

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 REVISN - Technology Park	
	Case Number SR-71-18	
	Transaction Number 564577	
OWNER	Name CIP BRIER CREEK LLC	
	Address 111 E HARGETT ST, STE 300	City RALEIGH
	State NC	Zip Code 27601
CONTACT	Name Patrick Barbeau, PE	Firm Timmons Group
	Address 5410 Trinity Rd, Ste 102	City Raleigh
	State NC	Zip Code 27607
REQUEST	Phone 919-866-4951	
	I am seeking a Design Adjustment from the requirements set forth in the following:	
	<input checked="" type="checkbox"/> UDO Art. 8.3 Blocks, Lots, Access	- See page 2 for findings
	<input 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 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):		
UDO Sec. 8.3: This site has proposed cross access to commercial property to the north (PIN 0768274764; SR-51-14). However, pedestrian and vehicular access to the adjacent residential property to the east (PIN 0768372507; Ashley Park Apartments) is not feasible. Per UDO Sec. 8.3.1.D, the following conditions limit the ability to comply with block perimeter requirements: Neuse Riparian Buffer along the front and rear of the property; topographic constraints at the rear of the property; existing buildings (apartment buildings) on the residential property.		

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

10-29-18

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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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;
Per Section 8.3.1.C the intent of the Article is to provide safe access through developments. Adding public access for the apartment complex, to the east along a curved section of Little Brier Creek Lane is not providing safe access when there are already two access driveways for the apartments with longer sight distances. Per Section 8.3.1.D there is a 14 foot retaining wall between the end of our driveway and the apartment complex. In addition there is an existing apartment building located directly in-line with our driveway.
- B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
This project has several environmental protection elements and open space conservation preserved areas as stated in the 2030 Comprehensive plan including a large area of preserved wetlands and a protected jurisdictional stream. This design adjustment allows these areas to remain preserved and helps promote sustainable growth patterns and a "greenprint" which is a primary Comprehensive Plan objective. The DA will not affect the Brier Creek Village Plan.
- C. The requested design adjustment does not increase congestion or compromise Safety;
This design adjustment will decrease congestion and protect vehicular flow along Little Brier Creek Lane (LBCL). Allowing public road access from our site would allow traffic from the apartment complex, to the east, to enter a travel way at the beginning of a curved section of LBCL which would increase the likely hood of traffic conflicts. The two existing access driveways for the apartments are safer access points to LBCL with larger sight distances.
- D. The requested design adjustment does not create any lots without direct street Frontage;
All properties adjacent to the project site already have street frontage on Little Brier Creek Lane.
- 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.

We believe the design adjustment is reasonable due to the following site constraints:

1. There is a proposed 14 foot retaining wall adjacent to the apartments to the east.
2. There is an existing apartment building, to the east, located directly in-line with our driveway access. In addition there are extensive wetlands, Parkway TCA and a jurisdictional stream blocking access along the majority of the site frontage along Little Brier Creek Lane.
5. Allowing public access to Little Brier Creek Lane would outlet traffic at the beginning of a sharp curve which would increase the likely hood of traffic conflicts with traffic flow. The two existing access driveways from the apartments to the east are safer access points for the apartment traffic on Little Brier Creek Lane.

Raleigh Street Design Manual

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 the Raleigh Street Design Manual;

- 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.

Individual Acknowledgement



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STATE OF NORTH CAROLINA

INDIVIDUAL

COUNTY OF Surry

I, Michelle S. Gough, a Notary Public do hereby certify that C. Patrick Crosby, Jr. personally appeared before me this day and acknowledged the due execution of the forgoing instrument.

This the 29 day of October, 2018.

(SEAL)

Notary Public Michelle S. Gough

My Commission Expires: 7-1-2020

