



Certified Action of the City of Raleigh Planning Commission

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

Case File / Name: SP-60-2013 / Hibernia Beer Garden

General Location: East side of Glenwood Avenue between Peace Street and West Johnson Street.

Owner: Claremount Real Estate

Designer: Baker Engineering Consultants, Inc.

CAC: Hillsborough

Nature of Case: Change of use for a proposed 8,670 square-foot bar and restaurant on .24 acres zoned Industrial-2 with Pedestrian Business Overlay District. The existing building on site has been occupied with office uses. This plan was submitted after September 1, 2013, but is in a legacy zoning district.

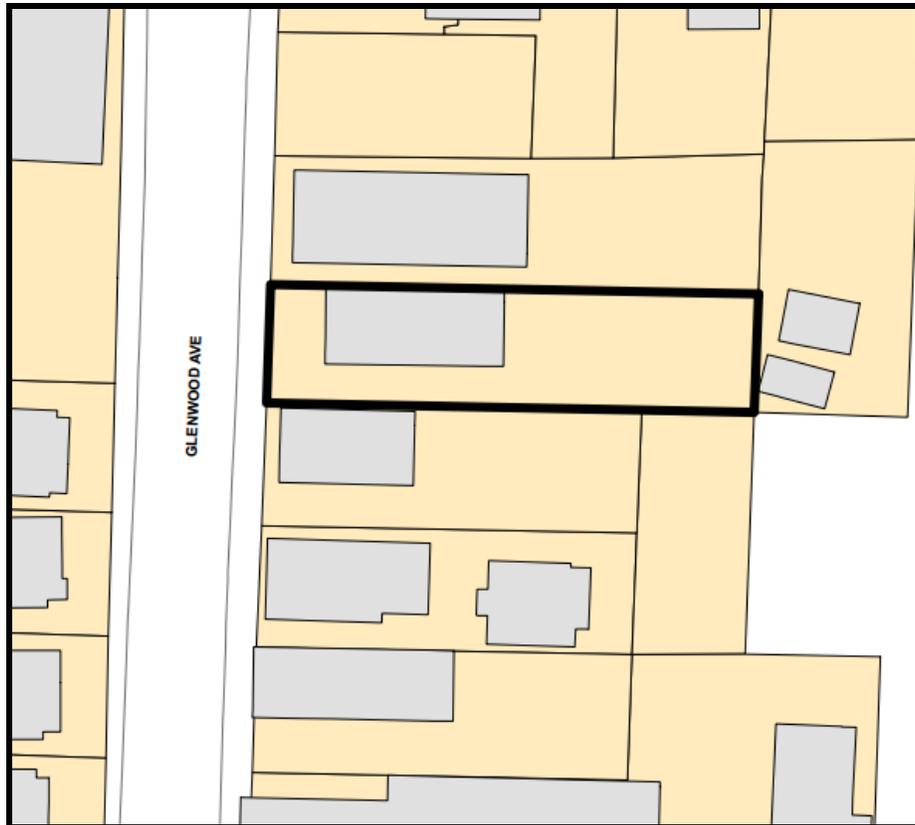
Key Issues: As presented, staff finds that this plan conforms to Code standards and adopted land use policies.

Contact: Rick Baker

Design Adjustment: One Design Adjustment has been approved by the Public Works Director for this project, noted below.

1. A design adjustment has been approved by the Public Works Director for this project. Glenwood Avenue is classified as a Main Street-Parallel Parking, requiring 73 feet of right-of-way. The required $\frac{1}{2}$ - 73 foot right-of-way as measured from the centerline has been reduced from 36.5 feet to 30 feet.

**Administrative
Alternate:** NA



SP-60-13 / Location Map

SUBJECT: SP-60-13 / Hibernia Beer Garden

CROSS-REFERENCE: Board of Adjustment Variance Case A-9-14

LOCATION: This site is located on the east side of Glenwood Avenue, between Peace Street and West Johnson Street, inside the City Limits.

PIN: 1704417983

REQUEST: Change of use for a proposed 8,670 square-foot bar and restaurant on .24 acres zoned Industrial-2 with Pedestrian Business Overlay District. The existing building on site has been occupied with office uses. This plan was submitted after September 1, 2013, but it is in a legacy zoning district. This plan requires Planning Commission approval because it is within 400 feet of a residential zoning district.

OFFICIAL ACTION: **Approval with conditions**

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

FINDINGS: The Planning Commission finds that, with the following conditions of approval being met, this request conforms to Part 10, Chapter 2, Sections 10-2047, 10-2055, 10-2132.2, and Part 10A (Unified Development Ordinance) Articles 8, and 9. This approval is based on a preliminary plan dated 12/2/13, owned by Claremount Real Estate, LLC submitted by Baker Engineering Consultants, Inc.

ADDITIONAL NOTES: This plan was submitted after September 1, 2013, but is in a legacy zoning district

VARIANCES / ALTERNATES: A variance has been granted by the Board of Adjustment (A-9-14) to the parking requirements in the Pedestrian Business Overlay District of section 10-2055. This section requires existing developments with on-site parking to retain a minimum of one parking space devoted to persons with disabilities. The variance was granted to permit the removal of all existing parking on site.

To PC: 5/13/14

Case History: xxxxx

Staff Coordinator: Justin Rametta

Motion: Swink

Second: Buxton

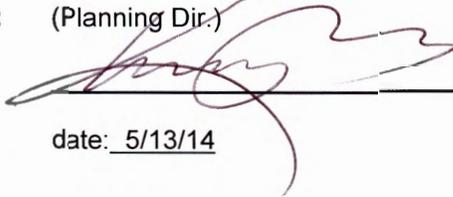
In Favor: Braun, Buxton, Fleming, Fluhrer, Lyle, Schuster, Swink, Terando and Whitsett

Opposed: xxxxx

Excused: xxxxx

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: 5/13/14

(PC Chair)



date: 5/13/14



Staff Report

RECOMMENDED ACTION: Approval with Conditions

CONDITIONS OF APPROVAL: Planning Commission Actions:

- (1) That the Planning Commission finds that this site plan meets the standards for approval of Code Section 10-2132.2(d);

Administrative Actions:

Prior to issuance of a site review permit:

- (2) That the developer shall confirm the quoted exemptions to the stormwater regulations as shown on the preliminary plan per UDO Section 9.2.2.A.2;

Prior to issuance of building permits:

- (3) That the City Attorney approves a public sidewalk easement of approximately two feet in width for the portion of the public sidewalk along Glenwood Avenue located on private property as shown on the preliminary site plan.
-

ZONING:

ZONING DISTRICTS: Industrial-2 with Pedestrian Business Overlay District (Glenwood South).

SETBACKS / HEIGHT: This plan conforms to all minimum setback standards. Front yard = 25', rear yard = 50', front / rear aggregate = 75', side yard = 18', side yard aggregate = 19'. This plan conforms to maximum height standards in the Glenwood South Pedestrian Business Overlay District's Streetscape and Parking Plan. Proposed height of the building is 30.25'

PARKING: Off-street parking conforms to minimum requirements. No parking spaces are required for the first 10,000 square feet of retail in the Pedestrian Business Overlay District. The proposed building is 8,670 square feet. Code Section 10-2055(e) requires modifications to existing developments with on-site parking to retain at least one spot dedicated to persons with disabilities; however, a variance was granted by the Board of Adjustment (A-9-14) to waive this requirement for this development.

LANDSCAPING: Street yard landscaping in conformity with UDO Section 8.5.1 F.1, the Glenwood South Streetscape Plan. No new vehicular surface area is proposed. This is a

medium impact use under Section 10-2082.9. No transitional protective yards are required or provided given the surrounding uses.

**TREE
CONSERVATION:**

This parcel is less than two acres in size; compliance with UDO Article 9.1, Tree Conservation, is not required. There are no trees on site along the thoroughfare.

OPEN SPACE:

The Pedestrian Business Overlay District requires that a minimum of 5% of the 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 acreage of .24 acres, the base minimum amount of open space required for the tract is 525 square feet. The applicant's plan for of 640 square feet of qualifying open space is to be provided through wider sidewalks and an outdoor patio in front of the building. Open space configuration meets the provisions of the code.

PHASING:

There is one phase in this project.

**UNITY OF
DEVELOPMENT:**

Unity of development criteria is not required in this development.

**COMPREHENSIVE
PLAN:**

GREENWAY:

There is no greenway on this site.

**STREET
TYPOLOGY MAP:**

Glenwood Avenue is classified as a Main Street, Parallel Parking. A design adjustment has been granted by the Public Works Director for this development. The design adjustment waives the requirement to dedicate half of the required 73' of right-of-way along Glenwood Avenue.

TRANSIT:

No transit-oriented features are incorporated into the proposed plan. This site is served by Route 6 Crabtree which operates on Glenwood Ave and has a stop in front of the adjoining property. Route 12 Method is less than a block away on Peace St. In addition, Route 8 Northcliff, Route 16 Oberlin and the R-Line are all within 2 blocks of this location.

**COMPREHENSIVE
PLAN:**

The site is located within the Hillsborough CAC, in an area designated Downtown District on the future land use map. That category is intended to enhance Downtown Raleigh as a vibrant mixed use urban center. The category recognizes the area's role as the heart of the city, supporting a mix of high-intensity office, retail, housing, government, institutional, visitor-serving, cultural, and entertainment uses.

Staff has reviewed the site plan and finds this plan in compliance with the Comprehensive Plan and the following policies:

- Policy LU 2.1 Placemaking
- Policy LU 5.1 Reinforcing the Urban Pattern
- Policy LU 7.4 Scale and Design of New Commercial Uses
- Policy LU 7.6 Pedestrian Friendly Development
- Policy UD 2.3 Activating the Street
- Policy UD 6.1 Encouraging Pedestrian-Oriented Uses
- Policy DT 7.19 Downtown Design Guideline Consistency

HISTORIC / DISTRICTS:

The existing building is not a designated Historic Structure. This site is not located in or adjacent to a designated Historic District.

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>
The Commission suggests that, should the applicant choose to use larger trees, the planters be flush and that suspended slab or structural soil be used to provide adequate root zone	We have lowered walls at planters, will plant large vegetation where possible, and will be using sand set pavers in most areas to allow for root health. Note we also added planters in front of front patio per first round comments.
The Commission suggests that a plan be developed for decorative amenity on the wood portion of the south face rear brick wall, should the easement for a punched opening not be secured.	We have inserted the panel on the restaurant side in the design- the owner will add décor as part of interiors package.
The Commission suggests the use of a gabled skylight to echo the gable on the front façade of the building	We have a pyramid shaped skylight in the plans.

SUBDIVISION STANDARDS:

BLOCK / LOTS / ACCESS:

Block Perimeters, lot arrangement and access conform to City Code and Chapter 8 of the UDO.

STREETSCAPE TYPE:

Glenwood Avenue is part of an existing street network and conforms to normal City construction standards. This development is subject to the streetscape requirements of the adopted Glenwood South Streetscape Plan. The preliminary

site plan shows conformance to the Streetscape Plan and UDO Code section 8.5.1 F.

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 is to be provided by private contractor.

CIRCULATION: Proposed street improvements shall conform to normal City construction standards. An existing concrete driveway will be used to access the site.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. A 14' sidewalk is required along Glenwood Avenue and is being provided by the applicant with a portion of the 14' width shown in an approximately two foot width easement on the property.

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

STORMWATER MANAGEMENT: This project is exercising an exemption to stormwater control measures as afforded by UDO Section 9.2.2.A.2. Any plot plan or site plan of ½ acre or less in aggregate size that contains less than 12,000 square feet of impervious surface, including impervious surfaces of related on-site or off-site facilities is exempt from active stormwater controls. This site is .24 acres in size and proposed impervious surface is 10,082 square feet.

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).