LOCATION: This site is located on the west side of Triangle Town Blvd. The site is addressed at 6301 Triangle Town Blvd, which is inside City limits.

REQUEST: Subdivision of a 27.5-acre tract zoned CX-5-PK-CU (Z-75-95) and SHOD-2 into 151 townhome lots and 5 open/common lots. This subdivision will be recorded in two phases.

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: A Design Adjustment pertaining to block perimeter relief and an alternate streetscape has been approved with this project.

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 12/17/2018 by The John R. McAdams Company, Inc.

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.

The following items are required prior to approval of Concurrent Site Review plans:

Engineering

1. An encroachment agreement for the split rail fence behind the multiuse path within the public right-of-way shall be approved by City Council and the City Council approved encroachment agreement shall be filed with the Development Services Department. The encroachment agreement shall also be recorded with the Wake County Register of Deeds prior to concurrent review approval.

2. Offsite easements will be required and shall be recorded for proposed work that is occurring offsite on the adjacent private property to adequately connect the proposed multi-use path to the existing pedestrian infrastructure that ends adjacent to this site’s property line.
3. 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.

Public Utilities

4. A Downstream Sewer Capacity Study in compliance with the City of Raleigh Public Utilities Department Handbook shall be submitted by the Project Engineer for review and approval.

Stormwater

5. 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).

6. A stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved (UDO 9.2).

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

Urban Forestry

8. Submit a final tree conservation plan that includes metes and bounds descriptions of all tree conservation areas and tree protection fencing as required (UDO 9.1.5).

9. Tree protection fence must be inspected by Urban Forestry staff prior to the issuance of a grading permit.

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.

<table>
<thead>
<tr>
<th>☒ City Code Covenant</th>
<th>☐ Slope Easement</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒ Stormwater Maintenance Covenant</td>
<td>☐ Transit Easement</td>
</tr>
<tr>
<td>☒ Utility Placement Easement</td>
<td>☐ Cross Access Easement</td>
</tr>
<tr>
<td>☐ Sidewalk Easement</td>
<td>☐ Public Access Easement</td>
</tr>
<tr>
<td></td>
<td>☒ Other: Sight Easement</td>
</tr>
</tbody>
</table>

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
10. The City Code Covenant 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 permits will be withheld if the recorded document is not provided to the City.

11. 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.

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

Engineering

13. 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.

14. 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.

15. 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 plat. A recorded copy of this document shall be provided to the Development Services Department within one day from authorization of lot recordation. If a recorded copy of this document is not provided, further recordings and building permit issuance will be withheld.

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

17. A sight distance easement will be required to be dedicated to the City of Raleigh for any area that a sight distance triangle leaves the public right-of-way and enters private property.

Public Utilities

18. 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

19. 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 (UDO 9.2.2.G.3).
20. 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 (UDO 9.2.2.G).

21. 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 (UDO 9.2).

22. 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).

23. A surety equal to 125% of the cost of the construction of a stormwater device shall be paid to the Engineering Services Department (UDO 9.2.2.D.1.d).

Urban Forestry

24. A tree conservation plat shall be recorded with metes and bounds showing the designated tree conservation areas (UDO 9.1). This development proposes 2.001 acres of tree conservation area.

25. A fee-in-lieu of tree planting shall be paid to the City of Raleigh for 7 street trees that cannot be planted.

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: 2-13-2022
Record at least ½ of the land area approved.

5-Year Sunset Date: 2-13-2024
Record entire subdivision.

I hereby certify this administrative decision.

Signed: (Development Services Dir./Designee) [Signature] Date: 2/13/19

Staff Coordinator: Ryan Boivin
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>Cadence at Town Center</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Case Number</td>
<td>S-34-2018</td>
</tr>
<tr>
<td>Transaction Number</td>
<td>564122</td>
</tr>
<tr>
<td>Design Adjustment Number</td>
<td>DA - 121 - 2018</td>
</tr>
</tbody>
</table>

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

- [x] UDO Art. 8.3 Blocks, Lots, Access
- [x] 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.

<table>
<thead>
<tr>
<th>DEPARTMENTS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>[ ] Dev. Services Planner</td>
<td>[ ] City Planning</td>
</tr>
<tr>
<td>[x] Development Engineering</td>
<td>[ ] Transportation</td>
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<tr>
<td>[ ] Engineering Services</td>
<td>[ ] Parks &amp; Recreation and Cult. Res.</td>
</tr>
<tr>
<td>[ ] Public Utilities</td>
<td>[ ]</td>
</tr>
</tbody>
</table>

STAFF RESPONSE

CONDITIONS:

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

Authorized Signature: [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 [X] NO □

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   YES [X] NO □

C. The requested design adjustment does not increase congestion or compromise Safety;
   YES [X] NO □

D. The requested design adjustment does not create any lots without direct street Frontage;
   YES [X] 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 [X] NO □

**STAFF FINDINGS**

Staff supports the request for a Design Adjustment as it relates to Block Perimeter standards. The proposed development has maximized the site and has stubbed streets in all applicable locations to meet block perimeter standards. One newly created block does not comply. The block not in compliance would require a road to be constructed through a previously dedicated and completed stormwater management area. To help improve interconnectivity, the proposed development is extending a multi-use path along their frontage and connecting to an existing greenway trail that stops at their southern property line. With this extension, the entire block as a whole is wrapped with sidewalk or a multi-use path so that pedestrian and bicycle traffic can easily maneuver in that area.
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 additional maintenance responsibilities for the City; and
   YES[☑] NO[ ]
E. The requested design adjustment has been designed and certified by a Professional Engineer.
   YES[☑] NO[ ]

**STAFF FINDINGS**

Staff supports the Design Adjustment application to alter the UDO approved street section for an Avenue 4-Lane, Divided. The driving force that creates a difficulty when designing and building out the ultimate UDO approved street section is existing grades, environmental features, and a Public Utilities easement/infrastructure that exist in the area. To meet the intent of the UDO approved street section while limiting the impact to the aforementioned existing conditions, an alternate street section/streetscape has been proposed. To meet the intent of the street section, a multi-use path is being extended along the length of their property and connecting to the existing greenway trail that stops at their southern property line. By doing this, we are able to obtain the bicycle facilities that are currently the only missing aspect of the street section along their frontage. Also, due to the existing environmental features, grade challenges, and Public Utilities infrastructure, the streetscape is being modified as well. For approximately 250’ as the streetscape crosses the environmental feature, the planting strip is being reduced to only accommodate a guard rail to ensure pedestrian/bicycle safety and the path is being reduced to 8’ wide. Once the streetscape clears the environmental feature, it will return to a typical 6’ planting strip with street trees, a 10’ multi-use path, and full public right-of-way dedication.
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>
<thead>
<tr>
<th>Project Name</th>
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</thead>
<tbody>
<tr>
<td>Case Number</td>
<td>SR-101-17</td>
</tr>
<tr>
<td>Transaction Number</td>
<td>594122</td>
</tr>
<tr>
<td>Name</td>
<td>Lennar Carolinas LLC</td>
</tr>
<tr>
<td>Address</td>
<td>1100 Perimeter Park, Suite 112</td>
</tr>
<tr>
<td>City</td>
<td>Morrisville</td>
</tr>
<tr>
<td>State NC</td>
<td>NC</td>
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<tr>
<td>Zip Code</td>
<td>27560</td>
</tr>
<tr>
<td>Phone</td>
<td>919-465-5900</td>
</tr>
<tr>
<td>Name</td>
<td>Ryan Akers PE</td>
</tr>
<tr>
<td>Firm</td>
<td>McAdams</td>
</tr>
<tr>
<td>Address</td>
<td>2805 Meridian Parkway</td>
</tr>
<tr>
<td>City</td>
<td>Durham</td>
</tr>
<tr>
<td>State NC</td>
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<tr>
<td>Zip Code</td>
<td>27713</td>
</tr>
<tr>
<td>Phone</td>
<td>919-361-5000</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 - See page 2 for findings
- [ ] UDO Art. 8.4 New Streets - See page 3 for findings
- [X] 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):

Section 8.3.2, Block Perimeter Maximum
The block perimeter, as measured from existing public rights-of-way, exceeds the maximum permitted in the CX-5 district of 2,500'. Approval of the requested Design Adjustment is justified based upon the following findings:

Section 8.5 Existing Street, Triangle Town Blvd (104' r/w, 76' b-b)
Triangle Town Blvd is classified as a 4-lane Divided Avenue per the approved City of Raleigh Street Plan. The pavement section of the existing street must be the minimum for a 4-lane Divided Avenue and right-of-way will be dedicated, achieving the minimum required right-of-way width. Applicant is requesting a Design Adjustment to allow the current street section remain.

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: [Date]

CHECKLIST

<table>
<thead>
<tr>
<th>Item</th>
<th>Included</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signed Design Adjustment Application</td>
<td>Included</td>
</tr>
<tr>
<td>Page(s) addressing required findings</td>
<td>Included</td>
</tr>
<tr>
<td>Plan(s) and support documentation</td>
<td>Included</td>
</tr>
<tr>
<td>Notary page (page 6) filled out; Must be signed by property owner</td>
<td>Included</td>
</tr>
<tr>
<td>First Class stamped and addressed envelopes with completed notification</td>
<td>Included</td>
</tr>
</tbody>
</table>

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 -

REVISED 1/30/2018
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;
   The parcel is located in an area that is mostly developed and contains an existing street network. The construction of new through street would require the disturbance of existing regional stormwater control features to the south, or sensitive environmental features (including steep slopes, wetlands, streams and associated stream buffers, and Tree Conservation Areas) to the east

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   Existing and proposed development is in compliance with the Comprehensive Plan and other adopted City plans.

C. The requested design adjustment does not increase congestion or compromise Safety;
   Proposed development includes three connections to existing public streets providing multiple points of access for emergency response.

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

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.

   Proposed design is reasonable due to the presence of steep slopes, streams and stream buffers, Tree Conservation Areas, and wetlands along the eastern property boundary. Along the southern boundary, providing an additional street connection to meet the block perimeter standards would require the disruption of existing regional stormwater control facilities to place the street connection in a location that provides adequate sight lines for motorists.
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;

Triangle Town Blvd is classified as a 4-lane Divided Avenue per the approved City of Raleigh Street Plan. The pavement section of the existing street meets the minimum for a 4-lane Divided Avenue and right-of-way will be dedicated, achieving the minimum required right-of-way width.

The design adjustment meets the intent of the UDO.

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

Triangle Town Blvd is classified as a 4-lane Divided Avenue per the approved City of Raleigh Street Plan. The pavement section of the existing street meets the minimum for a 4-lane Divided Avenue and right-of-way will be dedicated, achieving the minimum required right-of-way width.

The requested design conforms with the Comprehensive Plan and other adopted City Plans

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

Triangle Town Blvd is classified as a 4-lane Divided Avenue per the approved City of Raleigh Street Plan. The pavement section of the existing street meets the minimum for a 4-lane Divided Avenue and right-of-way will be dedicated, achieving the minimum required right-of-way width. Existing street section is sufficient to handle existing and proposed development without an increase in congestion or compromising safety.

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

Triangle Town Blvd is classified as a 4-lane Divided Avenue per the approved City of Raleigh Street Plan. The pavement section of the existing street meets the minimum for a 4-lane Divided Avenue and right-of-way will be dedicated, achieving the minimum required right-of-way width.

This request will not create additional maintenance responsibilities for the City.

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

The existing street design was designed and certified by a Professional Engineer.
STATE OF NORTH CAROLINA
COUNTY OF Durham

1. Roberta Forbes, a Notary Public do hereby certify that
   Ryan Akers personally appeared before me this day and
   acknowledged the due execution of the forgoing instrument.

   This the 5th day of November, 2018.

   [Seal]

   ROBERTA FORBES
   NOTARY PUBLIC
   Wake County, North Carolina
   My Commission Expires 06-28-2019

   Notary Public
   Roberta Forbes

   My Commission Expires: June 28, 2019
October 29, 2018

City of Raleigh
Attn: William Shumaker, Engineering Reviewer
1 Exchange Plaza
Raleigh NC 27601

Re: Cadence at Triangle Center, SR-101-17
Design Adjustment Requests

Mr. Shumaker:

Below are the justifications for the requested Design Adjustments related to City of Raleigh Case SR-101-17.

**Section 8.3.2, Block Perimeter Maximum**
The block perimeter, as measured from existing public rights-of-way, exceeds the maximum permitted in the CX-5 district of 2,500’. Approval of the requested Design Adjustment is justified based upon the following findings:

- The proposed design meets the intent of the City of Raleigh UDO. The parcel is located in an area that is mostly developed and contains an existing street network. The construction of new through street would require the disturbance of existing regional stormwater control features to the south, or sensitive environmental features (including steep slopes, wetlands, streams and associated stream buffers, and Tree Conservation Areas) to the east. The Triangle Town Center Development was approved and constructed prior to the adoption of the current City of Raleigh UDO.
- Existing development is in compliance with the Comprehensive Plan and other adopted City plans.
- The proposed design does not increase congestion or compromise safety. Proposed development includes three connections to existing public streets providing multiple points of access for emergency response.
- The proposed design does not create any lots without direct street access.
- Proposed design is reasonable due to the presence of steep slopes, streams and stream buffers, Tree Conservation Areas, and wetlands along the eastern property boundary. Along the southern boundary, providing an additional street connection to meet the block perimeter standards would require the disruption of existing regional stormwater control facilities to place the street connection in a location that provides adequate sight lines for motorists.
Section 8.4.6.D, Triangle Town Blvd (104' r/w, 76' b-b)

The existing Triangle Town Blvd is located in a variable width right-of-way. Triangle Town Blvd is classified as a 4-lane Divided Avenue per the approved City of Raleigh Street Plan. The pavement section of the existing street meets the minimum for a 4-lane Divided Avenue and right-of-way will be dedicated, achieving the minimum required right-of-way width. Applicant is requesting a Design Adjustment to allow the current street section to remain without additional improvements or expansion based on the following findings from Section 8.3.6 of the City of Raleigh UDO:

- The proposed design meets the intent of the UDO.
- The proposed design conforms with the Comprehensive Plan and Adopted City Plans.
- Proposed Design does not increase congestion or compromise safety.
- Proposed design does not create lots without direct street frontage.
- Proposed design is reasonable due to the presence of steep slopes, streams and related stream buffers, Tree Conservation Areas, and wetlands along the existing street frontage.

Sincerely,

MCADAMS

Ryan Akers, PE