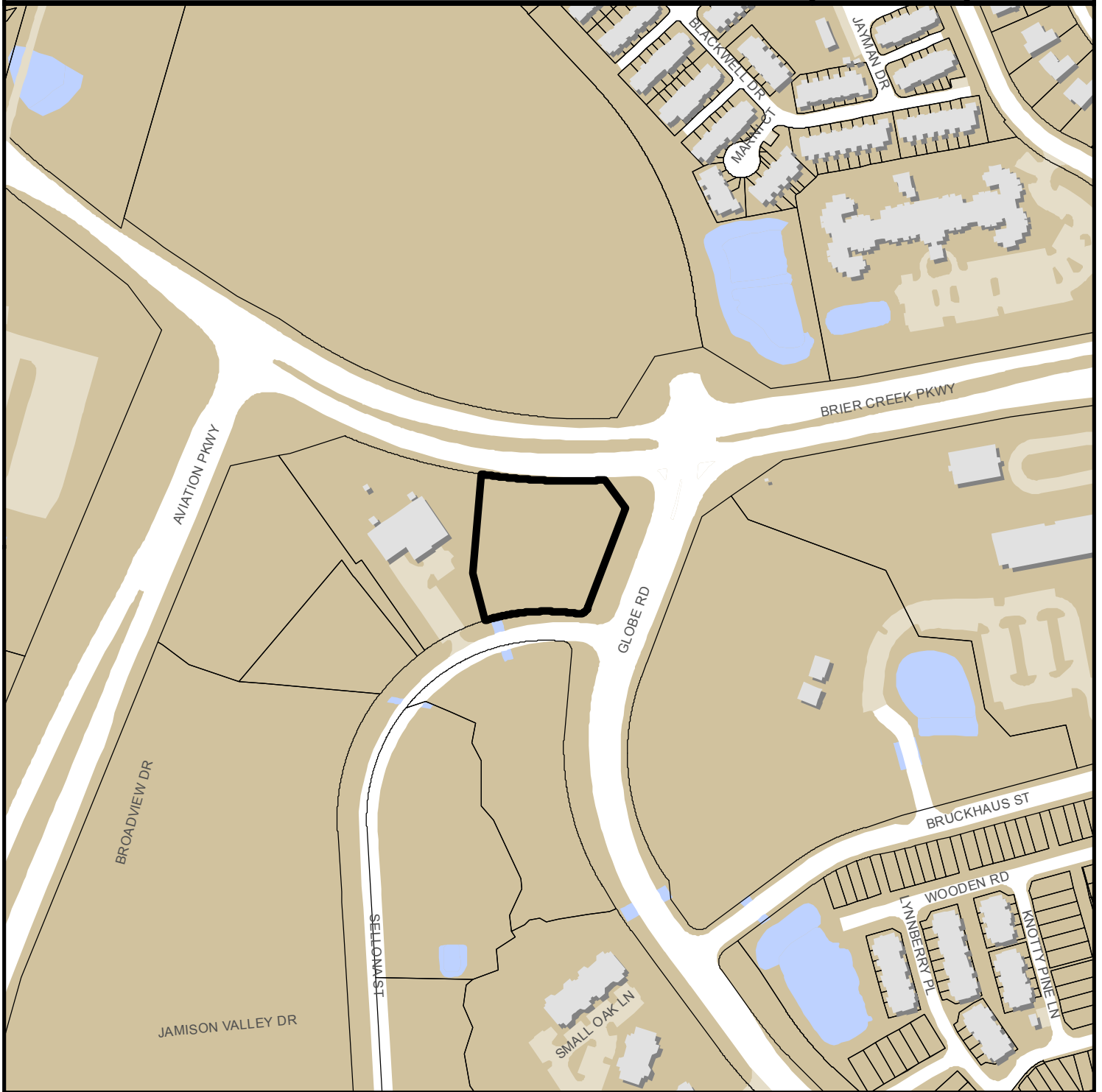


# HANDEE HUGOS #98 SP-72-2015



0 300 600 Feet

Zoning: **TD CUD**  
CAC: **Northwest**  
Drainage Basin: **Little Briar**  
Acreage: **1.71**  
Square Feet: **4,750**

Planner: **Meade Bradshaw**  
Phone: **(919) 996-2664**  
Applicant: **Stan Wingo**  
Phone: **(919) 848-6121**





# 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-72-15 / Handee Hugo's #98

**General Location:** On Globe Road between Aviation Parkway and Brier Creek Parkway.

**Owner:** Bunn Brantley Enterprises  
**Designer:** Stan Wingo – Commercial Site Design

**CAC:** Northwest

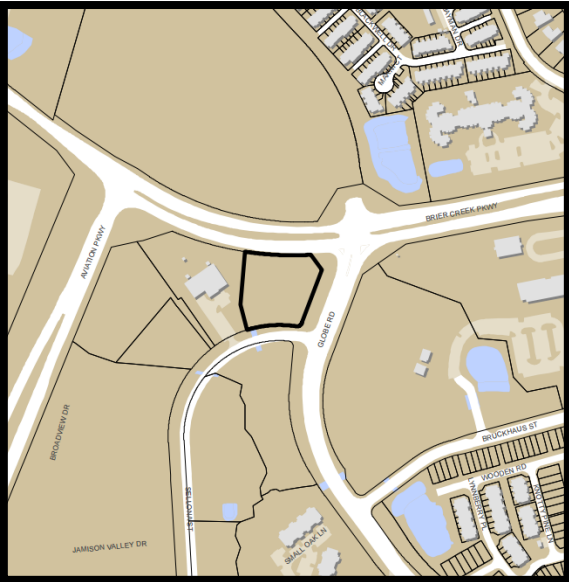
**Nature of Case:** The request is to approve a 4,750 square foot convenience store/eating establishment with 4 gas islands under a canopy located on an 1.71 acre site, zoned Thoroughfare District CUD.

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

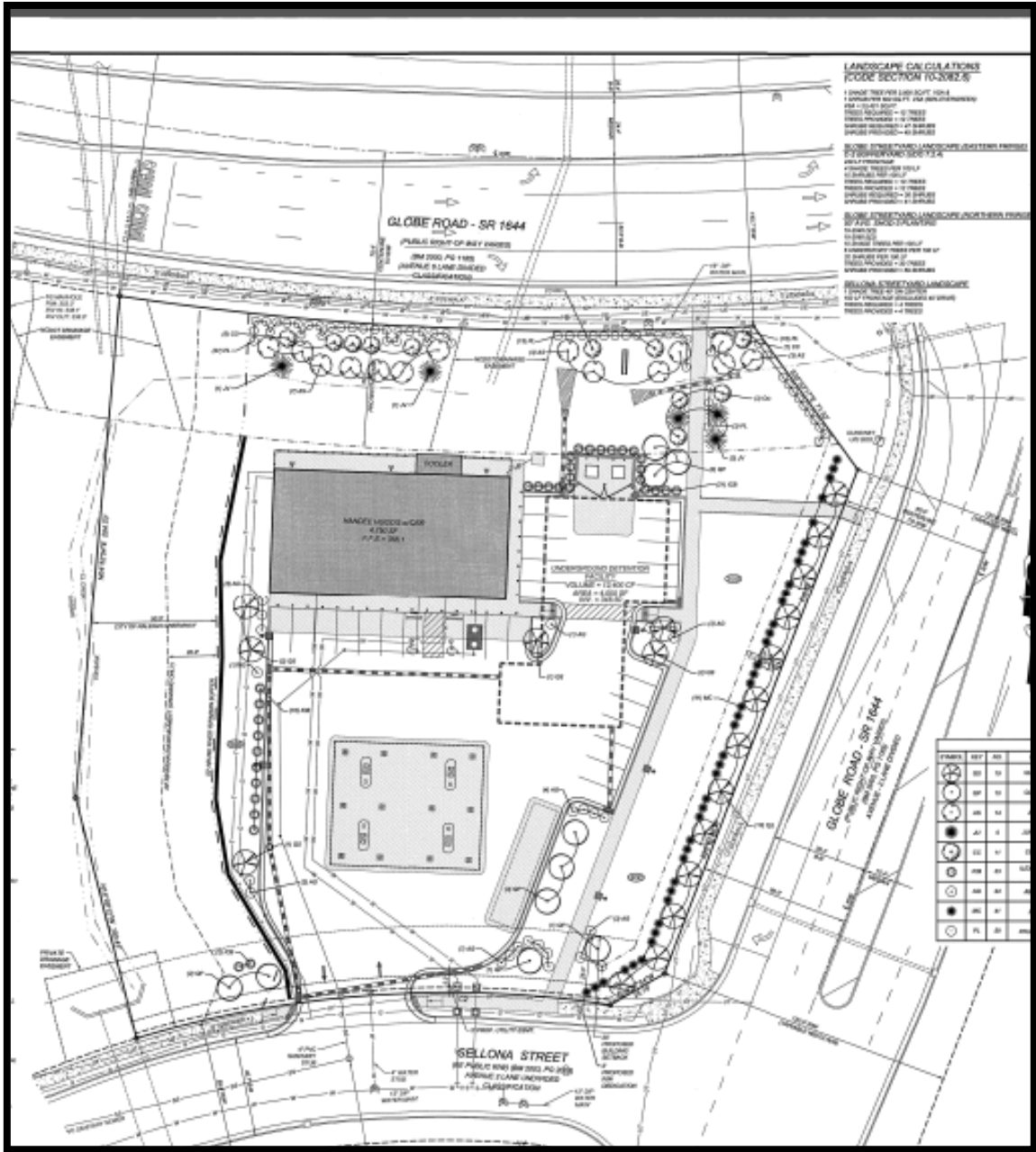
**Design Adjustment:** Two Design Adjustments have been approved by the Public Works Director for this project, noted below.

1. A Design A Design Adjustment was approved by the Interim Public Works Director from not meeting 8.3.2.A – Block Perimeters
2. A Design Adjustment was approved by the Interim Public Works Director from not meeting 8.5.1.G – Streetscape Type

**Administrative Alternate:** N/A



**Location Map**



Site Plan

**SUBJECT:** SP-72-15

**CROSS-REFERENCE:** Z-65-96

**LOCATION:** Located on Globe Road between Aviation Parkway and Brier Creek Parkway, inside the City Limits.

**PIN:** 0758636088

**REQUEST:** The request is to approve a 4,750 square foot convenience store/eating establishment with 4 gas islands under a canopy located on an 1.71 acre site, zoned Thoroughfare District CUD. This site is 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 this request conforms to Part 10, Chapter 2, Sections 10-2045 and 10-2132.2, Part 10A (Unified Development Ordinance) Articles 8, and 9. This approval is based on a preliminary plan dated 12/1/15, owned by Bunn Brantley Enterprises, submitted by Commercial Site Design.

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

**VARIANCES / ALTERNATES:** A Design Adjustment to UDO 8.5.1(G) Streetscape Type was approved by the Public Works Director for frontage along Sellona Street. Street trees will be planted on private property due to the width between the back of curb and sidewalk being 3.5'.

A Design Adjustment to UDO 8.3.2.A - Block Perimeter was approved by the Public Works Director. A public street was not required due to Right-of-ways on the north, south, and east sides of the site and Neuse Riparian Buffer on the west portion of the site.

**To PC:** January 12, 2015

**Case History:** N/A

**Staff Coordinator:** Meade Bradshaw

**Motion:** Lyle

**Second:** Terando

**In Favor:** Alcine, Braun, Fluhner, Hicks, Lyle, Schuster, Swink, Terando, Tomasulo and Whitsett

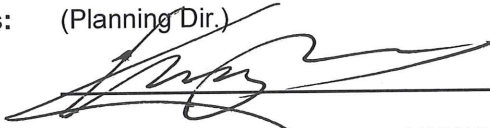
**Opposed:** xxxxx

**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: \_\_\_\_\_ 1/12/16

  
date: \_\_\_\_\_ 1/12/16



## Staff Report

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**RECOMMENDED ACTION:** Approval with Conditions

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**CONDITIONS OF APPROVAL:**

**Planning Commission Actions:**

- (1) That the Planning Commission finds that this site plan meets the standards for approval of Code Section 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 a tree protection fence must be located in the field for the protection of the 50' Neuse Riparian Buffer and the 50' natural protective yard and fence is to be inspected by the Conservation Forester. That a tree removal permit is issued for the grading and tree removal within the natural protective yard which shall not exceed 30%;
- (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 stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved by the Stormwater Engineer in compliance with Part 10A Chapter 9 of the Unified Development Ordinance, including the designation of buffer areas and open space areas for stormwater purposes prior to grading permit approval;
- (5) That nitrogen offset payment must be made to a qualifying mitigation bank prior to the approval of the site final permit. Verification of the amount of payment shall be provided to the City of Raleigh stormwater engineer;
- (6) That flood prone areas, as approved by the City Stormwater Engineer, are shown on the preliminary plan and shall be shown on the recorded map;
- (7) That compliance shall be shown with bulk lot coverage limitations of 50% of the flood fringe on the lot. The approved preliminary plans indicates 46% bulk lot coverage (fill);

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

- (8) That a voluntary 50' Greenway easement be dedicated to the City of Raleigh and be shown on all maps for recording;
- (9) That riparian buffers, in accordance with the preliminary plan and the State of North Carolina regulations, shall be shown on plats for recording along with a note stating "The areas shown on the recorded plat identified as Neuse River Riparian Buffer shall be maintained in their natural or mitigated condition, No person or entity shall fill, grad, excavate, or perform any other land-disturbing activities; nor cut, remove, or harm any vegetation; nor construct any structures nor add any additional impervious surface, nor allow animal grazing or water or any other agricultural use on such protected areas without written authorization from NC Division of Water Quality in accordance with the Riparian Buffer Protection Rules (15A NCAC 2B.0233 or .0259);"
- (10) 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;
- (11) That the developer shall pay to the City a stormwater facility replacement fund payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans;
- (12) That in accordance with Part 10A Section 9.2.2, a surety equal to 125% of the cost of the construction of a stormwater device is paid to the Public Works Department;
- (13) That 2' of right-of-way along Sellona Street is dedicated to the City of Raleigh and a copy of the recorded plat be provided to the City prior to building permit issuance;
- (14) That a fee-in-lieu be paid for 1' sidewalk along Globe Road at Brier Creek Parkway, Globe Road, and Sellona Street;
- (15) That an encroachment agreement from NCDOT for sidewalk improvements within the right-of-way along Globe Road at Brier Creek Parkway will be required;
- (16) That a surety for public improvement construction costs for each frontage will be required at 100% for NCDOT roadways and 125% for Sellona Street prior to building permit issuance; and

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

- (17) That as-built certification for all stormwater control devices as required under UDO Sec. 9.2.2.d.3 shall be provided to the Public Works Department, Stormwater Management Division;

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**ZONING:**

**ZONING DISTRICTS:** Z-65-96 Ordinance 929ZC392 Effective 7/2/96. Thoroughfare Conditional Use District. (Ordinance No. (1996) 929 ZC 392, Z-65-96, effective July 2, 1996). This site is within 'Area D' of zoning conditions applicable to this site. This site complies with the commercial acreage limitations of Area D as per Z-65-96. (Z-65-1996).

**SETBACKS / HEIGHT:** This plan conforms to all minimum setback standards.

Building  
Front yard = 159', rear yard = 50', front / rear aggregate = 209', side yard = 70' & 120', side yard aggregate = 190'. This plan conforms to maximum height standards in this zoning district of 40'. Proposed height of the building is 20'.

Canopy  
Front yard = 65', rear yard = 184', front / rear aggregate = 209', side yard = 70' & 120', side yard aggregate = 190'. This plan conforms to maximum height standards in this zoning district of 40'. Proposed height of the building is 19'8".

**PARKING:** Off-street parking conforms to minimum requirements: 27 spaces required, based on 1 parking space per 35 square feet of floor area for public space (restaurant) and 1 space per 200 square feet of floor gross area (retail sales). 28 spaces are provided.

**LANDSCAPING:** Vehicular surface area landscaping in conformity with Section 10-2082.6 is shown. This is a medium impact use under Section 10-2082.9. Transitional protective yards are not required with is proposal.

**TREE CONSERVATION:** Tree conservation is not required for this development as the parcel is less than two acres in size.

**OPEN SPACE:** Not applicable

**DEVELOPMENT INTENSITY:** Not applicable

**PHASING:** Not applicable.

**UNITY OF DEVELOPMENT:** Not applicable.

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**COMPREHENSIVE PLAN:**

**GREENWAY:** The site is located along the Crabtree Creek Bier Creek Tributary A Greenway. A voluntary dedication of a 50' City of Raleigh Greenway easement is proposed.



**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 Easement
Sellona Street	Avenue, 2-lane undivided	59.8'	1/2-64'	40.7'	N/A	N/A

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

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

**COMPREHENSIVE  
 PLAN:** This site is located in the Northwest Citizen Advisory Council, in an area designated as office & residential mixed use.

**HISTORIC /  
 DISTRICTS:** The site is vacant. 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:

<b>Comment</b>	<b>Response</b>
The Commission suggests modifications to improve the appearance of the Brier Creek Parkway elevation, through the addition of both new plantings, improvement and articulation to the rear elevation.	We revised our elevations to include more brick along the rear façade, three vertical columns. Also added three additional façade features to add depth and architectural detail along that rear façade. Also, additional landscaping was
The Commission suggests an alternate to the Red Maple considering constrained planter size.	Pin Oaks and Red oaks have been substituted for Red Maple
The Commission supports the addition of a sidewalk to Sellona Street.	Sidewalk has been added to provide a connection to Sellona Street.

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**SUBDIVISION  
STANDARDS:**

- LOT LAYOUT:** The minimum lot size in Thoroughfare 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 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.
- BLOCKS / LOTS /  
ACCESS:** A design adjustment was approved by the Public Works Director for not meeting the block perimeter and will not be required to extend a public street through the site based on the constraints of the site by topography with a Capital Area greenway. Access to the site will be from Sellona Street.
- STREETSCAPE  
TYPE:** A design adjustment to allow installation of street trees on private property behind the sidewalk along Sellona Street was approved by the Public Works Director. Per the UDO, all sidewalks should be 6' wide; therefore, fee-in-lieu for 1' of sidewalk is required on Globe Road at Brier Creek Parkway, Globe Road and Sellona Street. Sidewalks conform to city regulations.
- PEDESTRIAN:** A 5' sidewalk exists on all public right-of-way frontages (a 40' gap exists which will be connected). Per the UDO, all sidewalks should be 6' wide and therefore will require a 1' fee-in-lieu on Globe Road at Brier Creek Parkway, Globe Road and Sellona Street.
- FLOOD HAZARD:** There are flood hazard areas on this site
- STORMWATER  
MANAGEMENT:** This site is subject to stormwater management controls in accordance with Chapter 9 of Part 10 of the Raleigh City Code. Proposed stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual. Underground pipe detention is proposed for water quantity regulations and a one-time nitrogen offset payment for water quality regulations.
- WETLANDS  
/ RIPARIAN  
BUFFERS:** Neuse River riparian buffers are required on this site and show no disturbance.
- OTHER  
REGULATIONS:** Developer shall meet all other applicable City requirements of Code Part 10 and 10A (Unified Development Ordinance).

