Zoning: **CX-3 w/UWPOD**  
CAC: **North**  
Drainage Basin: **Richland Creek**  
Acreage: **4.93**  
Number of Lots: **3**

Planer: **Ryan Boivin**  
Phone: **(919) 996-2681**

Applicant: **Chris Bostic**  
Phone: **(919) 653-2927**
Administrative Approval Action
Case File / Name: S-81-17 Wakefield Pines Subdivision
Transaction # 536214, AA # 3783

LOCATION: This site is located on the north side of Falls of Neuse Road, and the north side of Wakefield Pines Drive. The site is addressed at 2801 Wakefield Pines Drive, which is inside City limits.

REQUEST: Subdivision of a 4.93 acre tract zoned CX-3 w/ UWPOD into three lots for commercial uses. Proposed lot 1 will be 65,842 SF/1.51 acres, lot 2 will be 58,571 SF/1.35 acres, and lot 3 will be 86,652 SF/1.99 acres.

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: A Design Adjustment was approved for UDO Section 8.3.2 providing relief from block perimeter requirements.

This site was granted a variance from aspects of the forestation requirements of the Urban Watershed Protection Overlay District, as well as the primary tree conservation requirement (with conditions). Reference A-119-17.

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 submitted by Chris Bostic of Kimley Horn and Associates.

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.

Stormwater: This subdivision will utilize the existing shared downstream regional BMP for stormwater quality regulations and a shared underground detention device for these 3 lots.

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. Next Step: In accordance with Part 10A Section 9.4.4 of the Unified Development Ordinance, a surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City.

3. Next Step: 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.

URBAN FORESTRY
4. Obtain required stub and tree impact permits from the City of Raleigh.
5. **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.

6. **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 zoning permit is obtained and completed for the required C2 yard plantings along Falls of Neuse Rd and Wakefield Pines Dr.

3. **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.

#### ENGINEERING

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 (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 are not provided within this 14 day period, further recordings and building permit issuance may be withheld.

6. In accordance with Part 10A Section 8.1.10, a fee-in-lieu for 1’ of sidewalk for 690’ and for 4’ of additional pavement along Wakefield Pines Dr is paid to the City of Raleigh.

7. A cross access agreement among the proposed lot pin 1739084787 and lot pin 1739090003 shall be approved by the Development Services Department for recording in the Wake County Registry, and a copy of the recorded offer of cross access easement shall be returned to the Development Services Department within 1 day of lot recordation. A recorded copy of these documents shall be provided to the Development Services Department within 14 days from authorization of lot recording. If a recorded copy of the documents are not provided within this 14 day period, further recordings and building permit issuance may be withheld.
8. 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 recording. 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 are not provided within this 14 day period, further recordings and building permit issuance may be withheld.

9. **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

10. 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

11. **Next Step:** 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.

12. **Next Step:** 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.

13. **Next Step:** 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.

14. **Next Step:** In accordance with Part 10A Section 9.2.2, a surety equal to 125% of the cost of the construction of a stormwater device shall be paid to the Engineering Services Department.

TRANSPORTATION

15. A 15’ x 20’ transit deed of easement shall be approved by City staff and the location of the easement shall be shown on a plat 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 14 days from authorization of lot recording. If a recorded copy of the documents is not provided within this 14 day period, further recordings and building permit issuance may be withheld.

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.
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: 4/13/2021
Record the subdivision.

I hereby certify this administrative decision.

Signed: (Planning Dir./Designee) ___________________________ Date: 4/13/18

Staff Coordinator: Ryan Boivin
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.

<table>
<thead>
<tr>
<th>PROJECT</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Name</td>
<td>Wakefield Pines</td>
</tr>
<tr>
<td>Development Case Number</td>
<td>S-81-17</td>
</tr>
<tr>
<td>Transaction Number</td>
<td>536214</td>
</tr>
<tr>
<td>Design Adjustment Number</td>
<td>DA - 9 - 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.

DEPARTMENTS

- ☐ Dev. Services Planner
- ☐ City Planning
- ☑ Development Engineering
- ☐ Transportation
- ☐ Engineering Services
- ☐ Parks & Recreation and Cult. Res.
- ☐ Public Utilities

STAFF RESPONSE

CONDITIONS:

Development Services Director or Designee Action: ☑ APPROVE ☐ APPROVE WITH CONDITIONS ☐ DENY

Authorized Signature: Daniel King, PE
Engineering Review Manager

Date: 4/13/18

*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 for the issue related to not meeting block perimeter. Topographic challenges within this site provide difficult to make any additional connections than the ones proposed with the site plan. Also, the existing buildings surrounding the site are not set up in a way for any future connections.
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>
<th>Wakefield Pines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case Number</td>
<td>5-81-17</td>
</tr>
<tr>
<td>Transaction Number</td>
<td>536214</td>
</tr>
<tr>
<td>Name</td>
<td>Wakefield Outparcels, LLC</td>
</tr>
<tr>
<td>Address</td>
<td>11509 John Allen Road</td>
</tr>
<tr>
<td>State</td>
<td>NC</td>
</tr>
<tr>
<td>Zip Code</td>
<td>27614</td>
</tr>
<tr>
<td>City</td>
<td>Raleigh</td>
</tr>
<tr>
<td>Phone</td>
<td>919-866-4472</td>
</tr>
<tr>
<td>Firm</td>
<td>Kimley-Horn</td>
</tr>
<tr>
<td>Address</td>
<td>421 Fayetteville Street, Suite 600</td>
</tr>
<tr>
<td>State</td>
<td>NC</td>
</tr>
<tr>
<td>Zip Code</td>
<td>27601</td>
</tr>
<tr>
<td>City</td>
<td>Raleigh</td>
</tr>
<tr>
<td>Phone</td>
<td>919-653-2927</td>
</tr>
</tbody>
</table>

I am seeking a Design Adjustment from the requirements set forth in the following:

- [X] UDO Art. 8.3 Blocks, Lots, Access - See page 2 for findings
- [ ] UDO Art. 8.4 New Streets
- [ ] UDO Art. 8.5 Existing Streets
- [ ] Raleigh Street Design Manual

Provide details about the request; (please attach a memorandum if additional space is needed):

See attached memo.

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.

[Signature]

Owner/Owner’s Representative Signature 1/30/18

CHECKLIST

- Signed Design Adjustment Application - Included
- Page(s) addressing required findings - Included
- Plan(s) and support documentation - Included
- Notary page (page 6) 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 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 this Article;

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

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

D. The requested 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; or
   6. Does not conflict with an approved or built roadway construction project
   7. adjacent to or in the vicinity of the site.
A. The subject subdivision design meets the intent of Section 8.3.1 by supplementing and promoting additional pedestrian connectivity through the development and reducing driving distance within an established street network. A ten-foot-wide accessible sidewalk will be installed through the development interconnecting all three of the resultant parcels with the group housing to the North and existing public sidewalk infrastructure along the perimeter of the property addressing Section 8.3.1A.

To address section 8.3.1C, the internal drive aisle network will provide direct, efficient, and safe access to all three parcels. The design accommodates vehicular and bicycle access to the site via an existing shared access drive on Wakefield Pines Drive and a new access point with right turn deceleration lane on Falls of Neuse Road as recommended by the Traffic Impact Analysis with appropriate internal driveway stem lengths to accommodate vehicular movements. Bicycle parking will be provided on all three lots. The internal sidewalk network is 10 feet in width enhancing pedestrian safety and painted pedestrian crossings are provided at logical drive aisle intersections. The sidewalk network also provides a direct pedestrian path to all 3 lots from the street frontage.

The current block perimeter consists of major streets fronted by the subject commercial corner and group housing but also consists of a residential street providing access to fully developed single family lots with cul-de-sacs located directly adjacent to the subject project. Several factors preclude meeting the block perimeter and the following reasons are presented per Section 8.3.1D. An additional street connection is not possible as the backyards of the single family lots form the adjacent property boundary with the subject commercial property prohibiting connection. Such a cross access connection would also directly link commercial traffic to an incompatible, residential street type. The existing site has extreme topography with 50 feet of grade change in a limited distance. This topography restricts direct pedestrian passage through the property in order to comply with accessibility regulations. The resultant development of the property and installation of retaining walls to provide buildable areas also informs the placement of pedestrian paths.

B. The project conforms to the Streets Plan in the Raleigh Comprehensive Plan. The right-of-way and street section for Falls of Neuse Road are in compliance with the Streets Plan section, and the project will dedicate right-of-way and provide a fee-in-lieu for the additional pavement to comply with the ultimate street section of Wakefield Pines Drive required in Section 4.4.2 in the Streets Manual. No additional street connections are noted in the Streets Plan. The future land use for the area is neighborhood mixed use which provides for commercial uses needed for the adjacent residences. The driveway and sidewalk facilities proposed accommodate access to these adjacent neighborhoods. The project also supports comprehensive
plan (T4.1) initiatives by providing a transit easement on Falls of Neuse Road and street trees along both frontages (T2.18).

C. The project will not cause undue congestion at the intersection of Falls of Neuse Road and Wakefield Pines based on the findings of the traffic study. The project does not compromise safety as the development gains access via an existing cross access driveway on Wakefield Pines and a single, new limited access driveway on Falls of Neuse with deceleration lane which is located per City standards (Section 6.5.8 of Streets Manual). Both driveways will operate at acceptable levels of service. Internal driveway stem lengths will comply with City standards (6.5.8). No issues with pedestrian safety are anticipated as the sidewalk infrastructure will comply with accessibility regulations and be appropriately marked. An internal 10-foot-wide pedestrian path will be provided to all parcels.

D. All lots will have frontage to a public street. Lot 1 fronts both Falls of Neuse and Wakefield Pines while Lot 2 and 3 front Wakefield Pines and Falls of Neuse respectively.

E. As discussed in item A above and Section 8.3.1D of the UDO, the design adjustment is deemed reasonable as the existing extreme site topography prohibits a direct, accessible pedestrian passage. The fully developed residential neighborhoods to the North and east preclude a vehicular cross access through the existing block and such an access would require commercial type traffic on a residential street.
STATE OF NORTH CAROLINA
COUNTY OF _______________  INDIVIDUAL

I, _______________, a Notary Public do hereby certify that
personally appeared before me this day and
acknowledged the due execution of the foregoing instrument.

This the _______________ day of _______________, 2015.

PATRICK MERRITT  
Notary Public  
(SEAL) Wake Co., North Carolina  
My Commission Expires Sept. 05, 2022

My Commission Expires: _______________
All internal infrastructure is for reference only and will be reviewed under Administrative Site Reviews for the proposed parcels.
LANDSCAPE REQUIREMENTS & CALCULATIONS

<table>
<thead>
<tr>
<th>STREET</th>
<th>CODE REQUIREMENT</th>
<th>SQUARE FEET/LINEAR FEET</th>
<th>TOTAL QUANTITY REQUIRED</th>
<th>TOTAL QUANTITY PROVIDED</th>
<th>CODE SECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>WAKEFIELD PINES DRIVE</td>
<td>1 CANOPY TREE SPACED 40' O.C.</td>
<td>(476 / 40) = 12</td>
<td>12 CANOPY TREES</td>
<td>12 CANOPY TREES</td>
<td>8.5.2.B</td>
</tr>
<tr>
<td>FALLS OF NEUSE ROAD</td>
<td>1 CANOPY TREE SPACED 40' O.C.</td>
<td>(530 / 40) = 14</td>
<td>14 CANOPY TREES</td>
<td>14 CANOPY TREES</td>
<td>8.5.2.B</td>
</tr>
</tbody>
</table>

15 SHRUBS PER 100 LF
4 SHADE TREES PER 100 LF
MINIMUM AVERAGE WIDTH OF 15'

WAKEFIELD PINES DRIVE
476'
(476 / 100) * 4 = 19 TREES
(476 / 100) * 15 = 72 SHRUBS
19 TREES PROVIDED
72 SHRUBS PROVIDED

FALLS OF NEUSE ROAD
450'
(450 / 100) * 4 = 18 TREES
(450 / 100) * 15 = 68 SHRUBS
22 TREES PROVIDED
68 SHRUBS PROVIDED

FALLS OF NEUSE ROAD
80'
(80 / 100) * 4 = 4 TREES
(80 / 100) * 15 = 12 SHRUBS

PER SECTION 7.2.4.B.2, A STREET PROTECTIVE YARD MAY BE REPLACED WITH A TREE CONSERVATION AREA THAT MEETS THE REQUIREMENTS OF ARTICLE 9.1

PER SECTION 3.5.3.D.1 A REQUIRED PROTECTIVE YARD MAY BE REPLACED WITH A TREE CONSERVATION AREA MEETING THE REQUIREMENTS OF ARTICLE 9.1

LANDSCAPE PLAN

PLANT SCHEDULE

<table>
<thead>
<tr>
<th>PLANT SCHEDULE ITEM</th>
<th>QTY</th>
<th>BOTANICAL NAME</th>
<th>COMMON NAME</th>
<th>CONT</th>
<th>CAL</th>
<th>SIZE</th>
<th>HT.</th>
</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td></td>
<td>Acer buergerianum</td>
<td>Trident Maple</td>
<td>64</td>
<td>0.16</td>
<td>14 - 16 FT.</td>
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<tr>
<td>7</td>
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<td>Quercus coccinea</td>
<td>Scarlet Oak</td>
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<td>0.16</td>
<td>14 - 16 FT.</td>
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<td>14</td>
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<td>Taxodium distichum &quot;Shawnee Brave&quot;</td>
<td>Bald Cypress</td>
<td>6.00</td>
<td>0.16</td>
<td>14 - 16 FT.</td>
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<tr>
<td>16</td>
<td></td>
<td>Ulmus parvifolia &quot;Everclear&quot;</td>
<td>Everclear Lacebark Elm</td>
<td>6.00</td>
<td>0.16</td>
<td>14 - 16 FT.</td>
<td></td>
</tr>
</tbody>
</table>

EXISTING LIGHT POLE (TYP.)
EXISTING FIRE HYDRANT (TYP.)

ZONE 'A' & 'B' - TYPE 3 NEIGHBORHOOD TRANSITION BUFFER

PER SECTION 3.5.3.D.1 A REQUIRED PROTECTIVE YARD MAY BE REPLACED WITH A TREE CONSERVATION AREA MEETING THE REQUIREMENTS OF ARTICLE 9.1

STREET TREES
C2 PROTECTIVE YARD

PRELIMINARY
NOT FOR CONSTRUCTION

SURVEY NOTE:
SURVEY TAKEN ON APRIL 28, 2017, AND DATE OF SURVEY REPORT PREPARED ON DATE OF DRAWING. SURVEYED BY PROFESSIONAL LAND SURVEYOR.

Kimley-Horn EXCISE TAX NUMBER: 02-00433805-04-00-0000-0000-00-0000-00

L1.0