



Certified Action of the City of Raleigh Planning Commission

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27601
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Case File / Name: SP-44-13 / Hilton Garden Inn and Homewood Suites

General Location: This site is located at the northwest corner of the intersection of West Davie Street and South McDowell Street.

Owner: Raleigh Property, Inc.

Designer: Pabst Design Group

CAC: Central

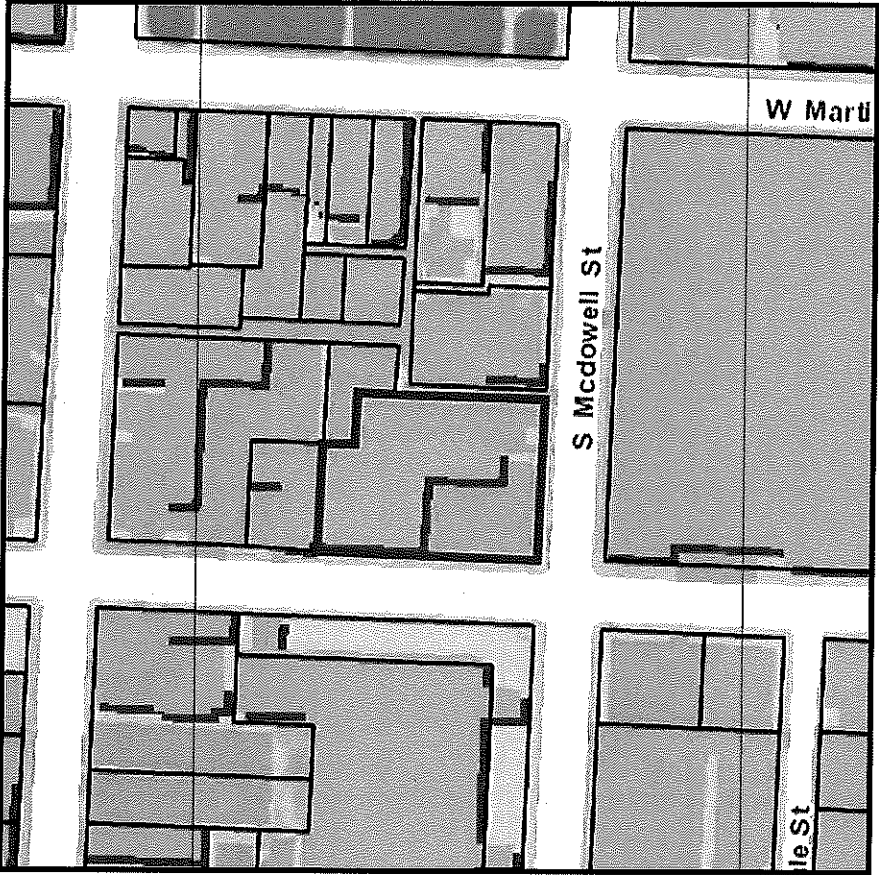
Nature of Case: Development of a .73 acre site zoned Business District with Downtown Overlay District into a 260,890 square foot, 154' hotel, consisting of 259 rooms (144 lodging units and 115 dwelling units). This plan was submitted prior to the adoption of the UDO zoning on the property effective September 1, 2013.

This site plan requires Planning Commission approval for the following reasons: (1) The proposed building is greater than 80' tall; (2) The proposed building is greater than 10,000 square feet in the Downtown Overlay District; (3) The proposal includes residential units at a density greater than 40 units per acre in the Downtown Overlay District [requested density is 158 units per acre]; (4) The request involves a height increase without additional setbacks above what is allowed in the base zoning district as allowed in the Downtown Overlay District; and (5) The applicant is requesting an exception to the number of required parking spaces for the development.

Key Issues: Increase in building height to 154' without setbacks allowed by City Code Sections 10-2051(d)(4)b and 10-2132.2(d). Increase in residential density to 158 units per acre as allowed by City Code Section 10-2051(d). Exception to required parking in accordance with Section 10-2051(e)(1)(g).

Contact: Dan Pabst

Design Adjustment: One Design Adjustment has been approved by the Public Works Director for this project, to not require right-of-way dedication on the existing public streets.



SP-44-13 Location Map

SUBJECT: SP-44-13 / Hilton Garden Inn and Homewood Suites

**CROSS-
REFERENCE:** N/A

LOCATION: located at the northwest corner of the intersection of West Davie Street and South McDowell Street.

PIN: 1703670565

OFFICIAL ACTION: Approval with conditions

**CONDITIONS OF
APPROVAL:** As noted on the Staff Report, attached

FINDINGS: The Planning Commission finds that with the following conditions of approval this request conforms to Part 10, Chapter 2, Sections 10-2051, 10-2043 and 10-2132.2. This approval is based on a preliminary plan dated 6/14/17, owned by Raleigh Property, Inc. submitted by Pabst Design Group.

**ADDITIONAL
NOTES:** This plan was submitted prior to the adoption of the Unified Development Ordinance and is subject to the regulations in the legacy Part 10 code.

**VARIANCES /
ALTERNATES:** Requested parking alternate, see 'Parking' section, below.

To PC: 7/11/17

Case History: N/A

Staff Coordinator: Justin Rametta

Motion: Swink
Second: Fluhrer
In Favor: Alcine, Braun, Fluhrer, Jeffreys, Lyle, Queen, Swink and Terando
Opposed: xxxxx

Excused: xxxxx

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the Staff Report attached.

Signatures: (Planning Dir.)



date: 7/11/17

(PC Chair)



date: 7/11/17



Staff Report

**RECOMMENDED
ACTION: Approval with Conditions**

**CONDITIONS OF
APPROVAL: Planning Commission Actions:**

- (1) That as allowed by City Code Section 10-2051(d)(4)b and 10-2051(d)(3)b, the Planning Commission finds that the increase in building height to 154', without step backs or additional setbacks, is in accordance with the general plans for the physical development of the City as embodied in the Raleigh Comprehensive Plan and this site plan meets the standards of section 10-2132.2(d);
- (2) That the Planning Commission finds that this site plan meets the standards for approval of a residential development exceeding 40 dwelling units per acre density (158 units per acre proposed) located in the Downtown Overlay District in accordance with code Section 10-2051(d)(1)c1(iii) by (A) being located within the central downtown area and (B) providing a service and retail facility which meets the code standards of 10-2051(d)(1)c.4;
- (3) That the Planning Commission finds that the number of parking spaces provided is in accordance with the general plans for the physical development of the City as embodied by the Comprehensive Plan per Section 10-2051(e)(10)(g);
- (4) That the Planning Commission finds that this site plan meets the standards of section 10-2132.2(d);

Administrative Actions:

Prior to issuance of a grading permit for the site:

- (5) That in accordance with Part 10A Section 9.4.4, a surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City;

Prior to approval of a concurrent review of Final Site Review and Infrastructure construction plans, or whichever is applicable:

- (6) That a stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved by the Stormwater Engineer, including the designation of buffer areas and open space areas for stormwater purposes prior to grading or the approval of construction drawings whichever event comes first;
- (7) That a nitrogen offset payment must be made to a qualifying mitigation bank;

Prior to issuance of building permits:

- (8) That a tree impact permit be issued for plantings in the right of way;
- (9) That a sidewalk deed of easement is approved by the City staff and that the location of the easement as 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 recorded plat;
- (10) That a demolition permit be issued and this building permit number be shown on all maps for recording;
- (11) That all stormwater control measures shall be shown on all plats for recording within a "private drainage easement";
- (12) All pertinent driveway and encroachment agreements are approved by NCDOT and confirmation provided to the City of Raleigh;
- (13) That an encroachment agreement for any encroachments into the right-of-way for W Davie Street is approved by City Council and that the City Council approved encroachment agreement shall be filed with the Development Services Department, and that the encroachment agreement is recorded with the Wake County Register of Deeds;
- (14) A surety equal to 150% of the cost of development related public improvements on W Davie Street is paid to the Development Services Department, Development Engineering staff;
- (15) A surety equal to 100% of the cost of development related public improvements for NCDOT road(s) S McDowell St is paid to the Development Services Department, Development Engineering staff;
- (16) That a right-of-way obstruction permit is obtained from Right-of-way Services for any construction activity within the right-of-way;
- (17) A surety equal to 100% of the cost of development related public improvements for NCDOT road(s) S McDowell St is paid to the Development Services Department, Development Engineering staff;

ZONING:

ZONING DISTRICTS: Business (BUS) with Downtown Overlay District (DOD)

SETBACKS / HEIGHT:

This plan conforms to all minimum setback and height standards. Proposed height of the building is 154' (14 stories). The Business Zone District allows for all setbacks to be 0' and for buildings to be constructed to any height except buildings greater than 50' shall add one foot additional width to each required

district yard setback for each foot of height greater than 50 feet high. The proposed building does not meet all of the setbacks called for in the underlying zoning, but the Planning Commission can approve the increase in height as allowed in the Downtown Overlay District. Raleigh City Code section 10-2051-(d)(4)b., of the Downtown Overlay District, allows the Planning Commission to approve height increases after a finding that such increase in height is in accordance with the general plans for the physical development of the City as embodied in the Raleigh Comprehensive Plan and the site plan meets the standards of City Code Section 10-2132.2(d).

PARKING: Off-street parking conforms to minimum requirements. This site requires 243 spaces, based on one space per dwelling unit (first 16 spaces exempted), 1 space per lodging unit, and 1 space per 400 square feet of nonresidential floor area (first 30,000 square feet exempted). 139 spaces are being provided in the proposed parking deck. The applicant is requesting the Planning Commission approve a reduction in the number of required spaces to 139 in accordance with Section 10-2051(e)(1)(g). The Commission can approve an exception to the number of required spaces when they find the number provided is in accordance with the general plans for the physical development of the City as embodied in the Raleigh Comprehensive Plan and the site plan meets the standards of City Code Section 10-2132.2(d).

LANDSCAPING: Street trees are being planted in the public right-of-way in accordance with the Downtown Streetscape Plan. No vehicular surface area is proposed with this plan. This is a medium impact use adjacent to medium and high impact uses under Section 10-2082.9. Therefore, transitional protective yards are not required.

TREE CONSERVATION: Tree conservation is not required for this development as the parcel is less than two acres in size.

OPEN SPACE: The Downtown Overlay District requires that a minimum of 5% of the total land area of the development to be set aside as open space. "Open space" is defined to include: greenways; any common outdoor landscaped and recreation spaces; outdoor decks; roof gardens and other similar outdoor community space accessible to and available for use by visitors of the development." The Code calls for open space first to be met by widening the sidewalks to a minimum of 14' in width. After that is achieved, any deficit in open space can be met with courtyards, roof gardens, outside dining and recreation space so long as 1/2 of the required open space shall be in one continuous part with a minimum length and width dimension of 20 feet.

Based on the development's acreage of .73 acres, the base minimum amount of open space required for the development is 1,590 square feet. The sidewalk widening constitutes 3,067 square feet. The configuration of this open space meets the provisions of the code section 10-2103.d

DEVELOPMENT DENSITY:

The applicants are allowed increases in residential densities in excess of 40 units per acre through the Downtown Overlay District and compliance with the tiered standards for additional density (115 dwelling units at 158 units per acre proposed). For each Tier 1 and Tier 2 standard specified in the Downtown Overlay District that the Planning Commission finds the plan compliant with, an increase in density of 60 units per acre is allowed. For each Tier 3 standard spelled out in the Downtown Overlay District that the Planning Commission finds the plan compliant with, an increase in density of 40 units per acre is allowed.

The project's proposed density is 158 dwelling units per acre. In order to achieve this density, the project would have to meet at least two of the tiered density standards. The applicants propose to meet one Tier 1 standard, and one Tier 2 standard. These standards are listed below:

1. **Location:** (Tier 1 Standard granting an additional 60 units per acre)
The proposed development is located within the central downtown area.
2. **Parking Deck:** (Tier 2 Standards granting an additional 60 units per acre)
 - a. The development contains structured parking for at least 80% of required off street parking spaces.

PHASING: Not applicable.

UNITY OF DEVELOPMENT: Not applicable.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

STREET PLAN MAP: No new streets are proposed with this development. South McDowell Street is classified as an Avenue 6-lane, divided street. West Davie Street is classified as Main Street with parallel parking. No additional right-of-way is required per the approved Design Adjustment by the Public Works Director.

COMPREHENSIVE PLAN: The site is located within the Central CAC, and is designated as Central Business District on the future land use map. This category applies to the Raleigh Central Business District, and is intended to enhance Downtown Raleigh as a vibrant mixed use urban center. The category recognizes the area's role as the heart of the city, supporting a mix of high-intensity office, retail, housing, government, institutional, visitor-serving, cultural, and entertainment uses.

Staff has reviewed the site plan and finds this plan in compliance with the Comprehensive Plan.

HISTORIC / DISTRICTS: The existing building is not a designated Historic Structure. This site is not located in or adjacent to a designated Historic District.

APPEARANCE COMMISSION: The Appearance Commission has made the following comments on this preliminary plan. Shown below are comments and applicant responses:

1. **Recommend minimizing conflicts between pedestrians on the sidewalks and vehicles exiting the parking garage (on Davie Street) and service alley (on McDowell Street). One suggestion is to place planters or other vertical elements at the sides of the driveways near the building.**

PDG Response: A landscape element has been provided with this submittal to help guide pedestrians away from the face of the building at the garage opening.

2. **Consider additional glazing on the top floor of the building facing McDowell Street towards the southeast corner of the building, adjacent to the rooftop terrace.**

ODA Response: The 14th Floor corner at the column has been redesigned to incorporate glazing adjacent to the south-east column (third column north on the east façade)

3. **At the west elevation driving down Davie Street and the north elevation walking down McDowell Street, the two end conditions have brick wrapped around the corner for one bay width and then changes to stucco for the remaining north elevation. Both of these elevations are highly visible and we recommend extending the brick veneer the full length of the ends and wrapping the corners to terminate into the wall of stucco. The proposed elevation does not have enough brick in these locations.**

ODA Response: The facades on the North (adjacent to Mc Dowell) and the West (adjacent to Davie) have been revised so the brick extends the entire width of the façade and wraps as building turns inward from the building edge. See elevations for further detail.

4. **Recommend providing additional design emphasis at street level for the building entrance at the southeast corner on McDowell Street, including additional signage directed at pedestrians and motorists travelling west on Davie Street**

ODA Response: Signage is not shown on the building elevations, but is shown as desired in the renderings, specifically on the entry canopy. The building entrance area will have seating that extends from the bar/lounge area at the building interior. This will be appear on interior and furniture plans, but not on the architectural plans.

5. **The Commission commends the applicant for the attention to detail given to the revised elevations.**

ODA Response: Thank you.

SUBDIVISION
STANDARDS:

PUBLIC UTILITIES: City water and sewer services are available. The developer is responsible for installation of all lines necessary to provide service to this site.

SOLID WASTE: Individual lot service to be provided by private contractor.

STREETSCAPE

TYPE: The applicable streetscape is a Main Street. Construction of 16' sidewalks with tree grates are proposed along both street frontages.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. A sidewalk is required along the west side of South McDowell Street and North side of West Davie Street.

FLOOD HAZARD: There are no flood hazard areas on this site.

**STORMWATER
MANAGEMENT:**

This site is subject to stormwater management controls in accordance with Chapter 9 of Part 10 of the Raleigh City Code. The development will address water quality with a sand filter and nitrogen buy down payment. Site will claim exemption from runoff controls under 10-9023.b.1 because the post-development runoff for the 2, 10, and 25 year storms is less than 10% increase from the pre-development condition.

**WETLANDS
/ RIPARIAN
BUFFERS:**

No wetland areas or Neuse River riparian buffers are required on this site.

**OTHER
REGULATIONS:**

Developer shall meet all other applicable City requirements of Code Part 10 and 10A (Unified Development Ordinance).