LOCATION: This site is located on the north side of Courtland Drive, at 1335 Courtland Drive.

REQUEST: REVISION TO A PREVIOUSLY APPROVED SUBDIVISION (S-22-14) of one parcel of 1.969 acres into 9 lots zoned Residential-10 (R-10) and within a Neighborhood Conservation Overlay District (the Mordecai Neighborhood-Conservation District 1). All proposed lots front onto Courtland Drive.

This subdivision (original Transaction # 401274) was first submitted post September 1, 2013 and is subject to the Unified Development Ordinance. A previously approved revision (Transaction 540505) proposed an extension to the sunset date established by the original submittal.

This Revision (Transaction # 567323) changes the stormwater management approach from the original detention device, to an allocation of impervious surface.

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: A Design Adjustment has been approved by the Public Works Director for this project, noted below. (original Transaction # 401274)

As per Section 8.3 of UDO, a Design Adjustment from the Public Works Director has been granted waiving the block perimeter requirement (8.3.2). Support is based on the existing railroad line spanning the length of the rear property line, topographic constraints, and no logical terminus of a public street from this subdivision to Capital Blvd.

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 8/20/2018 by John A. Edwards & Company.

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. (Revision to previously approved Concurrent)
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.

Stormwater

2. The State of North Carolina shall approve any proposed disturbance within the riparian buffer prior to the issuance of any grading or site permit (UDO 9.2.3.E).

3. A surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City (UDO 9.4.4).

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:

General

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

5. That the final subdivision map for recording show all required easements as shown on the preliminary plan.
Engineering

6. 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.

7. 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 day of recordation of the recorded plat. A recorded copy of these documents must be provided to the Development Services Department within one day from authorization of lot recordation. If recorded copies of the documents are not provided, further recordings and building permit issuance will be withheld.

8. A public infrastructure surety is provided to the City of Raleigh Development Services – Development Engineering program (UDO 8.1.3).

9. A fee-in-lieu for additional asphalt needed to bring the existing road width of twenty-four feet up to the ultimate twenty-seven feet shall be paid to the city. (Coordinate with Development Services, Development Engineering program for execution and payment of said fee)

Stormwater

10. 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 required buffer statement (Recorded Map Checklist).

EXPIRATION DATES: THE SUNSET DATE FOR THIS PLAN APPROVAL IS UNCHANGED 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: 4-25-2021
Record at least ½ of the land area approved.

5-Year Sunset Date: 4-25-2023
Record entire subdivision.

I hereby certify this administrative decision.

Signed: (Planning Dir./Designee) [Signature] Date: 10/3/2018

Staff Coordinator: Michael Walters
LOCATION: The site is located on the northwest side of Courtland Drive, at the intersection of Courtland Drive and Sycamore Street at 1335 Courtland Drive.

REQUEST: This is a request for a sunset extension to a previously approved subdivision (S-22-14) of one parcel into 9 lots currently zoned Residential-10 (R-10) and within an NCOD/Mordecai Neighborhood-Conservation District 1 (Neighborhood Conservation Overlay District). All proposed lots front onto Courtland Drive. This subdivision (original Transaction # 401274) was first submitted post September 1, 2013, and is subject to the Unified Development Ordinance.

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

1. As per Section 8.3 of UDO, a Design Adjustment from the Public Works Director has been granted waiving the block perimeter requirement (8.3.2). Support is based on the existing railroad line spanning the length of the rear property line, topographic constraints, and no logical terminus of a public street from this subdivision to Capital Blvd.

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 John A. Edwards & Company.

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. **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

3. 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

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

2. 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;

3. **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.

ENGINEERING

4. 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.

5. 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.

6. In accordance with Part 10A Section 8.1.10, a fee-in-lieu for ½ of a 27’ back of curb to back of curb street section along the entire frontage of the subdivision (approximately 500 linear feet is paid to the City of Raleigh.)
STORMWATER

8. **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.

9. **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.

10. **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.

11. **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

12. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way.

13. 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.

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. Note approved sunset extension requests are valid for 3 years. To avoid allowing this preliminary approval to "sunset", the following must take place by the following dates:

3-Year Sunset Date: 4-25-2021
Record entire subdivision.

I hereby certify this administrative decision.

**Signed:**(Planning Dir./Designee) ___________________________ Date: _______

**Staff Coordinator:** Michael Walters
7. **Next Step:** In accordance with Part 10A Section 8.1.3, a public infrastructure surety for 6' sidewalk across the entire frontage (approximately 500 linear feet) is provided to the City of Raleigh Development Services – Development Engineering program.

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**STORMWATER**

8. **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.

9. **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.

10. **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.

11. **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**

12. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way.

13. 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.

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**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. Note approved sunset extension requests are valid for 3 years. To avoid allowing this preliminary approval to “sunset”, the following must take place by the following dates:

3-Year Sunset Date: 4-25-2021
Record entire subdivision.

---

I hereby certify this administrative decision.

**Signed:** (Planning Dir./Designee) [Signature]

**Staff Coordinator:** Michael Walters

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City of Raleigh
Development Services Department
One Exchange Plaza
Raleigh, NC 27602
(919) 996-2495
DS.help@raleighnc.gov
www.raleighnc.gov
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>Project Name</th>
<th>Date completed Application received</th>
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<tbody>
<tr>
<td></td>
<td>Courtland Subdivision</td>
<td>3-22-18</td>
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<tr>
<td>Case Number</td>
<td>5-22-14</td>
<td>Transaction Number</td>
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</table>

Staff supports the Design Adjustment based upon the findings in these applicable code:

- [x] UDO Art. 8.3 Blocks, Lots, Access
- [ ] UDO Art. 8.4 New Streets
- [ ] UDO Art. 8.5 Existing Streets
- [ ] Raleigh Street Design Manual
- [ ] Other

<table>
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<th>DEPARTMENT</th>
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<td>Dev. Services Planner</td>
<td>[Signature] 3-22-18</td>
<td>City Planning</td>
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<tr>
<td>Development Engineering</td>
<td>[Signature] 4-25-18</td>
<td>Transportation</td>
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<td>Public Utilities</td>
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Findings: Staff supports the proposed design adjustment to the block perimeter requirements of section 8.3.2 of the Raleigh UDO. Support is based upon the railroad spanning the length of the rear property line, topographic constraints and no logical terminus of a public street from this subdivision to Capital Boulevard.

**Development Services Director or Designee Action:** Approve [x] Approval with Conditions [ ] Deny [ ]

**Authorized Signature**

**Date:** 4/25/18

*The Development Services Director may authorize a designee to sign in his/her stead. Please print name and title next to signature.

**CONDITIONS**

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).
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.

<table>
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<tr>
<td>Transaction Number</td>
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<td>Address</td>
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<tr>
<td>Phone</td>
<td>919-398-3927</td>
</tr>
<tr>
<td>Name</td>
<td>Jason Meadows</td>
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<tr>
<td>Firm</td>
<td>John A. Edwards &amp; Company</td>
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<tr>
<td>Address</td>
<td>333 Wade Ave</td>
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<tr>
<td>City</td>
<td>Raleigh</td>
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<tr>
<td>State</td>
<td>NC</td>
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<td>27605</td>
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<tr>
<td>Phone</td>
<td>919-828-4428</td>
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</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):

As per Section 8.3.B.6 of UDO, a Design Adjustment from the Public Works Director is being requested in regards to the Block Perimeter standards. This being due to the surrounding site constraints, specifically the Railroad Right of Way and active rail to the rear, which makes a road connection infeasible.

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  [ ] 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;
   Per 8.3.2.B.6, the Public Works Director may waive block perimeter requirement due to existing railroad lines.

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   There are no proposed improvements will effect subject property.

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

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

Yes, requested design adjustment is deemed reasonable due to adjoining use of existing railroad lines.
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;

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

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

D. The requested design adjustment does not create additional maintenance responsibilities for the City;

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

F. The requested design adjustment shall address Stormwater collection and conveyance and not adversely impact Stormwater collection.
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;

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

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

D. The requested design adjustment does not create additional maintenance responsibilities for the City; and

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

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

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

D. The requested design adjustment does not create additional maintenance responsibilities for the City; and

E. The requested design adjustment has been designed and certified by a Professional Engineer.
STATE OF NORTH CAROLINA
COUNTY OF Johnston

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

This the 20 day of March, 2018

TRACY RAIRIGH
(SEAL)
NOTARY PUBLIC
JOHNSON COUNTY, NC

My Commission Expires: May 23, 2018