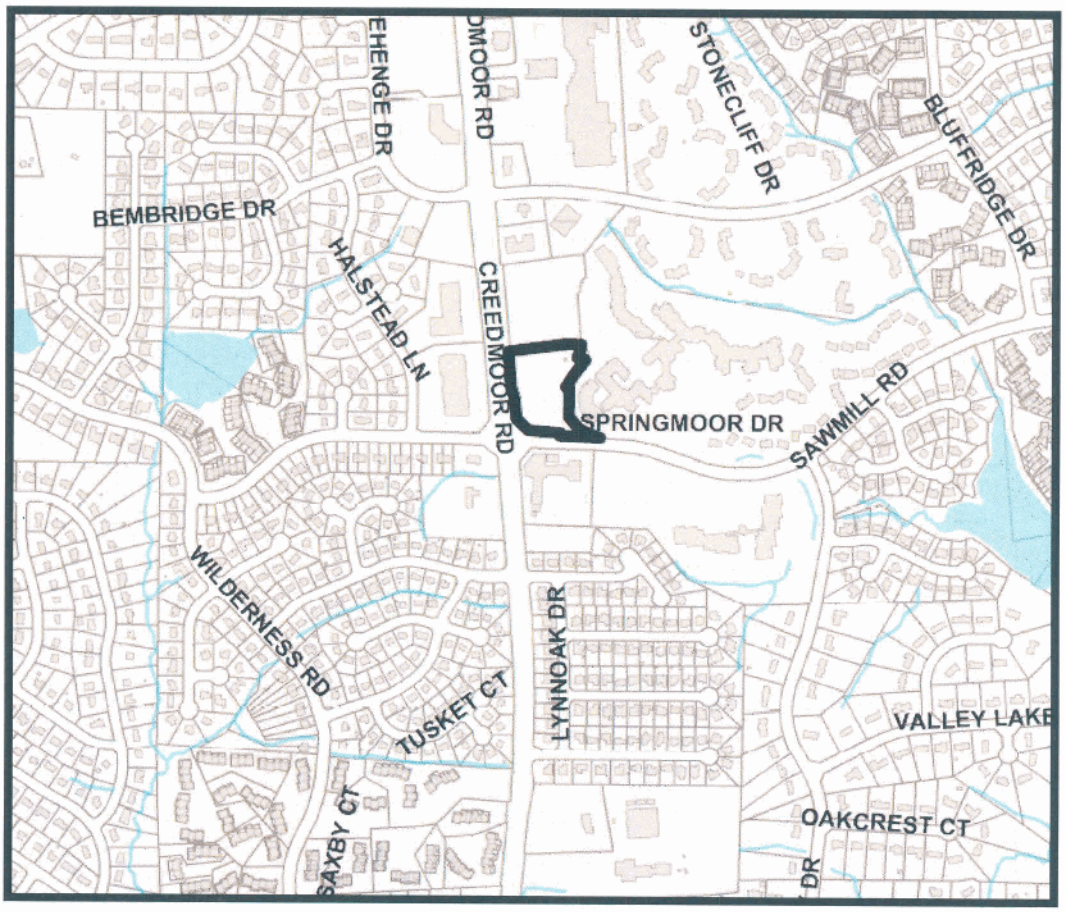
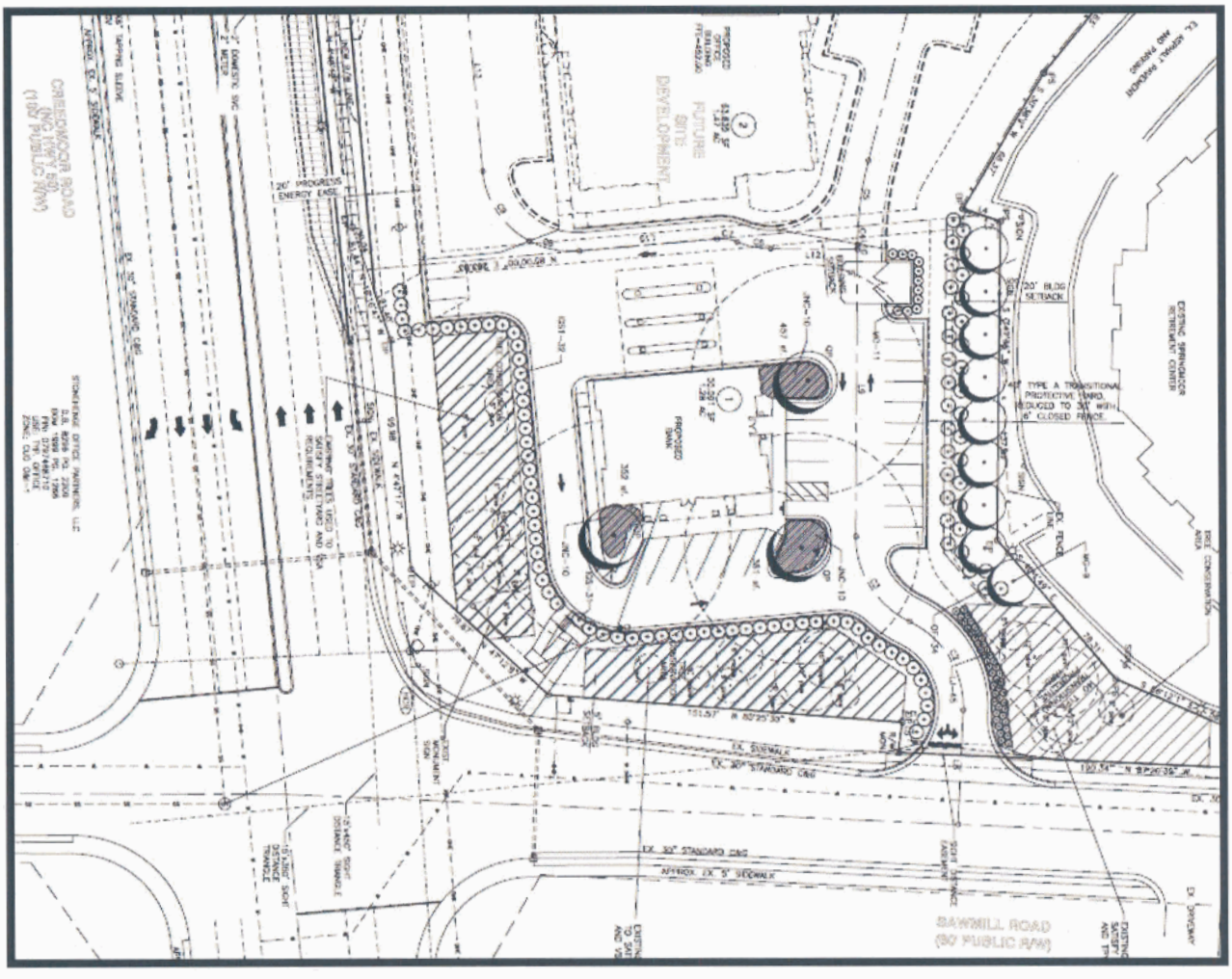
Certified Action
of the City of Raleigh Planning Commission

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27601
(919) 516-2626
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Case File / Name:	**SP-55-07 / Crescent**
General Location:	Northeast corner of the intersection of Creedmoor Road and Sawmill Road
Planning District / CAC:	North / North
Nature of Case:	A 3,825 square foot bank with drive thru and an ATM on a 1.28 acre site zoned Office and Institutional – 1 Conditional Use District. As drive-thru/ATM facilities are planned and this site is within 400 feet of a residential use and zoning district, Planning Commission approval is required.
Key Issues:	As presented, staff finds that this plan conforms to Code standards and adopted land use policies.
Contact:	Chris Pope, Bass Nixon and Kennedy, Inc.



SP-55-07 / Crescent – Location Map



SP-55-07 / Crescent – Preliminary Site Plan

SUBJECT:	SP-55-07 / Crescent
CROSS-REFERENCE:	S-51-07 Crescent Subdivision
LOCATION:	This site is located on the east side of Creedmoor Road, north of its intersection with Sawmill Road, inside the City Limits.
REQUEST:	This request is to approve a 3,825 square foot bank with drive thru and an ATM on a 1.28 acre site, zoned Office and Institutional-1 Conditional Use District. This site is located within 400 feet of both a residential use and zone.
OFFICIAL ACTION:	**Approval with conditions**
CONDITIONS OF APPROVAL:	**As noted on the Staff Report, attached**
FINDINGS:	The Planning Commission finds that this request conforms to Chapter 2, Part 10, Section 10-2035, 10-2132.2, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 10-31-07, owned by Ammons, Inc., submitted by Bass, Nixon & Kennedy, Inc.
ADDITIONAL NOTES:	A preliminary subdivision plan (S-51-07) to create this parcel has been approved by staff, but has not been recorded to date.
To PC:	12/11/07, 1/15/08
Case History:	Deferred on 12/11/07 for more information related to ingress/egress on Sawmill Road, particularly as it relates to vehicular stacking on Sawmill Road.
Staff Coordinator:	Eric Hodge
Motion:	Smith
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: 1/17/08 date: 1/17/08

Staff Report

RECOMMENDED ACTION: **Approval with Conditions**

CONDITIONS OF APPROVAL:

Administrative Actions:

Prior to issuance of a land disturbing 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;

Prior to Planning Department authorization to record lots:

(2) That a tree conservation map be recorded with metes and bounds showing the designated Tree Conservation Areas prior, to building permits or in conjunction with the recording of lots whichever comes first. Tree conservation shall be in compliance with Code section 10-2082.14;

Prior to issuance of building permits in the Inspections Department:

(3) That all conditions of S-51-07 have been satisfied and the subdivision recorded;

(4) That cross access agreements between lots 1 and 2 of S-51-07/Crescent Subdivision are recorded in accordance with the City Code 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;

(5) That the City Attorney approve the off-site transitional protective yard landscape easement. That easement is to be provided on the property to the north (lot 2 associated with S-51-07) in order to provide ½ of a 20' Type A Transitional Protective Yard. Said easement width may be reduced accordingly in width as allowed by 10-2082.9 if building permits associated with lot 2 require a lesser transitional protective yard width.

ZONING:

ZONING DISTRICTS: Office and Institutional – 1 Conditional Use District. Ordinance 513 ZC 450 Effective 2/16/99.

Z-11-99 Creedmoor Road, east side, north side of Sawmill Road and south of Stonehenge Drive, being Wake County Tax Map Parcel 0797.11 57 2019 and 56 2724. Approximately 7 acres rezoned to Office & Institution-1 Conditional Use.

Conditions: (2/1/99)

1. Development of the Property will comply with the provisions of Certified Recommendation 7107 of the Raleigh Planning Commission dealing with the control of stormwater.

2. Any building constructed upon the property shall not exceed four (4) occupied stories or sixty (60) feet in height, excluding mechanical equipment and elevator penthouses.

3. Development of the Property shall not exceed a floor area ratio of five tenths (.5).

4. To supplement the minimum street protective yards otherwise required by the Raleigh City Code, where there is vehicular use area between the Creedmoor Road right-of-way and a permanent building, the streetscape shall provide a semi-opaque screen or barrier between the right-of-way and the vehicular use area. The screen or barrier may consist of plants, earthen berms, fences, walls, or any combination thereof which meets the following requirements:

a. The screen shall occupy 75% of the length of the vehicular use area except for sidewalks and driveways which cut through the screen to connect the vehicular use area to streets and other properties. Plant material shall be at least two feet (2') tall above ground at the time of installation, achieve four feet (4') within three years and be permanently maintained thereafter.

b. Berms may be used or installed in lieu of or in addition to plantings. If the berm does not meet performance standards of this section, then plant materials shall be installed which bring the screen up to these performance standards.

5. Any future dedication of rights-of-way shall be based on R-10 values.

6. In the event of the relocation of the gardening area now utilized upon the Property by the residents of the Springmoor Retirement Community ("Springmoor"), a new gardening area or areas comprising a minimum of twelve thousand (12,000) square feet shall be provided for such purpose on the premises of Springmoor (PIN 0797.11-56-8890 and/or PIN 0797.11-66-0074). Such area or areas shall be tilled and prepared for gardening use by and at the expense of the owner of the property. Such area or areas shall have a minimum of six (6) inches of topsoil and shall be fertilized and limited to proper horticultural standards following a soil test. Any relocation of the gardening area and the preparation of a new area or area shall be completed in a manner that does not unreasonably interfere with the normal growing season. Water for irrigation purposes will be provided to the site of each gardening.

SETBACKS / HEIGHT: This plan conforms to all minimum setback standards. Front yard = 85', rear yard = 97', front / rear aggregate = 182', side yard = 56', side yard aggregate = 139'. This plan conforms to maximum height standards in this zoning district with a proposed height of 25'.

PARKING: Off-street parking conforms to minimum requirements: 13 spaces required, based on one parking space per 300 SF. 25 spaces are provided. Drive-through facility contains stacking for vehicles, in compliance with Section 10-2081.

LANDSCAPING: Street yard landscaping in conformity with Section 10-2082.5 and zoning condition 4 is shown. 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 shown in compliance with City standards in the following locations:

Location	Yard type required	Width proposed
East	40' Type A	30' with fence
North	20' Type A	20' (off-site easement)

In accordance with 10-2082.9(g)(1)c. and 10-2082.9(g)(3)b., the applicants are using a closed fence or wall and reducing the width of the required eastern transitional protective yard by 10 feet down to a 30' wide Type A transitional protective yard. In accordance with 10-2082.9(b)(3), the applicants are required ½ of a 40' Type A transitional protective yard adjacent to the vacant parcel to the north as it could be developed with residential uses. Though not shown on the plans, the applicants have agreed to provide a 20' landscaping easement on the property to the north with which it shares a drive and is under common ownership. In the event that the adjacent parcel to the north develops with non-residential uses, the landscape easement can be reduced or removed accordingly as in keeping with Section 10-2082.9.

The Springmoor Resident Garden area referenced in zoning condition number 6 was relocated several years ago and has been satisfied.

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. It was approved as part of the subdivision (S-51-07) associated with this case. That 2-lot subdivision set aside 28 acres of tree conservation area, all of which is on this lot. 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 floor area ratio (FAR) of .06 and lot coverage of 6% conform to the maximum Conditional Use zoning district standards of .5 FAR.

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: Dedication of right-of-way and construction of the following streets are required by the Thoroughfare and Collector Street Plan:

Street	ROW	Construct	Slope Esmt.
Creedmoor	½ 124'+	N/A	N/A

In accordance with 10-2075(c)(3)b.2., Creedmoor is a designated secondary arterial with a 124' right of way due to a roadway median. It is wider nearer intersections such as this.

TRANSIT: No transit-oriented features are incorporated into the proposed plan.

URBAN FORM: The site is in the North Planning District within the area of the Creedmoor Road Corridor Plan where office uses are recommended.

APPEARANCE COMMISSION: The Appearance Commission made no comments on this preliminary plan.

SUBDIVISION STANDARDS:

BLOCK LAYOUT: not applicable to this plan.

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 proposed refuse collection facility is located within the rear of the parking area. Refuse collection will be by means of a private contractor. The collection facility shall meet the standards set forth in the City's Solid Waste Design Manual.

CIRCULATION: Proposed street improvements shall conform to normal City construction standards.

PEDESTRIAN: Existing sidewalk locations conform to City regulations. Sidewalks exist along both sides of Creedmoor Road and Sawmill Road in this location.

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

STORMWATER MANAGEMENT: The requirement of Section 10-9022, Nitrogen Reduction, is being met through the installation of 3 concrete sand filters. Nitrogen runoff will be kept below the target rate of 10 lbs/ac/yr for commercial development. In addition, a buydown to the NCEEP will be required. Stormwater detention will be required in order to comply with the requirements of Section 10-9023. This will be achieved through the use of an underground pipe detention system.

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.