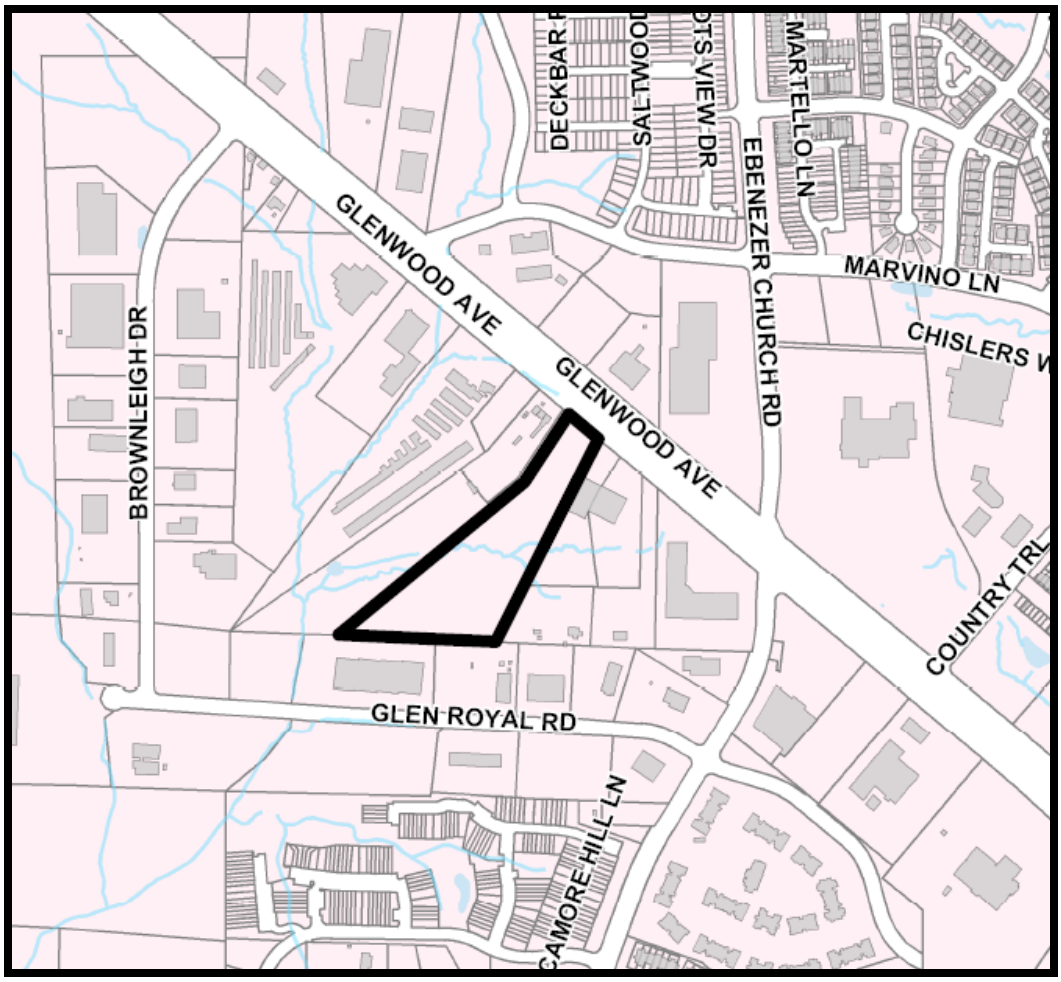
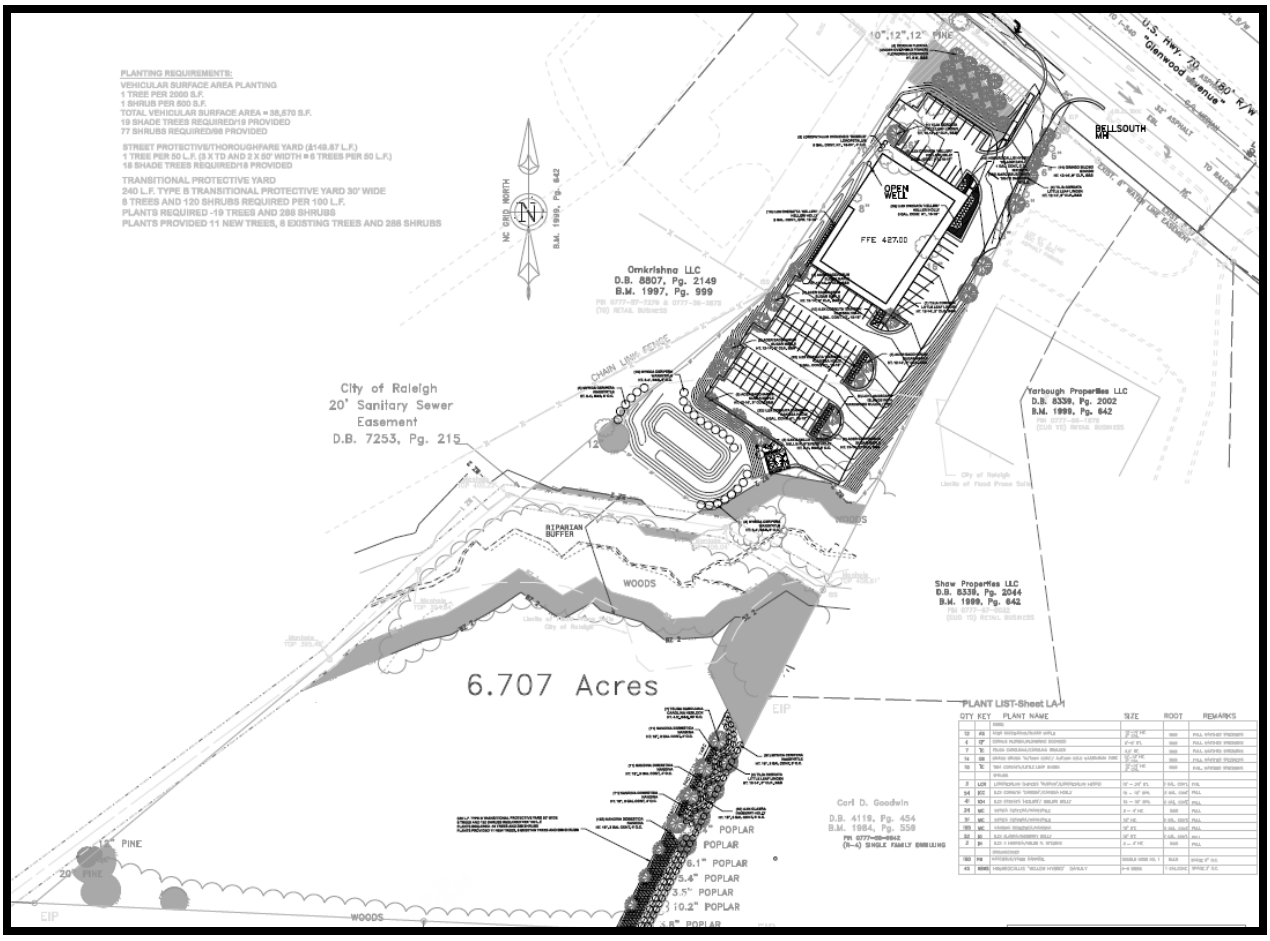
Certified Action
of the City of Raleigh Planning Commission

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

Case File / Name:	**SP-70-07 / Glenwood Avenue Retail**
General Location:	South/West side of Glenwood Avenue West of its intersection with Ebenezer Church Road
Planning District / CAC:	Umstead / Northwest
Nature of Case:	A two story 14,876 square foot retail building on a 6.7 acre site zoned Thoroughfare District. This proposed retail site is within 400' of a residential use or zone and as such requires Planning Commission Approval.
Key Issues:	This plan conforms to Code standards and adopted land use policies.
Contact:	Wang Engineering Company, Inc.



SP-70-07 / Glenwood Avenue Retail – Location Map



SP-70-07 / Glenwood Avenue Retail – Preliminary Site Plan

SUBJECT:	SP-70-07 / Glenwood Avenue Retail
CROSS-REFERENCE:	N/A
LOCATION:	This site is located on the southwest side of Glenwood Avenue, west of its intersection with Ebenezer Church Road, inside the City Limits.
REQUEST:	This request is to approve a 14,876 square foot retail building on a 6.7 acre site, zoned Thoroughfare District. 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 this request conforms to Chapter 2, Part 10, Section 10-2045, 10-2132.2, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 8/6/07, owned by 8629 Glenwood Associates, L.L.C, submitted by Bobbitt Design Build and Wang Engineering.
ADDITIONAL NOTES:	There are no additional notes for this plan.
To PC:	12/11/07
Case History:	
Staff Coordinator:	Eric Hodge
Motion:	Butler
Second:	Haq
In Favor:	Bartholomew, Butler, Chambliss, Davis, Gaylord, Haq, Harris Edmisten, 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: 12/13/07 date: 12/13/07

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 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 to be placed on file in the Planning Department;

(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 tree conservation map be recorded with metes and bound showing the designated Tree Conservation Areas prior to building permits issuance. Tree conservation shall be in compliance with Code section 10-2082.14;

(4) That riparian buffers, in accordance with the preliminary plan and the State of North Carolina regulations, shall be shown on plats for recording along with a note stating “The areas shown on the recorded plat identified as Neuse River Riparian Buffer shall be maintained in perpetuity in their natural or mitigated condition, No person or entity shall fill, grad, excavate, or perform any other land-disturbing activities; nor cut, remove, or harm any vegetation; nor construct any structures nor add any additional impervious surface, nor allow animal grazing or water or any other agricultural use on such protected areas without written authorization from NC Division of Water Quality in accordance with the Riparian Buffer Protection Rules (15A NCAC 2B.0233 or .0259).”. This covenant is to run with the land, and shall be binding on the Owner, and all parties claming under it;

(5) That all blue line features (as shown on the USGS map and the SCS Wake County Soil Survey map) on the property will be required to be shown on all recorded maps. All buffers associated with the blue line features shall be shown on the plat unless evaluation/documentation from DWQ is provided stating that the feature no longer exists on the site and, therefore, the buffer does not exist;

(6) That construction plans for public improvements be approved by the Public Utilities Department and the Public Works Department;

(7) That a fee in fee-in-lieu of construction for curb, gutter and ½ of a 5' sidewalk along Glenwood Avenue in an amount determined by the City Engineer, is paid in the Public Works Department;

(8) That an offer of cross access to the property to the east (D.B. 8339 Pg. 2002/B.M. 1999 Pg. 642) and west (D.B. 8807 Pg. 2149/B.M. 1997 Pg. 999) 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;

(9) 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.

ZONING:

ZONING DISTRICTS: Thoroughfare District

SETBACKS / HEIGHT: This plan conforms to all minimum setback standards. Front yard = 129', rear yard = 710', front / rear aggregate = 839', side yard = 26', side yard aggregate = 84'. This plan conforms to maximum height standards in this zoning district with a proposed building height of 32'.

PARKING: Off-street parking conforms to minimum requirements: 75 spaces required, based on one parking space per 200 SF of retail space. 76 spaces are provided.

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
S. portion of Eastern Property line	30' Type B	30'+

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 .607 acres of tree conservation area is required and 10% or .607 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 floor area ratio (FAR) is .05 and lot coverage is 3%.

PHASING: There is one phase in this development. Any future phases will require separate approvals at a later date.

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: Construction of the following streets are required by the Thoroughfare and Collector Street Plan:

Street	ROW	Construct	Slope Esmt.
Glenwood Avenue	180'(existing)	turn lane into the site	N/A

The developer is paying a fee-in-Lieu payment of $10,087.11 for curb, gutter and ½-5' sidewalk along Glenwood Avenue(length = 149.87').

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

URBAN FORM: This site is located in the Umstead Planning District on the northern edge of the community focus area, located at the intersection of Glenwood Avenue and Ebenezer Church Road.

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

Comment	Response
Make all first-story walls brick	Additional steps have been taken including: 1. Additional landscaping to screen off-site views. 2. The panel is dark in color to more readily blend with the accent brick used elsewhere on the building. 3. Changing material to brick will cause the stairs to project into buffer areas or reduce sidewalk width or reduce the size of the building. 4. The step towards the rear of the building provides screening of the rear areas and site topography also mitigates views of the areas in question.
Include windows on the second floor	Windows will be offered to the tenant

of the building's rear elevation	who occupies the second floor space. However we anticipate the area in question will be used for utility functions due to the ample glass provided on the 3 other walls. The material currently shown allows future fenestrations without significant expense as compared to most other materials.
Articulate the building's Glenwood Avenue façade further to create shadow lines and thereby add greater visual interest	The center peaked area of the façade has been projected in plan another 4 inches to provide an additional shadowline while still preserving the existing structural design and not requiring additional structure for support. The projection proposed also retains the ample front sidewalk area without restricting ease of pedestrian movement on site.

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 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 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.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. A sidewalk is required along both sides of Glenwood Avenue. The developer is paying a fee-in-Lieu payment for ½ of a 5' sidewalk along Glenwood Avenue(length = 149.87').

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

STORMWATER MANAGEMENT: This site is subject to stormwater management controls in accordance with Chapter 9 of Part 10 of the Raleigh City Code. Proposed stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual. The developer is proposing to meet detention and nitrogen requirements with dry retention pond and buy down to NCEEP.

WETLANDS / RIPARIAN BUFFERS: Neuse River riparian buffers are required on this site and are shown on the proposed plans.

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.