



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-26-11 / ACC Auto Sales

General Location: The site is located on the northwest quadrant of South Saunders Street and Summit Avenue.

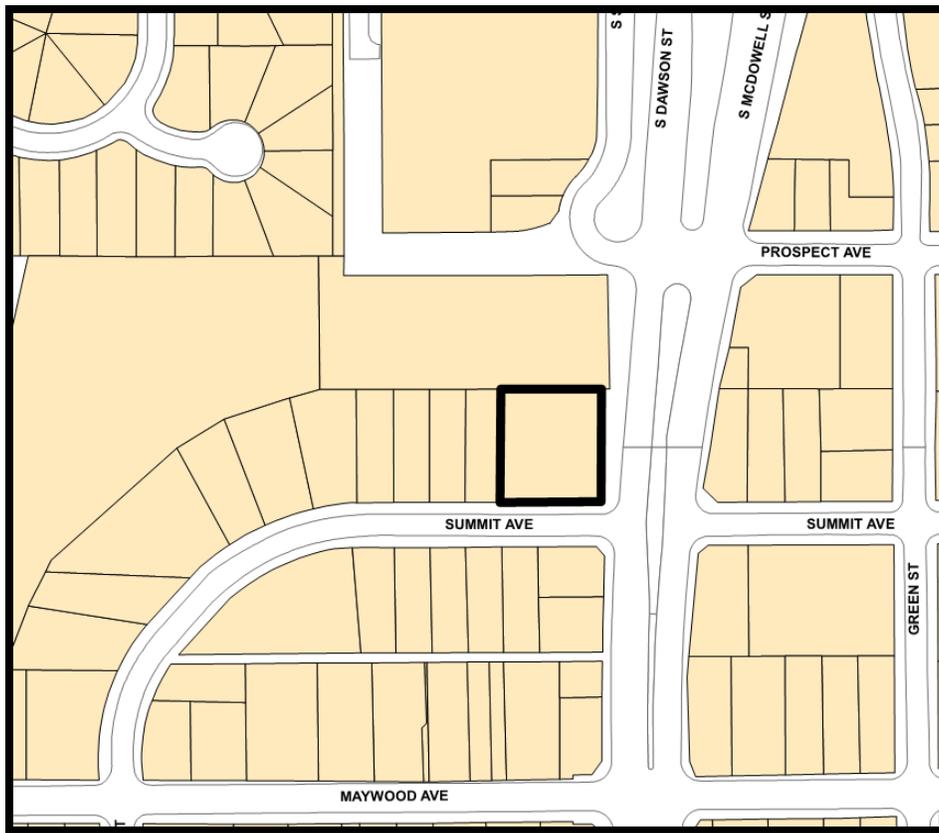
Owner: ACC Auto Sales, Inc.
Designer: John A. Edwards & Company

CAC: Southwest

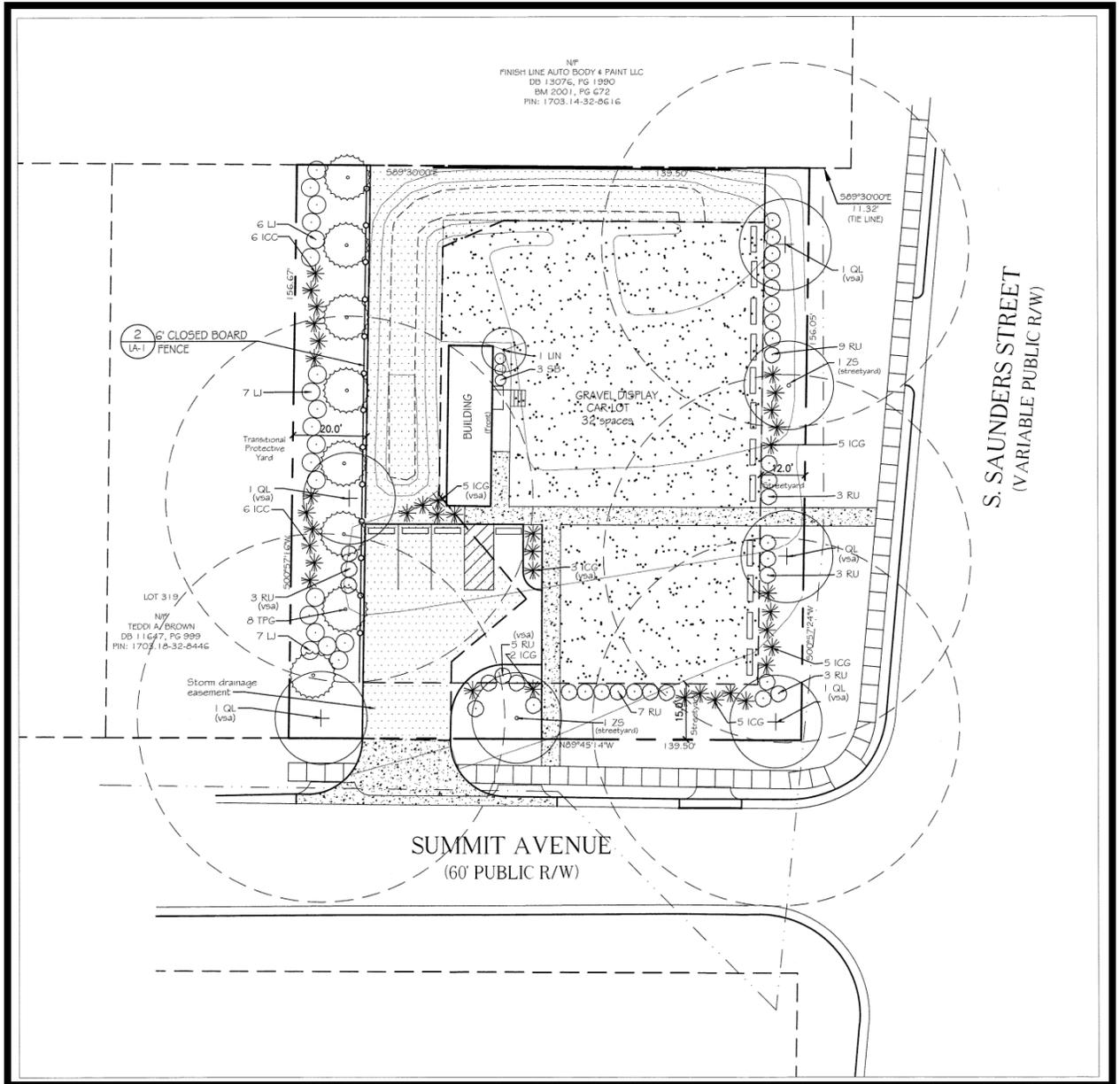
Nature of Case: Construction of a 528 square foot, single-story retail auto sales office and associated display space on a .5 acre site zoned Neighborhood Business. This proposed retail development is within 400' of a residential use and zoning district.

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

Contact: John A. Edwards & Company



SP-26-2011 ACC Auto Sales – Location Map



SP-26-11 ACC Auto Sales – Site Plan

SUBJECT: SP-26-11 / ACC Auto Sales

**CROSS-
REFERENCE:** N/A

LOCATION: This site is located on the west side of South Saunders Street, north of its intersection with Summit Avenue, inside the City Limits.

REQUEST: Construction of a 528 square foot auto sales office and associated display space on a 0.5 acre site, zoned Neighborhood Business. 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, with the following conditions of approval being met, this request conforms to Chapter 2, Part 10, Sections 10-2042 and 10-2132.2, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 8/30/2011, owned by Rashid Salahat, submitted by John A. Edwards & Company.

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

**VARIANCES /
ALTERNATES:** N/A

To PC: September 27, 2011

Case History: N/A

Staff Coordinator: Meade Bradshaw

Motion: Mattox

Second: Fleming

In Favor: Butler, Batchelor, Fleming, Harris Edmisten, Haq, Lyle, Mattox, Schuster, Sterling
Lewis

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: 9/27/2011

date: 9/27/11



Staff Report

RECOMMENDED

ACTION: Approval with Conditions and approval of an alternate means of compliance.

CONDITIONS OF APPROVAL:

Planning Commission Action:

- (1) To improve the effectiveness of the transitional protective yard on the west boundary, the Planning Commission approved as an alternate means of compliance a five foot increase in width of the transitional protective yard and a five foot reduction for the street yard along South Saunders Street;

Administrative Actions:

Prior to issuance of a grading 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 or appropriate private mitigation bank and verification of the amount of payment shall be provided to the City of Raleigh Stormwater Engineer prior to the issuance of a grading permit;
- (3) 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:

- (4) That a plat be recorded showing all stormwater control measures and means of transporting stormwater runoff to and from any nitrogen and stormwater runoff control be recorded as private drainage easements, and the private drainage easements shall tie to a public right-of-way. The plat shall contain the following note: "All private storm drainage easements & stormwater measures will be maintained by the property owner / owners association.";
- (5) That prior to issuance of building permits the developer shall 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;

- (6) That a fee-in-lieu for 5 feet of pavement along Summit Avenue be paid to the Public Works Department prior to building permit issuance;

Prior to issuance of a Certificate of Occupancy:

- (7) 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.

ZONING:

ZONING DISTRICTS: Neighborhood Business

SETBACKS / HEIGHT: This plan conforms to all minimum setback standards. Front yard = 62', rear yard = 47', front / rear aggregate = 109', side yard = 41', side yard aggregate = 126'. This plan conforms to maximum height standards in this zoning district. Proposed height of the building is 14'

PARKING: Off-street parking conforms to minimum requirements: 3 spaces required, based on 1 parking spaces per 200 square feet of office space. 4 spaces are provided.

LANDSCAPING: Street yard landscaping of seven feet in width was approved by the Planning Commission as an alternate means of compliance. 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:

<u>Location</u>	<u>Yard type required</u>	<u>Width proposed</u>
Western Property Line	40' Type A	25'w/ closed * Fence

* A high impact use adjacent to low density residential requires a 40' Type A transitional protective yard. Code Section 10-2082.9(g)(3)(d) allows a closed fence to be used to meet the requirements of 10-2082.9.

* Code Section 10-2082.9(g)(3) if a closed fence is erected pursuant to 10-2082.9(g)(1)(e) the width of the transitional protective yard may be reduced by ½. The Planning Commission approved an alternate means of compliance by adding additional five feet in width to the transitional protective yard and reducing the street yard width along South Saunders Street by five feet.

TREE CONSERVATION: This vacant parcel is less than two acres in size and does not have groups of trees adjacent to a thoroughfare. Tree conservation is not required.

DEVELOPMENT INTENSITY: There is no floor area ratio or building lot coverage maximums in the Neighborhood Business Zoning District.

PHASING: There is one phase with 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.
Summit Avenue	N/A	N/A	N/A

A fee-in-lieu for the construction of 5' of pavement along Summit Avenue is to be paid prior to building permit issuance.

TRANSIT: This site is currently served by Capital Area Transit Route 7; however, a transit easement is not needed on this site.

URBAN FORM: This site is located in the Southwest Citizen Advisory Council. The following are Comprehensive Plan policies applicable to this proposal.

Policy LU 7.6 - Pedestrian Friendly Development

Proposal is consistent with this policy. Sidewalks are shown to extend from South Saunders down the North side of Summit Avenue, and connect to internal sidewalks leading to the building.

Policy T 5.5 – Sidewalk Requirements

Proposal is consistent with this policy. Sidewalks are shown to extend from South Saunders down the North side of Summit Avenue, and connect to internal sidewalks leading to the building.

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:

<u>Comment</u>	<u>Response</u>
The committee also recommends that, as maples often struggle in urban environments, oaks be substituted as streetyard plantings	Overcup Oaks have replaced the maples on the landscape plan.
The building and handicap ramp be visually anchored through installation of landscaping, including ornamental understory trees (e.g., crape myrtle) as corner accents.	A landscaped area with a Crape Myrtle and Spireas were added in front of the building adjacent to the handicap ramp.
All gravel areas be given a hard edge so that spillover into grassy areas is minimized.	Landscape timbers will be installed on perimeter of gravel parking areas.
The building be given a solid (e.g., brick veneer over block) foundation, and the handicap ramp also be finished underneath (e.g., boxed with a solid wood enclosure or masonry wall).	Crape myrtle corner accent has been shown on the landscape plan.
The building include a roof extension or canopy protecting the entrance and upper handicap ramp.	Canopy has been added to building entrance.
The railing on the handicap ramp be of finished metal, not pressure-treated wood.	The h/c ramp will be finished with a metal railing.

**SUBDIVISION
STANDARDS:**

BLOCK LAYOUT: The proposed street layout conforms to City Code, providing for efficient circulation of traffic within the entire neighborhood area. A fee-in-lieu for construction of 5' of pavement is required on Summit Avenue. The property is zoned Neighborhood Business and the use is a commercial use; therefore, this section of Summit Avenue should technically meet the commercial collector street standard.

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: Proposed street improvements shall conform to normal City construction standards. A driveway permit is required, and the driveway apron will be installed in accordance with City standards.

- PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. A sidewalk exists along South Saunders Street. A sidewalk will be constructed along Summit Avenue. Private sidewalks connect the entrance of the building with the public sidewalks along both public rights-of-way.
- FLOOD HAZARD:** There are no flood hazard areas on this site.
- STORMWATER
MANAGEMENT:** This site is subject to stormwater management nitrogen reduction and stormwater runoff control requirements of Part 10 Chapter 9. A grass water quality swale is shown on the preliminary plan as well as a one time mitigation payment will be utilized to reduce the nitrogen loading rate to 3.6 lbs/ac/yr. A pipe detention system as shown on the preliminary plan will be employed to ensure post development stormwater discharge does not exceed pre-development stormwater discharge rates.
- 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.