



## 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-37-11 / North Carolina Rate Bureau

**General Location:** The site is located at the southwest corner of Old Wake Forest Road and Sumner Boulevard.

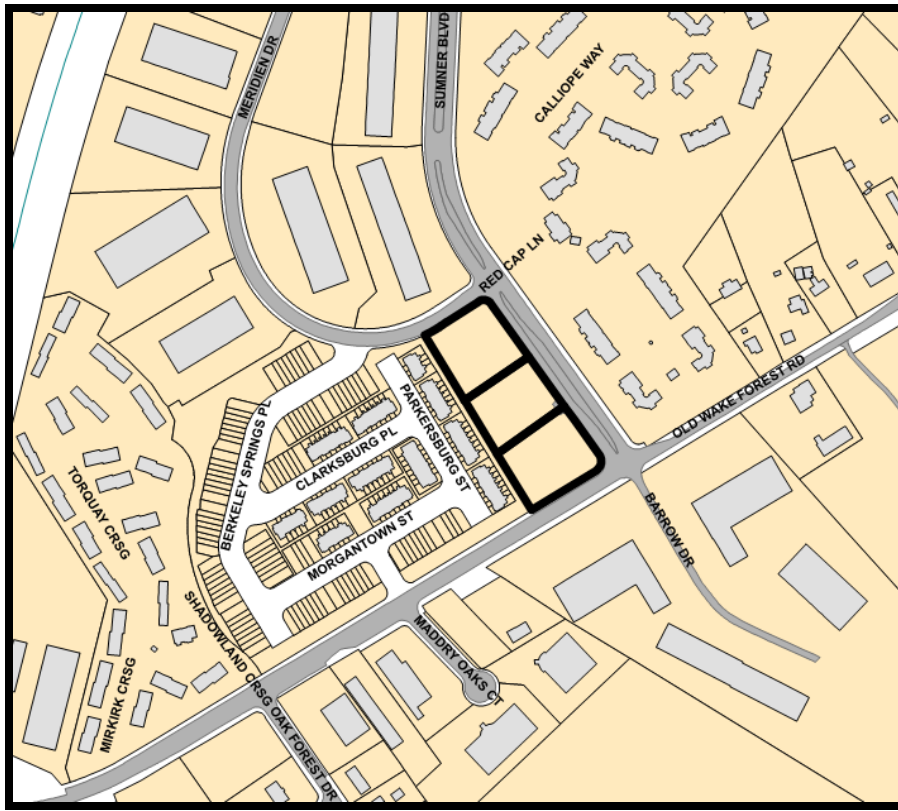
**Owner:** 2910 Sumner LLC.  
**Designer:** Blakely Design Group

**CAC:** Northeast

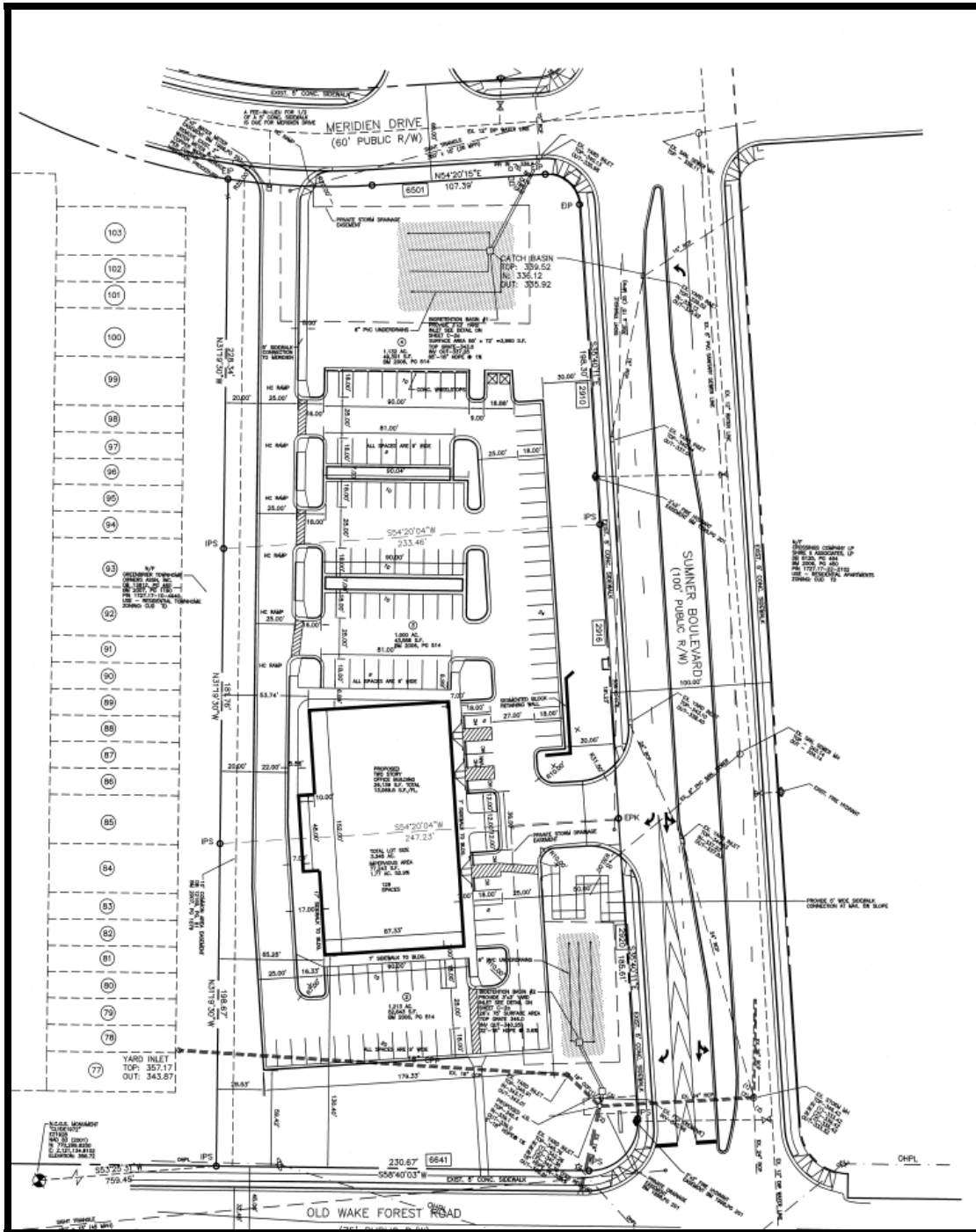
**Nature of Case:** The recombination of three parcels into one parcel and the construction of a two-story 26,139 square foot office building on 3.35 acres, zoned Thoroughfare District CUD, inside the city limits.

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

**Contact:** Taylor Blakely



**SP-37-11 North Carolina Rate Bureau – Location Map**



SP-37-11 North Carolina Rate Bureau – Site Plan

**SUBJECT:** SP-37-11 / North Carolina Rate Bureau

**CROSS-  
REFERENCE:** Z-54-94

**LOCATION:** This site is located on the west side of Sumner Boulevard, north of its intersection with Old Wake Forest Road, inside the City Limits.

**REQUEST:** The recombination of three parcels into one parcel and the construction of a 2-story; 26,139 square foot office building on 3.35 acres, zoned Thoroughfare District CUD, inside the city limits. This site is located within 400 feet of a residential use.

---

**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 10-2045, 10-2082.4, 10-2132.2, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 11/1/11, owned by 2910 Sumner LLC, submitted by Blakely Design Group.

---

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

**VARIANCES /  
ALTERNATES:** N/A

To PC: December 13, 2011

Case History: N/A

Staff Coordinator: Meade Bradshaw

Motion: **Mattox**  
Second: **Fleming**  
In Favor: **Batchelor, Butler, Buxton, Fleming, Harris Edmisten, Mattox, Schuster, Sterling Lewis, Terando**

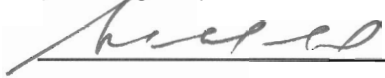
Opposed:

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.)

(PC Chair)



date: December 13, 2011

date: December 13, 2011



## Staff Report

---

**RECOMMENDED  
ACTION:** Approval with Conditions

---

**CONDITIONS OF  
APPROVAL:** Administrative Actions:

***Prior to issuance of a grading permit for the site:***

- (1) 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;
- (2) 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;
- (3) That prior to the issuance of a grading permit a recombination map be recorded recombining the existing lots into a single tract;

***Prior to issuance of building permits in the Inspections Department:***

- (4) That a fee-in-lieu of construction for approximately 160 linear feet of ½-5' sidewalk along Meridien Drive in an amount determined by the Public Works Department is paid in the Raleigh Customer Service Center.
- (5) That all stormwater control measures and means of transporting stormwater runoff to and from any nitrogen and stormwater runoff control measures shall be shown on all plats for recording as private drainage easements and the plats shall contain the following note: "All private storm drainage easements & stormwater measures will be maintained by the property owner / owners association.";
- (6) That prior to issuance of building permits the developer will 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;
- (7) That a revised landscape plan be submitted to the City showing an average 50' thoroughfare yard with a minimum width dimension of 35 feet along Sumner Boulevard; and

**Prior to issuance of an occupancy permit in the Inspections Department:**

- (8) 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, and an original inspection report per Code Section 10-9028.

**ZONING:**

**ZONING DISTRICTS:** Z-54-94. Ordinance (1994) 467 ZC 351 Effective 9-6-94.

**Z-54-94 Old Wake Forest Road**, north side, between the CSX Railroad and Capital Boulevard, being Parcels 2713 and 4601, Block 11; and 2336, Block 21, Tax Map 1727.17, rezoned to Thoroughfare Conditional Use District.

**Conditions:**

- 1. Adult establishments, airfields, landing strips and heliports will be prohibited.  
**None of these uses are proposed on-site.**
- 2. No more than 75% of the gross land area shall be developed for residential use.  
**The proposed use is not a residential use.**
- 3. No more than 75% of the gross land area shall be developed for non-residential use.  
**66% of land area developed is non residential**
- 4. All residential development shall be at a density of six (6) units per acre or greater.  
**The proposed use is not residential.**

**SETBACKS /**

**HEIGHT:** This plan conforms to all minimum setback standards. Front yard = 100', rear yard = 48', front / rear aggregate = 148', side yard = 130', side yard aggregate = 450'. This plan conforms to maximum height standards in this zoning district. Proposed height of the building is 32'.

**PARKING:** Off-street parking conforms to minimum requirements: 88 spaces required, based on 1 parking space per 300 square feet of floor area gross. 129 spaces are provided.

**LANDSCAPING:** The plans are meeting Code Section 10-2082.5 via Code Section 10-2082.4(b) which allows for the reduction of Thoroughfare Yards in the Thoroughfare Zoning District if the landscaping required on-site exceeds 30% of the lot area. The plans are providing a 30' Thoroughfare yard along 220' of the property's frontage along Sumner Boulevard. Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. This is a low 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>
Southwest property line	Type C	20'

- TREE CONSERVATION:** The site was previously graded. No trees exist on-site.
- DEVELOPMENT INTENSITY:** There is no floor area ratio or building lot maximum in the Thoroughfare district.
- PHASING:** There is 1 phase in this 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:** Right-of-way and existing road construction on Old Wake Forest Road, Sumner Boulevard and Meridien Drive all meet the City code requirements. A fee-in-lieu for ½-5' sidewalk on Meridien Drive is required. See the conditions of approval.
- TRANSIT:** This site is presently served by Capital Area Transit Route 25C; however, a transit easement is not needed.
- URBAN FORM:** This site is located in the Northeast Citizen Advisory Council. The plan conforms to the following Comprehensive Plan policies:
  - Policy LU 5.4 – Density Transitions
  - Policy LU 5.6 – Buffering Requirements
  - Policy LU 7.4 – Scale and Design of New Commercial Uses
  - Policy LU 7.6 – Pedestrian Friendly Development
  - Policy T 2.4 – Road Connectivity
  - Policy T 2.9 – Curb Cuts
  - Policy T 5.5 – Sidewalk Requirements
  - Policy T 5.9 – Pedestrian Networks
  - Policy T 5.10 – Building Orientation
- 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>
1) Given the mixed performance of red maples in similar local developments, the Committee recommends a different shade tree species be substituted [commensurate with Code Sec. 10-2132.2(d)(4)].	I have not seen any problem with the hybrid "October Glory" red maples. I have looked around town since I received this comment and can find no problems with red maples unless they are in tree grates in the downtown area. I don't have that many on this plan. I

- 2) Additionally, rather than a monoculture of ligustrum, integrate other evergreen shrub species into buffer plantings [commensurate with Code Sec. 10-2132.2(d)(2)].  
 also checkek with NCSU to see if they have published any problem finding and cannot find any problems. Therefore I will keep the red maples on this plan. I respectfully decline to change this species of plant or to mix other varieties.
- 3) To reduce light spillover onto the immediately adjacent residential properties, locate site light poles away from shared/ nearby property lines and cap footcandle outputs at their lowest effective levels [commensurate with Code Sec. 10-2132.2(d)(2) & (4)].  
 I have asked Progress Energy to do a lighting plan and to keep the lighting along the rear driveway at a minimum.

**SUBDIVISION  
STANDARDS:**

**BLOCK LAYOUT:** The proposed street layout conforms to City Code, providing for efficient circulation of traffic within the entire neighborhood area.

**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:** Existing and proposed street improvements shall conform to normal City construction standards.

**PEDESTRIAN:** Existing 5' sidewalk on Old Wake Forest Road and Sumner Boulevard meets City code requirements. A fee-in-lieu for 1/2-5' sidewalk along Meridien Drive will be paid per condition of approval # 8. Sidewalk is being constructed from the proposed building to Old Wake Forest Road, Sumner Boulevard and Meridien Drive right-of-way to meet TC-3-2010 requirements.

**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 post development peak stormwater runoff rates are proposed to be held to pre-development rates for the 2-year and 10-year storm events by utilizing 2 bioretention basins. Nitrogen reduction is being met by utilizing the 2 bioretention basins and onetime nitrogen offset payment to the NCEEP.

**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.