



## 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-40-12/ Mattress Firm at Wake Forest Rd.

**General Location:** North of the intersection of Six Forks Rd. and Wake Forest Rd.

**Owner:** PHD@Wake Forest, LLC

**Designer:** The Curry Engineering Group

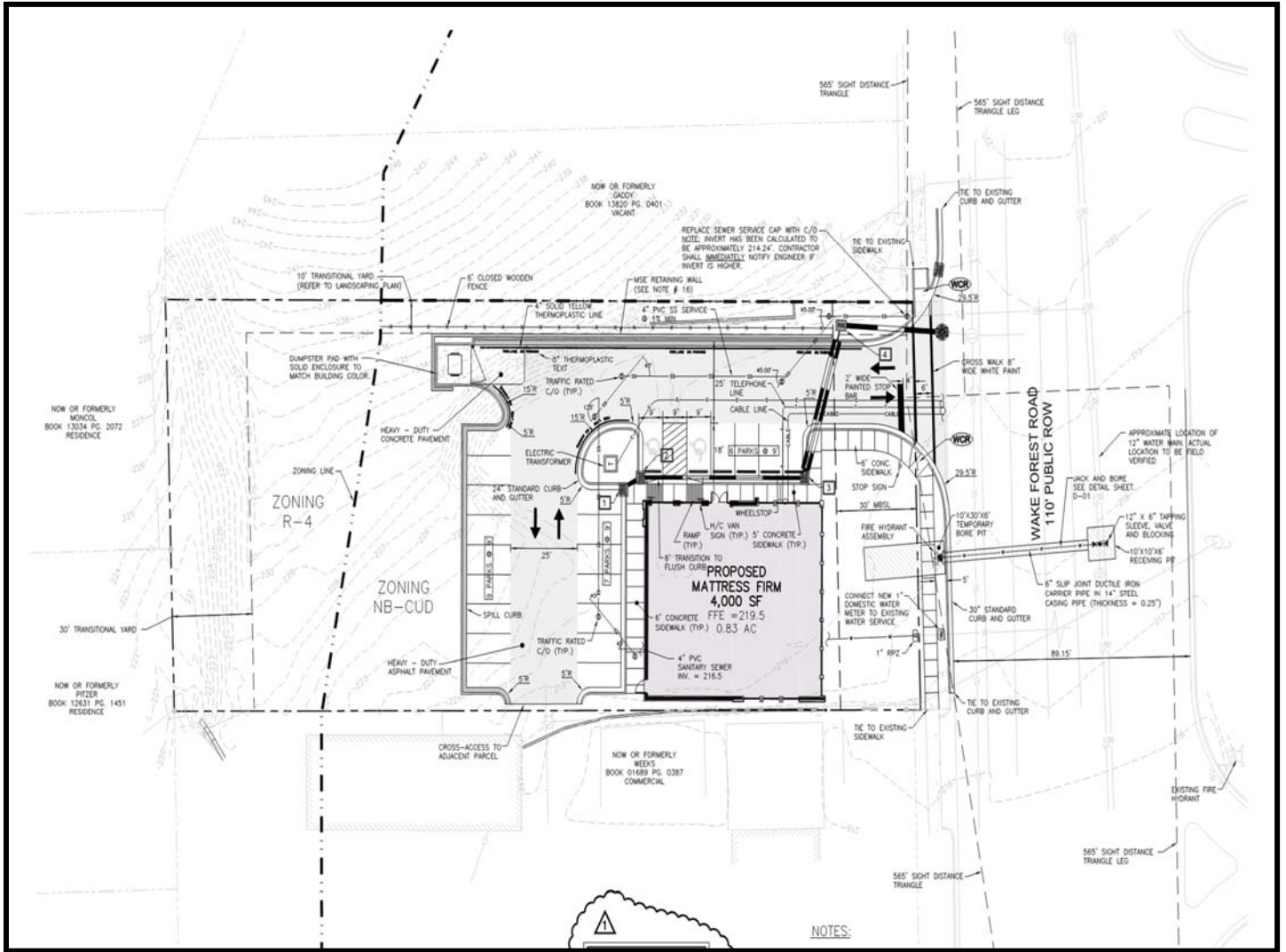
**CAC:** Midtown

**Nature of Case:** This request is to approve a single story retail use of 4,000 square feet. This site plan is situated on a 0.83 acre site, split zoned Neighborhood Business CUD and Residential 4. This is a retail use located within 400 feet of a residential use or zone.

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

**Contact:** Josh Lambert





**Proposed Site Plan**

**SUBJECT:** SP-40-12 / Mattress Firm at Wake Forest Rd.

**CROSS-  
REFERENCE:** N/A

**LOCATION:** North of the intersection of Six Forks Rd. and Wake Forest Rd., within the City Limits.

**REQUEST:** This request is to approve a single story retail use of 4,000 square feet. This site plan is situated on a 0.83 acre site, split zoned Neighborhood Business CUD and Residential 4. No development is proposed within the R-4 zoned portion of this site. This is a retail use located within 400 feet of a residential use or zone.

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**OFFICIAL ACTION:** **Approval with conditions**

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**CONDITIONS OF  
APPROVAL:** **As noted on the Staff Report, attached**

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**FINDINGS:** The Planning Commission finds that, with the following conditions of approval being met, this request conforms to Chapter 2, Part 10, Sections 10-2042, 10-2017, 10-2082 and 10-2132.2, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 10/26/12, owned by PHD@Wake Forest, LLC, submitted by The Curry Engineering Group, PLLC.

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

**VARIANCES /  
ALTERNATES:** This proposal utilizes Code Section 10-2082(g)(3)(d). A transitional protective yard may be reduced to not less than 10' provided that the fence is erected pursuant to 10-2082(g)(1)(e) that a closed fence or wall may be used if the ground area required for all landscaping exceeds 30% of the parcel area. Prior to utilizing the reduction this plan showed 31% of the site in landscape area.

To PC: 12/11/12

Case History: xxxxx

Staff Coordinator: James Marapoti

Motion: Haq

Second: Fleming


In Favor: Harris Edmisten, Butler, Buxton, Fleming, Fluhrer, Haq, Schuster, Sterling-Lewis and Terando

Opposed:

Excused: Mattox

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: December 11, 2012

(PC Chair)



date: December 11, 2012



## Staff Report

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**RECOMMENDED  
ACTION:** Approval with Conditions

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**CONDITIONS OF  
APPROVAL:**

**Administrative Actions:**

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

- (1) 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;
- (2) 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;
- (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, 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 approval of construction drawings for public or private improvements:***

- (4) 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;

***Prior to issuance of building permits:***

- (5) 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;

- (6) That offers of cross access be made to both the adjacent property owner to the north (Gaddy, DB 13820 PG 0401) and the adjacent property owner to the south (Weeks, DB 01689 PG 0387) and that the offers of cross access easements be recorded by deed in the Wake County Registry and that the recorded copies be provided to the City of Raleigh prior to building permit issuance;
- (7) That all the rezoning conditions of Z-4-12 are met;

**Prior to issuance of an occupancy permit:**

- (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;

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**ZONING: Neighborhood Business CUD and Residential 4**

**ZONING  
DISTRICTS:**

Ordinance: 13 ZC 678 Effective 2-21-12

Z-4-12 – Wake Forest Road, Conditional Use - located on the west side, of Wake Forest Road north of its intersection with Six Forks Road, being Wake County PIN(s), 1715134932. Approximately 0.81 acre(s) is rezoned from to Office & Institution-1 Conditional Use District and Residential-4 to Neighborhood Business Conditional Use and Residential-4. Conditions Dated: 02/14/12

1) No adult establishment.

**- Use is furniture retail**

2) Lighting: All exterior flood display and parking lot lighting installed after the effective date of this zoning ordinance shall be full cut-off (shielded) design and directed away from any adjacent residential uses. The maximum height of any light installed on private property shall not exceed 26 feet, but in protective yards the maximum height of any lighting structure shall not exceed 12 feet.

**-Site plan complies**

3) Cross Access: Prior to issuance of any building permit or subdivision of the rezoned land, whichever event first occurs, an offer of cross access shall be provided to the property to the south and north of this site.

**-Cross access has been provided to the south property via a paved driveway connection. Access to the north is not possible due to grade constraints, however offers of cross access must be recorded in accordance with the rezoning condition.**

**SETBACKS /  
HEIGHT:**

This plan conforms to all minimum setback standards. Front yard = 35', rear yard = 178', front / rear aggregate = 213', side yard = 62', side yard aggregate = 65'. This plan conforms to maximum height standards in this zoning district. Proposed height of the building is 21'

**PARKING:**

Off-street parking conforms to minimum requirements: 10 spaces required, 30 spaces are provided based on 1 parking spaces per 400 s.f. furniture/mattress.

**LANDSCAPING:**

Street yard landscaping in conformity with Section 10-2082.5 is shown. Vehicular surface area landscaping in conformity with Section 10-2082.6 is

shown. 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>
North	30' Type B	*10'
West	30' Type B	107'

\*Code Section 10-2082(g)(3)(d) transitional protective yard may be reduced to not less than 10' provided that the fence is erected pursuant to 10-2082(g)(1)(e) that a closed fence or wall may be used if the ground area required for all landscaping exceeds 30% of the parcel area. Prior to the reduction in width of the transitional protective yard on the north side the amount of land required for landscaping equates to 31% of the site. After the proposed reduction and use of a closed fence for the required TPY on the north side the amount of land area dedicated to required landscaping equates to 21% of the site.

- TREE CONSERVATION:** Not required this is a commercial site less than two acres; additionally there are no groups of trees adjacent to the thoroughfare so a natural protective yard is not required.
- DEVELOPMENT INTENSITY:** Not applicable in this zoning district.
- PHASING:** Not applicable.
- UNITY OF DEVELOPMENT:** Not applicable.

**COMPREHENSIVE PLAN:**

- GREENWAY:** There is no greenway on this site.
- THOROUGHFARE / COLLECTOR PLAN:** Adequate right of way and constructed road infrastructure exists along Wake Forest Rd.
- TRANSIT:** No transit features are required for this site due to parcel size and design of the site.

**COMPREHENSIVE PLAN:** The site is located within the Midtown CAC, and is designated as Community Mixed Use on the Future Land Use Map. The Community Mixed Use category applies to medium-sized shopping centers and larger pedestrian-oriented retail districts such as Cameron Village. Typical commercial uses include large-format supermarkets, larger drug stores, department stores and variety stores, clothing stores, banks, offices, restaurants, movie theaters, hotels, and similar uses that draw from multiple neighborhoods.

Staff has reviewed the following Comprehensive Plan policies:

- Policy LU 4.5 – Connectivity
- Policy LU 5.4 – Density Transitions

Policy LU 5.6 – Buffering Requirements  
 Policy LU 7.4 – Scale and Design of New Commercial Uses  
 Policy UD 2.4 – Transitions in Building Intensity

In reviewing the application, staff has identified the following policy guidance not reflected on the site plan:

Policy LU 4.5 – Connectivity

The policy states that new development and redevelopment should provide pedestrian and vehicular connectivity between individual development sites to provide alternative means of access along corridors. The applicant is encouraged to provide these connections to the adjoining to the north and/or south.

Policy LU 5.6 – Buffering Requirements

The policy states that new development adjacent to areas of lower intensity should provide effective physical buffers to avoid adverse effects. Buffers may include larger setbacks, landscaped or forested strips, transition zones, fencing, screening, height and/or density step downs, and other architectural and site planning measures that avoid potential conflicts. The rear of the site is zoned Residential-4 and was kept in residential zoning in order to provide an additional buffer for the residentially zoned property to the west. Please add the appropriate zoning district lines and show how the site plan complies with the regulations of that district.

**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. The Commission appreciates the applicant's placement of the building at the front of the lot to help create a street wall and suggests considering additional architectural treatments to add warmth to Wake Forest Road façade.	The facade presented to the street is already "warm" in appearance. The warm earth tone EIFS colors of chocolate brown, tan, and white tie in with the Holly Park Shopping Center renovation across the street. The white wrap around "canopy" like projection above the windows provides an inviting street presence to the facade. In addition, the articulation of the storefront with thick metal column elements and decorative mullion pattern provide a unique and attractive appeal from the street.
2. The Commission suggests changes to the street yard planting including the use of a deciduous tree species instead of red cedar, such as oaks.	These trees have been modified, as suggested.
3. The Commission suggests the addition of something to improve the tall, long retaining wall such	Additional plantings have been added along this wall, as suggested.



as a cascading Carolina jasmine planted at the top of the wall.

- 4. The Commission suggests moving the wood fence at the top of the retaining wall north a bit to provide vertical relief to the perceived height of the wall and fence, and to provide room for cascading plants and the roots of shrubs and trees. As currently shown, the fence shown is 2-3 feet from the wall, providing enough room for the Carolina jasmine plantings. Moving the fence further from the wall would compromise the proposed plantings along the TPY which are required to be located adjacent to the property line.

**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 to be provided by private contractor.
- CIRCULATION:** An offer of cross access shall be provided to the properties to the south and north with a driveway stubbed to the south property line. Topography prevents a driveway connection to be made to the north property line at this time.
- PEDESTRIAN:** Proposed sidewalk location conforms to City regulations. A 5' sidewalk is required along the frontage of this site.
- FLOOD HAZARD:** There is FEMA Zone "X" Shaded – Areas of 0.2% annual chance of flood (500-yr. floodplain, which is currently, is not regulated or restricted by City Code.
- STORMWATER MANAGEMENT:** This site is subject to stormwater management controls in accordance with Chapter 9 of Part 10 of the Raleigh City Code. An underground pipe detention structure is proposed to attenuate the post development runoff rates to that expected of the pre-development conditions for the two year and 10 year design storms. Nitrogen reduction will be accomplished with the use of offsite nitrogen mitigation credits (buydown option).
- WETLANDS / RIPARIAN BUFFERS:** No wetland areas or Neuse River riparian buffers are present.
- 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.