

Design Adjustment Application



DEVELOPMENT SERVICES DEPARTMENT

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.

PROJECT	Project Name Abbington Village Apartments	
	Case Number SR-21-18	
	Transaction Number 547193	
OWNER	Name Raleigh Abbington Village, LLC	
	Address 2964 Peachtree Road NW Suite 200	City Atlanta
	State GA	Zip Code 30305 Phone 404-250-4093
CONTACT	Name Rick Baker	Firm Timmons Group
	Address 5410 Trinity Road; Suite 102	City Raleigh
	State NC	Zip Code 27607 Phone 919-866-4939
REQUEST	I am seeking a Design Adjustment from the requirements set forth in the following:	
	<input type="checkbox"/> UDO Art. 8.3 Blocks, Lots, Access	- See page 2 for findings
	<input checked="" type="checkbox"/> UDO Art. 8.4 New Streets	- See page 3 for findings
	<input type="checkbox"/> UDO Art. 8.5 Existing Streets	- See page 4 for findings
	<input checked="" type="checkbox"/> Raleigh Street Design Manual	- See page 5 for findings
	Provide details about the request; (please attach a memorandum if additional space is needed):	
See attached memorandum.		

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 08/02/18

CHECKLIST	
Signed Design Adjustment Application	<input checked="" type="checkbox"/> Included
Page(s) addressing required findings	<input checked="" type="checkbox"/> Included
Plan(s) and support documentation	<input checked="" type="checkbox"/> Included
Notary page (page 6) filled out; Must be signed by property owner	<input checked="" type="checkbox"/> Included
First Class stamped and addressed envelopes with completed notification letter	<input checked="" type="checkbox"/> 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 - -
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Provide details about the request;

We are requesting a design adjustment for a new public street (called Street A for purpose of this application) located on the north side of this project for a variation from the Horizontal and Vertical Alignment Design Criteria listed in Sections 12.1.1, 12.1.2 and Table 13 of the Street Design Manual and Section 8.4 of the City of Raleigh UDO from the Neighborhood Street design to the Neighborhood Local street design requirements.

Street A will ultimately be constructed to the Neighborhood Street Cross Section as defined by 3.2.2.C of the Street Design Manual. This project will dedicate sufficient right of way and construct enough of the Neighborhood Street to allow for 2-way traffic. The property to the north will dedicate the remaining right of way and complete the ultimate cross section of Street A when that property is developed in the future.

This design adjustment is being requested because if Street A is designed per the Neighborhood Street standards, encroachment for construction activities into the property to the north would be required. The developer of Abbington Village project cannot encroach into that property without authorization from that property owner and the owner of that property has been entirely unresponsive.

It should be noted all attempts will be made to keep design as close as possible to Neighborhood Street requirements. A plan/profile of Street A is included in this package however this design is preliminary and may vary during final design and Concurrent review by staff.

Article 8.3, Blocks, Lots, Access

Administrative Design Adjustment Findings



**DEVELOPMENT
SERVICES
DEPARTMENT**

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.

Article 8.4, New Streets

Administrative Design Adjustment Findings



DEVELOPMENT
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DEPARTMENT

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;

The intent is to provide street typologies and design elements to reflect the character of different areas within the City with adequate travel lanes for vehicles, bicycles and pedestrian connectivity to adjacent parcels and this design adjustment will maintain that intent.

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

The design adjustment does conform with the 2030 Comprehensive Plan and will not impact the future land use or future street network.

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

The requested design adjustment will not increase congestion and increases safety for both vehicular and pedestrian traffic along Forestville Road by providing additional connectivity to adjacent parcels.

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

No additional maintenance responsibilities will be created for the City of Raleigh as the construction of Street A to Neighborhood Local standards will be the same as to the Neighborhood Street standards from a maintenance requirement.

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

The design adjustment has been designed and certified by Rick Baker, PE who is employed by Timmons Group, Inc a licensed North Carolina engineering consulting firm.

- F. The requested design adjustment shall address Stormwater collection and conveyance and not adversely impact Stormwater collection.

This design adjustment will not adversely impact stormwater collection as stormwater collection and conveyance methodology will remain as per the original design requirements.

Article 8.5 Existing Streets

Administrative Design Adjustment Findings



DEVELOPMENT
SERVICES
DEPARTMENT

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 additional maintenance responsibilities for the City; and

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

Raleigh Street Design Manual

Administrative Design Adjustment Findings



DEVELOPMENT
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DEPARTMENT

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 intent is to provide street typologies and design elements to reflect the character of different areas within the City with adequate travel lanes for vehicles, bicycles and pedestrian connectivity to adjacent parcels and this design adjustment will maintain that intent.

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

The design adjustment does conform with the 2030 Comprehensive Plan and will not impact the future land use or future street network.

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

The requested design adjustment will not increase congestion and increases safety for both vehicular and pedestrian traffic along Forestville Road by providing additional connectivity to adjacent parcels.

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

No additional maintenance responsibilities will be created for the City of Raleigh as the construction of Street A to Neighborhood Local standards will be the same as to the Neighborhood Street standards from a maintenance requirement.

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

The design adjustment has been designed and certified by Rick Baker, PE who is employed by Timmons Group, Inc a licensed North Carolina engineering consulting firm.

Individual Acknowledgement



DEVELOPMENT
SERVICES
DEPARTMENT

STATE OF NORTH CAROLINA
COUNTY OF Wake

INDIVIDUAL

I, Kelly Panzi, a Notary Public do hereby certify that
Rick Baker personally appeared before me this day and
acknowledged the due execution of the forgoing instrument.

This the 2 day of August, 2018.



Notary Public Kelly Panzi

Commission Expires: 7/10/19

Design Adjustment Application



DEVELOPMENT SERVICES DEPARTMENT

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 One Exchange Plaza, Suite 500
 Raleigh NC, 27601

For Office Use Only	RECEIVED DATE:	DA - -
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Provide details about the request;

We are requesting a design adjustment for an approximate 80' extension of an existing public street, Oak Marsh Drive, on the south side of this project for a variation from the Horizontal and Vertical Alignment Design Criteria and sidewalk location, listed under Sections 11.2, 12.1.1, 12.1.2 and Table 13 of the Street Design Manual and Section 8.4 of the City of Raleigh UDO from the Neighborhood Street design requirements and Tree Planting, Section 11.2.5 of the Street Design Manual and Section 8.4 of the City of Raleigh UDO.

Oak Marsh Drive is classified as a Neighborhood Street and due to the existing horizontal and vertical alignments of the street, it is not possible to change to the Neighborhood Street design requirements and we are therefore asking for design minimums be based on Neighborhood Local requirements.

It should be noted all attempts will be made to keep design as close as possible to Neighborhood Street requirements. A plan/profile of the Oak Marsh extension is included in this package however this design is preliminary and may vary during final design and Concurrent review by staff.

The following are other details of the Design Adjustment request:

- 1) On the north half of the widening, Neighborhood Street section requirements will be met
- 2) On the south side the Neighborhood Street back of curb to back of curb requirement will be met
- 3) On the south side, due to existing right of way line location, the 6' sidewalk will be placed at the back of curb so no planting strip will be provided
- 4) On the south side, streetscape tree plantings will not be provided as no planting strip will be planted.

Article 8.3, Blocks, Lots, Access Administrative Design Adjustment Findings



DEVELOPMENT
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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.

Article 8.4, New Streets

Administrative Design Adjustment Findings



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- A. The requested design adjustment meets the intent of this Article;

The intent is to provide street typologies and design elements to reflect the character of different areas within the City with adequate travel lanes for vehicles, bicycles and pedestrian connectivity to adjacent parcels and this design adjustment will maintain that intent.

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

The design adjustment does conform with the 2030 Comprehensive Plan and will not impact the future land use or future street network.

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

The requested design adjustment will not increase congestion and increases safety for both vehicular and pedestrian traffic along Oak Marsh Drive by providing additional connectivity to adjacent parcels.

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

No additional maintenance responsibilities will be created for the City of Raleigh as construction of Oak Marsh Drive to Neighborhood Local standards will be the same as to the Neighborhood Street standards for maintenance requirements.

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

The design adjustment has been designed and certified by Rick Baker, PE who is employed by Timmons Group, Inc a licensed North Carolina engineering consulting firm.

- F. The requested design adjustment shall address Stormwater collection and conveyance and not adversely impact Stormwater collection.

This design adjustment will not adversely impact stormwater collection as stormwater collection and conveyance methodology will remain as per the original design requirements.

Article 8.5 Existing Streets Administrative Design Adjustment Findings



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- 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 additional maintenance responsibilities for the City; and
- E. The requested design adjustment has been designed and certified by a Professional Engineer.

Raleigh Street Design Manual

Administrative Design Adjustment Findings



DEVELOPMENT
SERVICES
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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 intent is to provide street typologies and design elements to reflect the character of different areas within the City with adequate travel lanes for vehicles, bicycles and pedestrian connectivity to adjacent parcels and this design adjustment will maintain that intent.

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

The design adjustment does conform with the 2030 Comprehensive Plan and will not impact the future land use or future street network.

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

The requested design adjustment will not increase congestion and increase safety for both vehicular and pedestrian traffic along Oak Marsh Drive by providing additional connectivity to adjacent parcels.

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

No additional maintenance responsibilities will be created for the City of Raleigh as construction of Oak Marsh Drive to Neighborhood Local standards will be the same as to the Neighborhood Street standards for maintenance requirements.

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

The design adjustment has been designed and certified by Rick Baker, PE who is employed by Timmons Group, Inc a licensed North Carolina engineering consulting firm.

Individual Acknowledgement



DEVELOPMENT
SERVICES
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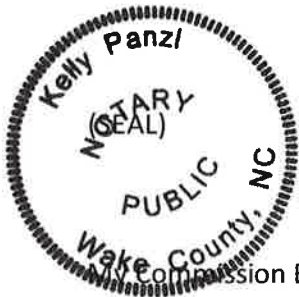
STATE OF NORTH CAROLINA

INDIVIDUAL

COUNTY OF Wake

I, Kelly Panzi, a Notary Public do hereby certify that
RICK Baker personally appeared before me this day and
acknowledged the due execution of the forgoing instrument.

This the 2 day of August, 2018.



Notary Public Kelly Panzi

My Commission Expires: 7/6/19