



## 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-13-12 / Sheetz at Dixie Forest

**General Location:** The site is located on the southwest quadrant of Atlantic Avenue and Dixie Forest Road

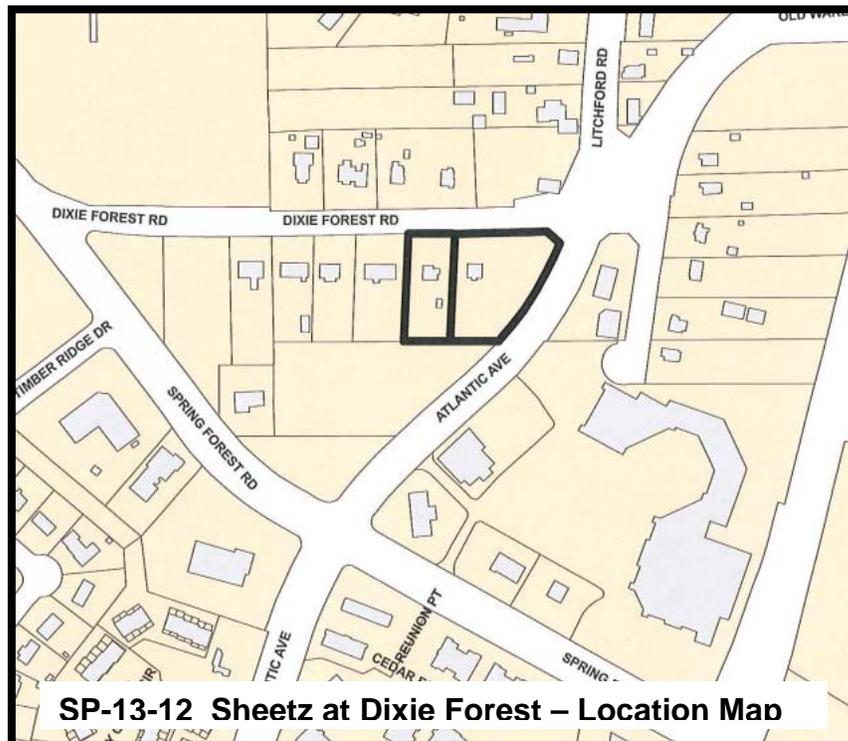
**Owner:** John Acton  
**Designer:** Pabst & Hilburn

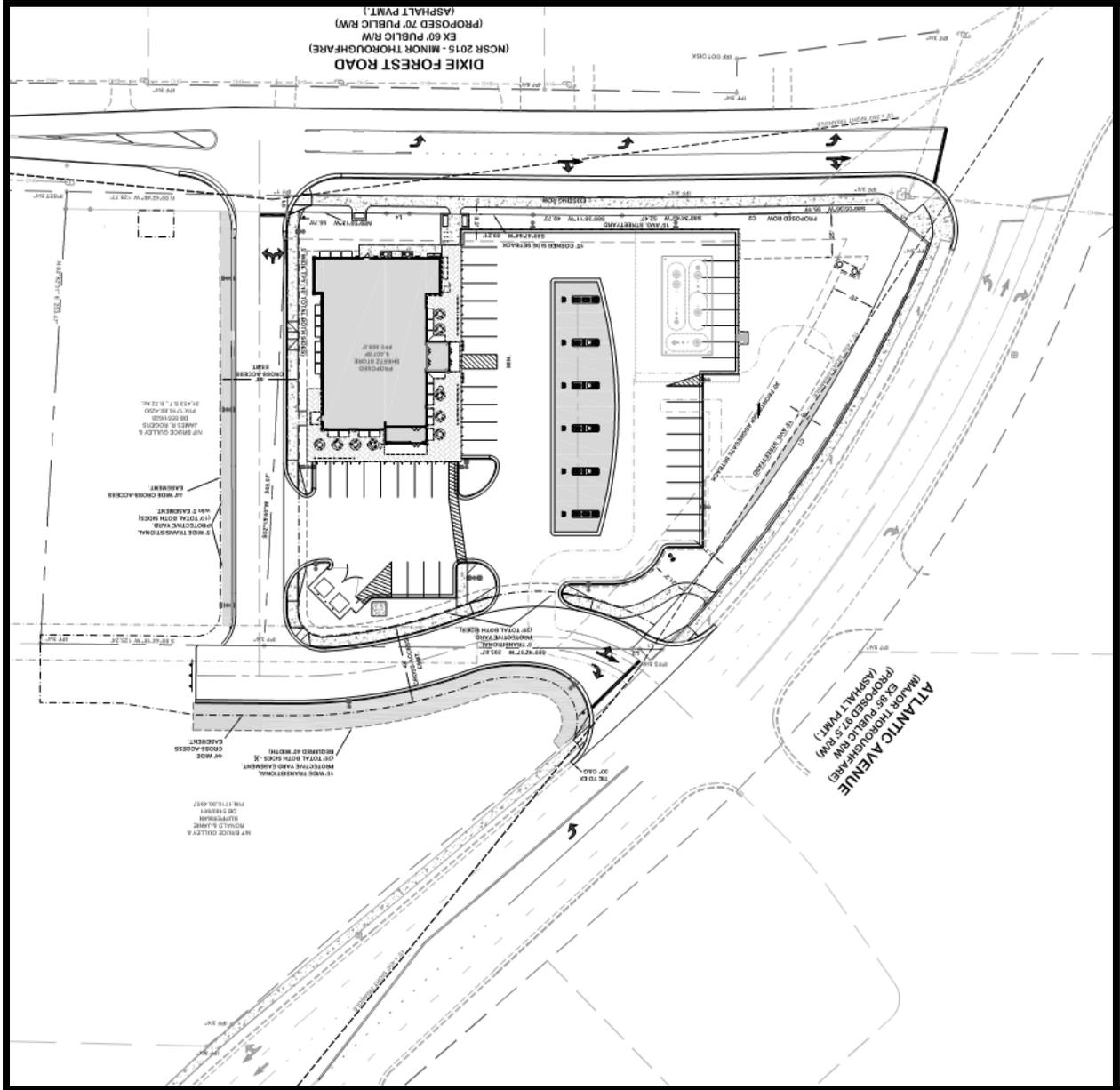
**CAC:** North

**Nature of Case:** Construction of a 6,407 square foot convenience store/eating establishment with six gas fueling islands on two parcels to be recombined into one parcel totaling 1.77 acres. The site is zoned Shopping Center CUD, located inside the city limits.  
Planning Commission approval is required because this is a retail use located within 400' of a residential use.

**Key Issues:** Code Section 10-2132.2(b)(20) requires approval of this non-administrative site plan, in that, this is a nonresidential site plan adjoining a thoroughfare less than 2 acres size and the area near the thoroughfare contains a basal area of 30 square feet or more without providing:

- (1) a 50' wide Natural Protective Yard along the thoroughfares, or
- (2) a minimum average Natural Protective Yard of 50' with the same number of trees five inches DBH or greater as subsection (1) or
- (3) tree conservation areas pursuant to 10-2082.14 et seq.





SP-13-12 Sheetz at Dixie Forest – Site Plan

**SUBJECT:** SP-13-12 / Sheetz at Dixie Forest

**CROSS-  
REFERENCE:** Z-13-10

**LOCATION:** This wooded site is located at the southwest quadrant of Atlantic Avenue and Dixie Forest Road, inside the City Limits.

**REQUEST:** This request is to approve a 6,407 square foot convenience store/eating establishment with six gas fueling islands on two parcels to be recombined into one parcel totaling 1.77 acres and zoned Shopping Center CUD. This site is located within 400 feet of a residential use.

Code Section 10-2132.2(b)(20) requires nonresidential site plans adjoining a thoroughfare which are less than 2 acres in size and which contain a basal area of 30 square feet or more must either provide a 50' Natural Protective Yard or have its site plan approved by the Planning Commission.

Planning Commission must approve this site plan without providing a 50' natural protective yard along Atlantic Avenue. Code Section 10-2132.2(b)(20) requires nonresidential site plans less than 2 acres in size that do not provide a 50' Natural Protective Yard to be approved by the Planning Commission.

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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 being met, this request conforms to Chapter 2, Part 10, Sections 10-2041, 10-2132, Chapter 3, Part 10, Sections 10-3001-3059 and Chapter 9 Part 10. This approval is based on a preliminary plan dated 8/8/12, owned by John & Anita Acton, submitted by Pabst & Hilburn, PA.

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

**VARIANCES /  
ALTERNATES:** N/A

**To PC:** September 11, 2012

**Case History:** N/A

**Staff Coordinator:** Meade Bradshaw

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

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: September 11, 2012

(PC Chair)



date: September 11, 2012



## Staff Report

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**RECOMMENDED ACTION:** Approval with Conditions

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**CONDITIONS OF APPROVAL:** Planning Commission Actions:

- (1) The Planning Commission finds that the site plan meet the standards of 10-2132.2(d)

**Administrative Actions for Sheetz Parcel PIN # 1716897263 (Deed Book 3378 Page 0474) and PIN# 1716896200; (Deed Book 12649 Page 1722):**

***Prior to issuance of a site review permit:***

- (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 Program (NCEEP) in accordance with Nitrogen reduction requirements of Section 10-9022, this payment shall be made to NCEEP or appropriate private mitigation bank and verification of the amount of payment shall be provided to the City of Raleigh Stormwater Engineer prior to the issuance of a site review permit issuance permit;
- (3) 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 site review permit issuance or the approval of construction drawings, whichever event comes first;
- (4) That a recombination map, combining the parcels PIN # 1716896200 (DB 12649 PG 1722) & PIN # 1716897263 (DB 3378 PG 474) into a single tract be recorded prior to the issuance of a site review permits;

***Prior to approval of construction drawings for public or private improvements:***

- (5) 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 site review permit issuance or the approval of construction drawings, whichever event comes first;

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

- (6) That the City Attorney approves an off-site landscape easement granted from the owner of property to the west (DB 14810 PG 2100;)to the recombined parcel. The width of this easement will be: (i) five feet if at the

time of conveying the landscape easement, the adjacent property to the west is actively being developed with a commercial use. (Active development means all existing buildings are demolished, building and grading permits are issued and all fees have been paid to the City of Raleigh), or (ii) fifteen feet if at the time of conveying the landscape easement, the existing house is removed from the adjacent property to the west or (iii) thirty-five feet if at the time of conveying the landscape easement, the existing house is still standing on the adjacent property to the west. A recorded copy of the approved landscape easement shall be provided to the Inspections Department prior to issuance of any building permits;

- (7) That the City Attorney approves a 20' off-site landscape easement granted from the owner of property to the south (DB 05189 Page 0861) to the recombined parcel. A recorded copy of the approved landscape easement shall be provided to the Inspections Department prior to issuance of any building permits
- (8) That construction plans for public improvements be approved by the Public Works Department;
- (9) That prior to issuance of building permits the developer will make a contribution of twenty-four percent (24%) of the initial construction cost of all stormwater control device(s) to the City in accordance with City Code 10-9027;
- (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 and the plats shall contain the following note: "All private storm drainage easements & stormwater measures will be maintained by the property owner / owners association.";
- (11) That 1/2'-110' in width of right of way along Atlantic Avenue be dedicated to the City of Raleigh and a copy of the recorded plat be provided to the Site Review Specialist in the Inspections Department at permit review;
- (12) That 1/2'-80' in width of right of way along Dixie Forest Road be dedicated to the City of Raleigh and a copy of the recorded plat be provided to the Site Review Specialist in the Inspections Department at permit review;
- (13) That pursuant to zoning condition letters c, e and f of Z-13-10, a vehicular and pedestrian cross access easement be executed and recorded by the owners of the subject recombined site plan parcel (Deed Book 03378 Page 474 and Deed Book 12649 Page 1722) and the adjacent parcels to the south (Deed Book 5189 Page 861) and west (Deed Book 14810 PG 2100), for the 44 foot wide driveway connection between Atlantic Avenue and Dixie Forest Road currently shown on the proposed site plan. The beneficiaries of this easement shall be those properties subject to Z-13-10 and Z-57-05. In addition to the ingress and egress easement, the parties shall grant one another temporary construction and slope easements for the construction of the joint driveway. The owner of the property to the west (Deed Book 14810 PG 2100), shall grant the owner of the subject recombined site plan parcel a temporary construction and temporary drainage easement to install and maintain on the property to the west all runoff control and water quality stormwater devices necessary to comply with the stormwater control regulations of the City of Raleigh for those portions of the joint driveway located on the property to the west. This

temporary drainage shall terminate when active development of a site plan on the property to the west commences. Active development means all existing buildings are demolished, building and grading permits are issued and all fees have been paid to the City of Raleigh. A recorded copy of this easement is returned to the Planning Department within 14-days of recording. If a recorded copy of this recorded easement is not provided to the Planning Department within the 14 day period, further plat recordings and building permits authorization may be withheld;

***Prior to issuance of a occupancy permit:***

- (14) That prior to issuance of a Certificate of Occupancy an as-built certification for all stormwater control devices, including the offsite temporary drainage device on the parcel to the west, as required under Code Section 10-9025(c) shall be provided to the Public Works Department. All stormwater systems shall be in place and functioning, and an original inspection report per Code Section 10-9028;

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**ZONING:**

**ZONING**

**DISTRICTS:** Shopping Center CUD. Ordinance (2010) 812 ZC 654; effective 12/7/10.

**Z-13-10 Conditional Use – Dixie Forest Road** - located on Dixie Forest Road, south side, from its intersection with Spring Forest Road, to its intersection with Atlantic Avenue being various Wake County PINs. Approximately 6.47 acres rezoned from Office & Institution-1 Conditional Use District to Shopping Center Conditional Use District.

**Conditions Dated: 11/12/10**

**Narrative of conditions being requested:**

As used herein, the "Property" refers to-those-certain tracts or parcels of land containing-approximately 6.47 acres located on the south side of Dixie Forest Road, between its intersection with Spring Forest Road and Atlantic Avenue in Raleigh, North Carolina, having Wake County PIN 1716-89-7263 (DB3378, P474), 1716-89-6200 (DB12649, P1722), 1716-89-4290 (DB8551, P628), 1716-89-3280 (DB13238, PG189), 1716-89-2281 (DB13238, PG195), 1716-89-1198 (DB11363, PG2078), 1716-89-0178 (DB2796, PG371) and a portion of 1716-79-6254 (DB 11355, PG2435).

(a) The following uses shall be prohibited upon the Property:

- correctional/penal facility - all types
- adult establishment
- kennel/cattery
- manufacturing - custom and specialized
- mini warehouse storage facility
- airfield or landing strip
- heliport - all types
- riding stable
- telecommunications tower - all types
- outdoor amphitheater - all types
- outdoor racetrack - all types
- outdoor stadium - all types
- outdoor theater -all types
- funeral home

- cemetery
- hospital (medical/psychiatric/veterinary)
- school (public and private; elementary, middle and high)
- utility substation
- emergency shelter - Type B
- special care facility - all types
- landfill - all types
- temporary event
- establishment for tuning and lubricating automobile engines
- garage for repair of tires, mufflers, engines, transmissions
- and batteries
- shop for body work and painting

**The proposed use is a convenience store and eating establishment with 6 gas fueling islands.**

(b) Site plans for the development of the properties contiguous to the south right-of-way line of Dixie Forest Road shall feature a public sidewalk a minimum six (6) feet in width and a coordinated streetscape (which must include, at a minimum, standards for the planting of trees and shrubs and the installation of benches) established by the first of these properties to obtain site plan approval.

**A six foot sidewalk is proposed along Dixie Forest Road. Benches and plantings are provided as required.**

(c) Prior to issuance of a building permit for any property subject to this rezoning ordinance, the owner of the property shall cause to be recorded in the Wake County Register of Deeds an offer of vehicular cross-access over and upon the property in favor of the owner(s) of all immediately adjacent properties.

**Vehicular cross access will be established with the property to the adjacent west (DB 14810 PG 2100), and adjacent south (DB 5189 PG 0861) prior to building permit issuance.**

(d) At least one bicycle storage rack shall be located within not more than forty (40) feet of the entrance(s) of buildings located upon the Property. Any bicycle storage rack installed to satisfy this condition shall be of the inverted U or similar style. Any bicycle storage rack installed to satisfy this condition shall provide at least one bike space; one additional bike space shall be provided for every forty-five (45) car spaces.

**The provided parking spaces on site are 43 parking spaces. 1 bicycle rack is required. 3 bicycle racks have been provided within 40' of the northern entrance to the building.**

(e) The Traffic Impact Analysis provided to the City's Public Works Department, Transportation Division, on October 14, 2005, and revised per the City's recommendations on October 31, 2005, establishes the general location and type of vehicular ingress/egress driveways for the redevelopment of the Property (and those properties to the south zoned SC CUD via Z-57-05). Upon redevelopment of the Property (and those properties to the south zoned SC CUD via Z-57-05), access shall be limited to no more than one (1) ingress/egress drive on Atlantic Avenue, no more than one (1) ingress/egress drive on Spring Forest Road, and one (1) ingress/egress drive on Dixie Forest Road opposite the ingress/egress drive into the Wake County Board of Education Property (Millbrook High School Campus). Additionally, a second ingress/egress drive upon Dixie Forest Road may be established as permitted by the North Carolina Department of Transportation and the Raleigh Public Works Department, Transportation Division, in conjunction with future site plan application(s) for the development of those

properties with Wake County PINs 1716-89-7263 (DB3378, P474), 1716-89-6200 (DB12649, P1722) and/or 1716-89-4290 (DB8551, P628).

**One ingress/egress drive is proposed on Dixie Forest Road and one ingress/egress drive is proposed on Atlantic Avenue.**

(f) That portion of the internal street network as shown in the "Conceptual Site Plan," attached as Figure 2 to the Traffic Impact Analysis of October 31, 2005 referenced in the above Condition (e), that is located on the Property will be constructed on the Property in the general manner provided in the "Conceptual Site Plan." This "Conceptual Site Plan" is general in nature and shall not limit the number, location or type of ingress/egress drives on the Property. The internal street improvements required by this condition (f) may be phased with development of the Property, and at a minimum, that portion of the internal street network located on a developing parcel shall be shown on a site plan and shall be installed as part of the development of the developing parcel.

**A 44' wide internal private drive with cross access provides connections to Atlantic Avenue, Dixie Forest Road. See condition of approval number 13.**

(g) There will be no more than one double bay of parking installed between any building adjacent to a public street and the public street right-of-way.

**No more than a double bay of parking is provided on this site.**

(h) No drive-through window will be located on a side of a building fronting along a public street right-of-way.

**An eating establishment is proposed within the building without a drive-through window**

(i) The development of all properties which are included within this rezoning case shall require Site Plan approval by the Raleigh Planning Commission (and additionally by the Raleigh City Council, if applicable).

**The Planning Commission date is scheduled for 9/11/12**

(j) For any principal building constructed on the Property, the side of any principal building facing any public street will be articulated to a minimum six (6) inch depth or relief, a minimum of every forty (40) feet.

**The eastern building elevation (Atlantic Avenue) has a building façade of 100'. At two separate points, the facade provides a depth of greater than 10'**

**The northern building façade (Dixie Forest Road) has a building façade of 72' 7". At 3 separate points along the façade, a 8" deep pilaster will be constructed.**

(k) A sidewalk a minimum of six (6) feet in width shall connect at least one building entrance of any principal building adjacent to a public street with the sidewalk adjacent to that public street, and benches will be installed on each side of the connecting sidewalk.

**A sidewalk ranging from 10'-15' with the installation of 2 benches is constructed from Dixie Forest Road to the principal building entrance.**

(l) No building on the Property shall be taller than two (2) stories or 35 feet as measured by the Raleigh City Code, whichever is less.

**The proposed building is one story, 24'8".**

(m) Based on the Traffic Impact Analysis referenced in above Condition (e), the cumulative amount of floor area gross for commercial uses (as listed in Raleigh City Code section 10-2071, Schedule of Permitted Land Uses in Zoning Districts) located on the Property shall not exceed 60,000 square feet. The owner of the Property shall cause to be recorded in the Wake County Registry a restrictive covenant that allocates allowable commercial square footage upon the subject property to all existing lots of record comprising the Property. Such restrictive covenant shall be submitted to the City Attorney within 30 days following approval of this rezoning case by the City Council and shall be approved by the City Attorney or his designee prior to recordation, and it shall be promptly recorded following its approval by City officials. Such restrictive covenant shall provide that it may be amended or terminated only with the prior written consent of the City Attorney or his designee, which consent shall not be unreasonably withheld.

**A restrictive covenant for commercial uses was recorded in Book 14634 Page 2691 Wake County Registry. 15,000 square feet of commercial use was allocated to the two lots comprising this site plan.**

(n) For any principal building developed along the Dixie Forest Road right-of-way, the side (defined as an exterior building wall up to a height of nine (9) feet) of any principal building facing Dixie Forest Road shall have a minimum 20% glazing or transparency (excluding black spandrel glass).

**Window rough openings: 18'w x 7' 9 ¾" (140.625 square feet) = 281.25 square feet**

**Building wall elevation: 72'7"w x 18' (1,065 square feet) = 1,306.5 square feet**

**Percentage of glazing in wall: 21.5% (281.25 square feet / 1,306.5 square feet)**

(o) No side (defined as an exterior building wall up to a height of nine (9) feet) of any principal building shall have more than thirty (30) continuous feet in length without intervening transparency or glazing (excluding black spandrel glass) measuring at least ten (10) square feet in area.

**The maximum length of any continuous elevation of the store without windows is 29' 1" on the east elevation (Atlantic Avenue).**

(p) For any principal building developed on the Property, such principal building shall have at least one entrance located within eighty (80) feet of the public right-of-way of at least one public street. Such entrance required by this condition (p) shall: (1) consist of at least one set of double doors, (2) have a canopy or vestibule feature, and (3) connect with a sidewalk required by above condition (k).

**East building elevation (Atlantic Avenue) is within 80' of Dixie Forest Road**

**Double set of doors is provided**

**A canopy is provided**

**A connection to the public sidewalk along Dixie Forest is provided**

(q) At least one side (defined as an exterior building wall up to a height of nine (9) feet) of a principal building on which an entrance required by above condition (p) is located shall have a minimum 25% glazing or transparency (excluding black spandrel glass).

**5 Window rough openings: 548.86 square feet**

**Building wall elevation: 105'w x 18'h = 1,890 square feet**

**Percentage of glazing in wall: 29% (548.86 square feet / 1,890 square feet)**

(r) Prior to lot recordation or the issuance of any building permit for the property with Wake County PIN 1716-89-4290 (DB8551, PG628), whichever shall first occur, the owner(s) of the properties shall deed to the City one transit easement measuring twenty feet (20') long by fifteen feet (15') wide adjacent to the public right-of-way on Dixie Forest Road to support a bus stop for current and future transit services in the area. The location of the transit easement shall be reviewed and approved by the Transit Program of the City and the City Attorney or his designee shall approve the transit easement deed prior to recordation in the Wake County Registry.

**A transit easement was not requested by the Public Works Department at this location. A site plan (SP-26-12 Waffle House) has been submitted for the adjacent property to the west (DB 14810 PG 2100). At this time a 15' x 20' transit easement has been provided on Dixie Forest Road with the Waffle House site plan submittal.**

**SETBACKS /**

**HEIGHT:** This plan conforms to all minimum setback standards. Front yard = 25', rear yard = 125', front / rear aggregate = 150', side yard = 30' and 220', side yard aggregate = 250'. This plan conforms to maximum height standards in this zoning district. Proposed height of the building is 24' 8"

**PARKING:** Off-street parking conforms to minimum requirements: 43 spaces required, based on 1 parking space per 200 square feet of floor area gross and 1 space per 35 square feet dedicated for public use within the eating establishment. 43 spaces are provided.

**LANDSCAPING:** Street yard landscaping in conformity with Section 10-2082.5 is shown. Vehicular surface area landscaping in conformity with Section 10-2082.6 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</u>
South (off-site)	Type A	20'*
West (off-site)	Type D	10'**

\*Site to the south is vacant, requiring 1/2 of a 40' Type A transitional protective yard.

\*\* Providing 5' in width transitional protective yard on-site and 5' in width transitional protective yard off-site provided active development of a commercial site plan to the west commences. The off-site landscape easement is fifteen feet width if the existing house is removed from the adjacent property to the west. The off-site landscape easement is thirty-five feet if the existing house is still standing on the adjacent property to the west

**TREE  
 CONSERVATION:**

The site plan for this wooded site does not provide tree conservation or a Natural Protective Yard adjacent to Atlantic Avenue or Dixie Forest Road.

Code Section 10-2132.2(b)(20) requires preliminary approval of this non-administrative site plan, in that, this is a nonresidential site plan adjoining a thoroughfare less than 2 acres size and the area near the thoroughfare contains a basal area of 30 square feet or more without providing:

- (1) a 50' wide Natural Protective Yard along the thoroughfares, or
- (2) a minimum average Natural Protective Yard of 50 with the same number of trees five inches DBH or greater as subsection (1) or
- (3) tree conservation areas pursuant to 10-2082.14 et seq.

**DEVELOPMENT INTENSITY:**

There are no floor area ratio or building lot coverage maximums in the Shopping Center Zoning District. Pursuant to zoning condition m fop Z-13-10, this property is subject to a restrictive covenant for commercial use limiting the gross floor area to 15,000 square feet. The square footage of the food convenience/eating store is 6,407 square feet.

**PHASING:**

There is one phase with this development.

**UNITY OF DEVELOPMENT:**

Unity of development and sign criteria are not required in this development.

**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>
Atlantic Avenue	½ 110'	N/A	N/A
Dixie Forest Road	½ 80'	½ 41' b-b	N/A

Additional right-of-way to be dedicated is reimbursable under the facility fees program.

**TRANSIT:**

A transit easement is not required with this development. A transit easement was not requested by the Public Works Department at this location. A site plan (SP-26-12 Waffle House) has been submitted for the adjacent property to the west (DB 14810 PG 2100). At this time a 15' x 20' transit easement has been provided on Dixie Forest Road with the Waffle House site plan submittal

**COMPREHENSIVE PLAN:**

This site is located within the North CAC, and is designated as Community Mixed Use on the future land use map. The Community Mixed Use category envisions a mix of residential, retail or office serving a large trade area. The site is also located within one quarter mile of an anticipated rail transit stop. Staff has reviewed the following Comprehensive Plan policies:

- Policy LU 4.5 - Connectivity
- Policy LU 4.7 - Capitalizing on Transit Access

- Policy LU 5.4 - Density Transitions
- Policy LU 7.6 - Pedestrian-Friendly Development
- Policy T 4.15 - Enhanced Rider Amenities
- Policy T 5.1 - Enhancing Bike/ Pedestrian Circulation
- Policy T 5.3 - Bicycle and Pedestrian Mobility
- Policy T 5.5 - Sidewalk Requirements
- Policy EP 8.1 - Light Pollution
- Policy UD 1.2 - Architectural Features
- Policy UD 2.4 - Transitions in Building Intensity
- Policy UD 3.9 - Parking Lot Design
- Policy UD 4.10 - Improving Pedestrian Safety
- Policy UD 6.1 - Encouraging Pedestrian-Oriented Uses
- Policy UD 6.4 - Appropriate Street Tree Selection
- Policy UD 7.3 - Design Guidelines for Mixed Use Development

**HISTORIC / DISTRICTS:**

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>
<p><b>Lights near residential-</b> Pole lights should be full cutoff, with those along the edges of the property facing residences fitted with house-side shields [commensurate with Code Sec. 10-2132.2(d)(3)].</p>	<p>Lighting plan has been provided w/ this submittal. Proposed fixtures are LED and not metal halide. With LED fixtures, there is no definition of full cutoff. However, these fixtures only project light downward and NOT upward or outward. Therefore, they simulate a full cutoff fixture.</p>
<p><b>Tree Selection-</b> Given the poor growth exhibited by red maples in restricted spaces, the Commission suggests swapping them out in favor more tolerant species (such as zelkovas or <i>Tilia</i>).</p>	<p>Maples have been removed and replaced with Silver Lindens.</p>
<p><b>Detention Pond Screen-</b> Given the visual exposure of the proposed storm water facility to the street, it is recommended that the banks be covered with shrubs of water-tolerant species [commensurate with Code Sec. 10-2132.2(d)(4)].</p>	<p>Bioretention device will be planted w/ sod and not contain plantings. I believe this comment was brought up directly as a result of the slope next to the facility and was intended more for stability. Nevertheless, planting have been provided.</p>
<p><b>Pedestrian Connectivity-</b> Enhance pedestrian connectivity between Dixie Forest [commensurate with Code Sec. 10-2132.2(d)(1) &amp; Mixed-Use Design Guidelines 10, 11, 12, 21 &amp; 26].</p>	<p>Sitting area and two, two seat tables were added adjacent to the building creating a dining area facing Dixie Forest</p>
<p><b>Show Window Treatment-</b> The</p>	<p>Illustrations were removed and colors</p>

Commission supports the use of show windows to break up facades and add visual interest. The Commission recommends that the designers 'soften glazing' treatments at Public Right of ways with something more subtle, artistic and conveying less of an overtly commercial message. [commensurate with Code Sec. 10-2132.2(d)(3) & Mixed-Use Design Guideline 25].

**Awning Treatments-** The Commission recommends that a flat awning be used to signal entry to the building from the Dixie Forest Road Side of the building. Also recommended is moving the signage to the West Corner, and providing a more modest sloped awning over the adjacent service door. [commensurate with Code Sec. 10-2132.2(d)(2) & Mixed-Use Design Guidelines 13 & 25].

were added to soften the glazing.

A flat awning was added above the door to the Dixie Forest Road entrance.

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**SUBDIVISION  
STANDARDS:**

**BLOCK LAYOUT:** The proposed street layout conforms to City Code, providing for efficient circulation of traffic within the entire neighborhood area. The maximum block length in this development meets the 1500-foot standard as noted in the Streets, Sidewalks and Driveway Access Handbook. No dead end street in this development exceeds 800 feet in length.

**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.

**PEDESTRIAN:** A sidewalk exists along the site's frontage on Atlantic Avenue. A 6' sidewalk is required and shown along Dixie Forest Road. A 6' sidewalk is required along one side of the internal private drive with cross access. Sidewalks connect the front entrance of the building to both right-of-ways on Atlantic Avenue and Dixie Forest.

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

**STORMWATER  
MANAGEMENT:** The principle 1.77 acre parcel created by a recombination (PIN# 1716897263; Deed Book 3378 Page 474 and PIN# 1716896200; Deed Book 12649 Page 1722) will be utilizing a bioretention basin and NCEEP mitigation payment to

reduce nitrogen export loading rates to 3.6 lbs/ac/yr. and an underground detention device to hold post construction peak discharge rates to predevelopment conditions for the 2 yr. and 10 yr. storm events per city Code Part 10 Chapter 9.

The 2.03 ac parcel to the south (PIN# 1716884957; Deed Book 05189 Page 0861) will be partially developed to construct a shared access driveway tying into Atlantic Ave. This parcel has demonstrated that it can comply on its own with Stormwater regulation by exercising the exemption afforded to it by Code Section 10-9023 (b) (2) The maximum impervious surface coverage of the lot, including any existing impervious surfaces, is no more than fifteen (15) per cent and the remaining pervious portions of the lot are utilized to convey and control the stormwater runoff of the lot to the maximum extent practical.

The 0.73 ac parcel to the west (PIN # 1716894290; Deed Book 14810 Page 2100) will be partially developed to construct a shared access driveway tying into Dixie Forest Road. This parcel has demonstrated it will be able to comply with City stormwater control regulations for both the shared access driveway located on this lot and the preliminary site plan SP-26-12 (future Waffle House) when the site plan and its stormwater control facilities are constructed. In the event this parcel is not developed, attenuation will be provided by Sheetz prior to obtaining a certificate of occupancy by over sizing a proposed pipe within the driveway tying into Dixie Forest Road and a separate NCEEP mitigation payment will be utilized to reduce the nitrogen export loading rate to 3.6 lbs/ac/yr.

**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.