CR# 11147
Case File: SP-32-07

Certified Recommendation
of the City of Raleigh Planning Commission

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27601
(919) 516-2626
www.raleighnc.gov

Case File / Name: SP-32-07 / Wal Mart Triangle Town Center

General Location: Northeast corner of Old Wake Forest Road, Triangle Town Blvd

Planning District / CAC: Northeast / Northeast

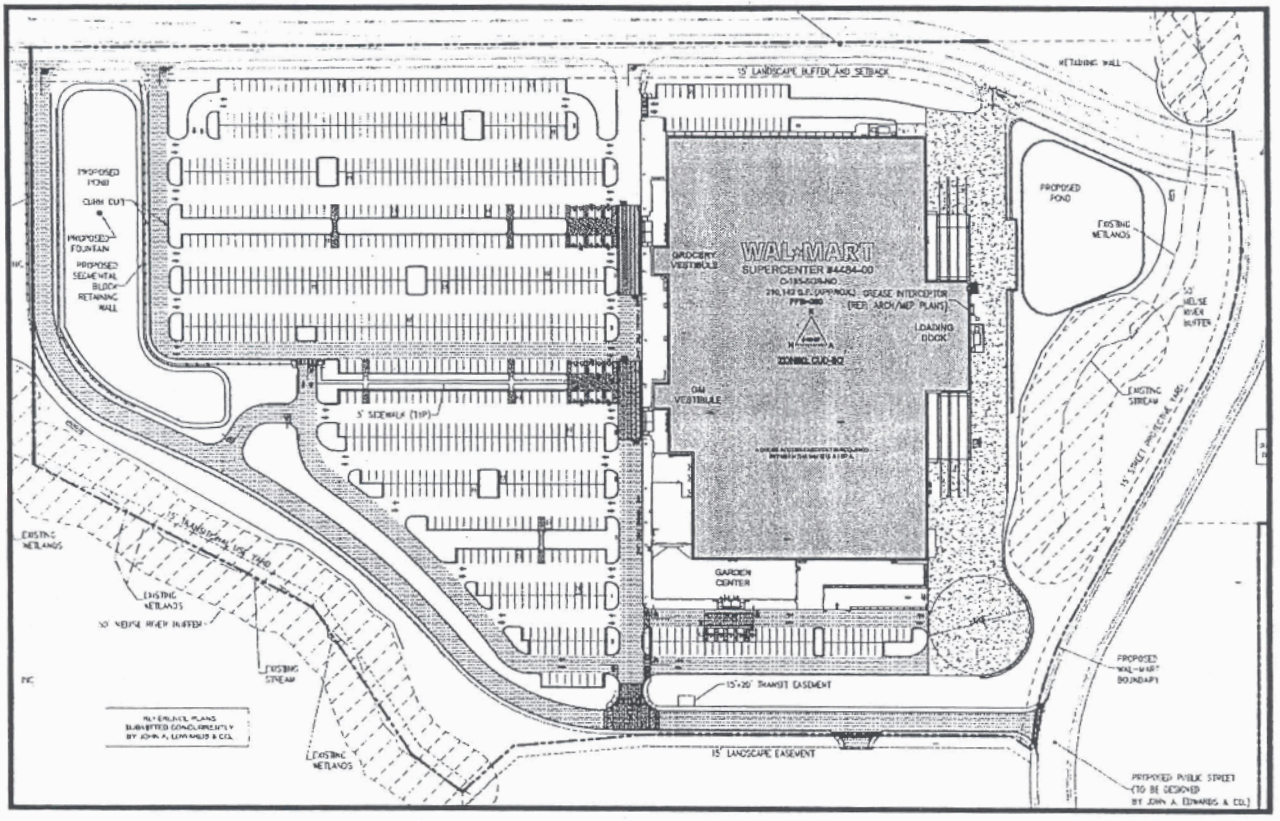
Nature of Case: Proposed retail establishment of 210,142 square feet in size located on a 26.91 acre parcel zoned Shopping Center CUD with SHOD-1.

Contact: Kimley-Horn and Associates

Key Issues: (1) Requested alternate means of compliance for modified design of landscape transitional protective yard on the south side of the site. (2) Requested one foot increase in the mounting height of parking lot lighting.



SP-32-07 / Wal Mart Triangle Town Center – Location Map



SP-32-07 / Wal Mart Triangle Town Center – Site Plan

SUBJECT:	SP-32-07 Wal Mart Triangle Town Center
CROSS-REFERENCE:	Z-1-06, S-15-07
LOCATION:	This site is located on the north side of Old Wake Forest Road, east of its intersection with Triangle Town Boulevard, outside the City Limits.
REQUEST:	This request is to approve a retail establishment of 210,142 square feet in size located on a 26.91 acre parcel, zoned Shopping Center CUD with SHOD-1. This site is located within 400 feet of a residential use or zone.
OFFICIAL ACTION:	**Approval with conditions**
CONDITIONS OF APPROVAL:	**As noted on the Staff Report, attached**
FINDINGS:	The Planning Commission finds that with the conditions of approval below being met, this request conforms to Chapter 2, Part 10, Sections 10-2041, 10-2058, 10-2132.2, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 10/10/07, owned by Wal-Mart Stores, submitted by Kimley-Horn and Associates.
ADDITIONAL NOTES:	This parcel is within a recently approved subdivision (S-15-07) which has not been recorded at this time.
To PC:	10/23/07
Case History:	
To CC:	11/7/07 **City Council Status:** _____
Staff Coordinator:	Stacy Barbour
Motion:	Smith
Second:	Davis
In Favor:	Butler, Chambliss, Davis, Gaylord, Harris Edmisten, Haq, Mullins, Smith
Opposed:	
Excused:	Holt

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)
	_____	Mark Chambliss
	date: _____	date: 10/26/07

Staff Report

RECOMMENDED ACTION: **Approval with Conditions**

CONDITIONS OF APPROVAL:

City Council Actions:

(1) That an alternate means of compliance be approved in accordance with Code Section 10-2082.4 to allow a modification in the design of the required 30' width Type B transitional protective yard on the south side of the site. This proposal includes providing a varying width buffer of 50'-55' width divided by a driveway aisle as shown on the approved concept plan included with the rezoning of this site (Z-1-06). The proposal is to establish a 15' width planting area within a landscape easement on the adjacent parcel to the south and an average 40' width buffer within a landscaped planting island on the north side of the proposed driveway which separates the two parcels. The proposal includes additional plantings (2 additional trees and 30 additional shrubs per 100 linear feet) above the minimum required for a Type B yard;

Planning Commission Actions:

(2) That the Planning Commission finds the requested one foot increase in the mounting height of parking lot area lighting (from 41' to 42' height) has no adverse effects and approve the request as allowed by code section 10-2089. The applicant has agreed to install full cutoff shielded fixtures as requested by the Appearance Commission and required by conditions of rezoning, but has not agreed to a reduced mounting height of 25' as requested;

Administrative Actions:

Prior to issuance of a grading permit for the site:

(3) That the Stormwater Engineer in the Public Works Department approves a final stormwater control plan, including a stormwater operations and maintenance manual and budget showing compliance with requirements of Part 10 chapter 9;

(4) That prior to the issuance of a grading permit, the final tree conservation plan for this subdivision (S-15-07) 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 shall be placed on file in the Planning Department;

(5) That as the developer has chosen to offset a portion of nitrogen export load limitation by paying monies to the North Carolina Ecosystem Enhancement Program (NCEEP); in accordance with Nitrogen reduction requirements of Section 10-9022, this payment shall be made to NCEEP and verification of

the amount of payment shall be provided to the City of Raleigh Stormwater Engineer;

Prior to issuance of building permits in the Inspections Department:

(6) That the subdivision associated with this site plan (S-15-07) be recorded to provide utilities to this site, establish the road network around this site and to provide the proposed off-site landscape easement on the adjacent parcel to the south (proposed lot 4);

(7) That a petition for annexation into the City limits be submitted in accordance with City Council policy for extension of utility service to properties currently outside of the City limits. This voluntary annexation in no way obligates the City to extend utility services to the property;

(8) That the Site Review Specialist in the Inspections Department approve a final landscape plan for the site showing conformance with the approved alternate means of compliance for the required transitional protective yard on the south side of the site;

(9) That the final location of the proposed 15'x20' transit easement within the site, as well as the transit access easement traversing through the site are approved by the City's Transit Technician in the Department of Transportation, and that the City Attorney and the Transit Technician approve these transit easements. The location together with metes and bounds descriptions of these easements shall be shown on all plats for recording. A recorded copy of the transit easements must be provided to the Site Review Specialist in the Inspections Department;

(10) That a signage plan limiting ground signs to low profile monument style and allowable wall signs only be approved by the Inspections Department;

(11) That all rezoning conditions of Z-1-06 and the associated concept plan, including key elements of the urban design guidelines included with the concept plan be met and final building design be approved by the Site Review Specialist in the Inspections Department verifying conformance with those guidelines.

(12) That the Site Review Specialist in the Inspections Department approve a final lighting plan showing conformance with zoning conditions of Z-1-06 as well as fixture height limits as approved by the Planning Commission.

ZONING:

ZONING DISTRICTS: Shopping Center-CUD, SHOD-1, Z-1-06, Ordinance 2005 30ZC589 Effective 6/6/06.

Ordinance No, (2005) 30 ZC 589
Adopted and Effective: 6/6//06

Z-01-06 – Old Wake Forest Road and Triangle Town Boulevard on the north side of Old Wake Forest Road, NE of its intersection with Triangle Town Boulevard being Wake County PIN 1727816589. Approximately 72.27 acres rezoned to Shopping Center Conditional Use with Special Highway Overlay District-1.

Conditions: 05/24/06

A. The development of the subject property shall conform to the Concept Plan attached hereto and incorporated herein by reference as provided for in Code Section 10-2165(d)(8).

B. The following uses otherwise permitted in the Shopping Center zoning district as provided in the Schedule of Permitted Land Uses found in Code Section 10-2071, shall be prohibited:

1.) Adult establishments
2.) Airfields, landing strips or heliports
3.) Electrical generating plants
4.) Uses defined as Retail Sales — Highway within 400 feet of the rights-of-way of Old Wake Forest Road and Triangle Town Boulevard.

C. If desired by the City, at subdivision or site plan, which ever first occurs, the property owner shall make available at least two (2) 20-foot by 15-foot transit deeds of easement to support a bus stop along Old Wake Forest Road, Triangle Town Boulevard, or some other internal street (whether public or private). The specific location of such easements shall be approved by the Transit Division of the City at the time of subdivision or site plan approval.

D If desired by the City, at subdivision or site plan, which ever first occurs, the property owner shall offer a cross-access easement to the property immediately north which fronts on Triangle Town Boulevard (PIN 1727720976 - Ethel Limited Partnership Deed Book 4061, Page 212 Wake County Registry) and the properties to the east which front on Old Wake Forest Road (PIN 1737023461 - Thomas C. Hendrickson, Trustee Deed Book 3900, Page 622, Wake County Registry; and PIN 1727917331 — Christ Covenant Church of Raleigh Deed Book 8182, Page 469, Wake County Registry).

E. The development of the subject property shall include at least the following uses as shown on the Concept Plan: residential, office, civic and retail.

F. The development of this property shall comply with those key elements of the Urban Design Guidelines as shown on the attached Concept Plan and as set forth in the Narrative attached hereto and incorporated herein by reference.

G. Reimbursement for any required right-of-way dedication shall remain at R-10 value.

H. Any retaining walls along and visible from Old Wake Forest Road shall have a maximum height of fifteen (15) feet above any adjacent sidewalk, with plantings in front of them. If grades require taller walls, they shall be stepped, with a maximum height of fifteen (15) feet per step. Each step shall be of sufficient depth to allow for planting in front of each wall, but not less that three feet in width. Where exposed retaining wall faces exceed 6 feet in height, trees shall be planted at the base of the wall at the rate of 1 canopy tree per 50 linear feet of wall or 2 medium-sized ornamental trees per 50 linear feet of wall. Where exposed wall faces are sub - 6 feet in height, shrubs will be planted at the base of the wall at a rate of 1 shrub per 5 linear feet of wall. Plant size at installation will conform to City of Raleigh standards for VSA planting.

I. Retaining walls, if any, along and visible from Old Wake Forest Road shall be of same or similar masonry materials as the nearest principal building, specifically permitted as "similar" would be segmental masonry for walls where color selections are coordinated with building materials.

J. Outdoor area and parking lot light fixtures in mixed use and residential areas shall be of full cutoff design.

K. Prior to preliminary site plan or subdivision submittal on any portion of this property, a traffic impact analysis (TIA) on the entire property based upon the Concept Plan shall be filed with City of Raleigh's Department of Public Works. A TIA submitted prior to adoption of this ordinance based upon the Concept Plan shall satisfy this condition.

SETBACKS / HEIGHT: This plan conforms to all minimum setback standards. Front yard = 250', rear yard = 750', front / rear aggregate = 1000', corner side yard = 120', side yard aggregate = 250'. This plan conforms to maximum height standards in this zoning district. Proposed height of the building is 40'.

PARKING: Off-street parking conforms to minimum requirements: 1051 spaces required, based on one parking space per 200 square feet. 968 spaces are provided. A reduction of 83 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. A transitional protective yard is required between this development and the proposed residential development on the adjacent parcel to the south. The applicant requests approval of a modification in the design of the required 30' width Type B transitional protective yard on the south side of the site. This proposal includes providing a varying width buffer of 50'-55' width divided by a driveway aisle as shown on the approved concept plan included with the rezoning of this site (Z-1-06). The proposal is to establish a 15' width planting area within a landscape easement on the adjacent parcel to the south and an average 40' width buffer within a landscaped planting island on the north side of the proposed driveway which separates the two parcels. The proposal includes additional plantings (2 additional trees and 30 additional shrubs per 100 linear feet) above the minimum required for a Type B yard.

TREE CONSERVATION: A tree conservation plan for this site and the adjacent lots within this subdivision (S-15-07) is to be recorded with the subdivision.

DEVELOPMENT INTENSITY: not applicable to this plan.

PHASING: This proposal is to be completed in one phase.

UNITY OF DEVELOPMENT: not applicable to this plan.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

THOROUGHFARE / COLLECTOR PLAN: Dedication of right-of-way and construction of adjacent streets is being done in association with the approved subdivision for this site (S-15-07).

TRANSIT: The following transit-oriented features of this site are incorporated into the proposed plan: 15'x20' transit stop easement along internal driveway on the south side of the site. This plan will also include an internal access agreement for travel along the drive between Old Wake Forest Rd. and the proposed road on the north of this site being constructed as part of S-15-07.

URBAN FORM: This site is located in the Northeast Planning District, within the limits of the Northeast Regional Center, in an area designated for higher intensity uses. The site is also within the northeast quadrant of the Triangle Town Center plan area. The Triangle Town Center Small Area Plan recommends that the northeast quadrant of the Small Area Plan include primarily mixed-use development consisting of office, hotel, and small service retail uses in the western portion of the quadrant. Site design must have a strong pedestrian orientation that connects to the pedestrian network south of Wake Forest Road. Approximately 25% of the land area is intended for residential uses with open space and civic uses included at a smaller percentage. The concept plan, conditioned as a part of the zoning request for this site calls for successful integration of the residential, open space, office and mixed-use retail uses. With the creation of a mixed-use core area, a residential neighborhood within the transition area, continuous pedestrian connections, open spaces and a strong pedestrian linkage with the Poyner Place "main street" located to the south, the plan intended to comply with all other Triangle Town Center SAP policies and recommendations for the development of this area.

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

Comment	Response
Include features designed to upgrade the stormwater detention basins into visual amenities.	Stormwater pond in front of the building has had a fountain added and the pond behind the building has been changed to a constructed wetland.
Chain-link fences on site should be vinyl coated.	Plan details changed to include fencing with vinyl coating.
Provide reduced height light poles	Applicant requests approval of 42'

(e.g., 25') and full cutoff (shielded) fixtures. Configure pedestrian walks on parking lots islands so as to maximize the planting space.	height fixtures with full cutoff shielded design. Design of parking lot planting islands modified as requested.

SUBDIVISION STANDARDS:

BLOCK LAYOUT: The proposed street layout conforms to City Code, providing for efficient circulation of traffic within the entire neighborhood area.

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: Refuse disposal will be by private contractor. Location and design of collection facilities shall meet the standards in the Solid Waste Design Manual.

CIRCULATION: Proposed street improvements shall conform to normal City construction standards. This plan shows a street and driveway layout within the development in accordance with the approved concept plan associated with the rezoning of this site (Z-1-06). A traffic impact analysis as required by conditions of rezoning has been reviewed by the City and the site layout has been approved accordingly.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. A sidewalk is required along frontage of the adjacent public streets. This plan shows sidewalks within the development in accordance with the approved concept plan associated with the rezoning of this site (Z-1-06).

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

STORMWATER MANAGEMENT: This site is subject to stormwater runoff and nitrogen reduction requirements of part 10 chapter 9. This site is not subject to additional stormwater management zoning conditions. Proposed stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual. Stormwater quality control will be met through the use of a wet pond and an engineered wetland and offset fees paid to the NCEEP. The site will comply with stormwater quantity control provisions under 10-9023(a) because the post-development stormwater runoff will be detained to pre-development conditions for the two and ten-year storm using a wet pond and engineered wetland.

WETLANDS / RIPARIAN BUFFERS: There are Neuse River riparian buffers and wetlands on this site; however, no construction is shown within the riparian buffers.

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.

Kimley-Horn
and Associates, Inc.

Suite 300
4651 Charlotte Park Drive
Charlotte, NC 28217

September 26, 2007

Planning Commission
c/o Mr. Stacey Barbour
City of Raleigh, NC
Development Plans Review Center
P.O. Box 590
Raleigh, N.C. 27602

RE: Wal-Mart – Triangle Town Center
Store #4484-00
Northeast Corner of Triangle Town Boulevard and Old Wake Forest Road
Internal Job No.: 02-2748.37; Case Number: SP-32-07
Request for 42' Light Poles

Dear Commission Members:

On behalf of our client, Wal-Mart Stores Inc, we are requesting approval for a 1' increase in light pole height (42' total) beyond what is listed in the Raleigh ordinance (41').

The standard light pole height for a Wal-Mart Supercenter is 42' as provided by the lighting vendor. This 1' variance would prevent my client from needing to special order custom light poles for this site.

The Appearance Commission has requested reduced height light poles with full cutoff lenses. Shorter poles require more poles in order to achieve the required lighting level. It is our opinion that the additional poles are unattractive and provide additional obstacles in the parking lot that customers must avoid. The applicant agrees to install the full cutoff lenses.

We appreciate your consideration of this request.

Sincerely,

Austin L. Watts, P.E.
Project Manager