



Certified Action of the City of Raleigh Planning Commission

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

Case File / Name: SP-49-15 / Valvoline Instant Oil Change

General Location: North side of Falls of Neuse Road, south of Interstate 540 located inside the city limits.

Owner: Valvoline Instant Oil Change
Designer: Kimley-Horn and Associates, Inc.

CAC: North

Nature of Case: A 3,997 square foot automotive service facility consisting of 5 vehicle service bays on 1.04 acres; zoned Shopping Center District, Office & Institutional CUD, and Falls Watershed Protection Overlay District.

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

Contact: Diana Brown, Kimley-Horn

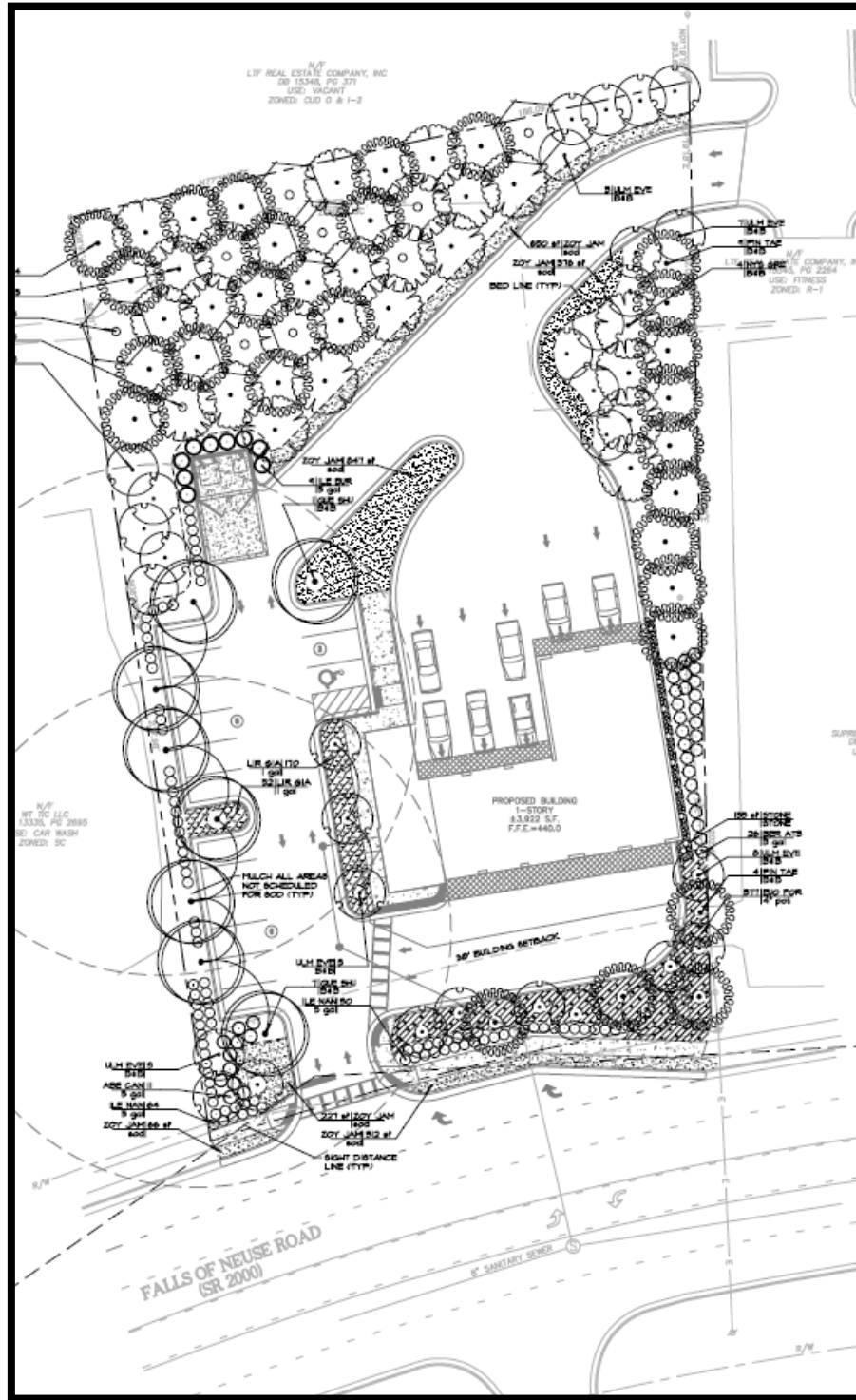
Design Adjustment: Two Design Adjustments have been approved by the Public Works Director for this project, noted below.

1. A Design Adjustment for UDO Article 8.3 – Block Perimeter.
2. A Design Adjustment for UDO Article 8.5 – Existing Streets.

Administrative Alternate: N/A



SP-49-15 – Location Map



SP-49-15 - Site Plan

SUBJECT: SP-49-15 / Valvoline Instant Oil Change

CROSS-REFERENCE: Z-9-99
LOCATION: North side of Falls of Neuse Road, south of Interstate 540 located inside the city limits.

PIN: 1718219225

REQUEST: A 3,997 square foot automotive service facility consisting of 5 vehicle service bays on 1.04 acres; zoned Shopping Center District, Office & Institutional CUD, and Falls Watershed Protection Overlay District. The proposed building is located on the portion of the site zoned Shopping Center District. 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 being met, this request conforms to Part 10, Chapter 2, Sections 10-2040, 10-2036, 10-2064 and 10-2132.2, Part 10A (Unified Development Ordinance) Articles 8, and 9. This approval is based on a preliminary plan dated, owned by 8/13/15, submitted by Kimley-Horn, Inc.

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

VARIANCES / ALTERNATES: N/A

To PC: October 13, 2015

Case History: N/A

Staff Coordinator: Meade Bradshaw

Motion: Fluhrer
Second: Swink
In Favor: Braun, Buxton, Fluhrer, Hicks, Lyle, Swink, Terando and Whitsett
Opposed: xxxxx

Excused: xxxxx

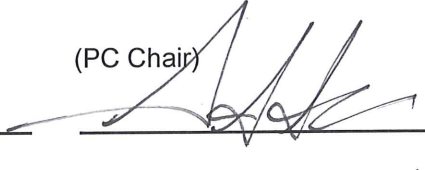
This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the Staff Report attached.

Signatures:

(Planning Dir)



(PC Chair)



date: 10/13/15

date: 10/13/15



Staff Report

RECOMMENDED ACTION: Approval with Conditions

CONDITIONS OF APPROVAL:

Planning Commission Actions:

- (1) That the Planning Commission finds that this site plan meets the standards of Code Section 10-2132.2 (d)

Administrative Actions:

Prior to approval of a grading permit, concurrent review of Final Site Review and Infrastructure construction plans, or whichever is applicable:

- (2) That a map of the FWPOD areas with metes and bounds descriptions be provided upon submitted;
- (3) That in accordance with Part 10A Section 9.4.4, a surety equal to the cost of clearing, grubbing and reseeding a site, shall be paid to the City;
- (4) That a nitrogen and phosphorus offset payment must be made to a qualifying mitigation bank. Verification of the amount of payment shall be provided to the City of Raleigh Stormwater Engineer;
- (5) That approval from NCDOT for a driveway permit and encroachment agreement are submitted to the City prior to infrastructure construction plans approval;

Prior to issuance of building permits:

- (6) That a demolition permit be issued and this building permit number be shown on all maps for recording;
- (7) That in accordance with Part 10A Section 8.1.3, a surety equal to 100% of the cost of development related improvements which remain incomplete;
- (8) That a fee-in-lieu for 1' sidewalk along Falls of Neuse Road is paid;
- (9) That ½-126' of the required right-of-way along Falls of Neuse Road is dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City prior to building permit issuance;
- (10) That a cross access easement is granted to with the parcel to the adjacent west DB 013335 PG 02695 and to the adjacent parcel to East DB 005660 PG 00406 in strict conformity to UDO section 8.3.5.D.5, and said easement is recorded in the local register of deeds office in the county where the land is situated. A copy of the recorded cross access easement be returned to the Planning Department within 1 day of recordation;

- (11) That all conditions of Z-9-99 are met;
- (12) That Infrastructure Construction Drawings be approved by the City of Raleigh

Prior to issuance of building occupancy permit:

- (13) That all infrastructure construction has been approved and accepted for NCDOT for maintenance; and
- (14) That an impervious as-built survey must be submitted to ensure that the amount of impervious surface area does not exceed the amount of existing impervious surface area.

ZONING:

**ZONING
DISTRICTS:**

Shopping Center, Office & Institutional-2, Falls Watershed Protection Overlay District

Z-9-99 Falls of Neuse Road, north side, east of Honeycutt Road, being Wake County Tax Map Parcels 1718 21 4035 and a portion of 1728 21 7462. Approximately 3 acres rezoned to Office and Institution-2 Conditional Use, according to a topographical survey drawn by Cooper and Associates, dated 9/29/98, on file in the Planning Department.

Conditions: (02/25/99)

A. Development of property shall comply with Planning Commission Certified Recommendation No. 7107.

B. The following uses, otherwise permitted under O&I-2 CUD, shall be prohibited:

- (1) emergency shelter;
- (2) airfield landing strip and heliport;
- (3) manufacturing-specialized;
- (4) correctional/penal facility
- (5) outdoor stadium, outdoor theater, outdoor race track.

C. All HVAC units, mechanical equipment and refuse containers shall be screened by fencing from view from any adjacent residential zoning district or any public street right-of-way.

D. Any off development on this property shall be limited to a maximum floor area ratio (FAR of .75).

E. Reimbursement for future right-of-way dedication shall be based upon pre-existing zoning, Rural Residential.

F. Outside transition yards, freestanding exterior lighting located on the subject property shall not exceed twenty (20 feet in height. No exposed bulbs shall be utilized and there shall be no direct light into any residential zoning district.

G. An offer of cross access will be made to the property owner to the south, identified by Wake County PIN 1718.18 21 7156, and the property to the west,

identified by Wake County PIN 1718.17 21 2033, prior to the issuance of a building permit.

SETBACKS / HEIGHT:

This plan conforms to all minimum setback standards. Front yard = 51', rear yard = 141', front / rear aggregate = 192', side yard = 55' & 15', side yard aggregate = 70'. This plan conforms to maximum height standards in this zoning district. Proposed height of the building is 28'

PARKING:

Off-street parking conforms to minimum requirements: 15 spaces required, based on 3 parking spaces per service bay. 18 spaces are provided.

LANDSCAPING:

Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. This site is located within the Falls Watershed Protection Overlay District. A 40% reforestation area is proposed on-site. This is a high 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>
North Property Line	Type D	10'

TREE CONSERVATION:

This site was developed prior to the tree conservation ordinance TC-7-04. There are no trees to preserve on-site.

DEVELOPMENT INTENSITY:

There are no floor area ratios or building lot coverage maximums in the Shopping Center Zoning District. No buildings are proposed in the Office & Institutional-2 District.

PHASING:

Not applicable.

UNITY OF DEVELOPMENT:

Not applicable.

COMPREHENSIVE PLAN:

GREENWAY:

There is no greenway on this site.

STREET PLAN MAP:

Dedication of right-of-way and construction of the following streets are required by the Street Plan Map of the Comprehensive Plan.

Street Name	Street Classification	Existing R/W	Proposed R/W	Existing B to B	Proposed B to B	Slope Easment
Falls of Neuse Road	Avenue 6-Lane, Divided	105'	½-126'	65'	11' lane & 5' sidewalk	N/A

The existing street classification on the street plan map is Avenue, 6-Lane Divided.

Additional right-of-way to be dedicated is reimbursable under the facility fees program. New pavement widening exceeding ½-36' is reimbursable.

A surety for the required improvements shall be provided in accordance with 8.1 of the UDO.

That a fee-in-lieu for 1' sidewalk along Falls of Neuse Road frontage be paid to the City prior to issuance of a building permit.

TRANSIT: This site is presently not served by the existing transit system.

COMPREHENSIVE PLAN: This site is located in the North Citizen Advisory Council, in an area designated as Neighborhood Mixed Use.

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>
The Commission suggests considering alternative measures to shade the sidewalk for pedestrians, and suggests one alternative as relocating one of the two trees in the east corner of the site closer to the sidewalk along the right-of-way subject to NCDOT approval. Another alternative is to arc the side walk back closer to the trees in that area.	NCDOT typically does not allow tree plantings in the ROW. The sidewalk must connect to existing sidewalk on both sides. If an arc were provided, pedestrians would likely cut the corner of the path as the arc would have a sharp radius.
The Commission commends the reforestation at the rear of the lot and suggests consideration of larger caliper trees planted at wider spacing.	Applicant will review tree caliper and tree spacing for the reforestation areas at final site plan.
The Commission compliments the good variety of plant species included in the planting plan.	Noted
The Commission compliments the use of brick on all four sides of the facade.	Noted
The Commission compliments the reduction of curb cuts along Falls of Neuse Road.	Noted

SUBDIVISION STANDARDS:

- LOT LAYOUT:** The minimum lot size in a nonresidential zoning district is 5,000 square feet. The minimum lot depth in this zoning district is 70 feet. The minimum lot width of an interior lot in this zoning district is 45 feet. Lots in this development conform to these minimum standards.
- PUBLIC UTILITIES:** City water and sewer services are available. The developer is responsible for the installation of all lines necessary to provide service to this site.
- SOLID WASTE:** Individual lot service to be provided by private contractor.
- CIRCULATION:** Proposed street improvements shall conform to normal City construction standards. Cross access has been provided to both parcels to the adjacent east and west.
- BLOCKS / LOTS / ACCESS:** A Design Adjustment from UDO Article 8.3 – Block Perimeter was approved by the Interim Public Works Director. Cross Access with the property to both the east and west is proposed.
- STREETSCAPE TYPE:** The applicable streetscape is commercial. A fee in lieu for a 1' sidewalk is required prior to building permit issuance. A Design Adjustment to construct a 5' sidewalk and a 3.5' planting strip along Falls of Neuse Road was approved by the Interim Public Works Director.
- PEDESTRIAN:** A 5' sidewalk is being constructed to match the existing sidewalk in place along Falls of Neuse Road. A 1' fee-in-lieu is required to meet the 6' sidewalk requirement per the UDO. There is a private sidewalk connection from the building to the public sidewalk on Falls of Neuse Road.
- FLOOD HAZARD:** There are no flood hazard areas on this site.
- STORMWATER MANAGEMENT:** This project is exempt from 9.2. Stormwater Management requirements as afforded by UDO 9.2.2.A.5 Substitution of impervious surfaces with approved pervious surfaces. The amount of impervious surface cannot exceed 25,842 square feet to maintain the stormwater exemption. This project is located within the Falls Watershed Protection Overlay District (FWPOD). This project is exempt from impervious surface coverage and stormwater Retention, detention, and capture requirements per UDO 9.5.2.F.1 improvements where runoff flows by gravity outside FWPOD. Nitrogen and phosphorus reduction requirements will be met with the purchase of offsite mitigation credits (buy down option).
- WETLANDS / RIPARIAN BUFFERS:** No wetland areas or Neuse River riparian buffers are required on this site.
- OTHER REGULATIONS:** Developer shall meet all other applicable City requirements of Code Part 10 and 10A (Unified Development Ordinance).



Planning & Development

**Public Works
Transportation Field Services**
One Exchange Plaza
Suite 300
Raleigh, NC 27602
www.raleighnc.gov

Public Works Design Adjustment Application

The purpose of this request is to seek a design adjustment from the Public Works Director for a specific project only and if granted may be given with special conditions and provisions. This application and all further action shall be consistent with Section 10.2.18 of the Unified Development Ordinance (UDO). The consideration and decision of this request shall be based solely on the conformance of the findings, as outlined in Sections 8.3.6 and 8.4.1.E of the UDO.

Project	Project Name	Valvoline Instant Oil Change		
	Case Number	SP-49-2015	Transaction Number	438185

Owner	Name	Valvoline Instant Oil Change		
	Address	8000 Tower Point Drive	City	Charlotte
	State	NC	Zip Code	28227
	Phone	704-655-1018		

Applicant	Name	Chris Bostic	Firm	Kimley-Horn	
	Address	333 Fayetteville Street, Suite 600		City	Raleigh
	State	NC	Zip Code	27601	
	Phone	919-835-1414			

***Applicant must be a Licensed Professional (Engineer, Architect, Surveyor, or Contractor)**

Design Adjustment Request	Code Section Referenced	8.4.6.C
	Justification	On behalf of the applicant, Valvoline Instant Oil Change, we hereby request a design exception for the proposed street section to be constructed within the Falls of Neuse right-of-way for this project. Sidewalk exists on both of the adjacent properties- Autobell and Lifetime Fitness. The proposed sidewalk will be constructed to tie to both of the adjacent sidewalk facilities in the Falls of the Neuse right-of-way and maintain a consistent pedestrian path.

*Please include any additional supportive documents (Plan sheets, aerials, etc.) along with this application. It is the applicant's responsibility to provide all pertinent information required for consideration.

By signing this document I hereby acknowledge the information on this application is accurate to the best of my knowledge.

Owner/Owner's Representative Signature _____ Date 10-1-15

In witness whereof, the parties signed have executed this document on this date.

Notary Signature _____ Date 10/1/15

Melissa L. Walker

**MELISSA L. WALKER
NOTARY PUBLIC
WAKE COUNTY, N.C.**
My Commission Expires 2/5/17

