



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-34-11 / Seaboard Market Place

General Location: Site is located at the intersection of Seaboard Ave. and Seaboard Station Dr.

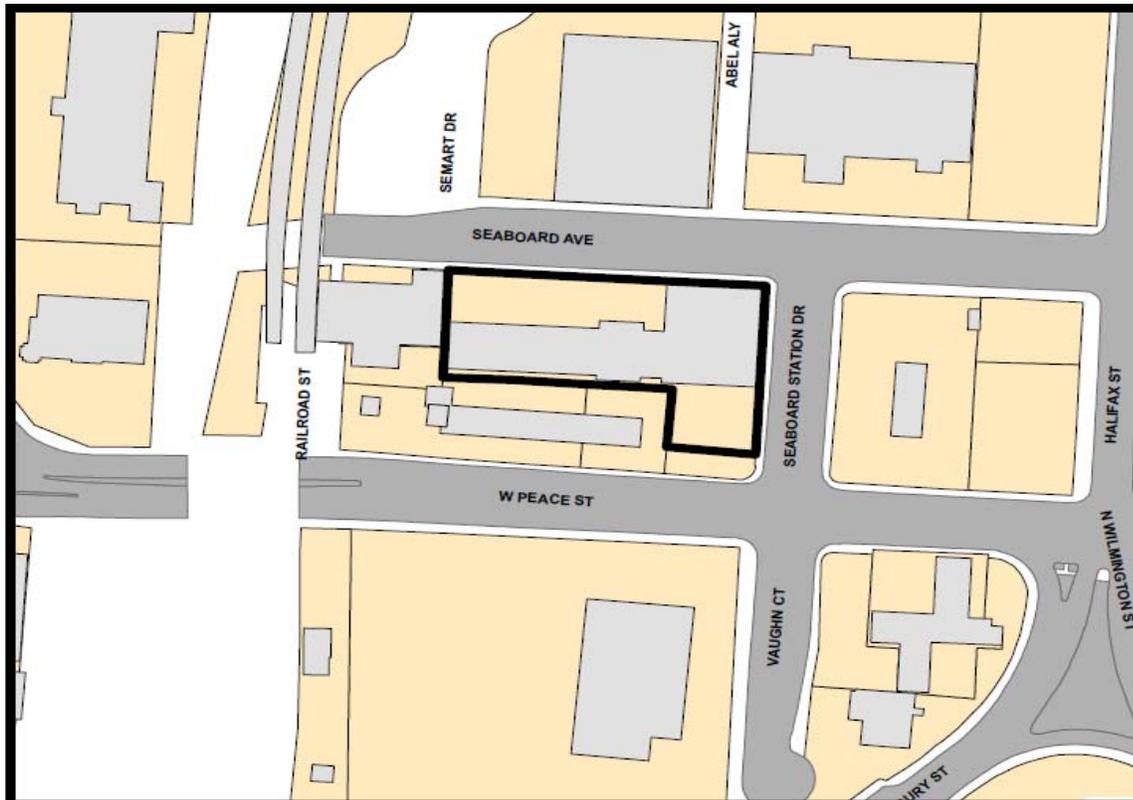
Owner:
Designer: St. Mary's Associate, LLC

CAC: Mordecai

Nature of Case: Approval of 15,153 square feet of retail space with 33 off street parking spaces. The current vacant (formerly used for office use) building is 20,296 square feet; there will be a partial demolition of 5,143 square feet leaving the resultant approval square feet to be used for retail. The site is 0.90 acres split-zoned Industrial-2, Neighborhood Business with Downtown Overlay District. This proposal requires Planning Commission approval because it is a change of use building over 10,000 square feet size in the Downtown Overlay District.

Key Issues: Approval of an alternate sidewalk width (approximately 7' wide) along Seaboard Station Drive where the existing building exists.

Contact: David Brown



Location Map

SUBJECT: SP-34-11 / Seaboard Market Place

CROSS-REFERENCE: Not applicable

LOCATION: Site is located at the intersection of Seaboard Ave. and Seaboard Station Dr. inside the City Limits.

REQUEST: Approval of 15,153 square feet of retail space with 33 off street parking spaces. The current vacant (formerly office use) building is 20,296 square feet; there will be a partial demolition of 5,143 square feet leaving the resultant approval square feet to be used for retail. The site is 0.90 acres split-zoned Industrial-2, Neighborhood Business with Downtown Overlay District. This proposal requires Planning Commission approval because it is a building over 10,000 square feet size in the Downtown Overlay District. The applicant is requesting an approval of an alternate sidewalk width (approximately 7' wide) along Seaboard Station Drive where the existing building exists.

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 this request conforms to Chapter 2, Part 10, Sections 10-2042, 10-2047, 10-2051, 10-2132.2, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 1/3/2012, owned by St. Mary's Associate, LLC, submitted by JDavis Architects, PLLC.

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

VARIANCES / ALTERNATES: The applicant is seeking an approximately 7' alternate from providing a full width 14' sidewalk pursuant to 10-2051D(1)(5)a. along a portion of Seaboard Station Dr. where the existing building is located.

To PC: 10 Jan 2012

Case History:

Staff Coordinator: James Marapoti

Motion: Schuster

Second: Fleming

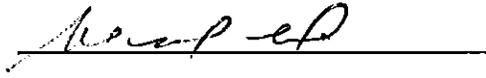
In Favor: Batchelor, Butler, Buxton, Harris Edmisten, Haq, Fleming, Mattox, Schuster, Sterling Lewis, Terando

Opposed:

Excused:

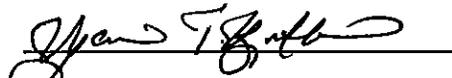
This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the Staff Report attached.

Signatures: (Planning Dir.)



date: 1/10/12

(PC Chair)



date: 1/10/12



Staff Report

RECOMMENDED ACTION: Approval with Conditions

CONDITIONS OF APPROVAL:

Planning Commission Actions:

- (1) That the Planning Commission approves an alternate sidewalk width of approximately 7' along a portion of Seaboard Station Dr. due to an existing building in that location;

Administrative Actions:

Prior to Planning Department authorization to issuance of building permits:

- (2) That construction plans for public improvements along Seaboard Ave be approved by the Public Works Department;
- (3) That construction plans for public improvements be approved by the Public Utilities Department;
- (4) That the City Attorney approve a public sidewalk easement deed for any portion of the public sidewalk along Seaboard Station Dr. located within private property;

ZONING:

ZONING DISTRICTS: Industrial-2, Neighborhood Business with Downtown Overlay District.

SETBACKS / HEIGHT: This plan conforms to all minimum setback standards for Industrial-2, which is 0 for aggregate front/rear and sides. The site plan is proposing: Front yard = 55", rear yard = 4', front / rear aggregate = 59', side yard = 1' and 2', side yard aggregate = 3'. This plan conforms to maximum height standards in this zoning district which is 50. Proposed height of the building is 22'.

PARKING: The Downtown overlay exempts the 15,153 square foot of ground floor retail from any parking requirements. However, the applicant is providing 33 off-street parking spaces.

LANDSCAPING: Street yard landscaping as shown is in conformity with Section 10-2082.5. Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. This is a medium impact use under Section 10-2082.9. Transitional protective yards are not required due to similar use intensities surrounding subject lot.

TREE CONSERVATION: Not applicable; site is less than two acres.

**DEVELOPMENT
INTENSITY:**

There are no floor area ratio requirements in these zoning districts.

OPEN SPACE:

The Downtown Overlay District calls for a minimum of 5% of the total land area of the development be set aside as open space. "Open space" shall include greenways and any common outdoor landscaped and recreation spaces; outdoor decks, roof gardens and other similar outdoor community space accessible to and available for use by all residents of the development." The code calls for open space first to be met by widening the sidewalks to a minimum of 14' in width. After that is achieved, any deficit in open space can be met with courtyards, roof gardens, outside dining and recreation space so long as 1/2 of the required open space shall be in one continuous part with a minimum length and width dimension of 20 feet.

Based on the property's acreage, the base minimum amount of open space required for the tract is 1,960 square feet. The applicant's plan provides for a minimum of 6,620 square feet of qualifying open space that will be provided through 2,720 square feet of wider sidewalks (outside the R.O.W) and a 3,900 square foot entry plaza area adjacent to the entrances of the retail spaces. In summary, 16% of the site is being set aside for qualifying open space.

PHASING:

This is a one phase 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:**

Adequate infrastructure and rights of way exist. However there will be minimal curb and circulation retrofit with this proposal that will require construction plan review.

TRANSIT:

Not required for this location.

**COMPREHENSIVE
PLAN:**

The site is designated as Central Business District on the future land use map. The Central Business District category is intended to enhance Downtown Raleigh as a vibrant mixed use urban center. Because the site plan is for the rehabilitation of an existing building, the plan cannot meet guidelines for location of parking or street walls. The site plan does, however, improve the pedestrian realm through the widening of sidewalks, installation of street trees, and use of ramp type driveways, and also screens parking and service uses. The site plan also includes improvements to the building facades, and creates a more interesting and engaging street wall through the installation of storefront materials, signage, and roof articulation. Staff has reviewed the following Comprehensive Plan policies which the plan complies:

- Policy LU 5.1—Reinforcing the Urban Pattern
- Policy LU 7.4—Scale and Design of New Commercial Uses
- Policy LU 7.6—Pedestrian Friendly Development
- Policy T 2.9—Curb Cuts
- Policy T 5.2—Incorporating Bicycle and Pedestrian Improvements
- Policy T 5.5—Sidewalk Requirements
- Policy T 5.9—Pedestrian Networks
- Policy T 5.10—Building Orientation
- Policy UD 1.2—Architectural Features
- Policy UD 1.3—Creating Attractive Facades
- Policy UD 1.4—Maintaining Facade Lines
- Policy UD 2.1—Building Orientation
- Policy UD 2.2—Multi-modal Design
- Policy UD 2.3—Activating the Street
- Policy UD 2.6—Parking Location and Design
- Policy UD 2.7—Public Open Space
- Policy UD 3.8—Screening of Unsightly Uses
- Policy UD 6.1—Encouraging Pedestrian-Oriented Uses
- Policy UD 6.4—Appropriate Street Tree Selection
- Policy UD 7.3—Design Guidelines
- Policy DT 7.2—Maintaining Consistent Setbacks
- Policy DT 7.3—Streetwalls
- Policy DT 7.4—Building Entries
- Policy DT 7.5—Ground Level Design
- Policy DT 7.6—Minimizing Service Entrance Visibility
- Policy DT 7.19—Downtown Design Guideline Consistency

**HISTORIC /
 DISTRICTS:**

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> |
|--|---|
| In view of the visual prominence of the southeast corner of the building from Peace Street, and the expanses of blank building walls meeting there, the Commission recommends that the corner element be provided additional design detail (e.g., punched window openings, | The southeast corner has been articulated with two façade materials, EIFS and a brick base. The inclusion of a joint pattern in the EIFS adds detail and provides a boundary for future tenant signage on both sides of the corner. As the tenant is unknown, there is an area designated in the EIFSX pattern to |

greater articulation, etc.)
[commensurate with Code Sec.
10-2132.2(d)(2)].

allow for a window that is in scale
with window the pattern of the
project. There is a metal canopy that
wraps around the corner echoing
the interest to the corner along with
an area designated for the overall
“Seaboard District” signage.
We acknowledge that all signage
opportunity is subject to code review
and shall be made under separate
application for preliminary site plan
approval. Per DRC discussion, we
also substituted a tree-form Yaupon
Holly instead of the Over cup Oak
originally specified for the planter at
this corner.

**SUBDIVISION
STANDARDS:**

BLOCK LAYOUT: No new streets are required or proposed.

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, construction plan review is required for the improvements being made to this site plan.

SOLID WASTE: Individual lot service to be provided by private contractor.

CIRCULATION: Proposed street improvements shall conform to City construction standards.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. Applicant has provided a 14’ wide sidewalk along Seaboard Avenue and a variable width (6’-14’) sidewalk along Seaboard Station Dr. This project is submitting an alternate sidewalk width (approximately 7’ wide) along Seaboard Station Drive where the existing building exists.
Note an existing 8’ public sidewalk easement along Seaboard Avenue and a 1.5’ public sidewalk easement along Seaboard Station Dr. are recorded in Map Book 2007 page 2860. Applicant will have to amend the public sidewalk easement to incorporate the 14’ wide sidewalk along Seaboard Station Dr. as a condition of approval.

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

**STORMWATER
MANAGEMENT:** This site is exempt from the requirements of Part 10 Chapter 9 Division 1. Impervious surfaces are being reduced by approximately two percent. The site plan contains substitution of impervious surfaces in accordance with all standards of Section 10-2146.2(a)(5) .

**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.

Applicant's Statement of Site Plan Conformance:

SEABAORD MARKET PLACE (SP-34-2011) **8 FINDINGS FOR PLANNING COMMISSION REVIEW** **2012-01-03 (revised)**

(1). The site plan protects the public from unsafe or inefficient vehicular circulation, parking, and loading/unloading operations. The site plan consider, among other things:

a. The physical character of adjacent and surrounding roads;

The proposed modification does not involve any significant changes to the existing street grid/network.

b. Nearby median openings or intersections;

The proposed plan will not significantly affect ether intersections or driveways, and is in accord with the City of Raleigh Driveway Manual. We believe the addition of the pedestrian bulb at the intersection of Seaboard Avenue and Seaboard Station Drive will significantly improve safety conditions for pedestrians.

c. The classification of roads and plans for future improvements;

The existing "local" streets will not be affected by the development compared to the current use, and there are no changes to roadway classifications resulting from the project.

d. Proximity to pedestrian generators such as schools, transit facilities, parks and greenways;

The subject property is nearby to Wm. Peace University, the State government Complex and Glenwood South, and will provide essential services to those tenants.

d. The accident experience near the site;

Records do not indicate problems with traffic accidents associated with the street network near the subject property that would be intensified by the change of use.

e. Bicycle, pedestrian and transit access and circulation;

The proposed modifications include substantial enhancements to the pedestrian circulation system, bicycle racks, and handicap facilities

f. Traffic volumes existing and projected from approved site plans;

There is not proposed change to traffic volumes as the existing building is proposed to remain in place.

g. Interference with any other driveway;

No interference projected.

h. Response time of nearby emergency services such as fire and hospital;

There are no known issues with response time by emergency services. The plan was reviewed by the Fire Department, and no comments were generated.

i. The character of the traffic to be generated from the site. **The land use is not a significant traffic generator due to the small size of the facility.**

(2) The plan is in accordance with the general plans for the physical development of the City as embodied in the Comprehensive Plan, Redevelopment Plans, Streetscape Plans, manuals, handbooks or other *City Council* - adopted plans and standards. If there are conflicts between the plan and Code restrictions, the more stringent shall apply."

The subject property is already developed; the proposed additional land use (retail) of the

property is consistent with the Future Land Use Map found in the 2030 Comprehensive Plan.

(3) The plan contains adequate measures to protect the development and other properties, including public corridors and facilities, from adverse effects expected from the proposed development or expansions to the existing development, including without limitation those associated with:

- a. Stormwater; **There is a slight decrease to impervious surface or post-development runoff.**
- b. Air or water pollutant discharges, **No increase anticipated.**
- c. Noise, light and odor; **No increase anticipated**
- d. Access to air and light; **No problem anticipated**
- e. On and off-street parking; **Adequate, conforming off-street parking is proposed**
- f. Dust, smoke and vibration; **No problem anticipated**
- g. Hours of operation; **No problem anticipated**
- h. Site conditions that may foster unsafe or unlawful activities. **No problem anticipated**

4) The plan contains adequate measures to mitigate the impact of the development on nearby residential neighborhoods from incompatible characteristics such as:

- a. Building scale; **The building is low-rise and compatible with adjoining properties.**
- b. Architectural character; **The character of the revised plan for the building, which will be substantially renovated, will be more welcoming, of a pedestrian scale/character, and we believe, it will be compatible with adjoining properties.**
- c. Landscaping; **The proposed modifications includes upgrades to street protective yards and vehicle surface areas; the site was last developed prior to the adoption of the landscape ordinance.**
- d. Amount and placement of impervious surfaces; **The impervious surfaces are existing and there is no increase to impervious area proposed under the modification.**
- e. Placement of structures and vehicular surface areas; and The existing parking is located between the right-of-way and the building, instead of to the rear or side of the building. **As an existing condition there is no reasonable alternative to this situation. Substantial modifications to screen and buffer the parking from the rights-of-way are being offered.**
- f. Orientation of uses and entranceways. **The building is oriented to the public right-of-way.**

(5) The site plan coordinates with existing and planned public facilities such as:

- a. Stormwater drainage structures; **No changes are proposed, no conflicts noted.**
- b. Public utilities; **Existing adequate public facilities are in place and adjacent to the subject property. No changes are proposed, no conflicts noted**
- c. Streets, sidewalks and on-street parking; **The property fronts on existing public streets that are adequate for land use; wider sidewalks are being added exists, and on-street parking is being preserved as part of this project.**
- d. Parks, greenways and recreational facilities; **There are parks/open spaces in the general vicinity of the subject property (Halifax Park, State Govt. Lawn)**
- e. Fire stations and community service facilities; **Fire and Police Stations are in close proximity.**

f. Schools; **This property is a very low generator for demand on schools; however there are schools in proximity to the property.**

g. Trash collection; and **Trash collection is shared with a neighbor, and serviced by private vendor, no additional demand on public services.**

h. Transit facilities. **Transit is one-half block away on Peace Street.**

(6) The plan provides for a unified development within the site and with adjoining properties when such properties are either:

a. Under similar ownership as the site, **No, different ownership.**

b. Are being developed in a coordinated manner with the site, or, **This criteria does not apply to this property.**

c. The site shares a common relationship with surrounding properties, where establishing similar architectural elements, landscaping, shared access or signage will promote good order, convenience and safety. **The addition of retail use will make this property more compatible with both its setting and with the nearby retail uses.**

(7) The plan complies with all street, sidewalk, open space, drainage, greenway, transit, utility and other public facility dedication and improvement requirements of Part 10, chapter 3 and applicable conditional use zoning ordinances.

To the best of our knowledge, the site is in compliance with the above stated criteria. Please note that a portion of the 14' DOD sidewalk is not installed at this time as there is an existing building/development that encroaches the sidewalk zone – it is not reasonable or practical to fully comply with the sidewalk construction at this time, but an easement is being provided to the City for future sidewalk access should it be needed.

(8) The plan conforms to previously approved subdivision plans for the site. The site plan meets all applicable Code requirements, and if there are conflicts between Code provisions the more restrictive shall be met.

To the best of our knowledge, the site is in compliance with the above stated criteria.

END OF REPORT