
Phone: 919-848-2668
Name: Penny Sekadi
Firm: Penny Engineering Design
Address: 9220 Fairbanks Dr Suite 220
City: Raleigh
State: NC
Zip Code: 27675
Phone: 919-848-1461

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):

Elmwood Subdivision is a proposed subdivision for 52 single family lots with open space and greenway dedication located at the terminus of existing Slippery Elm Drive in Raleigh NC. Due to existing development patterns in the area, there is only one access point to the property which is Slippery Elm Drive. The proposed subdivision has connected to this stub, and has proposed two additional stubs to the eastern properties. The Elsa Drive stub will allow that adjacent property to provide circulation back to the existing stub near the intersection of Slippery Elm & Maidenhair Dr. The Slippery Elm stub will provide connection to the future Tryon Road extension with additional circulation patterns.

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: 8-31-18

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 proposed Elmwood Subdivision plan meets the intent of this Article by offering providing additional roadway improvements and proposed stubs in alignment with future development of Tryon Road and adjacent properties where the opportunity for connections exist.

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   The proposed Elmwood Subdivision plan conforms with the Comprehensive Plan and adopted City plans by taking into consideration the future extension of proposed Tryon Road and offering the opportunity for circulation through adjoining property.

C. The requested design adjustment does not increase congestion or compromise safety;
   The proposed Elmwood Subdivision plan is designed for an improvement to circulation once the City's plans for the future extension of proposed Tryon Road is in place and providing opportunity for circulation through adjoining property.

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

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 proposed Elmwood Subdivision's request for design adjustment is appropriate due the layout of developed properties. The Elmwood subdivision plan will enable an improvement to the circulation in this area once future connections are made.
STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, Arianna Smith, a Notary Public do hereby certify that Mitchell T. Murphy personally appeared before me this day and acknowledged the due execution of the foregoing instrument.
This the ___ day of June, 2018.

(SEAL)
ARIANNA SMITH
NOTARY PUBLIC
UNSWORN COUNTY, NC

Notary Public

WWW.RALEIGHNC.GOV

REVISION JAN. 30, 18