LOCATION:  This site is located on the east side of Carson Street, between Carson Street and the adjacent railroad right of way (Northern Southern Railway), just south of the intersection of Carson Street and Pershing Road. The site is located at 1512, 1520, and 1524 Carson Street.

REQUEST:  Recombination of four existing parcels and development of a 1.96-acre tract zoned RX-3-CU (Z-3-18) into a 32 unit development consisting of townhome style condominiums all within seven separate buildings totaling 25,612 square feet in size on a 1.704 acre lot and creation of two separate adjacent single family detached residential lots to be developed separately.

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

1. Due to existing conditions, a Design Adjustment has been approved waiving the block perimeter requirement (8.3).

One Administrative Alternate has been approved by the Planning Director for this project, noted below.

1. An alternative design proposed to meet the intent of the Build To Percentage requirement (1.5.6) (AAD-27-18)

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 Advanced Civil Design.

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, WHICHEREVER 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: 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. Additional evaluation of detention components and
adjustments to elevations and pipe sizes should be provided. In accordance with Part 10A Section 9.4.4 of the Unified Development Ordinance, a surety equal to the cost of clearing, grubbing and reseeding a site, shall be paid to the City.

3. Documentation and acknowledgment for offsite device and drainage easement must be submitted with initial Concurrent plan submittal.

PRIOR TO ISSUANCE OF BUILDING PERMITS:

GENERAL

1. Comply with all conditions of Z-3-18.

2. A Final Plat shall be recorded with the Wake County Register of Deeds office for all Subdivisions, Recombinations, Right of Way and/or Easement Dedications, and Tree Save Areas. The final plat shall designate that the two proposed adjacent single family detached lots shall remain as such and are not to be recombined as per Z-3-18.

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

4. Provide fire flow analysis.

ENGINEERING

5. The required right of way for proposed and/or 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. In accordance with Part 10A Section 8.1.10, a fee-in-lieu for the 6’ sidewalk sections that are currently not able to be constructed shall be paid to the City of Raleigh.

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

9. 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.

10. The exhibit showing the future sidewalk construction provided at preliminary plan review will need to be added to the site plan sheet of all future submissions.
PUBLIC UTILITIES

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

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. Appropriate legal documents, maintenance covenant, and/or recorded agreements between the POA for Carson Street Multifamily and the adjacent property owner for offsite stormwater control measures must be provided to the stormwater reviewer.

21. That 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.

22. 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.

23. 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

24. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. Required to plan along Carson St.: 4 shade trees and 10 understory trees.

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
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: 1-18-2022
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: (Development Services Dir./Designee) [Signature] Date: 1/18/19

Staff Coordinator: Michael Walters
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 Name</th>
<th>Carson St Multi Family</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Case Number</td>
<td>SR-52-18</td>
</tr>
<tr>
<td>Transaction Number</td>
<td>557365</td>
</tr>
<tr>
<td>Design Adjustment Number</td>
<td>DA - 114 - 2018</td>
</tr>
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</table>

**PROJECT**

**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.**

**DEPARTMENTS**

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

**STAFF RESPONSE**

**CONDITIONS:**

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

Authorized Signature: [Signature]

**ENGINEERING AND INFRASTRUCTURE MANAGER**

Date: 1/8/2019

*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 as it relates to block perimeter. The presence of existing railroad right-of-way and lines and existing buildings in the vicinity limit the ability of stub roads to connect through and provide public benefit. The surrounding area is currently built out with well functioning block connectivity.
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>
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</thead>
<tbody>
<tr>
<td>Case Number</td>
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<tr>
<td>Transaction Number</td>
<td>557365</td>
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<tr>
<td>Name</td>
<td>Norfolk Southern Railway Company</td>
</tr>
<tr>
<td>City</td>
<td>Raleigh</td>
</tr>
<tr>
<td>Address</td>
<td>1500 Carson St</td>
</tr>
<tr>
<td>State</td>
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</tr>
<tr>
<td>Zip Code</td>
<td>27608</td>
</tr>
<tr>
<td>Phone</td>
<td>919-831-3002</td>
</tr>
<tr>
<td>Name</td>
<td>James Whitacre</td>
</tr>
<tr>
<td>Firm</td>
<td>Advanced Civil Design, Inc.</td>
</tr>
<tr>
<td>Address</td>
<td>51 Klimayne Dr., Suite 105</td>
</tr>
<tr>
<td>City</td>
<td>Cary</td>
</tr>
<tr>
<td>State</td>
<td>NC</td>
</tr>
<tr>
<td>Zip Code</td>
<td>27511</td>
</tr>
<tr>
<td>Phone</td>
<td>919-460-2024</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 - 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):

Section 8.3.2.A.2.b: Request for a design adjustment for 3,000 ft. maximum block perimeter for RX up to 4 stories for the block confined by this project.

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: [Signature]
Date: 10/9/18

<table>
<thead>
<tr>
<th>CHECKLIST</th>
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</tr>
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<tbody>
<tr>
<td>Signed Design Adjustment Application</td>
<td>✓ Included</td>
</tr>
<tr>
<td>Page(s) addressing required findings</td>
<td>✓ Included</td>
</tr>
<tr>
<td>Plan(s) and support documentation</td>
<td>✓ Included</td>
</tr>
<tr>
<td>Notary page (page 6) filled out; Must be signed by property owner</td>
<td>✓ Included</td>
</tr>
<tr>
<td>First Class stamped and addressed envelopes with completed notification letter</td>
<td>✓ Included</td>
</tr>
</tbody>
</table>

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 - -

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. Describe how each item is met:

A. The requested design adjustment meets the intent of this Article;
   a)The lots have frontage on a public street. b)The proposed street network provides vehicular and pedestrian connectivity to Carson Street. c)Other blocks created with the proposed roadway network meet the block perimeter requirements of the UDO. d)Safe pedestrian access has been provided that connects site driveway entrances to building entrances.

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   Policy LU 1.3 - Conditional Use District Consistency, Policy LU 2.6 - Zoning and Infrastructure Impacts, Policy LU 5.4 - Density Transitions, Policy LU 5.6 - Buffering Requirements, Policy LU 6.4 - Bus Stop Dedication, Policy T 4.15 - Enhanced Rider Amenities

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

D. The requested design adjustment does not create any lots without direct street Frontage;
   All proposed lots will have frontage on at least one street.

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.
   3. The site layout of developed properties does not make it possible to adhere to the block perimeter requirement.
   4. The PUD zoning of the adjacent property does not provide for a block perimeter.
   5. Creating a block for future development would pose a safety hazard as the development is bounded by Railroad right-of-way to the south and east.
   6. The proposal does not conflict with a built or proposed roadway in the vicinity of the project.
STATE OF NORTH CAROLINA
COUNTY OF Wake

I, [NAME], a Notary Public do hereby certify that [NAME] personally appeared before me this day and acknowledged the due execution of the forgoing instrument.

This the [DATE] day of [MONTH], 2018.

(SEAL)
Notary Public

My Commission Expires: [EXPIRY_DATE]