



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-60-10 / Crabtree Place

General Location: The site is located at the northwest side of the intersection of Creedmoor Road and Glenwood Avenue

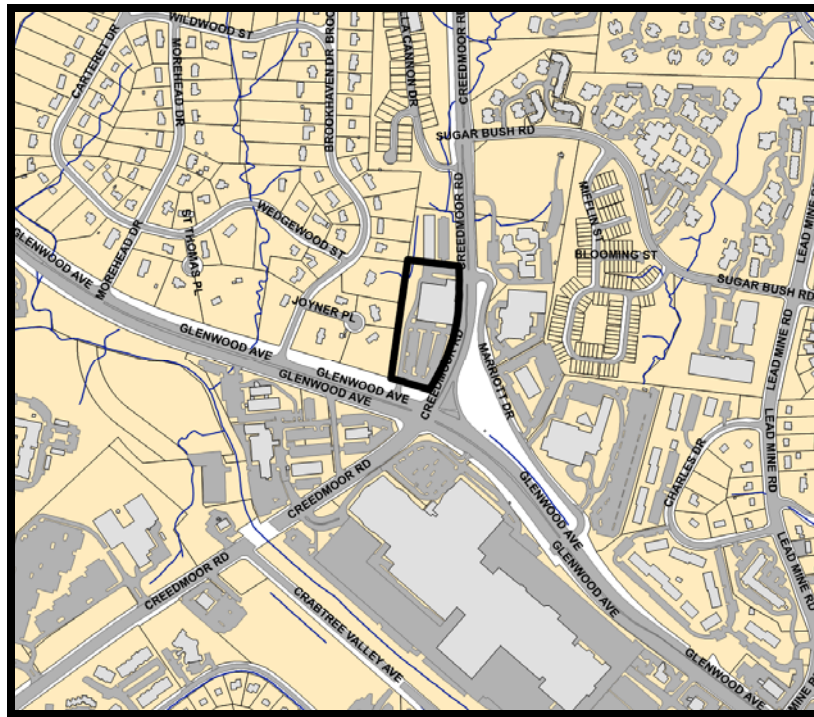
Owner: Schlosser Development
Designer: J Davis Architects

CAC: Northwest

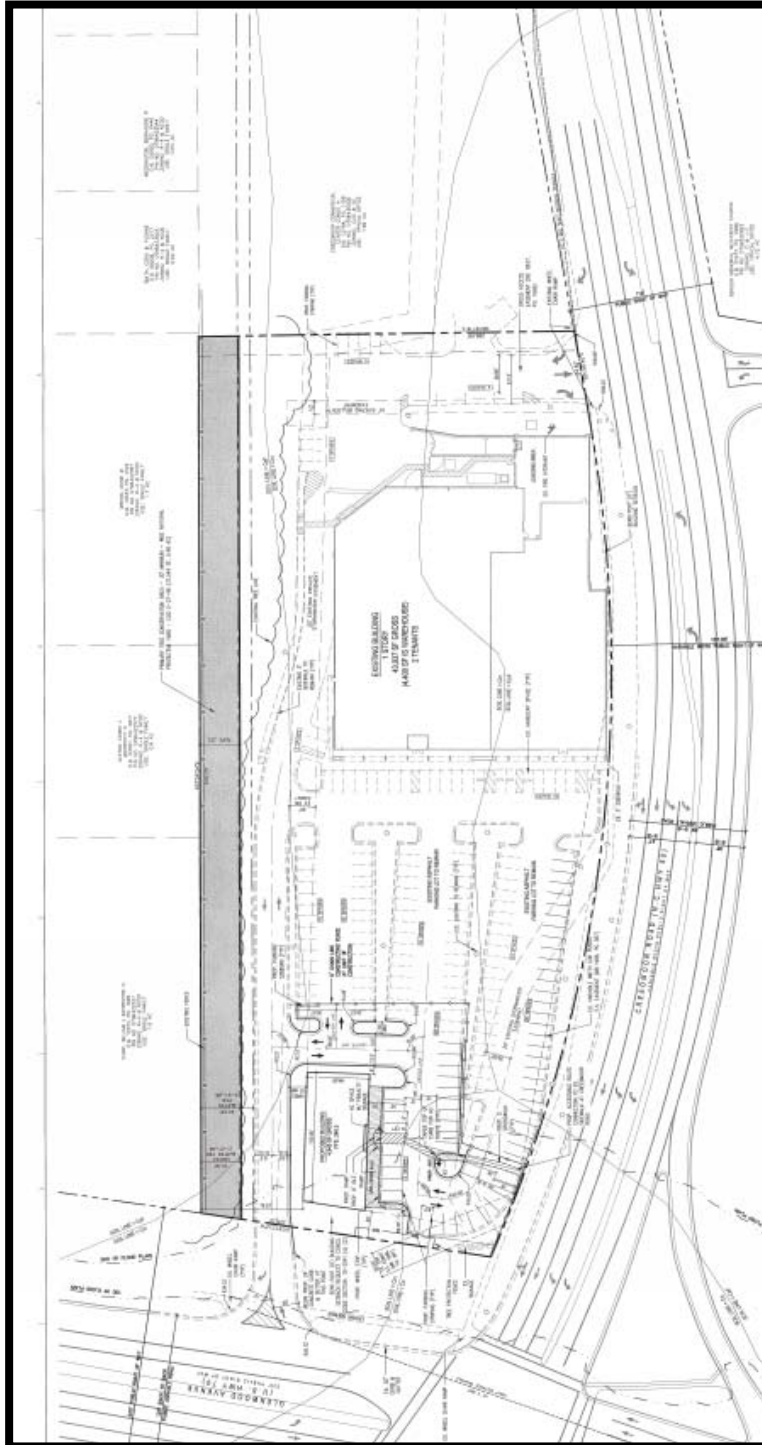
Nature of Case: The construction of a 4,945 square foot retail building on a site with an existing retail building thus creating a shopping center per Code Section 10-2124(b). The parcel is 4.71 acres in size with 43,043 square feet of retail existing. This site is zoned Shopping Center CUD. Code Section 10-2132.2. (b)(1) B requires shopping centers located within 400' of a residential use to be approved by the Planning Commission or City Council.

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

Contact: David Brown, J Davis Architects



SP-60-10 Crabtree Place – Site Location Map



SP-60-2010 Crabtree Place – Site Plan

SUBJECT: SP-60-10 / Crabtree Place

**CROSS-
REFERENCE:** Z-4-11, S-11-97

LOCATION: This site is located on the west side of Creedmoor Road, north of its intersection with Glenwood Avenue, inside the City Limits.

REQUEST: This request is to approve the construction of a 4,945 square foot retail building on a 4.71 acre parcel, creating a Shopping Center per Code Section 10-2124(b). This site is located within 400 feet of a residential use or zone.

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 Chapter 2, Part 10, Sections 10-2041, 10-2124, and 10-2132.2, Chapter 3, Part 10, and Sections 10-3001-3059. This approval is based on a preliminary plan dated 4/20/11, owned by Schlosser Development, submitted by J Davis Architects.

**ADDITIONAL
NOTES:** Z-4-11 was approved by the City Council on May 17, 2011. The proposed plan is consistent with the zoning case.

**VARIANCES /
ALTERNATES:** A design exception from dedication of an additional 10' of right-of-way to meet the ½ of a 130' requirement for Creedmoor Road, a secondary arterial, was approved by the Director of the Public Works Department due to City Council approving a site plan in 1996 which established a 0' building setback on the eastern property line of Creedmoor Road for the existing building on site.

It should be noted that if this site were to be redeveloped dedication of additional right-of-way will be reviewed at that time and may be required in conformity with the City's Comprehensive Plan.

To PC: May 24, 2011

Case History: N/A

Staff Coordinator: Meade Bradshaw

Motion: Haq

Second: Smith

In Favor: Anderson, Bartholomew, Batchelor, Butler, Harris Edmisten, Haq, Schuster, Smith, Sterling Lewis

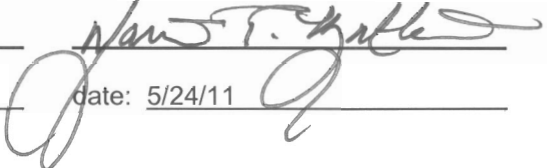
Opposed:

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.)

(PC Chair)



date: 5/24/11

date: 5/24/11



Staff Report

**RECOMMENDED
ACTION:** Approval with Conditions

**CONDITIONS OF
APPROVAL:** Administrative Actions:

Prior to issuance of building permits in the Inspections Department:

- (1) That unity of development guidelines and separate unified sign criteria are established and approved by the City and that final building elevations for the new construction show conformance with the approved unity of development plan and sign permits show conformance with approved sign criteria;
 - (2) That the City Attorney approves a public sidewalk easement for any portion of the existing public sidewalk along Creedmoor Road located within private property. In the event of future redevelopment of this property, right-of-way dedication will be required along Creedmoor Road based on the classification of the street per the City Comprehensive Plan;
 - (3) That right-of-way for a 15' corner radius at the intersection of Glenwood Avenue and Creedmoor Road be dedicated to the City of Raleigh and a copy of the recorded plat be provided to the Planning Department at permit review;
 - (4) That all NCDOT driveway and/or encroachment permits must be approved and submitted to the City of Raleigh;
 - (5) That a security (letter of credit) in the amount of 1.5 times the cost of improvements will be provided to the City of Raleigh for all public improvements; and
 - (6) That the final site plan and building construction details show conformance with all zoning conditions of Z-4-11;
 - (7) That a final tree conservation plan be approved by the City's Forestry Specialist and that tree conservation areas be recorded with a metes and bounds description in conformance with code section 10-2082.14 and conditions of rezoning, case Z-4-11.
-

ZONING:

**ZONING
DISTRICTS:** Shopping Center CUD. Z-4-11 adopted 5/17/11

Z-4-11 Creedmoor Road, west side, at its northwestern intersection with Glenwood Avenue, being Map 0796.14 42 portion of 5860. Approximately 4.5 acres amending the existing Shopping Center Conditional Use District.

1. Uses for this property shall be restricted as follows:

a. Retail Sales Uses:

1. Book store, excluding adult bookstore, with coffee bar, bakery/bagel/sandwich shop as accessory uses;
2. Music store with coffee bar, bakery/bagel/sandwich shop as accessory uses;
3. Computers, software and related electronics store with coffee bar, bakery/bagel/sandwich shop as accessory uses;
4. Office supplies store;
5. House wares, home furnishing and home use appliance stores;
6. Gifts, card and stationery shop;
7. Flowers/florist shop;
8. Jewelry shop;
9. Photography studio;
10. Newsstand;
11. Drug store;
12. Pet supply store;
13. Antique Shop;
14. Apparel (including formal wear sales or rental) shoe (including repair) shops and tailoring (including dry goods) shops and dry goods shops;
15. Hobby, art supplies and framing shops;
16. Garment pressing, Laundry & Dry Cleaning (walk-up and pick-up only - no plant on the premises);
17. Camera shop (including film developing and printing) and copy shop without drive through service.
18. Furniture, draperies and interior decorating supply stores including piece goods (dry goods) store;
19. Art gallery;
20. Library;
21. Toy and sporting goods stores;
22. Barber, beauty, nail and manicure and cosmetic art shops;
23. Shopping area and shopping center (limited to uses prescribed herein);
24. All office uses as provided in "Office Land Use" column of the "Schedule of Permitted Land Uses in Zoning Districts" in the Raleigh City Code, so long as said use(s) is (are) not in conflict with Condition (b) below and not including "Office Center" or "temporary event" as listed therein;
25. Utility services as provided in the Raleigh City Code.
26. Bank, without drive-thru window

- b. All other general, conditional and special uses usually permitted in the Shopping Center Zoning District as set forth in the Raleigh City Code is prohibited, specifically including all dwelling units and equivalent dwelling units.
- c. At the discretion of the City of Raleigh, at the time of submittal for Site Plan Approval, a traffic impact analysis, or trip generation analysis adhering to methods described in the 1985 Highway Capacity manual for such studies or its successor publication, will be submitted to the Raleigh Dept. of Transportation.
- d. Development upon this subject tract (Deed Book 13931; Page 2026; WAKE PIN: 0796-42-5565), shall be limited to a maximum gross square footage of 45,000 square feet (enclosed truck/service areas not included; excluded service areas include, but are not limited to, internal truck dock and staging areas for receiving and shipping of materials).
- e. Access points will be limited to no more than one per street frontage. NOTE: The access point to/from Creedmoor Road shall be shared with the contiguous tract to the north (Deed Book 12794; Page 1199; WAKE PIN: 0796-43-6000) of 2.17 acres, more or less.
- f. Any access driveway into Creedmoor Road will be located at the existing median opening from the Marriott Drive-Creedmoor Road intersection.
- g. The eastern edge of pavement for the access driveway onto Glenwood Avenue will be located at least one hundred and sixty (160) feet west of the intersection point on this parcel of the new right of way of Creedmoor Road per subdivision S-73-92 and the right of way line of Glenwood Avenue. The western edge of pavement for said driveway will be located at least forty (40') feet from the common corner for this lot and parcel (Deed Book 10372; Page 1995; WAKE PIN: 0796.18-42-2327) and the right of way of Glenwood Avenue.
- h. Building height will not exceed thirty-five (35) feet above the grade of the top of the curb along Creedmoor Road, excluding, however, unoccupied entry features such as a parapet which will not exceed on additional seven (7) feet (maximum entry features height = 42 feet) measured as herein provided. Said height to be calculated by determining the point on the building that is perpendicular to the selected point on the curb line and comparing the height of the building, including any parapet or screen situated above the roof, to the elevation of the point on the curb. Elevations are to be determined based upon standard surveying practices for calculating elevation above mean sea level. If the City Code applies a more stringent requirement, then the Code Standard shall apply.
- i. Trees installed in the parking areas shall have a circumference of 9 and 3/8 inches (9 3/8.' minimum) measured one half-foot above ground level.
- j. As a part of the Site Plan approval for any permitted use on this property, a Site Lighting Plan will be submitted confirming the site area lighting will not create sustained illumination in excess of three-tenths (0.3) foot candles at any point along the common boundary of this tract and the following adjacent Wake County Tax parcels:
Deed Book 10372; Page 1995; WAKE PIN: 0796.18 42 2327 (Camp)
Deed Book 12633; Page 0124; WAKE PIN: 0796.14 42 2767 (Wrenn)
Deed Book 03301; Page 0871; WAKE PIN: 0796.14 42 2577 (Alston)
Deed Book 08208; Page 2277; WAKE PIN: 0796.14 42 3923 (Smith)
- Area light poles shall not exceed 12 feet in height when located in protective yard areas and 20 feet in height in all other areas. Area light poles may encroach not more than 5 feet into the protective yard along the western boundary lines. No exposed bulbs shall be utilized and Shoebox type or other methods of shielding may be utilized to achieve the illumination standard specified herein.
- k. Loading and Service areas including dumpster/compactor facilities will be located within four sided enclosures with exterior finishes that complement the exterior finishes of the building(s). These enclosures will be positioned within the building envelopes as set forth in Condition I above and dumpster/compactor facilities shall be located within one hundred and thirty feet (130') of the right of way of Creedmoor Road. The enclosures walls will be at least 8 feet tall and will be gated in order to enclose

completely said loading and service areas. Pick up and delivery servicing, including trash collection, will be limited to occur between the hours of 8:00 a.m. and 9:00 p.m. Monday through Friday and 9:00 a.m. and 9:00 p.m. on Saturday and Sunday.

I. A protective yard will be provided along the common boundary of the subject parcel (0796.14-42-5860) and the following adjacent Wake County tax parcels:

- Deed Book 10372; Page 1995; WAKE PIN: 0796.18 42 2327 (Camp)
- Deed Book 08208; Page 2277; WAKE PIN: 0796.14 42 3923 (Smith)
- Deed Book 03301; Page 0871; WAKE PIN: 0796.14 42 2577 (Alston)
- Deed Book 12633; Page; WAKE PIN 0124: 0796.14 42 2767 (Wrenn)

This buffer will consist of the following elements:

1. An overall width of forty (40') feet into the subject parcel measured per perpendicularity from the property line.
2. The thirty-one foot (31') foot portion of the buffer immediately contiguous with the property line (the thirty-one foot section) shall be designated as a Natural Protective Yard (per COR definition), and if accepted by the City (upon the applicant demonstrating minimum basal density, per Raleigh code standard), the area shall be recorded as Primary Tree Conservation Area. This Natural Protective Yard shall be located outside of the existing fence, approximately one foot (1') off the western boundary property line referenced above, and remain completely undisturbed (no grading) except for the replacement of required trees and shrubs to meet a portion of the transitional protective yard planting standards as required by the City's Landscape Ordinance and allowing for removal of dead, diseased or damaged materials that pose safety hazard; and except for repair of an existing six (6') foot chain link fence. Any and all work, including the pruning or removal of any tree, conducted within the Natural Protective Yard portion of the buffer shall require prior approval and permit from the City of Raleigh Forestry Specialist. Replacement plantings shall, at minimum, adhere to the following: be located outside of established critical root zone of existing trees, or if necessary to be within a critical root zone, provide a mitigation plan prepared by a registered arborist or other qualified professional designated by the City of Raleigh and such plan approved by a City of Raleigh Forestry Specialist prior to any disturbance.
3. The remaining ten (10') feet (a ten-foot section) may be graded or possess: retaining walls as needed to make proper grade transitions for slope stabilization between the finished site grades and the undisturbed buffer section; utility services; tree and shrub plantings along with walls and fences to complete the required transitional protective yard standard as required by the City's Landscape Ordinance; and site lighting fixtures per Condition "j" cited above.
4. A "super buffer" area will be provided as follows: the super buffer will extend one hundred and sixty (160') feet south of the center line of the entrance drive from Creedmoor Road. Within this overall length of 160 feet, the buffer will be eighty (80') feet wide measured perpendicularity into the subject site. Within this eighty foot area, the first thirty one (31') feet from the property line will remain undisturbed per item (l)(2) above. However, every effort will be made to permit the maximum achievable amount of the ten-foot area as set out in item (l)(3) above to also remain undisturbed with the exceptions noted in both (l)(2) and (l)(3) above. For the remaining forty (40) foot portion, a detailed Landscaping Plan will be provided at the time of site plan approval illustrating the creation of a densely landscaped area of evergreen plantings, within which a pedestrian sidewalk may be located along the curb.

An additional eighteen (18) foot wide area (for a total super buffer of 98 feet) will be added to the eighty foot area. It will extend forty-five (45) feet on the north side of the center line of the entrance driveway from Creedmoor Road. This additional area that will create the terminus of the entranced drive will be densely planted with large evergreen trees and shrubs as specified below in item (l)(5) to create an opaque screen within this eighteen (18) feet wide area immediately adjacent to the driveway and may also include a pedestrian sidewalk along the curb.

A detailed planting plan and grading plan for this super buffer illustrating the intensive evergreen plantings and the maximum portions of the super buffer to be retained in an undisturbed state will be submitted to the City as a part of the site plan approval package and at the same time to the adjacent property owners of parcels noted in this condition.

5. The following plant materials and sizes of materials shall be used for the purpose of meeting the transitional protective yard planting standards:

Only evergreen shrubs will be used such as Julienne Barberry, Glossy Elea gnus, Pyracantha or comparable thorn bearing shrubs approved by the City Landscape Inspector within the initial forty (40) foot wide buffer area. Within the remaining fifty-eight (58) foot super buffer area (l) other ornamental shrubs may be used.

Only evergreen trees providing dense foliage from ground level up such as magnolia or comparable species approved by the City Landscape Inspector will be used.

Shrubs shall at time of installation be a minimum size of 2 and 1/2 feet tall in height. Trees shall be a minimum of 3 inches (3") in caliper (diameter) or 9 and 3/8 inches (9 3/8") in circumference, measured one-half foot above ground level and shall have a height of 8-10 feet.

m. All HVAC, related mechanical equipment and transformers will be located within enclosures consisting of side screening materials.

n. Retail facilities developed on this site will be limited to one (1) occupied level; however, mezzanine space shall be allowed.

o. Hours of operation (defined as being those hours between which businesses may be open to the public) shall be limited as follows:

1. Retail business (es) located on the subject property shall be limited to the hours between 9:00 AM and 11:00 PM Monday through Saturday; and 9:00 AM to 9:00 PM on Sunday.
2. All other non-retail business (es) shall be limited to the hours between 8 AM and 8 PM Monday through Saturday; and not open to the public on Sunday.

p. Signs placed on any building that may be viewed from any point along the common boundary with parcels:

Deed Book 01868; Page 0220; WAKE PIN: 0796.14 43 3168
Deed Book 02920; Page 0440; WAKE PIN: 0796.14 43 3044
Deed Book 12633; Page; WAKE PIN 0124: 0796.14 42 2767
Deed Book 03301; Page 0871; WAKE PIN: 0796.14 42 2577
Deed Book 08208; Page 2277; WAKE PIN: 0796.14 42 3923

shall meet the following criteria:

1. Be painted or otherwise affixed to windows and be illuminated only as a result of indirect lighting;
2. Be affixed under a canopy or portico and meet the requirements of the City Code for such signage;
3. Be a wall sign of size and area meeting the City Code that has no exposed neon elements and consists of self illuminated letters or works with translucent cover(s) which appear white mounted on the building wall and/or illuminated by means of indirect lighting either placed behind the sign as to silhouette the letters or words or from lights mounted in front of the sign and directed to shine upon the sign. Regardless of which lighting measures are employed, the source lights will be turned off by 11:15 pm.
These same criteria shall apply to any sign visible from any point along the common boundary of parcel (Deed Book 10372; Page 1995; WAKE PIN: 0796.18 42 2327; Camp) except for the first seventy-five (75) feet of said line off of the right of way of Glenwood Avenue. Neon signage will not be used either on the building V or inside windows where it could be viewed from any point along the common boundary with the adjacent parcels as stated herein.

q. No equipment for the amplification of sound shall be used outside the building(s) nor shall amplified sound associated with business operations within the building(s) be audible by the human ear at any point upon tax parcels:

- Deed Book 10372; Page 1995; WAKE PIN: 0796.18 42 2327 (Camp) Deed
- Book 08208; Page 2277; WAKE PIN: 0796.14 42 3923 (Smith)
- Deed Book 03301; Page 0871; WAKE PIN: 0796.14 42 2577 (Alston)
- Deed Book 02920; Page 0440; WAKE PIN: 0796.14 43 3044 (Weddington)
- Deed Book 12633; Page 0124; WAKE PIN: 0796.14 42 2767 (Wrenn) Deed
- Book 01868; Page 0220; WAKE PIN: 0796.14 43 3168 (Cate)

r. The exterior building treatment shall be a blend of Classical Styling to relate to Crabtree Valley Mall, and modern materials. Modern materials include but are not limited to items such as: drivet, pre-cast concrete, smooth stucco, stone, brick, etc. Architecturally the building treatment will consist of: stylized single or double columns: a fascia above the columns; a recessed window-wall below the fascia and behind the columns; and, solid wall areas. Other classical elements such as coins, keystones and crown moldings may also be incorporated. Columns will occur either as paired sets or singles with capital and base elements and create the appearance of an arcade. Glass will be recessed at least twelve (12) inches behind the fascia. The building elevation visible from both Glenwood Avenue and/or Creedmoor Road will be of this treatment.

s. Prior to the issuance by the City of a Certificate of Occupancy for any building(s) constructed upon this tract, there shall be constructed within the protective yard required by condition (l) (2) and along the common boundaries of the Wake County tax parcels specified in condition (l) whose owners request same by written request to Petitioner prior to issuance of said Certificate(s) of Occupancy, a chain link fence six (6') feet in height, which shall thereafter be maintained by Petitioner and its successors.

SETBACKS / HEIGHT:

This plan conforms to all minimum setback standards. Front yard = 20' new building, 390' existing building; rear yard = 580' new building, 80' new building; front / rear aggregate = 470' new building, 600' existing building; side yard = 80' new building, 2' existing building; side yard aggregate = 187' new building, 102' existing building. This plan conforms to maximum height standards in this zoning district. Proposed height of the building is both buildings 24'.

PARKING:

Off-street parking conforms to minimum requirements: 192 spaces required, based on 1 parking space per 250 square feet of retail floor area gross. 183 spaces are provided. A reduction of 19 off-street parking spaces for landscape planting area is being utilized.

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. 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>
Western Property Line	Type A	40'-100'

TREE CONSERVATION:

Total tree conservation is comprised of primary tree conservation area in a 30' wide undisturbed natural protective yard, 0.48 acres equal to 10.19% of the 4.71 (gross parcel) acre site.

DEVELOPMENT INTENSITY: There is no maximum floor area ratio (FAR) or building lot coverage maximums in the Shopping Center District.

PHASING: There is one phase in this development.

UNITY OF DEVELOPMENT: Unity of development and sign criteria are required in this development. A unity of development plan must be approved by the Planning Director prior to the issuance of any permits on these lots. Sign criteria are to be approved by the Inspections Department prior to permit issuance.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

THOROUGHFARE / COLLECTOR PLAN:

Dedication of right-of-way and construction of the following streets are required by the Thoroughfare and Collector Street Plan:

<u>Street</u>	<u>ROW</u>	<u>Construct</u>	<u>Slope Esmt.</u>
Creedmoor Rd.	15' intersection radius	N/A	N/A
Glenwood Ave.	N/A	5' sidewalk	N/A

The sidewalk construction identified on Glenwood Avenue is the accessible connection between the site parking lot and the sidewalk adjacent to the roadway on Glenwood Avenue. A handrail will not be required within the right-of-way. Any future site plans or subdivision plans on this parcel will require additional right-of-way and slope easement dedication at that time as determined by the classification of Creedmoor Road.

TRANSIT: This site is served by Capital Area Transit Route 6, but a transit easement is not required on this site.

URBAN FORM: This site is located in the Northwest Citizen Advisory Council.

- LU 7.4 Scale and Design of New Commercial Uses
New uses within commercial districts should be developed at a height, mass, scale, and design that is appropriate and compatible with surrounding areas.
- LU 7.6 Pedestrian Friendly Development
New commercial developments and redeveloped commercial areas should be pedestrian-friendly.

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. To soften the visual impact of the unglazed western façade (facing the Brookhaven neighborhood), install evergreen screen plantings, complementarily aligned with vertical breaks in the brick pattern [commensurate with Code Sec. 10-2132.2(d) (4)].	Additional evergreen plantings in the requested areas have been provided on the updated (2011-05-06) Landscape Plan; we have also proposed some additional ornamental plantings (“Knock-Out” Rose) in front of the building (Glenwood Avenue elevation) to reinforce the design intent of the pedestrian connection to the public sidewalk in Glenwood Avenue right-of-way.
2. The committee recommends that greater effort be made to create a building more attune to the prominence of the site location. At the least, details found on the other site building (e.g., clerestory windows above storefront glazing, color/ texture of accent wall materials) should be incorporated into the proposed building’s design [commensurate with Code Sec. 10-2132.2(d) (2) & (6)].	<ul style="list-style-type: none"> • The glass storefronts facing both Creedmoor Road and Glenwood Avenue have been set further behind the engaged columns, and the columns made more substantial in depth to increase architectural detail. • A pedestrian door has been added to the Glenwood Avenue (south) elevation. • The area of parapet wall above the storefront will incorporate wall signage.

**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: No street improvements will be required at this time.

PEDESTRIAN: The existing sidewalk along Creedmoor Road is outside the existing right-of-way and requires recordation of a sidewalk easement. Sidewalk along Glenwood Avenue conforms to City regulations. A private sidewalk connects the proposed building to the public sidewalk on Glenwood Avenue and Creedmoor Road.

FLOOD HAZARD: There are no flood hazard areas on this site.

**STORMWATER
MANAGEMENT:**

This site is subject to stormwater quality and quantity control requirements of City Code Part 10 Chapter 9. Runoff control is being met by exercising the exemption provided by code section 10-9023 (b)(1); the increase in peak stormwater runoff between the pre-development and post-development conditions for the 2 and 10 yr storms is 10% or less at each point of discharge. Nitrogen reduction is being met by exercising the exemption provided by code section 10-9021 (6); substitution of impervious surfaces. This project is proposing a net decrease of impervious areas.

**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.