LOCATION: This site is located on the west side of Enterprise Street, between Clark Avenue and Garden Place. The site is comprised of several lots being 2204 Garden Place, 101 Enterprise Street, and 2303 Clark Avenue.

REQUEST: Development of several parcels being recombined into one 0.719 acre parcel zoned OX-5-UL CU and within the Special Residential Parking Overlay District. The development is to be a 101,686 square foot, 51 unit condominium building with on-site parking.

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

1. Provision of 4’X25’ planters in lieu of the standard 4’ x 6’ planters in sections of the right of way as specified by the Raleigh Street Design Manual.

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 WithersRavenel.

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.

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.

2. That a thorough investigation of the intersection of Enterprise Street and Clark Avenue crosswalk occur. This will involve realignment of the current crosswalk in accordance with all applicable codes.

STORMWATER

3. 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.
4. 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.

URBAN FORESTRY

5. Obtain required tree impact permits from the City of Raleigh.

PRIOR TO ISSUANCE OF BUILDING PERMITS:

GENERAL

1. Comply with all conditions of Z-24-17.

2. A Final Plat shall be recorded with the Wake County Register of Deeds office for all Recombinations, Right of Way and/or Easement Dedications.

3. A demolition permit shall be obtained.

4. Provide fire flow analysis.

ENGINEERING

5. The ½ of 90’ of required right of way on Clark Avenue, ½ of 59’ of required right of way on Enterprise Street and ½ of 55’ of required right of way on Garden Place for the existing streets shall be dedicated to the City of Raleigh and be shown on a plat approved for recordation.

6. 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.

7. A sidewalk deed of easement for any public sidewalk on Private Property 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.

8. **Next Step:** In accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements, including streetscape trees on Clark Avenue, Enterprise Street, and Garden Place is paid to the Development Services Department.

9. **Next Step:** Concurrent review drawings for site permits and/or infrastructure must be approved prior to submitting applications for building permits.

10. That a Surety for all remaining public improvements is posted.
11. **Next Step:** A right-of-way obstruction permit shall be obtained from Right-of-way Services for any construction activity within the right-of-way.

**PUBLIC UTILITIES**

12. A Final Plat must be recorded at the Wake County Register of Deeds office for all necessary Recombinations, and Right-of-Way, Utility / Stormwater Easement Dedications.

**STORMWATER**

19. The developer shall pay to the City a stormwater facility replacement fund payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans.

20. 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.

21. 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.

**URBAN FORESTRY**

22. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way.

**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.

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

3. **Next Step:** All street lights and street signs required as part of the development approval are installed.

4. **Next Step:** Copies of certified inspection reports for alleys and internal access ways are submitted to the City of Raleigh Development Services – Development Engineering program.

5. As-built drawings and associated forms for all Stormwater devices are accepted by the Engineering Services Department

6. **Next Step:** Final inspection of all required right of way tree plantings by Urban Forestry Staff.
EXPIRATION DATES: The expiration provisions of UDO Section 10.2.8 E, including the ability to request extensions in the expiration date, apply to this site plan. If significant construction has not taken place on a project after administrative site review approval, that approval may expire and be declared void, requiring re-approval before permits may be issued. To avoid allowing this plan approval to expire the following must take place by the following dates:

3-Year Expiration Date: 11-13-2021
Obtain a valid building permit for the total area of the project, or a phase of the project.

4-Year Completion Date:
Within four years after issuance of the first building permit for the site plan, the construction of the entire site plan must be completed unless an applicant has been granted vested rights. Failure to complete construction within this specified time frame shall automatically void the approved site plan for which no building permits have been issued.

I hereby certify this administrative decision.

Signed: (Planning Dir./Designee) Justin Carter

Date: 11/18/15

Staff Coordinator: Michael Walters
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>Enterprise Condos</th>
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</thead>
<tbody>
<tr>
<td>Development Case Number</td>
<td>SR-35-18</td>
</tr>
<tr>
<td>Transaction Number</td>
<td>551196</td>
</tr>
<tr>
<td>Design Adjustment Number</td>
<td>DA - 85 - 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  
- [x] UDO Art. 8.4 New Streets  
- [x] Raleigh Street Design Manual

Staff SUPPORTS [x] DOES NOT SUPPORT [ ] the design adjustment request.

**DEPARTMENTS**

- [ ] Dev. Services Planner  
- [x] Development Engineering  
- [ ] Engineering Services  
- [ ] Public Utilities  
- [ ] City Planning  
- [ ] Transportation  
- [ ] Parks & Recreation and Cult. Res.

**CONDITIONS:**

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

Authorized Signature:  
**KIRK W. PITCHE, PE, MPA**  
Date:  
**11/13/2018**

*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).*
A. The requested design adjustment meets the intent of the Raleigh Street Design Manual;  
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  
responsible 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 request for an altered planting area for the street trees along the frontages of Clark Ave  
and Enterprise St. The proposed change does not alter the UDO/RSDM required pedestrian walkway  
depth, but rather elongates the tree grate area. The previously approved development, S-63-17, has  
granted a Design Adjustment for this altered streetscape. By approving the altered streetscape, the  
block's streetscape will remain consistent in that area. There are no issues with pedestrian access or ADA  
accessible ramps at street crossings due to the altered streetscape.
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>Name</td>
<td>Rob Caudle</td>
</tr>
<tr>
<td>Firm</td>
<td>Withers Ravenel</td>
</tr>
<tr>
<td>Address</td>
<td>137 S. Wilmington St. Suite 200</td>
</tr>
<tr>
<td>City Raleigh</td>
<td></td>
</tr>
<tr>
<td>State NC</td>
<td>Zip Code 27601</td>
</tr>
<tr>
<td>Phone</td>
<td>919-238-0359</td>
</tr>
<tr>
<td></td>
<td>I am seeking a Design Adjustment from the requirements set forth in the following:</td>
</tr>
<tr>
<td>UDO Art. 8.3 Blocks, Lots, Access</td>
<td>- See page 2 for findings</td>
</tr>
<tr>
<td>UDO Art. 8.4 New Streets</td>
<td>- See page 3 for findings</td>
</tr>
<tr>
<td>UDO Art. 8.5 Existing Streets</td>
<td>- See page 4 for findings</td>
</tr>
<tr>
<td>Raleigh Street Design Manual</td>
<td>- See page 5 for findings</td>
</tr>
<tr>
<td>PROVIDE DETAILS ABOUT THE REQUEST (Please attach a memorandum if additional space is needed):</td>
<td></td>
</tr>
<tr>
<td>This is a request to provide 4' x 25' street tree planters in place of the 4' x 6' street tree grates that are specified in the Raleigh Street Design Manual.</td>
<td></td>
</tr>
</tbody>
</table>

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 Date

CHECKLIST

- [x] Signed Design Adjustment Application
- [x] Included
- [x] Page(s) addressing required findings
- [x] Included
- [x] Plan(s) and support documentation
- [x] Included
- [x] Notary page (page 6) filled out; Must be signed by property owner
- [x] Included
- [x] First Class stamped and addressed envelopes with completed notification letter
- [x] 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;

   The proposed 4' x 25' street tree planters will provide a larger area to accommodate growth than the typical 4' x 6' street tree grates. The proposed street tree planters are consistent with the cross-sectional dimensions specified in the Street Type Overview section of the Raleigh Street Design Manual.

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

   The proposed street tree planters will have no affect on the Comprehensive Plan and adopted City plans.

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

   There will be a 8' clearance behind the proposed street tree planters.

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

   The proposed street tree planters eliminates cost and maintenance responsibilities of metal grates. No additional maintenance responsibilities will be required.

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

   A Professional Engineer has designed and certified the requested design adjustment (see plans).
Individual Acknowledgement

STATE OF NORTH CAROLINA
COUNTY OF New York

CRAIG WEXLER
Notary Public, State of New York
No. 01W6071493
Qualified in New York County

I, CRAIG WEXLER, a Notary Public do hereby certify that
Henry A. Lambert personally appeared before me this day and
acknowledged the due execution of the foregoing Instrument.

This the 22 day of Aug, 2018.

My Commission Expires: ____________________
14. No retaining walls are permitted in the right-of-way unless approved by Part OB.

15. Obstructions include but are not limited to any berm, foliage, fence, needed during construction.

16. Plats for this development.

PUBLIC UTILITIES DEPARTMENT prior to issuance of permits or recording of any.

If construction plans for public and private streets or utilities shown on this.

requires the closure of a travel lane(s), parking space, or sidewalk from.

otherwise stated on plans.

30" City of Raleigh standard concrete curb and gutter, and all other.

All retaining walls greater than 30" in height to include safety rail or fence.

Any construction activities. Contact NC One at 811 for field location of.

Turning radius of 28' minimum.

All dimensions shown are to back of curb, unless otherwise stated on plans.

All proposed curb and gutter within public right-of-way shown on plans to be.

All survey information provided to WithersRavenel, Raleigh, North Carolina.

The contractor shall obtain a right-of-way permit for any work which.

All construction and materials shall be in accordance with City of Raleigh.

This project has 6 roll-out containers for recycling that will be stored inside the building and rolled out to Garden Place on pick up days. This project has mini.

The apparatus road surface is required to be within 150 feet (NFPA 13R); no sprinkling system proposed.
Note: Building is proposed to have a 1 1/2" sprinkler system
PART OF THIS PROJECT)

14. INSTALLATION OF ANY PLANT MATERIAL. BEFORE ANY HOLE IS DUG.
LOCATION OF PLANT MATERIAL TO BE REVIEWED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

PARTICLE SIZE. NO PINE STRAW PERMITTED. ALL PLANT GROUPING SHALL BE MULCHED AS ONE BED.

ELEVATIONS STANDARD FOR NURSERY STOCK, 2004 OR LATER EDITION.

TOPSOIL ALL APPLICABLE.

PLANT LINE OCCUR, SHALL BE PLANTED.

HERBICIDE TRANSFORMERS; XXX MIN.

MATERIAL. THE USE OF HERBICIDES IN CONJUNCTION WITH PLANT MATERIAL, MUST BE APPROVED BY THE CITY OR PLANNING DEPARTMENT, AND ONLY APPLIED BY QUALIFIED PROFESSIONAL.

ATTENDANCE AND CONSTRUCTION OF ELECTRICAL EQUIPMENT (E.G., TRANSFORMERS; HOTBOX; 1' O.C. MATCHED; 1' MATCHED; 1' MATCHED).

DETAIL CONT.

2 2" CAL. XX MIN.

BEING THE ELEVATION OF THE HIGHWAY PLUS ALLOWANCE FOR GRADING, AND IN OFF-SITE OWNERSHIP TO BE NEWLY LAID PLANTS.

BE BEING THE DEPTH OF PLANTING, IT IS RECOMMENDED TO PLACE 2 GAL. TO 1 GAL. MIN. HARDWARE AND HOTBOX;

B&B AND MULCH;

BUT USE OF HERBICIDES IN CONJUNCTION WITH PLANT MATERIAL, MUST BE APPROVED BY THE CITY OR PLANNING DEPARTMENT, AND ONLY APPLIED BY QUALIFIED PROFESSIONAL.

MANUFACTURER'S WORKMANSHIP, AND IT IS RECOMMENDED TO PLACE 2 GAL. TO 1 GAL. MIN. HARDWARE AND HOTBOX;

MATERIAL. THE USE OF HERBICIDES IN CONJUNCTION WITH PLANT MATERIAL, MUST BE APPROVED BY THE CITY OR PLANNING DEPARTMENT, AND ONLY APPLIED BY QUALIFIED PROFESSIONAL.

ATTENDANCE AND CONSTRUCTION OF ELECTRICAL EQUIPMENT (E.G., TRANSFORMERS; HOTBOX; 1' O.C. MATCHED; 1' MATCHED; 1' MATCHED).