CR# 11158
Case File: SP-39-07

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-39-07 / Toyota pre-owned of Raleigh**

General Location: This site is located on the south side of Glenwood Ave., west of its intersection with Toyota Dr.

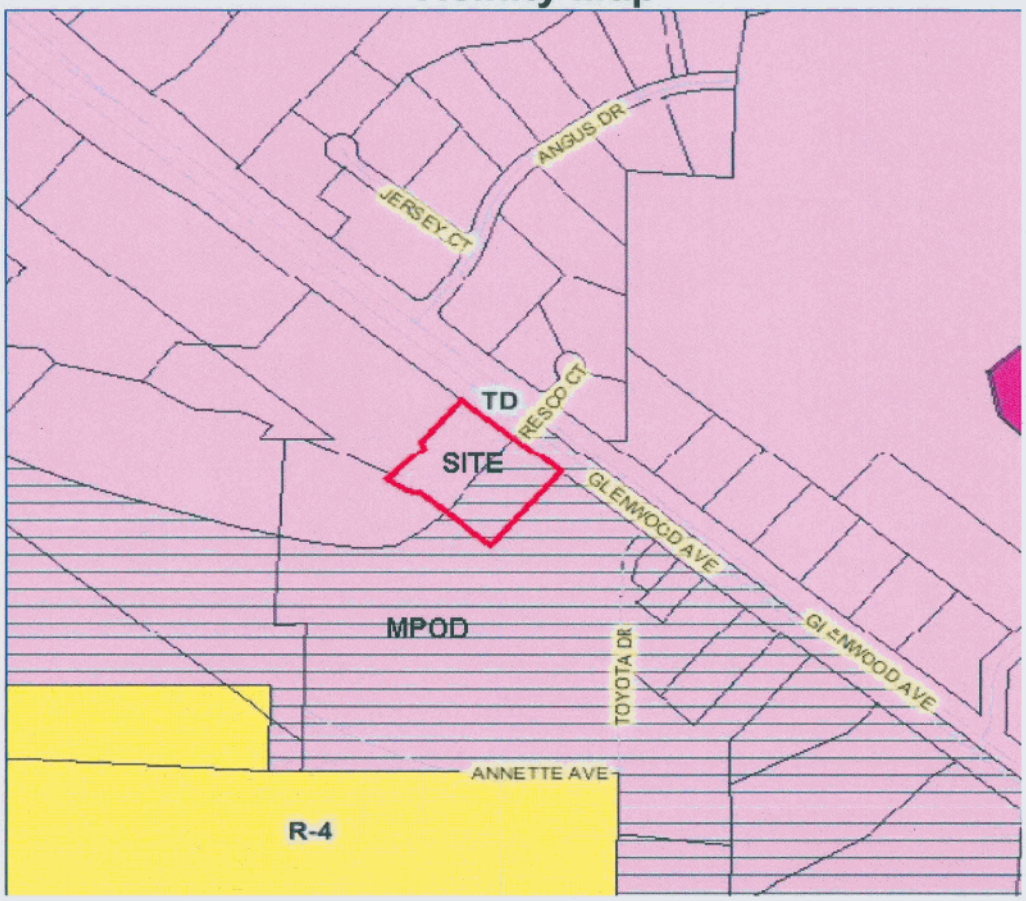
Planning District / CAC: Umstead / Northwest

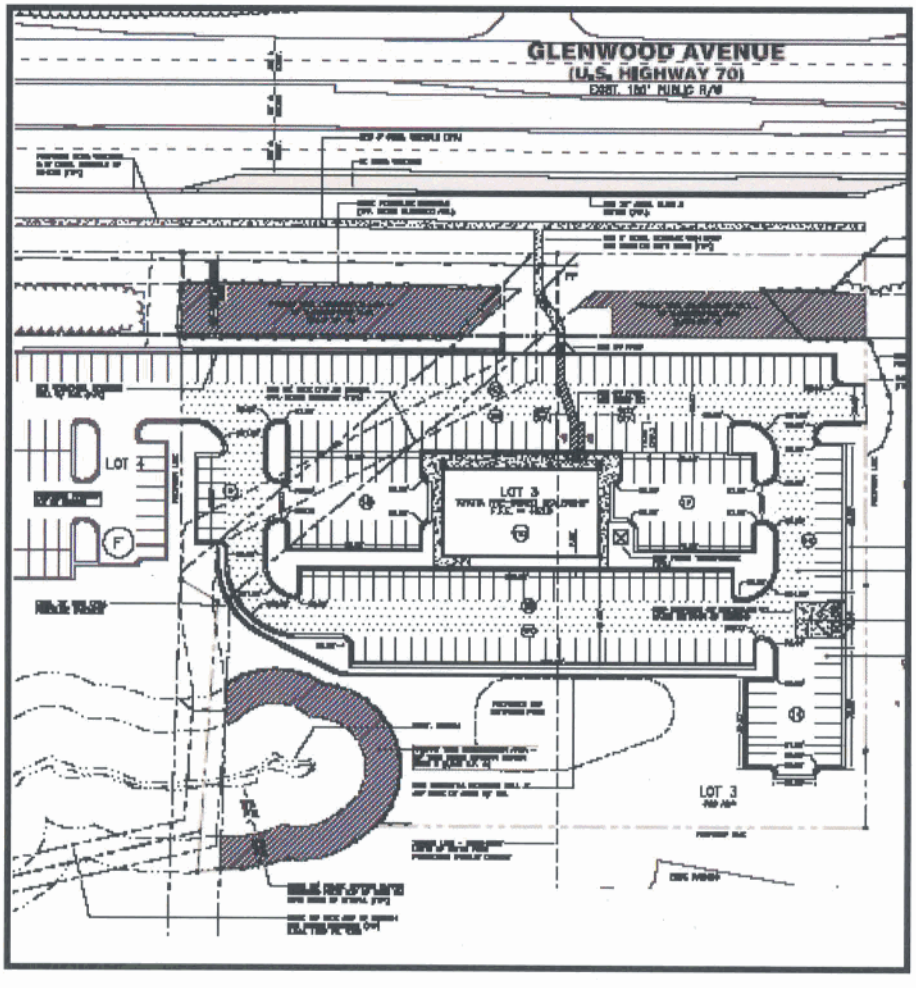
Nature of Case: This request is to approve a 4,973 square foot retail building on a 3.26 acre site, zoned Thoroughfare District, Airport Overlay and Metro Park Overlay District (MPOD). There is an existing building and parking that will be removed.

Contact: Ron Hendricks

Key Issues: This plan conforms to City Code and adopted policies and guidelines of the Comprehensive Plan.

Vicinity Map





Proposed Site Plan

SUBJECT:	**SP-39-07 / Toyota pre-owned**
CROSS-REFERENCE:	SP-45-07, PA 92-88
LOCATION:	This site is located on the south side of Glenwood Ave., west of its intersection with Toyota Dr., within the City Limits.
REQUEST:	This request is to approve a 4,973 square foot retail building on a 3.26 acre site, zoned Thoroughfare District, Airport Overlay and Metro Park Overlay District (MPOD). The MPOD lies on the eastern half of the site. This site plan is located within the Metro Park Overly District which requires City Council approval.
OFFICIAL ACTION:	**Approval with conditions**
CONDITIONS OF APPROVAL:	**As noted on the Staff Report, attached**
FINDINGS:	The Planning Commission finds that this request, with the conditions of approval being met, conforms to Chapter 2, Part 10, Sections 10-2045, 2050, 2053, 2132.2, Chapter 3, Part 10, and Sections 10-3001-3059. This approval is based on a preliminary plan dated 31 Oct 2007, owned by Fred Anderson Toyota, submitted by PLD, LLP.
ADDITIONAL NOTES:	A portion of the western part of this track is within the Angus Barn MUD (PA-92-88, amended with SP-45-07). No direct access to Glenwood Avenue is proposed with this site plan and this plan conforms to approval conditions of SP-45-07.
To PC:	January 15, 2008
Case History:	
To CC:	1/22/08 **City Council Status:** _____
Staff Coordinator:	James Marapoti
Motion:	Haq
Second:	Bartholomew
In Favor:	Bartholomew, Butler, Chambliss, Davis, Gaylord, Harris Edmisten, Haq, Holt, 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: 1/17/08

Staff Report

RECOMMENDED ACTION: **Approval with Conditions**

CONDITIONS OF APPROVAL:

Administrative Actions:

Prior to issuance of a grading permit for the site:

(1) 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;

(2) That a stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved by the Stormwater Engineer in compliance with Part 10 Chapter 9, 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;

Prior to issuance of building permits in the Inspections Department:

(3) That a 24' cross-access easement between Lot 1 (east) owned by Anderson Real Estate #4, LLC DB 11899 PG 2385, Lot 4 (west) Anderson/Raleigh Limited Partnership DB 8762 PG 2255 and Lot 3, the subject property, 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 building permit authorization may be withheld.

(4) That a demolition permit be issued by the Inspections Department for the existing structures;

(5) That construction plans for public improvements along Glenwood Ave. be approved by the Public Works Department;

(6) That the Site Review Specialist in the Inspections Department ensure that the replacement tree within the thoroughfare yard and lighting levels conform to what is shown on the preliminary plans dated 31 Oct. 2007;

ZONING:

ZONING DISTRICTS: TD, AOD, MPOD

MPOD DEVELOPMENT INTENSITY:

Since this site is located within the Metro Park Overlay District, stricter requirements are placed on impervious surface and lighting. This plan is proposing 53.7% of impervious area, composing of pavement and building, within the MPOD. Since this plan exceeds 30% impervious, the applicant was required to provide a tree inventory of trees located within the protective yard that impacts or disrupt the critical root zone.
Results: one 11" twin cedar will be impacted in the northeastern portion of the protective yard, therefore per Code an indigenous tree of ½ the caliper impacted must be replaced. A 6" Shumard Oak will be provided.
Lighting levels meet those requirements of 10-2053(e)3; lights shall be shielded down instead of illuminating in all directions.

SETBACKS / HEIGHT:

This plan conforms to all minimum setback standards. Front yard = 50'- Proposed = 130', rear yard = 0'- Proposed = 165', front / rear aggregate = 50', Proposed = 295', side yard = 0', side yard aggregate = 0'. This plan conforms to maximum height standards in this zoning district. Proposed height of the building is 20'

PARKING:

Off-street parking conforms to minimum requirements: 25 spaces required, based on 1 parking space per 200 s.f. of building space. 25 spaces provided and 168 display lot spaces provided.

LANDSCAPING:

The 50' thoroughfare yard adjacent to Glenwood Ave. is being preserved and planted to meet the requirements of 10-2045 and 10-2082.12. Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. This is a high impact use under Section 10-2082.9. Transitional protective yards are not required since similar uses surround this property.

TREE CONSERVATION:

Total site 3.26 acres at 10%= .33 acres required for tree conservation.
.33 acres provided in primary tree conservation area along Glenwood Ave.

UNITY OF DEVELOPMENT:

Not applicable.

COMPREHENSIVE PLAN:

GREENWAY:

There is no greenway on this site.

THOROUGHFARE / COLLECTOR PLAN:

Adequate right of way exists along Glenwood Ave. This project is responsible to construct and widen Glenwood Ave. by 12' with 30" curb and gutter 5' sidewalk the entire length of the property.

TRANSIT:

Not required.

URBAN FORM: The site is located in the Umstead District, which designates a Retail Area near the intersection of US 70 and Angus Drive, immediately west of the proposed site. Detailed land use recommendations are provided by the Triangle Regional Center Plan, which splits the proposed site between Low-Intensity Office and Institutional use (the southern portion) and being part of a Mixed Use Employment Area (northwest portion). Retail uses are permitted within Employment Areas, "as designated or allowed in the Comprehensive Plan, where they do not compromise the basic function of these areas as places" to accommodate "office, manufacturing, industrial, warehousing, and distribution and service jobs basic to the city's economy."

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

Comment	Response
1. To reduce offsite glare visible from this upland location, add shields to pole-mounted light fixtures on sides facing the US 70 right-of-way; consider reducing foot candle outputs.	Lighting plan details have been revised to provide shields on light fixtures.
2. Explore opportunities for making the design treatment of the rear elevation more consistent with the front (e.g., extend horizontal banding, add fenestration, enhance doorway presentation, etc.).	Additional treatments such as a door and windows have been added to the rear elevation.

SUBDIVISION STANDARDS:

BLOCK LAYOUT: N/A

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 lot service by private contractor.

CIRCULATION: This project will offer cross access and provide physical connections to the tracts to the east and west.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. A sidewalk is required on the south side of Glenwood Ave.

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 dry detention pond and offset fees paid to the NCEEP. The site will comply with stormwater quantity control provisions under 10-9023(a) because the increase in peak stormwater runoff will be detained to pre-development conditions for the two and ten-year storm using the dry detention pond. There are riparian buffers located on the property.

WETLANDS / RIPARIAN BUFFERS: Wetland areas or Neuse River riparian buffers are present on this site. Riparian buffers have been shown on BM 2007 PG 283.

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.