


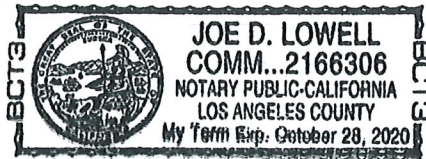
# Administrative Alternates



**DEVELOPMENT  
SERVICES  
DEPARTMENT**

Development Services Customer Service Center | 1 Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-996-2495 | efax 919-996-1831

<b>Administrative Alternate Request:</b> <i>Requested in accordance with UDO Section 10.2.17</i>	<b>OFFICE USE ONLY</b>
Section(s) of UDO affected: <b>3.4.9.C, 3.3.3.B, 1.5.9.B</b>  Provide an explanation of the alternate requested, along with an applicant's statement of the findings <small>We are requesting a design alternate for Build-To, Building Massing and Transparency prescriptive standards.</small>  Provide all associated case plan numbers including zoning and site plan: Case Number: SR-12-19	Transaction Number

<b>Property Address</b> 215 S. McDowell Street. Raleigh, NC 27601.		<b>Date</b> 08.30.2019
<b>Property PIN</b> 1703684170; 1703684300	<b>Current Zoning</b> DX-20-SH	
<b>Nearest Intersection</b> McDowell Street / Martin Street	<b>Property size (in acres)</b> 3.29	
<b>Property Owner</b> Phoenix III of Raleigh, LLC	<b>Phone</b> (714) 540-9876	<b>Mail</b> 5 Hutton Centre Drive, Suite 860 Santa Ana, CA 92707
	<b>Email</b> ss@agusa.net	
<b>Project Contact Person</b> Lee Perry	<b>Phone</b> (919) 904-7803	<b>Mail</b> 1450 Environ Way, Chapel Hill, NC 27517
	<b>Email</b> lperry@ewp-nc.com	
<b>Property Owner Signature</b>	<b>Email</b> ss@agusa.net	
<b>Notary</b>  Sworn and subscribed before me this <u>3rd</u> day of <u>Sept.</u> , 20 <u>19</u>	<b>Notary Signature and Seal</b>  	



2019.09.19

City of Raleigh Appearance Commission  
Raleigh Municipal Building  
222 West Hargett Street  
Raleigh, NC 27601

Subject: Nexus Appearance Commission Findings  
Project Number: 090.0301.000  
Case Number: SR-12-19

### **Administrative Alternate Findings Narrative**

The proposed Nexus development does not meet all requirements of UDO sections 1.5.9.B (Transparency), or 3.3.3.B (Building Massing – Stepbacks), in which we are seeking to meet these requirements through administrative alternative sections 1.5.9.C and 3.3.3.C for the proposed Mixed-Use buildings located at 215 S. McDowell Street in Raleigh, NC. The findings below elaborate further upon the design strategies used that differ from the UDO prescriptive requirements.

The goal of the development is to create a new destination in downtown Raleigh that will attract top office tenants, residential tenants, retail visitors, and hotel guests. The development consists of a mixed-use office building with structured parking, mixed-use apartment building, mixed-use condominium building and hotel building, all located above subterranean structured parking. The buildings are oriented with street-facing entrances and active street-facing ground-level retail, but the development also incorporates an internal pedestrian and vehicular plaza, further activating the ground-level with additional retail uses and a shared outdoor amenity space.

#### UDO 1.5.9.B – Transparency

The Apartment building elevation that fronts on Martin St. complies with the overall transparent area required at the ground-level, but does not comply with the minimum transparent area that must be located between 3' and 8' above the sidewalk. Only 44% of the required transparent area is provided between 3' and 8', not the full 50% required. The building program along Martin St. consists of a mix of public-facing spaces as well as utility rooms which require street access for functional needs or code requirements. The utility rooms are inherently not as transparent as the public-facing spaces, leading to the shortage of transparency. The remainder of the development is in compliance with all transparency standards, and as a whole, the proposed design of the development meets the intent of the UDO to lend visual interest to street-facing building facades for pedestrians and building occupants and to minimize blank wall areas.

The proposed project meets administrative alternate section 1.5.9.C in the following ways:

- 1) *The approved alternate meets the intent of the transparency requirements*– The apartment building elevation along Martin St. has been treated with a combination of vertical pilasters and in-fill of

doors / frames and glazing. The rhythm created by these elements lends visual interest and breaks down the expanse of the wall to minimize blank wall areas.

- 2) *The approved alternate conforms with the Comprehensive Plan and adopted City plans* – The ground level of the building complies with the Design Guidelines outlined in section I.7 of the Comprehensive Plan, specifically item #25, by the use of windows, entrances and architectural details to offer pedestrian interest along the sidewalk.
- 3) *The street-facing building façade utilizes other architectural treatments to create visual interest to offset the reduction in transparency* - The street-facing façade of the apartment building along Martin St. uses a rhythm of vertical pilasters and in-fill of doors / frames and glazing at the sidewalk level to create visual interest.

#### UDO 3.3.3.B – Building Massing Standards - Stepbacks

The Mixed-use Office Building does not comply with the 3<sup>rd</sup> – 7<sup>th</sup> story 15' minimum stepback on either Salisbury Street or Martin Street. The building otherwise complies with massing standards and the other buildings in the development are in compliance. The proposed design of the development respects the intent of the UDO to create buildings that are respectful of the public right-of-way, provide adequate access to light and air, and produce a consistent street wall, and seeks to comply with the intent via alternate means.

The proposed building meets administrative alternate 3.3.3.C in the following ways:

- 1) *The approved alternate meets the intent of the building massing regulations* – The proposed Office Building massing provides 70% more site area for public light and air above and beyond the baseline UDO massing requires (based on actual site area and prescriptive stepbacks). The building massing carves and sets back above the top of the structured parking podium for a portion of the building length along Salisbury and a portion of the building length along Martin St. This subtractive carving move along with a substantial material change establishes a well-defined podium, while simultaneously providing street-facing rooftop terrace areas for tenants. This also helps to visually break down the building massing into a series of smaller elements that address both the pedestrian and vehicular scale as well as the scale of the urban fabric of the downtown core.
- 2) *The approved alternate conforms with the Comprehensive Plan and adopted City plans* – The proposed building supports the City's Comprehensive Plan for building to the maximum allowable height and density (LU-2)
- 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* – The proposed design includes both an actual change in wall plane as well as a change in materials, which occur at the transition from parking / retail podium to the upper office levels. The proposed design includes the most durable materials at the podium level which include stone cladding and metal panels, whereas the upper office levels are mostly glass curtainwall.
- 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* – The building is set behind the right-of-way line by approximately 4' by virtue of the minimum streetscape width (16' sidewalk), and the proposed design pulls the

building even further away from the minimum streetscape width to help provide additional light and air to the public. The ground-level setback area exceeds the prescriptive UDO allowable amount by 4,881 SF, and this area contains public seating, landscaping and outdoor dining. This additional setback is primarily concentrated near the Salisbury Street and Martin Street intersection, providing a more gracious pedestrian experience at the corner while still meeting the build-to corner requirements (UDO 1.5.6.C). The project also includes a gracious and amenitized public Urban Plaza (UDO 1.5.3.C) that could have otherwise been used as building, back-of-house space or other utilitarian functions.

- 5) *The building contains architectural treatments for delineating the base, middle and top of the building* – The proposed design clearly articulates a base, middle, and top through massing and building façade articulation. The base is clearly defined through the use of well detailed stone cladding, metal panel and glazing for a strong retail presence and a pedestrian scaled experience. The middle is separated by a horizontal projection at level 02 and contains a combination of perforated and opaque metal panels for parking screening. The top is delineated by recessing portions of the office levels to create outdoor terrace space, and the material changes to glass curtainwall. The top is further articulated through varying parapet heights, helping to break down the scale of the building and provide visual hierarchy.

The aforementioned findings express how the design meets the alternative paths of compliance outlined in the UDO for Transparency and Building Massing.

Sincerely,



Chris Bailey AIA



City of Raleigh Appearance Commission  
2019.09.19  
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Appendix:

1. Contextual Images – McDowell St.







2. Contextual Images – Hargett St.







3. Contextual Images – Salisbury St.







4. Contextual Images – Martin St.



# NEXUS

## APPEARANCE COMMISSION PRESENTATION

2019.09.19





# NEXUS

## APPEARANCE COMMISSION PRESENTATION

2019.09.19

### AGENDA

1. ADMIN ALT 1.5.9.C - TRANSPARENCY
2. ADMIN ALT 3.3.3.C - BUILDING MASSING STANDARDS  
- STEPBACKS (MIXED-USE OFFICE BUILDING ONLY)





# NEXUS - Aerial Views

View From Southeast Corner

20 STORY MIXED-USE  
HOTEL BUILDING

20 STORY MIXED-USE  
CONDO BUILDING

20 STORY MIXED-USE  
APARTMENT BUILDING

19 STORY MIXED-USE  
OFFICE BUILDING





# NEXUS - Aerial Views

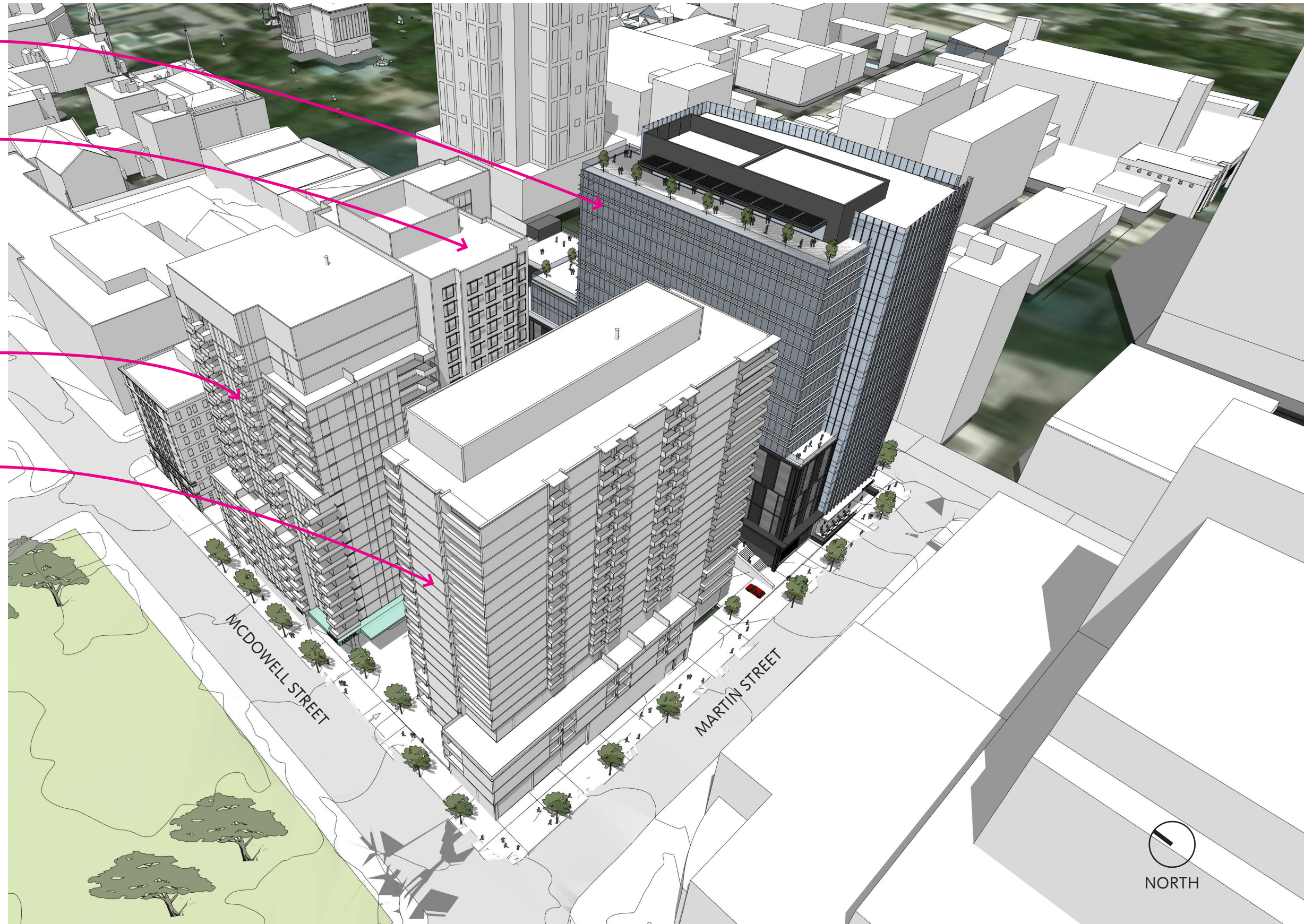
View From Southwest Corner

19 STORY MIXED-USE  
OFFICE BUILDING

20 STORY MIXED-USE  
HOTEL BUILDING

20 STORY MIXED-USE  
CONDO BUILDING

20 STORY MIXED-USE  
APARTMENT BUILDING





# NEXUS - Aerial Views

View From Northwest Corner

20 STORY MIXED-USE  
APARTMENT BUILDING

19 STORY MIXED-USE  
OFFICE BUILDING

20 STORY MIXED-USE  
HOTEL BUILDING

20 STORY MIXED-USE  
CONDO BUILDING





# NEXUS - Aerial Views

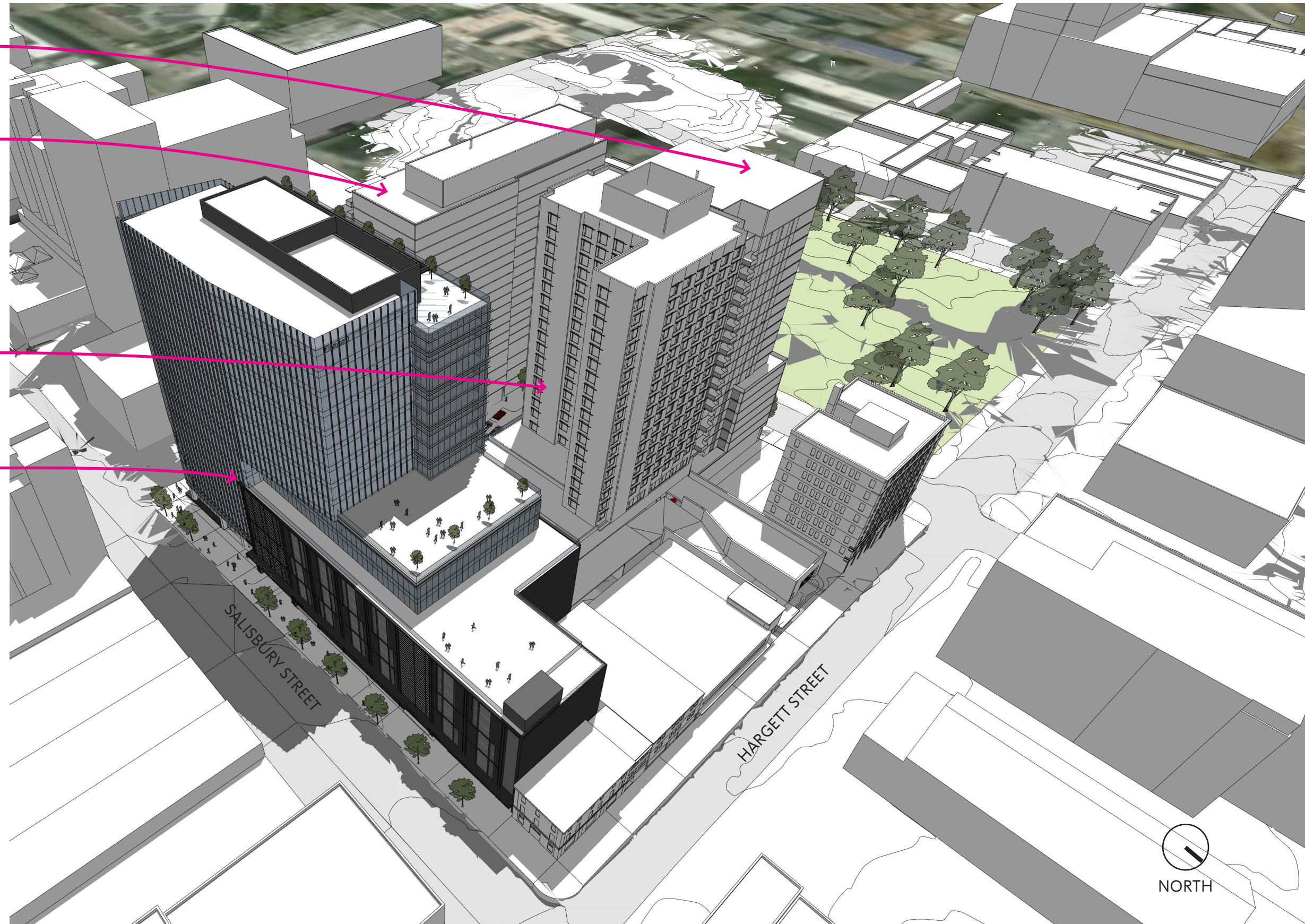
View From Northeast Corner

20 STORY MIXED-USE  
CONDO BUILDING

20 STORY MIXED-USE  
APARTMENT BUILDING

20 STORY MIXED-USE  
HOTEL BUILDING

19 STORY MIXED-USE  
OFFICE BUILDING





# NEXUS - Administrative Alternate 1.5.9.C

## TRANSPARENCY REQUIREMENTS



PER UDO 3.2.6.F1, **GROUND STORY TRANSPARENCY IS REQUIRED TO BE 66%** FOR A MIXED-USE BUILDING IN A DX DISTRICT.

PER UDO 1.5.9.B.1, **MORE THAN 50% OF THE REQUIRED TRANSPARENCY MUST BE LOCATED BETWEEN 3 AND 8 FEET OF THE BUILDING FACADE.**

### APARTMENT BUILDING - MARTIN STREET FACADE

# NEXUS - Administrative Alternate 1.5.9.C

## TRANSPARENCY PROVIDED



## APARTMENT BUILDING - MARTIN STREET FACADE

**71% GROUND-STORY TRANSPARENCY PROVIDED. COMPLIANT PER UDO 3.2.6.F1. 5% GREATER THAN MINIMUM REQUIREMENT.**

**44% OF REQUIRED TRANSPARENT AREA PROVIDED BETWEEN 3 FEET AND 8 FEET ABOVE THE SIDEWALK. NOT COMPLIANT PER UDO 1.5.9.B.1. UTILITY SPACES REQUIRING STREET ACCESS ARE LOCATED IN THIS AREA, RESULTING IN REDUCED TRANSPARENCY.**

### ADMINISTRATIVE ALTERNATE FINDINGS:

1) *THE APPROVED ALTERNATE MEETS THE INTENT OF THE TRANSPARENCY REQUIREMENTS:*

A COMBINATION OF VERTICAL PILASTERS AND IN-FILL OF DOORS / FRAMES & GLAZING IS USED AT THE GROUND LEVEL ALONG MARTIN ST. THE RHYTHM CREATED BY THESE ELEMENTS **LENDS VISUAL INTEREST AND BREAKS DOWN BLANK WALL AREA, WITH THE GREATEST INTENSITY AT THE PEDESTRIAN SCALE.**

2) *THE APPROVED ALTERNATE CONFORMS WITH THE COMPREHENSIVE PLAN AND ADOPTED CITY PLANS:*

THE GROUND LEVEL COMPLIES WITH THE DESIGN GUIDELINES FROM **1.7 OF THE COMPREHENSIVE PLAN** BY THE USE OF WINDOWS, ENTRANCES AND ARCHITECTURAL DETAILS TO OFFER PEDESTRIAN INTEREST ALONG THE SIDEWALK.

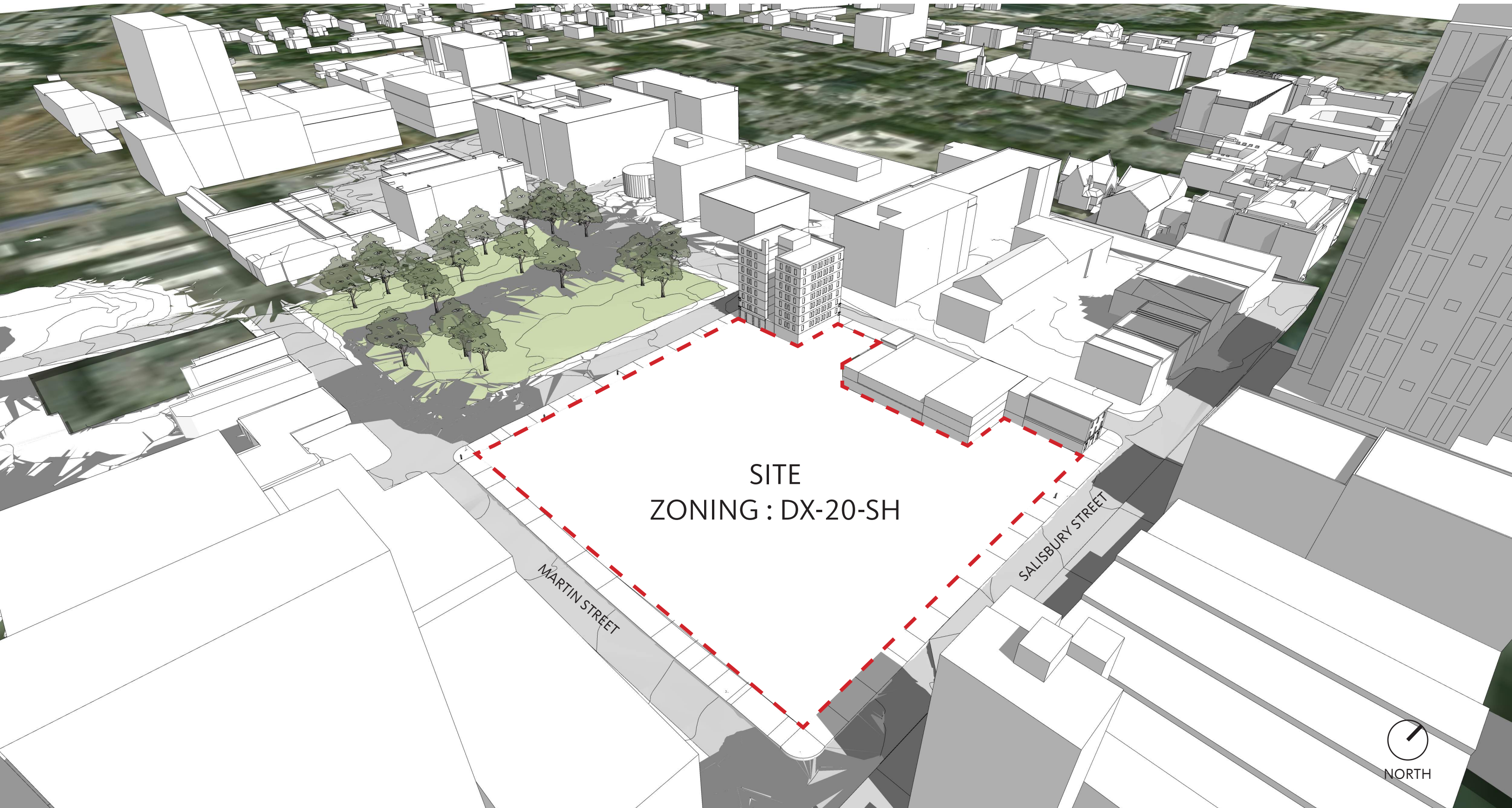
3) *THE STREET-FACING BUILDING FAÇADE UTILIZES OTHER ARCHITECTURAL TREATMENTS TO CREATE VISUAL INTEREST TO OFFSET THE REDUCTION IN TRANSPARENCY:*

THE FACADE USES A **RHYTHM OF VERTICAL PILASTERS AND INFILL OF DOORS / FRAMES AND GLAZING** AT THE SIDEWALK LEVEL TO CREATE VISUAL INTEREST.



# NEXUS - Administrative Alternate 3.3.3.C

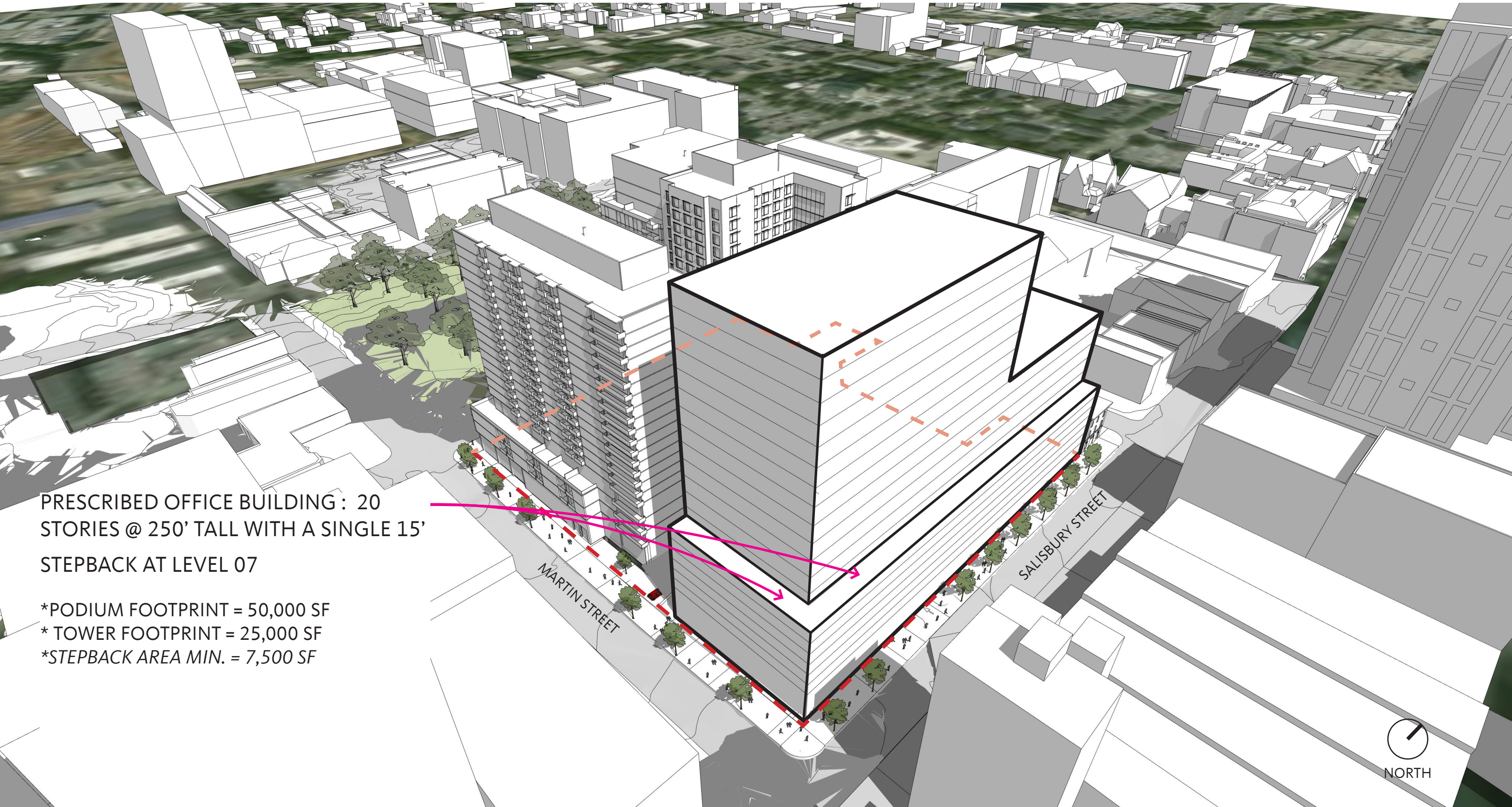
## BUILDING MASSING STANDARDS- Site Boundaries





# NEXUS - Administrative Alternate 3.3.3.C

## BUILDING MASSING STANDARDS - UDO Prescribed Building Massing



PRESCRIBED OFFICE BUILDING : 20  
STORIES @ 250' TALL WITH A SINGLE 15'  
STEPBACK AT LEVEL 07

- \*PODIUM FOOTPRINT = 50,000 SF
- \* TOWER FOOTPRINT = 25,000 SF
- \*STEPBACK AREA MIN. = 7,500 SF





# NEXUS - Administrative Alternate 3.3.3.C

## BUILDING MASSING STANDARDS - Proposed Building Massing

### ADMINISTRATIVE ALTERNATE #1

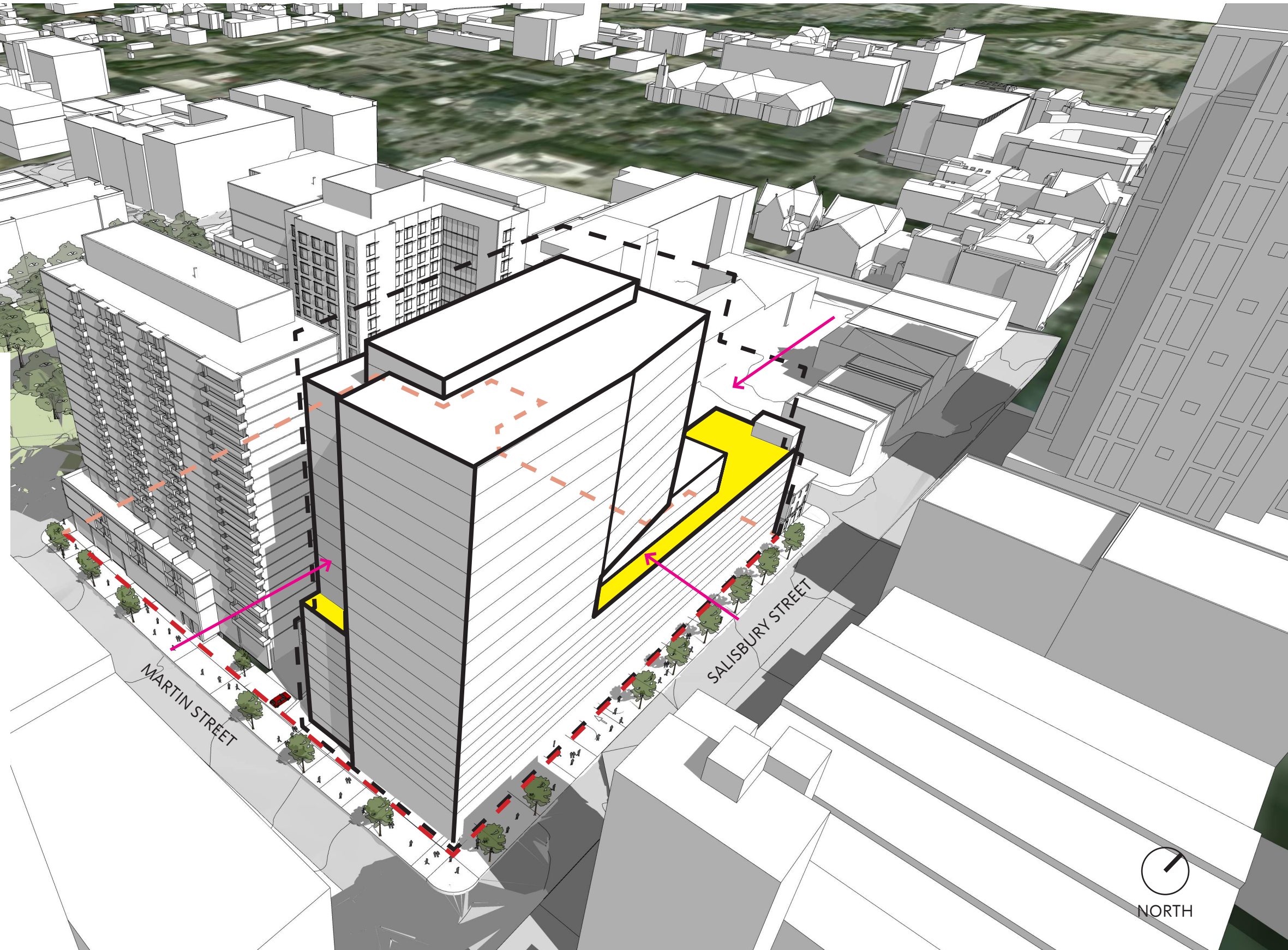
THE APPROVED ALTERNATE MEETS THE INTENT OF THE BUILDING MASSING REGULATIONS

PARTIAL STEP-BACKS ARE PROVIDED AT THE TOP OF PODIUM HEIGHT OF 93'-6" (7 STORY BUILDING MAX. IS 90' PER UDO). THE OVERALL BUILDING VOLUME ABOVE THE PODIUM IS REDUCED BELOW THE PRESCRIPTIVE ALLOWABLE AMOUNTS, PROVIDING LIGHT / AIR AT STREET LEVEL AND REDUCING THE PERCEIVED SCALE OF THE BUILDING.

\*PODIUM FOOTPRINT = 44,240 SF

\* TOWER FOOTPRINT = 25,000 SF

\*STEPBACK AREA PROVIDED = 11,400 SF

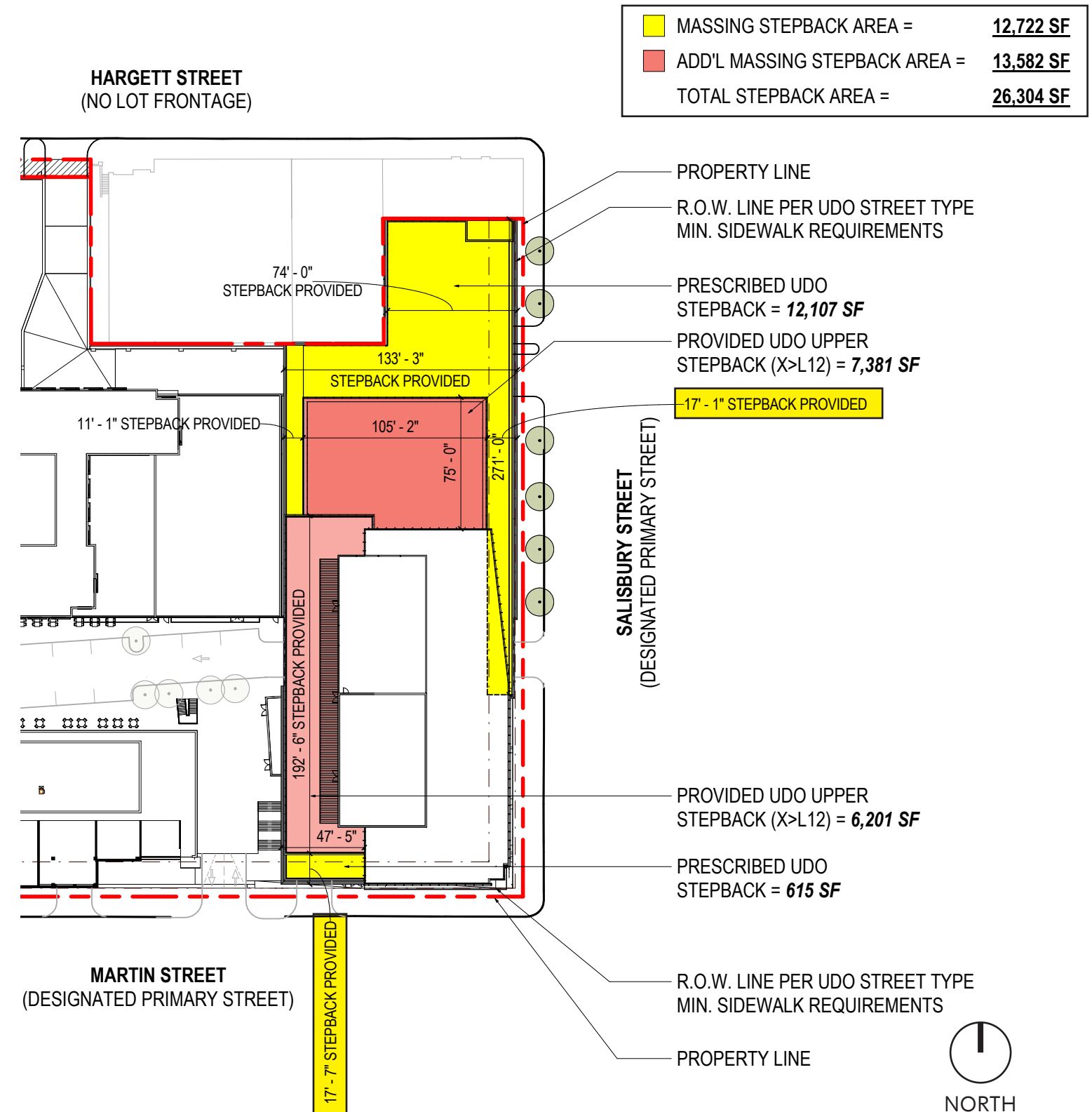
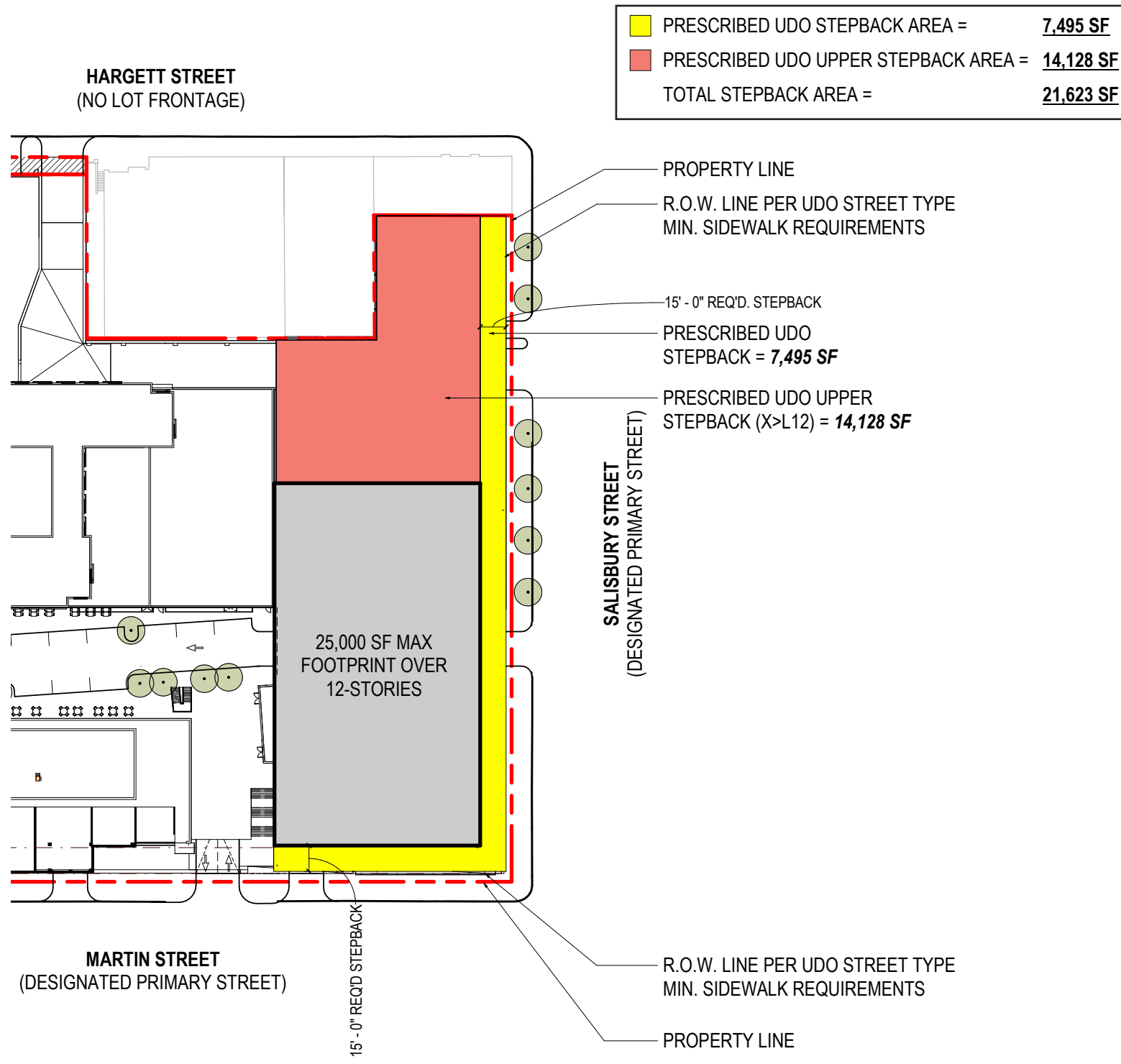




# NEXUS - Administrative Alternate 3.3.3.C

## BUILDING MASSING STANDARDS - Proposed Massing / Provided Stepbacks

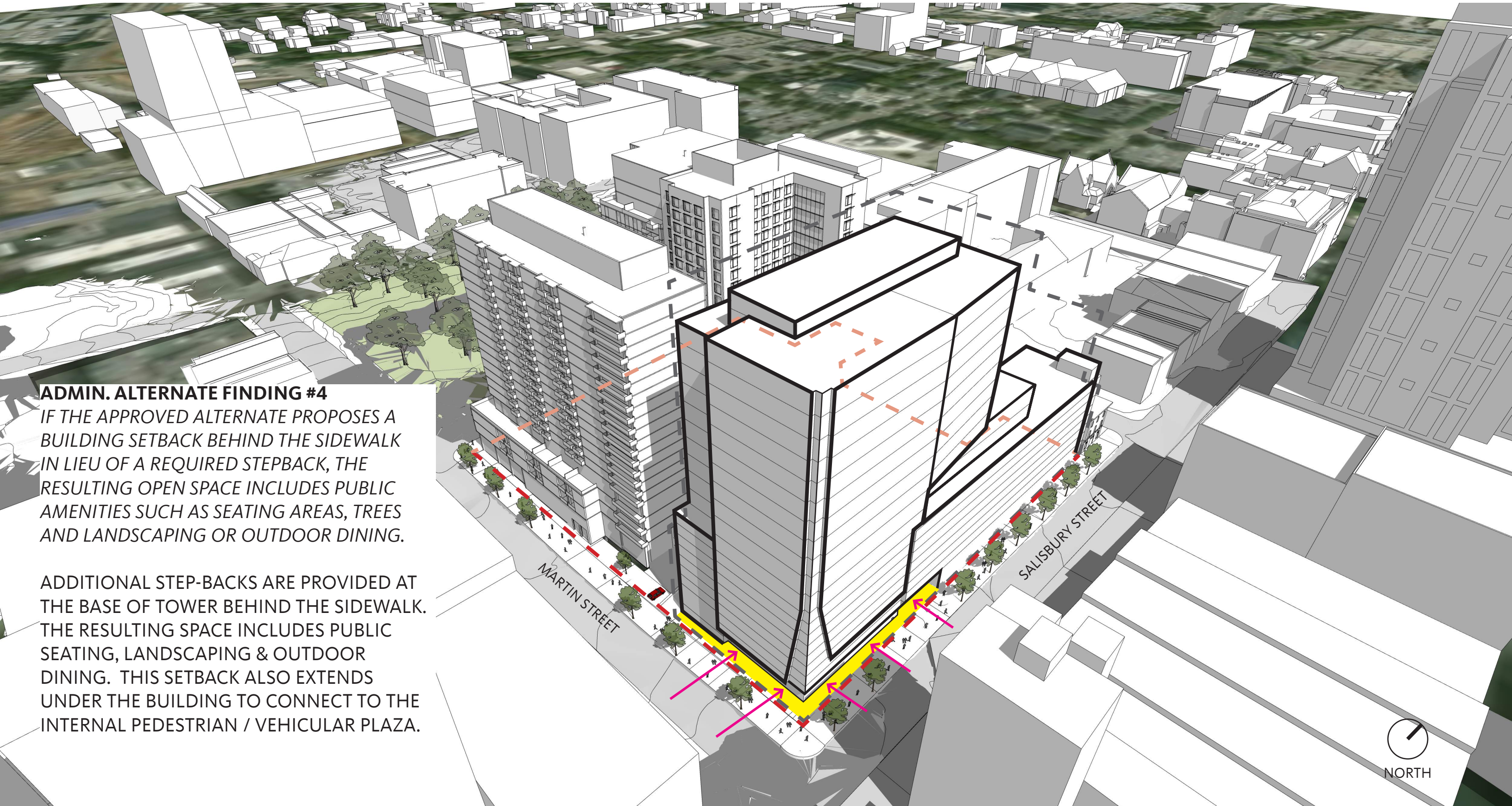
THE PROPOSED DESIGN PROVIDES **70% MORE STEPBACK AREA**  
(5,227 SF MORE LIGHT AND AIR) AREA THAN THE BASELINE UDO PRESCRIBES





# NEXUS - Administrative Alternate 3.3.3.C

## BUILDING MASSING STANDARDS - Proposed Building Massing



### ADMIN. ALTERNATE FINDING #4

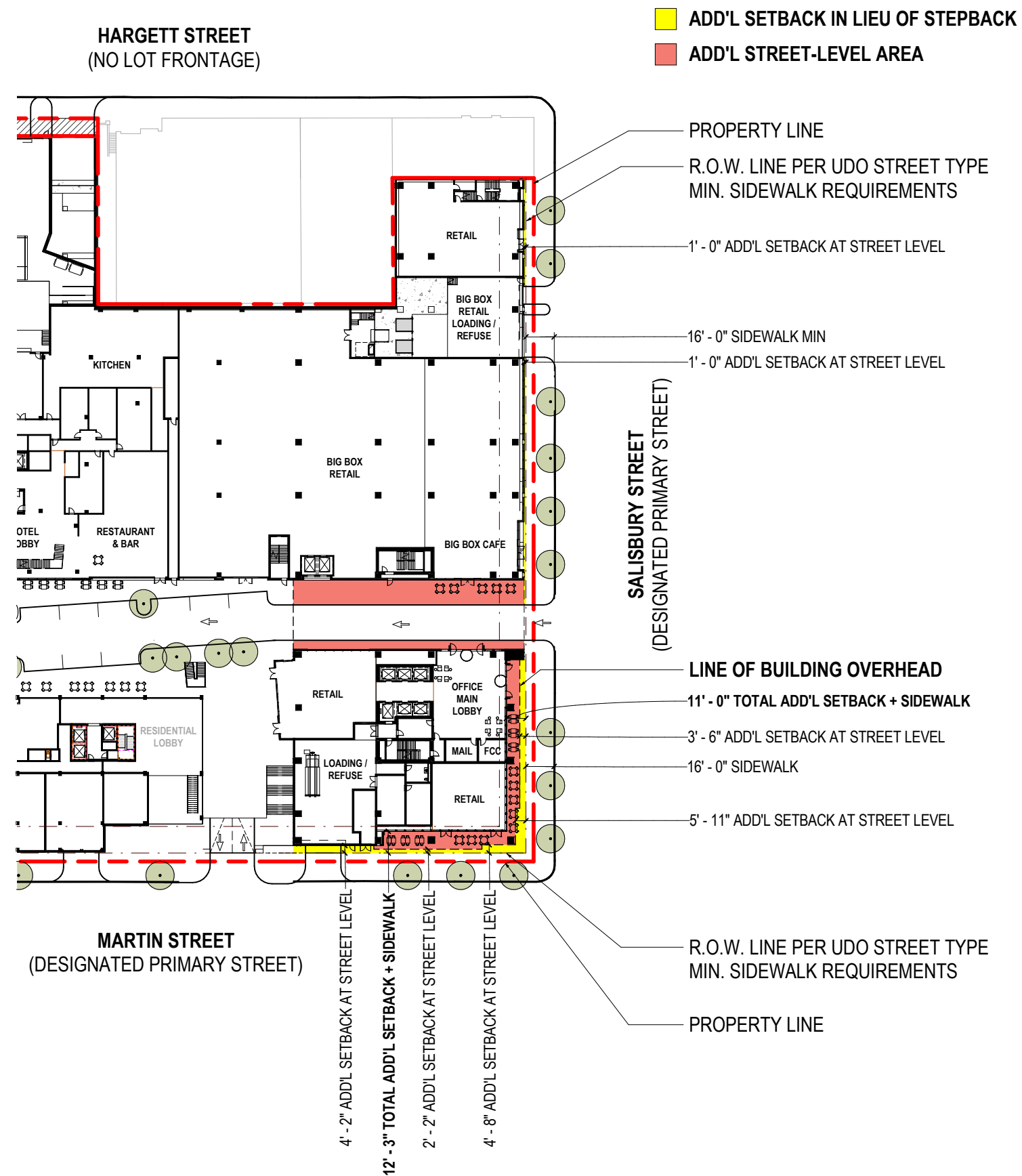
IF THE APPROVED ALTERNATE PROPOSES A BUILDING SETBACK BEHIND THE SIDEWALK IN LIEU OF A REQUIRED STEPBACK, THE RESULTING OPEN SPACE INCLUDES PUBLIC AMENITIES SUCH AS SEATING AREAS, TREES AND LANDSCAPING OR OUTDOOR DINING.

ADDITIONAL STEP-BACKS ARE PROVIDED AT THE BASE OF TOWER BEHIND THE SIDEWALK. THE RESULTING SPACE INCLUDES PUBLIC SEATING, LANDSCAPING & OUTDOOR DINING. THIS SETBACK ALSO EXTENDS UNDER THE BUILDING TO CONNECT TO THE INTERNAL PEDESTRIAN / VEHICULAR PLAZA.

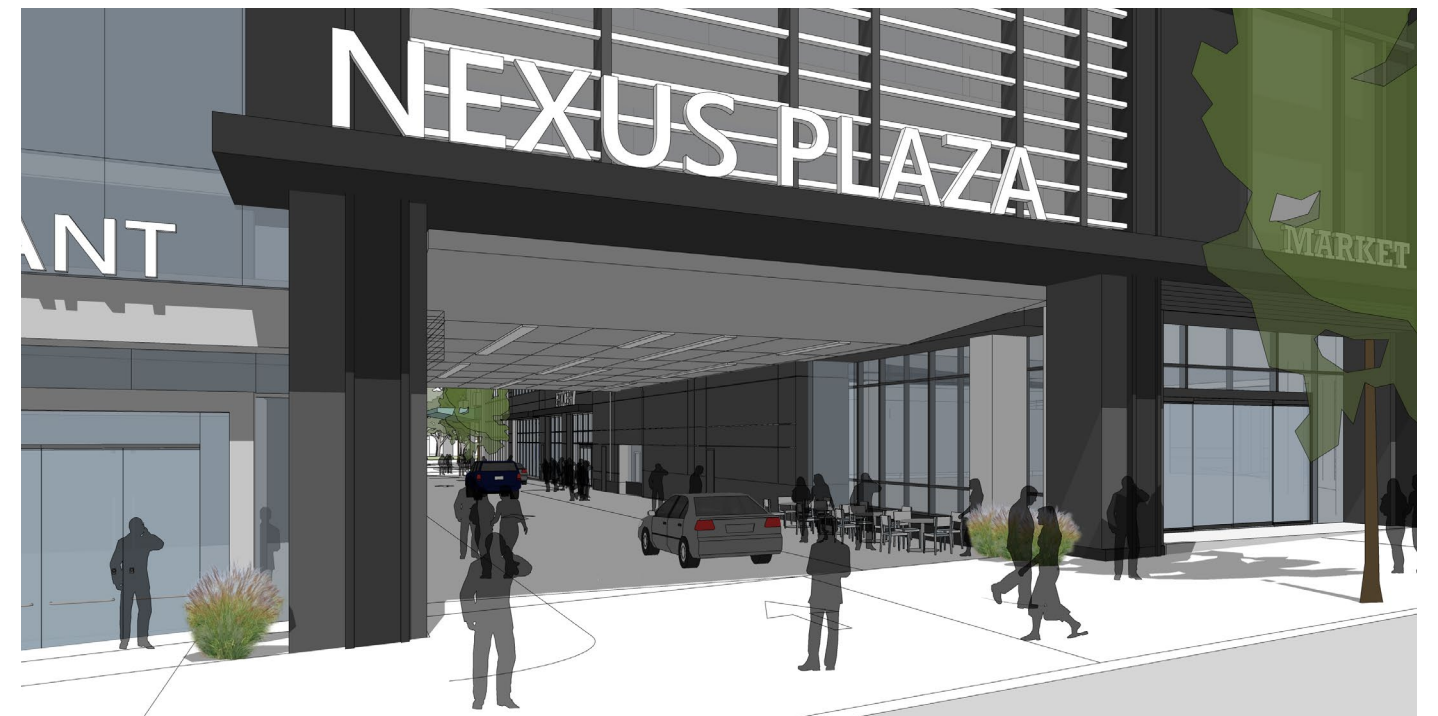
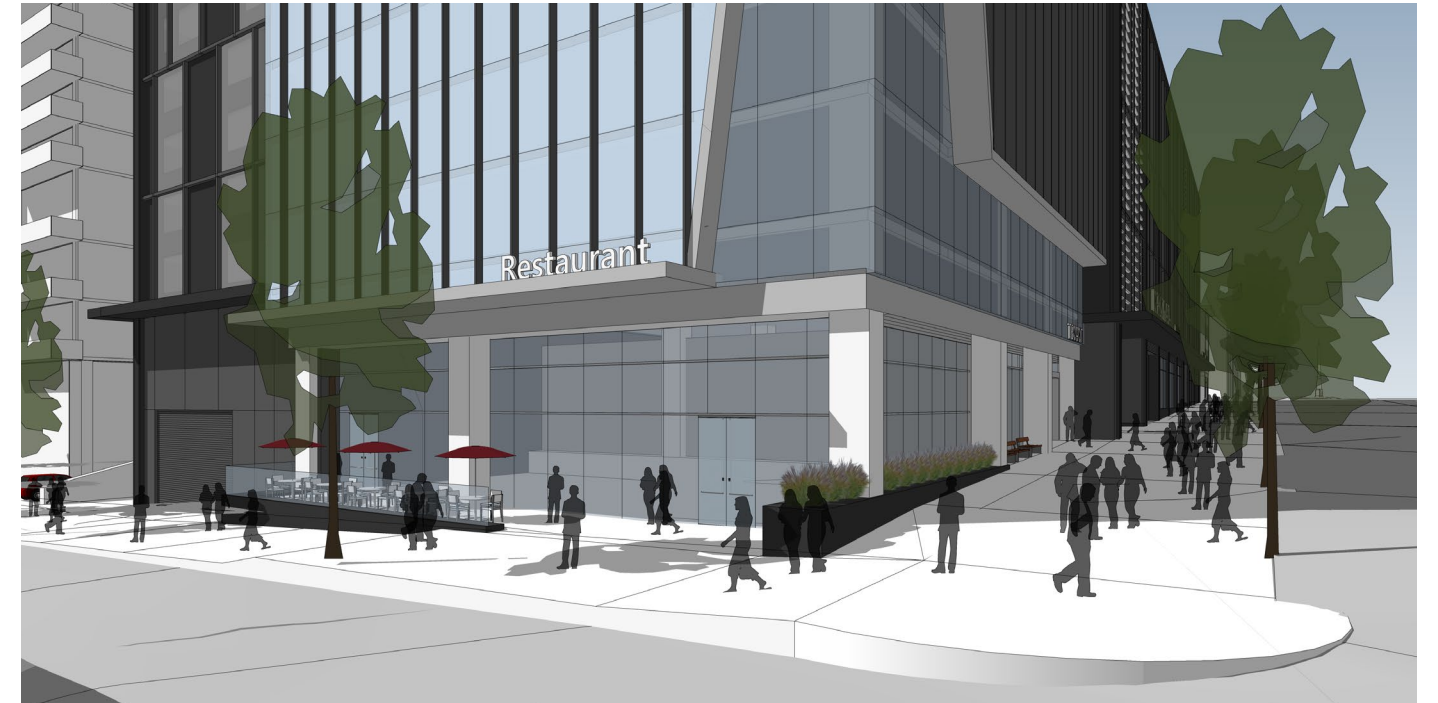


# NEXUS - Administrative Alternate 3.3.3.C

## BUILDING MASSING STANDARDS - Proposed Massing / Provided Setbacks

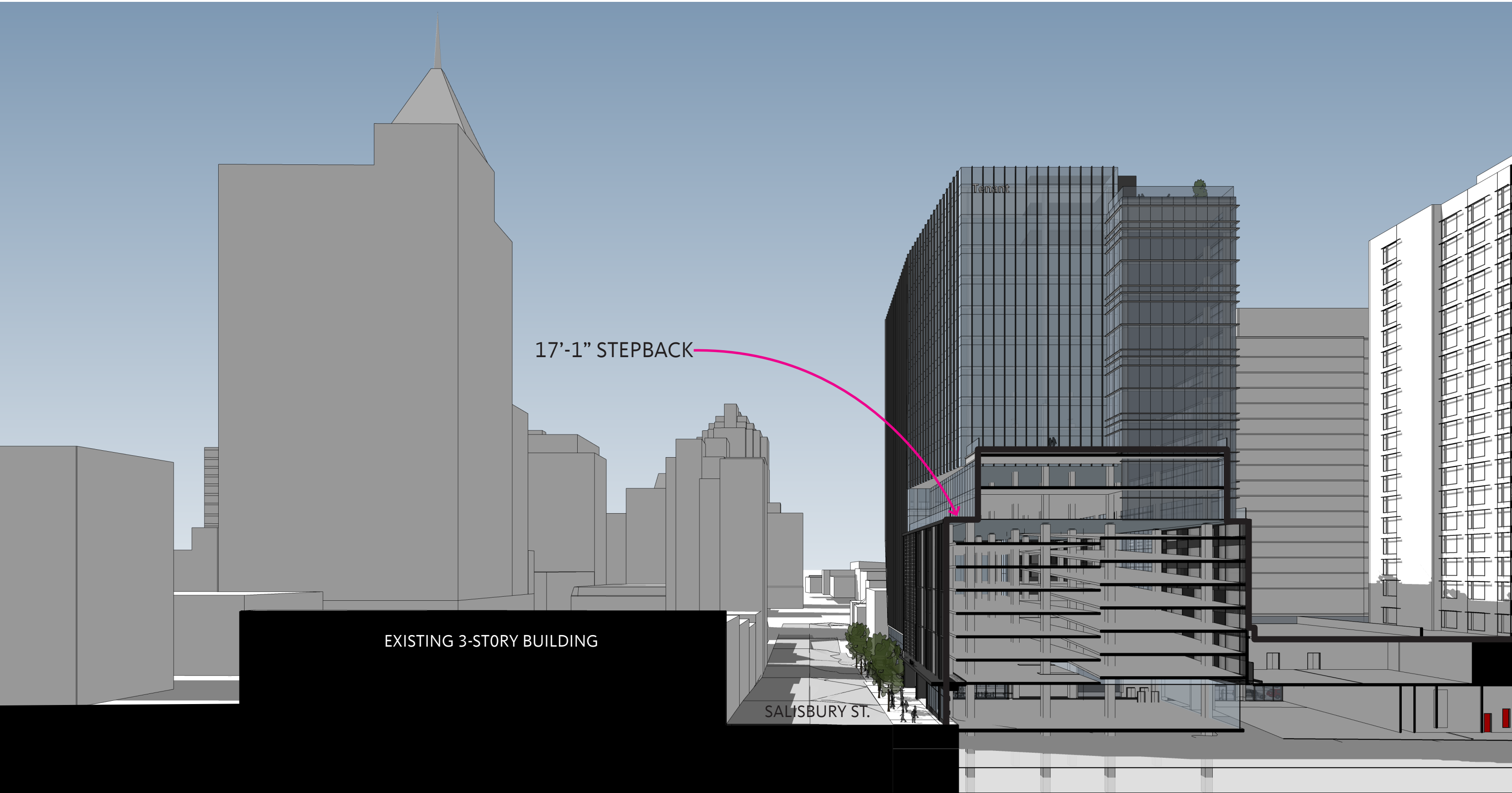


THE PROPOSED DESIGN PROVIDES **4,881 SF MORE** GROUND LEVEL ACTIVATION THAN THE MINIMUM 16' UDO PRESCRIBED SIDEWALK



# NEXUS - Administrative Alternate 3.3.3.C

BUILDING MASSING STANDARDS - Section-Perspective - Salisbury Street



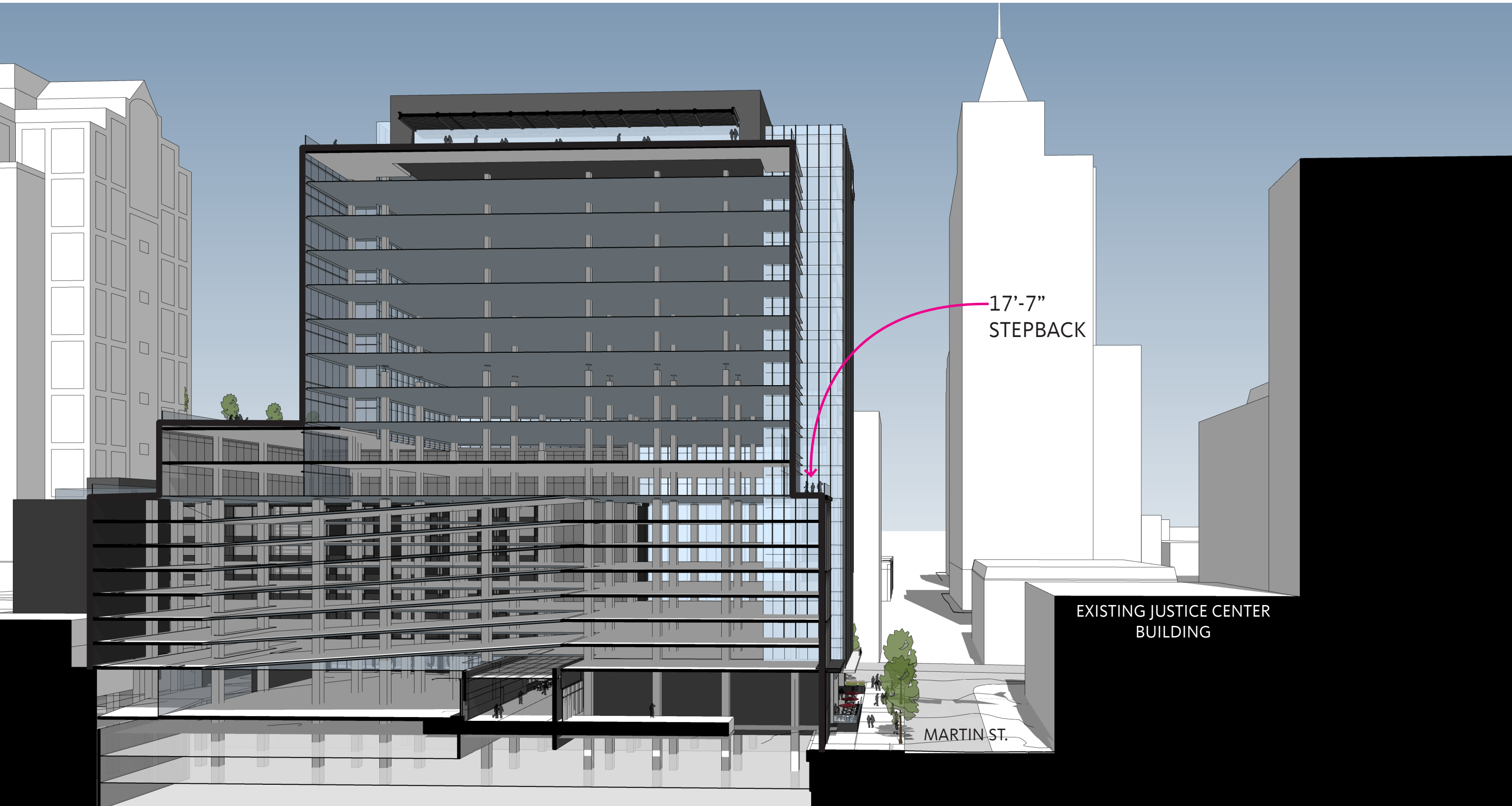
17'-1" STEPBACK

EXISTING 3-STORY BUILDING

SALISBURY ST.

# NEXUS - Administrative Alternate 3.3.3.C

BUILDING MASSING STANDARDS - Section-Perspective - Martin Street





# NEXUS - Administrative Alternate 3.3.3.C

## BUILDING MASSING STANDARDS - Proposed Building Massing





# NEXUS - Administrative Alternate 3.3.3.C

## BUILDING MASSING STANDARDS - Base, Middle, Top Delineation

### ADMIN. ALTERNATE FINDING #3

IF THE APPROVED ALTERNATE USES A CHANGE IN BUILDING MATERIALS TO MIMIC A CHANGE IN WALL PLANE, THE MOST SUBSTANTIAL AND DURABLE MATERIALS ARE LOCATED AT THE BOTTOM FLOORS OF THE BUILDING

STONE VENEER, METAL PANEL AND STOREFRONT ARE USED AT THE LOWER LEVELS. THE UPPER LEVELS ARE PRIMARILY GLASS CURTAINWALL. GLASS SPANDREL IS USED TO DIFFERENTIATE MIDDLE-LEVEL FROM TOP LEVEL GLASS.

### ADMIN. ALTERNATE FINDING #5

THE BUILDING CONTAINS ARCHITECTURAL TREATMENTS FOR DELINEATING THE BASE, MIDDLE AND TOP OF THE BUILDING

A COMBINATION OF MATERIAL CHANGE, CHANGE IN PLANE AND HORIZONTAL DATUMS SEPARATES THE BUILDING INTO A BASE, MIDDLE AND TOP ZONE.

#### TOP MATERIALS

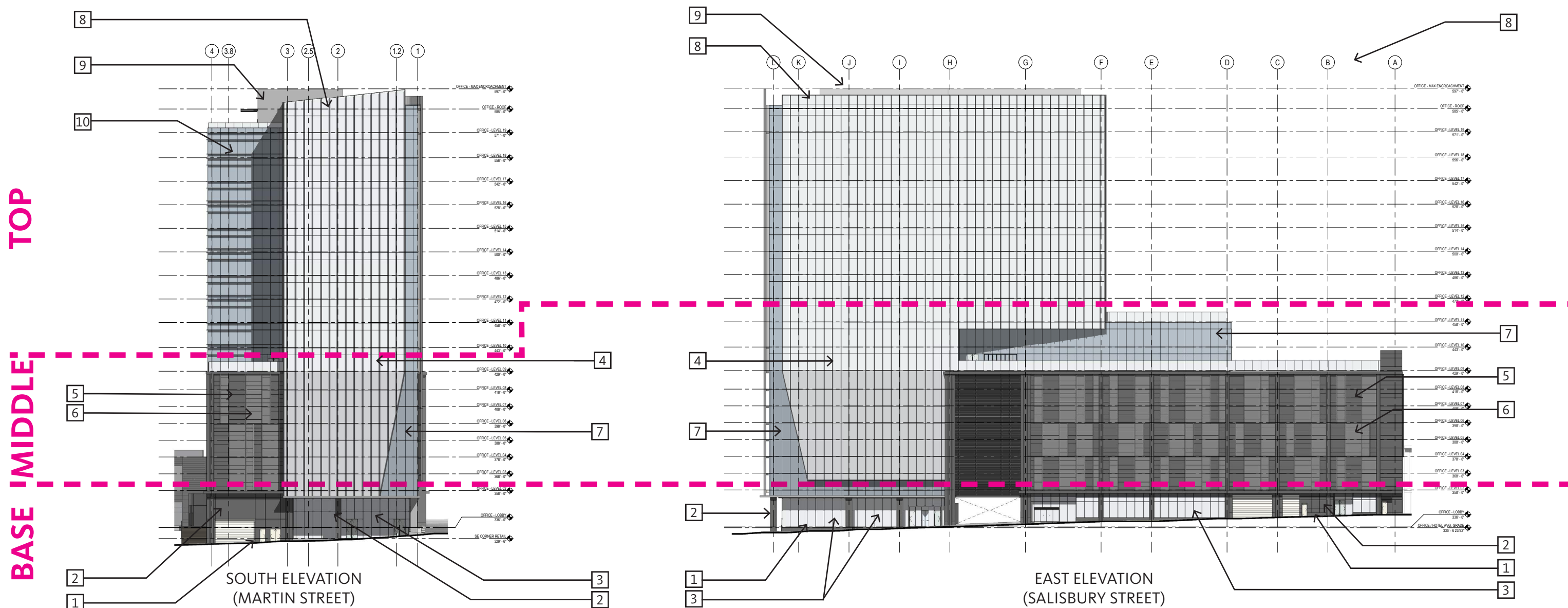
- 8 GLASS CURTAIN WALL W/ MULLION CAP EXTRUSIONS
- 9 METAL PANEL
- 10 GLASS CURTAIN WALL W/ SHADE FINIS

#### MIDDLE MATERIALS

- 4 GLASS CURTAIN WALL W/ MULLION CAP EXTRUSIONS
- 5 METAL PANEL
- 6 PERFORATED METAL PANEL
- 7 SPANDREL GLASS / NO TEXTURE

#### BASE MATERIALS

- 1 STONE VENEER
- 2 METAL PANEL
- 3 STOREFRONT





# NEXUS - Administrative Alternate 3.3.3.C

## BUILDING MASSING STANDARDS - Proposed Massing Summary



### UDO PRESCRIBED OFFICE BUILDING :

BUILDING SUBTRACTION CONTRIBUTING TO PUBLIC LIGHT AND AIR	
STEPBACK AREA REQ'D	7,495 SF
UPPER STEPBAC AREA REQ'D	14,128 SF
<b>TOTAL AREA</b>	<b>21,623 SF</b>

GROUND-LEVEL SETBACK AREA REQ'D 0 SF



### PROPOSED OFFICE BUILDING :

BUILDING SUBTRACTION CONTRIBUTING TO PUBLIC LIGHT AND AIR	
STEPBACK AREA AT ROOF TERRACE	12,722 SF
ADDITIONAL MASSING STEPBAC AREA	13,582 SF
<b>TOTAL AREA</b>	<b>26,304 SF</b>

GROUND-LEVEL SETBACK AREA PROVIDED **4,881 SF**

*\*PROPOSED DESIGN PROVIDES 70% MORE PUBLIC ACCESS TO LIGHT AND AIR, AND 4,881 SF MORE GROUND-LEVEL SETBACK AREA THAN THE BASELINE UDO REQUIREMENTS*





## SUMMARY (UDO 3.3.3C):

1. MEETS INTENT OF BUILDING MASSING REGULATION BY EXCEEDING THE PRESCRIBED UDO MASSING MINIMUM'S LIGHT AND AIR, **PROVIDING 70% MORE LIGHT AND AIR**, CREATING A PEDESTRIAN SCALED STREET ENVIRONMENT, AND A REDUCED VISUAL SCALE OF THE BUILDING TO MITIGATE A CANYON EFFECT.

2. SUPPORTS THE CITY'S COMPREHENSIVE PLAN BY BUILDING TO THE MAXIMUM ALLOWABLE HEIGHT (LU-2)

3. THE BUILDING CHANGES IN MATERIAL FROM BASE TO TOP WITH MORE DURABLE MATERIALS AT THE BASE (STONE AND METAL).

4. THE BUILDING SETS BACK IN MULTIPLE WAYS AT THE STREET LEVEL TO CREATE ADDITIONAL PUBLIC SPACE BEYOND THE PRESCRIBED UDO MASSING MINIMUMS.

**PROVIDES 4,881 SF MORE GROUND-LEVEL OPEN SPACE THAN THE UDO MINIMUM**

5. A VARIETY OF ARCHITECTURAL TREATMENTS, MATERIALS, DETAILS, AND ARTICULATION ESTABLISH MULTIPLE ZONES OF MASSING AND INTEREST TO DEFINE A CLEAR BASE, MIDDLE AND TOP OF THE BUILDING