



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-35-15 / Poole Road & South New Hope Road

General Location: The northwestern quadrant of the intersection of Poole Road and South New Hope Road.

Owner: Ammons East Corporation, Justin Ammons
Designer: Kimley-Horn and Associates, Inc, Richard Brown

CAC: Southeast

Nature of Case: The construction of a two building shopping center with an accessory fuel station, all on separate lots totaling 59,101 square feet of retail, The property is zoned Shopping Center (SC), and Industrial-1 (I -1).

Building A (retail) - 43,101 sq. ft.
Building B (retail) - 16,000 sq. ft.
& Accessory fuel station

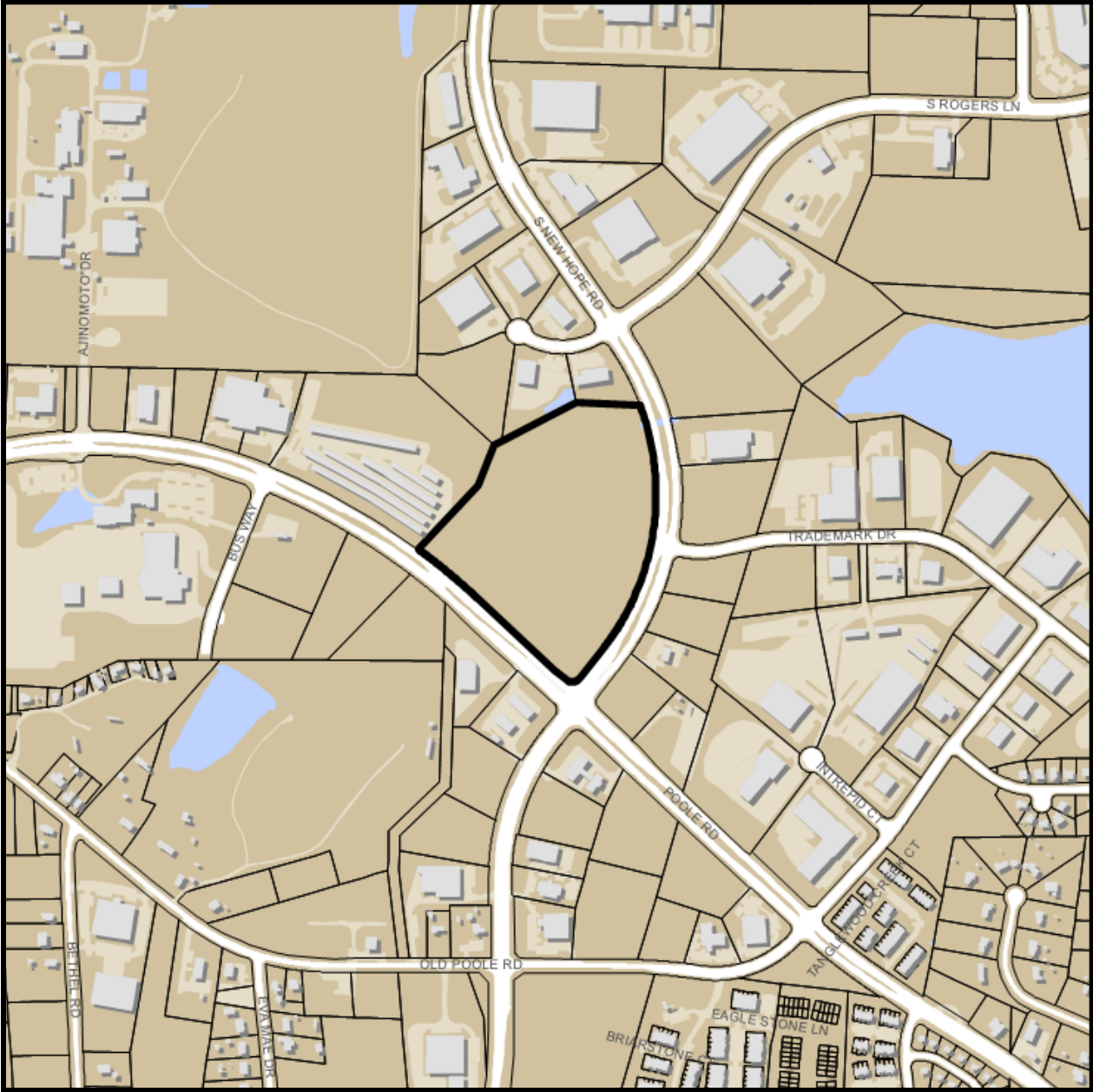
Key Issues: As presented, staff finds that this plan conforms to Code standards and adopted land use policies.

Contact: Richard Brown/Kimley-Horn and Associates, Inc,

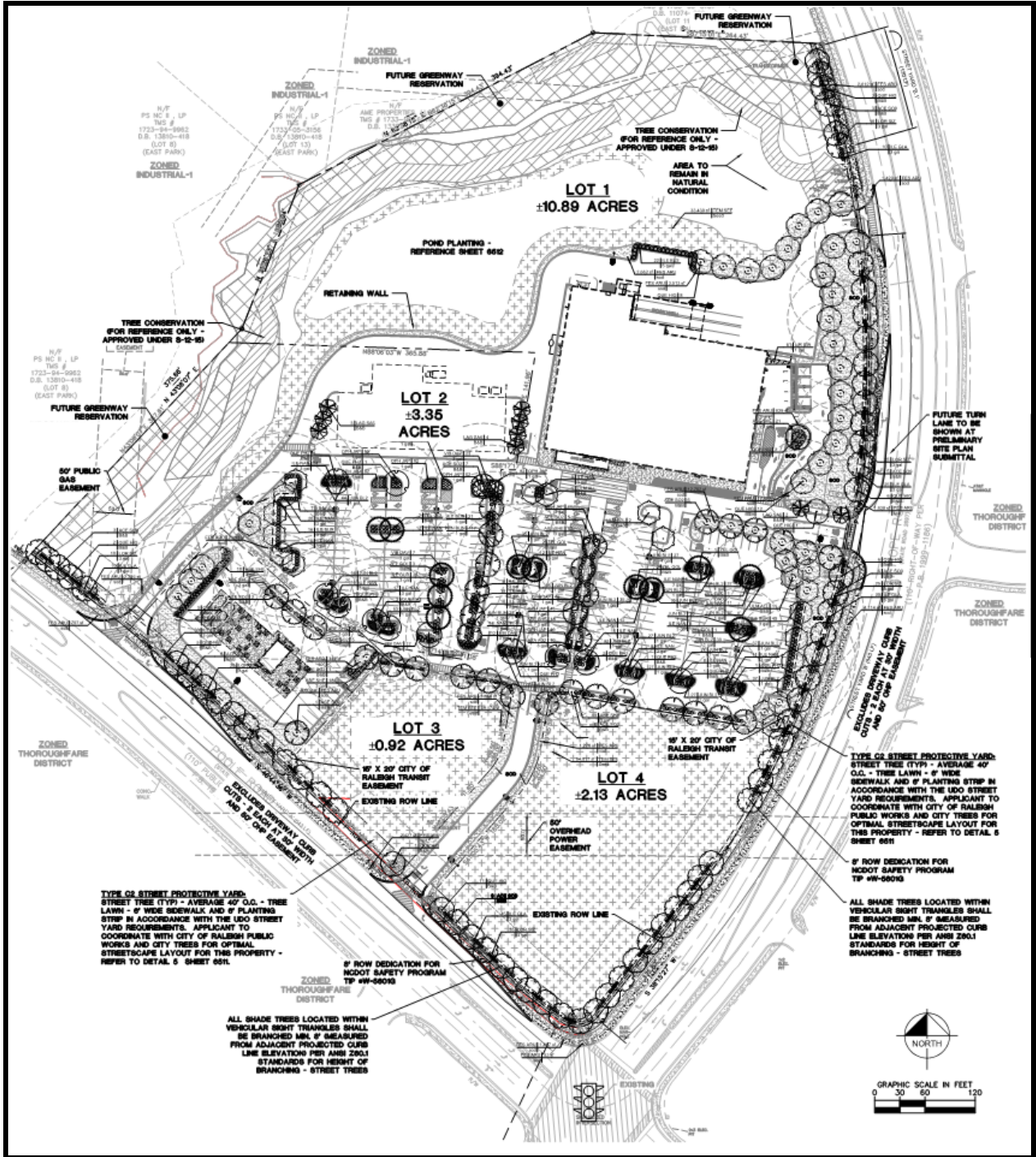
Design Adjustment: One Design Adjustment has been approved by the Public Works Director for this project, noted below.

- 1. A Design Adjustment was approved by the Interim Public Works Director from not meeting 8.3.2.A – Block Perimeters

Administrative Alternate: NA



Location Map – 4401 Poole Road



Preliminary Site Plan



Public Works Design Adjustment – Staff Response


Per Section 10.2.18.C of the Unified Development Ordinance, the Public Works Director may consult with the heads of other City departments regarding the review of the request. The Public Works Director may approve, approve with conditions or deny the request, but must do so within 60 days of the receipt of a completed application. Additional time may be necessary if a municipal or state entity is incorporated in the review process or if a detailed engineering study is submitted in conjunction with the request.

| | | | | |
|---------|--------------|------------------------------------|-------------------------------------|-----------|
| Project | Project Name | Poole Road and South New Hope Road | Date Completed Application Received | 11/9/2015 |
| | Case Number | SP-35-2015 | Transaction Number | 433996 |

| | | | |
|-------------------------------|--|---------------------|---|
| Staff Response/Recommendation | Staff Supports the design adjustment request for relief from the block perimeter standards due to existing development, topographic concerns, and environmental restraints that do not allow an additional public street connection. | | |
| | Staff Member | Kenneth Ritchie, PE | Support Request <input checked="" type="checkbox"/> |

Public Works Director's Action:

Approve
 Approval with Conditions
 Deny


11/10/15

Richard L. Kelly, Interim Public Works Director Date

*The Public Works Director may also authorize a designee to sign in his stead. Please print name and title next to signature.

| | |
|-------------------------|--|
| Conditions for Approval | |
|-------------------------|--|

Appeal of the decision from the Public Works Director shall be made in writing within 30 days to the Board of Adjustment (see Section 10.2.18.C3b).

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Design Adjustment- Block Perimeter

SUBJECT: SP-35-15 / Poole Road & South New Hope Road

CROSS-REFERENCE: S-12-15, Transaction # 433996

LOCATION: The site is located on the northwest quadrant of Poole Road and New Hope Road, inside the city limits

PIN: 1733047524

REQUEST: This request is to approve a two building shopping center with an accessory fuel station, all on 4 separate lots totaling 17.29 acres with 59,101 square feet of retail. The site is zoned Shopping Center (SC), and Industrial-1 (I -1). This retail development (Shopping Center) is less than 130,000 square feet and is located within 400 feet of a residential use or zone. [10-2132 (b) (1) (b)] This request is in association with case S-12-15, which is the associated subdivision (lots 1-4) of this parcel. The preliminary subdivision plan has been approved and the appeal period for this preliminary subdivision (S-12-15) ended August 19, 2015. The subdivision plat for S-12-15 has yet to be recorded and the recordation of which is a condition of approval of this preliminary plan. Construction on those lots not included in this site plan will require separate review and approval.

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 10-2041, 10-2046, 10-2124 and 10-2132.2, Part 10A (Unified Development Ordinance) Articles 8, and 9. This approval is based on a preliminary plan dated 06/15/15, owned by Ammons East Corporation, submitted by Kimley-Horn and Associates, Inc. / Richard Brown.

ADDITIONAL NOTES: This plan was submitted to the City of Raleigh after September 1, 2013. This preliminary site plan was reviewed in association with S-12-15, which is the associated subdivision (lots 1-4) of this parcel. The preliminary subdivision plan has trade approval and the appeal period for the approval of this preliminary subdivision (S-12-15) ended August 19, 2015. The subdivision plat for S-12-15 has yet to be recorded and the recordation of which is a condition of approval of this preliminary plan.

VARIANCES / ALTERNATES: NA

To PC: November 10, 2015

Case History: xxxxx

Staff Coordinator: Michael Walters

Motion: Terando
Second: Alcine
In Favor: Alcine, Braun, Buxton, Fluhrer, Hicks, Schuster, Terando and Whitsett
Opposed: xxxxx

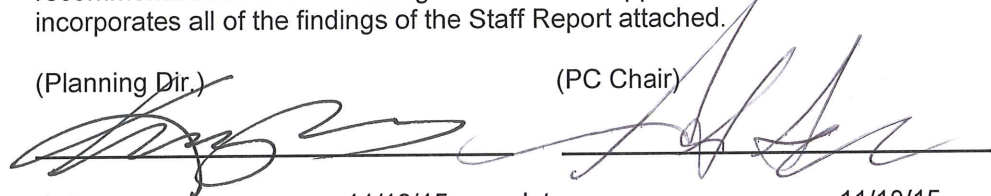
Excused: xxxxx

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: _____ 11/10/15 date: _____ 11/10/15



Staff Report

RECOMMENDED ACTION: Approval with Conditions

CONDITIONS OF APPROVAL: Planning Commission Actions:

- (1) That the Planning Commission finds that the site plan meets the standards of approval of code section 10-2132 (b) (1) b, and 10-2132.2 (d)

Administrative Actions:

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

- (2) That construction plans for the shared stormwater devices be submitted and approved by the Public Works Department;
- (3) That the greenway easement reservation as shown on subdivision plan be recorded in the Wake County Register of Deeds and a copy of the recorded map be returned to the City;
- (4) That a sidewalk connection is shown adjoining the 6' wide sidewalk adjacent to Poole Road, to the proposed Transit easement also along Poole Road;
- (5) That five bike racks for bicycle parking are shown on the site plan at, or adjacent to, the front of the main retail building;
- (6) That if the proposed public improvements are not installed and inspected by the city to be accepted for maintenance, a surety in the amount of 125% of the cost of construction for the 6' sidewalk and streetscape trees installed on both Poole Road, and New hope Road is to be paid to the Public Works Department in accordance with code section 8.1.3 of the UDO;

Prior to issuance of building permits:

- (7) That all conditions of S- 12 -15 (AA 3283) are met;
- (8) That sign criteria is approved by the Development Services Department for the multi-tenant building;
- (9) That the applicant provide proof of an offsite parking lease, agreement or easement within 800 feet of entrance of this site plan building for customer parking and within 1,200 feet for employee parking to fulfill the required parking, and the applicant shall sign agree in writing to provide the required

off-street parking as long as the principal use shall continue and shall agree that the principal use shall be discontinued should the required off-street parking no longer be provided on these off-site parcels or their equivalent as required by section 10-2081(c) (3) a, last paragraph;

- (10) That a Unity of Development and sign criteria application will be reviewed and approved by the [Development Services](#) Department;
- (11) That sight easements along New Hope Road and Poole Road are to be recorded as per SP-35-2015;

Prior to issuance of a certificate of occupancy for either lot:

- (12) That in accordance with Part 10A Section 9.2.2, an as-built plan and certification any stormwater control device shall be reviewed and approved by the City prior to final stormwater inspection approval or certificate;
- (13) All public improvements have been constructed and accepted by NCDOT and the City or a surety for remaining improvements has been provided to NCDOT and the City.

ZONING:

ZONING DISTRICTS: Shopping Center District (SC), and Industrial-1 (Ind-1). This plan was submitted to the City of Raleigh after September 1, 2013.

SETBACKS / HEIGHT: This plan conforms to all minimum setback standards of the Shopping Center District. All proposed buildings are located within the Shopping Center (SC) zoning district. Building A - Front yard = 128', rear yard = 30', front / rear aggregate = 158', side yard = 302', and 280' side yard aggregate = 582'. Building B - Front yard = 148', rear yard = 20', front / rear aggregate = 168', side yard = 20' and 137', side yard aggregate = 157'. Fuel Service Building - Front yard = 75', rear yard = 60', front / rear aggregate = 135', side yard = 60' and 60', side yard aggregate = 120'. This plan conforms to maximum height standards in this zoning district. Proposed height of the building A is 24', Building B is 24', Fuel Service Building is 12'.

PARKING: Off-street parking conforms to minimum requirements: 236 spaces required, based on one parking space per 250 square foot of floor area gross; 270 spaces are provided. The drive thru requires three space stacking, five stacked spaces are provided. The parking requirement is met via an offsite parking lease, agreement or easement, that is, within 800 feet of entrance of this site plan building for customer parking and within 1,200 feet for employee parking to fulfill the required parking. A cross access easement is required prior to recordation of the associated preliminary subdivision (S-12-15).

LANDSCAPING: Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. The uses within this shopping center are all of medium impact as per Section 10-2082.9. Transitional protective yards are not required since parcels to the north and the west are both high impact as per 10-2082.9.

**TREE
 CONSERVATION:**

This project is larger than two acres and compliance with UDO Article 9.1. Tree Conservation is required. The project provides 0.57 acres of tree conservation area which is 3.40% of the net site acreage. Only 3.40 % of the site met the minimum standards to qualify as a tree conservation area. Tree conservation areas as required and shown will be recorded via the associated preliminary subdivision plan (S-12-15).

Tree conservation acreage is as follows:
 Primary: 0.57 acres
 Secondary: 0.00 acres

OPEN SPACE: NA

**DEVELOPMENT
 INTENSITY:**

There are no floor area ratios (FAR) or building lot coverage restrictions in the Shopping Center Zoning District.

PHASING: There is one phase in this development.

**UNITY OF
 DEVELOPMENT:**

Unity of Development and sign criteria are required in this development. An application will be submitted and approved by the Planning Department prior to Building permit issuance.

**COMPREHENSIVE
 PLAN:**

GREENWAY: There is greenway on this site. A greenway easement reservation is shown on the proposed preliminary site plan.

**STREET
 PLAN MAP:**

Dedication of right-of-way of the following streets is required by the Street Plan Map of the Comprehensive Plan and was required by S-12-15 as condition(s) of approval.

| Street Name | Designation | Exist R/W | Required R/W | Existing street (b to b) | Proposed street (b to b) |
|---------------|------------------------|-----------|--------------|--------------------------|--------------------------|
| Poole Road | Avenue, 6-lane divided | 110' | ½-126' | ½-83' | ½-98' |
| New Hope Road | Avenue, 4-lane divided | 110' | ½-104' | ½-82' | ½-76' |

Existing streets on the site are classified as Avenue, 6-lane divided (Poole Road), and Avenue, 4-lane divided (New Hope Road).

A cross access agreement between lots 1, 2, 3, & 4 will be recorded in the Wake County Registry, in association with previously approved S-12-15. Existing environmental issues, flood and riparian areas, and existing topography prevent cross access to adjacent parcels to the north and the west.

½-126' of the required right-of-way along Poole Road and a 20' slope easement will be dedicated to the City of Raleigh in association with previously approved S-12-15.

½-104' of the required right-of-way along New Hope Road and a 20' slope easement be dedicated to the City of Raleigh in association with previously approved S-12-15.

TRANSIT: City transit easements measuring twenty feet (20') long by fifteen feet (15') wide, adjacent to the public right-of-ways of both Poole Road and New Hope Road are shown on the associated preliminary subdivision plan (S-12-15) and incorporated into the proposed preliminary site plan. These transit easements support bus stops for current and future transit services in the area. The City of Raleigh Transit Division has requested an access agreement through the site.

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

HISTORIC / DISTRICTS: NA

APPEARANCE COMMISSION: The Appearance Commission has made the following comments on this preliminary plan. Shown below are comments and applicant responses:

| Comment | Response |
|--|--|
| <ul style="list-style-type: none"> The Commission suggests a more durable approach the finish of the split face masonry front façade, perhaps through the use of a three color CMU block. | <p>The proposed project is a multi-tenant retail development. The Anchor Grocery Store and associated retail spaces are leased units. As it is our experience, Retail Tenants have established brand identities that they may wish to incorporate into the appearance of the building. The painted split face masonry units provide prospective tenants a cost effective canvas for maintaining their established brand.</p> |
| <ul style="list-style-type: none"> The Commission suggests the addition of planters at the base of the commercial buildings | <p>We have incorporated planters at the Anchor Grocery Store. At the adjacent retail shops, due to site constraints, two smaller planters will be integrated into the design.</p> |
| <ul style="list-style-type: none"> The Commission suggests the addition of windows or additional façade articulation to the elevation facing New Hope Road. | <p>Additional architectural articulation and spandrel windows have been incorporated on the elevation facing New Hope Road.</p> |
| <ul style="list-style-type: none"> The Commission suggests that the mullions and cornice on all three buildings match. | <p>The cornice and mullions for all three buildings will be matched accordingly.</p> |
| <ul style="list-style-type: none"> The Commission suggests the inclusion of tree plantings or landscaping in the sidewalk area | <p>Trees have been added to the East and West of the retail building.</p> |

to the east and west of the retail building as shown in the rendering.

- The Commission suggests the expansion of the tree planting palette in the parking lot, in an effort to mark entrances, and add order to the site circulation.
- The tree planting pallet in the parking lot has been expanded to include Japanese Zelkovas.

SUBDIVISION STANDARDS:

LOT LAYOUT: The minimum lot size in Shopping Center zoning district is 5000 sq. 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 installation of all lines necessary to provide service to this site.

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

BLOCKS / LOTS / ACCESS: A Design Adjustment was approved by the Interim Public Works Director from not meeting 8.3.2.A – Block Perimeters, all due to existing development, topographical concerns, and environmental constraints.

Interior cross access between lots 1, 2, 3 and 4, is provided by a condition of approval of the associated subdivision (S-12-15). Existing environmental issues, flood and riparian areas, and existing topography prevent cross access to adjacent parcels to the north and west. A fee for street signs is required in accordance with the Raleigh Street Design Manual. (See S-12-15, AA #3283)

STREETSCAPE TYPE: The applicable streetscape is a Commercial Streetscape. Type C2 protective street yards are proposed along both New Hope Road and Poole Road. Both Poole and New Hope Road(s) are NCDOT facilities, and an alternative streetscape is allowed. In such cases (8.5.1 d 4) is met in the form of a C2 Protective Street Yard.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. 6' sidewalk is proposed, following turning lane additions, as requested by NC Dept. of Transportation along both New Hope Road and Poole Road, as reviewed and approved via the associated subdivision (S-12-15).

FLOOD HAZARD: There are flood hazard areas on this site. No development is proposed within these areas.

**STORMWATER
MANAGEMENT:**

This site is subject to stormwater management controls in accordance with Article 9 Section 2 of the UDO. Proposed shared stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual. That in accordance with Part 10A Section 9.2.2, an as-built plan and certification any stormwater control device shall be reviewed and approved by the city prior to final stormwater inspection approval or certificate under review and approval of the associated subdivision (S-12-15).

**WETLANDS
/ RIPARIAN
BUFFERS:**

Neuse River riparian buffers are located on this site. The plan proposes to disturb a designated riparian buffer, the North Carolina Division of Water Quality shall approve the disturbance of the riparian buffer before any grading or approval of construction drawings.

**OTHER
REGULATIONS:**

Developer shall meet all other applicable City requirements of Code Part 10 and 10A (Unified Development Ordinance).