Certified Recommendation
of the City of Raleigh Planning Commission

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27601
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Case File / Name: **SP-5-07 / Rooms to Go**

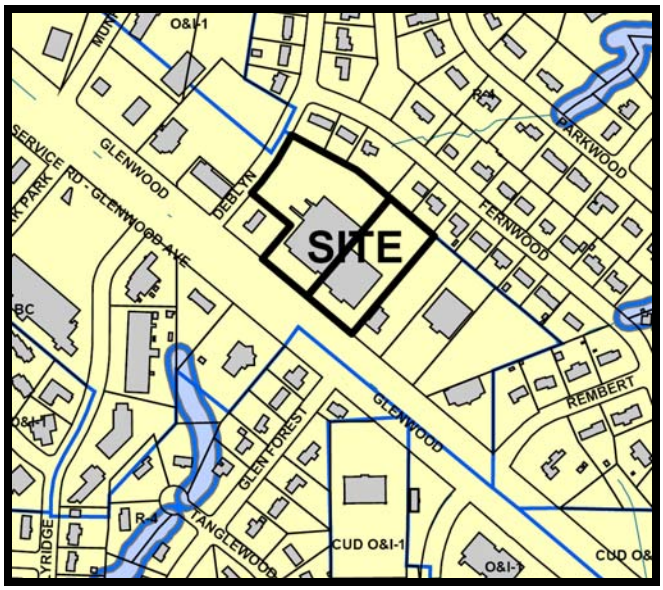
General Location: Northeast side of Glenwood Avenue just east of its intersection with Deblyn Avenue

Planning District / CAC: Northwest / Northwest

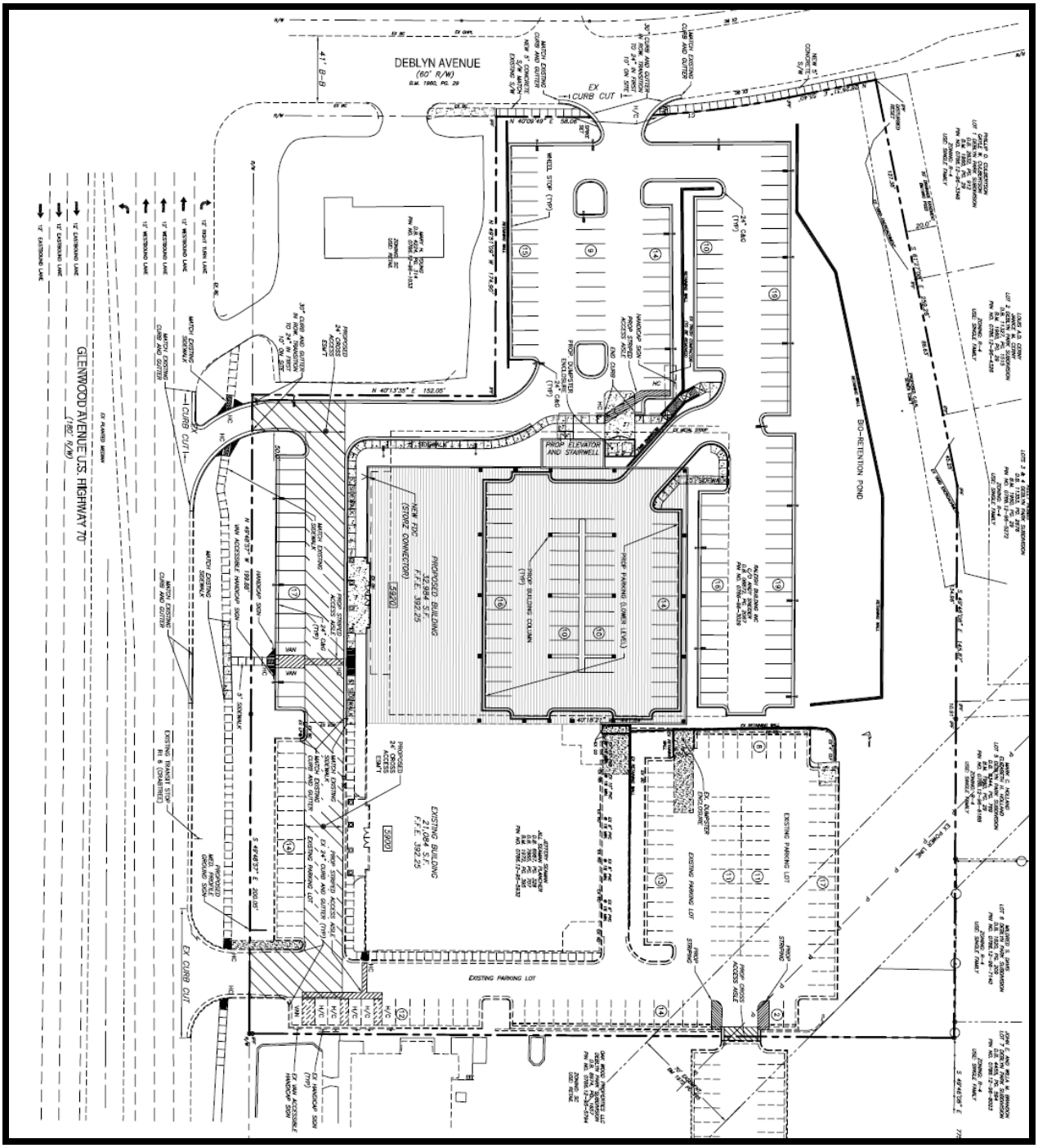
Nature of Case: Proposed retail development consisting of a 32,984 square foot addition to an existing 21,084 square foot furniture store totaling 54,068 square feet located on 5.13 acres zoned Shopping Center. This site is located within 400 feet of residential development and is currently occupied by an existing 21,084 square foot building used as a furniture store (Rooms to Go) and a 39,900 square foot building previously used as a furniture store (Rhodes). This proposal would demolish the existing 39,900 square foot building and replace it with a 32,984 square foot addition to the existing 21,084 square foot furniture store in the Millbrook/Lynn Road City Focus Area where the total amount of retail space exceeds Comprehensive Plan guidelines for 1.5 million square feet of total retail area.

Key Issues: Section 4.12 of the *Streets Sidewalks and Driveway Access Handbook* (SSDA) specifies that along thoroughfare system roadways parcels should have no more than one driveway access point per each 400 linear feet adjacent to the roadway and no additional driveway for any additional fraction thereof. The applicant's proposed plan includes 2 driveways along Glenwood Avenue which does not conform to standards of the SSDA as there is only 400 linear feet of road frontage along Glenwood Avenue. Staff recommends adding a condition that the plans be revised to include only one driveway along Glenwood Avenue..

Contact: Ed Sconfienza, Integrated Design



SP-5-07 / Rooms to Go – Location Map



SP-5-07 / Rooms to Go – Site Plan

SUBJECT: SP-5-07 / Rooms to Go

CROSS-REFERENCE: PA-13-1996, SC-22-1997

LOCATION: This site is located on the northeast side of Glenwood Avenue, southeast of its intersection with Deblyn Avenue, inside the City Limits.

REQUEST: This request is to approve a 32,984 square foot furniture store addition on a 5.13 acre site zoned Shopping Center. This site is located within 400 feet of a residential use or zone.

This site is currently composed of two parcels to be recombined into one lot. The site is occupied by a 21,084 square foot building (Rooms to Go) and a 39,900 square foot building previously used as a furniture store (Rhodes). This proposal would demolish the former Rhodes building and replace it with a 32,984 square foot addition to the existing Rooms to Go building. This demolition/expansion occurs in the Millbrook/Lynn Road City Focus Area where the total amount of retail space exceeds Comprehensive Plan guidelines for 1.5 million square feet of total retail area. While the proposal would decrease the amount of retail space on site by 6,916 square feet, this site plan is nevertheless subject to requirements of Code Section 10-2132.2 (d1) requiring preliminary site plan approval by the City Council as this is a designated oversized focus area and additional retail is requested. The City Council is required to make findings that the new retail development addresses a minimum of eight standards representing at least three categories or seven standards representing at least four categories of the four categories of Comprehensive Plan goals. The applicant states that this plan addresses eight standards representing four categories of Comprehensive Plan goals. In Planning Staff's judgment, seven standards representing four categories have been met. As this site is located within 400 feet of a residential use or zone and is for a use greater than 25,000 square feet, City Council approval is required.

OFFICIAL ACTION: **Approval with conditions**

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

FINDINGS: The Planning Commission finds that this request, with conditions of approval below being met, conforms to Chapter 2, Part 10, Section 2041, 10-2132.2, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated June 11, 2007, owned by Rooms to Go, submitted by Integrated Design.

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

To PC: 6-26-07

Case History:
To CC: 7/10/07 **City Council Status:** _____

Staff Coordinator: Eric Hodge

Motion: Baker
Second: Smith
In Favor: Anderson, Baker, Bartholomew, Chambliss, Davis, Everett, Haq, Kuczmarski, Mullins, Smith
Opposed:
Excused:

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:_____ date: 6/28/07

Staff Report

RECOMMENDED ACTION: **Approval with Conditions**

CONDITIONS OF APPROVAL: **City Council Actions:**

(1) That the Planning Commission make a finding that a minimum of seven standards from the retail use guidelines of the Comprehensive Plan is met in three categories of Raleigh City Code section 10-3132.2(d). The following are the seven standards, in at least four categories, that the plan, through conditions, has met for approval:

Environmental resources

i. ***Employs stormwater controls to exceed Part 10 Chapter 9 of the City Code or Neuse Basin requirements, including buffers.***
The preliminary analysis indicates the proposed detention provides a 25% reduction in the discharge rate for the 2 year storm event and a 25% reduction in the discharge rate for the 10 year storm event.

ii. ***Remedies or helps alleviate existing surrounding stormwater problems identified by the City.***
The Stormwater Management Division agrees that the proposed reductions in peak flow will help alleviate the existing stormwater problems.

Transportation Systems/Pedestrian/Transit

iii. ***The site is within walking distance of transit service since it is adjacent both TTA and CAT transit routes.***
The site is on an existing transit line for the CAT route #6

iv. **Promotes the use of transit facilities and services through enhanced pedestrian access, provisions for shelter, allocates off street parking surplus for car-pooling and transit users;**
The developer provide a paved sidewalk connection from the public sidewalk along Glenwood Avenue to the existing transit stop located directly in front of the subject property and that the developer install an overhead cover or shed-type roof over the transit stop which may be, at the applicant's option, in a similar style as the proposed building, subject to approval by the Transit Planner in the Public Works Transportation Department and the approval of an encroachment agreement from City Council.

SITE AND BUILDING DESIGN

v. ***Limits visual clutter through signage limitation on size and placement exceeding City minimum standards.***
Through a condition of approval, the freestanding signage is to be limited to only one sign which must be no bigger than medium profile.

vi. ***Enhances the efficient use of land promoted through such measures as higher density development, including the use of***

parking structures designed to complement related buildings and uses.
This proposed development includes providing parking under the structure. Providing parking under the structure allows a higher intensity redevelopment and more efficient use of available land areas.

CIVIC BENEFITS
vii. ***The type and operating characteristics of the nonresidential uses respect existing nonresidential areas and established policy boundary lines.***
The proposed use is consistent with the "Retail Permitted Area" identified in the U.S. 70 Corridor Plan and respects the existing policy boundary line between the retail uses on Glenwood Avenue and the residential uses on Fernwood Drive.

Planning Commission Actions:

(2) That ground signage be limited to only one sign of nothing larger than medium profile design;

(3) That the developer provide a paved sidewalk connection from the public sidewalk along Glenwood Avenue to the existing transit stop located directly in front of the subject property and that the developer install an overhead cover or shed-type roof over the transit stop which may be, at the applicant's option, in a similar style as the proposed building, subject to approval by the Transit Planner in the Public Works Transportation Department and the approval of an encroachment agreement from City Council;

(4) That an encroachment agreement for the transit shelter mentioned above, if 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 any of the items indicated on the preliminary plan shall be submitted to the City's Encroachment Coordinator in the Inspections Department for review, and that the City Council approves 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 Inspections Department, and that 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 unless the developer elects to install a standard transit shelter type as utilized elsewhere by Capital Area Transit;

Administrative Actions:

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

(5) That prior to the issuance of a grading permit, the final tree conservation plan must be approved by the Forestry Specialist in the Inspections Department. The plan must show metes and bounds descriptions of all tree conservation areas, and tree protection fence around all tree conservation areas. Tree protection fence must be located in the field and inspected by the Inspections Department. A copy of the approved plan is placed on file in the Planning Department;

(6) That a stormwater control plan which reduces the post development peak runoff for the 2 and 10 year storms by 25% and 25% respectively as shown on the preliminary plan, and which exceeds the standards of part 10 Chapter 9, be approved by the Stormwater Engineer. A stormwater operations and maintenance manual and budget shall be approved by the Stormwater Engineer also, 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;

(7) That a recombination map be recorded prior to or in conjunction with the recording of lots, recombining the existing lot into a single tract;

(8) That all permanently preserved undisturbed open space used to meet the nitrogen reduction requirements of Part 10 Chapter 9 shall be labeled on recording plats. These plats shall include a note stating: Within permanently preserved undisturbed open space areas used for stormwater treatment, there must not be any land disturbing activity, any placement of impervious surfaces, any tree removal, any new development or expansion thereof, or new use, construction, or encroachment.

Prior to issuance of building permits in the Inspections Department:

(9) That an offer of cross access to the adjacent parcel to the south (PIN 0786.12-95-5794, DB 8974, Page 1657) be recorded in the Wake County Registry, and a recorded copy is returned to the Planning Department within 14-days of recording. If a recorded copy of this recorded document is not provided to the Planning Department within the 14 day period, further plat recordings and building permits authorization may be withheld;

(10) That an offer of cross access to the adjacent parcel on the north (PIN 0786.12-96-1033, DB 4224, Page 314) be recorded in the Wake County Registry, and that a recorded copy of this offer of cross access easement be returned to the Planning Department within 14-days of recording. If a copy of this recorded offer of cross access is not provided to the Planning Department within the 14 day period, further plat recordings and building permits authorization may be withheld;

(11) That a tree conservation map be recorded with metes and bound showing the designated Tree Conservation Areas prior to building permit issuance or in conjunction with the recording of plats whichever comes first. Tree conservation shall be in compliance with Code section 10-2082.14.

(12) That an encroachment agreement for the transit shelter mentioned above, if 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 any of the items indicated on the preliminary plan shall be submitted to the City's Encroachment Coordinator in the Inspections Department for review, and that the City Council approves 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 Inspections Department, and that 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 unless the developer elects to install a standard transit shelter type as utilized elsewhere by Capital Area Transit;

ZONING:

ZONING DISTRICTS: Shopping Center

SETBACKS / HEIGHT: This plan conforms to all minimum setback standards. Front yard = 72', rear yard = 170', front / rear aggregate = 242', side yard = 44', side yard aggregate = 95'. This plan conforms to maximum height standards in this zoning district with a proposed building height of 35'.

PARKING: Off-street parking conforms to minimum requirements: 136 spaces required, based on 1 parking space per 400 SF. 271 spaces are provided. No reduction of off-street parking spaces for landscape planting area is being utilized.

LANDSCAPING: Street yard landscaping in conformity with Section 10-2082.5 is shown. Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. This is a medium impact use under Section 10-2082.9. Transitional protective yards are shown in compliance with City standards in the following locations:

Location	Yard type required	Width proposed
Northeast	30' Type B	46'-73'

TREE CONSERVATION: A preliminary tree conservation plan in accordance with Code Section 10-2082.14 is included with this proposal and has been approved by the Forestry Specialist in the Inspections Department (10% or .51 acres of tree conservation area is required and 10% or .51 acres of tree conservation is provided). A final tree conservation plan with a metes and bounds description of all tree conservation areas shall be shown and labeled on any plat for recording.

DEVELOPMENT INTENSITY: Proposed building lot coverage is 24%.

PHASING: There is one phase in this development.

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

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

THOROUGHFARE / COLLECTOR PLAN: No dedication of right-of-way or construction of streets is required by the Thoroughfare and Collector Street Plan.

TRANSIT: No transit-oriented features of this site are incorporated into the proposed plan. This site is presently served by the existing Capital Area Transit system and existing transit easements nearby adequately serve this site.

URBAN FORM: This site is located in the Northwest Planning District along a transitional Gateway Corridor located between the Millbrook/ Lynn and Crabtree City Focus areas. A variety of intense land uses are permitted along Gateway Corridors, where appearance, traffic and access are important design considerations.

The City Council has determined the amount of existing retail development in this focus area exceeds the 1.5 million square foot size guidelines of the Comprehensive Plan. To date the approved square footage for retail in this focus area is **2,108,733 square feet**. With this addition (less the 39,900 square feet being demolished) the total would be **2,101,817 square feet**. To date the existing developed retail area is 253.51acres.

Per the standards for approval of additional retail development in this City Focus Area, Code Section 10-2132.2(d1), this plan should address criteria of the four categories of Comprehensive Plan goals and represent a minimum of 8 standards representing at least 3 categories or 7 standards representing at least 4 categories. The applicant states that this plan addresses nine standards representing at least four categories. Staff evaluation reveals compliance with 7 standards in 4 categories. See applicant's claims below and staff evaluations regarding conformity.

ENVIRONMENTAL RESOURCES

- ***Employs stormwater controls to exceed Part 10 Chapter 9 of the City Code or Neuse Basin requirements, including buffers.***
  Applicant's Claim: The preliminary storm drainage analysis indicates storm water detention is not required for this project. We have, however elected to provide storm water detention in excess of Code requirements including a 25% reduction for the 2 year storm and a 25% reduction for the 10 year storm.
  Staff Evaluation: Complies
- ***Remedies or helps alleviate existing surrounding stormwater problems identified by the City.***
  Applicant's Claim: Stormwater discharge from this site flows to an unnamed tributary of Hare Snipe Creek. According to the City's Stormwater Management Division, properties adjacent to this channel have experienced numerous stormwater problems. The Stormwater Management Division agrees that the proposed reductions in peak flow will help alleviate the existing stormwater problems.
  Staff Evaluation: Complies
- ***Protect existing vegetation throughout the site and along road corridors, and maximizes open space, in excess of City requirements.***
  Applicant's Claim: The proposed development protects a width of existing vegetation behind the existing Rooms to Go store in excess of 70' (30' required by code). A minimum of 30' is protected behind the existing Rhodes store. All the trees in the area along Glenwood Avenue are proposed to be preserved. Existing pavement is being removed to provide additional landscape area between Glenwood Avenue and the storefront.
  Staff Evaluation: The proposed plan doesn't increase levels of landscaping or open space beyond Code requirements. Though the transitional protective yard proposed is wider than code minimums, proposed plantings have been reduced accordingly as allowed by code. The pavement being removed along Glenwood Avenue is being done to bring up the streetyard to code requirements. Therefore this standard is not met.

TRANSPORTATION SYSTEMS/PEDESTRIAN/TRANSIT

- ***Is within walking distance or adjacent to transit service.***
  Applicant's Claim: The site is on an existing transit line for the CAT route #6
  Staff Evaluation: Complies
- ***Promotes the use of transit facilities and services though enhanced pedestrian access.***
  Applicant's Claim: the developer provide a paved sidewalk connection from the public sidewalk along Glenwood Avenue to the existing transit stop located directly in front of the subject property and that the developer install an overhead cover or shed-type roof over the transit stop which may be, at the applicant's option, in a similar style as the proposed building, subject to approval by the Transit Planner in the Public Works Transportation Department and the approval of an encroachment agreement from City Council.
  Staff Evaluation: Complies.
- ***Limits driveways and turning movements on thoroughfares in excess of minimum City requirements.***
  Applicant's Claim: No claim made
  Staff Evaluation: Applicants have three proposed driveways, one on Deblyn Avenue and two on Glenwood Avenue. Staff recommends Council add a condition of approval to eliminate the northwestern most driveway onto Glenwood Avenue which would more closely achieve compliance with this guideline and with the *Streets, Sidewalks and Driveway Access Handbook*.

SITE AND BUILDING DESIGN

- ***Reinforces unity of development criteria already in place for adjoining properties.***
  Applicant's Claim: The project will, by recombining two adjacent properties and unify the redeveloped portion with the existing facility to remain, providing unity of development for two properties where the existing architectural vocabulary do not speak to each other.
  Staff Evaluation: There is no unity of development criteria in place for adjoining properties therefore this claim cannot be met and does not comply.
- ***Limits visual clutter through signage limitation on size and placement exceeding City minimum standards. .***
  Applicant's Claim: This proposed development completely eliminates an existing high profile ground sign. This is an existing conforming sign that could remain if the proposed development did not include recombining two lots into one. The developer agrees to providing only one medium profile ground sign.
  Staff Evaluation: Complies, yet Staff believes the goals of the Comprehensive Plan are better achieved if the City Council adds a condition of approval limiting free standing signage to one low-profile ground sign.

- ***Enhances the efficient use of land promoted through such measures as higher density development, including the use of parking structures designed to complement related buildings and uses.***
  Applicant's Claim: This proposed development includes providing parking under the structure. Providing parking under the structure allows a higher intensity development and more efficient use of available land area.
  Staff Evaluation: Complies

CIVIC BENEFITS

- ***The type and operating characteristics of the nonresidential uses respect existing residential areas and established policy boundary lines.***
  Applicant's Claim: This proposed use is consistent with the "Retail Permitted Area: identified in the U.S. 70 Corridor Plan and respects the existing policy boundary line between the retail uses on Glenwood Avenue and the residential uses on Fernwood Drive.
  Staff Evaluation: Complies

Staff evaluation reveals conformity with seven standards in four categories. However, Staff recommends Council include an additional condition of approval (revising the plan to include only one driveway onto Glenwood Avenue) to achieve a higher level of conformity with City Focus Area requirements and compliance with the City's *Streets, Sidewalks & Driveway Access Handbook* (see the third item under Transportation Systems/Pedestrian/Transit on page 9 above and **Circulation** section on Page 11 below). Staff also recommends the modification of the Planning Commission's recommended condition of approval # 2 to require a low profile sign instead of a medium profile sign.

APPEARANCE COMMISSION: The Appearance Commission has made the following comments on this preliminary plan. Shown below are comments and applicant responses:

Comment	Response
Given the height of the property above the adjacent residential properties, adjust rear parking area lighting design to minimize the visibility of light reaching the residences (e.g., set back poles further from property lines, lower pole heights, install house-side shields, reduce lamp footcandles, and/or turn off sections of system after hours).	The luminaries proposed along the northeasterly line of the rear parking lot and closest residential properties (closest luminaries is 65' to a residential property) will be mounted on 20' poles and include house side shields. The maintained footcandles (Fc) along the residential property line is less than the 0.5fc minimum required by code. The luminaries' wattage has been reduced to 150 watts. Please see PA 4.2.

SUBDIVISION STANDARDS:

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

PUBLIC UTILITIES: City water and sewer services are available. The developer is responsible for installation of all lines necessary to provide service to this site.

SOLID WASTE: The applicants propose to utilize the existing Rooms to Go refuse collection facility which is located within the rear of the parking area as well as construct a new refuse collection facility located at the northwest side of the building. Refuse collection will be by means of a private contractor. The collection facility will meet the standards set forth in the City's Solid Waste Design Manual.

CIRCULATION: Proposed street improvements shall conform to normal City construction standards. Section 4.12 of the *Streets Sidewalks and Driveway Access Handbook* (SSDA) specifies that along thoroughfare system roadways parcels should have no more than one driveway access point per each 400 linear feet adjacent to the roadway and no additional driveway for any additional fraction thereof. The applicant's proposed plan includes 2 driveways along Glenwood Avenue which does not conform to standards of the SSDA as there is only 400 linear feet of road frontage along Glenwood Avenue. Staff recommends the applicant be required to close one of the proposed driveways. This would also help them better achieve compliance with the retail use guidelines for limiting driveways and turning movements on thoroughfares.

This plan shows an offer of cross access easement to the adjacent parcel on the north (PIN 0786.12-96-1033, DB 4224, page 314) and a establishment of a full cross access easement with the adjacent property to the south (PIN 0786.12-95-5794, DB 8974, page 1657) where that property owner previously was required to make an offer of cross access to this site.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. A sidewalk is required along both sides of Glenwood Avenue and is shown on the plans along the property's frontage. There is also a proposed pedestrian connection into the site connecting with the public sidewalk system.

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

STORMWATER MANAGEMENT: The preliminary site plan meets the provisions of Part 10, Chapter 9 of the Raleigh City Code. Stormwater quality control will be met through the use of a bio-retention area and establishment of permanently protected undisturbed open space. Offset fees paid to the NCEEP will not be required as the proposed bio-retention area will remove more nitrogen than is required by the regulations. The site will comply with stormwater quantity control provisions under 10-9023(b)(1) because there will be less than a 10% increase in peak stormwater runoff between pre- and post-development conditions for the two and ten-year storm. However, discharges for the 2 and 10 year storms will be detained with the bio-retention area to less than pre-development rates in an effort to alleviate localized stormwater and flooding problems identified by the City of Raleigh in the immediate area. There are no riparian buffers or floodplain areas located on the property.

WETLANDS / RIPARIAN BUFFERS: No wetland areas or Neuse River riparian buffers are required on this site.

OTHER REGULATIONS: Developer shall meet all City requirements, including underground utility service (§10-3059), flood protection measures (Part 10, Chapter 4), and the soil erosion ordinance (Part 10, Chapter 5), unless specifically varied by this approval.