



## 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-53-15 / Greyhound Apartments

**General Location:** This site is located on the east side of North Harrington Street, south side of West Lane Street and North side of West Jones Street.

**Owner:** Banner Apartments, LLC

**Designer:** JDavis Architects

**CAC:** North Central

**Nature of Case:** Proposed 90' tall, 270,000 square foot multifamily building with 250 units and structured parking on 1.99 acres, zoned Industrial-2 with Downtown Overlay District. This site plan requires Planning Commission approval for the following reasons: (1) The proposed building is greater than 80' tall; (2) The proposed building is greater than 10,000 square feet in the Downtown Overlay District; (3) The proposal includes residential units at a density greater than 40 units per acre in the Downtown Overlay District [requested density is 126 units per acre]; (4) It is a residential project in an Industrial-2 zoning district; and (5) the request involves a height increase above what is allowed in the base zoning district as allowed in the Downtown Overlay District (request is for (90') where the underlying Industrial -2 District height limit is 50').

**Key Issues:** Increased height, additional density and residential uses in the Industrial-2 and Downtown Overlay zoning districts.

**Contact:** Ken Thompson, JDavis Architects

**Design Adjustment:** One Design Adjustment has been approved by the Public Works Director for this project. This Design Adjustment waives the requirement for additional right-of-way dedication on all three streets on which this site has frontage.

**Administrative Alternate:** NA



SP-53-15 Location Map



**CROSS-REFERENCE:** NA

**LOCATION:** This site is located on the east side of North Harrington Street, south side of West Lane Street and North side of West Jones Street, inside the City Limits.

**PIN:** 1704504286, 1704504124, 1704504007

**REQUEST:** This request is to approve a 90' tall, 270,000 square foot multifamily building with 250 units and structured parking on 1.99 acres, zoned Industrial-2 with Downtown Overlay District. This site plan requires Planning Commission approval for the following reasons: (1) The proposed building is greater than 80' tall; (2) The proposed building is greater than 10,000 square feet in the Downtown Overlay District; (3) The proposal includes residential units at a density greater than 40 units per acre in the Downtown Overlay District [requested density is 126 units per acre]; (4) It is a residential project in an Industrial-2 zoning district; and (5) the request involves a height increase above what is allowed in the base zoning district as allowed in the Downtown Overlay District (request is for (90') where the underlying Industrial -2 District height limit is 50').

---

**OFFICIAL ACTION:** Approval with conditions

---

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

---

**FINDINGS:** The Planning Commission finds that with the following conditions of approval being met, this request conforms to Part 10, Chapter 2, Sections 10-2047, 10-2051, 10-2107, 10-2103 subsections (c), (d), (e), (f) and (g) , 10-2132.2, and Part 10A (Unified Development Ordinance) Articles 8, and 9. This approval is based on a preliminary plan dated 9/29/15, owned by Banner Apartments, LLC, submitted by JDavis Architects.

---

**ADDITIONAL NOTES:** There are no additional notes for this plan.

**VARIANCES / ALTERNATES:** No variances or alternates are proposed. One Design Adjustment has been approved by the Public Works Director for this project. This Design Adjustment waives the requirement for additional right-of-way dedication on all three streets on which this site has frontage on.

To PC: 10/13/15

Case History: xxxxx

Staff Coordinator: Justin Rametta

**Motion:** Swink  
**Second:** Fluhrer  
**In Favor:** Braun, Buxton, Fluhrer, Hicks, Lyle, Swink, Terando and Whitsett  
**Opposed:** xxxxx

**Excused:** xxxxx

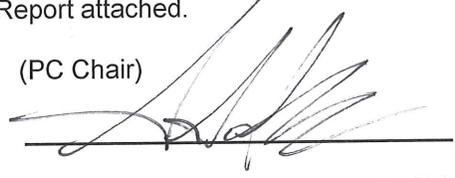
This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the Staff Report attached.

**Signatures:**

(Planning Dir)



(PC Chair)



date: \_\_\_\_\_ 10/13/15 date: \_\_\_\_\_ 10/13/15



## Staff Report

---

**RECOMMENDED ACTION:** Approval with Conditions

---

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

- (1) That the Planning Commission finds that this site plan meets the standards for approval of a residential development in an Industrial-2 District located in the Downtown Overlay District in accordance with Code Section 10-2051, providing sufficient open space, parking, minimum net lot area, and minimum yard setbacks;
- (2) That as allowed by City Code Section 10-2051(d)(4)b and 10-2051(d)(3)b, the Planning Commission finds that the increase in building height to 90', without setbacks or additional setbacks, is in accordance with the general plans for the physical development of the City as embodied in the Raleigh Comprehensive Plan and this site plan meets the standards of section 10-2132.2(d);
- (3) That the Planning Commission finds that this site plan meets the standards for approval of a residential development exceeding 40 dwelling units per acre density(126 units per acre proposed) located in the Downtown Overlay District in accordance with code Section 10-2051(d)(1)c1(iii) by (A) being located within one quarter (1/4) mile of an existing or proposed Triangle Transit Authority rail station platform and (B) providing parking in a deck which meets the Code standards of 10-2051(d)(1)c.3;
- (4) That the Planning Commission finds that this site plan meets the standards of section 10-2132.2(d);

**Administrative Actions:**

***Prior to issuance of a mass grading permit for the site:***

- (5) That in accordance with Part 10A Section 9.4.4, a surety equal to of the cost of clearing, grubbing and reseeded a site, shall be paid to the City;

***Prior to approval of a concurrent review of Final Site Review and Infrastructure construction plans, or whichever is applicable:***

- (6) That condition 5, above, be met;

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

- (7) That demolition permits be issued and these building permit numbers be shown on all maps for recording;
- (8) That infrastructure construction drawings are submitted and approved by the Public Utilities Department;

- (9) That in accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements is paid to the Public Works Department;
- (10) That the City Attorney approve a public sidewalk easement for any portion of the public sidewalk along W. Lane Street or W. Jones Street located within private property. A copy of the recorded sidewalk easement must be provided to the Planning Department prior to building permit issuance;
- (11) That a recombination map be recorded, recombining the existing lots into a single tract. The sidewalk easements shall be shown on the plat;
- (12) That an encroachment agreement for the planting areas and planters 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;
- (13) That a landscape permit for landscaping in the public right-of-way is obtained from the Urban Forester;

---

**ZONING:**

**ZONING DISTRICTS:** Industrial-2 and Downtown Overlay District.

**SETBACKS / HEIGHT:**

This plan conforms to all minimum setback standards. Harrington St. = 0', W. Lane St. = 4.6', W. Jones St. = 4.38', rear yard = 0'. Proposed height of the building is 90'. The Industrial-2 District allows for all setbacks to be 0' and for buildings to be constructed to any height except buildings greater than 50' high shall add one foot additional width to each required district yard setback for each foot of height greater than 50' feet high and buildings over 40' which are located closer than 50' to a property containing a dwelling shall add two feet of additional width to each required district yard setback for each foot of height greater than 40' high. The proposed buildings do not provide the setbacks called for in the underlying zoning but the Planning Commission can approve the increase in height as allowed by the Downtown Overlay District, code section 10-2051(d)(4). The Downtown Overlay District allows the Planning Commission to approve height increases after a finding that such increase in height is in accordance with the general plans for the physical development of the City as embodied in the Raleigh Comprehensive Plan and the site plan meets the standards of City Code Section 10-2132.2(d).

**PARKING:** Off-street parking conforms to minimum requirements: 234 spaces required, based on one parking space per dwelling unit (exempting the first 16 units as allowed by the Downtown Overlay District). 347 spaces are provided in a multilevel parking structure.

**LANDSCAPING:** No vehicular surface area is proposed with this plan. This is a high density residential use with frontage on three public streets and adjacent to a low impact use to the east. No transitional protective yards are required for this development by section 10282.9.

**TREE CONSERVATION:** No tree conservation areas are required because the site is less than 2 acres in size.

**OPEN SPACE:** The Downtown Overlay District in section 10-2151(d)(5) calls for a minimum of 5% of the total land area of the development to be set aside as open space. "Open Space" shall include greenways and any common outdoor landscaped and recreation spaces; outdoor decks, roof gardens and other similar outdoor community space accessible to and available for use by all residents of the development. Based on the property's acreage, the base minimum amount of open space required for the tract is 4,334 square feet. The applicant's plan contains 13,596 square feet of open space, including 14' sidewalks, portions of which are on private property outside the right-of-way, and two courtyards, both of which meet the standards of the Downtown Overlay District.

**DEVELOPMENT DENSITY:** The applicants are allowed increases in residential densities in excess of 40 units per acre through the Downtown Overlay District and compliance with the tiered standards for additional density (250 dwelling units at 126 units per acre proposed). For each Tier 1 and Tier 2 standard specified in the Downtown Overlay District that the Planning Commission finds the plan compliant with, an increase in density of 60 units per acre is allowed. For each Tier 3 standard spelled out in the Downtown Overlay District that the Planning Commission finds the plan compliant with, an increase in density of 40 units per acre is allowed. The project's proposed density is 126 dwelling units per acre. In order to achieve this density, the project would have to meet at least two of the tiered density standards. The applicants propose to meet one Tier 1 standard and one Tier 2 standard. These standards are listed below:

1. **Location:** (Tier 1 Standard granting an additional 60 units per acre)  
The proposed development is located within one quarter (1/4) mile of an existing or proposed Triangle Transit Authority rail station platform (determined by straight line from edge of platform to property line).  
**The subject property is within one quarter (1/4) mile of a proposed TTA Station.**
2. **Parking Deck:** (Tier 2 Standard granting an additional 60 units per acre)  
At least 80% of the off-street parking spaces provided are contained in a multilevel parking structure that is visually integrated into the principle building and 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. No more than 75' total of the ground level of the sides of the building or parking deck (measured 20' deep from the façade of the building) located on the sides of the lot fronting a public street shall be devoted to parking driveways and/or loading areas.

**All proposed parking is within a parking deck that meets these requirements.**

**PHASING:** This is a single phase development.

**UNITY OF DEVELOPMENT:** Not applicable.

**COMPREHENSIVE PLAN:**

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

**STREET PLAN MAP:** No new streets are proposed with this development. Existing streets are classified as shown below by the Street Plan Map of the Comprehensive Plan. A Design Adjustment has been approved by the Public Works Director to not require additional right-of-way for any of the three existing streets.

Street Name	Existing R/W	Designation	Proposed R/W	Existing B to B	Proposed B to B	Slope Easement
W. Lane St.	66'	Main Street, parallel parking	66'	38'	38'	NA
W. Jones St.	66'	Main Street, parallel parking	66'	38.7'	38.7'	NA
N. Harrington St.	66'	Main Street, parallel parking	66'	Variable	Variable	NA

**TRANSIT:** Currently several GoRaleigh routes operate outbound on Edenton Street approximately one block from this project. These routes travel inbound on Hillsborough or Morgan Streets which are 2-3 blocks from this project. No transit requests were made for this development.

**COMPREHENSIVE PLAN:**

The site is located within the Central CAC, and is designated Central Business District on the Future Land Use map. This category is intended “to enhance Downtown Raleigh as a vibrant mixed use urban center...supporting a mix of high-intensity office, retail, housing, government, institutional, visitor-serving, cultural, and entertainment uses.” The Urban Form map shows the site to be at the center of a Transit Stop Half-Mile Buffer.

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

- LU 2.2 – Compact Development
- T 5.2 – Incorporating Bicycle and Pedestrian Improvements
- T 5.10 – Building Orientation
- HP 2.7 – Mitigating Impacts on Historic Sites
- HP 3.7 – Demolition

- UD 3.4 – Enhanced Streetwalls
- UD 6.1 – Encouraging Pedestrian-Oriented Uses
- UD 6.4 – Appropriate Street Tree Selection
- DT 1.3 – Underutilized Sites in Downtown
- DT 1.15 – High Density Development
- DT 1.17 – Auto-Oriented Uses
- DT 2.5 – Widen Sidewalks
- DT 2.24 – Parking Garage Constrained Streets
- DT 4.1 – Encouraging Downtown Housing
- DT 7.2 – Maintaining Consistent Setbacks
- DT 7.3 – Streetwalls
- DT 7.4 – Building Entries

**HISTORIC /  
 DISTRICTS:**

The subject site does not contain an individually-designated historic structure, nor is it within a designated historic district. However, it is situated diagonally across N. Harrington Street from the (former) CP&L Car Barn, and within 500 feet of the St. Paul A.M.E. Church, the (former) Raleigh Electric Company Power House, and the NC School for the Blind and Deaf Dormitory, each of which are designated Raleigh Historic Landmarks. It is understood that the c. 1910 residence at 208 N. Harrington will be preserved through relocation to the Oakwood Historic District, prior to site development.

**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 commends the inclusion of the planting strip at the base of the building and the use of planters to mitigate grade. Plant selection will be of utmost importance.	<i>Thank you!</i>
The Commission suggests the thoughtful inclusion of building and low scale lighting along all elevations, and cohesion with surrounding projects' streetscape material palette.	<i>Street level building lighting will be added as well as lighting will be added to each building entrance.</i>
The Commission suggests the addition of street furniture, especially benches on Jones Street and art elements at the building entrances.	<i>Benches will added on Jones Street as requested and will be in the next submittal</i>
The Commission encourages the development of a stronger streetscape that encourages pedestrian connection, perhaps with	<i>We are currently working with Public Works to include bulbouts and crosswalks and will be added to the plans in the next submittal if approved</i>

the inclusion of bulbouts, crosswalks, courtyards and open spaces, and active connections between the public and private realm.	<i>by public works.</i>
The Commission suggests the extension of the breezeway pathway so that there are ways both in and out of the space for safety and convenience purposes.	<i>The breezeway pathway connects to a building entrance on Harrington Street</i>
The Commission suggests the artful screening and addition of vertical members on the eastern parking deck elevation as it is highly visible from the McDowell Street/Lane Street intersection which is a main entry to downtown, and notes that parking decks can be beautiful structures when designed thoughtfully.	<i>Vertical cables and vines to be added to the parking deck to soften the façade.</i>
The Commission also suggests the thoughtful screening of the required parking deck interior light levels.	<i>Parking garage interior light levels must be code minimum. Vertical cables with vines/planting will provide some screening of light.</i>
The Commission suggests refining the material and massing strategies, used in the design of the building to edit and simplify the palette.	<i>Acknowledged.</i>
The Commission requests further information about how the “signature element’s” design will relate to Raleigh’s character and identity, and give unique character to the building.	<i>The signature element is the roof terrace/5th floor lounge. This connects visually to the building entrance acting as a “front porch” to the project.</i>
The Commission suggests additional focus on the building elements at the corner of Jones and Harrington Street given the prominence of the intersection, including a consideration of including commercial corner space. Jones Street is supposed to be a connection between Glenwood South and Downtown, yet these new buildings do not include any connection to the public space that encourages the desired connectivity and comprise “dead blocks”.	<i>The fitness has been moved to the corner of Harrington Street and Jones Street. Larger glass has been added to the floors above. Additional lighting and landscaping will be investigated to highlight the corners of the building.</i>

**SUBDIVISION  
STANDARDS:**

**BLOCKS / LOTS /  
ACCESS:**

Block perimeters, lot arrangement and access conform to Chapter 8 of the UDO. No new streets are proposed with this development.

**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 service by private contractor to be provided. Refuse collection facilities are located behind recessed roll-down gates along the Harrington Street and shall meet the standards of the Solid Waste Collection Manual.

**CIRCULATION:**

No new streets are proposed. The proposed streetscape improvements shall conform to normal City construction standards.

**STREETSCAPE**

**TYPE:**

The applicable streetscape is Mixed Use. A 14' sidewalk is required along the property's frontage on Harrington, Lane, and Jones Streets. Portions of the proposed sidewalks on Lane and Jones are located on private property adjacent to public right-of-way (5.9' on W Lane St. and 3.05' on W Jones St.); therefore, the City Attorney shall approve sidewalk easement deed for those portions of sidewalk.

**FLOOD HAZARD:**

There are no flood hazard areas on this site.

**STORMWATER  
MANAGEMENT:**

This project has demonstrated total existing impervious area of 86,991 SF; 80,250 SF existing impervious on the proposed recombined parcel and 6,741 SF ex. impervious from back of curb to ROW line. The project is proposing a net reduction of impervious surface area and exercising an exemption to nitrogen reduction requirement as afforded by UDO Section 9.2.2.A.5 *Substitution of impervious surfaces with approved pervious surfaces*. Furthermore, this project is exercising exemption from runoff control per UDO Section 9.2.2.E.2.b. *Increase in peak stormwater runoff between pre and post development condition is 10% or less at each point of discharge.*

**WETLANDS  
/ RIPARIAN  
BUFFERS:**

No wetland areas or Neuse River riparian buffers are required on this site.

**OTHER  
REGULATIONS:**

Developer shall meet all other applicable City requirements of Code Part 10 and 10A (Unified Development Ordinance).