LOCATION:  This site is located within the existing 5401 North Planned Development, south of Beckom Street, west of Perry Creek Road, east of Crescent Square Street, and north of US Highway 540.

REQUEST:  Subdivision of a 38.87 acre tract zoned Planned Development (PD) into 238 lots, including 143 townhome lots, 88 single-family detached lots, and seven open space lots.

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC:  Two design adjustments requesting a reduced horizontal centerline radius along two sections of Giddings Street, south of Beckom Street, are found to be consistent with the UDO Neighborhood Local street design and are approved.

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 10/31/2018 by the John R. McAdams 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. 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

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 permit will be withheld if the recorded document is not provided to the City.

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

Engineering

3. 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.

4. 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.

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

6. 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

7. 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).

8. 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).

9. 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).

☒ 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:

General

1. Comply with all conditions of MP-3-16.

The following are required prior to issuance of a 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.

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

3. Required underground storm drainage improvements shall be completed and as-built plan(s) and certification(s) reviewed and accepted by the City of Raleigh Development Services – Development Engineering program.

4. All street lights and street signs required as part of the development approval are installed.
5. Copies of certified inspection reports for alleys and internal access ways are submitted to the City of Raleigh Development Services – Development Engineering program.

EXPIRATION DATES:

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: 11/16/2021
Record at least ½ of the land area approved.

5-Year Sunset Date: 11/16/2023
Record entire subdivision.

I hereby certify this administrative decision.

Signed: (Planning Dir./Designee) [Signature] Date: 11/16/18

Staff Coordinator: Justin Rametta
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.

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<thead>
<tr>
<th>PROJECT</th>
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<tbody>
<tr>
<td>Project Name</td>
<td>5401 North - Lot 18</td>
</tr>
<tr>
<td>Development Case Number</td>
<td>S-72-17</td>
</tr>
<tr>
<td>Transaction Number</td>
<td>532165</td>
</tr>
<tr>
<td>Design Adjustment Number</td>
<td>DA - 103 - 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
- [ ] 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>
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<tbody>
<tr>
<td>[ ] Dev. Services Planner</td>
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<tr>
<td>[✓] Development Engineering</td>
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<td>[ ] Engineering Services</td>
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<td>[ ] Public Utilities</td>
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<td>[ ] Transportation</td>
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<td>[ ] Parks &amp; Recreation and Cult. Res.</td>
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<tr>
<th>STAFF RESPONSE</th>
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Development Services Director or Designee Action: [ ] APPROVE [ ] APPROVE WITH CONDITIONS [ ] DENY

Authorized Signature

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).
Staff Response  
Article 8.4 New Streets

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 additional maintenance responsibilities for the City;  
   YES [x] NO [ ]
E. The requested design adjustment has been designed and certified by a Professional Engineer; and  
   YES [x] NO [ ]
F. The requested design adjustment shall address Stormwater collection and conveyance and not adversely impact Stormwater collection.  
   YES [x] NO [ ]

STAFF FINDINGS

These design adjustments are addressing Giddings Street in the 5401 development which was designed as a residential street with parking allowed where there are no sight distance issues. This subdivision proposes 231 units which are accessed by 20 alleys and 4 east-west public streets. Two design adjustments are requested and supported for approval by staff as concerning the horizontal centerline radius as follows:

Design Adjustment #1 is requesting a 150' horizontal centerline radius on Giddings Street between Alleys 66/67 and Humanity Lane. This section will have a reduced speed limit of 25 mph which meets the Neighborhood Local street design for this centerline radius as per Raleigh Street Design Manual, Chapter 12, Section 12.1.1, Table 13. Additionally, parking will be allowed on the street which will provide traffic calming.

Design Adjustment #2 is also requesting a 150' centerline radius as it meets the Neighborhood Local street design on Giddings Street with a 250' street length between intersecting alleys.

The speed limit for all residential streets will be reduced to 25 mph, with the exception of Perry Creek Road and Beckom Street which are to observe the Citywide 35 mph limit. The speed limits are to be posted after the streets are accepted for maintenance by the City of Raleigh and are approved by City Council.
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.

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<tr>
<td>Transaction Number</td>
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</tr>
<tr>
<td>Name</td>
<td>Level Homes c/o Ric Rojas</td>
</tr>
<tr>
<td>Address</td>
<td>6320 Quadrangle Drive, Suite 100</td>
</tr>
<tr>
<td>City</td>
<td>Chapel Hill</td>
</tr>
<tr>
<td>State</td>
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<tr>
<td>Phone</td>
<td>919-615-1585</td>
</tr>
<tr>
<td>Name</td>
<td>Jon Moore</td>
</tr>
<tr>
<td>Firm</td>
<td>McAdams Company</td>
</tr>
<tr>
<td>Address</td>
<td>2905 Meridian Parkway</td>
</tr>
<tr>
<td>City</td>
<td>Durham</td>
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<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
- 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):

Gladings is classified as a Neighborhood Street. Therefore, as shown in Table 6.1A in the City of Raleigh "Street Design Manual" (January 2014), the minimum centerline radius shall be 375-ft. We are requesting a Design Exemption to this requirement such that the minimum allowable centerline radius is 150-ft. The reasons for this request are as follows: 1) That this road will have a 25 MPH speed limit to further promote traffic calming measures within the community as approved previously and attached. 2) Because of the multiple cross street connection locations, the unit count serving to this street will be reduced to well below 100 units. Because of these two items, this street will operate similar to a Neighborhood local street. Additionally, along areas on both sides of the street between Inclined Way and Kayton Street there will be parallel parking which adds to the calming and slower speeds where this reduction is requested.

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: 8-22-18

CHECKLIST

- Signed Design Adjustment Application: Included
- Page(s) addressing required findings: Included
- Plan(s) and supporting documentation: Included
- Notary page (page 6) filled out: Must be signed by property owner: Included
- First Class stamped and addressed envelopes with completed notification letters: 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 the Raleigh Street Design Manual;

   There are two locations along Giddings street in 5401 that we are seeking a design adjustment. Refer to the attached plan sheets for reference. The proposed centerline radius of 150-ft will function more like a Neighborhood Local street with on street parking.

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

   Yes, the proposed centerline radius design adjustment request of 150-ft is still in-keeping with the Comprehensive Plan.

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

   The radius reduction will promote slower speeds along residential streets, therefore increasing safety. The multiple connection points will not increase congestion and the unit count serving this street will be less than 150 units.

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

   The radius reduction will not create additional maintenance responsibilities for the City. A previous and similar center-line reduction was granted an earlier phase and to our understanding, there has not been any increase in maintenance responsibilities for the City.

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

   Yes, plans have been submitted to Development Review staff and will certified by a Professional Engineer.
STATE OF NORTH CAROLINA  
COUNTY OF WAKE

INDIVIDUAL

I, Kristie Taylor, a Notary Public do hereby certify that 
Ric Rojas personally appeared before me this day and 
acknowledged the due execution of the forgoing instrument.

This the 22 day of August, 2018.

(SEAL)  

Notary Public Kristie Taylor
Notary Public  
My Commission Expires 4-22-23

My Commission Expires: 4-22-23
July 11, 2018

Mrs. Kathryn Beard/Daniel King  
City of Raleigh - Transportation Department  
One Exchange Plaza, 3rd Floor  
Raleigh, North Carolina 27602

Re: 5401 North - Lot 18 Transaction Number 532165  
Request for Design Exception #7 - Giddings Street Centerline Radius  
CRC-16030

Dear Ms. Beard/Mr. King:

We are requesting consideration for a design exception for the 5401 North project located at US 401 and Perry Creek Road. Below is a more detailed description of the specific request:

Giddings is classified as a Neighborhood Street. Therefore, as shown in Table 6.11A in the City of Raleigh “Street Design Manual” (January 2014), the minimum centerline radius shall be 375-ft. We are requesting a Design Exception to this requirement such that the minimum allowable centerline radius is 150-ft. The reasons for this request are as follows: 1. That this road will have a 25 MPH speed limit to further promote traffic calming measures within the community as approved previously and attached. 2. Because of the multiple cross street connection locations, the unit count serving to this street will be reduced to well below 150 units.

Because of these two items, this street will operate similar to a Neighborhood local street. Additionally, along areas on both sides of the street between Influence Way and Kayton Street there will be parallel parking which adds to the calming and slower speeds where this reduction is requested.

As with our other Design Exception requests related to this project, our goal is to provide traffic calming measures within the community as part of a pedestrian-friendly street concept and we believe this exception will help us achieve that goal.

If you have any questions or need additional information related to this request, please feel free to contact me to discuss.

Sincerely,

Brad Rhinehalt, PE  
Senior Project Manager, Land Development – Residential
PRELIMINARY SUBDIVISION

5100 BECKOM STREET
RALEIGH, NORTH CAROLINA
TRANSACTION #: 532165
RALEIGH NUMBER: S-72-17
PROJECT NUMBER: CRC-16030
DATE: OCTOBER 31, 2018

OWNER:
ELD-5401 NORTH, LLC
C/O ENGQUIST-LEVEL DEVELOPMENT, LLC
7500 PECUE LANE
BATON ROUGE, LOUISIANA 70809
(225) 338-6120

HORIZONTAL DATUM: NAD 83
VERTICAL DATUM: NAVD 88