LOCATION: This site is located immediately west of the intersection of Winthrop Drive and Sleepy Hollow Drive. The site address is 5613 Winthrop Drive and the PIN is 0796168444.

REQUEST: Subdivision of a 5.49 acre tract zoned Residential-4 (R-4) in the Brookhaven Neighborhood Conservation Overlay District (NCOD). The applicant is requesting to subdivide the site into 4 single family lots and 1 open lot. Each lot is a minimum 20,000 square feet.

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

1. A Design Adjustment waiving the block perimeter requirement in the UDO Section 8.3, has been approved. Reference DA-113-2018 for details.

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 10/1/2018 by Johnny A. Edwards of 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 - 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 100-year floodplain analysis shall be submitted and approved by the Engineering Services Department prior to the issuance of any grading or site permit (UDO 9.3).

3. 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).
4. 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

5. 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).

6. 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.

| ☒ City Code Covenant | ☐ Slope Easement |
| ☐ Stormwater Maintenance Covenant | ☐ Transit Easement |
| ☒ Utility Placement Easement | ☐ Cross Access Easement |
| ☐ Sidewalk Easement | ☒ Public Access Easement |
| ☒ Other: 10’ Greenway Easement within sanitary sewer easement & 75’ Greenway Easement on both sides of Hare Snipe Creek water body |

☒ 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. 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.

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

3. 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.
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 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.

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

Stormwater

7. The flood prone areas, as approved by the City Stormwater Engineer and shown on the preliminary plan, shall be shown on the recorded map (UDO 9.3.3.G).

8. 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).

Urban Forestry

9. A tree conservation plat shall be recorded with metes and bounds showing the designated tree conservation areas (UDO 9.1). This development proposes .57 acres of tree conservation area.

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: 11/9/2021
Record at least ½ of the land area approved.

5-Year Sunset Date: 11/9/2023
Record entire subdivision.

I hereby certify this administrative decision.

Signed: (Planning Dir./Designee) __________________________ Date: 11/9/18

Staff Coordinator: Daniel L. Stegall
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>5613 Winthrop</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Case Number</td>
<td>S-45-2018</td>
</tr>
<tr>
<td>Transaction Number</td>
<td>568746</td>
</tr>
<tr>
<td>Design Adjustment Number</td>
<td>DA - 113 - 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.

<table>
<thead>
<tr>
<th>DEPARTMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dev. Services Planner</td>
</tr>
<tr>
<td>Development Engineering [x]</td>
</tr>
<tr>
<td>Engineering Services</td>
</tr>
<tr>
<td>Public Utilities</td>
</tr>
</tbody>
</table>

**CONDITIONS:**

*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 10.7.18.C3b).*

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

Authorized Signature: [Signature]

Date: 11/9/2018

Authorized Name: [Name]

[Engineering and Infrastructure Manager]

[Page 1 of 5] [WWW.RALEIGHNC.GOV] [REVISION 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.

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 is to request a waiver from the block perimeter requirement to provide a public street access within this site based on the topography, the floodplain of a Neuse Riparian Buffer along Hare Snipe Creek and developed properties to the west and south of this site. The specific block perimeter analysis is within the development application and see the attached plan sheet for limitations of this site.

A petition sidewalk project on the east side of Winthrop Drive is being designed by the City and will provide a more convenient sidewalk access to the sidewalk being constructed along these west side subdivision lots. A new 10' greenway easement is being dedicated to the City within Lot 1 to connect to the existing City of Raleigh 75' greenway easement.
5613 WINTHROP DRIVE
SUBDIVISION
PRELIMINARY SUBDIVISION PLAN
S-45-18
TRANS. #568746
RALEIGH, NORTH CAROLINA
SEPTEMBER 4, 2018
REVISED OCTOBER 1, 2018

OWNER/DEVELOPER:
HARE SNIPE LAND COMPANY, LLC
Stephen E. Wooten
Louis E. Wooten III
3216 Millstream Place
Raleigh, N.C. 27609-7057
swooten@rabondalley.com
louis@thewootenlawfirm.com

CIVIL ENGINEER:
JOHN A. EDWARDS & COMPANY
Consulting Engineers
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333 Wade Ave., Raleigh, N.C. 27605
Phone: (919) 828-4428
Fax: (919) 828-4711
E-mail: info@jaeco.com

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GW GREENWAY PLAN