



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-55-10 / Wal-Mart Expansion - Townridge Shopping Center

General Location: Northeast corner of the intersection of Glenwood Avenue and Pleasant Valley Road

Owner: Wal-Mart Stores, Inc

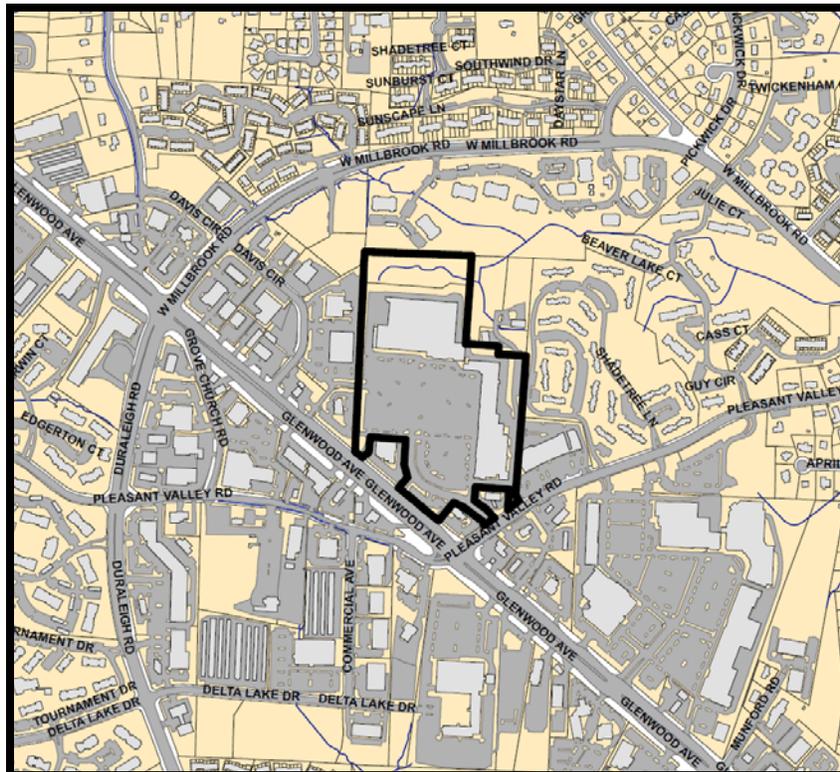
Designer: Kimley-Horn and Associates, Inc.

CAC: Northwest

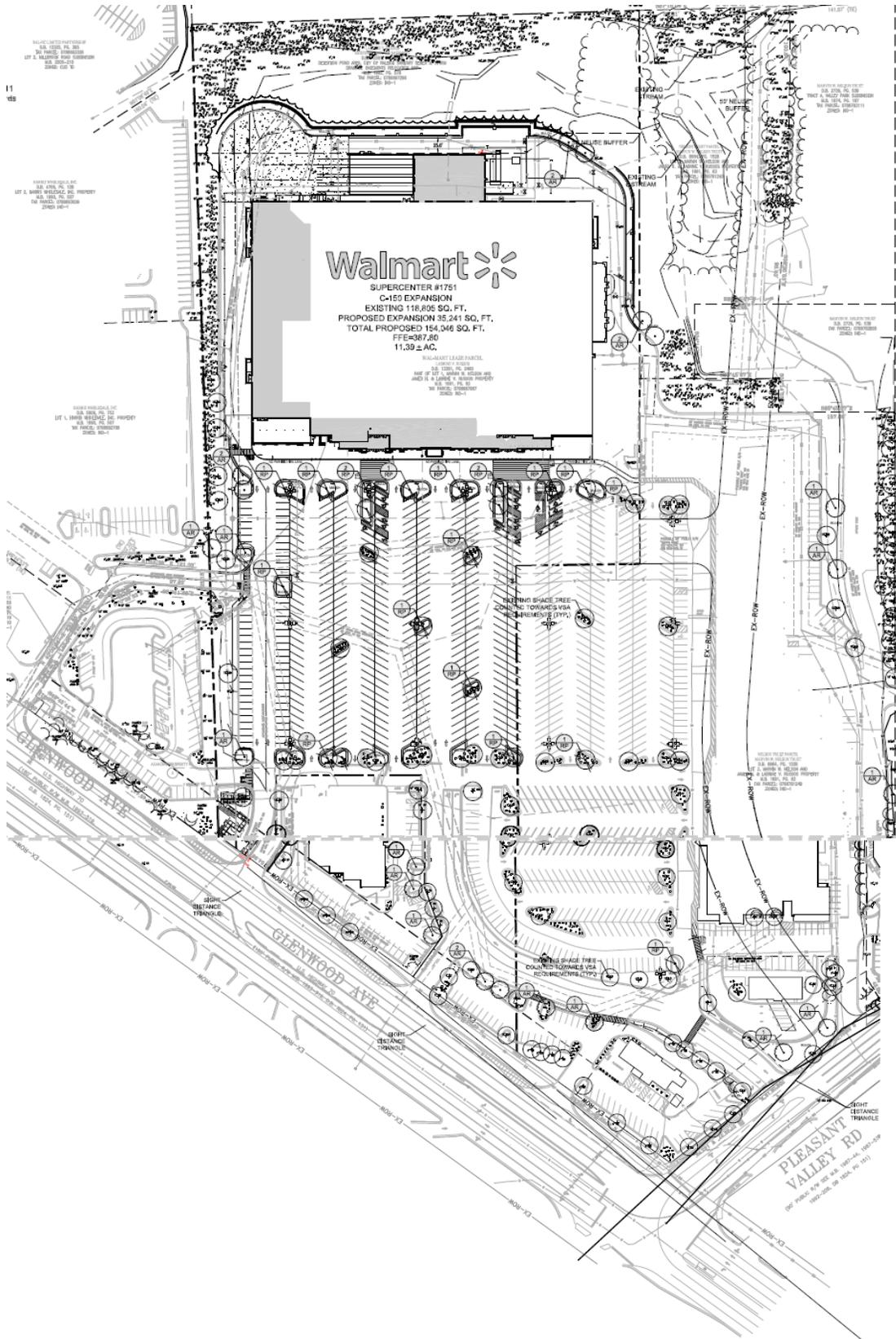
Nature of Case: A 35,241 square foot of expansion of the Wal-Mart store located within the Townridge Shopping Center. The existing center is comprised of 224,552 square feet of retail space on a 27.39 acre site zoned Industrial-1. The expansion is taking place in the front, side and rear of the existing building. When the expansion is completed, the shopping center will be a total 259,793 square feet.

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

Contact: Austin Watts, PE – Kimley-Horn and Associates, Inc.



SP-55-10 / Wal-Mart Expansion – Townridge Shopping Center – Location Map



**SP-55-10 / Wal-Mart Expansion – Townridge Shopping Center
Preliminary Site Plan**

SUBJECT: SP-55-10 / Wal-Mart Expansion – Townridge Shopping Center

**CROSS-
REFERENCE:** SC-36-85, SC-3-86

LOCATION: This site is located at the northeast corner of the intersection of Glenwood Avenue and Pleasant Valley Road, inside the City Limits.

REQUEST: This request is to approve a 35,241 square foot expansion to an existing 224,552 square foot shopping center located on a 27.39 acre site, zoned Industrial-1. This site is located within 400 feet of a residential use or zone. When the expansion is completed, the shopping center will be a total 259,793 square feet.

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 10-2046, 10-2132.2, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 7/13/11, owned by Wal-Mart Real Estate Business Trust, submitted by Kimley-Horn and Associates, Inc.

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

**VARIANCES /
ALTERNATES:** none

To PC: 9/13/11 (deferred), 9/27/11

Case History:

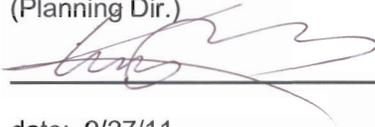
Staff Coordinator: Eric Hodge, AICP

Motion: Haq
Second: Lyle
In Favor: Butler, Batchelor, Fleming, Harris Edmisten, Haq, Lyle, Mattox, Sterling Lewis
Opposed:
Excused: Schuster

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.

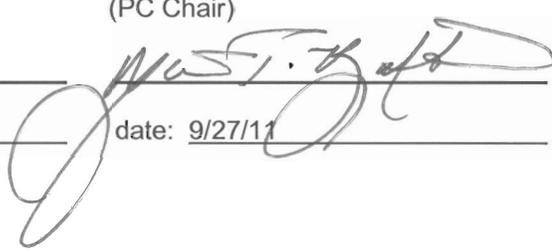
Signatures:

(Planning Dir.)



date: 9/27/11

(PC Chair)



date: 9/27/11



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 and verification of the amount of payment shall be provided to the City of Raleigh Stormwater Engineer;
- (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 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. The private drainage easements shall tie to a public right-of-way;
- (4) That the developer has noted to be in the process of obtaining a wetlands determination from the Army Corp of Engineers. The determination shall be provided prior to grading permit approval. If any wetlands are found to be on the site, then they shall be shown on all maps for recording;
- (5) That all Neuse riparian buffers on the property will be required to be shown on all recorded maps. The developer has provided a Neuse riparian buffer determination from the North Carolina division of water quality dated December 23, 2010 and is on file;
- (6) That any work that takes place on adjacent properties owned by others will require notarized permission or temporary construction easements signed by all impacted owners. Said easements shall be submitted with all permit applications necessitating off-site work;
- (7) That as the developer is requesting an exemption from the stormwater runoff control provisions under 10-9023(b), detailed engineering studies shall be submitted to the Stormwater Engineer in the Public Works Department (before land disturbance or lot recording, whichever comes first) that shows the increase in peak stormwater runoff between pre-

development and post-development conditions for the two and ten year storm is ten percent (10%) or less at each point of discharge.

- (8) 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;

Prior to approval of construction drawings for public improvements:

- (9) That the offsite sewer easement deed must be recorded prior to construction plan approval;
- (10) That Ground Lessee and Ground Lessor Declarant acknowledge that the City of Raleigh has advised that upon the expiration of this Ground Lease (taking into account any extensions thereof), the shared private water and sanitary sewer systems ("shared systems") presently serving the Leased Premises may not be continued unless (i) the parcels comprising the Leased Premises are combined into a single parcel owned by the same party, (ii) the applicable codes of the City of Raleigh have changed to otherwise allow private utility systems to serve multiple parcels (or the City of Raleigh grants a variance or other exemption allowing private shared systems to serve multiple parcels), or (iii) the private shared systems are modified such that the private shared systems do not serve multiple parcels (e.g., a utility such as water is converted to a public water main in a public right of way, a private sewer line is placed into a dedicated public easement, the utility is modified to serve only a single parcel, or a lot line of a parcel is modified such that a utility then serves only one parcel). If none of the provisions of (i)-(iii) apply at one (1) year prior to the expiration of this Ground Lease, Ground Lessee shall discontinue the use of private shared utility systems and modify same to see that separately owned lots are served by utilities independently of other lots;
- (11) That during construction plan review, make and model of proposed backflow preventers must be shown, and the SS leaving the front of the building must be revised to enter the manhole at >90 degrees to the outgoing sewer;

Prior to issuance of building permits in the Inspections Department:

- (12) That a tree conservation map be recorded with metes and bound showing the designated Tree Conservation Areas and shall be in compliance with Code section 10-2082.14;
- (13) That the submitting engineer has noted repairs are needed to the existing stormwater detention ponds used for compliance with earlier plan approvals and CR-7107. There are two detention ponds used for compliance with earlier plan approvals and CR-7107. The detention ponds must be repaired back to the original condition. The work on these ponds will have to be started prior to issuance of permits. In addition, the repair work will need to be completed prior to issuance of a certificate of occupancy. Once the ponds have been repaired, the professional engineer is to submit a statement noting compliance with CR-7107;

- (14) 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;
- (15) That the proposed expansion comply with the unity of development guidelines and sign criteria established for this shopping center;
- (16) That a 15x20 foot transit easement, or leasehold easement if necessary, for the site located alongside the private drive within the development in the vicinity of the existing transit stop be approved by the Transit Planner in the Public Works Transportation Department, be shown on all maps for recording, and that a transit easement 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;
- (17) That, as the developer has agreed, a bus shelter be installed in the location of the transit easement mentioned above or the applicants provide a fee-in-lieu payment for a bus stop shelter to be installed by the City.

ZONING:

ZONING DISTRICTS: Industrial-1.

SETBACKS / HEIGHT: This plan conforms to all minimum setback standards. This plan conforms to maximum height standards in this zoning district. Proposed height of the building is 26'

PARKING: Off-street parking conforms to minimum requirements: 1,040 spaces required, based on 1 parking space per 250 square feet. 1,049 spaces are provided.

LANDSCAPING: Street yard landscaping in conformity with Section 10-2082.5 is shown. Vehicular surface area landscaping in conformity with Section 10-2082.7 is shown. 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 | 40' Type A | 100' |

TREE CONSERVATION: A preliminary tree conservation plan in accordance with code section 10-2082.14 is included with this proposal and has been approved by the City's Forestry Specialist. 10% or 2.73 acres of tree conservation area would be required, however only 1.97% of the site qualifies for tree conservation areas given the existing conditions on the site. 1.97% or .54 acres is provided. A final tree conservation plan with a metes and bounds description of all tree conservation areas shall be shown and labeled on any plat for recording.

PHASING: This is a one phase development.

UNITY OF DEVELOPMENT:

Unity of development and sign criteria are required in this development. The proposed development is consistent with the existing unity of development criteria for this shopping center.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

THOROUGHFARE / COLLECTOR PLAN:

No dedication of right-of-way or construction of any streets was required by the Thoroughfare and Collector Street Plan.

TRANSIT: The following transit-oriented features of this site are incorporated into the proposed plan: 15'x20' transit easement, or leasehold easement if necessary, where the existing bus stop is near the main entrance off of Glenwood Avenue. This site is presently served by the existing transit system. The applicants agree to install a bus shelter within the transit easement mentioned above or provide a fee-in-lieu for a bus stop shelter so that the City may install it.

URBAN FORM: This site is located in the Northwest Citizen Advisory Council in an area designated for Community Mixed-Use on the Future Land Use Map as shown in the 2030 Comprehensive Plan. This category applies to medium-sized shopping centers and larger pedestrian-oriented retail districts.

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:

| Comment | Response |
|---|---|
| 1. The committee recommends that, given the expected volume of bus travelers to the site, the owner consider installing a bus shelter on the easement dedicated for a transit stop [commensurate with Code Sec. 10-2132.2(d)(1) & (5)]. | The Applicant, Wal-Mart Stores, Inc., agrees to install a bus shelter or provide a reasonable fee in lieu for a bus stop shelter in a dedicated transit easement acceptable to the City and applicants landlord. Neither the Applicant or Landlord own the property but are diligently working with the underlying owners to provide the easement. Should the underlying owners not grant the easement, the Applicant will still provide a reasonable fee in lieu for the City's use. |

**SUBDIVISION
STANDARDS:**

BLOCK LAYOUT: No new streets are 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. The easements on the private water and sewer mains serving multiple parcels were set to terminate at the end of the ground lease. Similar to the existing language in the lease agreement addressing buildings spanning multiple parcels, the City is requiring language be added that would require the water and sewer systems or lot lines to be modified at the end of the ground lease to be in compliance with Raleigh Code. In order to do this, the parcels could be recombined into one parcel, or the water/sewer systems could be revised so that the lots were individually served.

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

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

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. A sidewalk is required along the property's Glenwood Avenue and Pleasant Valley Road frontages. Existing sidewalks meet these requirements. The applicant's plan also includes sidewalk connections into the site to connect Wal-Mart store to the public sidewalk system.

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 stormwater runoff control is exempt under code section 10-9023(b) (1). The developer is showing compliance with water quality requirements through the use of a sand filter and a one time buydown to NCEEP.

That as the developer is requesting an exemption from the stormwater runoff control provisions under 10-9023(b), detailed engineering studies shall be submitted to the Stormwater Engineer in the Public Works Department (before land disturbance or lot recording, whichever comes first) that shows the increase in peak stormwater runoff between pre-development and post-development conditions for the two and ten year storm is ten percent (10%) or less at each point of discharge.

**WETLANDS
/ RIPARIAN
BUFFERS:**

Neuse River riparian buffers are required on this site and will be shown on all plats for recording. The developer is in the process of obtaining a wetlands determination from the Army Corp of Engineers. The determination shall be provided prior to grading permit approval and if any are found, they are required to be shown on any plats for recording.

**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.

