



# Certified City Council Decision

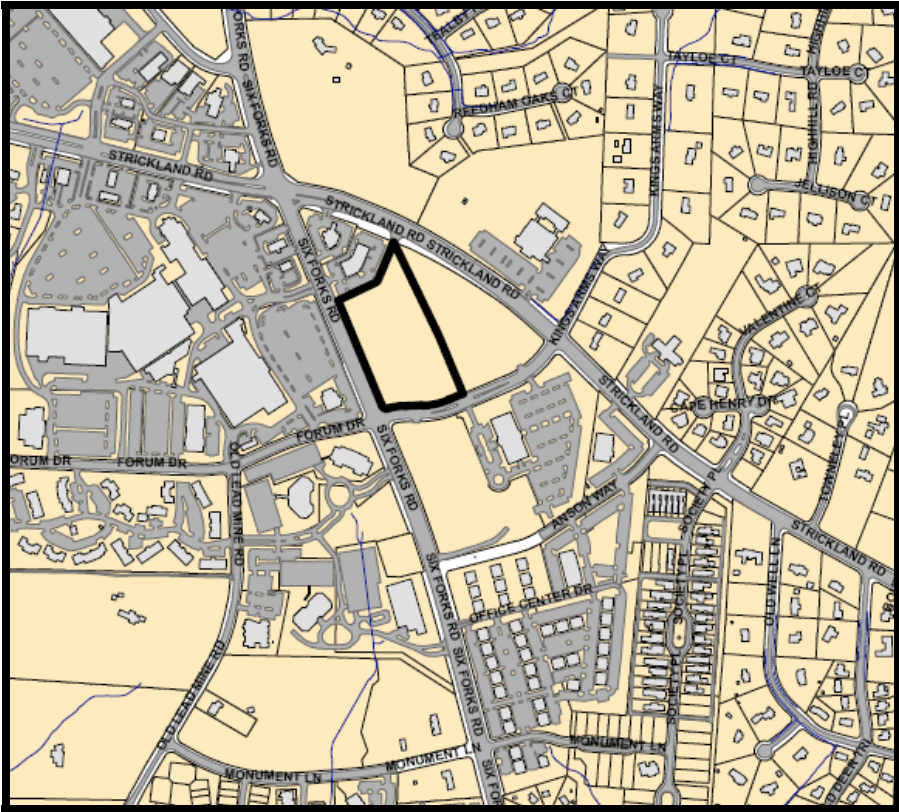
City of Raleigh  
Development Plans Review Center  
One Exchange Plaza  
Raleigh, NC 27601  
(919) 516-2626  
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**Case File / Name:** SP-39-09 / Market at Colonnade

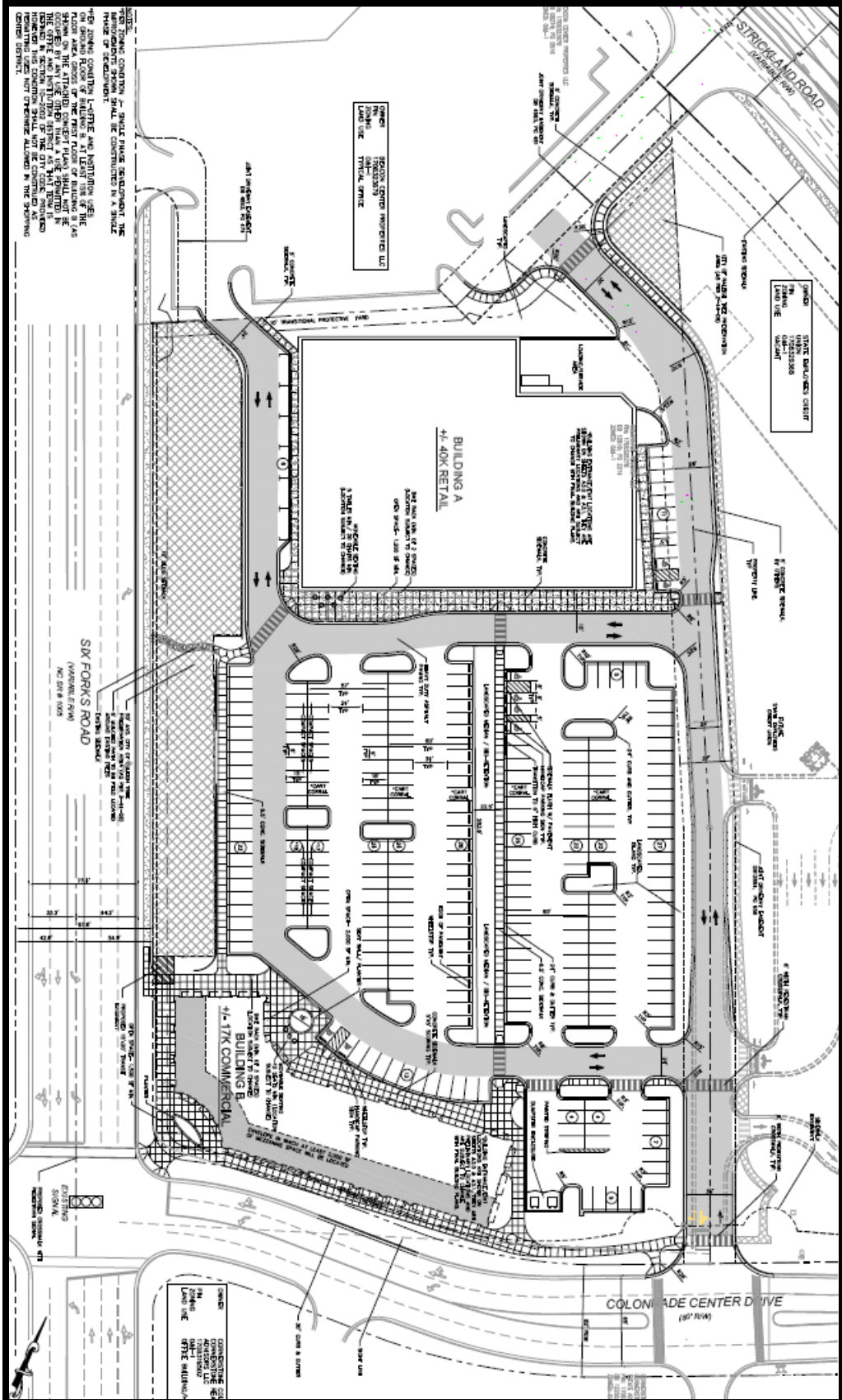
**General Location:** The east side of Six Forks Road, north of its intersection with Colonnade Center Drive

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

**Request:** This request is to approve a 59,850 square foot Shopping Center on a 6.08 acre site, zoned Shopping Center Conditional Use District. This site is located within 400 feet of a residential use or zone and as such requires City Council review and is related to an approved concept plan (attached) approved as part of Z-44-08.



**SP-39-09 / Market at Colonnade – Location Map**



SP-39-09 / Market at Colonnade – Preliminary Site Plan

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**SUBJECT:** SP-39-09 / Market at Colonnade

**CROSS-REFERENCE:** Certified Recommendation of the Planning Commission CR #11344

**LOCATION:** This site is located on the east side of Six Forks Road, north of its intersection with Colonnade Center Drive, inside the City Limits.

**OFFICIAL ACTION:** Approval with conditions

**CONDITIONS OF APPROVAL:** Attached

**FINDINGS:** The City Council finds that this request, with the conditions of approval below being met, conforms to Chapter 2, Part 10, Sections 10-2041, 10-2132.2, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated September 16, 2009, owned by Regency Centers, submitted by Kimley-Horn and Associates, Inc.

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**Case History:** Recommendation for Approval at PC on 9/22/09 (Unanimous)

**Footnote:** N/A

**To CC:** 10/7/09

**City Council Status:** Approved 10/7/09 - vote of 8-0

**Staff Coordinator:** Eric Hodge, AICP

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## Final conditions of approval

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### CONDITIONS OF APPROVAL:

#### City Council Actions:

- (1) That the City Council approves a landscape alternate means of compliance in accordance with Code Section 10-2082.4. This alternate would allow a three foot reduction in the required 10' wide type D transitional protective yard along the shared driveway on the eastern side of the development and the removal of shrubs along the driveway. As an alternate to the minimum width and the installation of shrubs, the applicants are proposing to increase the planting size of the proposed 10 Willow oaks from 2 ½" caliper minimums as allowed by Code to 3 ½" caliper.

**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 tree protection fence around all tree conservation 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 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 and Zoning Condition(f), 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 15x20 foot transit easement located on Six Forks Road be approved by the Transit Planner in the Public Works Transportation 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 authorization of lot 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 permits authorization may be withheld;
- (5) Private drainage easements must be shown on a recorded plat;
- (6) That the developer shall pay to the City a sum equal to \$7,500 which shall be a fee-in-lieu for a bus shelter and bench to be installed;
- (7) That Building B as planned, designed and constructed is LEED-certifiable for Leadership in Energy and Environmental Design as required by Zoning Condition (g) of Z-44-08;
- (8) That at least 15% of the ground floor area gross of Building B be occupied by Office and Institution Uses as required by Zoning Condition (l) of Z-44-08;
- (9) That the site specialist in the Inspections Department be provided with a list of trees subject to active tree preservation and an explanation of the arboricultural maintenance procedures will employed as required by Zoning Condition (e) of Z-44-08;
- (10) That Mezzanine Space within Building B shall include at least 2,000 square feet floor area gross of mezzanine area as required by Zoning Condition (m) of Z-44-08;
- (11) That unity of development guidelines are established and approved by the Planning Director;

- (12) That sign criteria for the entire development is established and approved by the Inspections Director;
- (13) That the developer install an east-west pedestrian traffic signal and pedestrian crosswalk across the northern leg of Six Forks Road at Colonnade Center Drive;
- (14) That the construction of a standard sidewalk connection be made from the northern terminus of the joint access driveway to the existing sidewalk along Strickland Road, contingent upon an executed agreement with the adjacent property to the west;
- (15) That the existing driveway on Colonnade Center Drive be closed per the City of Raleigh Standards;
- (16) That construction plans for public improvements be approved by the Public Utilities Department and the Public Works Department;
- (17) That all Zoning Conditions of Z-44-08 are fulfilled.