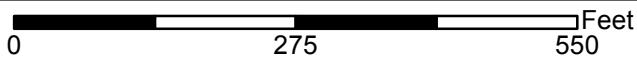


SMOKEY HOLLOW SR-53-2016



Zoning: **DX-12-SH, IX-12**

CAC: **North Central**

Drainage Basin: **Pigeon House**

Acreage: **3.75**

Sq. Ft/ units.: **652500/ 445**

Planner: **Meade Breadshaw**

Phone: **(919) 996-2664**

Applicant: **Kane Realty Corp**

Phone: **919-369-4096**





Administrative Action Administrative Site Review

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27602
(919) 996-2626
www.raleighnc.gov

Case File / Name: SR-53-16 / Smokey Hollow

General Location: This site is located on the block bound by W Peace St. to the north, N Harrington St. (to be constructed) to the east, W Johnson St. (to be constructed as part of S-40-16) to the south, and N West St. to the west.

CAC: North Central

Request: Development of seven parcels to be recombined into a tract totaling 4.19 acres into a 143' tall, 12-story, 652,500 square foot mixed use building, zoned DX-12-SH and IX-12. The building will consist of 445 dwelling units, 51,315 square feet of retail space and 815 structured and surface parking spaces.

Cross-Reference: S-40-16; AAD-7-16



SR-53-16 Location Map

Code Conformance:		Code Section(s)
Zoning District:	DX-12-SH; IX-12	2.1 , 3.1
Overlay District:	N/A	5.1
Parking:	643 spaces required based on 1 per dwelling unit (with first 16 units exempt) and 1/500 square feet of nonresidential uses (with first 30,000 square feet exempt). 815 structured and surface spaces provided.	7.1.2
Street Type(s):	W Peace St: Avenue 4-Lane, Divided N Harrington St: Avenue 2-Lane, Undivided W Johnson St: Main Street, Parallel Parking N West St: Avenue 2-Lane, Undivided	8.4
Streetscape:	Main Street streetscapes (16' sidewalks with tree grates) are being installed on all four streets.	8.5
Setbacks/Frontage:	Shopfront Frontage on DX portion of the site. 0'/15' 80%(primary street) build-to met. See Admin. Alternates, below. IX primary and side street setbacks of 5' met.	3.4 , 3.2 , 2.2
Neighborhood Transitions:	N/A; no adjacent residentially zoned properties.	3.5
Transitional Protective Yards:	N/A; not required for this use.	7.2.4
Stormwater:	This site is subject to stormwater management controls in accordance with Chapter 9 of Part 10 of the Raleigh City Code. Proposed stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual. The property is claiming an exemption to active stormwater controls per substitution of impervious area.	9.2
Tree Conservation:	These parcels are less than two acres in size and therefore not subject to Article 9.1, Tree Conservation.	9.1
Variances, Design Adjustments, Administrative Alternates:	Administrative Alternates have been approved by the Planning Director for this project (AAD-7-16): <ul style="list-style-type: none"> 1. Build-to requirements along W Peace St. 2. Transparency 3. Building Massing 4. Street facing entrances 	
Other:	10% outdoor amenity area required and provided.	1.5.3

OFFICIAL ACTION: Approval with conditions

CONDITIONS OF APPROVAL:

Prior to issuance of a mass land disturbing permit for the site:

1. 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 the issuance of any site permits, infrastructure construction plans or concurrent review process, whichever is applicable:

2. That Infrastructure Construction Plans are approved by the City of Raleigh for the streets associated with S-40-16, including obtaining stub permits, tree impact permit and a street lighting plan;

Prior to issuance of building permits:

3. That Infrastructure Construction Plans are approved by the City of Raleigh, including obtaining stub permits, tree impact permit and a street lighting plan;
4. That in accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements, including streetscape trees, is paid to the Public Works Department;
5. That sidewalk deeds of easement are approved by the city staff and that the location of the easements as shown on the map approved for recordation. The deeds of easement shall be recorded at Wake County Register of Deeds within one day of recordation of the recorded plat;
6. That demolition permits be issued for any existing structures proposed for removal;
7. That all conditions of approval are met for the subdivision case S-40-16 and the final subdivision plat is approved and recorded at the Wake County Register of Deeds;
8. That a recombination plat is recorded, recombining the existing lots and right-of-way for North Harrington Street into a single tract;
9. That City Council approves the right-of-way closure for North Harrington Street and the resolution number be shown on all maps for recording;
10. That the required right of way for the proposed and existing streets is dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City prior to building permit issuance;
11. That a driveway permit is approved by NCDOT and a copy of the approved permit is provided to the City of Raleigh;

Prior to issuance of building occupancy permit:

- 12. That in accordance with Part 10A Section 9.2.2, an impervious surface as-built survey shall be reviewed and accepted by the City prior to final stormwater inspection approval;
- 13. That all conditions of approved Administrative Alternates (AAD-7-16) are complied with.

I hereby certify this administrative decision.

Signed: (Planning Dir.) Kenneth Bowers (S. Barlow) Date: 12-19-16

Staff Coordinator: Justin Rametta

SEE LAST PAGE FOR IMPORTANT INFORMATION ON THE NEXT STEP IN THE PROCESS.

FINDINGS: City Administration finds that this request, with the above conditions being met, conforms to the Unified Development Ordinance. This approval is based on a preliminary plan dated 12/5/16, submitted by Withers and Ravenel.

EXPIRATION DATES: The expiration provisions of UDO Section 10.2.8 E, including the ability to request extensions in the expiration date, apply to this site plan. If significant construction has not taken place on a project after administrative site review approval, that approval may expire and be declared void, requiring re-approval before permits may be issued. To avoid allowing this plan approval to expire the following must take place by the following dates:

3-Year Expiration Date: 12-19-2019

Obtain a valid building permit for the total area of the project, or a phase of the project.

4-Year Completion Date:

Within four years after issuance of the first building permit for the site plan, the construction of the entire site plan must be completed unless an applicant has been granted vested rights. Failure to complete construction within this specified time frame shall automatically void the approved site plan for which no building permits have been issued.

WHAT NEXT?:

- MEET ALL CONDITIONS OF APPROVAL.
- COMPLETE INFRASTRUCTURE CONSTRUCTION DRAWINGS FOR ANY PUBLIC IMPROVEMENTS Streets, Utility lines to be owned and maintained by the City.
- HAVE A REGISTERED SURVEYOR PREPARE FINAL PLATS FOR RECORDING. These also must be submitted to the City for authorization signature prior to recording with the Wake County Register of Deeds.
- MEET THE REQUIREMENTS OF THE EXPIRATION THRESHOLDS AS NOTED ABOVE.



Planning and Development Director Action

Administrative Alternate Findings:

UDO Sec. 1.5.6.D. Administrative Alternate Findings

The Planning and Development Officer may in accordance with Sec. 10.2.17. reduce the build-to requirement, subject to all of the following findings:

1. The approved alternate meets the intent of the build-to regulations;

Staff response: While the site is largely filled out with building, the building is set back further than is permitted in an urban frontage. Within the area subject to frontage standards, essentially none of the building is located within the required build-to area. The site design incorporates seating area and a proposed bike parking facility into the setback area along West Street, and the overall height of the building creates a sense of enclosure in spite of the increased setback. The building exceeds the maximum-permitted build-to by up to 40 feet, but exceeds the required amount of street frontage that is occupied by building (e.g. there are no open areas located adjacent to a street where frontage is mapped.)

2. The approved alternate conforms with the Comprehensive Plan and adopted City plans;

Staff response: As originally proposed, the project is consistent with polices LU 10.1, UD 1.2, UD 4.1, DT 2.25, and DT 3.2, but is inconsistent with policies related to the pedestrian realm, specifically UD 2.1, UD 2.3, UD 3.4, UD 4.5, and DT 7.5. Per revised exhibits, the applicant is providing additional activation of the street level adjacent to West Street in the -SH frontage that mitigates these inconsistencies. The proposed project could accommodate a specific retail use identified as a priority in the adopted Downtown Plan.

3. The approved alternate does not substantially negatively alter the character defining street wall or establish a build-to pattern that is not harmonious with the existing built context;

Staff response: Along Peace and West Streets, there is no established street wall or build-to to be altered, as the current development pattern is mostly low-scale and auto-oriented. Building setbacks vary significantly from parcel to parcel. The block has an irregular shape, and the increased setback is not expected to create an adverse precedent for the streetwall on adjacent block.

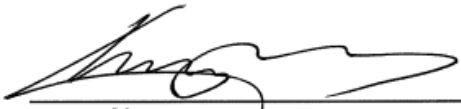
4. The change in percentage of building that occupies the build-to area or increased setback does not negatively impact pedestrian access, comfort or safety;

Staff response: Along Peace Street, pedestrian access is still maintained both along the street and to the building in multiple locations, including an entrance at the intersection of Peace and West Streets. Along West Street pedestrian access is maintained as well, though access points are

more limited in number. The additional walking distance created by the setback is not significant, but placing the sole retail entrance at the Peace and West Street intersection increases walking distance to the retail for most of the nearby residents, who are located to the south. As shown on the revised exhibits, additional activation of the street level along West Street helps mitigate the impact of the increased walking distance. The revised exhibits have also made the corner entry more open and inviting.

5. Site area that would have otherwise been occupied by buildings is converted to an outdoor amenity area under Sec. 1.5.3.B.
Staff response: The applicant is providing amenity areas adjacent to the proposed building along Peace Street and West Street within the required Build-to.

Decision Per the revised exhibits submitted by the applicant, the Planning and Development Director finds that the requested alternate generally meets the findings enumerated in the Unified Development ordinance.



Signature

11-23-16

Date



Planning and Development Director Action

Administrative Alternate Findings:

UDO Sec. 3.3.3.D. Administrative Alternate Findings

The Planning and Development Officer may in accordance with Sec. 10.2.17 approve an alternate building massing standard, subject to all of the following findings:

1. The approved alternate meets the intent of the building massing regulations;

Staff response: The proposed project uses greater setbacks, the addition of open spaces at street level, and architectural treatments and changes in building materials to delineate vertical portions of the building to visually reduce perceived project scale and provide access to light and air.

2. The approved alternate conforms with the Comprehensive Plan and adopted City plans;

Staff response: The proposed alternate is consistent with the Comprehensive Plan and conforms to policies UD 4.1 and UD 4.5.

3. If the approved alternate uses a change in building materials to mimic a change in wall plane, the most substantial and durable building materials are located at the bottom floors of the building;

Staff response: In the instances where the proposed project uses changes in building materials to mimic change in wall plane the most substantial building materials are to be used at the base of the building. These materials are shown as masonry and concrete on building elevations AC3.1, AC3.2, AC3.3, and AC3.4 dated November 22, 2016 (attached). The building materials shown on the approved development plan must match those shown on the attached elevations in order to ensure compliance with this finding.

4. If the approved alternate proposes a building setback behind the sidewalk in lieu of a required stepback, the resulting open space includes public amenities such as seating areas, trees and landscaping or outdoor dining;

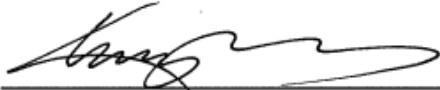
Staff response: The proposed alternate includes building setbacks behind the sidewalk along three streets that incorporate open spaces with public amenities, including seating areas, trees, and landscaping.

5. The building contains architectural treatments for delineating the base, middle and top of the building.

Staff response: The proposed development features changes in building materials, patterning and placement, as well as subtle shifts in wall plane to delineate base, middle and top of building.

Decision The Planning and Development Director finds that the requested alternate generally meets the findings enumerated in the Unified Development Ordinance, subject to the following condition:

- The building materials on the approved plans must match materials shown on building elevations AC3.1, AC3.2, AC3.3, and AC3.4 dated November 22, 2016 (attached) to confirm compliance with Finding 3.



Signature

11-28-16

Date



Planning and Development Director Action

Administrative Alternate Findings:

UDO Sec. 1.5.8.C. Administrative Alternate Findings

The Planning and Development Officer may in accordance with Sec. 10.2.17. allow a non-street-facing entrance, subject to all of the following findings:

1. The approved alternate meets the intent of the street-facing entrance regulations;

Staff response: Per submitted exhibits AC2.1 and AC5.1 dated November 22, 2016 (attached), discussions with City Planning Department Staff, and Staff clarification that pedestrian access requirements apply only to the primary street, Peace Street, the applicant's revised alternate request meets the intent of the street-facing entrance regulations. While the distance between two of the street-facing entrances exceeds the 50 foot maximum set by the UDO, The proposed alternate provides the number of pedestrian access points to the building required by code and includes an enhanced entrance point near the prominent intersection of Peace and West Streets.

2. The approved alternate conforms with the Comprehensive Plan and adopted City plans;

Staff response: Per revised exhibits, the proposed administrative alternate is consistent with the Comprehensive Plan and conforms to applicable policies.

3. The pedestrian access point is easily identifiable by pedestrians, customers and visitors;

Staff response: The proposed access points along Peace Street are designed in ways and in locations that are identifiable for pedestrians and customers arriving on foot.

4. Recessed or projecting entries or building elements have been incorporated into the design of the building to enhance visibility of the street-facing entrance;

Staff response: As shown on the revised exhibits, the proposed alternate includes a recessed entry at the intersection of Peace and West Streets that enhances the visibility of the access point.

5. The pedestrian route from the street and bus stops and other modes of public transportation to the entrance is safe, convenient and direct.

Staff response: Per revised exhibits, the pedestrian route to access the main retail space from Peace and West Streets is safe, convenient, and direct as possible with the building and site constraints along Peace Street.

Decision The Planning and Development Director finds that the requested alternate generally meets the findings enumerated in the Unified Development Ordinance.



Signature

11-28-16

Date



Planning and Development Director Action

Administrative Alternate Findings:

UDO Sec. 1.5.9.C. Administrative Alternate Findings

The Planning and Development Officer may in accordance with Sec. 10.2.17. reduce the required transparency, subject to all of the following findings:

1. The approved alternate meets the intent of the transparency requirements;

Staff response: Per exhibits AC1.1, AC1.2, AC1.3, AC1.3b, and AC1.4 and AC4.2 dated November 22, 2016 (attached) and discussions with City Planning Department Staff, the applicant has provided revised building elevations that meet the intent of the transparency requirements to lend visual interest to street-facing building facades for both pedestrians and building occupants. The proposed reduction in transparency along the ground stories of the West, Harrington, and Johnson Street elevations are offset by other elements that generate visual interest. The primary change has been the addition of large art panels at the ground level on West Street to provide the visual interest that would typically be provided by windows. Staff also finds that these panels would lend themselves to conversion to actual window space should the needs of the retail tenant evolve. In the case of Peace Street, if transparency is measured for the entire building elevation instead of split by zoning district, the resulting transparency would exceed the 66% required by the DX district, the greater percentage of the two districts.

2. The approved alternate conforms with the Comprehensive Plan and adopted City plans;

Staff response: As shown on the revised exhibits, the proposed administrative alternate now demonstrates consistency with policies that relate to ground-level transparency, including UD 1.2, UD 1.3, and DT 7.5.

3. The street-facing building facade utilizes other architectural treatments to create visual interest to offset the reduction in transparency;

Staff response: Per revised exhibits, the project proposes architectural elements and vertical landscaping to help create visual interest at the street level, adequately providing relief to offset the reduction in transparency. These include perforated metal screening at parking deck openings at street level on Harrington and Johnson Streets, vertical landscaping along Johnson and West Streets, and a combination of transparent bike storage area, vertical landscaping, and public art along West Street. The perforated metal panels will provide some level of transparency but will allow the parking deck to be naturally vented.

Decision The Planning and Development Director finds that the requested alternate generally meets the findings enumerated in the Unified Development Ordinance, subject to the following condition:

- That the developer consults with the Director of the Office of Raleigh Arts prior to selecting an artist and art to be placed within the art panels facing West Street.



Signature

11/29/16

Date