



## Certified Action of the City of Raleigh Planning Commission

City of Raleigh  
Development Plans Review Center  
One Exchange Plaza  
Raleigh, NC 27601  
(919) 996-2626  
www.raleighnc.gov

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**Case File / Name:** SP-14-16/Leith Auto Center, Rolls Royce & Maserati Bldg.

**General Location:** The site is located on the northwest corner of the intersection of Oak Forest Drive and Capital Blvd.

**Owner:** MLC Automotive, LLC.  
**Designer:** William G. Daniel & Associates, P.A.

**CAC:** North

**Nature of Case:** Site plan for an addition of a 7,451 square foot office/sales showroom for an existing auto dealership. The preliminary site was submitted prior to 2/14/16 within a legacy zoning district (Industrial-1), with the only applicable sections of the Unified Development Ordinance being 8, 9, and 10. The site now has an auto dealership consisting of 126,316 square ft. of vehicle surface area, and a 23,166 sf building containing offices and a sales/service area. This site is within 400' of a residential use or zoning district.

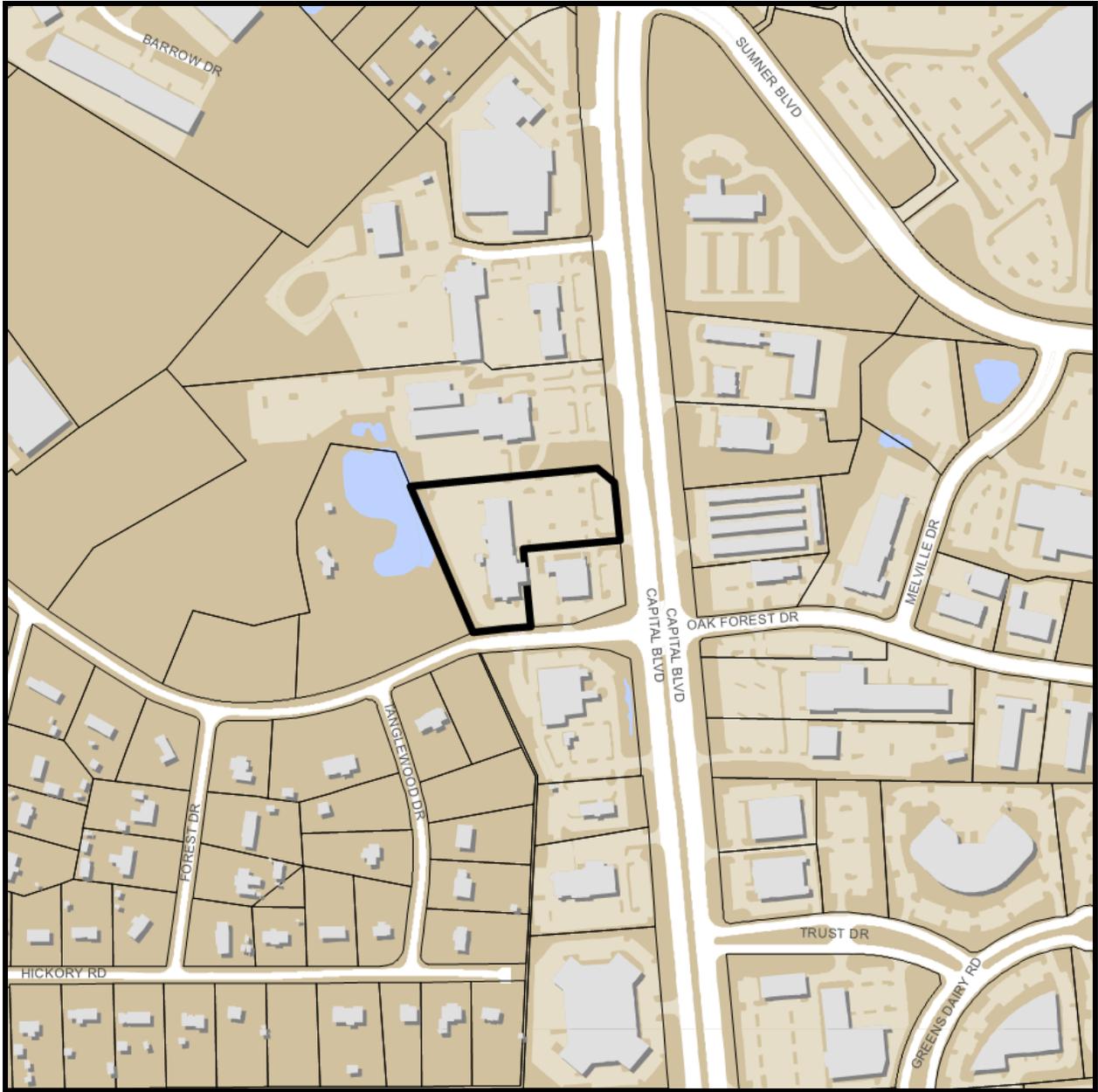
**Key Issues:** As presented, staff finds that this plan conforms to Code standards and adopted land use policies.

**Contact:** Bill Daniel, William G. Daniel & Associates, P.A.

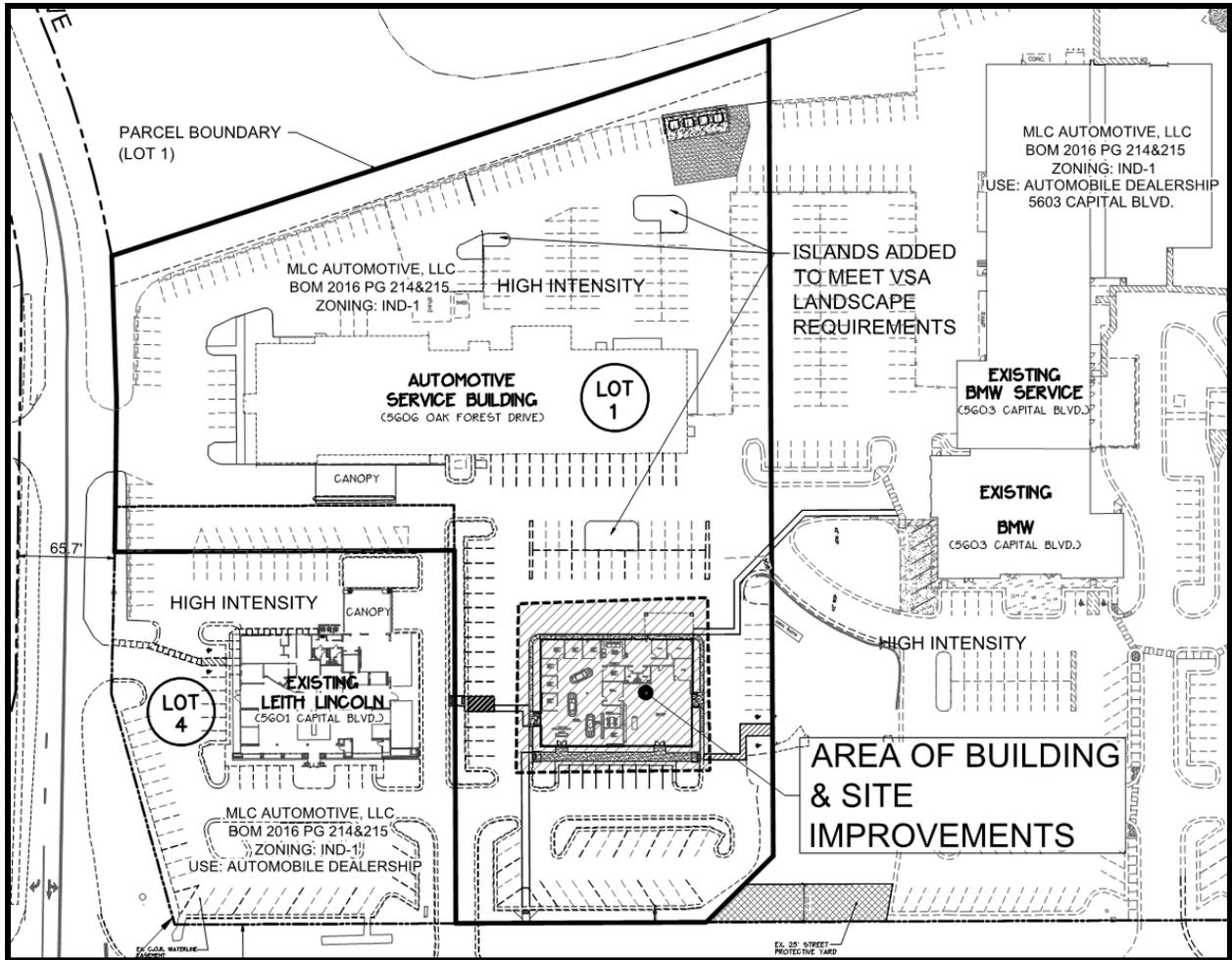
**Design Adjustment:** Two Design Adjustments have been approved by the Public Works Director for this project, as noted below.

1. Due to an existing 12" waterline between the front property line and the pavement, a Design Adjustment for an alternative streetscape cross section was approved allowing street trees outside of the Right of Way, as shown on plan, along both Capital Blvd. and Oak Forest Drive.
2. Due to existing development and infrastructure, a Design Adjustment was granted waiving the block perimeter requirement of Section 8.3 of the UDO.

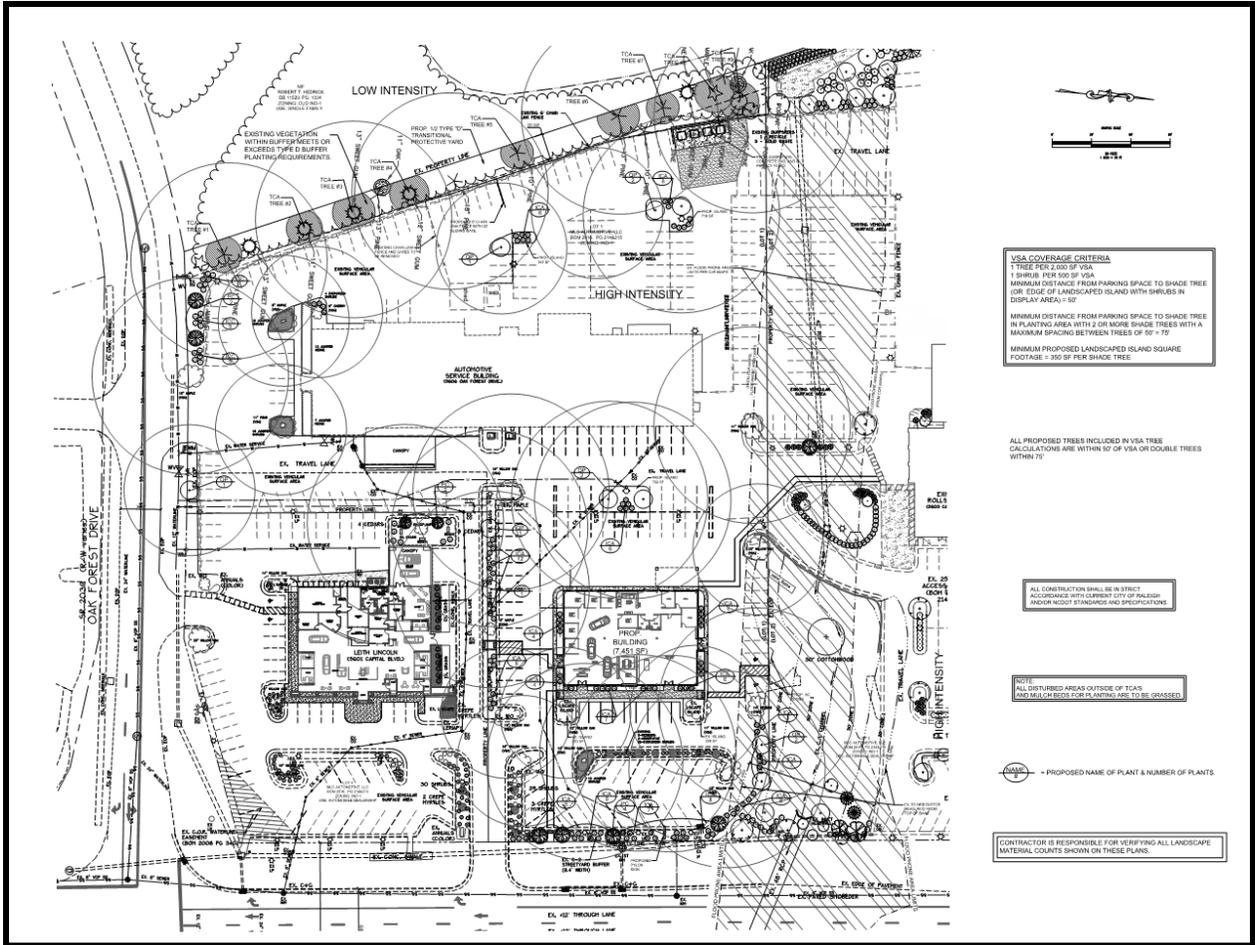
**Administrative  
Alternate:** NA



Location Map – 5606 Oak Forest Drive



SP-14-16, Leith Auto Center, Rolls Royce & Maserati Building Addition



SP-14-16, Leith Auto Center, Rolls Royce & Maserati Building Addition



## Public Works Design Adjustment – Staff Response

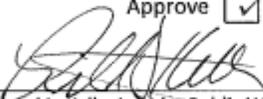
Per Section 10.2.18.C of the Unified Development Ordinance, the Public Works Director may consult with the heads of other City departments regarding the review of the request. The Public Works Director may approve, approve with conditions or deny the request, but must do so within 60 days of the receipt of a completed application. Additional time may be necessary if a municipal or state entity is incorporated in the review process or if a detailed engineering study is submitted in conjunction with the request.

Project	Project Name Leith Auto Center - Rolls Royce & Maserati Building	Date Completed Application Received 5/6/16
	Case Number	Transaction Number 462210

Staff Response/Recommendation	Staff Supports the design adjustment request to allow implementation of the streetscape as depicted on the submitted site plan.	
	Staff Member Cadell D. Hall	Support Request <input checked="" type="checkbox"/> Does Not Support <input type="checkbox"/>

### Public Works Director's Action:

Approve  Approval with Conditions  Deny

  
 Richard L. Kelly, Interim Public Works Director

  
 Date

\*The Public Works Director may also authorize a designee to sign in his stead. Please print name and title next to signature.

Conditions for Approval	
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Appeal of the decision from the Public Works Director shall be made in writing within 30 days to the Board of Adjustment (see Section 10.2.18.C3b).

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Design Adjustment – Alternative Streetscape



## Public Works Design Adjustment – Staff Response

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Project	Project Name Leith Auto Center - Rolls Royce & Maserati Building	Date Completed Application Received 4/22/16
	Case Number	Transaction Number 462210

Staff Response/Recommendation	Staff Supports the design adjustment request for relief from the block perimeter standards due to existing development that do not allow an additional public street connection.	
	Staff Member Cadell D. Hall	Support Request <input checked="" type="checkbox"/> Does Not Support <input type="checkbox"/>

### Public Works Director's Action:

Approve  Approval with Conditions  Deny   
  
 Richard L. Kelly, Interim Public Works Director 5/2/16  
Date

\*The Public Works Director may also authorize a designee to sign in his stead. Please print name and title next to signature.

Conditions for Approval	
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**SUBJECT:** SP-14-16/Leith Auto Center, Rolls Royce & Maserati Bldg.

**CROSS-  
REFERENCE:** S-78-96, Transaction # 462210

**LOCATION:** This site is located at 5606 Oak Forest Drive, on the northwest corner of Capital Blvd. and Oak Forest Drive. At the time of submittal the site was zoned Industrial-1 and considered a Legacy District. It is within the City Limits.

**PIN:** 1726384995

**REQUEST:** This request is to approve a site plan for an addition of a 7,454 square foot office/sales showroom to an existing automotive sales/service site, all on a 3.82 acre site. This site was zoned Industrial-1 at the time of submittal. This site is located within 400 feet of a residential use or zone. (Part 10 Code, Section 10-2132.2 b 2 b)

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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 Part 10, Chapter 2, Sections 10-2046 and 10-2132.2, also Part 10A (Unified Development Ordinance) Articles 8, and 9. This approval is based on a preliminary plan dated 06/06/16, owned by MLC Automotive, LLC, submitted by Bill Daniel, William G. Daniel & Associates, PA.

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**ADDITIONAL  
NOTES:** This site plan was submitted prior to February 14, 2016.

**VARIANCES /  
ALTERNATES:** NA

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To PC: June 28, 2016

Case History: xxxxx

Staff Coordinator: Michael Walters

Motion: Terando  
Second: Lyle  
In Favor: Alcine, Braun, Hicks, Jeffreys, Lyle, Schuster, Swink, Terando and Tomasulo  
Opposed: xxxxx

Excused: xxxxx

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 6/28/16 date: 6/28/16



## Staff Report

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**RECOMMENDED  
ACTION:** Approval with Conditions

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

- (1) That the Planning Commission finds that this site plan meets the standards for approval of Code Section 10-2132.2(d);

**Administrative Actions:**

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

- (2) That in accordance with Part 10A Section 9.4.4, should land disturbance exceed 12,000 square feet a surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City;
- (3) That a tree conservation plan in compliance with UDO Article 9.1 must be approved by the Conservation Forester. The tree conservation plan must include a map of the tree conservation areas with metes and bounds descriptions of all tree conservation area boundaries;
- (4) That tree protection fencing must be located in the field along the boundaries of all tree conservation areas and inspected by the Conservation Forester;
- (5) That a recombination map showing the proposed property configuration and is submitted for review, approval and recordation in the Wake County Register of Deeds;
- (6) That a tree conservation map be recorded with metes and bound showing the designated Tree Conservation Areas and shall be in compliance with Chapter 9 of the Unified Development Ordinance;
- (7) 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 their natural or mitigated condition, No person or entity shall fill, grade, 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).";
- (8) That flood prone areas, as approved by the City Stormwater Engineer, are shown on the preliminary plan and shall be shown on the recorded map;

- (9) That a fee-in-lieu for 6' sidewalks along both Capital Blvd, and Oak Forest Drive are paid prior to issuance of building permits;
- (10) That a Fire flow analysis must be proven at time of building permits per the 2012 NCFPC, Section 507.3. This is required for verification that minimum fire flow does exist from the existing/new hydrants for the new building to supply the fire-fighting efforts.
- (11) That in accordance with Part 10A Section 9.2.2, an impervious surface as-built survey showing an impervious surface area of 148,864 sf shall be reviewed and accepted by the City;

**ZONING:**

**ZONING DISTRICTS:**

Industrial-1, a legacy district at time of submittal. At present the site is zoned CX-3-PL (Commercial Mixed Use-3- Parking Limited frontage)

**SETBACKS / HEIGHT:**

This plan conforms to all minimum setback standards. Front yard = 50', rear yard = 0', front / rear aggregate = 70', side yard = 0', side yard aggregate = 40'. This plan conforms to maximum height standards in this zoning district. Proposed height of the building is 20' 9".

**PARKING:**

Off-street parking conforms to minimum requirements: Based on 1 space/200 sf. of sales area (7451 sf) + 1 parking spaces/ 400 sf of office space (8,553) + 3 spaces/bay (21 bays), 123 spaces are required. 210 spaces are provided.

**LANDSCAPING:**

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:

<b>Location</b>	<b>Yard type required</b>	<b>Width proposed</b>
West	½ of 10' Type "D" Protective Yd	20'

**TREE CONSERVATION:**

This project is larger than two acres and compliance with UDO Article 9.1. Tree Conservation is required. The project provides 0.1146 acres of tree conservation area which is 2.8% of the net site acreage.

Tree conservation acreage is as follows:  
 Primary: 0.00 acres  
 Secondary: 0.1146 acres

**OPEN SPACE:** NA

**DEVELOPMENT INTENSITY:** NA

**PHASING:** There is one phase in this development.

**UNITY OF DEVELOPMENT:** Not applicable.

**COMPREHENSIVE PLAN:**

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

**STREET PLAN MAP:** Capital Blvd. is classified as an Avenue, 6-lane Divided Street. Oak Forest Drive is classified as an Avenue 2 Lane Undivided Street. Dedication of Right-of-Way is not required.

Street Name	Street Type	Existing R/W	Required R/W	Proposed B to B	Slope Easement
Capital Blvd	Avenue, 6-lane divided	203.4' (126' required)	126'	0'	NA
Oak Forest Drive	Avenue 2 Lane undivided	65.7' (64' required)	64'	0'	NA

A surety for improvements in the Right of Way is not required, as the street trees are to be installed outside of the Right of Way. The 6' sidewalk requirement is to be met via a fee in lieu. (Section 8.1 UDO).

**TRANSIT:** This area is currently served by GoRaleigh Route 1 Capital. Capital Blvd is designated as a Priority Transit Corridor. Both the City of Raleigh Short Range Transit Plan and the Wake County Transit Plan anticipate continued service along Capital Blvd. No transit-oriented features are incorporated into the proposed plan.

**COMPREHENSIVE PLAN:** This site is located in the North Citizen Advisory Council in an area designated as a Community Mixed Use area

**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>
•The Commission recommends a larger offset in both plan and elevation for the distinction between the material types and two brand portions and of the building, Rolls Royce and Maserati	<i>Refer to Sheet A-100 - the off set in plan has been expanded to over 11" and refer to Sheet A-200 the parapet offset dimension has been increased to 1'-6"</i>
•The Commission recommends a change in elevation materials or treating the ground material differently in order to alleviate water concerns	Our current buildings at 5601 Capital Blvd (to the left) and 5603 Capital Blvd (to the right) both have EFIS as an exterior material and both have this material extending to the ground plane. Due to our excellent maintainace division and general contractors we have had no issues or water concerns with these facilities which were constructed over ten years ago.
•The Commission recommends enhancing the architectural detailing at the building entrances in order to better identify the entrances	refer to Sheet A-200 - the sidelight glass panels for Maserati have been reduced in width and the base member has been reduced in height all of which accent the Entry door location. Door hardware has been added to all elevations. For Rolls Royce the entry doors are full glass butt glazed units and have no frames however the dramatic 4' long polished chrome doors pulls showcase the entry doors

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**SUBDIVISION  
STANDARDS:**

**LOT LAYOUT:** The minimum lot size in the Industrial-1 zoning district is 5000 sq. feet. The minimum lot depth in this zoning district is 70 feet. The minimum lot width of an interior lot in this zoning district is 45 feet. Lots in this development conform to these minimum standards.

- 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:** Any proposed street improvements shall conform to normal City construction standards
- BLOCKS / LOTS / ACCESS:** Block perimeters standards are met via a Design Adjustment approved by the City of Raleigh Public Works Director. Lot arrangement and access conform to Chapter 8 of the UDO.
- STREETSCAPE TYPE:** Proposed along Capital Blvd (NC DOT Street) is a C-2 street yard. Due to an existing COR Waterline easement, a design adjustment was approved allowing an alternative Commercial streetscape cross section as per plan. A fee in lieu for 6' sidewalk sections along both Capital Blvd and Oak Forest Drive is required.
- PEDESTRIAN:** Sidewalk standards along both Capital Blvd, and Oak Forest Drive are being met via fee in lieu.
- FLOOD HAZARD:** There are flood hazard areas on this site. There is no proposed impact to existing flood hazard areas.
- STORMWATER MANAGEMENT:** This site is eligible for an exemption in accordance with UDO section 9.2.2 (A) (7). Not subject to stormwater management controls in accordance with or Article 9 chapter 2 of the Unified Development Ordinance . Site is showing compliance with Article 9 of the Raleigh Unified Development Ordinance through a reduction in impervious surfaces in the amount of 2,192 square feet. The exemption can be found in 9.2.2 (A) (7). There are no stormwater devices.
- Existing impervious surface area is 151, 376 sf. Proposed total square footage of impervious is 148, 864 sf. This plan proposes a reduction of 2,192 sf impervious surface area.
- WETLANDS / RIPARIAN BUFFERS:** Neuse River riparian buffers are required on this site. There is no disturbance proposed within any Neuse River Riparian Buffer.
- OTHER REGULATIONS:** Developer shall meet all other applicable City requirements of Code Part 10 and 10A (Unified Development Ordinance).