LOCATION: This site is located on the north side of Western Boulevard, east of Chaney Road at 906 Chaney Road.

REQUEST: Development of a 24,812 square foot/.57 acre tract zoned R-10 SPROD into a two (2) lot subdivision with proposed New Lot 1 being 12,189 sf/.28 acres and proposed New Lot 2 being 12,204 sf/.28 acres. In addition, there is a proposed 419 sf/.009 acres of right-of-way dedication.

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: A Design Adjustment for Article 8.3, Blocks, Lots, and Access of the UDO has been requested and approved in accordance with Section 10.2.18 of the UDO.

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 9/11/2018 with revisions dated 1/28/2019 by Chance & Associates LPS.

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. 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 for a shared device with a stormwater operations and maintenance manual and budget shall be approved (UDO 9.2).
3. A surety equal to 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

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

Engineering

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

3. 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 recording 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.

4. A public infrastructure surety is provided to the City of Raleigh Development Services – Development Engineering program (UDO 8.1.3) in the amount of 125% of the cost.
Stormwater

5. 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).

6. 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).

7. 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).

8. 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).

**BUILDING PERMITS** – For buildings and structures shown on the approved plans. Commercial building permit plans must include the signed, approved Concurrent Site Review plans attached, if applicable. Permit sets may be reviewed prior to the recordation of required plats, but cannot be approved.

The following items must be approved prior to the issuance of building permits:

Urban Forestry

1. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 2 street trees along Chaney Rd.

The following are required prior to issuance of building occupancy permit:

1. 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 Required public right-of-way infrastructure improvements shall be, at a minimum, sufficiently completed to provide the necessary, safe emergency and vehicular access.

2. As-built drawings and associated forms for all Stormwater devices are accepted by the Engineering Services Department (UDO 9.2.2.D.3).

3. Impervious added for right-of-way improvements must be subtracted from the maximum impervious allowed on each lot. The impervious restriction for each lot must be recorded on a plat prior to building permit.

4. Final inspection of all tree conservation areas and right of way street trees 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: 3-5-2022
Record entire subdivision.

I hereby certify this administrative decision.

Signed: (Development Services Dir./Designee) [Signature] Date: 3/5/19

Staff Coordinator: Jermont Purifoy
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>Chaney Road 906 Subdivision</td>
</tr>
<tr>
<td>Development Case Number</td>
<td>S-43-2018</td>
</tr>
<tr>
<td>Transaction Number</td>
<td>567385</td>
</tr>
<tr>
<td>Design Adjustment Number</td>
<td>DA - 108 - 2018</td>
</tr>
</tbody>
</table>

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

- [ ] 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 [ ] DOES NOT SUPPORT [ ] the design adjustment request.

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

CONDITIONS:

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

Authorized Signature: [Signature]
Engineer in Review Manager: [Signature]
Date: 3/5/19

*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

Chaney Road is developed with single-family residential and townhouses and based on R-10 zoning has a maximum allowable block perimeter of 2,500 linear feet. The measurable block perimeter which is shown on the attached map is 1,670 linear feet with Chaney Road and Lorimer Road ending at NC State property.

The proposed development will provide sidewalk to encourage walking and provide a well connected sidewalk network. The City Street Plan or Comprehensive Plan does not propose any new streets in this vicinity. All the neighboring properties are developed with single family buildings, which would make a cross street not possible. An additional street would lead to a Stop situation, thus causing more congestion.

The neighborhood is currently served by emergency vehicles and City Services and this adjustment would not negate said services and both lots will have direct street frontage;

The NC State property, approximately 300 feet to the north is developed and houses Laboratories for research, which will not allow for a street, as that boundary also contains powerlines.
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**

**Project Name**: Chaney Road 908 Subdivision

**Case Number**: S-43-18

**Transaction Number**: 567355

**Name**: PW Family Realty, LLC, Woodford Burnette, Managing Partner

**Address**: 7413 Capstone Drive

**City**: Raleigh

**State**: NC

**Zip Code**: 27615

**Phone**: 919-970-0708

**Firm**: Chance & Associates

**Address**: 500 Benson Road, Ste. 207

**City**: Garner

**State**: NC

**Zip Code**: 27529

**Phone**: 919-779-7245

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):

Due to the existing infrastructure surrounding this project, there is no opportunity for further street connectivity within this block area; therefore, owners are unable to comply with Block Perimeter requirements of UDO Article 8.3.

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/Developer Representative Signature**: Woodford Burnette

**Date**: Oct 4, 18

**CHECKLIST**

- Signed Design Adjustment Application [✓] Included
- Page(s) addressing required findings [✓] Included
- Plan(s) and support documentation [✓] Included
- Notary page (page 5) 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 desinfo@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**: 10/4/18

**DA**: -

**WWW.raleighnc.gov**: REVISION 1/30/2018
Article 8.3, Blocks, Lots, Access
Administrative Design Adjustment Findings

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;
   Due to existing infrastructure surrounding this project, there is no opportunity to interconnect public streets. However, public fire, police, transit, trash and emergency services are already provided to this project through existing infrastructure system that is consistent with the intent of this Article.

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   This project block area is comprised of a mix of residential and office uses. The Comprehensive Plan proposed land uses for this area are: Low and moderate density residential, private open space and office/residential mixed use. The proposed development of R-10 low density residential use is consistent with adopted Comprehensive Plan.

C. The requested design adjustment does not increase congestion or compromise safety;
   The two proposed lots will have their driveway access from Chaney Road, a Neighborhood Local Street which will not have any significant increase in congestion or compromises safety. A public 6' sidewalk will be installed along Chaney Road for the length of the project frontage per City of Raleigh Standards to provide additional pedestrian circulation in the area.

D. The requested design adjustment does not create any lots without direct street frontage;
   Per S-43-18, all new lots have frontage on existing public street, Chaney Road

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.

Number 3: Due to existing street and development infrastructure surrounding this project, there is no opportunity for further street connectivity within this block area; therefore, we are unable to comply with above Block Perimeter requirements. For these reasons, this Design Adjustment Application is requesting the Block Perimeter requirements of the UDO and RSDM be waived.
STATE OF NORTH CAROLINA
COUNTY OF Wake

Holly W. Ezzell, a Notary Public do hereby certify that

Wendy A. Burnett, personally appeared before me this day and

acknowledged the due execution of the foregoing instrument.

This the 17th day of October, 2018.

Notary Public

My Commission Expires: 03-20

State of North Carolina
County of Wake

Earl E. Pleasant, a Notary Public
for said County and State, do hereby certify
that

Sherry A. Chance,

personally appeared before me this day and

acknowledged the due execution of the

foregoing instrument.

Witness my hand and official seal,

this the 4th day of October, 2018

Signature of Notary Public

My commission expires 03-24, 2020
NOT RELEASED FOR CONSTRUCTION
EXISTING BLOGS NOTE:
ALL EXISTING BUILDINGS & ACCESSORY STRUCTURES WILL BE DEMOLISHED AND REMOVED FROM SITE.
SEE NOTE #9 ON COVER SHEET.
SUMMARY DATA:
PROJECT ADDRESS:
905 CHANEY RD.
RALEIGH, NC 27605

TOTAL AREA OF SITE: 24,812 SF
TOTAL NUMBER OF LOTS: 2
MIN. LOT SIZE: 12,189 SF
MIN. LOT SIZE: 12,189 SF
ZONE: R-10/SPFDD
PIN#: 0794011323

NOTES:
EXISTING R-10 PERMITTER ALLOWED: 1,670'
DUE TO EXISTING INFRASTRUCTURE, AN ALTERNATE DESIGN ADJUSTMENT IS BEING REQUESTED.

SURETY NOTE:
A SURETY FOR ANY PUBLIC IMPROVEMENTS MUST BE PROVIDED PRIOR TO MAP RECORDATION.

DRIVeway note:
EXISTING DRIVEWAY WILL BE CLOSED AND REPLACED WITH STANDARD CITY OF RALEIGH CURB.

INFILL RULE:
RESIDENTIAL INFILL RULES WILL APPLY TO THE CURRENT SITE LAYOUT PER UDO SEC. 2.2.7.
NOTE: EXISTING SEWER SERVICE CLEANOUT WAS NOT FOUND. IT WILL BE LOCATED PRIOR TO RECORDING PLAN. IF IT IS LOCATED OUTSIDE NEW LOT 1, IT WILL BE RELOCATED ENTIRELY ON NEW LOT 1. EXISTING LOT 1 WATER METER WILL BE RELOCATED BETWEEN R/W & SIDEWALK AS SHOWN ON PLAN.

FIRE PROTECTION NOTES:
1. FIRE HYDRANTS SHALL BE NO MORE THAN 500 FEET FROM A BUILDING OR HOUSE ALONG AN APPROVED APPARATUS ACCESS ROAD, AS MEASURED BY AN APPROVED ROUTE AROUND THE BUILDING OR HOUSE (ENFORCED AT TIME OF BLDG. PERMIT). PER THE 2012 NFPA, SECTION 507.3.1.
2. ALL PORTIONS OF THE EXTERIOR WALLS OF THE FIRST FLOOR SHALL BE LOCATED WITHIN 200 FEET OF THE APPARATUS ROAD SURFACE.
3. FIRE FLOW ANALYSIS MUST BE PROVEN AT TIME OF BUILDING PERMITS PER THE 2012 NFPA, SECTION 507.3.

UTILITY NOTES:
1. NEW WATER & SEWER SERVICES SHALL BE INSTALLED BY OPEN CUT PER CITY OF WILMINGTON STANDARDS.
2. PRIVATE WATER & SEWER MANS OR SERVICES CANNOT CROSS PROPERTY LINES, SEC. 6-2037.
3. EXISTING UTILITY SERVICES (UNLESS) SHALL BE ABANDONED AT 45- (MASS) & REMOVED FROM ROO.M OR EXCEPTION-LU HANDBOOK PG. 67 & PG. 125.
4. EXISTING SEWER SERVICE LINE TO LOT 1 WAS LOCATED BUT CLEANOUT WAS NOT FOUND. THE EXISTING WATER & SEWER WILL BE USED TO SERVE LOT 1. EXISTING SEWER CLEANOUT WILL BE LOCATED PRIOR TO RECORDING PLAN.