



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

Case File / Name: SP-32-15 / Dock 1053

General Location: Located on the northwest quadrant of Atlantic Avenue and Whitaker Mill Road, inside the City limits.

Owner: Grubb Ventures
Designer: Priest, Craven & Associates, Inc.

CAC: East

Nature of Case: The change of use of two warehouse buildings on-site totaling 181,280 square feet, to a restaurant and mixed use building. The parcel is 7.97 acres zoned Industrial-2. Planning Commission approval is required due to one of the proposed uses on site being restaurant/retail uses within 400' of a residential use in accordance with Code Section 10-2132.2(b)(2)(b).

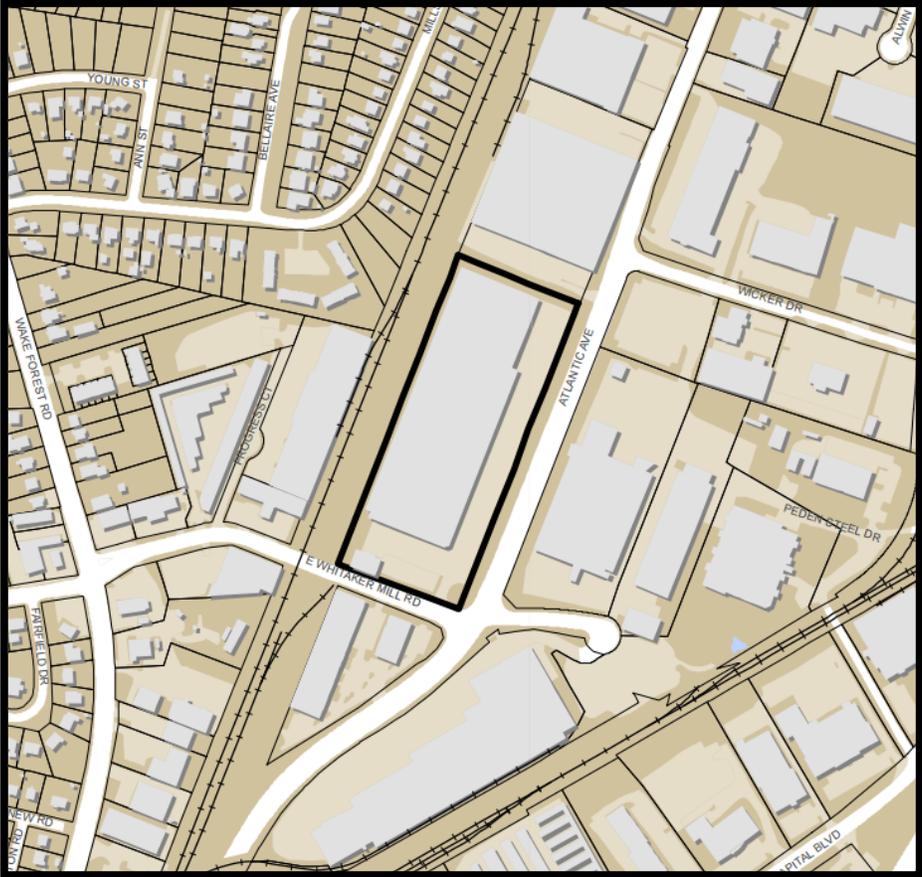
Key Issues: As presented, staff finds that this plan conforms to Code standards and adopted land use policies.

Contact: Ben Williams - Priest, Craven, & Associates

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

1. A Design Adjustment was approved by the Interim Public Works Director from not meeting 8.3.2.A – Block Perimeters
2. A Design Adjustment was approved by the Interim Public Works Director from not meeting 8.5.1.G – Street Design

Administrative Alternate: N/A



Location Map

SUBJECT: SP-32-15

**CROSS-
REFERENCE:** N/A

LOCATION: Located on the northwest quadrant of Atlantic Avenue and Whitaker Mill Road, inside the City limits.

PIN: 1714292486

REQUEST: The change of use of two warehouse buildings on-site totaling 181,280 square feet to a restaurant and mixed use building. The parcel is 7.97 acres zoned Industrial-2. Planning Commission approval is required due to one of the proposed uses on site being restaurant/retail uses within 400' of a residential use in accordance with Code Section 10-2132.2(b)(2)(b).

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 Part 10, Chapter 2, Sections 10-2047 and 10-2132.2, Part 10A (Unified Development Ordinance) Articles 8, and 9. This approval is based on a preliminary plan dated 10/8/15, owned by Grubb Ventures, submitted by Priest, Craven, & Associates.

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

**VARIANCES /
ALTERNATES:** A Design Adjustment was approved by the Interim Public Works Director from not meeting 8.3.2.A – Block Perimeters

A Design Adjustment was approved by the Interim Public Works Director from not meeting 8.5.1.G – Street Design

To PC: November 10, 2015

Case History: N/A

Staff Coordinator: Meade Bradshaw

Motion: Fluhrer
Second: Hicks
In Favor: Alcine, Braun, Buxton, Fluhrer, Hicks, Schuster, Terando and Whitsett
Opposed: xxxxx

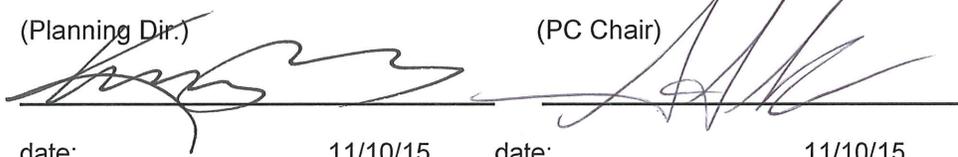
Excused: xxxxx

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: 11/10/15

date: 11/10/15



Staff Report

RECOMMENDED ACTION: Approval with Conditions

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 approval of a concurrent review of Final Site Review and Infrastructure construction plans, or whichever is applicable:

- (2) That in accordance with Part 10A Section 9.4.4, a surety equal to of the cost of clearing, grubbing and reseeded a site, shall be paid to the City;

Prior to issuance of building permits for Phase 1:

- (3) That in accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements is paid to the Public Works Department; (without streetscape);
- (4) That infrastructure construction plans are approved and tree impact permits are issued by the City of Raleigh;
- (5) That ½-64' of the required right-of-way for Whitaker Mill Road is dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City prior to building permit issuance;
- (6) That ½-104' of the required right-of-way for Atlantic Avenue is dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City prior to building permit issuance;
- (7) That sign criteria is approved by the Development Services Department for the multi-tenant building;

Prior to issuance of building occupancy permit:

- (8) That an impervious as-built survey must be submitted to endure that the amount of impervious surface area does not exceed the amount of existing impervious surface area

Prior to zoning permit issuance for Phase 2

- (9) That all public improvements are constructed and accepted by the City of Raleigh, and
- (10) That a demolition permit be issued by the Development Services Department.

ZONING:

ZONING DISTRICTS: Industrial-2

SETBACKS / HEIGHT: This plan conforms to all minimum setback standards. Restaurant - Front yard = 0', rear yard = 890', front / rear aggregate = 890', side yard = 38' & 260', side yard aggregate = 298'. Mixed use building - Front yard = 150', rear yard = 30', front / rear aggregate = 180', side yard = 115' & 20', side yard aggregate = 135'. This plan conforms to maximum height standards in this zoning district. Proposed height of the building is 31'.

PARKING: Off-street parking conforms to minimum requirements: 122 spaces required, 131 spaces are provided. The parking requirement for the following uses are listed below:

- Brewery/Bar - 1 space per 50 square feet floor area gross of building for public use or 1 space per 4 seats, whichever is greater
- Light Manufacturing – 1 space per 2 employees and 1 space per truck to be stored or stopped simultaneously
- Restaurant – 1 space per 35 square feet
- Retail – 1 space per 200 square feet of floor area gross
- Furniture Sales – 1 space for every 400 square feet of floor area gross
- Office – 1 space per 300 square feet of floor area gross
- Warehouse – 1 space per 2 employees and 1 space per truck to be stored or stopped simultaneously

LANDSCAPING: Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. This is a medium impact use under Section 10-2082.9. The adjacent use to the north is a warehouse use; therefore, transitional protective yards are not required.

TREE CONSERVATION: This site is 7.97 acres in size and subject to UDO Article 9.1. Tree Conservation. However, there are no tree conservation areas defined by the Code on this site.

OPEN SPACE: N/A

DEVELOPMENT INTENSITY: There is no floor area ratio or building lot coverage maximums in the Industrial-2 Zoning District.

PHASING: There are 2 phases in this project. Phase 1 is the conversion of the 3,804 square foot warehouse on Whitaker Mill Road and the change of use of 55,703 square feet of existing warehouse. Phase 2 is the change of use from 41,306 square feet of warehouse, demolition of 50,895 square feet of warehouse for a 178 parking lot expansion, and road improvements to both Atlantic Avenue and Whitaker Mill Road.

UNITY OF DEVELOPMENT: Not applicable.

**COMPREHENSIVE
 PLAN:**

GREENWAY: There is no greenway on this site.

**STREET
 PLAN MAP:** Dedication of right-of-way and construction of the following streets are required by the Street Plan Map of the Comprehensive Plan.

Street Name	Designation	Existing R/W	Proposed R/W	Existing B to B	Proposed B to B	Slope Easement
Whitaker Mill	Avenue 2-Lane, Divided	62'	½-64'	46'-51'	N/A	N/A
Atlantic Avenue	Avenue 4-Lane, Divided	103'	½-104'	60'	76'	N/A

Right-of-way exceeding ½-69' and ½-41' street section for an industrial street section, is reimbursable. Additional right-of-way to be dedicated is reimbursable under the facility fees program.

A surety for the required improvements shall be provided in accordance with 8.1 of the UDO.

TRANSIT: A transit easement was not requested due to physical challenges.

**COMPREHENSIVE
 PLAN:** This site is located in the East Citizen Advisory Council, in an area designated as Community Mixed use.

**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:

Comment	Response
The Commission suggests the addition of high quality soils to the new traffic islands to ensure healthy tree growth, and the use of a heartier tree rather than sugar maples.	The site is covered by buildings and a large concrete pad currently. The saw cut islands and plantings will provide more green space and that will continue in phase 2 with the new parking area and green space adjacent to the parking lot next to the building.
The Commission suggests the use of a more diverse plant palette.	Sugar Maple has been replaced, an additional variety of Crape Myrtle has been added and the screening shrubs along Atlantic Ave Whitaker Mill have been revised to include an additional variety and we've staggered them for better screening.

The Commission suggests the addition of plantings, perhaps vines, to soften the scale of the retaining wall along Atlantic Avenue.	The area adjacent to the retaining wall is either within the City's R/W for Atlantic Ave or within a required utility easement on the site. The only planting area available is above the wall.
The Commission suggests the inclusion of green and/or gathering spaces if possible.	The site is covered by buildings and a large concrete pad currently. The saw cut islands and plantings will provide more green space and that will continue in phase 2 with the new parking area and green space adjacent to the parking lot next to the building.
The Commission suggests the addition of plantings and pedestrian amenity in the Phase II parking area.	A note has been added to the plans indicating that the area between the building and parking lot to provide a mixture of grass, ground covers, shrubs and understory trees and a minimum of 2 benches.

**SUBDIVISION
STANDARDS:**

- LOT LAYOUT:** The minimum lot size in the Industrial-2 District is 5,000 feet. The minimum lot depth in this zoning district is 70 feet. The minimum lot width of a corner lot in this zoning district is 65 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:** Proposed street improvements shall conform to normal City construction standards. The site will be accessed from Whitaker Mill Road.
- BLOCKS / LOTS / ACCESS:** A Design Adjustment was approved by the Interim Public Works Director from not meeting 8.3.2.A – Block Perimeters due to an existing railroad adjacent to the property's western boundary and topographical constraints along the site's street frontage with Atlantic Avenue..
- STREETSCAPE TYPE:** The applicable streetscape is commercial. Construction of a 6' planting strip and a 6' sidewalk is proposed along both Whitaker Mill Road and Atlantic Avenue.
- PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. A 6' sidewalk is required along Atlantic Avenue and Whitaker Mill Road. Private sidewalk connections connect the building to both public sidewalk along Whitaker Mill Road and Atlantic Avenue.
- FLOOD HAZARD:** There are no flood hazard areas on this site.

**STORMWATER
MANAGEMENT:**

This project is proposing a no net increase of impervious surface area and no change to existing drainage patterns. The existing impervious surface on-site is 332,134 square feet. The project is claiming exemption to active stormwater control requirements as afforded by UDO Sections 9.2.2.A.4&.5; substitution of impervious surfaces. No stormwater control device or nitrogen buydown required.

**WETLANDS
/ RIPARIAN
BUFFERS:**

No wetland areas or Neuse River riparian buffers are required on this site.

**OTHER
REGULATIONS:**

Developer shall meet all other applicable City requirements of Code Part 10 and 10A (Unified Development Ordinance).



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	Dock 1053	Date Completed Application Received	10/11/2015
	Case Number	SP-32-2015	Transaction Number	432294

Staff Response/Recommendation	Two design adjustments are being requested:		
	<p>1) An existing accessory building on the site, immediately adjacent to the existing E. Whitaker Mill Road right-of-way, is preventing the dedication of 1/2-80' right-of-way with this plan. Upon demolition of the building in the future, the remaining 17' of right-of-way will be required to be dedicated. A note concerning this will be added to the right-of-way dedication map recorded with this site plan.</p> <p>2) The block perimeter for this property cannot be met due to the topographical issues along Atlantic Avenue frontage to the east and the Railroad alignment immediately adjacent to the west. The adjacent property to the north is also topographically challenging. The required block perimeter, based on UDO IX district is a maximum of 4,000 linear feet and the existing block perimeter measures as 8,690 linear feet. Please see the block perimeter and vicinity maps.</p>		
	Staff supports both of these requests.		
Staff Member	Kathryn Beard	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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