



Certified Action of the City of Raleigh Planning Commission

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27601
(919) 516-2626
www.raleighnc.gov

Case Name: Request to Begin Master Plan Termination Proceedings

Location: South side of 3000 block of Hillsborough Street (between Friendly Drive and Concord Street), south to M.E. Valentine Way

Owner: Courtland Apartments LLC
Designer: N/A

CAC: Wade (with Hillsborough CAC area adjacent to south)

Nature of Case: Request to initiate removal of the existing Planned Development District overlay from ten parcels currently subject to the Stanhope Center Master Plan (MP-2-12/ Z-37-12). All properties to be removed from the PDD are owned by Courtland Apartments LLC.

The purpose of the request is to permit the subject properties to be rezoned, tentatively to Neighborhood Mixed Use with a five-story height limit, and with conditions (NX CUD-5).

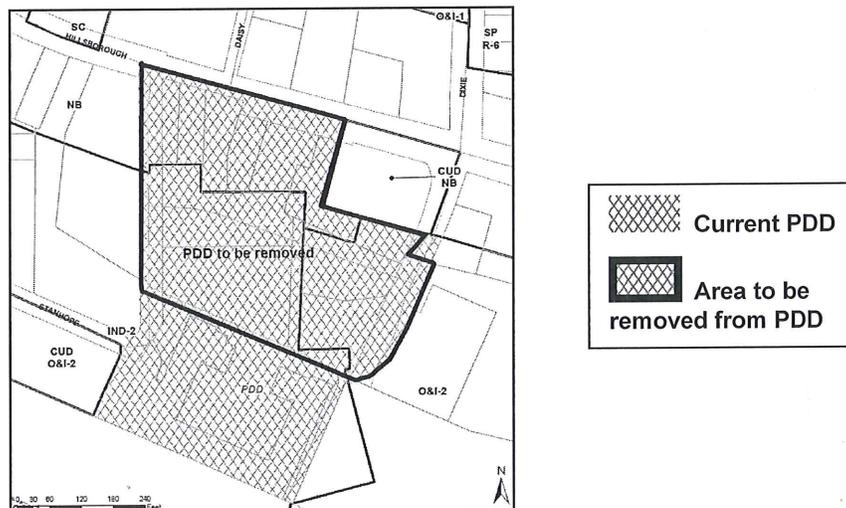
Most of the properties are vacant, having been cleared for redevelopment. Those at the Concord/ Hillsborough intersection contain a row of one-story commercial buildings which are part of the West Raleigh National Register Historic District.

Removal of the PDD would permit redevelopment of the vacant sites in concert with the provisions of the Unified Development Ordinance, while not adversely affecting the PDD provisions in effect on the properties remaining in the PDD area. Construction to date has been focused on the area south of M.E. Valentine Way, built out as the ten-story Valentine Commons student residence hall and accompanying off-site parking deck (approved in SP-125-07).

Note that approval of the subject request would not by itself result in removal of the PDD from the subject site; that action could only occur through formal rezoning (anticipated as outlined above).

Key Issues: As presented, staff finds that this request conforms to Code [§10-2057(f)(5)].

Contacts: Robin T. Currin, (919) 832-1515; Lacy H. Reaves, (919) 821-6704



SUBJECT: Request to Begin Master Plan Termination Proceedings

**CROSS-
REFERENCE:** MP-2-12/ Z-37-12

LOCATION: This site is located on the south side of Hillsborough Street, between its intersections with Concord Street and Friendly Drive, and north of M. E. Valentine Drive, within the City Limits.

REQUEST: This request is to initiate removal of a Planned Development District overlay from ten parcels currently contained within the Master Plan area. The properties to be removed constitute approximately 4.38 acres of the 6.96 acres comprising the entire PDD area. This site is located within 400 feet of a residential use or zone.

OFFICIAL ACTION:

**CONDITIONS OF
APPROVAL:** None.

FINDINGS: The Planning Commission finds that this request conforms to Chapter 2, Part 10, Section 10-2057(f)(5). This approval is based on data provided by the above contacts, within the attached letter dated August 6, 2013, confirming the following:

- a. The constructed portions of the Master Plan comply with the zoning regulations without the proposed termination of the Planned Development Conditional Use Overlay District on the unbuilt portions.
- b. Constructed alternate designs would continue to function effectively and efficiently without the remaining phases of the development.
- c. The property owners without the remaining phases of the development will have sufficient resources to maintain open spaces and other property and facilities already deeded to it.
- d. The constructed portions of the Master Plan comply with the provisions of §10-2057(f)(4)b.4., being that twenty-five (25) per cent or less of the development has been developed with non-retail uses.

**ADDITIONAL
NOTES:** None.

**VARIANCES /
ALTERNATES:** None.

To PC: 8/13/13

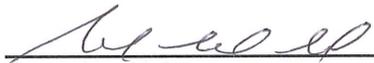
Case Reference: MP-2-12/ Z-37-12

Staff Coordinator: Doug Hill AICP

Motion: Lyle
Second: Fleming
In Favor: Buxton, Fleming, Fluhrer, Lyle, Mattox, Schuster, Sterling Lewis, Swink and Terando
Opposed:
Excused:

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: 8/13/13



(PC Chair)

Date: 8/13/13

Ordinance: 238 ZC 693

Effective: November 5, 2013

Z-26-13 – Hillsborough Street Conditional Use - located on the 3000 block, south side; 0 block of Concord Street, east side; and 100 block of Friendly Drive, west side, being various Wake County PINs. Approximately 4.281 acres to be rezoned from NB, O&I-2, and IND-2 with PDD and PBOD, and NB CUD with PBOD, all w/SRPOD, to NX-5-UL-CU with SRPOD.

Conditions Dated: 10/08/13

1. For purposes of these conditions, the parcels proposed for rezoning in this case, which are listed by PIN number and deed reference in Exhibit A, are referred to as the “Property”. Upon development or redevelopment, at least ninety-five percent (95%) of the off-street parking spaces provided upon the Property shall be contained in a multi-level parking structure which, with the exception of entrances into the structure, shall be screened by heated building space. Vehicles parked on the highest level of the parking structure shall be screened by a parapet wall that will not exceed twelve (12) feet in height or in some other manner, and no such vehicle shall be visible from ground level on any public right-of-way or public sidewalk easement. There shall be no vehicular entrance to the parking structure on the side of any building upon the Property facing Hillsborough Street.
2. Except for a pedestrian portal or portals, doorways, sidewalks, planting and utility strips where required, and any setback or setbacks, when the Property is developed or redeveloped, the side of a building or buildings upon the Property shall extend along, but shall not necessarily abut, the entire length of the right-of-way of Hillsborough Street.
3. The side of the building or buildings upon the Property which faces Hillsborough Street will step back an average distance of six (6) feet or more at the point at which the first story joins the second story. The step back may vary in width, but shall change a minimum of four (4) feet at least every eighty (80) or fewer horizontal feet in order to provide articulation. The average distance of the step back shall be ten (10) feet or more within 200 feet of the right-of-way of Concord Street.
4. Upon issuance of a building permit for a new or replacement building, if the City’s Transit Division so requests, the owner shall construct at its own expense a transit shelter which shall be located within the public right-of-way along Hillsborough Street or within a transit easement dedicated by the owner at a location approved by the Transit Division and by a deed of easement in a form approved by the City Attorney. If requested by the Transit Division, such shelter shall include a bench, a fifteen (15) foot wide cement foundation with an Americans with Disabilities Act required curb cut, and a six (6) foot high channel post with mounted trash container and shall be built according to the City’s standard specifications. At the owner’s election, it may incorporate design and building elements and materials utilized in the development of the Property, but in such instance, the owner or a property owners’ association shall maintain the shelter.
5. The side of the building or buildings upon the Property which faces Hillsborough Street, as well as at least the first one hundred (100) linear feet of the sides of the building or buildings facing Concord Street and Friendly Drive, measured from the corner of the building closest to

Ordinance: 238 ZC 693
Effective: November 5, 2013

Hillsborough Street, shall be constructed from one or more of the following materials: glass, concrete and/or clay brick masonry, cementitious stucco, cementitious siding, including lap and panel products, native and manufactured stone, pre-cast concrete, and metal sidings. The following building siding materials shall be prohibited in such areas: vinyl siding, fiber board siding, pressure-treated wood, synthetic stucco (EIFS); however EIFS shall be allowed for trim applications such as a roof cornice. Fifty percent (50%) of the building side facing Hillsborough Street will be constructed with clay brick masonry (with the exception of windows and doors). Window frames, doors, soffits, and trim may be constructed of wood, fiberglass, metal, or vinyl.

6. Signage will be restricted to lettering displayed on the canopies or awnings, under-canopy signs and wall signs. No ground signs will be permitted. Canopies and awning heights shall be a minimum of nine (9) feet above sidewalk grade. Canopies/awnings may or may not be backlit, may be retractable and will be made of canvas, vinyl or translucent materials. The colors will be compatible with the building materials and colors. Under-canopy signs will be permitted for pedestrian identification of individual businesses. Under-canopy signs will be hung a minimum of nine (9) feet, unobstructed, above the grade of the sidewalk, will not exceed a height of twelve (12) inches and not exceed the width of the canopy.

7. Upon issuance of a building permit for a new or replacement building, the owner shall provide benches along Hillsborough Street at locations determined at the time of site plan approval. The benches will be Landscape Forms "Austin" series Flat Bench with two (2) end arms and (1) center arm or similar. The powder coat finish shall contain no heavy metals and shall be a hard, yet flexible, finish that resists rusting, chipping, peeling and fading.

8. Upon issuance of a building permit for a new or replacement building, the owner shall install trash receptacles near seating along Hillsborough Street at locations determined at the time of site plan approval. The receptacles will be Landscape Forms style "Chase Park" receptacles or similar.

9. Where sidewalk pavers are utilized, they will be Pine Hall Brick Field Pavers and will be Pathway Red. If utilized, the owner will install the pavers upon issuance of a building permit for a new or replacement building.

10. The land use or uses developed upon the Property shall be limited to a use or uses which when analyzed using the Trip Generation Manual (the "Manual") published by the Institute of Transportation Engineers (in the manner hereafter provided), and appropriately adjusted to account for pass-by trips and internal capture, will generate no more daily vehicle trips, AM peak hour trips, or PM peak hour trips than would be generated by 660 Mid-Rise Apartments and 50,000 square feet of Specialty Retail uses. Because daily trip generation is not provided by the Manual for Mid-Rise Apartments, it shall be calculated as equivalent to ten (10) times the PM peak hour trips for such use. Because the Manual does not provide trip generation for Specialty Retail uses in the AM peak hour, the AM peak hour trip generation for such use shall be calculated based on the PM peak hour trip generation for Specialty Retail uses, adjusted by the ratio of the AM peak hour trip generation for general retail uses divided by the PM peak hour trip generation for general retail uses.



Certified Action of the City of Raleigh City Council

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27601
(919) 516-2626
www.raleighnc.gov

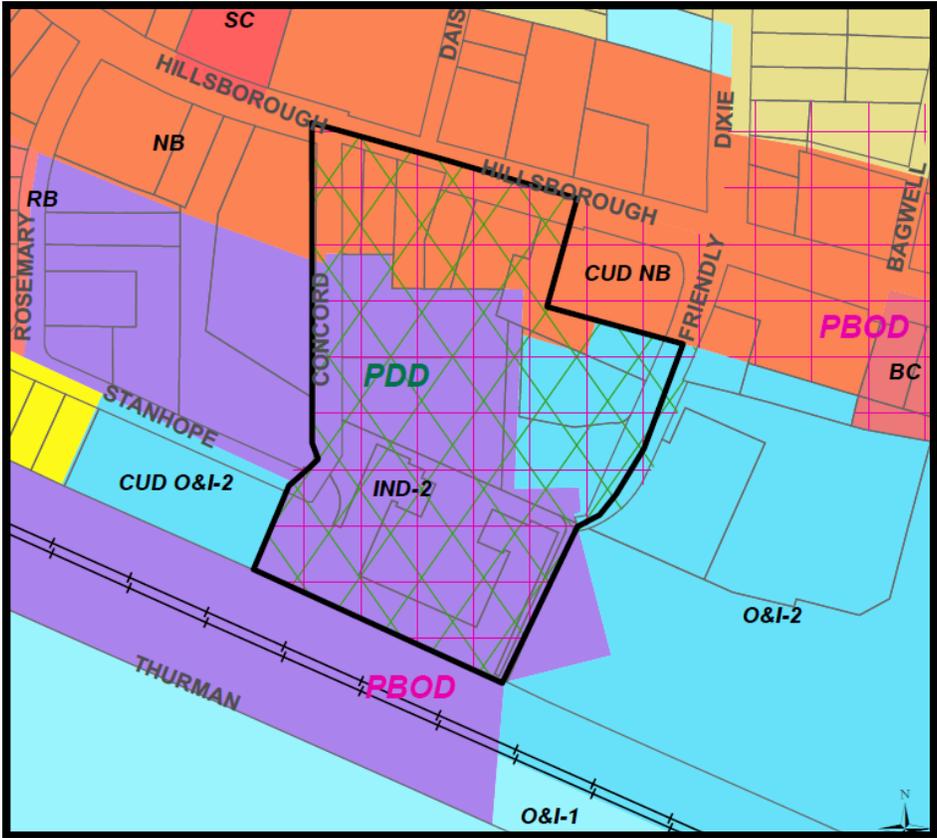
Case File / Name: MP-2-12 / Stanhope Center (Amended) Master Plan

General Location: The south side of Hillsborough Street between its intersections with Concord Street and Friendly Drive

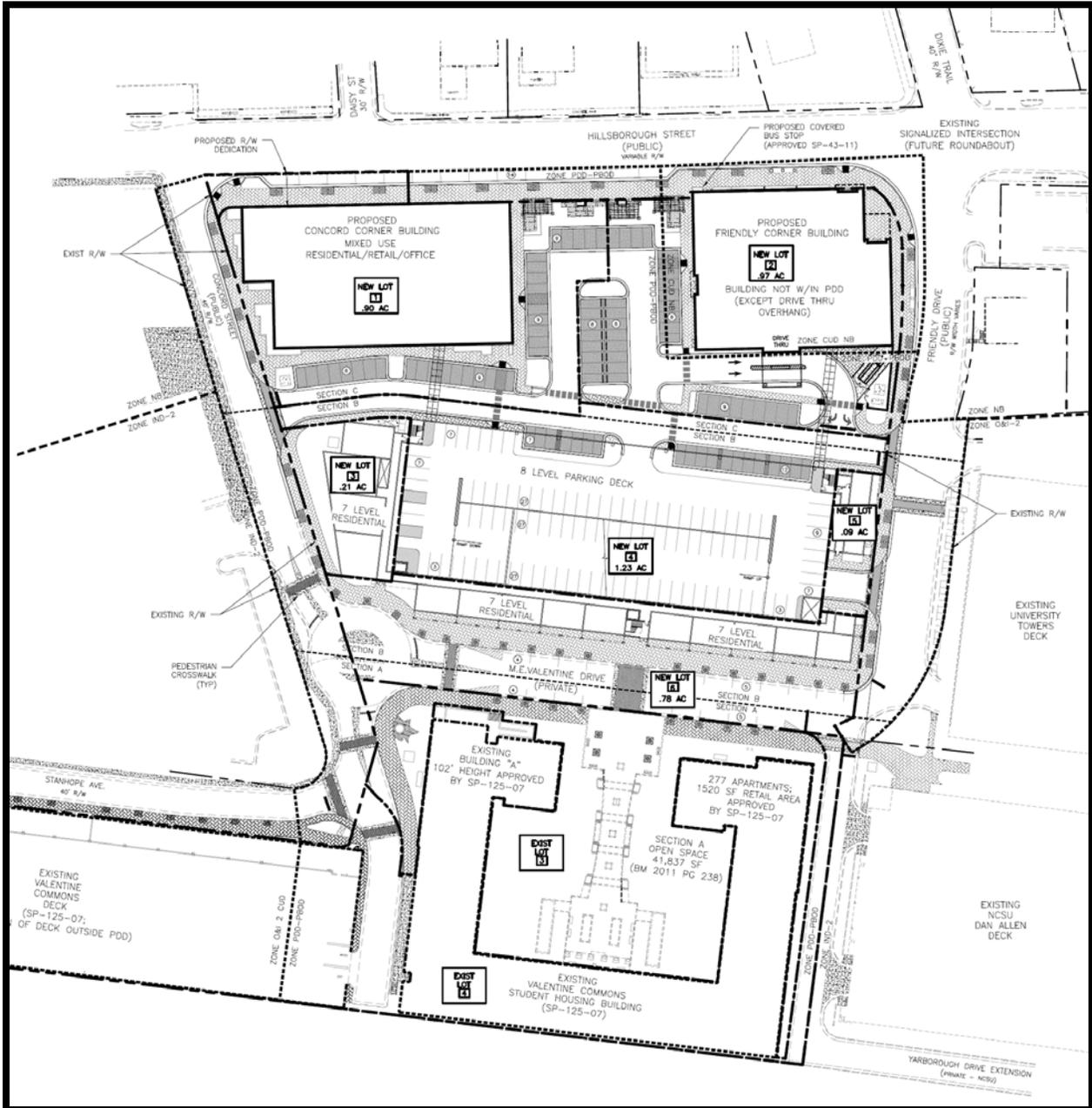
CAC: Wade

Nature of Case: Master Plan associated with request for rezoning of a 6.96 acre existing Planned Development Conditional Use Overlay District that contains a mix of zoning designations including: Industrial-2, Office and Institutional-2, Neighborhood Business all of which are also within a Pedestrian Business Overlay District. The request is to replace the existing Planned Development Conditional Use Overlay District with a new Planned Development Conditional Use Overlay District that has a new Master Plan and a new accompanying plan layout. The Master Plan allows for a maximum of 520 dwelling units and a maximum of 40,000 square feet of a combination of the following uses: retail, commercial, office or recreational.

Contact: Ed Sconfienza & Robin Currin



MP-2-12 Stanhope Center (Amended) – Site Location Map



MP-2-12 Stanhope Center (Amended) – Master Plan

SUBJECT: MP-2-12 / Stanhope Center (Amended) Master Plan

CROSS-REFERENCE: Z-37-12, SP-14-11, SP-125-07, MP-3-02, Z-55-02

LOCATION: The south side of Hillsborough Street between its intersections with Concord Street and Friendly Drive

REQUEST: This request is to consider a preliminary Master Plan request in accordance with 10-2057(f)(2)a. The Master Plan associated with request for rezoning of a 6.96 acre property currently zoned Industrial-2, Office and Institutional-2, Neighborhood Business, Pedestrian Business Overlay District and Planned Development Conditional Use Overlay District to create a new Planned Development Conditional Use Overlay District with a new Master Plan document and accompanying plan. The text of the Master Plan is dated November 6, 2012 and the accompanying plan is dated November 6, 2012.

The Master Plan allows for a maximum of 520 dwelling units and a mix of up to 40,000 square feet of the following uses: retail, commercial, office or recreational.

**PROPOSED
ALTERNATE
STANDARDS:**

The following are a list of the known proposed alternates for this plan which must be approved by the City Council:

- **Setback Standards** - 0' yard setbacks
- **Height Standards** – Section A: 85' (102' approved by Council as part of SP-125-07), Section B: 70', Section C: 86'
- **Transitional Protective Yards** – In the event that the tract is subdivided, in lieu of traditional transitional protective yards the applicants request that transitions between adjoining uses shall not be provided.
- **Parking** – No reductions in parking are allowed, even as normally allowed by the Pedestrian Business Overlay District.

**PROPOSED
URBAN DESIGN
STANDARDS:**

Elements in the Urban Design Guidelines have been incorporated into the Master Plan on page 3 of the Master Plan document. See the accompanying analysis of applicable policies in the report for zoning case Z-37-12.

OFFICIAL ACTION: **Approval with conditions**

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

FINDINGS: The Planning Commission finds that this request with the conditions of approval below being met, conforms to Chapter 2, Part 10, Sections 10-2057, 10-2132.2, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on Master Plan Documents dated January 17, 2013 (MP Text) and August 14, 2012 (Plans) owned by Courtland Apartments LLC, Stanhope Center POA, Inc., Provident Group – Stanhope Properties, LLC submitted by Ed Sconfienza, of The Site Group and Robin Currin, of Currin & Currin, Attorneys at Law.

To PC: 11/27/12

To CC: 12/4/12, Comp. Planning Committee: 12/12/12/ & 1/9/13, CC: 1/16/13 & 2/5/13

City Council Status: Approved

Staff Coordinator: Eric Hodge, AICP



Staff Report

RECOMMENDED

ACTION: Approval with conditions

CONDITIONS OF APPROVAL:

City Council Actions:

- (1) That the City Council approves alternate setback standards as set forth in the Master Plan;
- (2) That the City Council approves alternate height standards as set forth in the Master Plan;

Administrative Actions:

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

- (3) That the applicants submit a letter of acknowledgement to be placed in the PDD with a notation on the plans stating that if there is any increase in the impervious surface, all provisions of Part 10 Chapter 9 of the City Code will apply; The impervious area summary sheet shall reflect these impervious surface limitations;
- (4) That a demolition permit for the existing structures is issued by the Inspections Department.

Prior to issuance of a construction drawings or site review, whichever occurs first;

- (5) That the sewer easement that currently crosses the site is abandoned / exchanged and is approved by City Council and a deed recorded;

Prior to Planning Department authorization to record lots:

- (6) That construction plans be approved by the Public Works Department for all infrastructure including street cross sections (private and public), sidewalks and roundabouts;
- (7) That any plats include a notation on the plans stating that if there is any increase in the impervious surface as shown on the Master Plan/MP-2-12), all provisions of Part 10 Chapter 9 of the City Code will apply; Final approval of the plat will require review by stormwater review;

Prior to building permit issuance in the Inspections Department:

- (8) That a recombination plat be approved showing the final lot configuration;

ZONING:

ZONING DISTRICTS: The current zoning is Planned Development Conditional Use Overlay District that contains a mix of zoning designations including: Industrial-2, Office and Institutional-2, Neighborhood Business all of which are also within a Pedestrian Business Overlay District. The proposal associated with this case is to change the Master Plan associated with the Planned Development Conditional Overlay District.

SETBACKS / HEIGHT:

Setbacks
0' minimum

Height Maximums

Section A: **85'**
Section B: **70'** above grade finish grade at Concord Street with the possible exceptions of the parking deck elevator penthouse, stair enclosures and deck lighting.
Section C: 75' & no more than 5 stories. Any portion of the building exceeding three stories shall be stepped back from the front edge of the building along Hillsborough Street at least 16 feet and at least one third of the building above the third story shall be stepped back at least 39'. Additionally, above the step back, no portion of a wall plan facing Hillsborough Street or Concord Street shall exceed sixty feet in width unless the wall is offset a minimum of four feet for a minimum distance of eight feet. Along Concord Street, the average step back above the third floor shall be a minimum of 10 feet.

See Master Plan text document for more specifics.

PARKING: The Master Plan notes that all proposed uses for the project shall be calculated according to the City of Raleigh parking requirements under the City Code in effect as of the date of adoption of this Master Plan. However, the Master Plan notes that the overall parking count requirement for this project may not be reduced by the allowances of the Pedestrian Business Overlay District.

Any surface parking adjacent to Hillsborough Street located on the subject property shall be stepped back at least twenty feet (20') from the south edge of the sidewalk along Hillsborough Street and the twenty foot (20') step back area shall be landscaped with the following per twenty-five (25) linear feet adjacent to the surface parking: at least 10 shrubs measuring at least two feet (2') tall at planting and one (1) shade tree or understory tree measuring at least eight feet (8') in height and at least two and one-half inches in caliper at planting. All plantings shall be in accordance with the Stanhope Village Streetscape and Parking Plan.

The Applicant has already dedicated right-of-way to the City of Raleigh for on-street parking on Hillsborough Street and will be required to widen Hillsborough Street to provide on-street parking per its Preliminary Site Plan approval associated with SP-14-11.

Parking decks shall be prohibited in Section C.

LANDSCAPING: Due to the integration of differing land uses, the applicants are requesting relief from the incorporation of Transitional Protective Yards to separate the land uses. In the event that the tract is subdivided, in lieu of traditional transitional protective yards the applicants request that transitions between adjoining uses shall not be provided.

TREE CONSERVATION: There are no wooded areas or individual trees on site that have adequate critical root zone required to be saved as Tree Conservation area (10-2082.14(c)).

DEVELOPMENT INTENSITY: Residential:
A maximum of 520 dwelling units are proposed, which overall equates to 75 dwelling units per acre.

Retail/Commercial/Office/Recreational:
The Master Plan proposes that there be a maximum of 40,000 SF devoted to this mix of uses.

PHASING: Within a Planned Development District, development of retail uses are required to be phased in such a way so that at least 25% of the planned development has been constructed before building permits for any retail uses are issued. The portion of the project that has already been constructed is almost entirely residential and comprises approximately 1/3 of the developed area of the site.

Within 90 days of the approval of this Master Plan and prior to conveyance of any parcel of the property, the applicant shall execute and record a Density allocation Declaration. This declaration must be approved by the City Attorney shall allocate maximum residential units and square footage amounts of non-residential uses and impervious surfaces to each phase of the development.

UNITY OF DEVELOPMENT: Unity of development and sign criteria is required in this development. A unity of development plan has already been approved for Stanhope Center. The property is subject to the Stanhope Center Unity of Development Guidelines which require 25% field brick and accent masonry to complement the field brick, as well as specified building colors and architectural elements.

OPEN SPACE: As this is a Planned Development District, it requires Planning a minimum of 15% of the land area be devoted to open space. This open space may utilize the preservation and maintenance of natural features, spaces suitable for active and passive recreation and should provide an interconnected system within reasonable proximity to all properties which allows the opportunity for alternative pedestrian access and recreation to all parts of the development.

The total amount of open space provided is 1.58 acres (22%).

COMPREHENSIVE PLAN:

GREENWAY: There is greenway planned within the subject property.

**THOROUGHFARE
/ COLLECTOR**

PLAN: The proposed street layout does not conform to the Small Area Plan, the Streetscape Plan or the adopted Master Plan for this area. Through the Preliminary Site Plan process, the applicants modified the street layout of the Master Plan when the City Council approved the site plans for SP-125-07 Stanhope Center Student Housing and SP-14-11 Stanhope Center II.

Kimley-Horn and Associates, Inc., submitted a Traffic Impact Analysis, prepared September 2002, to the City of Raleigh. This Traffic Impact Analysis was revisited by Kimley-Horn and Associates in February 2008 and again in June of 2012 to verify the validity of the conclusions reached in the 2002 TIA. The Traffic Impact Analysis has been reviewed and approved by City Staff in conjunction with the Master Plan submittal.

TRANSIT: As part of the Preliminary Site Plan approval for SP-14-11 Stanhope Center II, a projecting awning was required to be placed on the building proposed at the corner of Hillsborough Street and Friendly Drive to serve bus transit riders along Hillsborough Street. This building is outside of the PDD but would serve the entire project blockface along Hillsborough Street. As such, no additional transit amenities were requested or proposed.

URBAN FORM: The site is located in the Wade CAC. The site is located in an area designated for both Neighborhood Mixed Use and High Density Residential uses by the Future Land Use Map; the proposal is consistent with these classifications. The Neighborhood Mixed-Use category applies to neighborhood shopping centers and pedestrian-oriented retail districts. The High Density Residential category applies to multifamily developments in excess of 28 units per acre. See the accompanying analysis of applicable Comprehensive Plan Policies in the report for zoning case Z-37-12.

APPEARANCE

COMMISSION: As per the provisions of North Carolina General Statutes §160A-452 and City of Raleigh Code of Ordinances §10-1021 and §10-2055, on September 27, 2012 the Raleigh Appearance Commission reviewed rezoning proposal Z-37-12 (Stanhope Center).

At the meeting, representatives of the case offered an overview of the proposal, with discussion following. At the conclusion of commission's discussion, the commission moved by acclamation that the applicants consider the inclusion of the following conditions:

- A 90' height limit, provided all of the following conditions are included:
- 12' setback on both Hillsborough Street and Concord Street at the top of the 3rd floor
- The inclusion of active ground floor uses on both Hillsborough and Concord Streets, with particular emphasis on active retail at the corners
- A minimum 40% transparency for the ground floor of the building
- Articulated building corners through the use of massing and architectural features
- The provision of well-screened surface parking as indicated on SP-43-11

**SUBDIVISION
STANDARDS:**

BLOCK LAYOUT: No new public streets are proposed within this development. There are two private streets that traverse the subject property linking Concord and Friendly. The southernmost of these also carries a public-access easement along its entirety.

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: Private contractor service is to be provided in accordance with the Solid Waste Manual.

CIRCULATION: Proposed street improvements including curb, gutter, sidewalks and driveways shall conform to normal City construction standards.

PEDESTRIAN: Public sidewalks shall be provided as indicated in the master plan document at a minimum width of 14'. Private sidewalk connections internal to the site are being provided as indicated in the master plan document.

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

**STORMWATER
MANAGEMENT:**

This proposed phase of the Stanhope Center development will not increase the existing impervious area on site; therefore, no nitrogen treatment is required per 10-9021(6). Post development runoff rates for the 2 year and 10 year storms do not increase from pre development rates; therefore, no runoff detention is required.

EXEMPTIONS

That as the developer is requesting an exemption from the stormwater runoff control provisions under 10-9023(b), detailed engineering studies shall be submitted to the Conservation Engineer in the Public Works Department (before land disturbance or lot recording, whichever comes first) that show

- A. There is no increase in impervious area on site and;
- B. The increase in peak stormwater runoff between pre-development and post-development conditions for the two and ten year storm is ten percent (10%) or less at each point of discharge

**WETLANDS
/ RIPARIAN
BUFFERS:**

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

**OTHER
REGULATIONS:**

Developer shall meet all City requirements, including underground utility service (§10-3059), flood protection measures (Part 10, Chapter 4), and the soil erosion ordinance (Part 10, Chapter 5), unless specifically varied by this approval.