



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-33-09/ Beth Meyer Synagogue

Owner: Beth Meyer Synagogue Inc.
Designer: Hager Smith Design PA

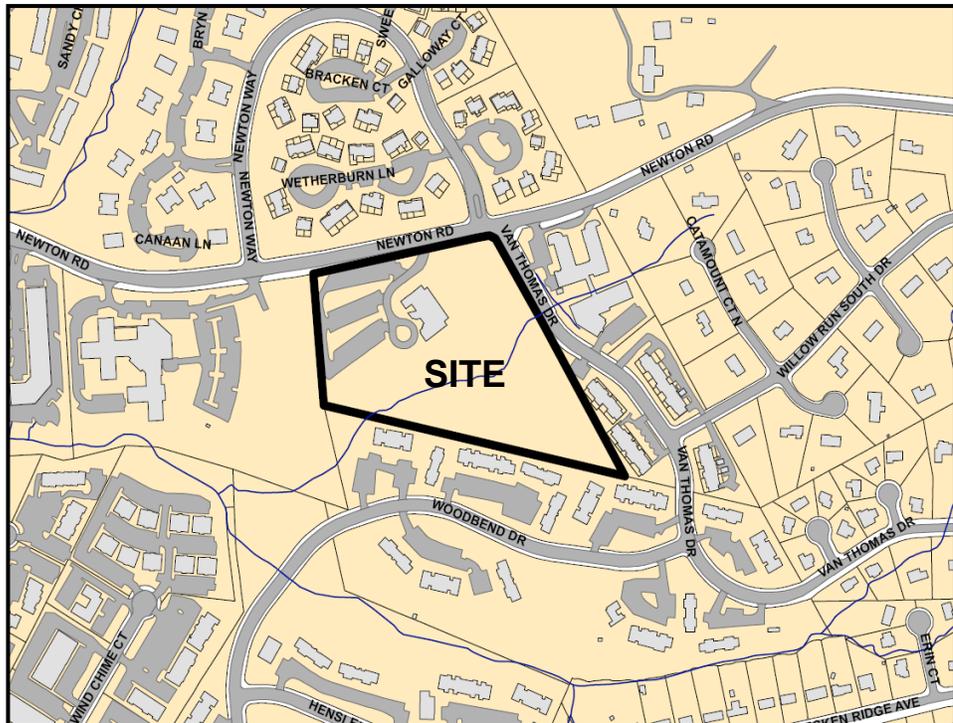
General Location: This site is located at the intersection of Newton Rd. and Van Thomas Dr.

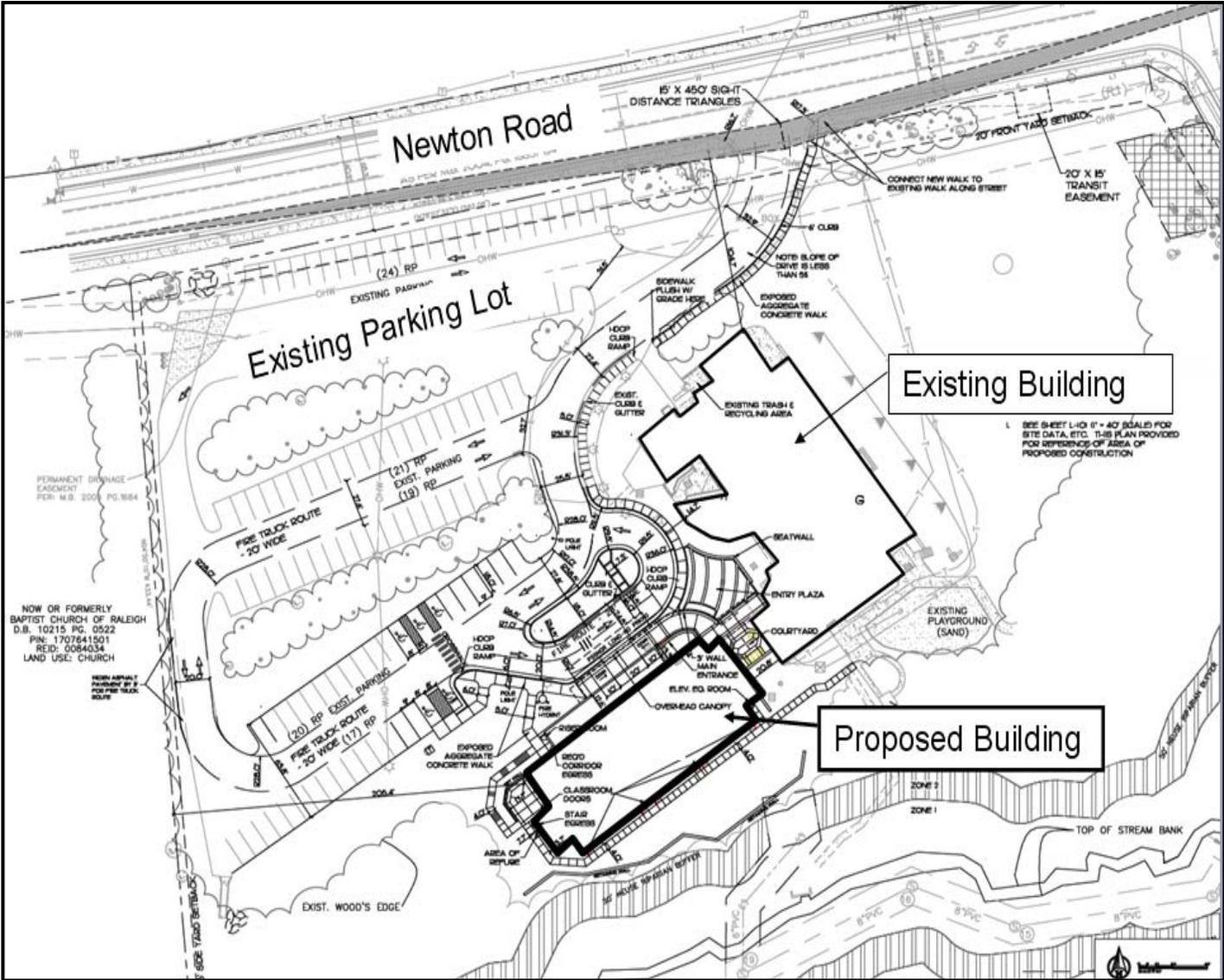
**Planning District
/ CAC:** North / North

Nature of Case: This request is to approve an addition of a three-story, 25,021 square foot pre-school building on a 10.97 acre site zoned R-6 and which currently contains a 19,258 square foot synagogue with 128 parking spaces. Both buildings will total 44,279 square feet, connected with a covered breezeway. Additionally, this plan is seeking approval of a private school with 86 pre-school students. Pursuant to Code Sections 10-2072(b), and 10-2132.2(c)(1)(e) any residential institution greater than 25,000 square feet in a residential zoning district requires Planning Commission approval. This site plan is providing the required 500 square feet per student or 43,000 square feet, the proposed site plan has a land area of 497,019 square feet.

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

Contact: Jimmy Thiem





Proposed Site Plan

SUBJECT: SP-33-09/ Beth Meyer Synagogue

CROSS-REFERENCE: Not applicable

LOCATION: This site is located at the intersection of Newton Rd. and Van Thomas Dr., inside the City Limits.

REQUEST: This request is to approve a 3-story, 25,021 square foot pre-school building. The 10.97 acre site is zoned R-6 and currently contains a 19,258 square foot synagogue with 128 parking spaces. Both buildings will total 44,279 square feet, connected with a covered breezeway. Additionally, this plan is seeking approval of a private school with 86 pre-school students. Pursuant to Code Sections 10-2072(b), and 10-2132.2(c)(1)(e) any residential institution greater than 25,000 square feet in a residential zoning district requires Planning Commission approval. This site plan is providing the required 500 square feet per student or 43,000 square feet, the proposed site plan has a land area of 497,019 square feet.

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 2019, 2072(b), 10-2132.2, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 7/22/09, owned by Beth Meyer Synagogue, submitted by Hager Smith Design PA.

ADDITIONAL NOTES: As this proposal includes a pre-school with 86 students, the plan must provide a minimum of 500 square feet of total land area per student or 43,000 square feet. The proposed site plan has a land area of 497,019 square feet. Therefore, upon findings by the Planning Commission no special use permit is required pursuant to code section 10-2132.2(c)(1)e.

To PC: Sept 8, 2009

Case History:

Staff Coordinator: James Marapoti

Motion: Holt
Second: Anderson
In Favor: Anderson, Bartholomew, Butler, Chambliss, Fleming, Gaylord, Haq, Harris
Edmisten, Holt, Mullins, Smith, Vance
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: 9/10/09

date: 9/10/09



Staff Report

**RECOMMENDED
ACTION:** Approval with Conditions

**CONDITIONS OF
APPROVAL:**

Planning Commission Actions:

- (1) That the Planning Commission finds that this site plan conforms to the minimum requirements for a pre-school with 86 students pursuant to 10-2132.2(c)(1)e. This proposal is required to provide a minimum of 500 square feet of land area per student or 43,000 square feet of land; the proposed site plan has a total land area of 497,019 square feet;

Administrative Actions:

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

- (2) That prior to the issuance of a grading permit, the final tree conservation plan must be approved by the Forestry Specialist in the Inspections Department. The plan must show metes and bounds descriptions of all tree conservation areas and permanently protected undistributed areas, and tree protection fence around all tree conservation areas and permanently protected undistributed areas. Tree protection fence must be located in the field and inspected by the Inspections Department. A copy of the approved plan is placed on file in the Planning Department;
- (3) 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;

Prior to issuance of building permits in the Inspections Department:

- (4) That all blue line features (as shown on the USGS map and the SCS Wake County Soil Survey map) on the property will be required to be shown on all recorded maps. All buffers associated with the blue line features shall be shown on the plat unless evaluation/documentation from DWQ is provided stating that the feature no longer exists on the site and, therefore, the buffer does not exist;
- (5) That all permanently protected undisturbed open space used to meet the nitrogen reduction requirements of Part 10 Chapter 9 shall be labeled on recording plats. These plats shall include a note stating: Within permanently protected undisturbed open space areas used for stormwater treatment, there must not be any land disturbing activity, any placement of impervious surfaces, any tree removal, any new development or expansion thereof, or new use, construction, or encroachment;

- (6) That a tree conservation map be recorded with a metes and bounds description showing the designated Tree Conservation Areas prior to building permit issuance. Tree conservation shall be in compliance with Code section 10-2082.14;
- (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 a 15' x 20' transit easement located on Newton Road be approved by the Transit Planner in the Public Works 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 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 permit authorization may be withheld.

ZONING:

ZONING DISTRICTS: R-6.

SETBACKS / HEIGHT: This plan conforms to all minimum setback standards for R-6. Front yard = 105', rear yard = 145', front / rear aggregate = 250', side yard = 240', side yard aggregate = 345'. This plan conforms to maximum height standards in this zoning district. The proposed building height is 30'.

PARKING: Off-street parking conforms to minimum requirements: 28 spaces are required, based on 1 parking space per 8 seats principle assembly. Currently there are 128 parking spaces. This site plan layout removes 7 parking spaces due to revised parking and circulation patterns near the entrance of the buildings for a total of 121 spaces.

LANDSCAPING: Street yard landscaping in conformity with Section 10-2082.5 is shown utilizing existing and proposed trees. Vehicular surface area landscaping is in conformity with Section 10-2082.6 is shown. This is a low impact use under Section 10-2082.9. Transitional protective yards are not required for the south and west portions of the site since the use is greater than 110' from the property lines. No transitional protective yard is required to the east.

TREE

CONSERVATION: The total site 10.97 acres; 1.09 acres are required for tree conservation. A total of 1.10 acres of Tree Conservation Areas has been provided:
Primary TCA provided = 0.63 acres. Secondary TCA provided = 0.47 acres.
Tree conservation areas are located along the southern and north eastern portions of site.

DEVELOPMENT INTENSITY: Pursuant to one of the standards of 10-2072(b) for residential institutions the FAR (Floor Area Ratio) can not exceed 0.33 or the BLC (building lot coverage) exceed 0.20. The proposed site plan proposes a FAR of 0.08 and BLC of 0.04, conforming to these standards.

PHASING: This site plan is to be constructed in one phase.

UNITY OF DEVELOPMENT: Not applicable

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

THOROUGHFARE / COLLECTOR PLAN:

Adequate right of way and infrastructure exists along Van Thomas Drive.

Newton Road is classified as a minor thoroughfare in the City Comprehensive Plan which requires a 53-foot back-back curb and gutter section on 80 feet of right-of-way. The City of Raleigh widened Newton Road in 2004 as part of the 2000 Road Bond and Capital Improvement Program funding and was constructed as a 41 foot back-to-back curb and gutter section with sidewalks on both sides on 60-70 feet of right-of-way.

TRANSIT: The following transit-oriented features of this site are incorporated into the proposed plan: A 15'x20' easement is shown near the intersection of Newton Rd. and Van Thomas Drive.

URBAN FORM: This site is located in the North Planning District and is designated as Residential Suburban. There are no small area plans addressing the subject property.

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

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 a private contractor is to be provided.

CIRCULATION: No improvements are required for this site plan. Internal circulation patterns and access to Newton Rd. remain the same.

- PEDESTRIAN:** 5' sidewalks exist on both sides of Newton Road. This site plan is proposing a 5' sidewalk linking the buildings to the public sidewalk.
- 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. The stormwater runoff control is exempt under code section 10-9023(b) (1). The increase in peak stormwater runoff between the pre-development and post-development conditions for the two-year and ten-year storms is ten (10) percent or less at each point of discharge. A one time buy down is required for nitrogen reduction prior to issuance of a grading permit or map recording which ever occurs first.
- WETLANDS
/ RIPARIAN
BUFFERS:** Neuse River riparian buffers are present on the southern portion of the tract. This site plan will not impact this buffer.
- 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.