

# Administrative Alternates



**DEVELOPMENT  
SERVICES  
DEPARTMENT**

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<b>Administrative Alternate Request:</b> <i>Requested in accordance with UDO Section 10.2.17</i>	<b>OFFICE USE ONLY</b>
Section(s) of UDO affected: <b>See attached Exhibit A.</b>	Transaction Number
Provide an explanation of the alternate requested, along with an applicant's statement of the findings See attached Exhibit A.	
Provide all associated case plan numbers including zoning and site plan: <b>SR-53-16 (Smokey Hollow)</b>	

<b>Property Address</b> 435, 421, 417 and 413 W Peace Street; 620 and 600 N West Street; 512 N Harrington Street		<b>Date</b>
<b>Property PIN</b> 1704612886, 1704612991, 1704614878, 1704626033, 1704622047, 1704623046, 1704624035	<b>Current Zoning</b> DX-12-SH and IX-12	
<b>Nearest Intersection</b> W Peace Street and N West Street	<b>Property size (in acres)</b>	
<b>Property Owner</b> WK Smokey Hollow, LLC	<b>Phone</b> 919.369.4096	<b>Mail</b> 4321 Lassiter at North Hills Ave., Suite 250, Raleigh, NC 27608
	<b>Email</b> dparker@kanerealtycorp.com	
<b>Project Contact Person</b> Michael Birch, Morningstar Law Group	<b>Phone</b> 919.590.0388	<b>Mail</b> 1330 St. Mary's Street, Suite 460, Raleigh, NC 27605
	<b>Email</b> mbirch@morningstarlawgroup.com	
<b>Property Owner Signature</b> 	<b>Email</b> wkuppin@kanerealtycorp.com	
<b>Notary</b> Sworn and subscribed before me this <u>6<sup>th</sup></u> day of <u>September, 2016</u>	<b>Notary Signature and Seal</b>  Shelly O. Kangas 	

## EXHIBIT A

### SR-53-16 (Smokey Hollow) Administrative Alternates

#### 1. Build-To Standards (UDO sec. 3.4.9.C.)

Summary – The build-to coverage standards apply to the portion of the project zoned with the Shopfront frontage district. Peace Street is the primary street, so the build-to standard is 0'/15' and the build-to coverage standard is 80%. West Street is the side street, so the build-to standard is 0'/15' and the build-to coverage standard is 40%. Due to the transmission line easement, the building corner at the intersection of Peace Street and West Street is setback beyond the build-to line. Also, the building geometry and accommodations for the vehicular access point on Peace Street cause the front building wall along Peace Street to be setback beyond the maximum build-to line. In lieu of a building wall within the build-to area, the project is providing plaza and patio areas between the front building wall and Peace Street. Due to the odd shape of the property along West Street, the building geometry and the transmission line easement, the building is setback from West Street beyond the 15' build-to line for much of the West Street frontage zoned Shopfront. Approximately 18% of the building wall is within the build-to along West Street. In lieu of a building wall within the build-to area, the project is providing an improved outdoor amenity area, as shown on the exhibits.

##### a. Meets intent of build-to regulations:

- i. The proposed building walls, patio, plazas, outdoor amenity area and enhanced landscaping areas along Peace Street and West Street strengthens the street edge and provides spatial definition along the streets.
- ii. The building edges along Peace Street and West Street are supplemented by architectural elements and enhanced landscaping that adds to the character of the area.
- iii. The requested alternate provides the project with building location and site design flexibility while still providing an established street edge along Peace Street and West Street.

##### b. Conforms with the Comprehensive Plan:

- i. The proposed alternate and building location conforms with the Comprehensive Plan because the plan proposes a building located along with street with no intervening parking areas, provides plaza areas along the public sidewalk area, and establishes the street edges.

##### c. 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:

- i. The proposed building location does not negatively alter the character-defining street wall along Peace Street or West Street, nor does it establish a build-to pattern that is not harmonious with the existing built context. The properties subject to this alternate request are currently developed with buildings that do not meet the Shopfront build-to standards and surface parking is located between these buildings and the streets. Additionally, the built environment of the surrounding area consists of buildings setback from Peace Street and West Street with parking located between the buildings and the street. The proposed development brings the building closer to Peace Street and removed surface parking between the building and the streets.
  
- d. Change in percentage of building that occupies the build-to area or increased setback does not negatively impact pedestrian access, comfort or safety:
  - i. The change in percentage of building that occupies the build-to area does not negatively impact pedestrian access, comfort or safety. Instead, the building location improves pedestrian comfort by providing enhanced landscaping between the sidewalk and the building along West Street and by providing patio and plaza areas along Peace Street. Also, the building location maintains pedestrian access between the public right-of-way and the building by providing wide sidewalks, a plaza area adjacent to the public sidewalk, and a pedestrian access point into the patio area at the intersection of Peace Street and West Street.
  
- e. Site area that would have otherwise been occupied by buildings is converted to an outdoor amenity area:
  - i. The site areas that would have otherwise been occupied by a building are outdoor amenity areas, as shown on the exhibits.

2. Ground Level Transparency (UDO sec. 3.2.6.F. and 1.5.9.)

Summary – The transparency standards apply to the ground story and upper stories of the building on all sides of the mixed use building. For that portion of the building located in the DX district, the ground story transparency standard is 66%. For that portion of the building located in the IX district, the ground story transparency standard is 50%. The upper story transparency standard for the upper stories in both districts is 20%. Additionally, at least 60% of the street-facing, street-level window pane surface area must allow views into the ground story use for a depth of at least 8 feet. Alternates to the amount of transparency for the West Street, Harrington Street and Johnson Street frontages is necessary, and alternates to the 8' depth standard for all street frontages is necessary.

- a. Meets intent of transparency regulations:
  - i. As shown on the exhibits and elevations, the building architecture lends visual interest to street-facing building facades for both pedestrians and building occupants and minimize blank wall areas. For example, facades use pilasters, canopies, material texture, and landscape to provide visual interest for pedestrians. Also, the nature of the retail program layout provides interest for building occupants via goods and services for sale versus outward views.
- b. Conforms with the Comprehensive Plan:
  - i. The requested alternate conforms with the Comprehensive Plan policies by providing architectural, visual interest at the pedestrian level and by locating activity along the ground level.
- c. Street-facing building façade utilizes other architectural treatments to create visual interest to offset the reduction in transparency:
  - i. As shown on the exhibits and elevations, the street-facing building facades utilize architectural treatments to create visual interest to offset the reduction in transparency. For example, the facades use color and material modulation to increase visual interest and minimize the homogenous look of a single material wall.

### 3. Primary Street-Facing Entrances (UDO sec. 3.4.9.E. and 1.5.8.)

Summary – The primary street-facing entrance standard applies to those portions of the building zoned with the Shopfront frontage, and requires a street-facing entrance every 50 feet. An alternate for the Peace Street and West Street frontages is necessary.

- a. Meets intent of street-facing entrance regulations:
  - i. As shown on the exhibits, the proposed building entrance locations along Peace Street and West Street 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. For example, the steps up to the patio and entrance into the retail space is located prominently at the intersection of Peace Street and West Street. Also, the entrances into the leasing area and the elevator vestibule are conveniently located and easily identifiable from the public street and adjacent plaza area.
  - ii. As shown on the exhibits, the access points of Peace Street and West Street are located adjacent to the public sidewalk or are easily identifiable and accessible from the plaza area adjacent to the public sidewalk.
- b. Conforms with the Comprehensive Plan:
  - i. The requested alternate conforms with the Comprehensive Plan policies by locating multiple building entrance points in close proximity to the public sidewalk and with easily identifiable and easily accessible points of entry into the building.
- c. Pedestrian access point is easily identifiable by pedestrians, customers and visitors:
  - i. As noted above and as shown on the exhibits, building architecture and plaza improvements highlight the pedestrian access points.
- d. Recessed or projecting entries or building elements have been incorporated into the design of the building to enhance visibility of the street-facing entrance:
  - i. As noted above and as shown on the exhibits, building elements are incorporated into the design of the building to enhance the visibility of the street-facing entrances.
- e. Pedestrian route from the street and bus stops and other modes of public transportation to the entrance is safe, convenient and direct:

- i. The wide public sidewalks, the location of the patio stairs and the location of the entrances adjacent to the plaza ensure safe, convenient and direct pedestrian routes from the street and public transportation stops.

#### 4. Blank Wall Area (UDO sec. 3.2.6.F3. and 1.5.10)

Summary: The blank wall area standards apply to all facades of the building, both ground level and upper stories. The maximum blank wall area measured in both a vertical and horizontal direction is 20 feet.

- a. Meets intent of blank wall area regulations:
  - i. As shown on the exhibits, the facades use color and material modulation to increase visual interest and minimize the homogenous look of a single material wall.
  - ii. As shown on the exhibits, the level of architectural detail is most intense at the street level, where it is within view of the pedestrians on the sidewalk. For example, the facades use pilasters, recessed bays, canopies, material texture, and landscaping to provide visual interest for pedestrians. They also help establish a visible recognizable base for the building which begins to define "place."
- b. Conforms with the Comprehensive Plan:
  - i. The requested alternate conforms with the Comprehensive Plan policies that encourage architectural, visual interest, change in building materials, and enhanced landscaping along all building facades.
- c. Increase in blank wall area is offset by additional architectural treatments and increased vertical landscaping:
  - i. As noted above and as shown on the exhibits, the blank wall area is offset by additional architectural treatments and landscaping.
- d. Amount of blank wall area for buildings located on an Urban Frontage should not be more than 40%:
  - i. In no event will the amount of blank wall area for those portions of the building zoned with the Shopfront frontage exceed 40%.

5. Building Massing (UDO sec. 3.3.3.)

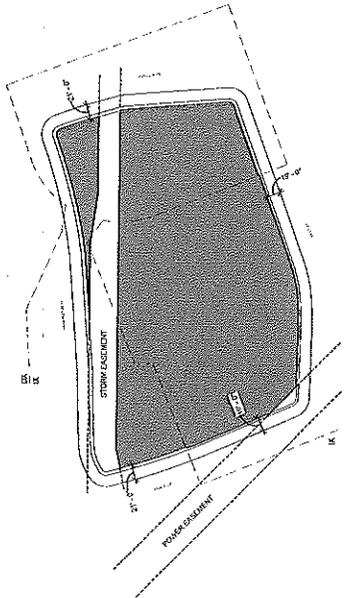
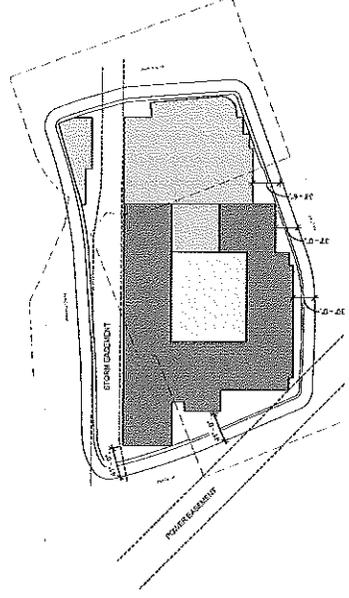
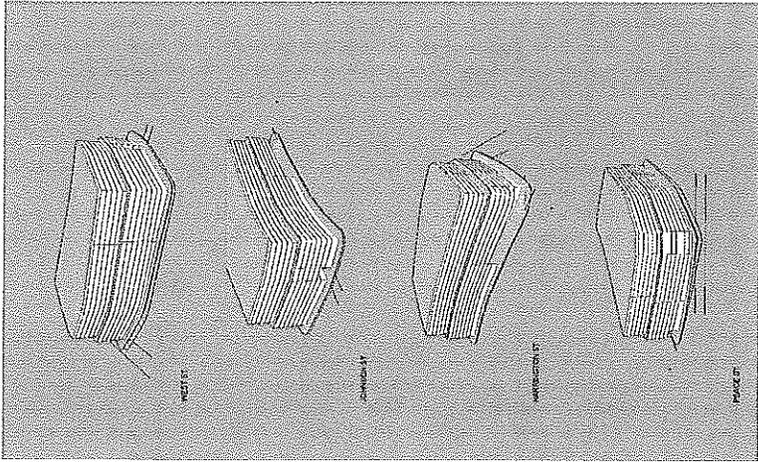
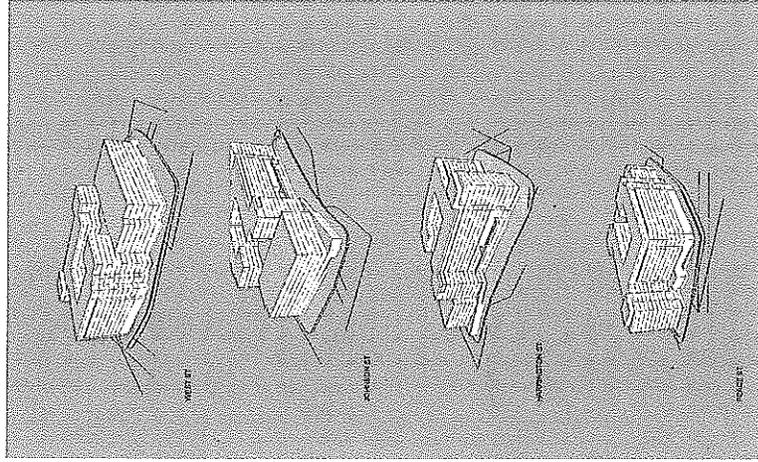
Summary – The building massing standard requires a 12’ stepback between the third and seventh story for those sides of the building adjoining a public street. The proposed building complies with this standard along Johnson Street, but an administrative alternate is required for the sides of the building adjoining West Street, Peace Street and Harrington Street.

- a. Meets intent of building massing regulations:
  - i. The proposed building location manages the impact of tall buildings by providing additional setback at the ground level along West Street, Peace Street and Harrington Street.
  - ii. The proposed building location provides access to light and air at the street level, mitigates wind impacts, produces a consistent street wall and visually reduces the perceived scale of the building to avoid a canyon effect as a result of the building setbacks along West Street, Peace Street and Harrington Street.
- b. Conforms with the Comprehensive Plan:
  - i. The requested alternate conforms with the Comprehensive Plan policies that encourage taller buildings in the Central Business District and at prominent gateway points into the downtown area.
- c. 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:
  - i. Although the primary justification for the alternate is the building setbacks, the building does provide a change in building materials to mimic a change in wall plane, most notably above the ground level and just below the highest floor. Additionally, the most substantial and durable materials are located at the lowest levels of the building.
- d. 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:
  - i. The proposed building location provides setbacks behind the sidewalk in lieu of the required stepback, along Peace Street, West Street and Harrington Street. As shown on the exhibits, the proposed plan provides amenities such as patios, plazas, seating areas and enhanced landscaping.

e. Building contains architectural treatments for delineating the base, middle and top of the building:

i. As shown on the elevations, the building incorporates architectural treatments that delineate the base, middle and top of the building.





DESIGN

UDO REQUIREMENTS

			<b>SHEET</b> MASSING STUDY 1" = 80'-0"	<b>PROJECT #</b> 015005	<b>DATE</b> 9/19/16	<b>SMOKEY HOLLOW</b> 435 W. Peace Street Raleigh, North Carolina 27603
			<b>SET</b> CONCEPT DESIGN	<b>UDO REQUIREMENTS</b>		