LOCATION: This site is located on the west side of Blue Ridge Rd, south of Fairmeadow Lane (corner site at 2413 Blue Ridge Road).

REQUEST: Development of a 1.6 acre (69,903 total gross sf) tract zoned OX-5-UL into a 31,554 square foot office use structure. The existing 9,556 structure will be demolished and replaced with a proposed 2 story office bank, 31,554 gross sf size with 7,397sf of amenity area and 1,793 sf of right-of-way dedication.

DESIGN ADJUSTMENT(S)/ALTERNATES, ETC: A design adjustment to the Mixed Use Streetscape requirements of UDO Section 8.5.2 B has been approved.

An Administrative Alternate for the Build-to requirements per AAD-3-19 has been approved.

FINDINGS: City Administration finds that this request, with the below conditions of approval being met, conforms to the Unified Development Ordinance. This approval is based on a preliminary plan dated 1/25/2019 by John A. Edwards & Company.

CONDITIONS OF APPROVAL and NEXT STEPS:

This document must be applied to the second sheet of all future submittals except for final plats. This is a preliminary plan and as such no permits have been issued with this approval. To obtain permits and/or completion of the project, the following steps are required:

☐ CONCURRENT SITE REVIEW NOT REQUIRED AT THIS TIME – However, plan revisions or further development that includes land disturbance of 12,000 square feet or greater, public or private infrastructure, shared stormwater devices, etc. will require concurrent site review.

☒ CONCURRENT SITE REVIEW - For land disturbance of 12,000 square feet or greater, public or private infrastructure, shared stormwater devices, etc. Concurrent Site Review may be submitted upon receipt of this signed approval document.

The following items are required prior to approval of Concurrent Site Review plans:

Engineering

1. Required NCDOT encroachment and/or driveway permits must be approved and copies provided to Development Services – Development Engineering prior to concurrent review approval.

2. A right-of-way obstruction permit must be obtained from Right-of-way Services prior to the commencement of any construction activities within the right-of-way.

Stormwater
3. A stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved (UDO 9.2).

4. A surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City (UDO 9.4.4).

**LEGAL DOCUMENTS** - Email to legaldocumentreview@raleighnc.gov. Legal documents must be approved, executed, and recorded prior to or in conjunction with the recorded plat on which the associated easements are shown. Copies of recorded documents must be returned to the City within one business day of recording to avoid withholding of further permit issuance.

| ☒ | City Code Covenant | ☐ | Slope Easement |
| ☐ | Stormwater Maintenance Covenant | ☐ | Transit Easement |
| ☒ | Utility Placement Easement | ☒ | Cross Access Easement |
| ☒ | Sidewalk Easement | ☐ | Public Access Easement |
| ☒ | | ☐ | Other: |

**RECORDED MAP(S)** - Submit plat to record new property lines, easements, tree conservation areas, etc.). Plats may be submitted for review when the Concurrent Site Review plans, if required, have been deemed ready for mylar signature.

*The following items must be approved prior to recording the plat:*

**General**

1. A demolition permit shall be issued and this building permit number shown on all maps for recording.

**Engineering**

2. The required right of way for proposed and/or existing streets shall be dedicated to the City of Raleigh and shown on the map approved for recordation.

3. A 5' general utility easement and associated deed of easement shall be approved by the City and the location of the easement shall be shown on the map approved for recordation. The deed of easement shall be recorded at Wake County Register of Deeds within one day of recordation of the recorded plat. A recorded copy of these documents must be provided to the Development Services Department within one day from authorization of lot recordation. If recorded copies of the documents are not provided, further recordings and building permit issuance will be withheld.

4. A cross access agreement among the lots identified as PINs 0785711321 and 0785619131 shall be approved by the Development Services Department for recording in the Wake County Registry, and a copy of the recorded cross access easement shall be returned to the Development Services Department within one day of plat recordation. If a recorded copy of the
document is not provided within this time, further recordings and building permit issuance will be withheld.

5. A sidewalk deed of easement for any public sidewalk on private property shall be approved by City staff, and the location of the easement shall be shown on the map approved for recordation. The deed of easement shall be recorded at Wake County Register of Deeds within one day of recordation of the plat. A recorded copy of this document shall be provided to the Development Services Department within one day from authorization of lot recordation. If a recorded copy of this document is not provided, further recordings and building permit issuance will be withheld.

Stormwater

6. 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 (UDO 9.2).

☒ BUILDING PERMITS – For buildings and structures shown on the approved plans. Commercial building permit plans must include the signed, approved Concurrent Site Review plans attached, if applicable. Permit sets may be reviewed prior to the recordation of required plats, but cannot be approved.

The following items must be approved prior to the issuance of building permits:

General

1. A demolition permit shall be obtained.

Engineering

2. A public infrastructure surety shall be provided to the City of Raleigh Development Services – Development Engineering (UDO 8.1.3).

3. A right-of-way obstruction permit shall be obtained from Right-of-way Services for any construction activity within the right-of-way.

Public Utilities

4. A plat must be recorded at the Wake County Register of Deeds office for all utility easement dedications.

Stormwater
5. A payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans shall be paid by the developer to the City stormwater facility replacement fund (UDO 9.2.2.G.3).

6. 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 (UDO 9.2).

7. A surety equal to 125% of the cost of the construction of a stormwater device shall be paid to the Engineering Services Department (UDO 9.2.2.D.1.d).

Urban Forestry

8. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes seven street trees along Fairmeadow Lane and six street trees along Blue Ridge Rd.

The following are required prior to issuance of building occupancy permit:

1. All Water, Sanitary Sewer and Reuse facilities shall be installed, inspected, tested and accepted by the City of Raleigh Public Utilities Department for operations and maintenance.

2. Required public right-of-way infrastructure improvements shall be, at a minimum, sufficiently completed to provide the necessary, safe emergency and vehicular access.

3. Required underground storm drainage improvements shall be completed and as-built plan(s) and certification(s) reviewed and accepted by the City of Raleigh Development Services – Development Engineering program.

4. All street lights and street signs required as part of the development approval are installed.

5. Copies of certified inspection reports for alleys and internal access ways are submitted to the City of Raleigh Development Services – Development Engineering program.

6. As-built drawings and associated forms for all Stormwater devices are accepted by the Engineering Services Department (UDO 9.2.2.D.3).

7. Final inspection of all right of way street trees by Urban Forestry Staff.
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: 4-24-2022
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.

I hereby certify this administrative decision.

Signed: (Planning Dir./Designee) [Signature] Date: 4/24/19

Staff Coordinator: Jermont Purifoy
Design Adjustment
Staff Response

Per Section 10.2.18.C of the Unified Development Ordinance, the Development Services Director, or designee, shall consult with the heads of other City Departments regarding the review of the request. The Development Services Director, or designee, shall 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.

<table>
<thead>
<tr>
<th>PROJECT</th>
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<tbody>
<tr>
<td>Project Name</td>
<td>North State Bank</td>
</tr>
<tr>
<td>Development Case Number</td>
<td>SR-114-18</td>
</tr>
<tr>
<td>Transaction Number</td>
<td>578800</td>
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<tr>
<td>Design Adjustment Number</td>
<td>DA - 13 - 2019</td>
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Staff recommendation based upon the findings in the applicable code(s):

- [ ] UDO Art. 8.3 Blocks, Lots, Access
- [ ] UDO Art. 8.5 Existing Streets
- [ ] UDO Art. 8.4 New Streets
- [ ] Raleigh Street Design Manual

Staff SUPPORTS ☑ DOES NOT SUPPORT ☐ the design adjustment request.

<table>
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<tr>
<th>DEPARTMENTS</th>
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<tr>
<td>Dev. Services Planner</td>
<td>City Planning</td>
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<td>Development Engineering ☑ 4-2-19</td>
<td>Transportation</td>
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<td>Engineering Services</td>
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<th>STAFF RESPONSE</th>
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<th>CONDITIONS:</th>
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Development Services Director or Designee Action: ☑ APPROVE ☐ APPROVE WITH CONDITIONS ☐ DENY

Authorized Signature: [Signature]
Date: 4/24/19

*The Development Services Director may authorize a designee to sign in his/her stead. Please print name and title next to signature. Appeal of the decision from the Development Services Director, or his or her designee, shall be made in writing within 30 days to the Board of Adjustment (see Section 10.2.18.C3b).
A. The requested design adjustment meets the intent of this Article;
   YES ☑ NO ☐

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;
   YES ☑ NO ☐

C. The requested design adjustment does not increase congestion or compromise safety;
   YES ☑ NO ☐

D. The requested design adjustment does not create additional maintenance responsibilities for the City; and
   YES ☑ NO ☐

E. The requested design adjustment has been designed and certified by a Professional Engineer.
   YES ☑ NO ☐

STAFF FINDINGS

The developer has proposed a planting strip of 7.5' between the existing back of curb and sidewalk face. The City has identified a need for a bike lane on Blue Ridge Road that would approach 7.5' in length consistent with the Blue Ridge Corridor Plan. A 6' sidewalk is proposed thereby leaving a 4' planting strip for street trees within the right of way. NCDOT has indicated that street trees cannot be placed in the planting strip behind the back of curb. The 5' utility placement easement is proposed to be removed and is also supported by staff.

The proposed streetscape sets the frontage for both pedestrian and bike mobility while keeping street trees in the public right of way. Without the proposed design adjustment, the sidewalk would be impacted with construction of a new bike lane resulting in additional construction of the relocated sidewalk.
Design Adjustment Application

The purpose of this request is to seek a Design Adjustment from the Development Services Director, or designee, for a specific project only and, if granted, may be approved with special conditions and provisions. This application and all further action shall be consistent with Section 10.2.18 in 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 Sec. 8.5.6, Sec. 8.4.1.E and Sec. 8.5.1.G of the UDO or the Raleigh Street Design Manual.

PROJECT

Project Name 2413 Blue Ridge Road - North State Bank
Case Number SR-114-2018
Transaction Number 576800

OWNER

Name North State Bank
Address 6200 Falls of Neuse Rd
City Raleigh
State NC Zip Code 27609 Phone

CONTACT

Name Jon Callahan
Address 333 Wade Ave
City Raleigh
State NC Zip Code 27605 Phone 919-828-4428

REQUEST

I am seeking a Design Adjustment from the requirements set forth in the following:

☐ UDO Art. 8.3 Blocks, Lots, Access
☐ UDO Art. 8.4 New Streets
☐ UDO Art. 8.5 Existing Streets
☐ Raleigh Street Design Manual

Provide details about the request; (please attach a memorandum if additional space is needed):

Applicant is requesting adjustment from the requirements of UDO 8.5.2.B Mixed Use Streetscape on existing street. Blue Ridge Road is maintained under NCDOT and they have stated in attached email that street trees are not allowed in the planting strip between the sidewalk and curb as required by UDO 8.5.2.B. Applicant is requesting an alternate streetscape 7.5’ grass strip, 6’ sidewalk, and 4’ plant strip for street trees so that the street trees are outside of the clear zone requirements of NCDOT but still located within the right-of-way. Additionally, this solution avoids the direct conflict with the UL frontage "build to" requirements. If the street trees are placed on the site a 16’ C2 yard and 10’ setback is required. UL frontage requires that the building be closer than 20’ to the n/v. Additionally, the applicant requests that the 6’ general utility placement easement NOT be required as dry utilities are already existing and can be maintained in the proposed 7.5’ grass strip.

It is the responsibility of the applicant to provide all pertinent information needed for the consideration of this request. Applicant must be the Property Owner.

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

Owner/Owner’s Representative Signature: ____________________________
Date: ________________

CHECKLIST

Signed Design Adjustment Application: ✓ Included
Page(s) addressing required findings: ✓ Included
Plan(s) and support documentation: ✓ Included
Notary page (page 6) filled out; Must be signed by property owner: ✓ Included
First Class stamped and addressed envelopes with completed notification letter: ✓ Included

Submit all documentation, with the exception of the required addressed envelopes and letters to design.adjustments@raleighnc.gov.
Deliver the addressed envelopes and letters to:
Development Services, Development Engineering
One Exchange Plaza, Suite 500
Raleigh NC, 27601

For Office Use Only

RECEIVED DATE: ________________

DA - __________________

www.raleighnc.gov

REVISION 1/30/2018
The Development Services Director may in accordance with Sec. 10.2.18. approve a design adjustment, subject to all of the following findings. Describe how each item is met:

A. The requested design adjustment meets the intent of this Article;

Future planned bicycle facilities along Blue Ridge Road are in conflict with the UDO streetscape requirement and therefore the proposal is requesting an alternate section to allow room for future bicycle facilities as well as alternate placement of street trees. Blue Ridge Road is a NCDOT maintained facility and street trees are not allowed in the plant strip between the sidewalk and curb within NCDOT facilities. The proposal is to provide a 7.5’ grass strip which allows for future bicycle facilities, a 6’ sidewalk, and 4’ plant strip for street trees.

B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;

The request is providing the ultimate r/w per the Raleigh Street Plan and conforms with the comprehensive plan as well as future planned bicycle facilities which are not currently adopted. We are not aware of any other adopted plans impacting this site.

C. The requested design adjustment does not increase congestion or compromise safety;

The request does not generate any traffic, nor increase congestion. Moving the street trees out of the NCDOT clear zone is actually safer than what the UDO requires as the public is less likely to hit a tree.

D. The requested design adjustment does not create additional maintenance responsibilities for the City; and

The request does not create any additional maintenance responsibilities for the City. Only the location is different and maintenance of the trees will be safer for City employees as they are located further from the travel lanes of Blue Ridge Road.

E. The requested design adjustment has been designed and certified by a Professional Engineer.

The request has been designed and certified by Jonathan R. Callahan NC PE 22977
STATE OF NORTH CAROLINA
COUNTY OF Wake

I, Megan Sewell, a Notary Public do hereby certify that Jonathan Vreps personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

This the 11th day of March, 2019.

(SEAL)

Notary Public

My Commission Expires: 10/19/2021
Administrative
Alternate
Findings:

UDO Section 1.6.6. Build-to
The Planning and Development Officer may in accordance with Sec. 10.2.17. reduce the build-to requirement, subject to all of the following findings:

1. The approved alternate meets the intent of the build-to regulations;
   Staff response: The requested alternate strengthens the street edge through the inclusion of amenity areas, which provide public gathering space, seating, and planting that will enhance the street wall and sense of enclosure along Blue Ridge Road.

2. The approved alternate conforms with the Comprehensive Plan and adopted City plans;
   Staff response: The proposed project is consistent with the Comprehensive Plan and conforms to several policies, including:
   - LU 2.1 – Placemaking
   - LU 7.4 – Scale and Design of New Commercial Uses
   - UD 4.1 – Public Gathering Spaces
   - LU 5.1 – Reinforcing the Urban Pattern

3. The approved alternate does not substantially negatively alter the character defining street wall or establish a build-to pattern that is not harmonious with the existing built context;
   Staff response: The requested alternate conforms to the existing context along Blue Ridge Road. It allows the property to connect with neighboring development, keeping the established build-to pattern consistent.

4. The change in percentage of building that occupies the build-to area or increased setback does not negatively impact pedestrian access, comfort or safety; and
   Staff response: The requested alternate does not negatively impact pedestrian access and comfort along either public street. The shaded outdoor plaza, benches, and plantings within the amenity areas will provide increased comfort for pedestrians.

5. Site area that would have otherwise been occupied by buildings is converted to an outdoor amenity area under Sec. 1.5.3.B.
   Staff response: The requested alternate will result in an amenity area to satisfy the lot width build to requirements. The area will be accessible for the building occupants and the public, offering landscaping, benches, and plaza areas.
Decision

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

Signature

Date 3/1/2019
Case File / Name: AAD-3-19 – 2413 Blue Ridge Road

General Location: Northeast corner of Blue Ridge Road and Fairmeadow Lane

Owner: North State Bank

Contact: Jon Callahan, P.E., John A. Edwards & Company, jkrieps@northstatebank.com

Cross-Reference: SR-114-18, T #578800

Request: The applicant requests an administrative alternate for UDO Section 1.5.6. Build-to

Nature of Request: UDO Section 1.5.6. Build-to
A. Defined:
1. The build-to is the area on the lot where a certain percentage of the front principal building façade must be located, measured as a minimum and maximum setback range from the edge of the proposed or existing right-of-way, whichever is greater.
2. The required percentage specifies the amount of the front building façade that must be located in the build-to, measured based on the width of the building divided by the width of the site or lot.

B. Intent:
1. The build-to is intended to provide a range for building placement that strengthens the street edge along the right-of-way, establishing a sense of enclosure by providing spatial definition adjacent to the street.
2. The building edge can be supplemented by architectural elements and certain tree plantings aligned in a formal rhythm. The harmonious placement of buildings to establish the street edge is a principal means by which the character of an area or district is defined.
3. The build-to range is established to accommodate some flexibility in specific site design while maintaining the established street edge.

C. General Requirements:
1. On corner lots, a building façade must be placed within the build to for the first 30 feet along the street extending from the block corner.
2. With the exception of parking areas, all structures and uses customarily allowed on the lot are permitted in the build-to area.
3. Any common area is not required to meet the build-to requirements
4. Riparian Buffers, Floodways, areas of steep slope (defined as slopes in excess of 25%), pre-established and recorded Tree Conservation Areas and portions of property encumbered by overhead electric transmission lines rated to transmit 230 Kv, for any second driveway
required by this code that must cross the build-to area, the additional width of the driveway up to a maximum of 25', and City of Raleigh utility easements shall not be considered when calculating the build-to percentage or build-to range.

The applicant is proposing to develop a 1.6-acre site for a new North State Bank branch and office building. The property is zoned Office Mixed Use, 5 stories, Urban Limited Frontage, (OX-5-UL).

As the property is zoned with Urban Limited Frontage (-UL) any building(s) would be required to be placed in a 0'-20' build-to range along public streets, with a 50% building width standard for primary streets and 25% for side streets. In addition, the corner build-to requirement (within 30' of both streets) would apply for street corner conditions on the property.

The applicant seeks an alternate to the build-to requirement on the primary street, Blue Ridge Road. Currently, the building occupies 21% of the frontage along Blue Ridge Road. In lieu of meeting the build-to, the applicant is proposing an amenity area in the build-to between the public right of way of Blue Ridge Road and the building façade to bring the combined total to 59%. Additionally, the applicant is proposing a second-floor footprint to further extend the building façade to occupy 73%. The proposed amenity area can be seen in the attached documents and features an exterior plaza, roof overhangs, sidewalk connections, and landscaping.

Administrative Alternate Findings:

Sec. 1.5.6. Build-to
The Planning and Development Officer may in accordance with Sec. 10.2.17. reduce the build-to requirement, subject to all of the following findings:

1. The approved alternate meets the intent of the build-to regulations;
2. The approved alternate conforms with the Comprehensive Plan and adopted City plans;
3. The approved alternate does not substantially negatively alter the character-defining street wall or establish a build-to pattern that is not harmonious with the existing built context;
4. The change in percentage of building that occupies the build-to area or increased setback does not negatively impact pedestrian access, comfort or safety; and
5. Site area that would have otherwise been occupied by buildings is converted to an outdoor amenity area under Sec. 1.5.3.B.

Additional UDO Sections:

Sec. 1.5.3. Outdoor Amenity Area
B. Intent
1. Outdoor amenity areas are intended to provide usable on-site open space in both residential and non-residential developments for the healthy enjoyment of occupants, invitees and guests of the development.
2. In more intensely developed urban contexts, outdoor amenity areas are also intended to provide visual breaks.

C. General Requirements
1. Where outdoor amenity area is required, it must be provided on-site and must be available for use by or as an amenity for the occupants, invitees and guests of the development.
2. All required outdoor amenity areas must be ADA accessible.
3. Required outdoor amenity area may be met in 1 contiguous open area or in multiple open areas on the lot; however, to receive credit, each area must be at least 10 feet in width and length.
4. Required outdoor amenity area may be located at or above grade.
5. Required outdoor amenity area cannot be parked or driven upon, except for emergency access and permitted temporary events.
6. In all other districts except DX-, required outdoor amenity area may be covered but cannot be enclosed.
7. Above-ground stormwater detention facilities shall not be considered an outdoor amenity area.
8. Tree Conservation areas shall not be considered an outdoor amenity area.

Sec. 3.4.7. Urban Limited (-UL)
C. Build-to
C1. Primary street build-to (min/max) 0'-20'
C2. Building width in primary build-to (min) 50%
C3. Side street build-to (min/max) 0'-20'
C4. Building width in side build-to (min) 25%

Comprehensive Plan Guidance:

Policy LU 2.1 - Placemaking
Development within Raleigh’s jurisdiction should strive to create places, streets, and spaces that in aggregate meet the needs of people at all stages of life, are visually attractive, safe, accessible, functional, inclusive have their own identity, and maintain or improve local character.

Policy LU 2.2 – Compact Development
New development and redevelopment should use a more compact land use pattern to support the efficient provision of public services, improve the performance of transportation networks, preserve open space, and reduce the negative impacts of low intensity and non-contiguous development.

Policy LU 4.5 – Connectivity
New development and redevelopment should provide pedestrian and vehicular connectivity between individual development sites to provide alternative means of access along corridors.

Policy LU 5.1 – Reinforcing the Urban Pattern
New development should be visually integrated with adjacent buildings, and more generally with the surrounding area. Quality design and site planning is required so that new development opportunities within the existing urban fabric of Raleigh are implemented without adverse impacts on local character and appearance.
Policy LU 7.4 – Scale and Design of New Commercial Uses
New uses within commercial districts should be developed at a height, mass, scale, and design that is appropriate and compatible with surrounding areas.

Policy T 2.9 – Curb Cuts
The development of curb cuts along public streets—particularly on major streets—should be minimized to reduce vehicular conflicts, increase pedestrian safety, and improve roadway capacity.

Policy UD 1.4 – Maintaining Facade Lines
Maintain the established facade lines of neighborhood streets by aligning the front walls of new construction with the prevailing facades of adjacent buildings, unless doing so results in substandard sidewalks. Avoid violating this pattern by placing new construction in front of the historic facade line unless the streetscape is already characterized by such variations. Where existing facades are characterized by recurring placement of windows and doors, new construction should complement the established rhythm.

Policy UD 4.1 – Public Gathering Spaces
Encourage the development of public gathering spaces within all developments. Such spaces should be designed to attract people by using common and usable open space, an enhanced pedestrian realm, streetscape activation, and retail uses.

Policy UD 5.1 – Contextual Design
Proposed development within established neighborhoods should create or enhance a distinctive character that relates well to the surrounding area.

Policy UD 5.4 – Neighborhood Character and Identity
Strengthen the defining visual qualities of Raleigh’s neighborhoods. This should be achieved in part by relating the scale of infill development, alterations, renovations, and additions to existing neighborhood context.

Policy UD 7.3 – Design Guidelines
The Design Guidelines in Table UD-1 shall be used to review rezoning petitions and development applications for mixed-use developments; or rezoning petitions and development applications along Main Street and Transit Emphasis Corridors or in City Growth, TOD, and Mixed-Use centers, including preliminary site plans and development plans, petitions for the application of the Pedestrian Business or Downtown Overlay Districts, Planned Development Districts and Conditional Use zoning petitions.

UDG 6 – A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.

UDG 10 – New urban spaces should contain direct access from the adjacent streets. They should be open along their adjacent
sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.

UDG 13 – New public spaces should provide seating opportunities.
Appearance Commission Recommendation

RECOMMENDED ACTION: Regarding the alternate request for UDO Section 1.5.6 the Commission finds that:

- The proposed administrative alternate meets the intent of the build-to regulations;
- The proposed alternate is consistent with the Comprehensive Plan and conforms to several applicable policies;
- The proposed alternate does not substantially negatively alter the character defining street wall or establish a build-to pattern that is not harmonious with the existing built context;
- The change in percentage of building that occupies the build-to area or increased setback does not negatively impact pedestrian access, comfort or safety; and
- Site area that would have otherwise been occupied by buildings is converted to an outdoor amenity area.

The Commission recommends approval

CONDITIONS OF APPROVAL: None

Staff Coordinator: Lee Stevens

In Favor: Candice Andre, Rolf Blizzard, Todd Delk, Martha Eberle, Jamie Ferguson, Cari Jones, John Koonce, Jake Levitas, Chad Parker, Albert McDonald, Bernard Thaxton, and Brandy Thompson

Opposed: None

Recused: Corey Bates

Excused: Katherine Hogan and CJ Mann