

DESIGN ADJUSTMENT APPLICATION

DESIGN ADJUSTMENT COMMITTEE REVIEW



City of Wilmington
Planning and Development

PO Box 1810 | 929 N Front St.
Wilmington, NC 28401
Telephone 910.254.0900

- Subdivision Design Building Design & Materials Technical Standards & Specifications

All projects that require a design adjustment must submit a *Design Adjustment Application*. Design adjustments allow for deviations from the subdivision design standards, building design and material standards, or *Technical Standards and Specifications Manual*. Design adjustments will be heard by the Design Adjustment Committee (DAC) at a quasi-judicial hearing (Section 18-603). Following the DAC decision, construction plans may be submitted via the standard Formal TRC Review process. An application for a design adjustment must be submitted at the time of application for a preliminary subdivision plan or formal site plan review. Application packages must include the following:

- Design Adjustments Application & Fee (\$500.00)
- Design Adjustment Narrative (standard, requested adjustment, justification)
- Mailing Fee for Notification of Adjacent Property owners
 - o An invoice will be emailed for the mailing fee at a cost of \$0.85 per notice. Payment must be made within 5 business days of the invoice.

Project Information

Project Name: Cinema Drive CDMU

Location: 111 Cinema Drive

Current Zoning: RB Site Acreage: +/- 8.58 AC

Proposed Land Uses: CDMU Proposed Number of Units/Lots: 146 units

AM Peak Hour Vehicle Trips: 89 PM Peak Hour Vehicle Trips: 186 (reduction of 37 trips from existing development)

Owner Information

Owner(s)' Name: SVCN 2 LLC (Managed by The RMR Group LLC)

Mailing Address: Two Newton Place, 255th Washington Street, Newton, MA 02458

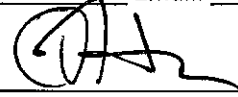
Phone: (617) 219-1455 Email: dpolci@rmrgroup.com

Consultant/Agent Information

Consultant/Agent Name: Paramounte Engineering, Inc.

Mailing Address: 122 Cinema Drive, Wilmington, NC 28403

Phone: (910) 791-6707 Email: bschuler@paramounte-eng.com

Owner Authorization:  Date: October 23, 2024

AUTHORITY FOR APPOINTMENT OF PERSON
TO ACT ON MY BEHALF

The undersigned owner, SVCN 2 LLC (Managed by The RMR Group LLC), does hereby appoint Paramounte Engineering, Inc. to act on my behalf for the purpose of petitioning the City of Wilmington for: a) an amendment to the text regulations; b) a change to the zoning map; c) approval of a special use permit; d) approval of a special use district; e) street closing, and/or f) approval of preliminary subdivision plan as applicable to the property described in the attached petition.

The owner does hereby covenant and agree with the City of Wilmington that said person has the authority to do the following acts for and on behalf of the owner:

- (1) To submit a proper petition and the required supplemental materials;
- (2) To appear at public meetings to give testimony and make commitments on behalf of the owner; and
- (3) In the case of a special use permit, to accept conditions or recommendations made for the issuance of the special use permit on the owner's property.
- (4) To act on the owner's behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of any petition.

This appointment shall continue in effect and final disposition of the petition submitted in conjunction with this appointment.

Dated: October 23, 2024

Appointee's Name, Address & Telephone:

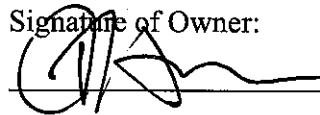
Brad Schuler & Tim Clinkscates

Paramounte Engineering, Inc.

122 Cinema Drive, Wilmington, NC 28403

910-791-6707

Signature of Owner:





Date: October 23, 2024

To: Design Adjustment Committee

From: Brad Schuler, AICP / Tim Clinkscales, PE – Paramounte Engineering

RE: Technical Standards – Design Adjustment Application
Project: Cinema Drive CDMU

Standard: City's Technical Standards and Specifications Manual

Adjustment Request #1:

Requirements:

**CITY OF WILMINGTON TECHNICAL STANDARDS AND SPECIFICATIONS
MANUAL CH. VII TRAFFIC ENGINEERING (C) DRIVEWAYS (4) PRIVATE
DRIVEWAYS**

Lengths of private driveways shall be as follows:

1. If the private driveway accesses a through street, as defined in Section A - Definitions, of this chapter the total length shall not exceed five hundred linear feet (500 l.f.). 7-16
2. If the private driveway does not access a through street, the combination of the public street(s) and private driveway(s) shall not exceed eight-hundred linear feet (800 l.f.).
3. Lengths are measured from the curbline of the intersecting through street to the bottom of the cul-de-sac bulb, or end of roadway, to the furthestmost end of the parking lot or area which the private driveway serves.

Technical Issues:

The proposed development located at 111 Cinema Drive is a Commercial District Mixed Use (CDMU) project consisting of 146 student housing units and 10,000 square feet of commercial space. The project will access Cinema Drive, a public right-of-way extending from Market Street to S Kerr Avenue. The site has been developed and previously used as the AMC 16 movie theater.

Due to the curvature of Cinema Drive and the overall size of the site, it is not possible to comply with the 500' maximum driveway length requirement and still provide safe driveway locations, needed parking, and close access to the proposed buildings.

Adjustment Request:

To allow the internal driveways to extend beyond the 500' maximum driveway length as shown on the provided exhibit.

Adjustment Justification:

In order to provide better sight distances, the proposed driveways have been located outside of the sharp curve in Cinema Drive and near the far ends of the site. This positioning of the driveways also allows for a portion of Cinema Drive to be improved with on-street parking. However, as the site's length and width exceed 500 linear feet, the proposed beneficial placement of the driveways would lead to a portion of the site being unable to be developed with vehicular drive aisles and parking. Strict application of the 500' rule would ultimately result in the removal of approximately 60 parking spaces and pushes access farther away from the adjacent buildings.

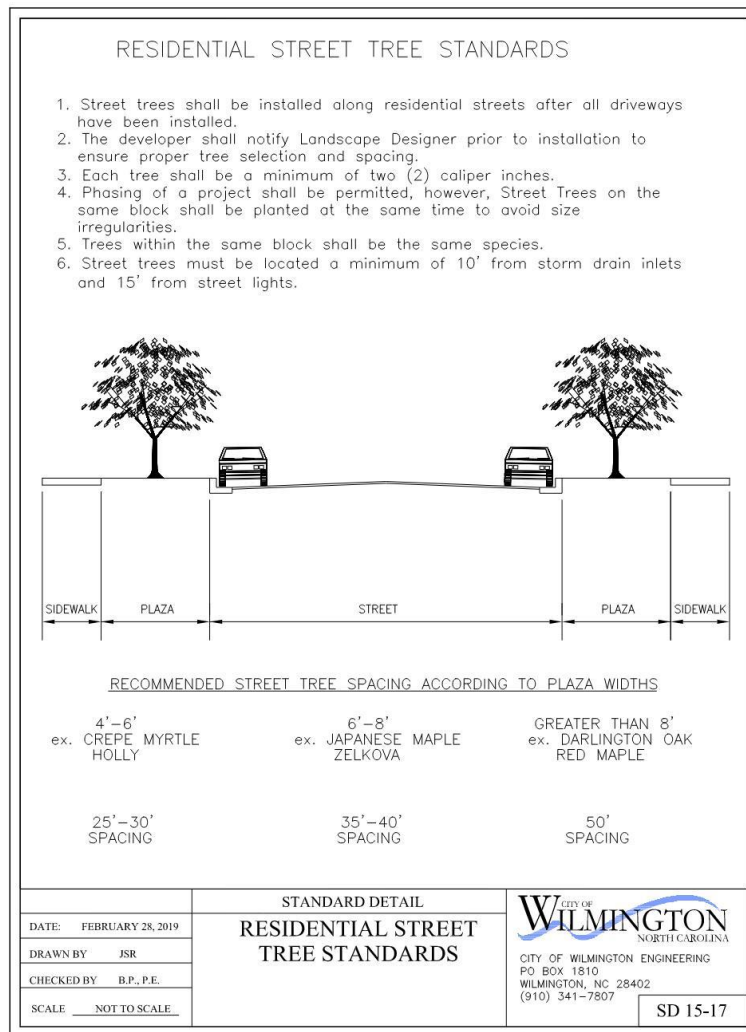
**Adjustment Request #2:
 Requirements:**

CITY OF WILMINGTON LAND DEVELOPMENT ORDINANCE

- Section 18-320: Street trees Street trees shall be planted in the right-of-way wherever a new street right-of-way is constructed, where new construction occurs along an existing street right-of-way, or where an existing principal building is expanded by 2,500 square feet or more, except for single dwelling detached, duplex, triplex, and quadraplex units. Standards for spacing, tree size, and species shall meet the requirements set forth in the Technical Standards and Specifications Manual.

CITY OF WILMINGTON TECHNICAL STANDARDS AND SPECIFICATIONS

- SD15-17



Technical Issues:

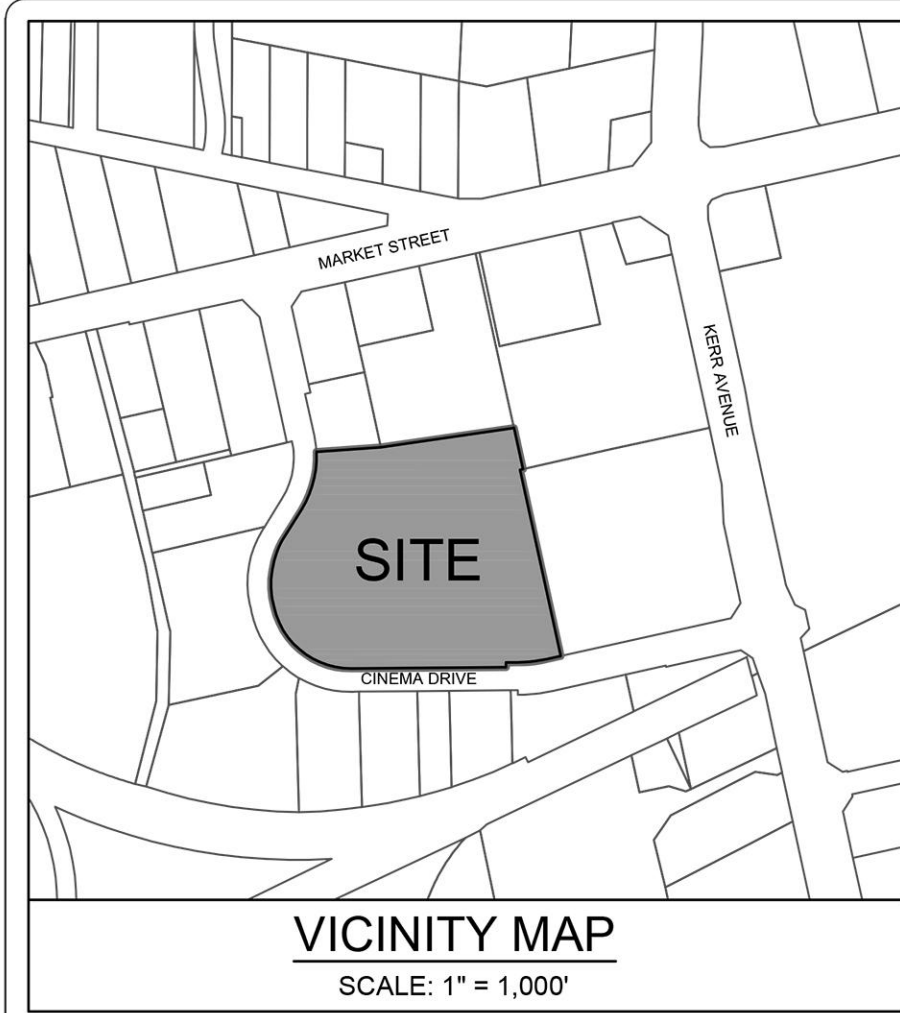
Existing sidewalk and utility infrastructure exists between the property line and street. In addition, the planting of landscaping along the curvature of Cinema Drive could hinder sight distances in an area where visibility is more of a significant factor to transportation safety.

Adjustment Request:

To not install the required street trees within the right-of-way.

Adjustment Justification:

Planting street trees along Cinema Drive would conflict with existing utilities and visibility. Significant landscaping will still be planted along the roadway in order to comply with the City's streetscape requirements (see attached exhibit).



LEGEND

	PROPERTY BOUNDARY
	ADJACENT PROPERTY BOUNDARIES
	CONTOUR LINE
	OPEN SPACE
	PERVIOUS PAVEMENT

SITE INFORMATION
PROJECT ADDRESS: 111 CINEMA DRIVE WILMINGTON, NC 28403

PARCEL ID: R04914-005-009-003

PROPERTY OWNER: SVCN 2, LLC TWO NEWTON PLACE, 255 WASHINGTON STREET NEWTON, MA 02458

CURRENT ZONING: RB (REGIONAL BUSINESS)

EXISTING USE: MOVIE THEATER

PROPOSED USE: COMMERCIAL DISTRICT MIXED USE (CDMU) MULTI-FAMILY RESIDENTIAL PROFESSIONAL OFFICE

CAMA LAND USE CLASSIFICATION: URBAN

TOTAL SITE AREA: ± 8.58 ACRES OR 373,752 SF

WETLANDS: N/A

FLOOD PLAIN: SITE IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA

SOIL TYPES: SEAGATE FINE SAND (S_e)

CAMA AREAS OF ENVIRONMENTAL CONCERNS: N/A

CONSERVATION RESOURCES: N/A

HISTORIC AND ARCHAEOLOGICAL SITES: N/A

111 CINEMA DRIVE WILMINGTON, NC 28403

R04914-005-009-003

SVCN 2, LLC TWO NEWTON PLACE, 255 WASHINGTON STREET NEWTON, MA 02458

RB (REGIONAL BUSINESS)

MOVIE THEATER

COMMERCIAL DISTRICT MIXED USE (CDMU) MULTI-FAMILY RESIDENTIAL PROFESSIONAL OFFICE

URBAN

± 8.58 ACRES OR 373,752 SF

N/A

SITE IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA

SEAGATE FINE SAND (S_e)

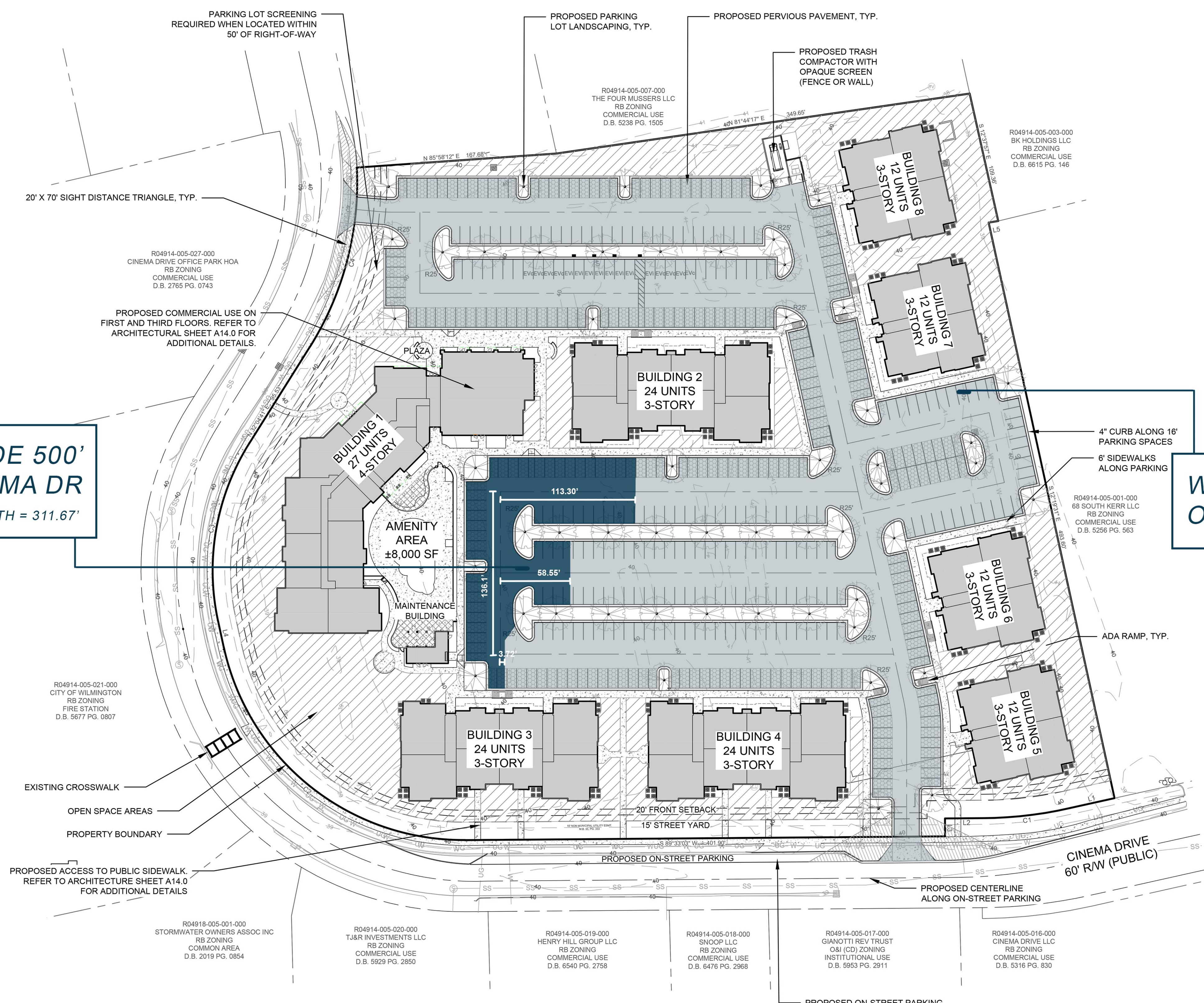
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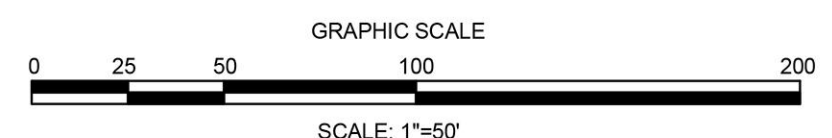
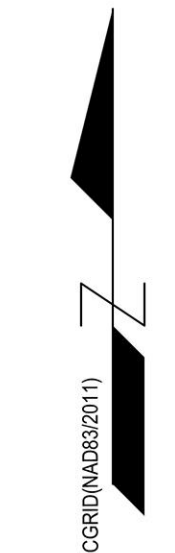
OUTSIDE 500' OF CINEMA DR
TOTAL LENGTH = 311.67'

WITHIN 500' OF CINEMA DR



LINE	BEARING	DISTANCE
L1	S 77°26'55" W	38.01'
L2	S 85°52'39" W	30.68'
L3	S 00°21'32" E	14.97'
L4	N 12°18'38" W	22.46'
L5	S 79°59'15" W	8.10'

CURVE	RADIUS	ARC LENGTH	DELTA	CHORD LENGTH	CHORD BEARING
C1	335.10'	74.85'	12°47'54"	74.70'	S 83°29'11" W
C2	295.23'	279.85'	78°09'18"	268.74'	N 51°23'13" W
C3	200.02'	154.85'	44°21'28"	151.02'	N 09°55'57" E
C4	280.00'	157.77'	34°46'00"	155.36'	N 14°40'10" E



PRELIMINARY DESIGN - NOT RELEASED FOR CONSTRUCTION

REVISIONS:

CLIENT INFORMATION:
THE RMR GROUP
255 WASHINGTON STREET
NEWTON, MA 02458

PARAMOUNT ENGINEERING
122 Cinema Drive
Wilmington, North Carolina 28403
(910) 791-6707 (O) (910) 791-6766 (F)
NC License #: C-2846

DAC EXHIBIT
CINEMA DRIVE CDMU
111 CINEMA DRIVE
WILMINGTON, NC 28403

PROJECT STATUS:
CONCEPTUAL LAYOUT:
PRELIMINARY LAYOUT:
RELEASED FOR CONST.

DRAWING INFORMATION:
DATE: 10/21/24
1" BWS
DESIGNED BY: BWS
DRAWN BY: BWS
CHECKED BY: BWS

SEAL

EX-1

PEI JOB#: 24175.PE

15' Streetscape Requirements

(LDC Table 18-319)

Canopy Trees per 100 linear feet	1
Understory Trees per 100 linear feet	6
Shrubs required per 100 linear feet	9

Understory Trees
(6 / 100 lf)

Canopy Trees
(1 / 100 lf)

Shrubs
(9 / 100 lf)

Existing Underground Utilities

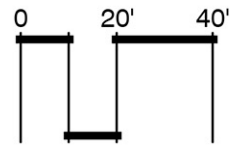
Street Trees
(35' o.c.)

20' FRONT SETBACK
15' STREET YARD

CINEMA DRIVE



NORTH



SCALE: 1"=40'

PARAMOUNT
ENGINEERING, INC.
122 Cinema Drive, Wilmington, NC, 28403 (910)-791-6707
NC License #: C-2846

Date :	10.23.24
Scale:	1"=40'
Drawn :	JRC
Chk:	BWS
Proj. No:	24175.PE

CINEMA DRIVE CDMU
DAC STREET TREE EXHIBIT