



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 File / Name: SP-44-09 / Wingate Inn

Owner: Corporate Arena Hotels, LLC
Designer: Development Solutions, LLC & EDR Engineering

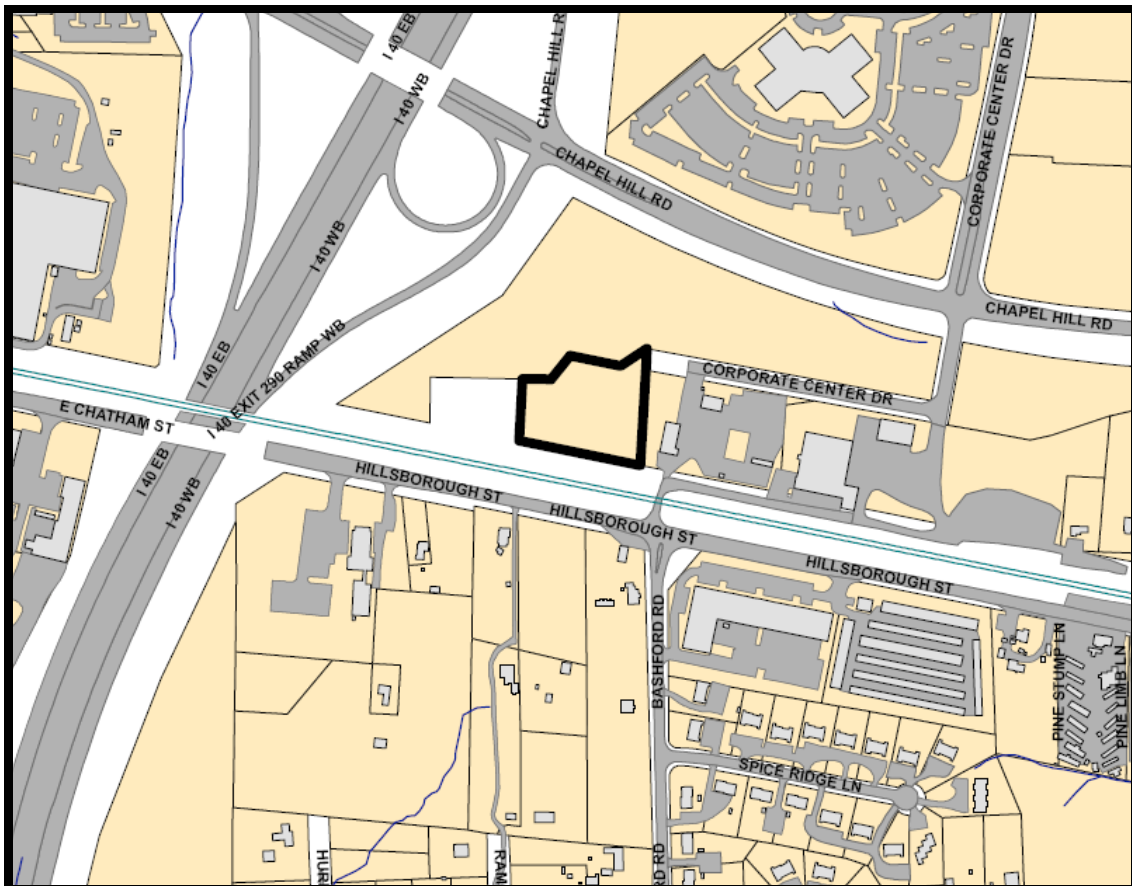
General Location: Located on Corporate Ridge Road, south of Chapel Hill Road, west of Corporate Center Drive, inside the city limits.

**Planning District
/ CAC:** Southwest / West

Nature of Case: Construction of a 58,557 square foot, four-story hotel with 99 rooming units on a 1.96 acre site, zoned Industrial-1 with Special Highway Overlay District-1. This site is located within 400 feet of a residential use.

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

Contact: David Camp



SP-44-09 Wingate Inn - Location map



Staff Report

**RECOMMENDED
ACTION:** Approval with Conditions

**CONDITIONS OF
APPROVAL:**

Administrative Actions:

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

- (1) That the amounts of impervious surface area situated on the subject hotel lot not exceed 69,700 square feet, the impervious limit for this lot per the approved stormwater facility design;
- (2) That as required stormwater control facilities are shared, the City form documents - Declaration of maintenance Covenants for Stormwater Control Facilities and the Declaration of City of Raleigh Code Provisions for Developments with Common Elements and Common Expenses - shall be completed and executed by the owners of the hotel site and S-61-08 and by the property owners' association and given to the City to the Planning. Following approval by the Planning Department, the developer shall record the two legal documents with the local county Register of Deeds. A recorded copy of the Declaration of maintenance Covenants for Stormwater Control Facilities and the Declaration of City of Raleigh Code Provisions for Developments with Common Elements and Common Expenses shall be given to the Stormwater Engineer in the Public Works Department within (14) days of plat recording . No building permit will be issued until a recorded copy of the drainage easement is provided to the Inspections Department;
- (3) That the City Attorney review and approve the required off-site drainage easements and stormwater legal documents prior to recordation of the easements;
- (4) That authorization by the owner of lot 2 of S-61-08 for off-site grading and improvement by the hotel development be submitted to the stormwater Engineer in the Public Works Department that shows authorization of off-site improvements on lot 2 prior to issuance of a land disturbing permit;

- (5) That the City Attorney shall approve a restrictive covenant limiting the amount of impervious surface area as follows: **lot 1** of BM 2008 PG 1357 (S-61-08) shall have a maximum impervious surface of 242,400 square feet, **lot 2** of BM 2001 PG 1779 (S-1-09) shall have a maximum impervious surface of 91,400 square feet, and **lot 3** of BM 2008 PG1357 (SP-44-09 hotel lot) shall have a maximum impervious surface of 69,700 square feet; each lot shall not exceed the maximum impervious surface as shown on the approved construction drawings and set forth in the restrictive covenant. Impervious surface shall have the same meaning as defined in Part 10 Chapter 9 of the Raleigh City Code. No installation of impervious surface which causes the impervious surfaces on the lot to exceed its maximum impervious square footage shall be made without first obtaining a permit from the Stormwater Division of the Public Works Department of the City. No amendment or termination of this restrictive covenant shall be made without the prior written consent of the Raleigh City Attorney. This covenant shall be recorded with Wake County Register of Deeds office;
- (6) That as stormwater control facilities are to be owned and maintained by a property owners' association, the City's three party form "Stormwater Replacement Easement and Access Maintenance Agreement and Replacement Contribution" (Installment or Lump Sum payment version) shall be completed and executed by the developer, the property owners' association and given to the City to the Planning Department for signature of the City Manger. Following the signatures of the City, the developer shall record the Stormwater Agreement with the local county Register of Deeds. A recorded copy of the Stormwater Agreement shall be given to the Stormwater Engineer in the Public Works Department within (14) days of plat recording . No building permit will be issued until a recorded copy of the drainage easement is provided to the Inspections Department;
- (7) That as the developer has chosen to offset a portion of nitrogen export load limitation by paying monies to the North Carolina Ecosystem Enhancement Program (NCEEP) in accordance with Nitrogen reduction requirements of Section 10-9022, this payment shall be made to NCEEP and verification of the amount of payment shall be provided to the City of Raleigh Stormwater Engineer;
- (8) That the construction drawings submitted to the Stormwater Engineer in the Public Works Department show the maximum impervious surface coverage of the development on a per lot basis. Those limits are:

These limits are set and cannot be transferred from lot to lot or subdivision to subdivision- condition of approval Per S-61-08 conditions.

Lot 1 = 242,400 square feet (S-61-08)

Lot 2 = 91,400 square feet (S-01-09)

Lot 3 = 69,700 square feet (SP-44-09 hotel lot)

Prior to issuance of building permits in the Inspections Department:

- (9) That a sanitary sewer easement shown on lots 2, 3 and 4 of S-61-08 and on the hotel lot, as shown on the preliminary plan, is recorded by map and a recorded copy of the map is placed in the file in the Planning Department. If a copy of the recorded document is not returned within 14-days, further plat recording will be withheld and no building permits will be issued on any lot;
- (10) That construction plans for required public improvements and stormwater control facilities be approved by the Public Works and Utilities Departments. The construction drawing shall indicate the amount of impervious surface for each lot of S-61-08, S-1-09 and the subject hotel lot;
- (11) That a note is placed on all recorded maps stating all buildings and other site improvements must comply with approved Unity of Development guidelines and sign criteria on file in the Planning Department and Inspections Department;
- (12) That the architectural plans show conformance with the approved unity of development guidelines;
- (13) That stone features be shown along the main entrance to the hotel and on the porte cochere and columns, as requested by the Development Review Committee of the Appearance Commission and as shown on the preliminary site plans;
- (14) That a off-site landscape easement is recorded by deed and by map showing the off-site 5-foot transitional protective yard located on Lot 2 of S-61-08, as shown on the preliminary site plans. A recorded copy of the off-site landscape easement deed and of the recorded plat shall be provided to the Planning and Inspections Departments prior to building permit issuance;
- (15) That all stormwater control measures and means of transporting stormwater runoff to and from any nitrogen and stormwater runoff control measures shall be shown on all plats for recording as private drainage easements and the plats shall contain the following note: "All private storm drainage easements & stormwater measures will be maintained by the homeowner association;"
- (16) That cross access easement between the hotel lot and lot 2 of S-61-08 and a parking easement for 15 spaces located on lot 2 of S-61-08 for the hotel lot are recorded in accordance with the City Code and a recorded copy is provided to the Planning and Inspections Departments within 14-days of recording. In conformity with Raleigh City Code Section 10-2081(c)(4), the parking easement shall state that if the parking easement is terminated and equivalent off-street parking is not provided, the hotel use shall be unlawful, and it shall be discontinued. If a recorded copy of this recorded document is not provided to the Planning and Inspections Departments within the 14 day period, further plat recordings and building permits authorization may be withheld;
- (17) That all conditions of approval of subdivision S-61-08 are fulfilled, including recordation of easements and right-of-way dedications relating to the Lot 3 (BM 2008 PG 1357);

(18) That the amounts of impervious surface area situated on the subject hotel lot not exceed 69,700 square feet.

Prior to issuance of an occupancy permit in the Inspections Department:

(19) That the stormwater pond located on Lot 3 of S-61-08 be fully constructed and operational prior to the issuance of certificate of occupancy permit in the inspections Department; and

(20) That the amounts of impervious surface area situated on the subject hotel lot not exceed 69,700 square feet.

ZONING:

ZONING DISTRICTS: Industrial-1 with Special Highway Overlay District-1

SETBACKS / HEIGHT: This plan conforms to all minimum setback standards. Front yard = 50', rear yard = 75', front / rear aggregate = 125', side yard = 27', side yard aggregate = 116'. The proposed height of 50' conforms to maximum height standards of 50' in the Industrial-1 zoning district and does not exceed the five-story maximum height in the Special Highway Overlay District-1.

PARKING: Off-street parking conforms to minimum requirements: 108 spaces required, based on 1 parking space per rooming unit and 1 space per every five seats of maximum occupancy in assembly place. 100 spaces are provided on the hotel site and 15 parking spaces are provided on Lot 2 of S-61-08. Cross access and a shared parking agreement with between the subject hotel lot and lot 2 of S-61-08 1 will be established.

LANDSCAPING: Street yard landscaping in conformity with Section 10-2082.5 is shown. Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. This is a medium impact use under Section 10-2082.9. Transitional protective yards are shown in compliance with City standards in the following locations:

<u>Location</u>	<u>Yard type required</u>	<u>Width proposed</u>
North (off-site)	½ Type D	5'

The Special Highway Overlay District-1 planting requirements are not shown because the hotel site does not have frontage on a major access corridor or a thoroughfare.

TREE CONSERVATION: Tree conservation is not required because this is a non-residential property less than 2 acres in size. The thoroughfare site plan standards of Section 10-2132.2((c)1)j are not applicable to the hotel site in that it does not contain a basal area of 30 square feet adjoining Hillsborough Street, a thoroughfare.

DEVELOPMENT INTENSITY: There are no floor area ratio and building lot coverage restrictions in the Industrial-1 zoning district.

PHASING: There is one phase in this development.

UNITY OF DEVELOPMENT: Unity of development and sign criteria has been approved for this development.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

THOROUGHFARE / COLLECTOR PLAN:

Dedication of right-of-way and construction of the following streets was required by the previous subdivision adjacent this property, S-61-08:

<u>Street</u>	<u>ROW</u>	<u>Construct</u>	<u>Slope Esmt.</u>
Corporate Ridge Road	55' R cul-de-sac	47.5' radius cul-de-sac	N/A

- The ½ - 41' b/b road construction and the 55' radius cul-de-sac were approved in conjunction with S-61-08 (see construction plans MI-20-2008). This item will not be reimbursed.

TRANSIT: This site is presently not served by the existing transit system.

URBAN FORM: This site is located in the Southwest Planning District. Site is located in the Arena Small Area Plan within a designated TOD Area. The proposed hotel use is appropriate for this site and consistent with the Comprehensive Plan.

APPEARANCE COMMISSION:

The Appearance Commission has made the following comments on this preliminary plan. Shown below are comments and applicant responses:

<u>Comment</u>	<u>Response</u>
1. The committee recommends that adjacent to high-traffic areas, the lower portions of the first-story walls of the building—particularly the main entrance and the porte cochere columns—be changed from EIFS to more durable materials (e.g., masonry).	Stone has replaced EIFS on the columns of the porte cochere and around the entrance of the hotel.

**SUBDIVISION
STANDARDS:**

BLOCK LAYOUT: The proposed street layout was approved with S-61-08; as part of this subdivision, the developer requested a variance from the ***Streets, Sidewalks and Driveway Access Handbook***, 400 foot maximum length of public or private, non-residential streets. The Planning Commission approved a 795.31' overly long cul-de-sac on Corporate Ridge Road, formerly, Corporate Center Drive. The Commission approved a variance of 395.31 linear feet as requested by the applicant for an overly long cul-de-sac on Corporate Center Drive. The road was later re-named Corporate Ridge Road with SNC-2-09.

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. This plan shows a new sanitary sewer easement to be dedicated thru this site.

SOLID WASTE: Refuse collection shall be provided by means of a private contractor.

CIRCULATION: The site plan has one access on Corporate Ridge Road and will provide a cross access easement to the adjacent property to the north, lot, lot 2 of S-61-08. This portion of Corporate Ridge Road was previously named Corporate Center Drive, but was renamed with SNC-02-09.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. A sidewalk is required along the site's frontage of Corporate Ridge Road. Private sidewalks connect the building to the public sidewalk on Corporate Ridge Road.

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

**STORMWATER
MANAGEMENT:**

This project is subject to City Code Part 10 Chapter 9, stormwater regulations. A shared offsite detention pond to be constructed on Lot 3 of S-61-08 is shown on the preliminary site plan for stormwater runoff control and nitrogen reduction. A nitrogen offset payment is proposed to be paid to the Ecosystem Enhancement Program or authorized private mitigation bank. A stormwater control plan with a stormwater operations, maintenance manual and budget have been approved by the Conservation Engineer in the Inspections Department submitted with S-61-08 Corporate Center Plaza.

A "Stormwater Replacement Easement and Access Maintenance Agreement and Replacement Contribution" (Installment or Lump Sum payment version form, as required by Section 10-9027(c), shall be completed between the developer of the hotel site, the subdivider of S-61-08, the property owners' association and the City and recorded with the local register of deeds office; a recorded copy will be returned to the Conservation Engineer within 14 days of recording.

That as required stormwater control facilities are shared, the City form documents - Declaration of maintenance Covenants for Stormwater Control Facilities and the Declaration of City of Raleigh Code Provisions for Developments with Common Elements and Common Expenses - shall be completed and recorded. An off-site drainage easement will be approved by the City Attorney.

Impervious surface limitations are imposed consistent with the approved design of the shared off-site detention pond. A restrictive covenant limiting the impervious surface for each lot using the shared pond will be approved by the City Attorney and recorded. If there is an increase in the impervious surface area on the hotel lot in excess of the maximum of 69,700 square feet, all provisions of Part 10 Chapter 9 of the City Code will apply to the additional impervious surface area..

**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.