

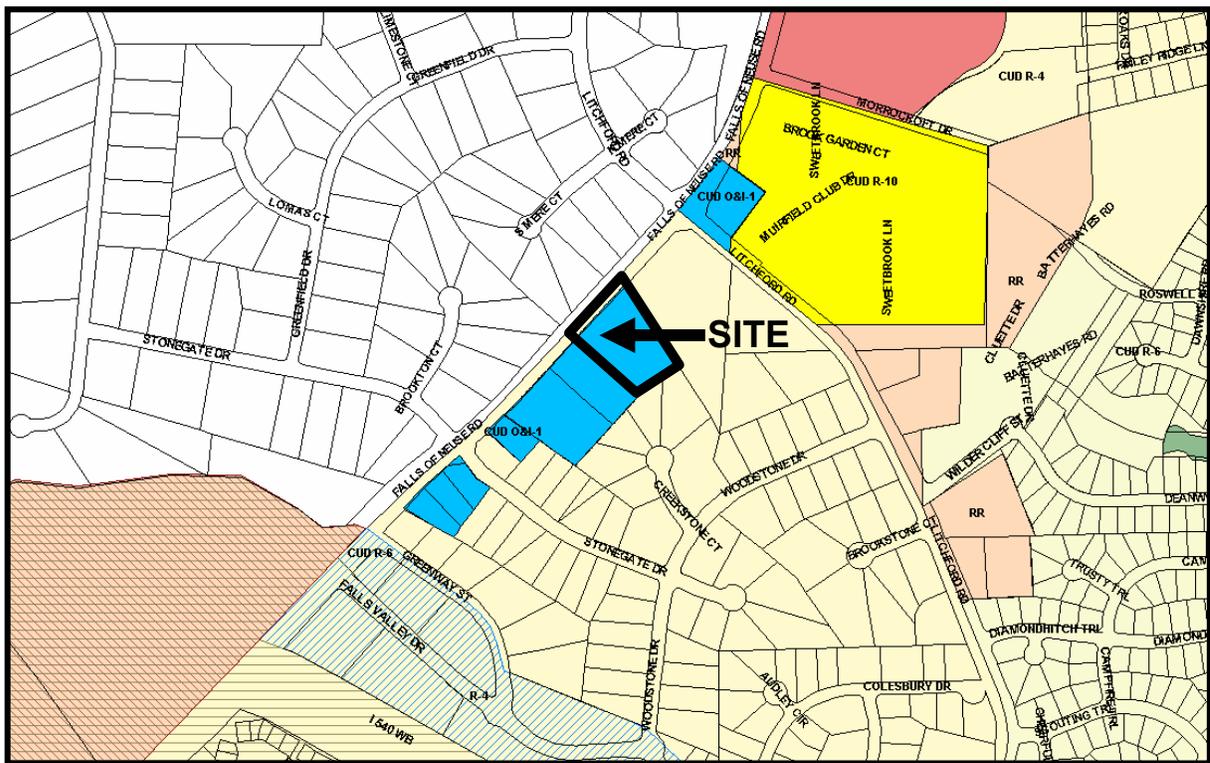
DRAFT



Certified Action of the City of Raleigh Planning Commission

City of Raleigh
Development Plans Review Center
One Exchange Plaza
219 Fayetteville Street
Raleigh, NC 27601
(919) 516-2626
www.raleigh-nc.org/planning/dprc

- Case File / Name:** SP-74-05 / Falls of Neuse Office Park
- General Location:** 9380 Falls of Neuse Road - East side of Falls of Neuse Road between Stonegate Drive and Litchford Road
- Planning District / CAC:** North / North
- Nature of Case:** Site plan for 26,400 square feet of office space located in four buildings on a 2.07 acre site zoned Office & Institution-1 CUD.
- Contact:** Blakely Design Group
- Action:** Approval with conditions



SP-74-05 Falls of Neuse Office Park – Location Map

DRAFT

SUBJECT: SP-74-05 / Falls of Neuse Office Park

CROSS-REFERENCE: Z-46-04

LOCATION: This site is located on the east side of Falls of Neuse Road, north of its intersection with Stonegate Drive, inside the City Limits.

REQUEST: This request is to approve a site plan for 26,400 square feet of office space located in four buildings on a 2.07 acre site zoned Office & Institution-1 CUD. This is a proposed nonresidential unit ownership (condominium) development. 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 conditions of approval being met, this request conforms to Chapter 2, Part 10, Sections 10-2035, 10-2122, 10-2132.2, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 10/14/05, owned by Edd K. Roberts, submitted by Blakely Design Group.

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

To PC: 1/10/06
Case History: xxxxx

Staff Coordinator: Stacy Barbour

Motion: xxxxx
Second: xxxxx
In Favor: xxxxx
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: _____

date: _____

DRAFT



Staff Report

RECOMMENDED ACTION: Approval with Conditions

CONDITIONS OF APPROVAL: Administrative Actions:

Prior to issuance of a grading permit for the site:

- (1) That the Conservation Engineer in the Public Works Department approves a final stormwater management plan, including a stormwater operations and maintenance manual and budget, and a map showing both BMP locations and open space, that conforms to Part 10 Chapter 9, of the City Code for stormwater nitrogen reduction and runoff control;
- (2) That as the developer has chosen to offset a portion of nitrogen export load limitation by paying monies to the North Carolina Ecosystem Enhancement Fund (NCEEF); in accordance with Nitrogen reduction requirements of Section 10-9022, this payment shall be made to NCEEF and verification of the amount of payment shall be provided to the City of Raleigh Conservation Engineer;
- (3) That a final tree conservation plan is approved by the Forestry Specialist in the Inspections Department for the tree conservation area required by Code Section 10-2082.14 and by zoning condition L of Z-46-04. The final tree conservation plan shall include an inventory and documentation of existing trees to verify compliance with the tree conservation ordinance, Code Section 10-2082.14, as well as a metes and bounds description of the tree conservation areas conforming to Code requirements. The approved plan shall include an active tree preservation plan for trees located in the street protective yard as shown on the preliminary plan. Tree protection measures in accordance with sections 10-2082.5(f) and 10-2082.14 shall be in place on site prior to grading;
- (4) That a tree maintenance plan, including watering; fertilizing; and pruning of trees, extending from grading to one year following construction be approved by the Forestry Specialist in the Inspections Department for preserved trees in the street protective yard per zoning condition L of Z-46-04;

Prior to issuance of building permits in the Inspections Department:

- (5) That a final fire control plan showing appropriate fire hydrant locations and FDC connections be approved by the Fire Department;
- (6) That construction plans be approved by the Public Works Department and the Public Utilities Department for improvements on Falls of Neuse Road;
- (7) That 10' of public street right-of-way along Falls of Neuse Road as shown on the preliminary plan be recorded with the Wake County Register of Deeds and a recorded copy of the right-of-way plat be provided to the Site Review Specialist in the Inspections Department;

DRAFT

- (8) That all tree conservation areas as identified by the approved tree conservation plan per condition number 3 above and Code section 10-2082.14 be shown with a metes and bounds description and labeled on all plats for recording;
- (9) That a note be placed on any map for recording which states "Removal of trees and vegetation without a permit from the City of Raleigh in designated tree conservation areas is a violation of the Raleigh City Code and will result in significant financial consequences";
- (10) That an offer of cross access easement between this site and the adjacent property to the north (PIN 1718733580, DB 11556 Page 1459) be made and recorded in the Wake County Registry, and a copy of the recorded easement offer shall be provided to the Site Review Specialist in the Inspections Department;
- (11) That a cross access easement between this site and the adjacent property to the south (PIN 1718639194, DB 11022 Page 2554) be recorded in the Wake County Registry, as required by zoning conditions of Z-46-04. A copy of the recorded easement document shall be provided to the Site Review Specialist in the Inspections Department;
- (12) That unity of development guidelines and unified signage criteria for this development are established and approved by the Planning Director and a copy of these documents is provided to the Site Review Specialist in the Inspections Department;
- (13) That architectural and façade plans for all structures show conformance with zoning condition C of Z-46-04 and the approved unity of development plan and be approved by the Site Review Specialist in the Inspections Department;
- (14) That a final external lighting plan be approved by the Site Review Specialist in the Inspections Department for conformance with Code Section 10-2089 and zoning condition J of Z-46-04, and that it include exterior fixtures mounted at 16' maximum height outside protective yards as requested by the Appearance Commission;
- (15) That all other conditions of rezoning case Z-46-04 be fulfilled;
- (16) That the attorney who prepares the condominium declaration of unit ownership certifies to the zoning inspector that the condominium declaration contains the provisions required by Raleigh City Code section 10-2122(e).

ZONING:

**ZONING
DISTRICTS:**

Office and Institution-1 Conditional Use. Z-46-04, Ordinance NO. (2004) 680 ZC 554, Z-46-04; effective 8-3-04.

DRAFT

Z-46-04 – Falls of Neuse Road, east side, being Wake County PIN 1718-62-8949, 1718-63-9194 and 1718-78-1269. Approximately 5.6 acres rezoned to Office and Institution-1 Conditional Use.

Conditions dated: (7/28/04)

- A. Reimbursement for future right-of-way dedication shall be at the existing R-4 values.
- B. The following uses, otherwise permitted in the O&I-1 zoning district shall not be permitted:
 - 1. Cemetery
 - 2. Hospital
 - 3. Emergency shelter
 - 4. Airfield, landing strip and heliport
 - 5. Correctional/penal facility
 - 6. Outdoor stadium, outdoor theater, outdoor racetrack, outdoor movie theatre.
- C. All buildings shall be limited to two stories and a maximum of forty (40) feet. For office uses, no dormer windows shall be facing residentially zoned property. Buildings shall be constructed of brick, stucco, synthetic stucco or equivalent.
- D. Upon development of the subject property, a re-vegetated buffer planted to exceed the requirements of a Type C transition yard for the proposed yard width by twenty percent (20%) and not less than thirty feet (30') in width shall be maintained adjacent to the residential properties, so long as they remain zoned R-4 or continue to be used as residential dwellings.
- E. Floor area ratio shall not exceed twenty-nine percent (29%) for office uses.
- F. All exterior refuse containers shall have plastic lids and shall only be emptied between the hours of 9:00 a.m. to 5:00 p.m.
- G. Cross access shall be provided among the three properties that are the subject of this request if they are not combined into a single lot.
- H. If the three lots that are the subject of this rezoning are developed together, driveway access shall be limited to one driveway on Falls of Neuse Road. If the three lots that are the subject of this rezoning are developed separately, driveway access shall be limited to a maximum of two driveways on Falls of Neuse Road and the cross access agreement described in Condition G above shall allow each lot owner access to one of the two driveways on Falls of Neuse Road.
- I. Prior to the issuance of building permits, an offer of cross access shall be made to the property located immediately to the south of the subject property as described in Book 9570, Page 518, Wake County Registry and to the property located immediately to the north of the subject property as described in Book 8594, Page 124, Wake County Registry.
- J. All outdoor and parking lot lighting fixtures shall be of full cut-off (shielded) design.
- K. Prior to any development of the property or change of use, one transit easement measuring twenty feet (20') wide and fifteen feet (15') deep located on Falls of Neuse shall be made available to the City of Raleigh.
- L. Fifty percent (50%) of all trees twelve inches (12") in caliper or greater when measured four feet (4') from the ground and located within fifteen feet (15') of the Falls of the Neuse right-of-way shall be subject to active tree preservation and protected. In no event shall the active preservation area exceed twenty-five (25') in width from the Falls of Neuse right-of-way. Prior to any land disturbing activity including grading or tree removal, all protected trees shall be identified in writing to the Chief Zoning Inspector.

DRAFT

**SETBACKS /
HEIGHT:**

This plan conforms to all minimum setback standards. Front yard = 105', rear yard = 33', front / rear aggregate = 138', side yard = 10' and 40', side yard aggregate = 50'. This plan conforms to maximum height standards in this zoning district. The proposed building height is 26'.

PARKING:

Off-street parking conforms to minimum requirements: 88 spaces required, based on one parking space per 300 square feet. 81 spaces are provided. A reduction of 7 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 low 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>
South side	30' Type C*	30'
North side	30' Type C*	30'

Transitional protective yards in excess of the code required 20' minimum are provided adjacent the neighboring residential properties with plantings in accordance with zoning condition D of Z-46-04.

This site is adjacent a major thoroughfare (Falls of Neuse Road) and a natural protective yard of an average 40' width is being provided with protection of existing trees in accordance with zoning condition L of Z-46-04 requiring preservation of at least 50% of the existing trees within 15' of the right of way. An active tree preservation plan is required for trees to be preserved per the zoning condition

**TREE
CONSERVATION:**

This site is also subject to the tree conservation ordinance, code section 10-2082.14. A preliminary tree conservation plan showing primary and secondary conservation areas of approximately 0.24 acres (11%) total has been reviewed by the Forestry Specialist in the Inspections Department. A final tree conservation plan shall be required prior to grading permit issuance.

**DEVELOPMENT
INTENSITY:**

Proposed floor area ratio (FAR) of 0.29 and proposed lot coverage of 14.4% conform to the maximum zoning district standards and limitations of Z-46-04 (.29 FAR maximum).

**UNITY OF
DEVELOPMENT:**

Unity of development criteria are required within this development. A unity of development plan must be approved by the Planning Director prior to the issuance of any permits on this lot.

**COMPREHENSIVE
PLAN:**

GREENWAY:

There is no greenway on this site.

DRAFT

**THOROUGHFARE
/ COLLECTOR**

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

Street	ROW	Construct	Slope Esmt.
Falls of Neuse Road	10'	half of 89'	n/a

Additional right-of-way to be dedicated is reimbursable under the facility fees program at the rate R-4 zoned property per Z-46-04. The proposed roadway construction is reimbursable also.

TRANSIT: A transit easement as required by zoning condition K of Z-46-04 applicable to this site was dedicated on the adjacent lot [BM2005 page 1641] upon site plan approval for that parcel [SP-102-04].

URBAN FORM: This site is located in the North Planning District with specific recommendations made in the I-540/Falls of Neuse Small Area Plan. In that plan, medium density residential and low intensity office uses area recommended.

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

Comment	Response
Limit exterior lighting fixtures to 16' height	Agreed. Lighting plan shows 16' height fixtures

**SUBDIVISION
STANDARDS:**

BLOCK LAYOUT: No new streets are proposed with this plan.

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: Refuse collection will be provided by means of a private contractor and shall meet standards of the Solid Waste Collection Manual.

CIRCULATION: Proposed street improvements shall conform to normal City construction standards. In accordance with zoning condition G of Z-46-04, this plan shows a driveway connecting to the south property line and a cross access easement to be recorded with the adjacent property to the south also governed by Z-46-04. An offer of cross access easement is being made to the adjacent residential parcel to the north, but a driveway connection is not shown on the plans. Cross access requirements among the other lots subject to zoning conditions of Z-46-04 have already been met with approval of SP-102-04 on the adjacent property to the south.

PEDESTRIAN: Proposed sidewalk locations conform to City regulations. An 8' asphalt sidewalk is required along frontage of Falls of Neuse Road [an existing 8' path is being

DRAFT

relocated/reconstructed with the required road widening]. The preliminary plan shows an adequate pedestrian system on-site to provide safe access directly to the public sidewalk system.

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

**STORMWATER
MANAGEMENT:**

This site is subject to stormwater nitrogen reduction and runoff control requirements of Part 10 Chapter 9. This site is not subject to additional stormwater management zoning conditions. Retention / detention facilities are shown on the preliminary plat. This plan indicates nitrogen reduction requirements will be fulfilled through a combination of BMP's and payment to the North Carolina Ecosystem Enhancement Fund. This payment shall be required prior to issuance of grading permits. A final nitrogen reduction and stormwater runoff control plan, including a stormwater operations and maintenance manual, a map showing open space and BMP locations, and a budget, shall be approved by the Conservation Engineer in the Public Works Department.

**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.