Administrative Approval Action
Trophy Brewing and Pizza Expansion: SR-53-18,
Transaction# 557249, AA#3872

LOCATION:
This site is located at the southeastern corner of the intersection of West Morgan Street and Mayo Street. The site address is 827 West Morgan Street and the PIN number is 1703288818.

REQUEST:
The applicant proposes to expand an existing 5,427 square foot restaurant by 756 square feet for a total of 6,183 square feet of building space. The site is located on 0.25 acres and zoned Neighborhood Mixed Use with Urban Limited frontage (NX-5-UL) with Special Residential Parking Overlay District (SRPOD).

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC:
One Variance request was approved by the Board of Adjustment, noted below:

1. The Board of Adjustment granted relief from UDO Section 7.1.3 C.3, where 12 on-site parking spaces would be required. The approval permits this use to not require 12 on-site parking spaces. See Board of Adjustment Case A-88-18 for additional details.

One Design Adjustment has been approved by the Development Services Director Designee for this project, noted below:

1. Design Adjustment application DA-101-2018 as it relates to cross access requirements.

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 10/18/2018 by Kimberly Wicker of Coaly Design.

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 NOT REQUIRED AT THIS TIME – However, plan revisions or further development that includes land disturbance of 12,000 square feet or greater, public or private infrastructure, shared stormwater devices, etc. will require concurrent site review.

☐ 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.
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
- Cross Access Easement
- Other:

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. Provide fire flow analysis.

Engineering
2. A public infrastructure surety shall be provided to the City of Raleigh Development Services – Development Engineering (UDO 8.1.3).
3. 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.
4. An encroachment agreement for bike racks within the public right-of-way shall be approved by City Council and the City Council approved encroachment agreement shall be filed with the Development Services Department, and the encroachment agreement shall be recorded with the Wake County Register of Deeds. A recorded copy of these documents must be provided to the Development Services Department.
5. A right-of-way obstruction permit shall be obtained from Right-of-way Services for any construction activity within the right-of-way.
6. Proposed public street right-of-way shall be dedicated to the City of Raleigh as shown on the preliminary plan, recorded in the Wake County Registry, and a copy of the recorded map shall be provided to the City prior to building permit issuance.
7. 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 recordation. The deed of easement shall be recorded at Wake County Register of Deeds within one day of recordation of the plat. A recorded copy of this document shall be provided to the Development Services Department within one day from authorization of recordation. If a recorded copy of this document is not provided, further recordings and building permit issuance will be withheld.

Urban Forestry

8. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 4 street trees along West Morgan Street and 2 street trees along Mayo Street.

The following are required 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. 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.

6. Final inspection of all right of way street trees by Urban Forestry Staff.
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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: 11-20-2021
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) ___________________________ Date: 11/02/15

Staff Coordinator: Daniel L. Stegar
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>Trophy Brewing</th>
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<tbody>
<tr>
<td>Development Case Number</td>
<td>SR-53-2018</td>
</tr>
<tr>
<td>Transaction Number</td>
<td>557249</td>
</tr>
<tr>
<td>Design Adjustment Number</td>
<td>DA - 101 - 2018</td>
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</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 [ ] DOES NOT SUPPORT [ ] the design adjustment request.

**DEPARTMENTS**

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

**CONDITIONS:**

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

Authorized Signature: [Signature]

Engineer in Public Works

Date: 11/20/2018

*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)."
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>
<td>557249</td>
</tr>
<tr>
<td>Name</td>
<td>Morgan West, LLC</td>
</tr>
<tr>
<td>Address</td>
<td>301 Fayetteville Street - Unit 2808</td>
</tr>
<tr>
<td>City</td>
<td>Raleigh</td>
</tr>
<tr>
<td>State NC</td>
<td>Zip Code 27601</td>
</tr>
<tr>
<td>Name</td>
<td>Kimberly Wicker, RLA</td>
</tr>
<tr>
<td>Firm</td>
<td>Coaly Design, PC</td>
</tr>
<tr>
<td>Address</td>
<td>300 / 200 Parham Street, Suite G</td>
</tr>
<tr>
<td>City</td>
<td>Raleigh</td>
</tr>
<tr>
<td>State NC</td>
<td>Zip Code 27601</td>
</tr>
<tr>
<td>Phone</td>
<td>919-539-0012</td>
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</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):

Requesting a design adjustment for the cross access requirement of RSDM 8.2 and UDO 8.3. The site has an existing building located on / near the side and rear property lines and has an Urban Limited Frontage prohibiting parking / vehicular access along the front.

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]

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 - -
STATE OF NORTH CAROLINA  
COUNTY OF Wake  

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

This the 2 day of Feb, 2018

Notary Public

Lori Page Clay  
(Full Name)  
(SEAL)  
FRANKLIN COUNTY, NC  

Commission Expires: March 23, 2019
Data Plan Notes:
1. This plan reflects looking up for 627 W. Morgan Street and a small extension of the building at the northeast corner.
2. All dimensions are at 7'9" unless otherwise noted.
3. Boundaries provided by City of Raleigh.
4. All dimensions and lot back of corner, front of building, or ownership above subdivision section.
5. All street parking requirements are calculated on the site plan. The site plan is based on 41 W Morgan Street classification. If needed, the area, dimensions, and/or lots are increased.
6. This plan is drawn by Collyer Architects. Laying off of the property is in accordance with the site plan. This site plan is prepared by Collyer Architects.
8. Amenity Area: 11.0251 A, 1.2503 Area. Amenity area is equal to 1.2503 A.
9. Property except from due north over 1140 area (9.15000.00). Any land or the site of all other areas in aggregate area that contains lots larger than 0,000 square feet of minimum area, including residential lots, is off-site.
10. This section 0A-A of 4 short term and 4 long term spaces provided. Long term spaces provided are approved.
11. Solid waste removal subject to contracts and fees - see contract for rate and recycling.

Proposed amenity area
1,266 sf

Proposed sidewalk easement

Off-Street Parking:
Vanacors A-60-15 to exempt the site from off-street parking requirement.

Residential: UL Frontage - Section 7.1.2 C20.
1 space / 500 sq ft - Minimum of 1.165 sf
12.4 spaces required

Provided: 12 spaces - Vanacor request granted - A-60-15
Also see Section 1-A-3

Decibel Parking: Short Term required: Minimum of 4, provided
Long Term required: Minimum of 4, provided

A-98-16 - 10/2018

Declaration: Approved as requested.

WHEREAS Morgan West, LLC, property owner, requests a variance of 1/2 vehicle parking spaces to reduce the minimum amount of required vehicle parking spaces called for in Section 7.1.2 1.3 of the Unified Development Ordinance in order to operate, renovate, and expand an existing general building into a 5,183 square foot restaurant and brewery that provides no off-street parking on a .35 acre parcel adjacent Neighborhood Mixed-Use 5-Milan Limited and located at 627 West Morgan Street.

PRELIMINARY PLANS
NOT FOR CONSTRUCTION

LAYOUT PLAN

510 10
20 30 40 50 60
WHEREAS Morgan West, LLC, property owner, requests a variance of 12 vehicle parking spaces to reduce the minimum amount of required vehicle parking spaces called for in Section 7.1.3.C.3. of the Unified Development Ordinance in order to convert, renovate, and expand an existing general building into a 6,183 square foot restaurant and brewery that provides no off-street parking on a .25 acre parcel zoned Neighborhood Mixed Use-5-Urban Limited and located at 827 West Morgan Street.

5. This site will adhere to UDO Section 6.4.10.C - Eating Establishments.
Existing Conditions Notes:

1. Contractor shall be responsible to immediately fix any active utilities damaged during construction at contractor's expense. The owner will pay for repair or repair any utilities disconnected during construction which are not identified on construction documents or site survey.
2. All material generated by the demolition will be hauled from the site and disposed of per local ordinances.
3. Saw-cut concrete and asphalt pavement, sidewalks and curbs and gutters before excavation where construction plans show tie-ins.
4. West Morgan Street and Mayo Street shall remain open and undisturbed to traffic at all times.
5. Contractor is responsible for traffic control during construction, as needed.
6. Repair or replace any adjacent concrete curbing and/or sidewalks damaged as part of demolition process.
7. Survey by George Finch/Boney & Associates
8. Existing contours obtained from Wake County GIS data.

Ex. concrete to be removed
Ex. asphalt to be removed
Ex. concrete curb to be removed
Site Plan Notes:
1. Site plan reflects looking up 827 W Morgan Street and a small expansion of the building at the northeast corner.
2. All dimensions are at 90° unless otherwise noted.
3. Base survey provided by April 2018.
4. All elevations are to back of curb, face of building, or centerline unless otherwise noted.
5. Off-street parking requirement was granted a variance on Monday, September 10, 2018. See below.
6. ROW dedication and centerline of W. Morgan Street is indicated on the site plan. Dedication is based on W. Morgan Street classification of Avenue 2 Lane, undivided. 64' ROW and 36' BC-BC. Tree Grates Provided. Mayo Street is classified as a Neighborhood Street - 1/2 of a 64' with a 36' BC-BC.
7. Both Streets provide a Mixed Use Streetscape section.

**The centerline of both streets is measured as stated in Chapter 7 of ESDD. Landscape architect field verified the centerline on Mayo Street as there is no existing back of curb on the east side of the street.**

8. Lot area - 11,031 sf, .2532 acres
9. Amenity Area - 11,031 sf x 10% = 1,103 sf required. Amenity area indicated on the site plan; 1,265 sf provided.
10. Project exempt from storm water controls per UDO Sec. 9.2.2.A.2. Any plot plan or site plan of ½ acre or less in aggregate size that contains less than 12,000 square feet of impervious surface, including impervious surfaces of related on-site or off-site facilities.
12. Design adjustments have been submitted online for a sidewalk easement and curb access.

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Off-Street Parking:
Variances requested to exempt the site from off-street parking requirement.

Required: 1 space / 500 sf - Total sf = 6,183 sf

Provided: 12 spaces - Variance request granted - A-88-18; See below

Decision: Approved as requested.

WHEREAS Morgan West, LLC, property owner, requests a variance of 12 vehicle parking spaces to reduce the minimum amount of required vehicle parking spaces called for in Section 7.1.3.C.3. of the Unified Development Ordinance in order to convert, renovate, and expand an existing general building into a 6,183 square foot restaurant and brewery that provides no off-street parking on a .25 acre parcel joined Neighborhood Mixed-Use-5-Urban Limited and located at 827 W Morgan Street.
City of Raleigh Planting Requirements:

1. All plant materials to comply with American Standard for Nursery Stock ANSI.Z60.
2. Street tree locations to be approved in field prior to installation. Contact Landscape Architect when tree pits are being dug.
3. Substitutions of plant materials specified can only occur with prior approval by Landscape Architect.
4. Landscape Contractor to execute plant materials for a one-year period following substantial completion per specifications.
5. All plant material shown is required except by the City Code.
7. Street Trees – 600 cubic feet of organic soil in the immediate area where the tree is to be placed or install root paths. See detail LA-5 for street tree/tree grate details.

Planting Notes:
1. All plant materials to comply with American Standard for Nursery Stock ANSI.Z60.
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PLANT SCHEDULE

<table>
<thead>
<tr>
<th>QTY</th>
<th>25 GAL</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>CHIONANTHUS VIRGINICUS / FRINGE TREE - SINGLE STEM ONLY</td>
<td>3&quot; Cal. /10' HT.</td>
<td>300/200 Parham Street Suite G Raleigh, NC 27601 919.539.0012</td>
</tr>
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<td></td>
<td>SJ</td>
<td></td>
<td>40' O.C.</td>
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</tbody>
</table>

1) STREET TREES: W. Morgan Street and Mayo Street
Street trees have been provided in tree grates at 40' O.C.
A tree impact permit will be obtained with the permit set of drawings.

- Street Trees - 600 cubic feet of organic soil in the immediate area where the tree is to be placed or install root paths. See detail LA-5 for street tree/tree grate details.
- No staking of trees is permitted.
- Water trees for a minimum of a 2-year period. After installation trees shall be thoroughly soaked and watered at least once per week until established. Use a slow flow hose with a bouncer. Water bags are acceptable but the root ball shall be soaked as well as filling the bag.
- Watering volumes should be based upon delivery of 1" of moisture to the tree if precipitation does not meet that amount during the active growing season defined as April 15th through November 1st.
- Street trees installed and maintained in accordance with the requirements of Chapter 2 of the Raleigh City Tree Manual.
- See Sheet LA-5 for Street tree/tree grate details.

7. Tree Impact Permit must be obtained prior to issuance for building permit.