Administrative Approval Action
AA #3914 / S-22-18, Trinity Brownstones II
Transaction# 555878

LOCATION: This site is located on the south side of Trinity Road, east of the intersection of Trinity Road and Interstate 40. The site is located at 5805 Trinity Road outside the City limits.

REQUEST: Subdivision of a 1.52 acre tract zoned OX-3-PK and within a SHOD-1 Overlay District as a proposed townhome development consisting of thirteen proposed building lots and two common area lots (15 lots total) adjoining the Trinity Brownstones I townhome development to the east (previously approved as case S-17-16).

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

1. Due to existing conditions, a Design Adjustment has been approved waiving the block perimeter requirement (8.3) (DA-49-2018).

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 dated 12/20/18 submitted by Curry Engineering Group.

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. 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

3. 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.

4. Nitrogen offset payments for both Trinity Brownstones II and adjacent Trinity Brownstones I additional balance due must be made to a qualifying mitigation bank.

URBAN FORESTRY

5. Obtain required stub and tree impact permits from the City of Raleigh.
6. **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.

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

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. As the western property line shared with the parcel identified by PIN 0774783094 owned by Jonathan Bell, Karen Bell, William Bell, and Melissa Bell was previously moved without City of Raleigh approval (boundary survey map recorded in BM 2018 page 2038 as referenced in a quit claim deed recorded in deed book 017319 pages 02340-02343), a recombination map approved by the City shall be recorded prior to recordation of the final subdivision map for this development.

**ENGINEERING**

6. The required right of way and slope easements 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 (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. In accordance with Part 10A Section 8.1.10, a fee-in-lieu for the unbuilt infrastructure for any required public infrastructure that cannot be fully built to the property line must be paid to the City of Raleigh.

9. A sidewalk deed of easement for any public sidewalk on private property shall be 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 is not provided within this 14 day period, further recordings and building permit issuance may be withheld.

10. **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**

11. 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.

12. A Petition for Annexation into the City limits shall be submitted in accordance with City Council policy for extension of utility service to properties currently outside of the City limits. This voluntary annexation in no way obligates the City to extend utility services to the property.

13. A Fee-in-Lieu of Construction shall be paid to the City of Raleigh Public Utilities Department for the construction of a water and/or sewer main.

**STORMWATER**

14. The previously recorded City form document entitled Declaration of Maintenance Covenant and Grant of Protection Easement for Stormwater Control Facilities shall be updated as appropriate to include new subdivision Trinity Brownstones II under the Master Association for shared devices with Trinity Brownstones I.

15. 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.

**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 bound showing the designated Tree Conservation Areas.
Prior to issuance of building occupancy permit:

1. As-built drawings and associated forms for all Stormwater devices must be accepted by the Engineering Services Department.

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: 1-9-2022
Record at least ¼ of the land area approved.

5-Year Sunset Date: 1-9-2024
Record entire subdivision.

I hereby certify this administrative decision.

Signed:(Development Services Dir./Designee) ______________________ Date: 1/9/19

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>Trinity Brownstones II</th>
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<tr>
<td>Development Case Number</td>
<td>S-22-18</td>
</tr>
<tr>
<td>Transaction Number</td>
<td>555878</td>
</tr>
<tr>
<td>Design Adjustment Number</td>
<td>DA - 49 - 2018</td>
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</tbody>
</table>

Staff recommendation based upon the findings in the applicable code(s):

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

Staff SUPPORTS [x] DOES NOT SUPPORT [ ] the design adjustment request.

<table>
<thead>
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<th>DEPARTMENTS</th>
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<tbody>
<tr>
<td>Dev. Services Planner</td>
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<tr>
<td>Transportation</td>
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<td>Parks &amp; Recreation and Cult. Res.</td>
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</tbody>
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Development Services Director or Designee Action: [ ] APPROVE [ ] APPROVE WITH CONDITIONS [ ] DENY

Authorized Signature  
Daniel G. King, PE  
Engineer Review Manager

1/9/19 Date

*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**

Staff supports the request for a Design Adjustment as it relates to block perimeter. The location of this development closely borders Interstate 40 which limits vehicular connection to the west. The proposed development has connected a stubbed street to the east as well as stubbed to the south. No additional connection will be granted to the north along Trinity Rd due to spacing standards for roadways. At this time, this development has connected where it needs to connect and stubbed where stubs can allow for future development.
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.

| Project Name | Trinity Brownstones II |
| Case Number | |
| Transaction Number | |

| Name | Trinity Brownstones, LLC - Mick Michael |
| Address | 4441 Six Forks Road Suite 106-117 |
| City | Raleigh |
| State | NC |
| Zip Code | 27609 |
| Phone | 919-414-4780 |

| Name | Andrew Petty, PE |
| Firm | Curry Engineering Group, LLC |
| Address | 205 South Fuquay Avenue |
| City | Fuquay-Varina |
| State | NC |
| Zip Code | 27526 |
| Phone | 919.552.0849 |

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):

Please see attached for details.

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 4-7-18

Signed Design Adjustment Application [ ] Included
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 as designed connects to an existing stub street and is stubbing another street to the southern adjacent parcel that is vacant and undeveloped.

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   The project is in compliance with the Comprehensive Plan and adopted City plans. All streets are in accordance with the COR Street Design Manual.

C. The requested design adjustment does not increase congestion or compromise safety;
   The purpose for the design adjustment is to eliminate congestion and reduce the risk of public safety.

D. The requested design adjustment does not create any lots without direct street frontage;
   The proposed 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;
TRINITY BROWNSTONES II  
CITY OF RALEIGH
WAKE COUNTY, NORTH CAROLINA

PRELIMINARY SUBDIVISION - LEVEL 2
CITY OF RALEIGH CASE # S-22-18 TRANSACTION #555878

1st SUBMITTAL TO CITY OF RALEIGH: MAY 22, 2018  
2nd SUBMITTAL TO CITY OF RALEIGH: AUGUST 24, 2018  
EXPRESS REVIEW: OCTOBER 2, 2018
EXPRESS REVIEW #2: DECEMBER 20, 2018

DRAWING INDEX

C-00  COVER SHEET
C-01  CIVIL NOTES
C-02  EXISTING CONDITIONS
C-03  DEMOLITION PLAN
C-04  SUBDIVISION LAYOUT
C-05  SITE PLAN
C-06  ENLARGED SITE PLANS
C-07  GRADING & DRAINAGE PLAN
C-08  UTILITY PLAN
C-09  BLOCK PERIMETER PLAN
C-10  BRIDGE PLAN

SW-01  NITROGEN CONTROL PLAN
SW-02  PRE-DEVELOPMENT DA MAP
SW-03  POST DEVELOPMENT DA MAP
L-01  TREE CONSERVATION PLAN
L-02  LANDSCAPE PLAN

ARCHITECTURAL ELEVATIONS

CITY OF RALEIGH STANDARDS & SPECIFICATIONS
ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH

Civil Engineer: 
The Curry Engineering Group, PLLC
910.362.7305
919.863.7240
john.curry@curryeng.com
andy@curryeng.com

Landscape Architect: 
Southwelt Design, PLLC
919.252.0729
adam@southweltdesign.com

Surveyor: 
Taylor Land Consultants
919.996.3515
919.863.7629
jeffrey.hunter@twcable.com

Land Owner: 
Trinity Brownstones, LLC
919.996.3515
919.933.0038
mick@envisionhomesnc.com

NOT FOR CONSTRUCTION
ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY OF RALEIGH STANDARDS & SPECIFICATIONS.
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L-02 LANDSCAPE PLAN

1. CONTRACTOR IS RESPONSIBLE FOR GOOD HEALTH OF ALL PLANTING MATERIALS AND PLANTING AT ADEQUATE DISTANCE FROM ANY EXISTING BUILDING OR LAND.

CITY OF RALEIGH PARKS, RECREATION AND CULTURAL RESOURCES DEPARTMENT URBAN FORESTER: 919-732-3628

1. CONTRACTOR IS RESPONSIBLE FOR

MULCH DEPTH 3". KEEP MULCH 3" FROM ROOT FLARE AND DO NOT CONTACT STEM.

A TREE IMPACT PERMIT FROM THE CITY IS REQUIRED PRIOR TO SUBDIVISION TO PLANT TREES FOUND IN THE RALEIGH STREET DESIGN MANUAL 6.18.1 AND 6.18.2.

NO REQUIRED LANDSCAPING OR SCREENING SHALL BE PLANTED INSIDE UTILITY AND DRAINAGE EASEMENTS, EXCLUDING OVERHEAD EASEMENTS, WITHOUT THE CONSENT OF THE CITY AND THE EASEMENT HOLDER.

TREES SHOWN ON PROPOSED STREETS MAY NEED TO BE FIELD ADJUSTED BASED ON FUTURE DRIVEWAY AND UTILITY LOCATIONS.

THE RALEIGH STREET DESIGN MANUAL. THERE SHALL BE NO SIGHT OBSTRUCTING OR PARTLY OBSTRUCTING WALL, FENCE, SIGN, FOLIAGE, BERMS, OR PARKED VEHICLES BETWEEN THE TRAVELED WAY IF NO CURBING EXISTS. (STREET DESIGN MANUAL 6.12.3).

1. CONTRACTOR IS RESPONSIBLE FOR

AFTER CALIBER SHALL NOT BE MORE THAN 3" ABOVE GRADE.

THE REQUIREMENT TO DEVELOP TRUNK TAPER. PROVIDE TURN LACING AND WIRE BASKET AND DISCARD FROM HOLE COMPLETELY REMOVE TOP HALF OF BURLAP, ABOVE GRADE WATER SAUCER SHALL BE NO MORE THAN 3" HIGH QUALITY SOIL MIX AS SPECIFIED.

THE ROOT BALL SHALL BE PLANTED AT GRADE, FROM PLANTING.

ROOTBALL DIAMETER'.

THE ROOT FLARE AT GRADE. TREE SHALL BE SET NO HIGHER THAN 2" ABOVE GRADE, AND NEVER BELOW GRADE. REMOVE EXCESS SOIL TO EXPOSE THE ROOT FLARE SHALL BE PLANTED AT GRADE, FROM PLANTING.

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# Exterior Elevations

**Trinity Road Townhomes**

Raleigh, NC

09.16.16

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**Front Elevation**

3/16" = 1'-0"

### Minimum Finished Floor Elevation Summary Table

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<th>Lot Number</th>
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### Average Grade & Building Height Calculations

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**Legend**

- CERTAINTED - WEATHERED WOOD
- HARDIE - CEMENTICTIONS PANEL SIDING
- MID AMERICA - DECORATIVE SHUTTERS
- PINE HALL BRICK - SOUTHPORT ON TUMBLE
- MI WINDOWS - BRONZE
- STONECRAFT - HERITAGE WISCONSIN
- HARDIE - CEMENTICTIONS LAF SIDING

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**Notes**

- Road Height from grade: 44.5'