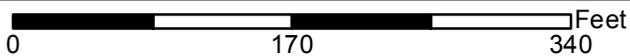
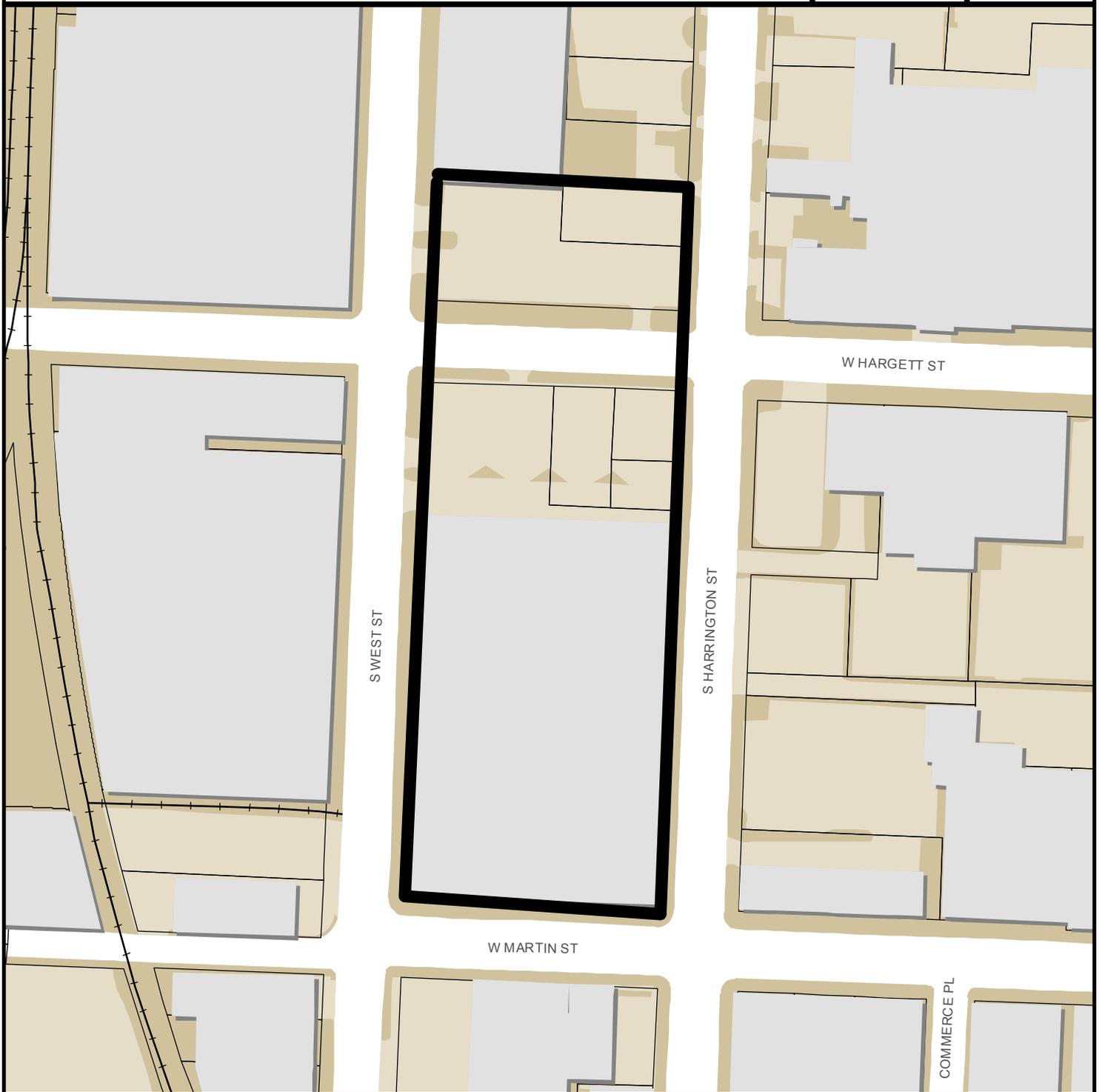


DILLION SR-21-2015



Zoning: **DX-20-SH-CU**

CAC: **Central**

Drainage Basin: **Rocky Branch**

Acreage: **2.52**

Square Feet: **541,272**

Planner: **Justin Rametta**

Phone: **(919) 996-2665**

Applicant: **Kane Realty Corp.**

Phone: **(919) 369-4096**





Administrative Action Administrative Site Review

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27602
(919) 996-2626
www.raleighnc.gov

Case File / Name: SR-21-15 / The Dillon

General Location: This site is located on the block bounded by West Hargett Street, West Martin Street, South West Street, and South Harrington Street as well as two parcels on the north side of West Hargett Street between South West Street and South Harrington Street.

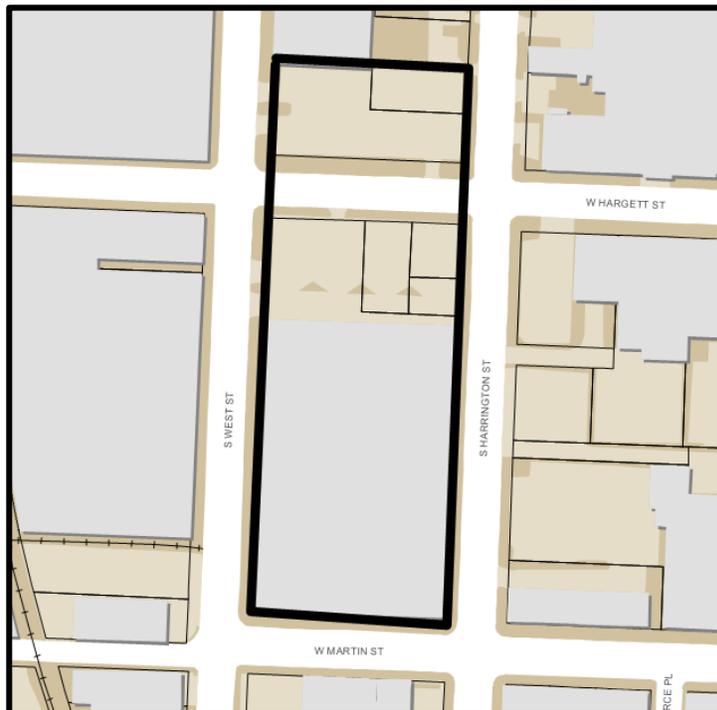
CAC: Central

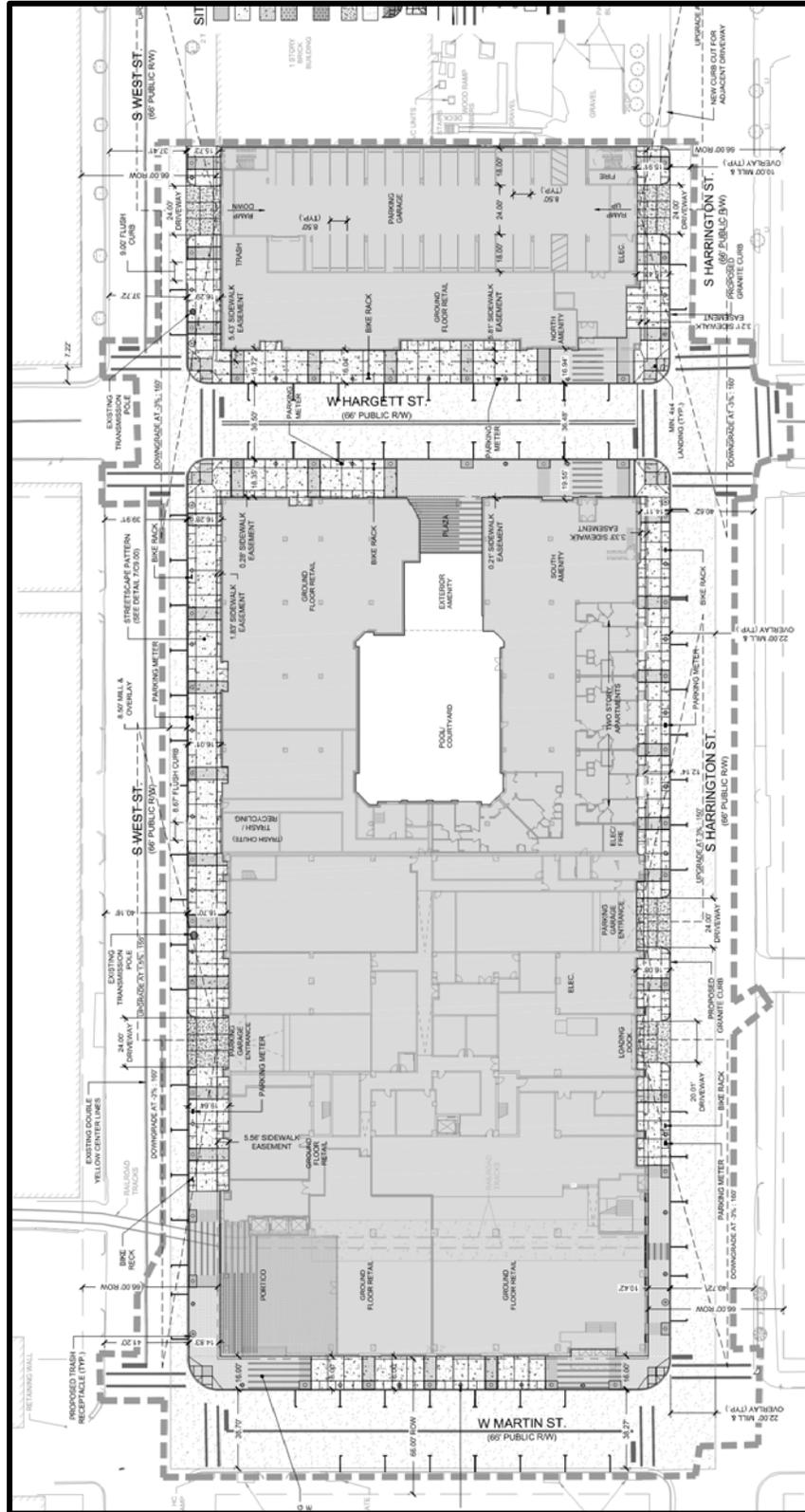
Request: Redevelopment consisting of the six tracts totaling 2.03 acres bound by West Hargett Street, South Harrington Street, West Martin Street, and South West Street. Also included are two parcels totaling .49 acres on the north side of West Hargett Street, east of South West Street and West of South Harrington Street. All properties are zoned DX-20-SH-CU. Development will consist of two buildings as follows:

North - 106,681 square foot, 80 foot tall mixed use building with 95 residential units and 5,226 square feet of retail space. A 62 space parking structure is integrated into the building.

South – 442,646 square foot, 250 foot tall mixed use building with 172 residential units, 216,561 square feet of office space, 41,494 square feet of retail space, and a 989 space parking structure.

Cross-Reference: Z-1-15





SR-21-15 Preliminary Site Plan

Code Conformance:		Code Section(s)
Zoning District:	DX-20-SH-CU	2.1 , 3.1
Overlay District:	N/A	5.1
Parking:	<p><u>North Block:</u> 79 spaces required based on 1 space per dwelling unit (95 residential units less 16 per Section 7.1.3). No parking required for the 5,226 square feet of retail space per Section 7.1.3.</p> <p><u>South Block:</u> 156 spaces required based on 1 space per dwelling unit (172 units less 16 per Section 7.1.3). 457 spaces required based on one 1 space per 500 square feet of 258,055 square feet of combined office and retail uses less 30,000 square feet per Section 7.1.3.</p> <p><u>Total:</u> 692 spaces required. 1,051 spaces are provided in two parking structures (989 in the south garage, 62 in the north garage). Note 17 of the required spaces for the North Block are provided as remote parking in the South Block building.</p>	7.1.2
Street Type(s):	All four existing streets are classified as Main Streets with parallel parking (See Design Adjustment, below).	8.4
Streetscape:	Main Street (See Design Adjustment, below).	8.5
Setbacks/Frontage:	This property has a Shopfront (SH) frontage. This frontage requires a 'build-to' range of 0'-15' on both primary and side streets. This development complies with the Shopfront frontage requirements of Section 3.4.9.	3.4 , 3.2 , 2.2
Neighborhood Transitions:	This project is not required to provide Neighborhood Transitions.	3.5
Transitional Protective Yards:	This project is not required to provide Transitional Protective Yards.	7.2.4
Stormwater:	This site is utilizing pervious pavers to claim an exemption from stormwater quantity control requirements under Section 9.2.2.A4 (substitution of impervious surfaces). A payment for nitrogen mitigation is being made to meet water quality requirements.	9.2

<p>Tree Conservation:</p>	<p>This site does not contain any qualifying tree conservation areas.</p>	<p>9.1</p>
<p>Design Adjustments, Administrative Alternates:</p>	<p>Three Administrative Alternates have been approved by the Planning Director for this project:</p> <ol style="list-style-type: none"> 1. Section 3.3.3, <i>Building Massing Standards</i>: Approved alternate to building setback and maximum floor plate size. 2. Section 1.5.8, <i>Pedestrian Access</i>; and Section 3.4.9.E1, <i>Shopfront Frontage</i>: Approved alternate to primary street-facing entrance spacing requirements. 3. Section 1.5.9, <i>Transparency</i>; and 3.2.6.F, <i>Mixed Use Building</i>: Approved alternate to building transparency requirements. <p>Two Design Adjustments have been approved by the Public Works Director for this project:</p> <ol style="list-style-type: none"> 1. A Design Adjustment to Section 8.4.5.D, to not require additional right-of-way dedication for any of the existing streets. 2. A Design Adjustment to Section 8.5.2.A to allow variable sidewalk widths and alternate landscaping elements for a Main Street streetscape. 	

OFFICIAL ACTION: Approval with conditions

CONDITIONS OF APPROVAL:

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

1. That in accordance with Part 10A Section 9.4.4, a surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City;

Prior to the issuance of any site permits, infrastructure construction plans or concurrent review process, whichever is applicable:

2. 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 10A Chapter 9 of the Unified Development Ordinance, 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;

3. That a nitrogen offset payment must be made to a qualifying mitigation bank;
4. That construction plans for the shared stormwater devices be submitted and approved by the Public Works Department;
5. That if post-development impervious is greater than pre-development, nutrient loading will be addressed through an underground BMP. The project is attempting to match/decrease impervious from existing such that no BMP is required. The proposed underground BMP will be implemented if this cannot be achieved;
6. That construction plans are approved by the Public Works and Public Utilities Department;

Prior to issuance of building permits:

7. That the developer shall pay to the City a stormwater facility replacement fund payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans;
8. That the City form document entitled Declaration of Maintenance Covenant and Grant of Protection Easement for Stormwater Control Facilities shall be recorded with the county register of deeds office where the property is located prior to any recordation of a subdivision or recombination plat and a copy of the recorded documents be provided to the Planning Department within the 14-day period, further recordings and building permits authorization will be withheld if the recorded document is not provided to the Planning Department; Required legal documents shall be recorded within 1 day of the approval of a recorded map, if applicable;
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 property owners association;"
10. That the City form document entitled Declaration of City of Raleigh Required City Code Provisions for Developments with Common Elements and Common Expenses shall be recorded with the county register of deeds office where the property is located prior to any recordation of a subdivision or recombination plat, and a copy of the recorded documents be provided to the Planning Department within the 14 day period; further plan recordings and building permits authorization will be withheld if the recorded document is not provided to the Planning Department; Required legal documents shall be recorded within 1 day of the approval of a recorded map;
11. That in accordance with Part 10A Section 9.2.2, a surety equal to 125% of the cost of the construction of a stormwater device is paid to the Public Works Department;
12. 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 all four public streets is paid to the Public Works Department;
13. That a recombination map be recorded prior to or in conjunction with the recording of lots, recombining the existing lots into two tracts (one on the north side of West Hargett Street and one on the south side);

14. That demolition permits be issued for existing buildings on the sites;
15. That the Public Works Department approve a public sidewalk easement for any portion of the public sidewalk along South West Street, South Harrington Street, and West Hargett Street within private property;
16. That an encroachment agreement for any plantings, planters, awnings 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;
17. That the applicant provide proof of an offsite parking agreement recorded with the Wake County Register of Deeds to fulfill the required parking for the north building in the south garage, and the applicant shall agree in writing to provide the required off-street parking as long as the principal use shall continue and shall agree that the principal use shall be discontinued should the required off-street parking no longer be provided on these off-site parcels or their equivalent;
18. That final architectural plans show building façade construction in conformance with the approved Administrative Alternates for transparency;
19. That all conditions of Z-1-15 are complied with;

Prior to issuance of building occupancy permit:

20. That in accordance with Part 10A Section 9.2.2, an as-built plan and certification any stormwater control device and as-built impervious survey shall be reviewed and accepted by the City prior to final stormwater inspection approval or certificate;
21. That a tree impact permit be obtained from the Urban Forester.

I hereby certify this administrative decision.

Signed: (Planning Dir.) Kenneth Bowen (S. Barlow) Date: 2-26-16

Staff Coordinator: Justin Rametta

SEE LAST PAGE FOR IMPORTANT INFORMATION ON THE NEXT STEP IN THE PROCESS.

FINDINGS: City Administration finds that this request, with the above conditions being met, conforms to the Unified Development Ordinance. This approval is based on a preliminary plan dated 2/22/16, submitted by Stewart Engineering.

EXPIRATION DATES: The expiration provisions of UDO Section 10.2.8 E, including the ability to request extensions in the expiration date, apply to this site plan. If significant construction has not taken place on a project after administrative site review approval, that approval may expire and be declared void, requiring re-approval before permits may be issued. To avoid allowing this plan approval to expire the following must take place by the following dates:

3-Year Expiration Date: 2-26-19

Obtain a valid building permit for the total area of the project, or a phase of the project.

4-Year Completion Date:

Within four years after issuance of the first building permit for the site plan, the construction of the entire site plan must be completed unless an applicant has been granted vested rights. Failure to complete construction within this specified time frame shall automatically void the approved site plan for which no building permits have been issued.

WHAT NEXT?:

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



Planning and Development Director Action

Administrative Alternate Findings:

Sec. 3.3.3. Administrative Alternate Findings

The Planning and Development Officer may in accordance with Sec. 10.2.17. approve an alternate building massing standard, subject to all of the following findings:

1. The approved alternate meets the intent of the building massing regulations.

The intent of the building massing regulations is to manage the impact of tall buildings located near the public right-of-way. Stepbacks are intended to provide access to light and air at street level, mitigate wind impacts, produce a consistent street wall and visually reduce the perceived scale of a building to avoid a canyon effect

Staff response: The project uses building materials and orientation of the tower component to reduce perceived project scale and provide access to light and air.

2. The approved alternate conforms with the Comprehensive Plan and adopted City plans.

Staff response: The project creates attractive facades that are sensitive to surrounding context through material selection, placement of building mass and preservation of historically significant building elements.

3. If the approved alternate uses a change in building materials to mimic a change in wall plane, the most substantial and durable building materials are located at the bottom floors of the building.

Staff response: The proposed development features an active ground level experience with durable building materials, and uses placement of office tower façade materials through a portion of the parking deck façade to break down mass and incorporate disparate building components into a cohesive architectural scheme.

4. If the approved alternate proposes a building setback behind the sidewalk in lieu of a required stepback, the resulting open space includes public amenities such as seating areas, trees and landscaping or outdoor dining.

Staff response: Not applicable.

5. The building contains architectural treatments for delineating the base, middle and top of the building.

Staff response: The proposed development features changes in building materials, patterning and placement, as well as subtle shifts in wall plane to delineate base, middle and top of building.

Sec. 1.5.8. Administrative Alternate Findings

The Planning and Development Officer may in accordance with Sec. 10.2.17. allow a non-street-facing entrance, subject to all of the following findings:

1. The approved alternate meets the intent of the street-facing entrance regulations;

1. The street-facing entrance regulations are intended to concentrate pedestrian activity along the street edge and provide an easily identifiable and conveniently-located entrance for residents, visitors and patrons accessing a building as pedestrians from the street.

2. Access points should be located or identified in a manner visible to the pedestrian from the street and be accessible via a direct path.

Staff response: The proposed development features primary building entrances along the street edge which are placed at prominent building corners that are highly visible and easily accessible.

2. The approved alternate conforms with the Comprehensive Plan and adopted City plans;

Staff response: The proposed development creates an active public realm that is context responsive through preservation of existing building facades, addition of fenestration and placement of oversized building entries on prominent corners.

3. The pedestrian access point is easily identifiable by pedestrians, customers and visitors;

Staff response: The proposed project features two building entrances on Martin Street that are oversized, prominently placed and architecturally treated to be read as primary building entrances.

4. Recessed or projecting entries or building elements have been incorporated into the design of the building to enhance visibility of the street-facing entrance; and

Staff response: The proposed development features building entries that, due to existing floor elevation, require stair access that projects from the building face. Additionally these entries are oversized and located at prominent building corners.

5. The pedestrian route from the street and bus stops and other modes of public transportation to the entrance is safe, convenient and direct.

Staff response: The proposed development features convenient building entrances directly from the public sidewalk and located to be responsive to built context and anticipated pedestrian patterns of travel.

Decision The Planning and Development Director finds that the requested alternate generally meets the findings enumerated in the Unified Development Ordinance



Signature

11-23-15

Date



Planning and Development Director Action

Administrative Alternate Findings:

Sec. 1.5.9.C. Administrative Alternate Findings

The Planning and Development Officer may in accordance with Sec. 10.2.17. reduce the required transparency, subject to all the following findings:

1. The approved alternate meets the intent of the transparency requirements;
Staff response: The project provides detail and visual interest at street level and provides an adequate level of transparency given mitigating circumstances, including a zoning condition requiring preservation of existing wall sections.
2. The approved alternate conforms with the Comprehensive Plan and adopted City plans; and
Staff response: The project conforms to several Comprehensive Plan policies and creates an attractive facade that is sensitive to surrounding context and provides preservation of historically significant building elements.
3. The street-facing building façade utilizes other architectural treatments to create visual interest to offset the reduction in transparency;
Staff response: The proposed development features an active ground level experience and visual interest with a variety of building materials and articulation.

Decision The Planning and Development Director finds that the requested alternate generally meets the findings enumerated in the Unified Development Ordinance



Signature

12/23/15

Date



Planning & Development

**Public Works
Transportation Field Services**
One Exchange Plaza
Suite 300
Raleigh, NC 27602
www.raleighnc.gov

Public Works Design Adjustment Application

The purpose of this request is to seek a design adjustment from the Public Works Director for a specific project only and if granted may be given with special conditions and provisions. This application and all further action shall be consistent with Section 10.2.18 of the Unified Development Ordinance (UDO). The consideration and decision of this request shall be based solely on the conformance of the findings, as outlined in Sections 8.3.6 and 8.4.1.E of the UDO.

Project	Project Name	Dillon			
	Case Number	SP-21-2015	Transaction Number	449158	
Owner	Name	Dillon Station, LLC			
	Address	4321 Lassiter at North Hills Avenue	City	Raleigh	
	State	NC	Zip Code	27609	
	Phone	919-719-5438			
Applicant	Name	Joe Puckett, PE	Firm	Stewart	
	Address	421 Fayetteville Street, Suite 400		City	Raleigh
	State	NC	Zip Code	27601	
	Phone	jpuckett@stewartinc.com			

***Applicant must be a Licensed Professional (Engineer, Architect, Surveyor, or Contractor)**

Design Adjustment Request	Code Section Referenced	Section 8.4.5.D Mixed Use Streets
	Justification	Section 8.4.5.D – Main Street requires a ROW width of 73'. Section 8.5.G allows the Public Works Director to approve an existing street design adjustment.
		Section 8.5.1.B.1.e allows for administrative design adjustments when an existing building would impede roadway expansion: Zoning case Z-1-15 requires the preservation of the existing building façade. As such, this precludes dedication of additional ROW for this project.
		Property is located within the original Christmas Plan boundary. There is a precedent to allow 66' Right of Way to remain in this area.

*Please include any additional supportive documents (Plan sheets, aerials, etc.) along with this application. It is the applicant's responsibility to provide all pertinent information required for consideration.

By signing this document I hereby acknowledge the information on this application is accurate to the best of my knowledge.

[Signature]
Owner/Owner's Representative Signature 11/3/2015
Date

In witness whereof, the parties signed have executed this document on this date.

[Signature] 11/3/15 3/25/2017
Notary Signature Date





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	Dillon Redevelopment	Date Completed Application Received	11/18/2015
	Case Number	SR-21-2015	Transaction Number	449158

Staff Response/Recommendation	Staff supports the design adjustment from Right-of-Way dedication within the Christmas Boundary.		
	Staff Member	Daniel G. King, PE	Support Request <input checked="" type="checkbox"/>

Public Works Director's Action:

Approve Approval with Conditions Deny


12/3/15

Richard L. Kelly, Interim Public Works Director Date

*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	
-------------------------	--

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).

One Exchange Plaza, Suite 300
Raleigh, NC 27601

Phone: 919-996-3030
www.raleighnc.gov



Planning & Development

**Public Works
Transportation Field Services**
One Exchange Plaza
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Raleigh, NC 27602
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Public Works Design Adjustment Application

The purpose of this request is to seek a design adjustment from the Public Works Director for a specific project only and if granted may be given with special conditions and provisions. This application and all further action shall be consistent with Section 10.2.18 of the Unified Development Ordinance (UDO). The consideration and decision of this request shall be based solely on the conformance of the findings, as outlined in Sections 8.3.6 and 8.4.1.E of the UDO.

Project	Project Name Dillon	
	Case Number	Transaction Number 449158

Owner	Name Dillon Station, LLC		
	Address 4321 Lassiter at North Hills Avenue		City Raleigh
	State NC	Zip Code 27609	Phone 919-719-5438

Applicant	Name Joe Puckett, PE		Firm Stewart
	Address 421 Fayetteville Street, Suite 400		City Raleigh
	State NC	Zip Code 27601	Phone jpuckett@stewartinc.com

***Applicant must be a Licensed Professional (Engineer, Architect, Surveyor, or Contractor)**

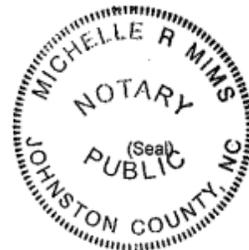
Design Adjustment Request	Code Section Referenced Section 8.5.2.A (Main Street)
	<p>Justification</p> <p>Section 8.5.2.A – Main Street Streetscape Type A for a shopfront frontage requires a sidewalk width of 10' and a planting area of 6'.</p> <p>This project is providing variable width sidewalk/planting areas from 10.5' to 23' feet in width. The sidewalk widths exceed ADA requirements. The existing building façade is being retained which precludes the ability to provide 10' sidewalk and 6' planting area. We propose alternatively-sized tree grates of 4 x 8 to maximize pedestrian maneuverability along the sidewalk. The increase to a minimum 6.5' wide sidewalk is a betterment over the existing condition.</p>

*Please include any additional supportive documents (Plan sheets, aerials, etc.) along with this application. It is the applicant's responsibility to provide all pertinent information required for consideration.

By signing this document I hereby acknowledge the information on this application is accurate to the best of my knowledge.

[Signature]
Owner/Owner's Representative Signature 11/3/2015
Date

In witness whereof, the parties signed have executed this document on this date.
[Signature] 11/3/2015 3/25/2017
Notary Signature Date





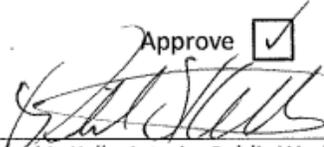
Public Works Design Adjustment – Staff Response

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 Dillon Redevelopment	Date Completed Application Received 11/18/2015
	Case Number SR-21-2015	Transaction Number 449158

Staff Response/Recommendation	Staff supports the design adjustment from Right-of-Way dedication within the Christmas Boundary.	
	Staff Member Daniel G. King, PE	Support Request <input checked="" type="checkbox"/> Does Not Support <input type="checkbox"/>

Public Works Director's Action:

Approve Approval with Conditions Deny

 Richard L. Kelly, Interim Public Works Director Date 12/3/15

*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	
-------------------------	--

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).

One Exchange Plaza, Suite 300
Raleigh, NC 27601

Phone: 919-996-3030
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