



## 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-12-12 / Carmax - Raleigh

**General Location:** Intersection of Capital Blvd. and Perry Creek Rd.

**Owner:** Carmax

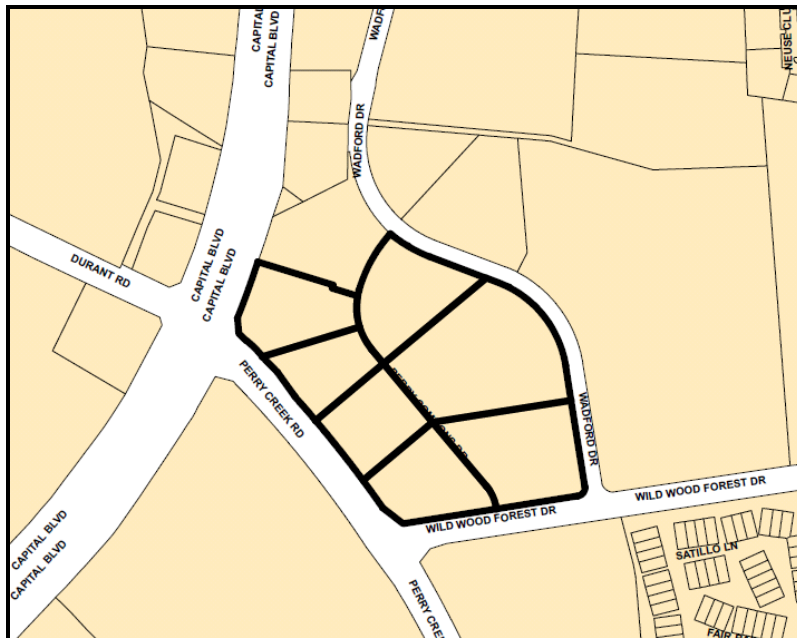
**Designer:** SEPI Engineering & Construction Inc.

**CAC:** Northeast

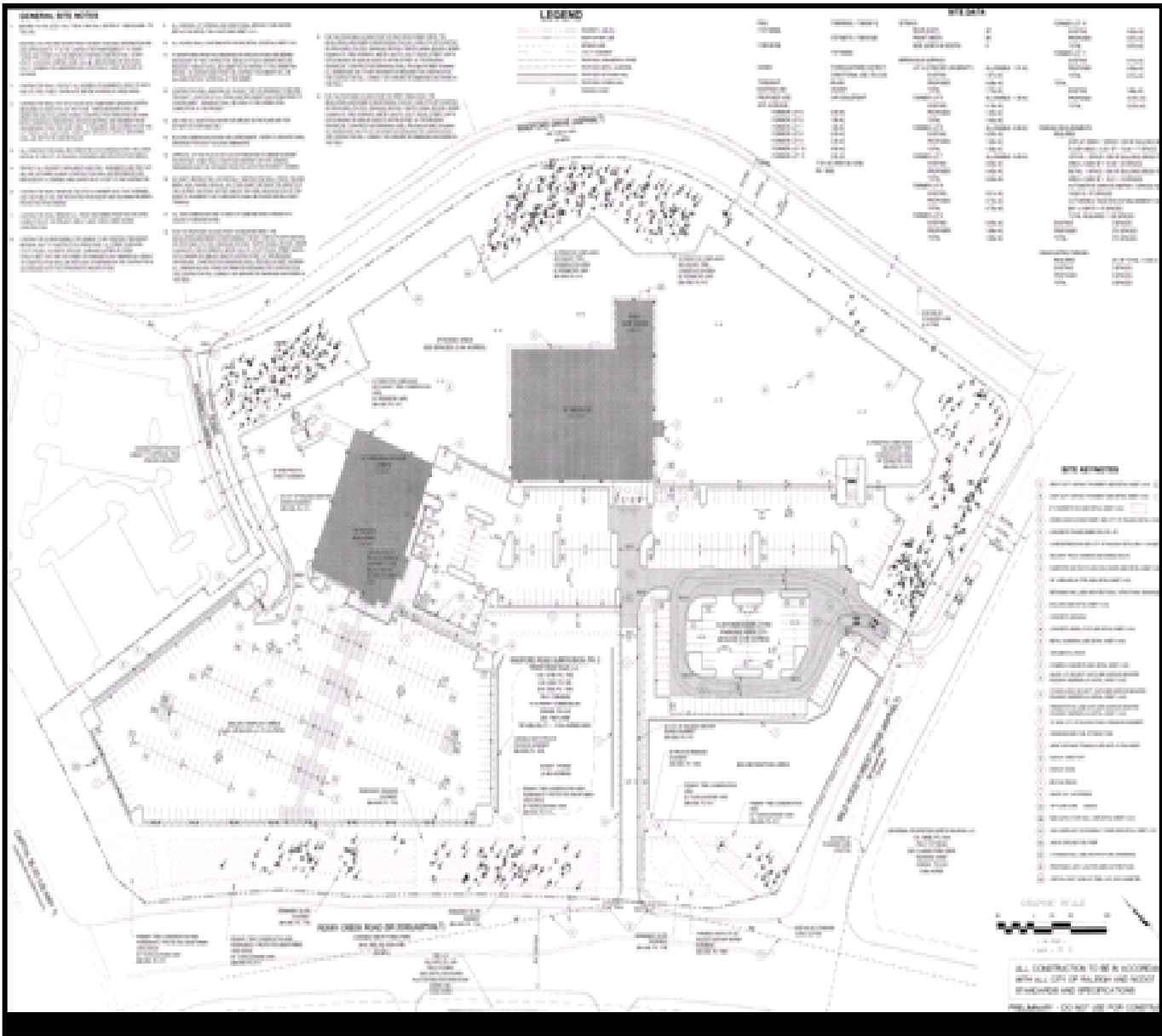
**Nature of Case:** An automobile dealership composed of two buildings totaling 52,162 square feet; one building's use is retail sales at 20,099 square feet and the other is service with a car wash at 32,063 square feet. The total site once recombined will be 17.61 acres zoned Thoroughfare District Conditional Use District.

**Key Issues:** As presented, staff finds that this plan conforms to Code standards and adopted land use policies.

**Contact:** William Piver



**SP-12-12 Carmax Raleigh – Location Map**



**SUBJECT:** SP-12-12 / Carmax Raleigh

**CROSS-  
REFERENCE:** S-20-09, S-46-08

**LOCATION:** This site is located at the intersection of Capital Blvd. and Perry Creek Rd., inside the City Limits.

**REQUEST:** This plan is for the approval of an automobile dealership composing of two buildings totaling 52,162 square feet; one building's use is retail sales at 20,099 square feet and the other is service with a car wash at 32,063 square feet. The total site once recombined will be 17.61 acres zoned Thoroughfare District Conditional Use District. This is a retail use that is located within 400 feet of a residential use or zone.

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**OFFICIAL ACTION:** **Approval with conditions**

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

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**FINDINGS:** The Planning Commission finds that with the following conditions of approval being met, this request conforms to Chapter 2, Part 10, Sections 10-2045, 10-2132.2, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 6/21/12, owned by Carmax, submitted by SEPI Engineering & Construction Inc.

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

**VARIANCES /  
ALTERNATES:** None

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**To PC:** August 14, 2012

**Case History:** This site plan initially went to July 24, 2012 Planning Commission and was deferred by the applicant. This site plan has not undergone any changes that have been evaluated by city staff since Planning Commission.

**Staff Coordinator:** James Marapoti

**Motion:** Haq

**Second:** Terando

**In Favor:** Butler, Buxton, Fleming, Fluhrer, Harris Edmisten, Haq, Mattox, Schuster, Sterling Lewis, Terando

**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)

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*Linda H Edmisten*  
\_\_\_\_\_

date: August 14, 2012 \_\_\_\_\_

date: August 14, 2012 \_\_\_\_\_



## Staff Report

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**RECOMMENDED  
ACTION:** Approval with Conditions

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**CONDITIONS OF  
APPROVAL:** Administrative Actions:

***Prior to issuance of a site review permit for land disturbance or approval of infrastructure construction drawings, whichever occurs first;***

- (1) 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;
- (2) That a nitrogen offset payment be made to a qualifying mitigation bank;
- (3) That all encroachment and driveway permits for Perry Creek Road be obtained from NCDOT prior to construction drawing approval;
- (4) That all stormwater control measures and means of transporting stormwater runoff to and from any nitrogen and stormwater runoff control measures shall be shown on the construction drawings as private drainage easements.

***Prior to issuance of building permits:***

- (5) That a recombination plat recombining lots 5, 6 and 7 in BM 2009 Page 1034 -38 into one lot is submitted to and approved by the City, and the recombination plat is recorded with the county register of deeds office in which the property is located. That all stormwater control measures and means of transporting stormwater runoff to and from any nitrogen and stormwater runoff control measures on the property shall be shown on all plats for recording, including the recombination plat, as private drainage easements and the plats shall contain the following note: "All private storm drainage easements & stormwater measures will be maintained by either the property owner and/or a property owners association;"
- (6) That the developer make a contribution of twenty-four percent (24%) of the initial construction cost of all stormwater control device(s) to the City in accordance with City Code 10-9027;
- (7) That Infrastructure Construction Drawings are submitted and approved by the City of Raleigh;

- (8) That the Declaration of Maintenance Covenant for Stormwater recorded in Book 13702 PG 1 Wake County Registry and the Stormwater Control Facility Maintenance Easement Replacement Contribution Agreement recorded in Book 13702 PG 72 Wake County Registry for the existing shared wetland be revised to: (a) reflect the new recombined lots and (b) the location of shared constructed wetland;
- (9) That the Stormwater Control Facility Maintenance Easement Replacement Contribution Agreement recorded in Book 13702 PG 72 Wake County Registry be amended further to reflect Code changes that eliminated annual replacement payments and authorized refunds.
- (10) That stormwater runoff for vehicular surface areas in excess of 150% of the City Code off-street parking requirements shall not be greater than for the post-development conditions than for the pre-development conditions for the 2-year, 10-year and 50-years storms;
- (11) That the Declaration of Rights, Restrictions and Easements for Wadford Drive Subdivision recorded in BK 13648 Page 797 Wake County Registry must be revised to:(a) reflect the new recombined lots and the location of shared constructed wetland, and (b) set assessments based on stated impervious surfaces amounts
- (12) That the City Council approve the abandonment of the recorded public access easement, BM Book of Maps 2009 Page 849 Page 850 Wake County Registry. The terms of this easement are enumerated in Book 13702 Page 100 Wake County Registry. This must be executed prior to the approval of a recombination plat;

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

- (13) That prior to Issuance of a Certificate of Occupancy an as-built certification for all stormwater control devices as required under Code Section 10-9025(c) shall be provided to the Public Works Department, all stormwater systems shall be in place and functioning, and an original inspection report per Code Section 10-9028.

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**ZONING:**

**ZONING**  
**DISTRICTS: Thoroughfare-CUD. Ordinance (1995) 712 ZC 370 Effective 9/5/95.**

1. Any development of the property will comply with the provisions of Certified Recommendation 7101 of the City of Raleigh Planning Commission regarding stormwater runoff.

RESPONSE: STORMWATER RUNOFF IS BEING CONTROLLED AND TREATED WITH THE EXISTING WETLAND ALONG WITH THE ADDITION OF A BIORETENTION FACILITY AND UNDERGROUND DETENTION FACILITY.

2. No more than 50 acres of subject property, which shall be contiguous to the point of intersection of the northern right-of-way line of Perry Creek Road and the eastern right-of-way line of U.S. Highway #1 North shall be devoted to any combination of retail uses, hotel, or motel uses.

Such combination of uses shall be sited in such manner as not to be closer than 4000' from the west bank

of the Neuse River, nor closer than 1000' from Neuse Baptist Church Road (also known as Thornton Road), nor farther than 1000' southeastwardly on Perry Creek Road from the aforesaid point of intersection.

RESPONSE: THIS SITE PLAN AND COMBINED ADJACENT PROPERTIES EQUALS 43.82 ACRES WHICH IS LESS THAN 50 ACRES. THIS IS FOR A SINGLE COMMERCIAL USE AND DOES NOT COMBINE OTHER USES OF RETAIL, HOTELS OR MOTELS.

3. Reimbursement value of any required right-of-way shall remain at values in existence for the respective parcels prior to rezoning (R-4 and Thoroughfare, respectively).

RESPONSE: ANY AND ALL REIMBURSEMENTS HAVE BEEN DEALT WITH AS REQUIRED.

4. Dedication without reimbursement of a greenway easement extending 150 feet westwardly from the west bank of the Neuse River.

RESPONSE: THIS CONDITION DOES NOT IMPACT THIS SITE PLAN DUE TO THE SITE'S DISTANCE FROM THE NEUSE RIVER.

5. No portion of property can be used for the display of billboards.

RESPONSE: NO DISPLAY OF BILLBOARDS IS PROPOSED AS A PART OF THIS SITE PLAN.

6. A master plan, pursuant to City Code 10-2121, will be submitted for tracts of land designated for non-residential use which exceed fifty acres, and for any residential tracts designated for use at R-10 density or above.

RESPONSE: THIS SITE PLAN IS FOR NON-RESIDENTIAL USE BUT DOES NOT EXCEED FIFTY (50) ACRES.

**SETBACKS /**

**HEIGHT:** This plan conforms to all minimum setback standards. Front yard = 330', rear yard = 155', front / rear aggregate = 485', side yard = 65', side yard aggregate = 450'. This plan conforms to maximum height standards in this zoning district. Proposed height of the building is 39'.

**PARKING:** Off-street parking conforms to minimum requirements: 128 spaces required, Proposed= 273 spaces  
Based on:  
Display Area: 1 space/200 s.f.= 3,327/200= 17 spaces  
Office: 1 space/300 s.f.= 5,845/300=20 spaces  
Retail: 1 space/200 s.f.= 5,463/200= 19 spaces  
Automotive Service Repair: 3 spaces/ bay 19 bays= 57 spaces  
Automobile Washing Establishment: 5 spaces/ bay x 3 bays= 15 spaces

**LANDSCAPING:** Street yard landscaping is in conformity with Section 10-2082.5 and 10-2045 as shown. Vehicular surface area landscaping is 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:

<u>Location</u>	<u>Yard type required</u>	<u>Width proposed</u>
Northwest	D	10'

**TREE CONSERVATION:** A tree conservation map is recorded reference Book 2009 Page 817.

**DEVELOPMENT INTENSITY:** Not applicable in this zoning district.

**PHASING:** This development is to be constructed in 1 phase.

**UNITY OF DEVELOPMENT:** Not applicable.

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**COMPREHENSIVE**

**PLAN:**

**GREENWAY:** There is no greenway on this site.

**THOROUGHFARE  
 / COLLECTOR**

**PLAN:** Sufficient right-of-way and road construction exist on Wild Wood Forest Drive , Perry Creek Road, Capital Boulevard, and Wadford Drive.

**TRANSIT:** This site is presently not served by the existing transit system.

**COMPREHENSIVE  
 PLAN:**

This site is located in the Northeast Citizen Advisory Council designated as Neighborhood Mixed Use on the Future Land Use map

The following Comprehensive Plan policies apply to this site:

- a. Policy LU 4.5 – Connectivity
- b. Policy LU 5.6 – Buffering Requirements
- c. Policy LU 7.4 – Scale and Design of New Commercial Uses
- d. Policy LU 7.6 – Pedestrian Friendly Development
- e. Policy T 2.4 – Road Connectivity
- f. Policy T 2.9 – Curb Cuts
- g. Policy T 5.5 – Sidewalk Requirements
- h. Policy T 5.10 – Building Orientation

**HISTORIC /  
 DISTRICTS:**

The existing building is not a designated Historic Structure. This site is not located in or adjacent to a designated Historic District.

**APPEARANCE  
 COMMISSION:**

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

<b>Comment</b>	<b>Response</b>
1) The Appearance Commission recommends, consistent with setbacks on the neighboring and nearby lots with frontage on Capital Boulevard, and the City’s long-term goals of creating a more multimodal-supportive environment, that the site sales office be located closer to Capital Boulevard (i.e., south of the internal sanitary sewer easement)	The position of the buildings on the site is due to the location of the existing Tree Conservation Areas and the existing sanitary sewer easements and main.
2) Given the distance of site customer parking from the sales display area, provide an internal pedestrian circulation system that is both well-marked and safe from conflicts with vehicular movement	Sidewalks and crosswalks have been added to the Layout Plan that will connect Wild Wood Forest Drive the sales building and the sidewalk that is along the main driveway (Perry Creek Road driveway).



<p>4) Given the visual prominence of the Service Building both on- and off-site, soften the appearance of the building's façades through foundation and other plantings, and greater articulation of façade design</p>	<p>The Service Building has been revised to add decorative pilasters and smooth face CMU banding on the south elevation adjacent to the customer/employee parking lot.</p>
<p>5) Due to its height and potential visual prominence, the retaining wall along Wadford Road should be addressed in architectural terms, through use of more refined materials, additional landscaping, and similar treatments.</p>	<p>The screen wall along Wadford Road has been revised to include more plantings to make it less prominent to vehicular traffic on Wadford Road.</p>

**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, Sidewalks and Driveway Access Handbook. 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:** Individual lot service to be provided by private contractor.

**CIRCULATION:** All roads are currently constructed to City of Raleigh regulations. The site is accessed from public streets Wild Wood Drive and Perry Creek Road. Perry Commons Drive is a private street that will be constructed from Wadford Drive into the site that will serve as an access point from the north. Currently a public access easement exists for the private street extension thru the entire site. This plan, as well as the approved revision to subdivision S-20-09 which shows recombination of the parcels comprising this tract, includes termination of this public access easement which must be approved by the Raleigh City Council by separate action.

**PEDESTRIAN:** Sidewalks exist on Wild Wood Forest Drive and Perry Creek Road. Private Sidewalks connect the principal building to Perry Creek Road and Wild Wood Forest Drive. Wadford Drive is a Commercial Collector which requires sidewalk on one side of the road. Sidewalks currently exist on the opposite side of the Wadford Drive from the site.

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

**STORMWATER MANAGEMENT:** The Carmax site will recombine previously approved lots 5, 6 and 7 BM 2009 PG 1034 Wake County Registry. These lots share a constructed wetland with lot 4 BM 2009 PG 1034 (Strayer lot). The Declaration of Maintenance Covenant for

Stormwater recorded in Book 13702 PG 1 Wake County Registry and the Stormwater Control Facility Maintenance Easement Replacement Contribution Agreement recorded in Book 13702 PG 72 Wake County Registry for the existing shared wetland must be revised to: (1) reflect the new recombined lots and (2) the location of shared constructed wetland. The Declaration of Rights, Restrictions and Easements for Wadford Drive Subdivision recorded in BK 13648 Page 797 Wake County Registry must be revised to:(1) reflect the new recombined lots and the location of shared constructed wetland, and (2) set assessments based on stated impervious surfaces amounts. This existing constructed wetland facility will remain a shared facility between Carmax and the Strayer lot after this site plan is completed.

S-20-09 and SP-12-12 total nitrogen offset fees must be paid.

This site plan utilize In addition to the existing shared constructed wetland, this site plan will utilize 2 new bio-retention ponds and an underground detention system to meet the stormwater quality and quantity requirements for the CarMax. NCEEP mitigation payments will also be required in meeting stormwater quality regulations.

**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.