

# DESIGN ADJUSTMENT APPLICATION

## DESIGN ADJUSTMENT COMMITTEE REVIEW



City of Wilmington  
Planning and Development

PO Box 1810 | 305 Chestnut 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)
- List of adjacent property owners
- One set of business-sized envelopes (with property owners address, city return address, and postage)

### Project Information

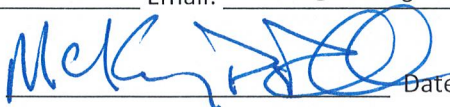
Project Name: Mid Town Flats  
Location: 3803 Peachtree Ave  
Current Zoning: MD-17 Site Acreage: 0.99  
Proposed Land Uses: Apartments Proposed Number of Units/Lots: 34  
AM Peak Hour Vehicle Trips: 17 PM Peak Hour Vehicle Trips: 21

### Owner Information

Owner(s)' Name: GBT Acquisitions, LLC  
Mailing Address: 3807 Peachtree Ave Wilmington NC 28403  
Phone: (910) 395-6036 Email: kdull@mckinleybuilding.com

### Consultant/Agent Information

Consultant/Agent Name: CSD ENGINEERING - Rodney Wright, Howard Resnik, PE  
Mailing Address: PO BOX 4041 Wilmington NC 28406  
Phone: 910-791-4441 Email: howard@csd-engineering.com

Owner Authorization:  Date: 8/27/24

## DESIGN ADJUSTMENT APPLICATION

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### Design Adjustment Narrative

The Design Adjustment Narrative must identify the standard(s) for which a design adjustment is being requested, the requested adjustments, and the justification for each requested adjustment. The applicant shall provide any pertinent material necessary for review. This may include architectural renderings, materials samples, roadway cross-sections, site or subdivision layouts, or other project specific information. It is recommended that a redline diagram (cutsheet from site plan) be provided to help illustrate each waiver/adjustment being requested.

### DAC Review & Approval

In granting the requested adjustment, the design adjustment committee shall make findings of fact that the following requirements have been met, where applicable.

- The request meets the intent of this chapter.
- The request conforms with adopted comprehensive plans and other applicable plans.
- The request does not increase congestion or compromise safety.
- The request does not create any lots without direct street frontage.

A request for adjustment from a subdivision design standard or the Technical Standards and Specification Manual shall be deemed reasonable due to one or more of the following:

- Topographic constraints;
- The presence of existing buildings, stream, or other natural features;
- Site layout of adjacent adjoining properties;
- Adjoining uses or their vehicles are incompatible;
- Strict compliance would pose a safety hazard; or
- Conflict with an approved or built roadway construction project adjacent to or in the vicinity of the site.

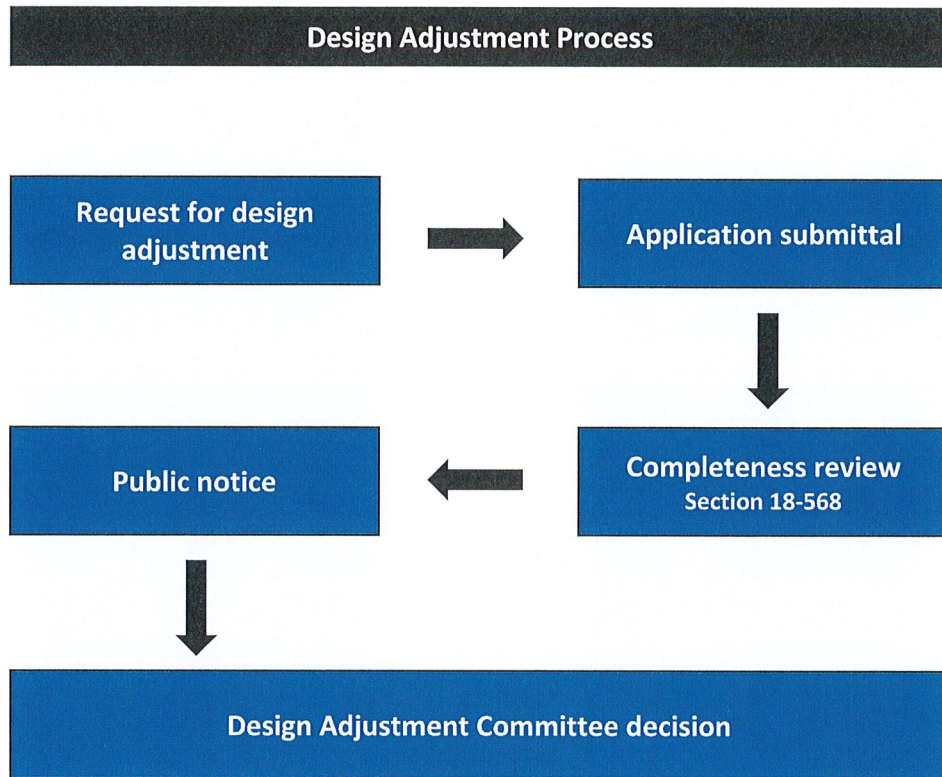
A request for an adjustment from a building design and materials standard shall be deemed reasonable due to one or more of the following situations.

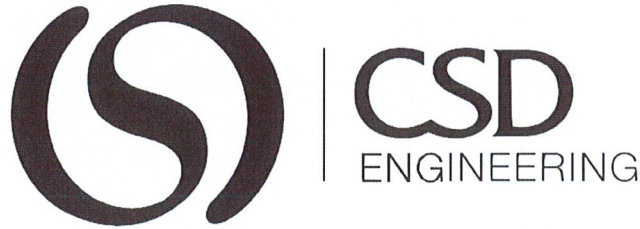
- Unnecessary hardship would result from the strict application of this chapter. It shall not be necessary to demonstrated that in the absence of the adjustment no reasonable use can be made of the property.
- The adjustment would meet the intent of the standards requested for adjustment.
- The adjustment would conform with adopted comprehensive plans and any applicable adopted plans or design manual.
- The adjustment would not substantially injure the value of adjoining or abutting property.
- The character of the requested adjustment would be in harmony with the area in which the subject property is located.
- Strict compliance would pose a safety hazard.

In no instance shall the design adjustment committee consider an application regarding:

- Minimum or maximum dimensional requirements for lot area, building height, or buffer width;
- Increases in maximum allowable residential density;
- Minimum required separation distance between two use types;
- Design elements required for compliance within a local historic district;
- Floodplain regulations; or
- Any condition of approval from another board or commission with purview of the project.

# DESIGN ADJUSTMENT APPLICATION





## Design Adjustment Request

August 2024

**PROJECT NAME:** Mid Town Flats

### **REASON FOR VARIANCE REQUEST:**

A variance is requested to Section 18-28 (B)

- Minimum open space equal to 20% of total lot area.

Per Section 18-507 (D) a payment in Lieu may be allowed through the Design adjustment committee if the amount of open space is less than 20,000 sf.

### **Justification:**

The required square footage of open space is 20% of the total area which equals 8,610 sf. Currently the site can provide 6,350 sf open space, creating a deficiency of 2,260 sf. We can adjust the parking scenario and shift the whole site to the West creating an additional 5 ft of open space on the East and the site will be in compliance, but that would require removing more significant trees onsite and we're trying to keep as many existing trees as possible and maintain a vegetative buffer from the adjacent property. Additionally, the site is adjacent to the Wilmington Cross City trail and tenants will have direct access to this pedestrian friendly active open space.

### **Current Values:**

Property records show 3803 Peachtree Ave with an appraised value of **\$197,200**

Property records show 3802 Park Ave with an appraised value of **\$143,200**

