



Administrative Action Preliminary Site Plan

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

Case File / Name: SP-25-15 / 309 N. Dawson Street

General Location: The west side of North Dawson Street, northwest of the intersection of North Dawson and West Lane Street(s).

Owner: 309 N. Dawson Street, LLC.
Designer: Red Line Engineering, P.C.

CAC: North Central

Nature of Case: Change of use of the second floor of an existing building- a change of use from an empty space (previous use) to an event space (proposed use). This proposal requires preliminary site plan approval as it is a change of use that mandates an increase in the number of required parking spaces greater than ten spaces or ten percent of the existing required number of spaces, whichever is less. (10-2132.1)

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

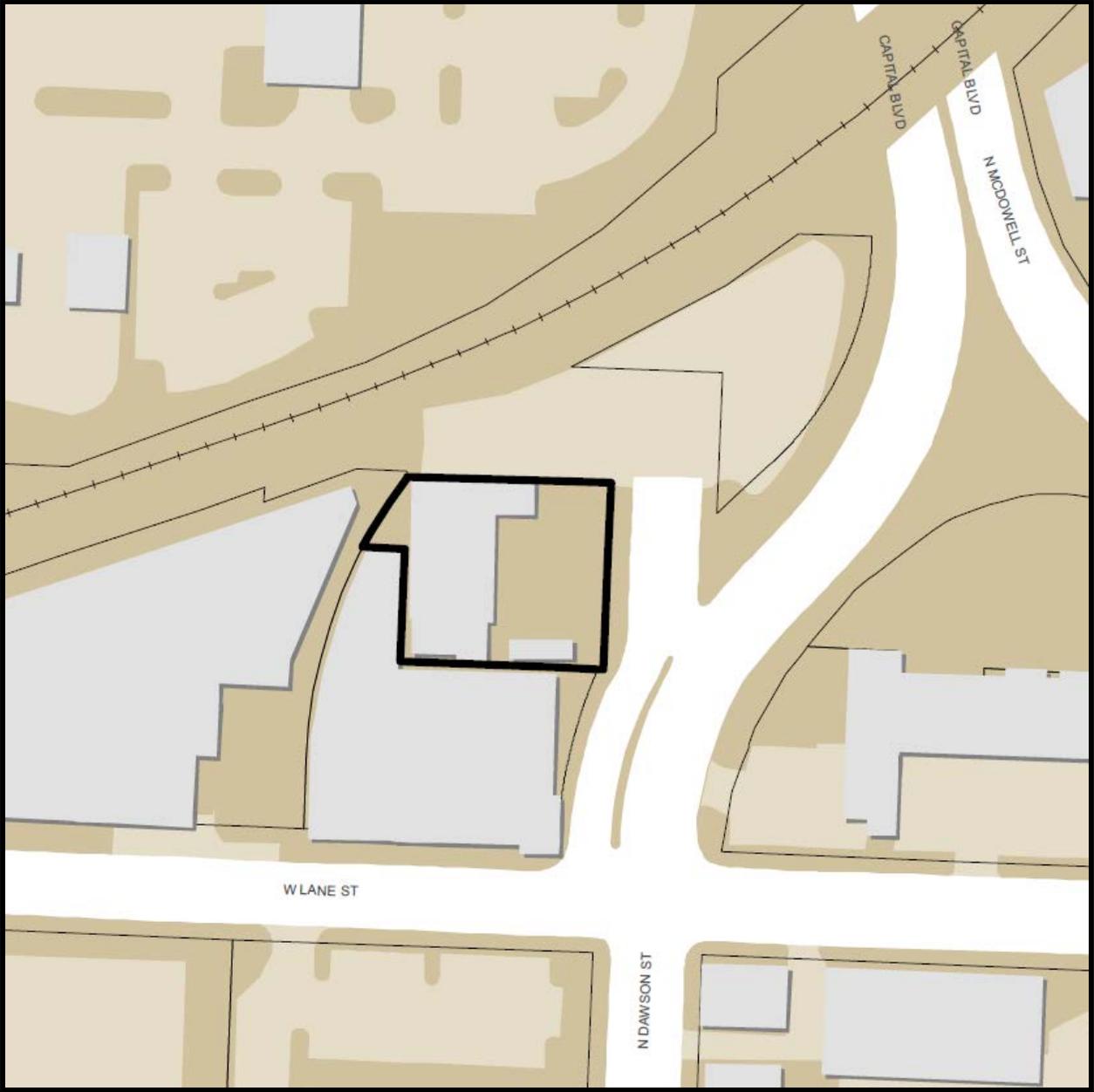
Contact: Gary McCabe, P.E., Red Line Engineering, P.C.

Design Adjustment: One Design Adjustment has been approved by the Public Works Director in accordance with Article 8.5.1, for this project, noted below.

1. A Design Adjustment not requiring right-of-way dedication for North Dawson Street as the site is within the original William Christmas plan boundary. An alternate streetscape cross section for a modified "Main Street" cross section with an exemption to the 14' sidewalk requirement due to existing infrastructure and utility locations has been issued. An exemption to the block perimeter requirement is also included, as the subject property is located on an unopened right of way extension to the existing rail line. The applicant will supply street trees.

A condition of this approval is that the right of way will remain public and that parking spaces within that right of way may be subject to metering and cannot be used exclusively by uses on private property.

**Administrative
Alternate:** NA



SP-25-15 Location Map



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	309 N Dawson St.	Date Completed Application Received	5/31/2015
	Case Number	SP-25-2015	Transaction Number	428517

Staff Response/Recommendation	<p>Staff recommends approval for the right-of-way dedication exemption. Historically, any property within the Christmas Boundary has been exempt from right-of-way dedication.</p> <p>Staff recommends approval for the alternate cross section to have a modified "Main Street". The client has leftover right-of-way along the property that has never been closed. The client attempted to close the right-of-way with STC-03-2015. Research Triangle Regional Public Transportation will not sign the document and wants to keep this section as an access point to a potential future hub. See supporting documentation attached.</p> <p>The client will provide street trees as shown and will work with the City to make this street safer utilizing existing infrastructure.</p>		
	Staff Member	Support Request <input type="checkbox"/>	Does Not Support <input type="checkbox"/>

Public Works Director's Action:

Approve Approval with Conditions Deny


e/s/15
Date

Richard C. Kelly, Interim Public Works Director

*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	<p>The right-of-way will remain public. The parking spaces within the right-of-way are public spaces which may be subject to metering. The spaces cannot be used exclusively for the uses on the private properties.</p>		

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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SUBJECT: SP-25-15 / 309 N. Dawson Street

**CROSS-
REFERENCE:** Transaction # 428517

LOCATION: This site is located on the west side of North Dawson Street, just northwest of the intersection of North Dawson and West Lane Street(s), and is inside the City Limits.

PIN: 1704507646

REQUEST: This request is to approve a change of use of an existing vacant second floor (4425 square feet) on a .31 acre site from a vacant space to an event space, zoned Industrial-2 (I-2), within the Downtown Overlay District (DOD). This proposal requires preliminary site plan approval as it is a change of use that mandates an increase in the number of required parking spaces greater than ten spaces or ten percent of the existing required number of spaces, whichever is less. (10-2132.1, 10-2132.2)

OFFICIAL ACTION: Approval with conditions

**CONDITIONS OF
APPROVAL:** Administrative Actions:

Prior to final site review approval or building permit issuance, whichever is first:

1. That required open space for courtyards, roof gardens, dining, and recreation space has a minimum width dimension and a minimum length dimension of 20'. (10-2051 d-5 b);

Prior to issuance of building permits:

2. 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 on the North Dawson Street Stub is paid to the Public Works Department;
3. That utilization of existing grease traps must be approved by the Public Utilities Department FOG program. Building permits plans should show City of Raleigh Public Utilities approved backflows with size/make/model.

Prior to issuance of building occupancy permit:

4. That all the required infrastructure has been installed;

Signed: (Planning Dir.) _____ Date: _____

Staff Coordinator: Michael Walters

FINDINGS: City Administration finds that this request, with the above conditions being met, conforms to Part 10, Chapter 2, Sections 10-2047, 10-2051, 10-2132.2, and Part 10A (Unified Development Ordinance) Articles 8, and 9. This approval is based on a preliminary plan dated 5/20/15, submitted by Red Line Engineering.

ZONING:

ZONING DISTRICTS: Industrial-2, within the Downtown Overlay District (DOD)

SETBACKS / HEIGHT: The footprint of the building is existing and conforms to setback requirements.

PARKING: No parking is required for this development. Section 10-2051 exempts up to 10,000 square feet of retail space in the Downtown Overlay District from parking requirements. The proposed space for this use is 4,425 square feet, bringing the total permitted retail square footage to 8850 sq. ft., less than the cumulative limit of 30,000 square feet. (10-2051 e (1) f).

LANDSCAPING: No transitional protective yard or vehicular surface area screening is proposed or required. The existing building is not being expanded and no new vehicular surface is proposed.

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 total land area of the development to be set aside as open space. "Open space" includes greenways and 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 property's size of (.31 ac) 13,504 square feet, the base minimum amount of open space required for the tract is 676 square feet. As an alternative street cross section for a modified main street has been approved allowing the existing 5' sidewalk to remain, the proposed plan shows qualifying open space to be provided through an outdoor walled open area in front of the building. Open space configuration is noted as a condition of approval. (10-2051 d (5)).

DEVELOPMENT INTENSITY: NA

PHASING: This is a one phase development.

UNITY OF DEVELOPMENT: Unity of development and sign criteria are not required.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

STREET TYPPOLOGY MAP: North Dawson Street is classified as an Avenue 6-Lane, Divided section. A Public Works Design Adjustment has approved an alternative streetscape for this site, that of a Modified Main Street with an exemption to the 14' sidewalk requirement due to existing infrastructure and utility locations. Dedication of additional right-of-way is not required as an administrative design adjustment from the Public Works Director has been granted to waive right-of-way dedication as well.

Street Name	Designation	Exist. R/W	Prop. R/W	Slope Ease.	Util. Ease.
N. Dawson Street	Avenue 6-Lane Divided	62'	None	None	None

CONSTRUCTION: A modified Main Street cross section will be installed with a design that changes the parking to parallel parking and adds street trees.

Street Name	Designation	Ex. sidewalk	Prop. sidewalk	Ex. street (boc -boc)	Prop. street (boc to boc)
N. Dawson Street	Modified Main Street	Yes	Yes	42.50	None

TRANSIT: No transit-oriented features are incorporated into the proposed plan.

COMPREHENSIVE PLAN: This site is located in the North Central Citizen Advisory Council, and in an area designated as Central Business District. The site is 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.

SUBDIVISION STANDARDS:

BLOCKS / LOTS / ACCESS: As the subject property is located on an unopened Right of Way extension to the existing rail line called North Dawson Street for addressing purposes. This section of North Dawson Street is a remnant of the now realigned section and

dead-ends into Railroad Right-of-Way and as such, an exemption to the block perimeter requirement is included in the design adjustment issued by the Public Works Director. (8.3.2)

STREETSCAPE

TYPE:

The Public works Director has approved a design adjustment for an alternative streetscape for this site, that of a Modified Main Street. Due to existing infrastructure and utilities, an exemption to the required 14' sidewalk has been granted. Three street trees, 27 linear feet of concrete sidewalk, 5' in width, and 56 linear feet of 30" concrete curb and gutter have been proposed for the opposite side of the N. Dawson Street stub. One Crepe Myrtle is proposed for the parking island within the Right of Way, an additional 38 linear feet of 30" concrete curb and gutter, and additional 5' wide sidewalk is proposed within the Right of Way for the northern corner of the parcel. A modified Main Street cross section will be installed that changes the parking to parallel parking and adds street trees. The client is providing a new sidewalk along the property to accommodate the parking. The spaces will be public spaces and are subject to metering and cannot be used exclusively for the uses on the property.

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 by the City is to be provided in accordance with the Solid Waste Design Manual.

CIRCULATION:

Proposed street improvements shall conform to normal City construction standards.

PEDESTRIAN:

Sidewalk exists along both sides of the North Dawson Street stub and additional sidewalk is proposed within the Right of Way along the northern edge of the parcel. As the site is within the original William Christmas plan boundary, an alternate streetscape cross section for a modified "Main Street" has been included in the approved design adjustment thus allowing an exemption to the 14' sidewalk requirement due to existing infrastructure and utility locations. Relocation of an existing striped crosswalk accessing the opposite side of the North Dawson Street stub is proposed.

FLOOD HAZARD:

There are no flood hazard areas on this site.

**STORMWATER
MANAGEMENT:**

This site is exercising the exemption to active stormwater control requirements in accordance with UDO Section 9.2.2.5, substitution of impervious surfaces with approved pervious surfaces. Existing impervious area is 10,826 SF. Proposed impervious area is 10,286 SF, a net reduction of 540 SF.

**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).

SUNSET DATES: The sunset provisions of City Code Section 10-2132.2 (j), including the ability to request extensions in the sunset date, apply to this site plan. If significant construction has not taken place on a project after preliminary site plan approval, that approval may "sunset" and be declared void, requiring re-approval before permits may be issued. To avoid allowing this preliminary approval to "sunset", the following must take place by the following dates:

3-Year Sunset Date: 6/24/2018

Submit a final site plan and valid building permit application for the total area of the project, or a phase of the project.

5-Year Sunset Date: 6/24/2020

Complete construction of entire development.

WHAT NEXT?:

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

**FACILITY FEES
REIMBURSEMENT:**

If oversized street construction takes place, or greenway or oversized public street right-of-way is conveyed to the public, the owner is responsible for application to the City for reimbursement allowed by Code. Reimbursement takes place twice a year in January and July; a written request must be filed with the Planning Department for greenway and street right-of-way; and in the Engineering Department for street construction; by the first working day in November and May each year.