



Certified Action of the City of Raleigh Planning Commission

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

Case File / Name: SP-62-14 / Hyatt House

General Location: 10030 Sellona Street – West of the intersection of Sellona Street and Globe Road.

Owner/Designer: Chhabra Properties 19 LLC, Shahn Chhabra / William G. Daniel & Associates, PA.

CAC: Northwest

Nature of Case: Proposed 88,945 square foot, six story hotel, with 130 lodging units, on a 3.54 acre parcel zoned Thoroughfare Conditional Use and Special Highway Overlay District – 2.

Key Issues: As presented, staff finds that this plan conforms to Code standards and adopted land use policies.

Contact: William G. Daniel & Associates, Bill Daniel

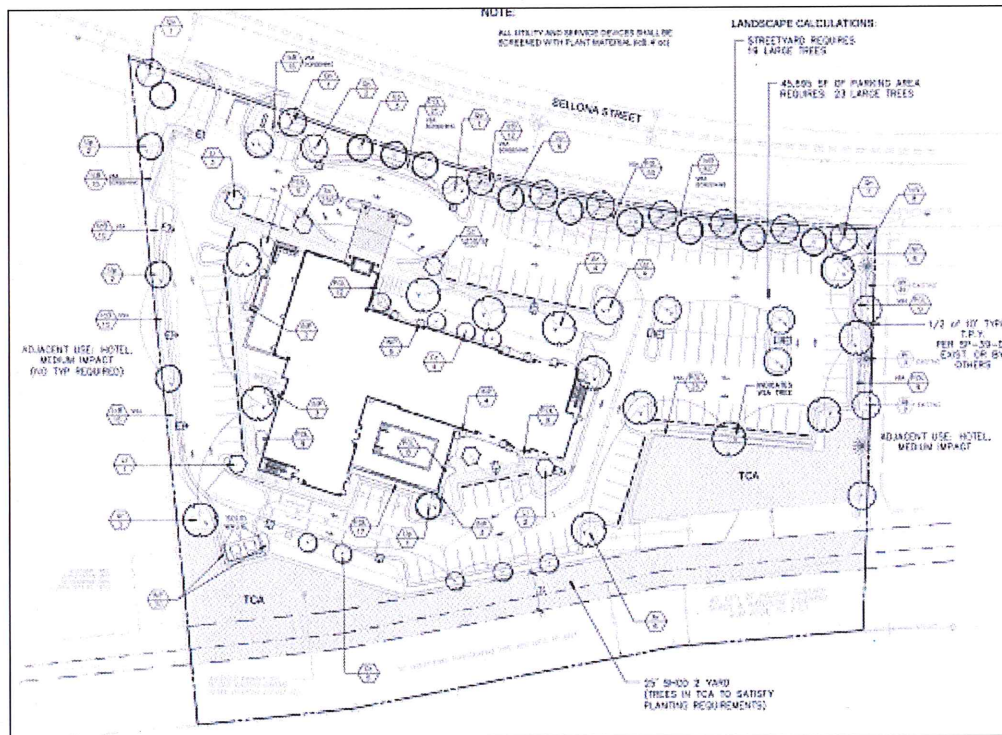
Design Adjustment: One Design Adjustment has been approved by the Public Works Director for this project, noted below.

1. Due to insufficient width for street trees within the Right of Way, a Design Adjustment was granted by the Public Works Director allowing the required Street Trees to be installed on private property, and to accept a fee in lieu for the addition 1' of sidewalk width required.

Administrative Alternate: NA



SP-62-14/Hyatt House-Location Map



SP-62-14/Hyatt House- Site Plan

Public Works Design Adjustment – Staff Response




Per Section 10.2.18.C of the Unified Development Ordinance, the Public Works Director may consult with the heads of other City departments regarding the review of the request. The Public Works Director may approve, approve with conditions or deny the request, but must do so within 60 days of the receipt of a completed application. Additional time may be necessary if a municipal or state entity is incorporated in the review process or if a detailed engineering study is submitted in conjunction with the request.

Project	Project Name	Hyatt House	Date Completed Application Received	11-25-14
	Case Number	SP-62-14	Transaction Number	411889

Staff Response/Recommendation	<p>Applicant requests to install the required street trees on private property in a specified streetyard, parallel to the Right of Way. Staff supports this request due to the existing conditions along the frontage. A 5-ft concrete sidewalk is existing and even with required Right of Way dedication there is insufficient width to properly install street trees in the Right of Way.</p> <p>A fee-in-lieu is required for the remaining 1-ft of concrete sidewalk to achieve the UDO specified ultimate 6-ft width, to be paid prior to building permit issuance.</p>				
	Staff Member	Bradley Kimbrell	Support Request	<input checked="" type="checkbox"/>	Does Not Support

Public Works Director's Action:

Approve Approval with Conditions Deny


12/2/14

Richard L. Kelly, Interim Public Works Director Date

*The Public Works Director may also authorize a designee to sign in his stead. Please print name and title next to signature.

Conditions for Approval	
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Appeal of the decision from the Public Works Director shall be made in writing within 30 days to the Board of Adjustment (see Section 10.2.18.C3b).

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Phone: 919-996-3030
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SUBJECT: SP-62-14 / Hyatt House

CROSS-REFERENCE: Z-65-96, Trans. #411889

LOCATION: This site is located on the south side of Sellona Street, West of the intersection of Sellona Street and Globe Drive, and is within the City Limits.

PIN: 0758.04-70-3951

REQUEST: This request is to approve an 88,945 square foot Hotel on a 3.54 acre site, zoned Thoroughfare Conditional Use and Special Highway Overlay District – 2. This site is located within 400 feet of a residential use or zone. This plan was submitted after September 1, 2013 but is in a legacy zoning district.

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 being met this request conforms to Chapter 2, Part 10, Sections 10-2045, 10-2059, 10-2132.2, Part 10A (Unified Development Ordinance) Articles 8, and 9. This approval is based on a preliminary plan dated 1/20/15, owned by Chhabra Properties 19, LLC, submitted by William G. Daniel & Associates, PA.

ADDITIONAL NOTES: There are no additional notes for this plan.

VARIANCES / ALTERNATES: Due to site limitations, a design adjustment has been granted by the Director of Public Works allowing the installation of required street trees on private property, and a fee in lieu for the remaining 1' of sidewalk width.

To PC: 2/24/15


Case History: NA


Staff Coordinator: Michael Walters

Motion: Buxton
Second: Braun
In Favor: Braun, Buxton, Lyle, Schuster, Sterling-Lewis, Swink, Terando and Whitsett
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: 3-10-15

(PC Chair)

date: 2/24/15



Staff Report

**RECOMMENDED
ACTION:** Approval with Conditions

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

- (1) That the Planning Commission finds that this site plan meets the standards for approval of a residential development in a Thoroughfare Conditional Use District and located in the Special Highway Overlay District – 2, in accordance with Code Section 10-2051, providing sufficient open space, parking, and minimum net lot area.
- (2) That the Planning Commission finds that the site plan meets the standards of approval of code section 10-2132.2 (d);

Administrative Actions:

Prior to issuance of a mass grading permit for the site:

- (3) That the final tree conservation plan must be approved by the Forestry Specialist. The plan must show metes and bounds descriptions of all tree conservation areas, and tree protection fence around all tree conservation areas. Tree protection fence must be located in the field and inspected;
- (4) 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:

- (5) That a stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved by the Stormwater Reviewer in compliance with Part 10A Chapter 9 of the Unified Development Ordinance, including the designation of buffer areas and open space areas for stormwater purposes. The operations and maintenance manual shall include the total costs of the construction of any stormwater devices;
- (6) That any future plans will be revised such to show the replacement of proposed 130 lodging units;
- (7) 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;
- (8) That confirmation is provided demonstrating that existing vegetation within the 25' Shod-2 yard meets or exceeds the landscaping requirements of the Shod-2 Overlay district.

Prior to issuance of building permits:

- (9) That a 5' x 10' City of Raleigh Waterline easement is to be dedicated and recorded in the Wake County Register of Deeds, outside of the Right of Way and within the 5' general utility easement to house a meter and such easements shall be shown on all maps for recording and prior to building permit issuance;
- (10) That a tree conservation map is recorded with metes and bounds showing the designated Tree Conservation Areas and shall be in compliance with UDO Article 9.1;
- (11) That a fee-in-lieu for 1-ft concrete sidewalk for entire frontage of Sellona Street is to be paid to the Public Works Department;
- (12) That ½ of 64' of Right of Way, and that a 5' general utility easement along the south side of Sellona Street is to be dedicated and recorded in the Wake County Register of Deeds;
- (13) That the developer shall pay to the City a stormwater facility replacement fund payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans;
- (14) That all stormwater control measures and means of transporting stormwater runoff to and from any nitrogen and stormwater runoff control measures shall be shown on all plats for recording as private drainage easements;
- (15) That in accordance with Part 10A Section 9.2.2 a surety equal to 125% of the cost of construction of stormwater devices shall be paid to the City prior to building permit issuance;

Prior to issuance of a certificate of occupancy permit:

- (16) That in accordance with Part 10A Section 9.2.2, an as-built plan and certification any stormwater control device shall be reviewed and accepted by the City prior to final stormwater inspection approval or certificate;

ZONING:

**ZONING
DISTRICTS:**

Thoroughfare Conditional Use District. Ordinance No. (1996) 929 ZC 392, Z-65-96, effective July 2, 1996. This site is within 'Area D' of zoning conditions applicable to this site. The site is also within the S.H.O.D.-2 zoning overlay district. This site complies with the commercial acreage limitations of Area D as per Z-65-96. (Z-65-1996)

**SETBACKS /
HEIGHT:**

This plan conforms to all minimum setback standards. Front yard = 68' (50' + 2'foot of building height over 50' or 68'), rear yard = 78', front / rear aggregate =

146', side yard = 54.5', and 84' side yard aggregate = 238.49'. This plan conforms to maximum height standards in this zoning district. Proposed height of the building is 59'

PARKING: Off-street parking conforms to minimum requirements: 130 spaces required, based on one parking space per lodging unit. 130 spaces are proposed.

LANDSCAPING: Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. This is a medium impact use under Section 10-2082.9. Transitional protective yards are shown in compliance with City standards in the following locations:

<u>Location</u>	<u>Yard type required</u>	<u>Width proposed</u>
West side	None	NA
East side	None	NA

The parcel to the east is an existing hotel (medium intensity), and to the west, a hotel presently under construction (medium intensity). There is a recorded 5' landscape easement shown along the eastern border, an easement of which is associated with the hotel and parcel to the east. (SP-39-08, DB 13218 PG 112)

The 25' SHOD-2 yard is provided outside of the 40' City of Raleigh Sanitary Sewer Easement. Landscape vegetation requirements are being met utilizing existing foliage in conjunction with proposed Tree Conservation Area.

**TREE
CONSERVATION:**

This project is required 14.97% or 0.53 acres for tree conservation. This project has proposed 0.53 acres which is broken into:
Primary: 0.53 acres
Secondary: 0 acres

**DEVELOPMENT
INTENSITY:**

This site is within 'Area D' of zoning conditions of Z-65-96 applicable to this site. Within 'Area D' commercial land uses are limited to 125 acres of land. To date 20.44 acres of commercial land uses have been approved and developed. This 3.54 acre proposal brings the cumulative total of commercial land uses in this area to 23.98 acres, thus conforming to zoning limitations.

PHASING: There is one phase in this development.

**UNITY OF
DEVELOPMENT:**

NA.

**COMPREHENSIVE
PLAN:**

GREENWAY: There is no greenway on this site.

**STREET
TYPOLOGY MAP:**

Dedication of right-of-way of the following streets are required by the Street Typology Map of the Comprehensive Plan. Proposed street(s) are classified as an Avenue 2 Lane Undivided Street. Dedication of right-of-way is required.

<u>Street</u>	<u>ROW</u>	<u>Construct</u>	<u>Slope Esmt.</u>
Sellona Street	½ of 64' + 5' utility easement	NA	NA

Existing streets on the site are classified as an Avenue 2 Lane Undivided Street. A surety for the required improvements shall be provided in accordance with 8.1 of the UDO. Design Adjustment approved for the proposed streetscape.

TRANSIT: No transit-oriented features are incorporated into the proposed plan. This site is presently not directly served by the existing transit system.

**COMPREHENSIVE
PLAN:**

This site is located in the Northwest Citizen Advisory Council and within the limits of the Triangle Regional Center. It is also within a Regional Intensity Area, where high intensity urban development pattern with multiple uses are encouraged. The Brier Creek Village Center Plan recommends a mix of retail/office uses for the site. Hotel uses may also be appropriate for the block between Globe Road and Aviation Parkway.

**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:

<u>Comment</u>	<u>Response</u>
The Commission suggests the use of a hard surface material for the entirety of the ground floor of all elevations.	Developer agreed to modify façade as suggested by the Appearance Commission. (Change in façade is reflected in the elevation views found in the plan set in your packet.)
The Commission commends the proper placement of red maple on the site.	The Developer appreciates the observation of the Appearance Commission.

**SUBDIVISION
STANDARDS:**

LOT LAYOUT: The minimum lot size in the Thoroughfare (TD) zoning district is 5,000 sq. feet. The minimum lot depth in this zoning district is 70 feet. The minimum lot width of an interior lot in this zoning district is 45 feet. Lots in this development conform to these minimum 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: Refuse disposal will be by private contractor. Location and design of collection facilities shall meet the standards in the City's Solid Waste Design Manual.

CIRCULATION: Proposed street improvements shall conform to normal City construction standards.

**BLOCKS / LOTS /
ACCESS:**

Block perimeters, lot arrangement and access conform to Chapter 8 of the UDO.

STREETSCAPE

TYPE:

The applicable streetscape is an Avenue 2 Lane Undivided Street. A fee in lieu for a 1' of sidewalk width, and street trees on private property as per design adjustment, are both required prior to issuance of building permits.

PEDESTRIAN:

A sidewalk exists along Globe Road and Sellona Street frontage. The preliminary plan shows an adequate pedestrian system on-site to provide safe access directly to the public sidewalk system.

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 (Or Article 9 chapter 2 of the Unified Development Ordinance). Proposed stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual.

The site is proposing compliance with the stormwater regulations of Part 10A Article 9 of the Raleigh UDO through the use of a sand filter, underground pipe detention and a one-time nutrient offset payment to NCEEP. Full compliance with the NCDENR BMP Manual and City Code is to be established.

**WETLANDS
/ RIPARIAN**

BUFFERS:

No flood hazard areas, 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).