



## 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-64-11 / The Gramercy

**General Location:** The northwest quadrant of Glenwood Avenue and West North Street.

**Owner:** Blue Ridge Realty  
**Designer:** JDavis Architects, PLLC

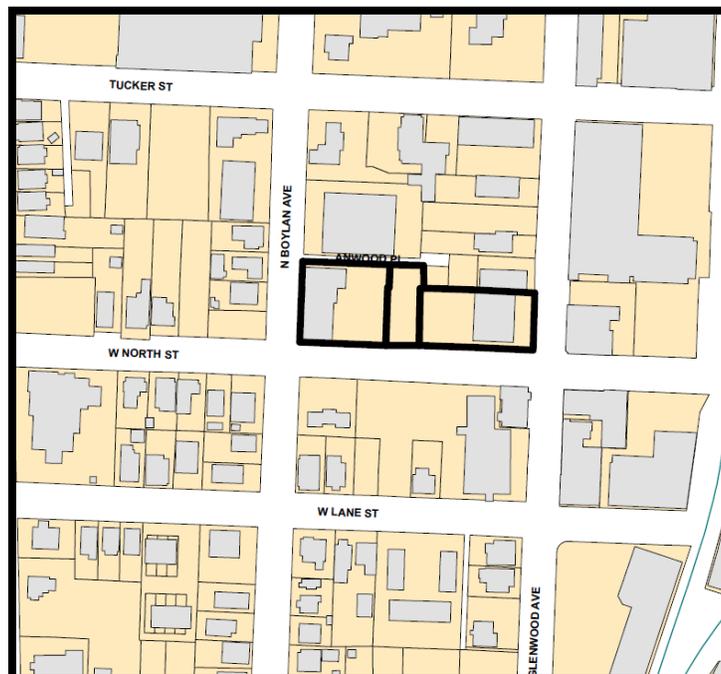
**CAC:** Hillsborough

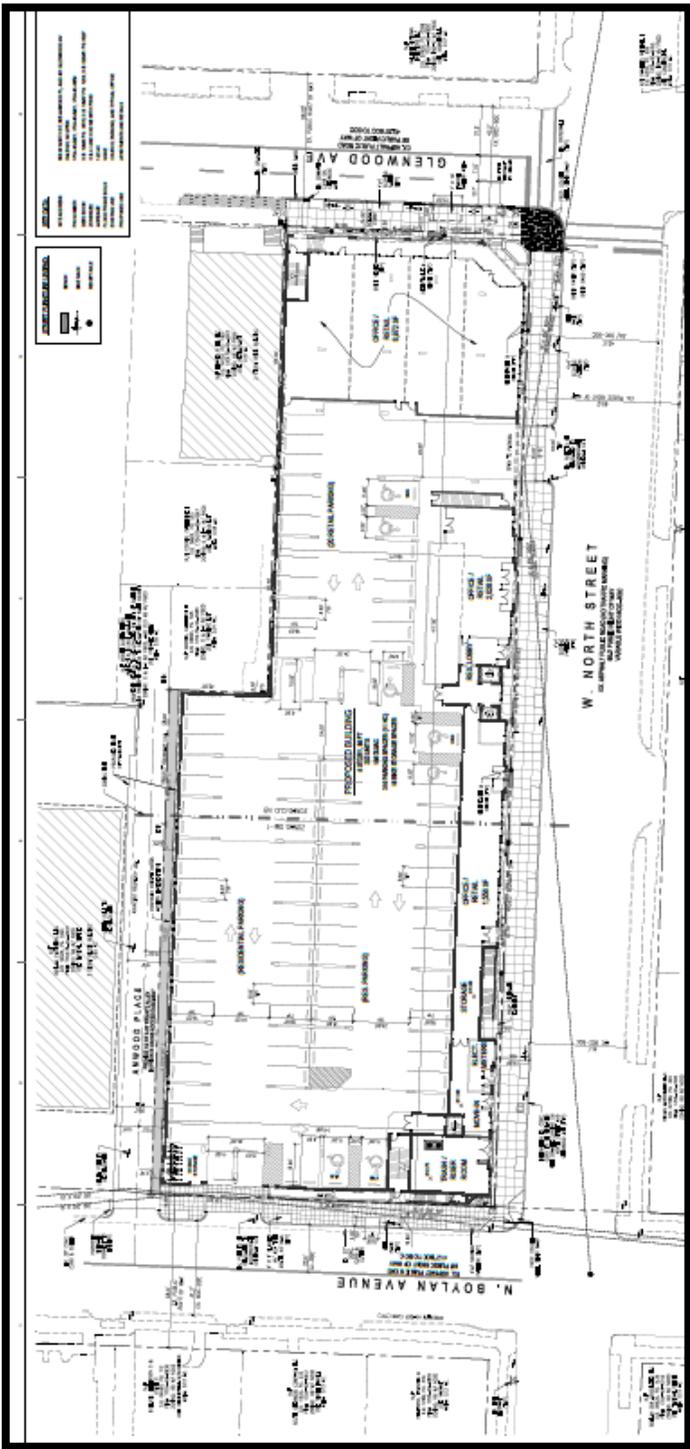
**Nature of Case:** The recombination of three parcels into one parcel to construct an 85-foot tall, 319,394 square foot building, comprised of 203 dwelling units (166 units per acre), 10,556 square foot of retail, and a two story parking deck zoned Office & Institutional-1 and Neighborhood Business CUD with Pedestrian Business Overlay District. This requires preliminary approval for the following reasons:

- (A) It is for a development increasing the residential density in the Pedestrian Business Overlay District greater than 40 units an acre;
- (B) It is for a development exceeding 80' in height;

**Key Issues:** The Planning Commission must find this site plan meet the standards for approval of a residential development exceeding 40 units per acre density in an Office & Institutional-1 with Pedestrian Business Overlay District, providing sufficient retail and service space, open space, parking, minimum net lot area, and minimum yard setbacks. Also, the findings of Code Section 10-2132.2 must be met for the increase in building height above 80'.

**Contact:** Ken Thompson, JDavis Architects, PLLC





Site Plan

**SUBJECT:** SP-64-11 / The Gramercy

**CROSS-REFERENCE:** A-16-13

**LOCATION:** This site is located on the northwest quadrant of Glenwood Avenue and West North Street, inside the City Limits.

**REQUEST:** This request is recombine three lots into one to construct an 85', 319,394 square foot building comprised of 203 dwelling units, 10,556 square foot of retail, and a two story parking deck on a 1.22 acre parcel, zoned Office & Institutional-1 and Neighborhood Business CUD with Pedestrian Business Overlay District. 166 units per acre exceeds the residential density threshold in the Pedestrian Business Overlay District of greater than 40 units an acre, Planning Commission approval is required in accordance with Code Sections 10-2055(d)(1) and 10-2051-(d)(1)c. This proposal utilizes tier 2, providing parking in a deck which meets the standards of 10-2051-(d)(1)c 3, provide retail and service facility which meets the standards on 10-2051-(d)(1)c4, and Open Space which meets the standards of 10-2051-(d)(1)c6.

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**OFFICIAL ACTION:** Approval with conditions

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

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**FINDINGS:** The Planning Commission finds that with the following conditions of approval being met this request conforms to Chapter 2, Part 10, Sections 10-2042, 10-2035, 10-2055 and 10-2132.2, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 6/27/13, owned by Blue Ridge Realty, submitted by JDavis Architects.

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**ADDITIONAL NOTES:** Notification was made in accordance with Z-14-09 zoning condition letter d

**VARIANCES / ALTERNATES:** On January 2, 2013, the City Council approved a right of way on Glenwood Avenue .

A-16-13 - April 8, 2013 The Board of Adjustment approved a variance to construct a building 89 feet in height on the Glenwood Avenue side with no stepback in the Neighborhood Business Conditional Use zoning district with Pedestrian Business Overlay at 401 Glenwood Avenue. The Glenwood South Streetscape and Parking Plan required this parcel to provide a 1:1 stepback for building heights greater than 40 feet in height.

To PC: July 23, 2013

Case History: n/a

Staff Coordinator: Meade Bradshaw

Motion: Schuster

Second: Buxton

In Favor: Braun, Butler, Fleming, Fluhrer, Lyle, Mattox, Schuster, Sterling Lewis, Swink  
and Terando

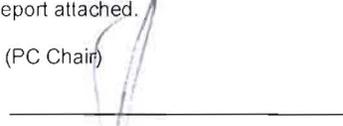
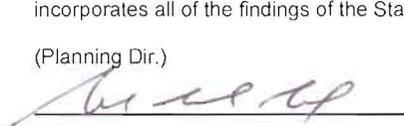
Opposed: xxxxx

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.)

(PC Chair)



date: 7/23/13

date: 7/23/13



## Staff Report

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**RECOMMENDED  
ACTION:** Approval with Conditions

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**CONDITIONS OF  
APPROVAL:** Planning Commission Actions:

- (1) That the Planning Commission finds that this site plan meets the standards for approval of a residential development exceeding 40 dwelling units per acre at a density of 166 units per acre, located in the Pedestrian Business Overlay District in accordance with Code Section 10-2051-(d)(1)c tier 2, providing parking in a deck which meets the standards of 10-2051-(d)(1)c 3, provide retail and service facility which meets the standards on 10-2051-(d)(1)c4, and tier 3 providing open space which meets the standards of 10-2051-(d)(1)c6;
- (2) That the Planning Commission approve the proposed height of 85' in accordance with 10-2132.2(b)(3);
- (3) That the Planning Commission finds that this site plan meets the standards for approval of Code Section 10-2132.2(d);
- (4) That the applicant demonstrate that this site plan complies with North Carolina Building Code requirements for window openings. If building permits can not be obtained based on the design presented, then the revised plans are to be submitted to the Planning Commission for review and re-approval. This is related to the inability for the applicant to prevent construction within Anwood Place which is necessary to construct the building north elevation with window openings.

**Administrative Actions:**

***Prior to approval of site review or construction drawing approval, whichever comes first:***

- (5) That a nitrogen offset payment must be made to a qualifying mitigation bank;
- (6) That a stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved by the Stormwater Engineer in compliance with Part 10 Chapter 9, including the designation of buffer areas and open space areas for stormwater purposes prior to grading or the approval of construction drawings, whichever event comes first;

***Prior to issuance of building permits:***

- (7) That the City Attorney approve a public sidewalk easement for any portion of the proposed 14' wide pedestrian ways on private property adjacent to public right of way along Glenwood Avenue and Boylan Avenue, and the

approved easement deed be recorded in the Wake County Registry. The proposed easement shall also be shown on all plats for recording;

- (8) That in accordance with zoning condition C of Z-14-09 a covenant shall be recorded in the Wake County Registry for the collection/servicing of refuse and recycling facilities to be limited to the hours between 7:00 AM and 7:00 PM, Monday through Friday. A copy of the recorded covenant shall be provided to the Planning Department prior to building permit issuance;
- (9) 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;"
- (10) That prior to issuance of building permits the developer will make a contribution of twenty-four percent (24%) of the initial construction cost of all stormwater control device(s) to the City in accordance with City Code 10-9027;
- (11) That an encroachment agreement for any plantings, planters, awnings transit amenities, or stormwater drainage systems that carry private drainage 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 Public Works 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 Public Works Department, and the encroachment agreement is to be recorded with the Wake County Register of Deeds. Maintenance of the encroachment shall be the responsibility of the owner;
- (12) That a landscape permit is obtained from the urban forester in the Parks and Recreation Department for landscaping in the public right-of-way;
- (13) That construction plans for any required public improvements be approved by the Public Works Department ;
- (14) That all the conditions of Z-14-09 are satisfied and the development complies with the Glenwood South Streetscape and Parking Plan;
- (15) That a recombination map be recorded prior to or in conjunction with the recording of lots, recombining the existing lot into a single tract;
- (16) That a landscape permit is obtained from the urban forester in the Parks and Recreation Department for landscaping in the public right-of-way; and

***Prior to issuance of an occupancy permit:***

- (15) That prior to Issuance of a Certificate of Occupancy an as-built certification for all stormwater control devices as required under Code Section 10-9025(c) shall be provided to the Public Works Department, all stormwater

systems shall be in place and functioning, and an original inspection report per Code Section 10-9028.

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**ZONING:**

**ZONING  
DISTRICTS:**

Office & Institutional-1 & Neighborhood Business CUD w/ Pedestrian Business Overlay District. Ordinance 534 ZC 631 Effective 2/3/09.

Z-14-09 - Conditional Use; Glenwood Avenue and W. North Street – located on Glenwood Avenue, northwest quadrant of its intersection with W. North Street, being Wake County PIN(s) 1704-40-4859 and 1704-40-3921. Approximately 0.68 acre being rezoned to Neighborhood Business Conditional Use District with Pedestrian Overlay District.

Conditions Dated: 01-21-08

Narrative of conditions being requested (Revised December 15, 2008):

a. The following uses shall be prohibited:

1. Automotive service and repair facility
2. Civic, Convention center
3. Landfill
4. Kennel/cattery
5. Riding stable
6. Correction/penal facility
7. Outdoor stadium, outdoor theater or racetrack
8. Exterminating Service

**Proposed use is residential and retail**

b. Drive-thru service window shall be prohibited.

**No drive-thru facility is proposed.**

c. The collection/servicing of refuse and recycling facilities shall be limited to the hours between 7:00 AM and 7:00 PM, Monday through Friday.

**A covenant will be recorded prior to building permit issuance**

d. Prior to making request for Preliminary Site Plan Approval to either the Raleigh City Council or Planning Commission, the property owner, or their agent, shall present the site plan request to the Hillsborough Citizens Advisory Council (or its future equivalent). The presentation to the CAC shall be conducted at least thirty (30) days prior to the request being placed on the agenda of the Planning Commission/City Council. The presentation to the CAC shall not be required for Administrative Site Plans.

**Presentation given in January 2013 at the Hillsborough CAC.**

**SETBACKS /  
HEIGHT:**

This plan conforms to all minimum setback standards. Front yard = 4', rear yard = 3', front / rear aggregate = 7', side yard = 3' & 4', side yard aggregate = 7'. This plan conforms to maximum height standards in this zoning district. Proposed height of the building is 85'. Per the Glenwood South Streetscape Plan, Code Section 10-2132 allows the building to be constructed at a height greater than 80' upon approval from the Planning Commission.

**PARKING:**

Off-street parking conforms to minimum requirements: 189 spaces required, based on 1 parking space per unit within the PBOD exempting the first 16 residential units and 1 parking space per 400 square feet of retail, exempting the first 10,000 square feet of retail. 310 spaces are provided. Requisite bicycle parking required by 10-2055(e)(6) has been provided in the parking deck and on the public sidewalk along Glenwood Avenue, West North Street, and Boylan Avenue.

**LANDSCAPING:**

Street trees in conformity with the Glenwood South Streetscape plan are shown. This is a high residential density impact use under Section 10-2082.9 with public rights-of-way on three sides of the property and a non-residential use on the northern property line, which does not require a transitional protective yard.

**TREE  
CONSERVATION:**

All three parcels are currently developed with no trees on site, thus no tree conservation measures are required.

**DEVELOPMENT  
INTENSITY:**

A density of 166 units per acre is proposed. The applicants are allowed increases in residential densities in excess of 40 units per acre through the Pedestrian Business Overlay District. For each standard articulated in Code Section 10-2051 and 10-2055 Pedestrian Business Overlay District the Planning Commission finds the plan compliant with, an increase in density of 60 units per acre is allowed. At the proposed density of 166 units per acre, the plan would have to meet two standards of tier 2 and one standard of Tier 3 to achieve the desired density. The applicants denote that their plan meets three of these standards.

**Tier 2**

**Parking Deck:** At least eighty (80) per cent of the off-street parking spaces provided are contained in a multilevel parking structure. Parking decks shall be visually integrated into the principle building. Parking decks shall be designed to be compatible with other buildings on the site by using compatible building materials and architectural designs, as reflected in scale, color, texture, fenestration, width, height, roof lines, and other similar architectural gauges. However, parking decks located within the interior of the property and not visible from any public street, private street, common open space area or adjacent property shall be exempt from this provision. No more than seventy-five (75) feet total of the ground level of the sides of the building or parking deck (measured twenty (20) feet deep from the facade of the building) located on the sides of the lot fronting a public street, private street or common open space area shall be devoted to parking, driveways and/or loading areas. The proposed parking deck has been evaluated by staff and was found to be compliant with these standards.

**Service and retail facility:** The development contains on-site a minimum of fifty square feet per unit for the total number of units within the development of service or retail facilities to serve the residents. Such facilities may include retail

sales – convenience, retail sales – personal services, eating establishment, food store-retail, movie theater-indoor, recreational indoor use – commercial and medical and dentil offices. No service or retail facility may be located on the site unless it is permitted buy the underlying zoning district and unless otherwise approve by the City Council in accordance with 10-2051(d)(1)a.5

**Tier 3**

Open Space: Existing sidewalk 0-14' with the construction of a 14' sidewalk and a courtyard which contains one-half of the required space shall be in one continuous part with a minimum length and width dimension of twenty feet.

**OPEN SPACE:** The Pedestrian Business Overlay District requires that a minimum of 5% of the total land area of the development be set aside as open space. "Open space" is defined to include: greenways; 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 ½ 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 1.22 acres, the base minimum amount of open space required for the tract is 2,657 square feet. The applicant's plan for a minimum of 11,180 (15%) square feet of qualifying open space is to be provided through wider sidewalks and a qualifying courtyard near the southeast corner of the site. Open space configuration meets the provisions of the code.

**PHASING:** There is one phase in this development.

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

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**COMPREHENSIVE PLAN:**

**GREENWAY:** There is no greenway on this site.

**THOROUGHFARE / COLLECTOR PLAN:**

On January 2, 2013, the City Council approved a variance from the requirement that Glenwood Avenue be widened and constructed to a divided multi-lane roadway with an 80' right-of-way along their property's frontage.

Sufficient right-of-way and road improvements exist along the property's frontage of West North Street and North Boylan Avenue.

**TRANSIT:** A transit stop is beneficial for this area. Any stop located here would be solely in the right of way and would not require approval by the property owner.

**COMPREHENSIVE  
PLAN:**

The site is located within the Hillsborough CAC, and is designated as Central Business District on the future land use map. The Central Business District category is intended to enhance Downtown Raleigh as a vibrant mixed use urban center. Staff has reviewed the Glenwood South Streetscape and Parking Plan and the Peace Street Streetscape and Parking Plan, as well as the following Comprehensive Plan policies:

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 T 2.9—Curb Cuts  
Policy T 4.8—Bus Waiting Areas  
Policy T 5.2—Incorporating Bicycle and Pedestrian Improvements  
Policy T 5.5—Sidewalk Requirements  
Policy T 5.9—Pedestrian Networks  
Policy T 5.10—Building Orientation  
Policy UD 1.2—Architectural Features  
Policy UD 1.3—Creating Attractive Facades  
Policy UD 1.4—Maintaining Facade Lines  
Policy UD 2.1—Building Orientation  
Policy UD 2.2—Multi-modal Design  
Policy UD 2.3—Activating the Street  
Policy UD 2.6—Parking Location and Design  
Policy UD 2.7—Public Open Space  
Policy UD 3.8—Screening of Unsightly Uses  
Policy UD 6.1—Encouraging Pedestrian-Oriented Uses  
Policy UD 6.4—Appropriate Street Tree Selection  
Policy UD 7.3—Design Guidelines  
Policy DT 1.11—Downtown Edges  
Policy DT 1.13—Downtown Transition Areas  
Policy DT 1.16—High Density Public Realm Amenities  
Policy DT 2.7—Ped-Bike Benefits on Green Streets  
Policy DT 2.8—Priority Pedestrian Streets  
Policy DT 2.23—Wrapped Parking Preference  
Policy DT 2.24—Parking Garage Constrained Streets  
Policy DT 2.25—Parking Garage Non-Constrained Streets  
Policy DT 2.26—Active Ground Floor Parking Uses  
Policy DT 3.1—Ground Floor Uses on Primary Retail Streets  
Policy DT 7.2—Maintaining Consistent Setbacks  
Policy DT 7.3—Streetwalls  
Policy DT 7.4—Building Entries  
Policy DT 7.5—Ground Level Design  
Policy DT 7.6—Minimizing Service Entrance Visibility

Policy DT 7.7—Signage

**HISTORIC /  
DISTRICTS:**

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:

<b>Comment</b>	<b>Response</b>
The Commission is concerned about the flat appearance and maintenance needs of proposed cementitious siding.	The cementitious siding only occurs the two recessed courtyards – one on the north and south elevations. Within the courtyards the expanses are broken up projecting balconies and changes in material.
The Commission recommends the use of cutoff fixtures or careful placement of fixtures in parking deck to avoid off-site glare.	complies
The Commission recommends that the applicant consider the extension of the arcade to turn the corner onto North Street.	complies
The Commission recommends the placement of active and/or retail ready space at the corner of North and Boylan Streets in lieu of the trash room and stairwell.	The applicant believes entrances to the building with a staircase to the sidewalk is an active use.
The Commission recommends the further detailing or articulation, with a preference for artistic treatments, of blank wall sections on the north elevation visible from Glenwood Avenue.	Additional detail has been added
The Commission recommends the use of an open corner rather than placement of a planter at the corner of Glenwood Avenue and North Street.	The corner of the building at the intersection of Glenwood Avenue and West North Street
The Commission recommends the use of architectural moves to emphasize the verticality of project similar to the rendering shown at the Commission review.	The applicant believe it meets this recommendation

**SUBDIVISION  
STANDARDS:**

**BLOCK LAYOUT:** The proposed street layout conforms to City Code, providing for efficient circulation of traffic within the entire neighborhood area. The maximum block length in this development meets the 1500-foot standard as noted in the Streets, Sidewalks and Driveway Access Handbook. No dead end street in this development exceeds 800 feet in length.

**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.

**CIRCULATION:** Access to the parking decks will be from West North Street and Boylan Avenue.

**PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. A minimum 14' wide sidewalk is required along the property's frontage on Glenwood Avenue, West North Street, and Boylan Avenue. A 2.08' sidewalk easement is proposed on Glenwood Avenue to provide a 14' sidewalk width. And a 0-1.5' variable width sidewalk easement is located on Boylan Avenue to provide a 14' sidewalk on Boylan Avenue.

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

**STORMWATER  
MANAGEMENT:**

This site is subject to stormwater management controls in accordance with Chapter 9 of Part 10 of the Raleigh City Code. This development plan proposes to use an underground detention facility to attenuate the post-development peak discharge rates to pre-development conditions for the 2 year and 10 year storm events. An underground sand filter and one time mitigation payment to a private mitigation bank are proposed to reduce nitrogen loading rates to 3.6 lbs/ac./yr.

**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.