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-73-07 / North State Bank**

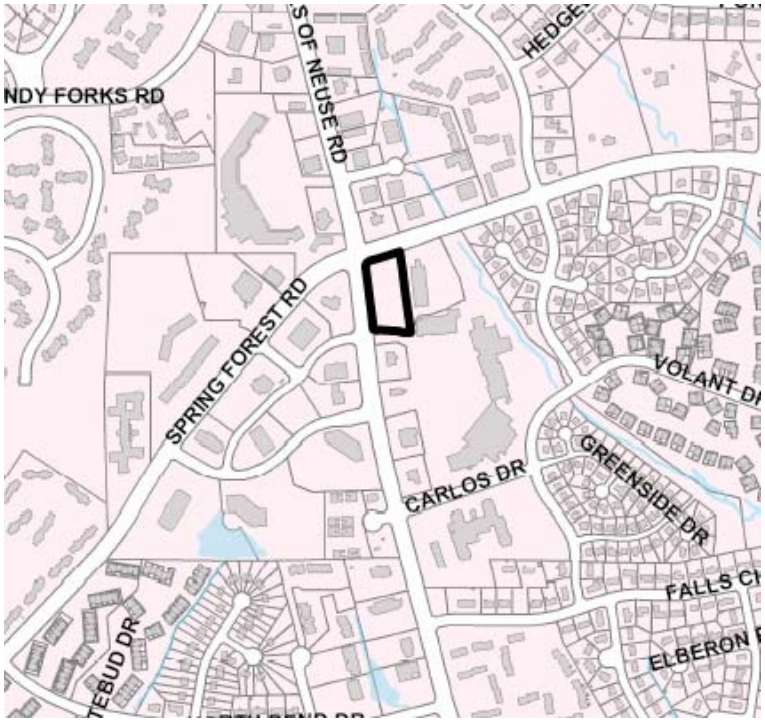
General Location: Intersection of Spring Forest Rd. and Falls of Neuse Rd.

Planning District / CAC: North / North

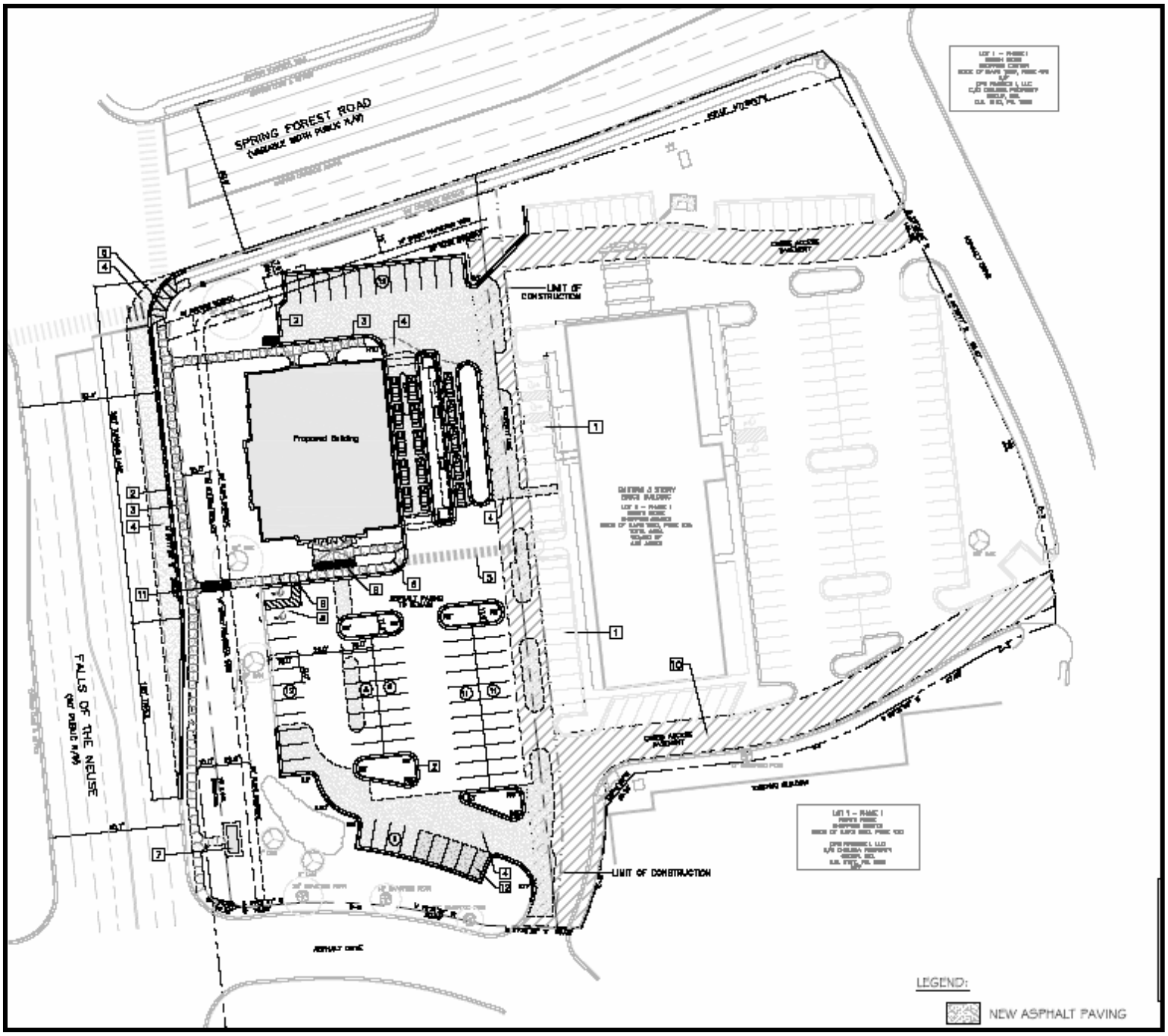
Nature of Case: This request is to approve a 20,413 square foot 2-story bank with supporting office space on the second floor, on a 1.73 acre site, zoned Shopping Center (Lot 1). The site presently contains a parking lot which in part provides City Code required parking for the adjacent office building on Lot 2. This site is within 400 feet of residential development. This site is also located in the Falls of Neuse/Spring Forest Community Focus Area where the City Council has made a finding that the amount of retail space exceeds the guidelines in the Comprehensive Plan.

Key Issues: The Planning Commission is to determine if the site plan's proposed (6) standards in two (2) categories pursuant to Raleigh City Code section 10-2132.2(d1) adequately complies to the retail use standards of the Comprehensive Plan.

Contact: Brian Starkey



Vicinity Map


SPRING FOREST ROAD
Proposed Building
LIMIT OF CONSTRUCTION
FALLS OF THE NEUSE
LIMIT OF CONSTRUCTION
LEGEND:
NEW ASPHALT PAVING

Site Plan

SUBJECT: SP-73-07/ North State Bank

CROSS-REFERENCE: S-129-01, S-6-96, SC-40-87

LOCATION: This site is located on the south east side of its intersection with Falls of the Neuse and Spring Forest Rd., within the City Limits.

REQUEST: This request is to approve a 20,413 square foot 2-story bank with supporting office space on the second floor, on a 1.73 acre site, zoned Shopping Center (Lot 1). The site presently contains a parking lot which in part provides City Code required parking for the adjacent office building on Lot 2. This site is within 400 feet of residential development. This site is also located in the Falls of Neuse/Spring Forest Community Focus Area where the City Council has made a finding that the amount of retail space exceeds the guidelines in the Comprehensive Plan. The plan would add 8,629 square feet of additional retail development (ground floor commercial retail banking), exceeding the guidelines for the Falls of Neuse/Spring Forest Community Focus Area where a maximum of 566,280 square feet of retail space is recommended. Currently 631,185 square feet of retail space exists on 75.4 acres within the focus area.

OFFICIAL ACTION: **Approval with conditions**

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

FINDINGS: The Planning Commission finds that with the following conditions of approval being met this request conforms to Chapter 2, Part 10, Sections 10-2041and 10-2132.2, Chapter 3, Part 10, and Sections 10-3001-3059. This approval is based on a preliminary plan dated 2.11.08, owned by North State BankCorp, submitted by OBS Landscape Architects.

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

To PC: 2.26.08
Case History:

Staff Coordinator: James Marapoti

Motion: Smith
Second: Haq
In Favor: Anderson, Bartholomew, Chambliss, Davis, Gaylord, Haq, Harris Edmisten, 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.) _____ date: 2/28/08

(PC Chair) _____ date: 2/28/08

Staff Report

RECOMMENDED ACTION: **Approval with Conditions**

CONDITIONS OF APPROVAL: **Planning Commission Actions:**

(1) That the Planning Commission make a finding that a minimum of six (6) standards in two (2) categories from the retail use guidelines of the Comprehensive Plan is met pursuant to Raleigh City Code section 10-2132.2(d1). The following are the six standards for evaluation and the applicant's proposals for conformance:

1. Transportation

a. Is within walking distance or adjacent to transit service;
Proposal: The site is within walking distance of transit service and the plan identifies the dedication of a transit stop. The site is on #2 CAT bus line.

b. 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;
Proposal: The site plan enhances pedestrian access to promote the use of transit facilities by providing a 15'x20' transit easement and constructing a public bus stop / shelter.

c. Enhances pedestrian oriented mobility through internal site design, connections to adjoining properties, and links to public facilities;
Proposal: The site plan is proposing two sidewalk connections to Falls of Neuse Rd. further enhancing internal pedestrian access and linkage to adjacent properties and public facilities.

d. Extends the capacity of public infrastructure (road widening, etc…)
Proposal: The site plan extends the capacity of the public infrastructure through road widening. Improvements to Falls of Neuse Road include 200' of an additional lane, a 150' taper and the dedication of right of way.

2. Site and Building Design

a. Reinforces unity of development criteria already in place for adjoining properties;
Proposal: Architectural design will enhance and compliment the adjacent office building. Unity of Development will be a condition of approval.

b. Limits visual clutter through signage limitations on size and placement exceeding City minimum standards;
Proposal: The site plan limits the project to a low profile ground sign only, thereby limiting visual clutter.

Administrative Actions:

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

(2) 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;

(3) That as the developer is requesting an exemption from the stormwater runoff control provisions under 10-9023(b), detailed engineering studies shall be submitted to the Stormwater Engineer in the Public Works Department (before land disturbance or lot recording, whichever comes first) that shows the increase in peak stormwater runoff between pre-development and post-development conditions for the two-year storm is ten percent 10% or less at each point of discharge;

Prior to issuance of building permits in the Inspections Department:

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

(5) That 1/2'-110' in width of right of way a 20' slope easement along Falls of Neuse Rd. be dedicated to the City of Raleigh and a copy of the recorded plat be provided to the Site Review Specialist in the Inspections Department at permit review;

(6) That a parking and related access easement granted by Lot 1 (DB 12578 PG 520) to Lot 2 (DB 10866 PG 2141) be approved by the City Attorney. The owners and tenants of Lot 2 and their invitees and employees shall have the right to use five off-street parking spaces on Lot 1. These easements shall not be terminated until a parking redevelopment plan conforming to the City Code is submitted and approved by the Chief Zoning Inspector of the City of Raleigh. That the parking and access easement shall be recorded with Wake County Register of Deeds Office, and a recorded copy of this easement be provided to the Planning Department prior to building permit issuance If a recorded copy of this easement is not provided to the Planning Department within this time period, further plat recordings, building inspections, and certificates of occupancy authorization may be withheld;

(7) That a 15'x20' foot transit easement located on Falls of Neuse Rd. be approved by the Transit Planner in the Public Works Transportation Department, be shown on all maps for recording, and that a transit easement deed approved by the City Attorney is recorded with the local County Register of Deeds. That the recorded copy of this transit easement be provided to the Planning Department within 14 days of authorization of lot recording. If a recorded copy of this easement is not provided to the Planning Department within the 14 day period, further plat recordings and building permits authorization may be withheld;

(8) That a note be placed on the recording maps stating, "that all development will be subject to unity of development guidelines on file with the Raleigh Planning Department";

(9) That any ground sign be limited to one low profile style sign;

(10) That unity of development guidelines and sign criteria for this entire development are established and approved by the Planning Director;

Prior to issuance of an occupancy permit in the Inspections Department:

(11) That the applicant constructs a transit shelter pursuant to proposed focus area standards in accordance with the City of Raleigh Transit Division.

ZONING:

ZONING DISTRICTS: Shopping Center

SETBACKS / HEIGHT: This plan conforms to all minimum setback standards. Front yard = 40', rear yard = 35', front / rear aggregate = 75', side yard = 210' and 43', side yard aggregate = 253'. This plan conforms to maximum height standards in this zoning district; proposed height is 37', maximum height is 50'.

PARKING: Off-street parking conforms to minimum requirements: Based on 1 parking space per 300 square feet for bank and office use. 68 spaces are required. The applicant requests a 10% reduction of 6 off-street parking spaces based on the amount of landscape planting area being provided. Therefore 62 parking spaces are required and 71 spaces are provided. 5 of the 9 surplus spaces on Lot 1 will be utilized on Lot 2. A parking and access easement from Lot 1 (DB 12578 PG 520) to Lot 2 (DB 10866 PG 2141) will be required prior to permit issuance. Drive-through facility contains stacking for vehicles, in compliance with Section 10-2081.

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. Similar uses are adjacent therefore no transitional protective yards are required.

TREE CONSERVATION: The site is less than 2 acres in size, is non-residential, adjacent to a thoroughfare, and there are no trees present within 50 ft. of the thoroughfare containing a basal area of thirty square feet. Since the site is less than two acres, Code section 10-2082.14 does not apply.

DEVELOPMENT INTENSITY: Not applicable in the Shopping Center zoning district.

UNITY OF DEVELOPMENT: Unity of development criteria is required to be submitted to the Planning Department for these two tracts. The applicant proposes to apply unity of development consistent with the neighboring office building to the east to meet Community Focus Retail Use Standards.

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.
Falls of Neuse	½ 110'	Additional Lane and Right turn taper	20'

Additional right-of-way to be dedicated is reimbursable under the facility fees program.

TRANSIT: The following transit-oriented features of this site are incorporated into the proposed plan: One 15' x 20' transit easement is provided; the applicant is also offering to build a shelter in compliance with focus area criteria.

URBAN FORM: This site is located in the North Planning District within the Falls of Neuse/Spring Forest Community Focus Area. The City Council has determined the amount of existing retail development in this focus area exceeds the 566,280 square foot size guidelines of the Comprehensive Plan. To date the approved square footage for retail in this focus area is 647,440 square feet. With approval of this plan (8,629 square feet of ground floor commercial retail banking) the total would be 656,069 square feet. To date the existing developed retail area is 75.4 acres. With the addition of 1.73 acres of retail the total will be 77.13 acres.
Additionally, within this focus area specific findings must be made for allowance of additional retail projects to meet Code Section 10-2132.2(3)(d.1). This section specifies that the following minimums shall apply:
A minimum of six (6) standards representing at least two (2) categories, or five (5) standards representing at least three (3) categories must be met for a use that requires Planning Commission approval in accordance with §10-2132.2(d.1).

APPEARANCE COMMISSION: The Appearance Commission had no comments for this project.

SUBDIVISION STANDARDS:

BLOCK LAYOUT: Not applicable.

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 to be provided.

CIRCULATION: This project will require cross parking between Lots 1 (DB 12578 PG 520) and 2 (DB 10866 PG 2141) to be approved by the City Attorney and recorded in the Wake County Registry, see, condition number 6. Cross access agreements are recorded between lots 1, 2 and 3 in BK 12573 PG 1605 Wake County register of deeds.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. A sidewalk is required along Falls of Neuse Rd. Applicant is providing two sidewalk connections to Falls of the Neuse road.

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

STORMWATER MANAGEMENT: The developer has chosen to meet nitrogen export requirements through the installation of a BMP (grassed swale) and through a one time buydown to NCEEP. The increase in post development runoff is less than 10% per point of discharge pursuant to code Section 10-9023 (b).

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.