



Certified City Council Decision

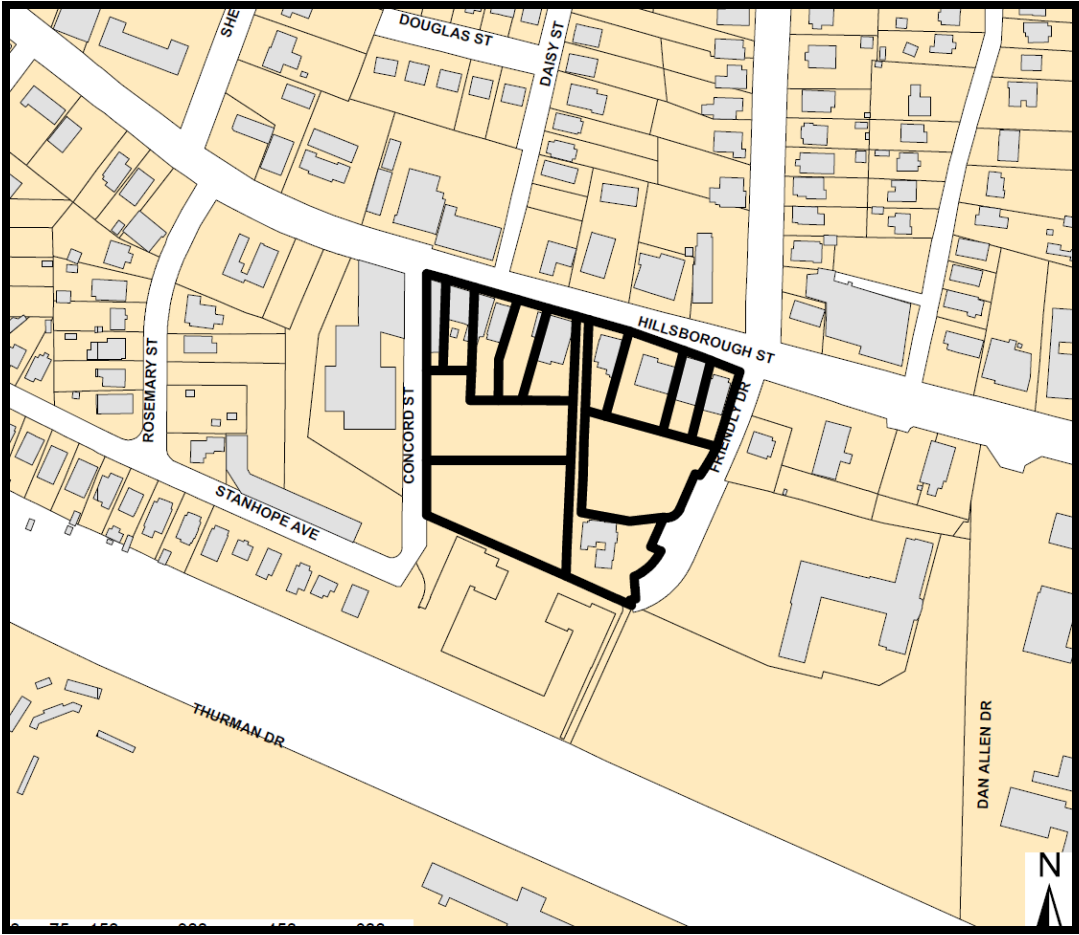
City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27601
(919) 516-2626
www.raleighnc.gov

Case File / Name: SP-43-11 / Stanhope Center II

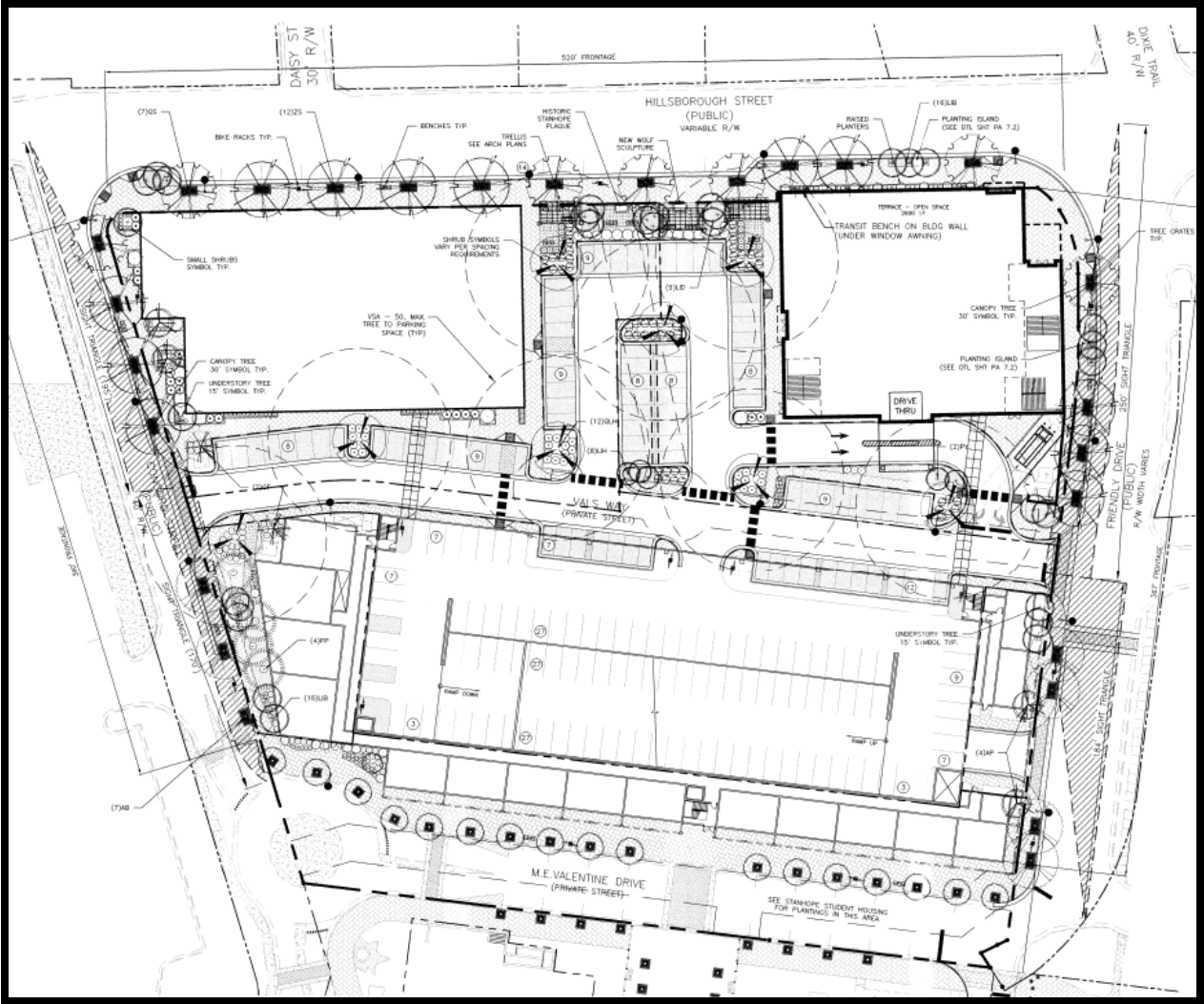
General Location: The south side of Hillsborough Street between its intersections with Concord Street and Friendly Drive

CAC: Wade

Request: A mixed-use development comprised of 156 multi-family dwelling units, 36,914 square feet of retail uses, 12,630 square feet of restaurant uses, 43,090 square feet of office uses and a 1037 space parking deck to be located on a 4.51 acre site that contains a mix of zoning designations including: Industrial-2, Office and Institutional-2, Neighborhood Business and Neighborhood Business-Conditional Use District all of which are also within a Pedestrian Business Overlay District. The majority of the property is also within a Planned Development Conditional Use Overlay District.



SP-43-11 / Stanhope Center II – Location Map



SP-43-11 / Stanhope Center II – Preliminary Site Plan

SUBJECT: SP-43-11 / Stanhope Center II
CROSS-REFERENCE: Z-12-11, STC-9-11, SP-125-07, MP-3-02, STC-14-07

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

OFFICIAL ACTION: Approval with conditions

CONDITIONS OF APPROVAL: Attached

FINDINGS: The City Council finds that this request conforms to Chapter 2, Part 10, Sections, 10-2042, 10-2036, 10-2047, 10-2055, 10-2057, 10-2132.2, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 3/13/12, owned by Melton E. Valentine, Jr., submitted by The Site Group, PLLC.

Case History:

Footnote:

To CC: April 3, 2012

City Council Status: Approved

Staff Coordinator: Eric Hodge, AICP



Final conditions of approval

CONDITIONS OF APPROVAL:

City Council Actions:

- (1) That the City Council finds the proposed site plan is in accordance with the general plans for the physical development of the City as embodied in the Comprehensive Plan and meets the standards of 10-2132.2(d);
- (2) That the City Council finds that this site plan meets the standards for approval of a residential development in the Pedestrian Business Overlay District in accordance with Code Section 10-2051(d)(1) subsections b and c providing sufficient open space, parking, minimum net lot area, and minimum yard setbacks;
- (3) That the City Council finds that this site plan meets the standards for approval of a residential development exceeding 40 dwelling units per acre density located in the Pedestrian Business Overlay District in accordance with Code Section 10-2051-(d)(1)c site plan, providing parking in a deck which meets the standards of 10-2051-(d)(1)c1. (Tier 1: Located within ¼ mile of an existing or proposed Triangle Transit Authority rail transit station platform;
- (4) That the refuse collection times not coincide with the hours of operation for the drive through, as the proposed configuration uses the same one way driveway in a reverse direction;

- (5) Although the preliminary plans show available downstream sewer capacity (demonstrated in the sewer study submitted 2/28/2011), the amount of available sewer capacity is extremely limited. If anticipated sewer flows from this project increase during the permitting process, additional study will be required and downstream improvements may be needed;

Prior to issuance of building permits in the Inspections Department:

- (6) That a recombination plat be approved showing the final lot configuration;
- (7) That cross access agreements between the proposed lots are recorded in accordance with the City Code and a recorded copy is returned to the Planning Department within 14-days of recording. If a recorded copy of this recorded document is not provided to the Planning Department within the 14 day period, further plat recordings and building permits authorization may be withheld;
- (8) That cross-parking agreements between the proposed lots are recorded in accordance with Raleigh City Code and are returned to the Planning Department within 14- days of recording. If a copy of the recorded documents are not returned within 14-days, further plat recording will be withheld and no building permits will be issued on any lot;
- (9) That construction plans for public improvements be approved by the City;
- (10) That no building permit will be issued that is inconsistent with the approved unity of development and sign criteria. That a note be added to all plats for recording stating that unity of development is required and that a copy of the unity of development plan is on file with the City of Raleigh Planning Department;
- (11) That an encroachment agreement for any stoops, steps, plantings, pavers, planters, awnings, underground stormwater detention piping etc. to be located within the public right-of-way is approved by the City Council by separate action. An application for encroachment into the public right of way for the landscaping located within the right of way, as indicated on the preliminary plan, shall be submitted to the City's Encroachment Coordinator in the Inspections Department for review, and that the City Council approve the encroachment request. Following City Council approval of the encroachment, an encroachment agreement, prepared in accordance with Raleigh City Code Sections 12-1001 and 12-1021(a), shall be filed with the Inspections Department, and that the encroachment agreement is to be recorded with the Wake County Register of Deeds. Maintenance of the encroachment shall be the responsibility of the condominium association and the developer;
- (12) That a landscape permit is obtained from the urban forester for landscaping in the public right-of-way;
- (13) That the City Attorney approves a sidewalk easement for the portion of the proposed pedestrian ways on private property adjacent to public right of way along Hillsborough Street, Concord Street and Friendly Drive;

- (14) That the City Attorney approves a declaration of covenants and restrictions prepared in conformance with City Code section 10-2057(f)(4)c, 10-3073 and 10-3074. The declaration of covenants and restrictions shall provided that areas shown on the plat as open space shall be available to all persons within the entire PDD, as required by 10-2057(f)(4)c. The declaration of covenants and restrictions shall state that all of the maximum allowable Planned Development Conditional Use District density have been used for the current site plan, and any additional residential dwellings units in excess of these proposed units will have to conform to the tier 2 standards (and depending upon density tier 3 standards) of 10-2051(d)(1)c made applicable to the Pedestrian Business Overlay District by Code Section 10-2055(d)(1)b. That the declaration of covenants and restrictions limit the amount impervious surface, as defined in Part 10 Chapter 9, to 79,392 SF for Section B and 59,558 SF for Section C (as shown in MP-3-02) unless all provisions of Part 10 Chapter 9 of the City Code are applied;

ZONING:

ZONING

DISTRICTS: Neighborhood Business, Neighborhood Business Conditional Use District, Office & Institution-2, Planned Development Conditional Use Overlay District (MP-3-02) and Pedestrian Business Overlay District.

Z-12-11/SSP-3-11 Hillsborough Street and Friendly Drive – is located on the south side of Hillsborough Street, northwest of its intersection with Friendly Drive, being Wake County PINs 079419529317, 079419529395, 079419620333. Approximately 0.64 acres are requested to be rezoned from NB (0.32 acre) and NB CUD with PBOD (0.32 acre) to NB CUD with PBOD and Streetscape and Parking Plans (SSP-3-11) dated August 3, 2011.

Conditions dated 8/8/11

Narrative of conditions being requested:

- 1) The following uses shall be prohibited:
 - (a) Automotive service and repair facilities;
 - (b) landfills of all types;
 - (c) manufacturing of all types;
 - (d) mini-warehouse storage facility; and
 - (e) all Special Uses which must be approved by the Board of Adjustment or City Council under Sections 10-2144 and 10-2145, except for Yard Reductions.
- 2) Building height shall include a minimum of three occupied stories but shall not exceed a maximum of seventy-five feet (75); provided that any portion of the building exceeding three stories in height shall be stepped back at least eight (8) feet from the front edge of the building along Hillsborough Street.
- 3) The subject property shall be subject to the Stanhope Village Streetscape and Parking Plan dated as of November 19, 2002, as amended September 15, 2009, and as amended by that amendment attached hereto as Exhibit C-1.
- 4) Residential density shall not exceed seventy (70) dwelling units or equivalent dwelling units per acre.
- 5) Uses on the ground floor of any building constructed on the subject property shall be retail uses.

(15) Following development, the subject property shall contain at least ten percent (10%) Open Space, as defined in City Code Section 10-2055(d) (4).

(16) The ground floor (measured between zero (0) feet and twelve feet (12) feet above the adjacent sidewalk) of any building constructed on the subject property shall achieve a level of transparency of at least forty (40%) of the surface of such facades along Hillsborough Street and Friendly Drive. That portion of a surface which is covered by either non-opaque glass window(s) and/or non-opaque glass door(s) shall be deemed to have achieved transparency.

(17) Prior to the subdivision of the property or the issuance of a building permit for the property, whichever shall occur first, a transit easement measuring twenty (20) feet along Hillsborough Street by fifteen (15) feet shall be granted to the City pursuant to a transit easement deed approved by the City Attorney and recorded in the Wake County Registry. This easement may be located in whole or in part within the area to be dedicated as right-of-way (to the extent not used for road construction) or dedicated or reserved for sidewalks.

(18) Any drive-through window or stacking lane serving the subject property shall not be visible from Hillsborough Street at street level.

(19) 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) stepback area shall be landscaped with the following per twenty-five (25) linear feet adjacent to the surface parking: at least ten (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 (2.5") in caliper at planting. All plantings shall be in accordance with the Stanhope Village Streetscape and Parking Plan.

(20) The Applicant acknowledges that the Trip Generation Report ("TGR") prepared for the subject property which is attached hereto as Exhibit C-2 predicts approximately 51 new AM peak hour external trips and 54 new PM peak hour trips. Based on the assumed uses shown thereon, the Applicant agrees that it will not change the uses from the assumed uses prior to either (a) producing and providing to the Public Works Department a new TGR which shows that the increase in peak hour traffic trips based on the changed uses does not increase the new external trips by more than twenty-five percent (25%) or (b) if the new TGR shows an increase of more than twenty-five percent (25%), then prior to obtaining a building permit for the changed uses, the Applicant will perform a Traffic Impact Analysis for the subject property and use reasonable efforts to promote the safe, efficient and convenient vehicular and pedestrian traffic for the site.

(21) Parking decks shall be prohibited on the subject property.

Prior to issuance of building permits in the Inspections Department:

(22) xxxx improvements and phasing plan