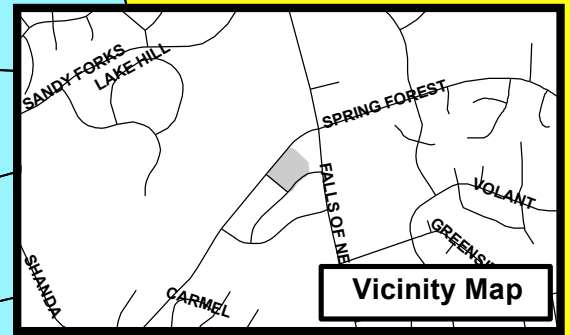


**Existing Zoning Map  
Case Number: Z-20-12**



**Vicinity Map**

**R-10**

**O&I-1**

**BULLARD**

**R-6**

**CUD O&I-1**

**O&I-3**

**SPRING FOREST**

**SC**

**CUD SC**

**RIDGEFIELD**

290

**CARLOS**



**Request:**

**1.61 ac to amend SC CUD**

City of Raleigh Public Hearing  
July 17, 2012  
(October 15, 2012)



# Certified Recommendation

Raleigh Planning Commission

CR# 11482

## Case Information Z-20-12 Spring Forest Road

<i>Location</i>	Spring Forest Road, south side, at its intersection with Falls of Commons Drive (street address: 900 Springfield Commons Drive)
<i>Size</i>	1.61 acres
<i>Request</i>	Amend conditions for property zoned Shopping Center Conditional Use District

## Comprehensive Plan Consistency

The rezoning case is  **Consistent**  **Inconsistent** with the 2030 Comprehensive Plan.

A crossed box signifies consistency with the applicable 2030 Comprehensive Plan policy:

<i>Future Land Use Designation</i>	<input checked="" type="checkbox"/>	Community Mixed Use
<i>Applicable Policy Statements</i>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Policy LU 1.3 Conditional Use District Consistency Policy LU 4.5 Connectivity Policy T 5.3 Bicycle and Pedestrian Mobility Policy T 6.6 Parking Connectivity Policy EP 8.1 Light Pollution Policy EP 8.2 Light Screening Policy UD 2.1 Building Orientation Policy UD 2.2 Multi-modal Design Policy UD 2.3 Activating the Street Policy UD 3.7 Parking Lot Placement Policy UD 6.1 Encouraging Pedestrian-Oriented Uses Policy UD 7.3 Design Guidelines

## Summary of Conditions

<i>Submitted Conditions</i>	<p>(a) Eating establishment with drive-through prohibited.</p> <p>(b) Site establishments limited to three.</p> <p>(c) Automotive service/ repair, convenience store, auto parts store, independently-operated parking deck, mini-warehouses, or multi-family dwellings prohibited.</p> <p>(d) Sidewalks of minimum 5-foot width required along all public rights-of-way.</p> <p>(e) Building height restricted to two occupied stories or 35 feet maximum.</p> <p>(f) Building exterior to be 75% brick; roof to appear pitched when viewed from adjacent properties, with minimum 5:12 slope.</p> <p>(g) Rack or other facility for bicycle parking required.</p> <p>(h) Freestanding lighting limited to full cut-off fixtures.</p> <p>(i) Direct vehicular access to Spring Forest Road prohibited.</p> <p>(j) Transit easement offered on Spring Forest Road.</p> <p>(k) Primary building entrance to face Spring Forest Road or be on one of the building corners facing Spring Forest Road.</p> <p>(l) Direct pedestrian access to be provided from Spring Forest Road and Falls of Commons Drive.</p> <p>(m) Building-mounted and landscape lighting to be fully shielded.</p> <p>(n) No drive-through allowed on building face fronting Spring Forest Road.</p>
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## Issues and Impacts

<i>Outstanding Issues</i>	<ol style="list-style-type: none"> <li>1. Footcandle limits of landscape lighting</li> <li>2. Parking lot placement</li> <li>3. Encouraging pedestrian-oriented uses</li> <li>4. Design Guidelines</li> </ol>	<i>Suggested Conditions</i>	<ol style="list-style-type: none"> <li>1. Provide footcandle limits for landscape lighting.</li> <li>2. Place parking beside or behind building.</li> <li>3. Condition additional commitment to pedestrian-friendly uses (e.g., eliminate all drive-throughs; provide direct sidewalk connection to transit stop).</li> <li>4. Condition urban form elements consistent with those guidelines not yet fully addressed.</li> </ol>
<i>Impacts Identified</i>	<ol style="list-style-type: none"> <li>1. Potential need for downstream sanitary sewer improvements upon redevelopment.</li> </ol>	<i>Proposed Mitigation</i>	<ol style="list-style-type: none"> <li>1. None (<i>subject to determination of need for sewer improvements</i>).</li> </ol>

## Public Meetings

<i>Neighborhood Meeting</i>	<i>Public Hearing</i>	<i>Committee</i>	<i>Planning Commission</i>
3/14/12	7/17/12		8/14/12

**Valid Statutory Protest Petition**

### Attachments

1. Staff report
2. Existing Zoning/Location Map
3. Future Land Use

## Planning Commission Recommendation

<i>Recommendation</i>	The Planning Commission finds that the proposed rezoning is consistent with the policies of the Comprehensive Plan, and recommends based on the findings and reasons stated herein that the request be approved in accordance with zoning conditions dated August 7, 2012.
<i>Findings &amp; Reasons</i>	<ol style="list-style-type: none"> <li>(1) The proposal is consistent with the Community Mixed Use land use category assigned to the property by the Comprehensive Plan. The rezoning would expand options for site commercial uses.</li> <li>(2) The request is compatible with current land uses and development patterns. Case conditions carry through most of the zoning conditions currently governing site development (e.g., building height limit, provision for exterior brick, roof form, bike rack, etc.).</li> <li>(3) The request is reasonable and in the public interest. Conditions encourage multi-modal travel (e.g., transit easement offered) and improved outdoor lighting (e.g., all free-standing fixtures to be full cut-off).</li> </ol>

<i>Motion and Vote</i>	Motion: Fleming Second: Buxton In Favor: Butler, Buxton, Fleming, Fluhner, Harris Edmisten, Haq, Mattox, Schuster, Sterling Lewis, Terando
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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 attached Staff Report.

\_\_\_\_\_  
Planning Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Planning Commission Chairperson

\_\_\_\_\_  
Date

Staff Coordinator:

Doug Hill [Doug.Hill@raleighnc.gov](mailto:Doug.Hill@raleighnc.gov)



# Zoning Staff Report – Case Z-20-12

## Conditional Use District

### Request

<i>Location</i>	Spring Forest Road, south side, at its intersection with Falls of Commons Drive (street address: 900 Springfield Commons Drive)
<i>Request</i>	Amend conditions for property zoned Shopping Center Conditional Use District
<i>Area of Request</i>	1.61 acres
<i>Property Owner</i>	Pappamihel Investments LLC
<i>PC Recommendation Deadline</i>	October 15, 2012

### Subject Property

	<i>Current</i>	<i>Proposed</i>
<i>Zoning</i>	SC CUD	SC CUD (revised conditions)
<i>Additional Overlay</i>	n/a	n/a
<i>Land Use</i>	Retail Sales	Retail Sales
<i>Residential Density</i>	6 units/ acre (multi-family prohibited by condition); 9 units maximum	6 units/ acre (multi-family prohibited by condition); 9 units maximum

### Surrounding Area

	<i>North</i>	<i>South</i>	<i>East</i>	<i>West</i>
<i>Zoning</i>	SC; SC CUD	SC CUD	SC CUD	SC CUD; O&I-3
<i>Future Land Use</i>	Community Mixed Use	Community Mixed Use	Community Mixed Use	Community Mixed Use, Office/ Research & Development
<i>Current Land Use</i>	Shopping Center	Shopping Area, Bank, Retail Sales	Eating Establishment w/ Drive-Through	Shopping Area; Office Center

## Comprehensive Plan Guidance

<i>Future Land Use</i>	Community Mixed Use
<i>Area Plan</i>	n/a
<i>Applicable Policies</i>	Policy LU 1.3 Conditional Use District Consistency Policy LU 4.5 Connectivity Policy T 5.3 Bicycle and Pedestrian Mobility Policy T 6.6 Parking Connectivity Policy EP 8.1 Light Pollution Policy EP 8.2 Light Screening Policy UD 2.1 Building Orientation Policy UD 2.2 Multi-modal Design Policy UD 2.3 Activating the Street Policy UD 3.7 Parking Lot Placement Policy UD 6.1 Encouraging Pedestrian-Oriented Uses Policy UD 7.3 Design Guidelines

## Contact Information

<i>Staff</i>	Doug Hill: 919-516-2622; <a href="mailto:Doug.Hill@raleighnc.gov">Doug.Hill@raleighnc.gov</a>
<i>Applicant</i>	Lacy H. Reaves: 919-821-6704; <a href="mailto:lreaves@smithlaw.com">lreaves@smithlaw.com</a>
<i>Citizens Advisory Council</i>	North – Joe Corey: 919-845-1716; <a href="mailto:corey3rd@gmail.com">corey3rd@gmail.com</a>

## Case Overview

The proposal seeks to remove prohibitions on several land uses currently in effect on the property, specifically video sales/ rental facilities, supermarkets, or stores with a pharmacist. Many of the existing conditions would remain in effect.

At present, the site is fully built out. Topographically, the interior grade is four to eight feet lower than Spring Forest Road, and four to six feet higher than the adjacent commercial property to the east. At-grade vehicular access is provided off Falls of Commons and Springfield Commons drives. Double bays of parking flank three sides of the building; the fourth side, which faces Springfield Commons Drive, functions as the building's service-area access. The proposed rezoning would permit a similar site configuration. While sidewalks currently edge all street frontages of the property, pedestrian access into the site is only provided at the south corner, and that walkway abruptly ends at an interior parking lot curb. The proposal requires delineated connections from Spring Forest Road and Falls of Commons Drive.

The present building exhibits a degree of design unity with others in the Springfield Commons development, among them similar brick and mortar color, fenestration, and roof design and materials. The proposal provides some continuity in requiring brick and a minimum roof pitch, both other measures of architectural consistency are not addressed (e.g., brick color/ banding, roof material, site signage, etc.). The site's location in a designated Mixed Use area carries the requirement that the Design Guidelines of the Comprehensive Plan be addressed; the applicant has provided some responses but leaves many open to the site plan approval stage.

## Exhibit C & D Analysis

### 1. Consistency of the proposed rezoning with the Comprehensive Plan and any applicable City-adopted plan(s)

### 1.1 Future Land Use

**Consistent.** The site is designated Community Mixed Use, of which the Comprehensive Plan states in part: “This category applies to medium-sized shopping centers and larger pedestrian-oriented retail districts such as Cameron Village. Typical commercial uses include large-format supermarkets, larger drug stores, department stores and variety stores, clothing stores, banks, offices, restaurants, movie theaters, hotels, and similar uses that draw from multiple neighborhoods.”

### 1.2 Policy Guidance

The following policy guidance is applicable with this request:

#### **Policy LU 1.3 -- Conditional Use District Consistency**

All conditions proposed as part of a conditional use district (CUD) should be consistent with the Comprehensive Plan.

**Consistent.** The conditions provided meet Comprehensive Plan provisions, largely maintaining or expanding upon the zoning case conditions currently in place.

#### **Policy T 5.3 -- Bicycle and Pedestrian Mobility**

Enhance pedestrian and bicycle circulation, access, and safety along corridors, downtown, in activity and employment centers, at densely developed areas and transit stations, and near schools, libraries, and parks.

**Consistent.** Street-front sidewalks and a bike rack or “other facility for the parking of bicycles” are conditioned.

#### **Policy LU 4.5 -- Connectivity**

New development and redevelopment should provide pedestrian and vehicular connectivity between individual development sites to provide alternative means of access along corridors.

#### **Policy T 6.6 -- Parking Connectivity**

Promote parking and development that encourage multiple destinations within an area to be connected by pedestrian trips.

**Consistent.** Site conditions limit opportunities for providing cross access. The one adjoining property is fully built out with no driveway stub provided to the subject site; the shared lot line tops a landscaped, four-foot change in grade. Sidewalks are conditioned along all public rights-of-way fronting the subject site, connecting to those existing at the neighboring property.

#### **Policy EP 8.1 -- Light Pollution**

Reduce light pollution and promote dark skies by limiting the brightness of exterior fixtures and shielding adjacent uses from light sources, provided safety is not compromised. Minimize flood lighting and maximize low level illumination. Promote the use of efficient, full cut-off lighting fixtures wherever practical. Full cut-off fixtures emit no light above the horizontal plane.

**Consistent.** Freestanding light fixtures are conditioned to be full cut-off.

**Policy EP 8.2 -- Light Screening**

Prohibit unshielded exterior lamps and limit the lighting of trees and other vegetation through the use of shielded fixtures and footcandle limits.

**Inconsistent.** Exterior lamps and landscape lighting will be fully shielded; however, no footcandle limits are provided. To comply with this policy, a footcandle limit should be conditioned for landscape lighting.

**Policy UD 2.1 -- Building Orientation**

Buildings in mixed-use developments should be oriented along streets, plazas and pedestrian ways. Their facades should create an active and engaging public realm.

**Policy UD 2.3 -- Activating the Street**

New retail and mixed-use centers should activate the pedestrian environment of the street frontage in addition to internal pedestrian networks and connections.

**Consistent.** Existing grade differences and building placement have focused the existing pedestrian access on the southeast portion of the site (along Falls of Commons Drive). Public entrances to the existing building face both that and the Spring Forest Road frontage, but behind double bays of parking. Internal uses and access are facilitated by a wide walkway edging those two sides of the building. Currently lacking is a well-delineated crosswalk system, linking building and street. The proposal requires the primary entrance to be along the Spring Forest Road façade—although, as worded, the condition would permit it at the building corner farthest from either of the two street intersections the site adjoins. Direct pedestrian connections to the building are conditioned from both Spring Forest Road and Falls of Commons Drive.

**Policy UD 2.2 -- Multi-modal Design**

Mixed-use developments should accommodate all modes of transportation to the greatest extent possible.

**Consistent.** The proposal is conditioned to include perimeter and interior sidewalks, a bike rack, and a transit easement.

**Policy UD 3.7 -- Parking Lot Placement**

New parking lots on designated Urban or Multi-modal corridors on the Growth Framework Map should be generally located at the side or rear of buildings. Where feasible, existing parking lots on such corridors should be landscaped to create a pedestrian-friendly streetscape with business visibility.

**Inconsistent** (not addressed). The subject section of Spring Forest Road is designated as an Urban Corridor on the Growth Framework Map. The existing build-out includes a double bay of parking along the street, with landscaping serving as a transition down the slope from the associated sidewalk. The proposal does not address this site design, nor the alternative of a new building positioned closer to the street, with parking behind or beside it. To comply with this policy, parking lot placement and/ or landscaping should meet one of the policy's stated design alternatives.

**Policy UD 6.1 -- Encouraging Pedestrian-Oriented Uses**

New development, streetscape, and building improvements in Downtown and mixed-use corridors and centers should promote high intensity, pedestrian-oriented use and discourage automobile-oriented uses and drive-through uses.

**Inconsistent.** Existing site development features street sidewalks and wide pedestrian space on two sides of the building; however, the one existing walkway into the site ends



at the interior curb of the parking lot. The current site form is plainly automobile-oriented. While a restaurant drive-through is prohibited under current and proposed zoning, drive-throughs would be allowed for any other permitted site use (e.g., bank, pharmacy, laundry/ dry cleaners, etc.). To comply with this policy, the proposal should outline additional commitment to urban form and uses which are pedestrian-friendly (e.g., restrict all drive-throughs).

**Policy UD 7.3 -- Design Guidelines**

Table UD-1 shall be used to review rezoning petitions and development applications for mixed-use developments or developments in mixed-use areas such as pedestrian Business Overlays, including preliminary site and development plans, petitions for the application of the Pedestrian Business or Downtown overlay districts, Planned Development Districts, and Conditional Use zoning petitions.

**Inconsistent** (not fully addressed). Proposal responses to the Guidelines are for the most part consistent with guideline outlooks and intentions. However, more than one third of the 26 guidelines are left unaddressed, deferred instead to a future site plan proposal. They include Guideline **6.** (building/ parking placement), **7.** (building proximity to street), and **8.** (building proximity to corner), and **21.** (sidewalk width), **22.** (street tree selection), **23.** (spatial definition of street frontages), **24.** (building entrance orientation/ design prominence), **25.** (façade design), and **26.** (sidewalk design). Additionally, responses to the following guideline requires further elaboration to determine consistency:

**18.** This Guideline states that convenient access should be provided between transit stops and the site building entrance. For consistency with this guideline, the proposal should include language assuring convenient pedestrian travel between the conditioned transit easement and the building.

To comply with this policy, these guidelines should be more fully addressed, and urban form elements conditioned which are consistent with them.

**1.3 Area Plan Guidance**

The site is not in a location which is part of an Area Plan.

**2. Compatibility of the proposed rezoning with the property and surrounding area**

The proposal would not change the existing zoning, only expand permitted uses. Site redevelopment could thus be very similar to that existing. Several zoning conditions already in effect on the site are maintained by the proposal, specifically those addressing building height, wall material, and roof form, that providing a bicycle rack, and that prohibiting gas stations, commercial parking decks, mini-warehouses, or restaurants with drive-throughs. Currently the site has no vehicular access to Spring Forest Road; a proposed condition would codify that configuration. Not resolved is how the form of site redevelopment might address any of the three adjacent streets, particularly in regard to parking placement and proximity of the building to the street(s).

**3. Public benefits of the proposed rezoning**

The rezoning would allow additional uses of the site, while maintaining a measure of continuity with existing development and added accommodation of multi-modal access.

**4. Detriments of the proposed rezoning**

The urban form possible under the proposed conditions could differ little from the automobile-focused development already in place. The Comprehensive Plan concedes that some areas Community Mixed Use centers are currently auto-oriented, and even suggests multiple zoning districts might be created to reflect that the fact. Yet it also

states that mid-rise development could be part of the mix, a possibility missing from the proposal in its maintaining a 2-story height limit. The uses currently not permitted on the property—video sales rental, supermarket, and pharmacy—do not expand the retail base of the area, but actually duplicate goods and services already being provided within a quarter mile of the site.

## 5. Impact on public services, facilities, infrastructure, fire and safety, parks and recreation, etc.

### 5.1 Transportation

<u>Primary Streets</u>	<u>Classification</u>	<u>2009 NCDOT Traffic Volume (ADT)</u>	<u>2035 Traffic Volume Forecast (CAMPO)</u>			
Spring Forest Road	Major Thoroughfare	17,000	32,500			
Falls of Commons Drive	Commercial Street	N/A	N/A			
Springfield Commons Drive	Commercial Street	N/A	N/A			
<u>Street Conditions</u>						
<u>Spring Forest Road</u>	<u>Lanes</u>	<u>Street Width</u>	<u>Curb and Gutter</u>	<u>Right-of-Way</u>	<u>Sidewalks</u>	<u>Bicycle Accommodations</u>
Existing	5	65'	Back-to-back curb and gutter section	90'	5' sidewalks on both sides	None
City Standard	4	65'	Back-to-back curb and gutter section	90'	minimum 5' sidewalks on both sides	Striped bicycle lanes on both sides
<b>Meets City Standard?</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>NO</b>
<u>Falls of Commons Drive</u>	<u>Lanes</u>	<u>Street Width</u>	<u>Curb and Gutter</u>	<u>Right-of-Way</u>	<u>Sidewalks</u>	<u>Bicycle Accommodations</u>
Existing	2	41'	Back-to-back curb and gutter section	60'	5' sidewalks on both sides	None
City Standard	2	41'	Back-to-back curb and gutter section	60'	minimum 5' sidewalks on one side	N/A
<b>Meets City Standard?</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>N/A</b>
<u>Springfield Commons Drive</u>	<u>Lanes</u>	<u>Street Width</u>	<u>Curb and Gutter</u>	<u>Right-of-Way</u>	<u>Sidewalks</u>	<u>Bicycle Accommodations</u>
Existing	2	26'	Back-to-back curb and gutter section	45'	5' sidewalks on both sides	None
City Standard	2	41'	Back-to-back curb and gutter section	60'	minimum 5' sidewalks on one side	N/A
<b>Meets City Standard?</b>	<b>YES</b>	<b>NO</b>	<b>YES</b>	<b>NO</b>	<b>YES</b>	<b>N/A</b>
<u>Expected Traffic Generation [vph]</u>	<u>Current Zoning</u>	<u>Proposed Zoning</u>	<u>Differential</u>			
AM PEAK	246	40	-206			
PM PEAK	205	77	-128			
<b>Suggested Conditions/ Impact Mitigation:</b>		Traffic Study Determination: Staff reviewed a trip generation differential report for this case and a traffic impact analysis study is not recommended for Z-20-12. The subject property has full movement access onto Falls of Commons Drive and Springfield Commons Drive.				

<b>Additional Information:</b>	Neither NCDOT nor the City of Raleigh have any roadway construction projects scheduled in the vicinity of this case.
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**Impact Identified:** None anticipated.

### 5.2 Transit

Route 2 Falls of the Neuse currently operates along Falls of Neuse Road. The Capital Area 2035 Bus Transit Development Study suggests a route operating along Spring Forest Road that would be implemented within the first three years of the plan. A transit easement is conditioned by the proposal.

**Impact Identified:** None expected.

### 5.3 Hydrology

<i>Floodplain</i>	No FEMA floodplain present
<i>Drainage Basin</i>	Marsh Creek
<i>Stormwater Management</i>	Subject to Part 10, Chapter 9
<i>Overlay District</i>	none

**Impact Identified:** No impacts expected.

### 5.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	7,245 gpd	7,245 gpd
<i>Waste Water</i>	7,245 gpd	7,245 gpd

There are existing sanitary sewer and water mains adjacent to the proposed rezoning property within the Spring Forest Road, Falls of Commons Drive, and Springfield Commons Drive rights-of-way.

**Impact Identified:** Downstream sanitary sewer improvements may be required of the applicant by the City, depending upon the actual site use.

### 5.5 Parks and Recreation

The subject tract is not adjacent to any greenway corridors.

**Impact Identified:** There are no impacts to park level of service or greenway impacts expected.

### 5.6 Urban Forestry

The parcel is less than two acres in size. Tree conservation will not be required if the site is further improved. There are no groups of trees adjacent to a thoroughfare. A natural protective yard will not be required if the site is further improved.

**Impact Identified:** No impacts expected.

**5.7 Designated Historic Resources**

The site does not include and is not within 1,000 feet of any Raleigh Historic Landmarks or properties listed on the National Register of Historic Places.

**Impact Identified:** No impacts on the City's historic resources are anticipated as a result of the proposed rezoning.

**5.8 Community Development**

This site is not located within a redevelopment plan area.

**Impact Identified:** None.

**5.9 Impacts Summary**

1. Potential need for downstream sanitary sewer improvements upon redevelopment.

**5.10 Mitigation of Impacts**

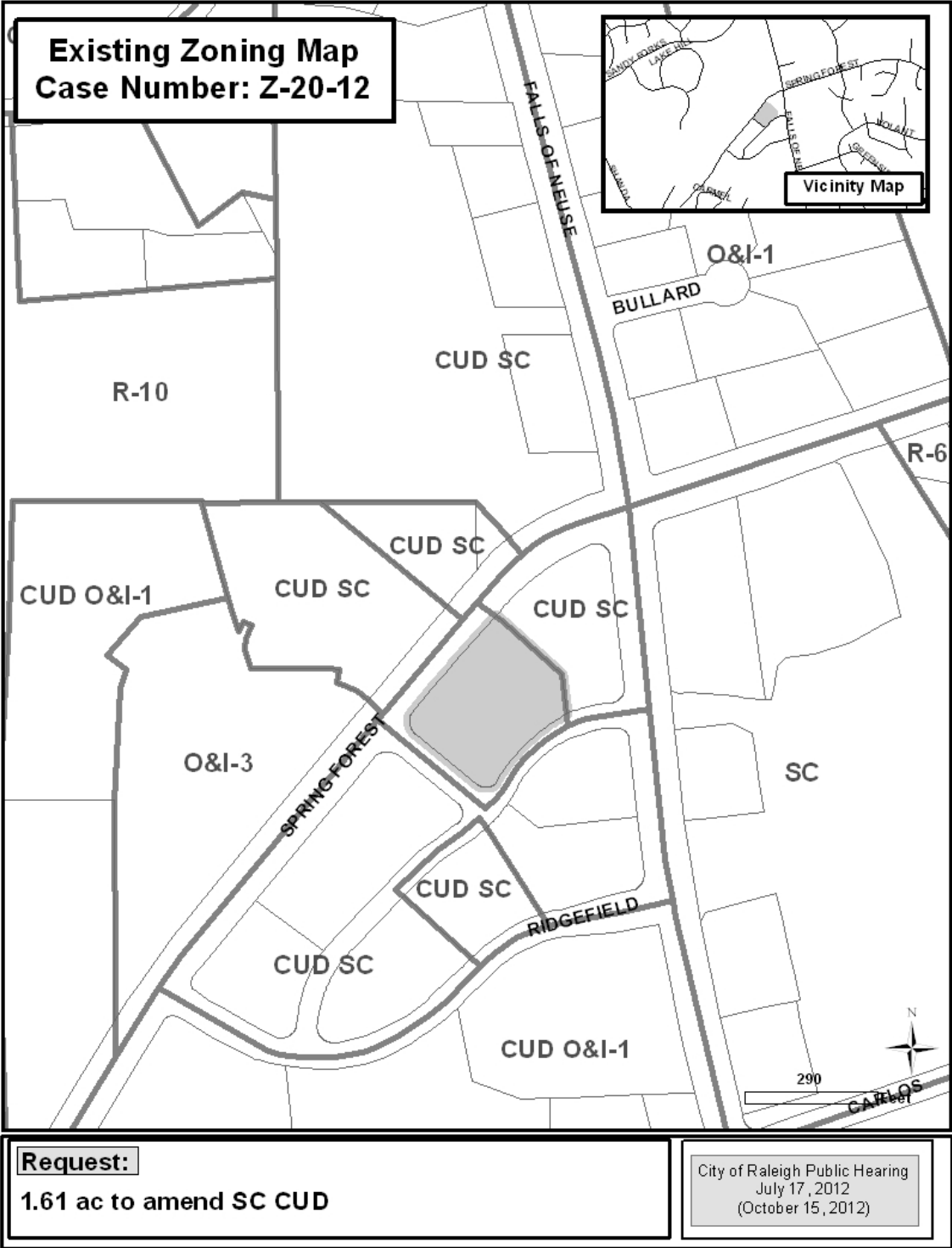
1. None (subject to determination of need for sewer improvements).

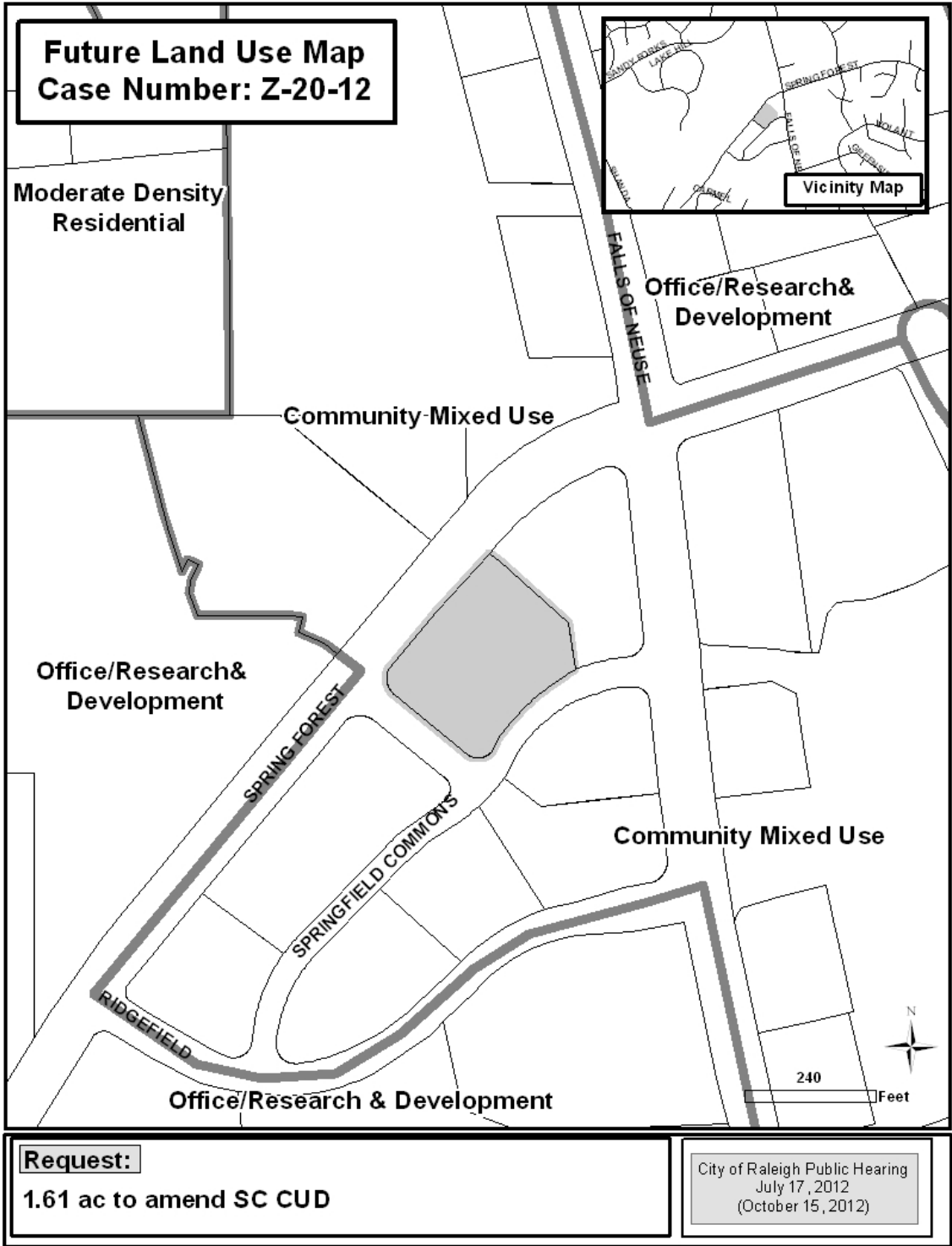
**5. Appearance Commission**

This rezoning proposal is not within a Planned Development District, a Pedestrian Business Overlay District or the Downtown Overlay District, so is not subject to Appearance Commission review.

**6. Conclusions**

The proposal would maintain continuity between current site uses and urban form, and potential future redevelopment. That continuity, however, could include the present automobile-oriented site design. Site use and redevelopment will determine whether downstream sanitary sewer improvements will be needed.







Z-20-12

# Petition to Amend the Official Zoning Map

Before the City Council of the City of Raleigh, North Carolina

Pd 1081.00 by  
CK # 66-1202  
580

The petitioner seeks to show the following:

1. That, for the purposes of promoting health, morals, or the general welfare, the zoning classification of the property described herein must be changed.
2. That the following circumstance(s) exist(s):
  - City Council has erred in establishing the current zoning classification of the property by disregarding one or a combination of the fundamental principles of zoning as set forth in the enabling legislation, North Carolina General Statutes Section 160A-381 and 160A-383.
  - Circumstances have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
  - The property has not heretofore been subject to the zoning regulations of the City of Raleigh.
3. That the requested zoning change is or will be consistent with the Raleigh Comprehensive Plan.
4. That the fundamental purposes of zoning as set forth in the N.C. enabling legislation would be best served by changing the zoning classification of the property. Among the fundamental purposes of zoning are:
  - a. to lessen congestion in the streets;
  - b. to provide adequate light and air;
  - c. to prevent the overcrowding of land;
  - d. to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
  - e. to regulate in accordance with a comprehensive plan;
  - f. to avoid spot zoning; and
  - g. to regulate with reasonable consideration to the character of the district, the suitability of the land for particular uses, the conservation of the value of buildings within the district and the encouragement of the most appropriate use of the land throughout the City.

THEREFORE, petitioner requests that the Official Zoning map be amended to change the zoning classification of the property as proposed in this submittal, and for such other action as may be deemed appropriate. All property owners must sign below for conditional use requests.

**ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS**

Signature(s)	Print Name	Date
Pappamihel Investments LLC		March 16, 2012
By:		
Lacy H. Reaves, Attorney		

# EXHIBIT B. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in *Filing Addendum*

## Contact Information

	Name(s)	Address	Telephone/Email
Petitioner(s)	Pappamihel Investments LLC	c/o Lincoln Harris LLC 4725 Piedmont Row Dr., Suite 800 Charlotte, NC 28210-4284	704-714-2858 (Blanton Hamilton) bhamilton@tribek.com
(for conditional use requests, petitioners must own petitioned property)			
Property Owner(s)	Petitioner		
Contact Person(s)	Lacy H. Reaves	PO Box 2611 Raleigh, NC 27602	919-821-6704 lreaves@smithlaw.com

## Property information

Property Description (Wake County PIN)	1717-20-0731
Nearest Major Intersection	Spring Forest Road and Falls of Commons Drive
Area of Subject Property (in acres)	Approximately 1.61 acres
Current Zoning Districts (include all overlay districts)	Shopping Center Conditional Use District
Requested Zoning Districts (include all overlay districts)	Shopping Center Conditional Use District



# EXHIBIT B. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in *Filing Addendum*

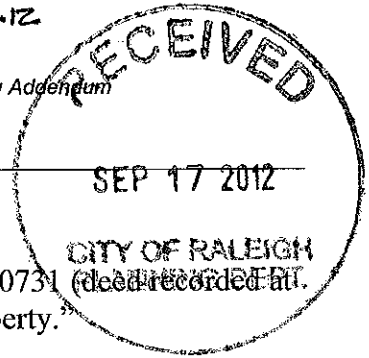
The following are all of the persons, firms, property owners, associations, corporations, entities or governments owning property adjacent to and within one hundred feet (excluding right-of-way) of the property sought to be rezoned. Please include Wake County PINs with names, addresses and zip codes. Indicate if property is owned by a condominium property owners association. Please complete ownership information in the boxes below. If you need additional space, please copy this form.

Name	Mailing Address	City/State/Zip	Wake Co. PIN
Columbia Sutton Square LLC	Property Tax Department PO Box 790830	San Antonio, TX 78279-0830	1717118506
McDonalds Corporation	PO Box 99035	Raleigh, NC 27624-9035	1717202844
TMK Limited Partnership	2711 Lemon Tree Ln.	Charlotte, NC 28211-3645	1717202543
RBC Bank USA	PO Box 2157	Rocky Mount, NC 27802-2157	1717202305
Louay M. & Baha L. Tappouni	5509 Somerford Ln.	Raleigh, NC 27614-9841	1717109289
Fernando R. & Carol Y. Puente	800 Springfield Commons Dr. Suite 115	Raleigh, NC 27609-8533	1717108122
Blue Gem Inc.	1846 Banking St.	Greensboro, NC 27408-7222	1717107461
CN Investors	PO Box 10810	Raleigh, NC 27605-0810	1717102685
Spring Peas LLC	2019 Fairview Rd., Ste. 200 PO Box 6450	Raleigh, NC 27628-6450	1717106975
DRP Raleigh LLC	c/o Forest Properties Inc. PO Box 18186	Greensboro, NC 27419-8186	1717118098
North State Bancorp	c/o Kirk Whorf PO Box 18367	Raleigh, NC 27619-8367	1717205910
CPG Finance I LLC	CPG Partners LP PO Box 6120	Indianapolis, IN 46206-6120	1717205544

# EXHIBIT C. Request for Zoning Change

Z-20-12  
AMENDED 9.17.12  
PG. 1 OF 2

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Conditional Use District requested: Shopping Center Conditional Use District

Narrative of conditions being requested:

For purposes of the following conditions, tax parcel PIN 1717-20-0731 (also recorded at Book 9813, Page 2715, Wake County Registry) is referred to as the "Property."

(a) No eating establishment which serves food at a drive-through window shall be located upon the Property.

(b) No more than three (3) establishments shall be located upon the Property.

(c) The following uses will be prohibited on the Property: automotive service and repair facility; convenience store; auto parts store; commercial parking deck operated as an independent business; individual mini-warehouses; or multifamily dwelling units of any kind.

(d) Prior to recordation of a subdivision plat or issuance of a building permit, whichever shall first occur, sidewalks shall be constructed along all public rights-of-way adjoining the Property.

(e) Any building constructed upon the Property shall not exceed two (2) occupied stories or thirty-five (35) feet in height, excluding mechanical equipment and elevator penthouses, with height measured from average finished grade to the peak of the roof.

(f) At least seventy-five percent (75%) of the opaque exterior surfaces of any building constructed upon the Property shall consist of brick. Any building constructed upon the Property shall have (or when viewed from the ground level of adjoining properties shall appear to have, e.g. as with a mansard roof) a pitched roof with a minimum slope of five (rise) to twelve (horizontal distance).

(g) Upon the development of the Property, the owner will provide a rack or other facility for the parking of bicycles.

(h) Freestanding outdoor lighting on the Property shall utilize only shielded, full cut-off fixtures.

# 2564723\_4 (2). Do these restrictions and conditions are offered voluntarily and with knowledge of the guidelines stated in the *Filing Addendum*. If additional space is needed, this form may be copied. Each page must be signed by **all property owners**.

**ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS**

Signature(s)	Print Name	Date
	Pappamihel Investments LLC	September 13, 2012

By: Angelina M. Pappamihel Angelina M. Pappamihel, Manager/Member  
Member

# EXHIBIT C. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in *Filing Addendum*

Z-20-12  
AMENDED 9.17.12  
PG. 2 OF 2

(i) Direct vehicular access from the Property to Spring Forest Road shall be prohibited.

(j) If desired by the City of Raleigh, the Property owner shall offer to the City of Raleigh prior to recordation of a subdivision plat or issuance of a building permit, whichever shall first occur, a transit easement along Spring Forest Road measuring fifteen (15) feet by twenty (20) feet. The location of such easement shall be approved by the Transit Division at the time of such subdivision or site plan approval.

(k) The primary entrance of any building constructed upon the Property shall be on the face of the building facing Spring Forest Road or at one of the corners of such face of the building.

(l) Direct pedestrian access shall be provided to any building constructed upon the Property from the sidewalks along Spring Forest Road and Falls of Commons Drive via walkways delineated with striping and/or differentiated hardscape.

(m) All exterior lamps and landscape lighting fixtures shall be fully shielded.

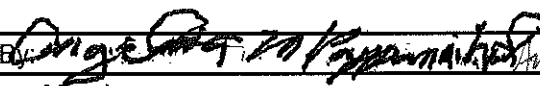
(n) There will be no drive-thru on the face of any building upon the Property facing Spring Forest Road.

(o) Upon the issuance of a building permit for the construction of development upon the Property, the owner shall pay to the City of Raleigh the amount of \$10,000.00 which shall be used to facilitate the crossing of Spring Forest Road by pedestrians at or near the Property.

(p) Upon the redevelopment of the Property, no more than one row of parking shall be provided between any building constructed upon the Property and Spring Forest Road.

# 2564723\_4 (2). Do these restrictions and conditions are offered voluntarily and with knowledge of the guidelines stated in the *Filing Addendum*. If additional space is needed, this form may be copied. Each page must be signed by **all property owners**.

### ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

Signature(s)	Print Name	Date
	Pappamihel Investments LLC	September 13, 2012
	Angelina M. Pappamihel, Manager/Member	
Member		

# EXHIBIT D. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in *Filing Addendum*

This section is reserved for the applicant to state factual information in support of the rezoning request.

### **Required items of discussion:**

The Planning Department is instructed not to accept any application for amending the official zoning map without a statement prepared by the applicant analyzing the reasonableness of the rezoning request. This statement *shall* address the consistency of the proposed rezoning with the Comprehensive Plan and any other applicable *City*-adopted plan(s), the compatibility of the proposed rezoning with the *property* and surrounding area, and the benefits and detriments of the proposed rezoning for the landowner, the immediate neighbors and the surrounding community.

### **Recommended items of discussion (where applicable):**

1. An error by the City Council in establishing the current zoning classification of the property.
2. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
3. The public need for additional land to be zoned to the classification requested.
4. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.

### **PETITIONER'S STATEMENT:**

The property proposed for rezoning is referred to in this Statement as the "Property."

#### **I. Consistency of the proposed map amendment with the Comprehensive Plan (www.raleighnc.gov).**

##### **A. Please state the recommended land use(s) for this property as shown on the Future Land Use Map and discuss the consistency of the proposed land uses:**

The Property is currently zoned and used for general retail use, and this zoning case contemplates its redevelopment for retail purposes. The present case substantially maintains zoning conditions approved for the larger Springfield Commons development in 1990. The sole purpose of this case is to eliminate conditions which prohibit the use of the Property as a store operated by a national pharmacy retailer.

The Property is located on Spring Forest Road just west of its intersection with Falls of the Neuse Road. These roads are designated a Major Thoroughfare and a Secondary Arterial in the Comprehensive Plan. The Growth Framework Map of the Comprehensive Plan designates the area which includes the Property as a Mixed Use Community Center. The Future Land Use Map includes the Property within an area designated for Community Mixed-Use Development.

The redevelopment of the Property for retail use is consistent with the Community Mixed-Use designation in the Future Land Use Map. This designation contemplates "larger pedestrian-oriented retail districts" and includes "commercial uses" such as "larger drug stores." The use of the Property for such a purpose is also consistent with its designation in the Growth Framework Map. Accordingly, it is submitted that the rezoning and the proposed land use are consistent with the Comprehensive Plan.

**EXHIBIT D. Request for Zoning Change**

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- B. Please state whether the subject property is located within any Area Plan or other City Council-adopted plans and policies and discuss the policies applicable to future development within the plan(s) area.**

The Property is not located within an Area Plan or other area subject to City Council-adopted plans and policies.

- C. Is the proposed map amendment consistent or inconsistent with the Comprehensive Plan and other City Council-adopted plans and policies? All references to Comprehensive Plan policies should include both the policy number (e.g. LU 4.5) and short title (e.g. "Connectivity").**

The proposed map amendment is consistent with the Future Land Use Map, the Growth Framework Map, and the following policies of the Comprehensive Plan:

LU-7.1 - Encouraging Nodal Development - The proposed rezoning strengthens the development of the commercial node at the intersection of Spring Forest and Falls of the Neuse Roads.

LU-7.3 - Scale and Design of New Commercial Uses - The zoning conditions applicable to this case provide for a height, mass, and scale appropriate and compatible with surrounding areas.

LU-10.1 - Mixed-Use Retail - The proposed rezoning encourages retail redevelopment in the context of the larger mixed-use development established in the 1990 rezoning of Springfield Commons.

LU-10.6 - Retail Nodes - The redevelopment of this parcel as proposed strengthens the existing retail node at the intersection of Spring Forest and Falls of the Neuse Roads.

T-2.10 - Level of Service - In view of the existing zoning and use of the Property, the proposed rezoning will not adversely affect levels of service on adjacent roadways and at nearby intersections.

T-5.2 - Incorporating Bicycle and Pedestrian Improvements - The conditions applicable to the proposed rezoning provide for appropriate bicycle facilities.

**II. Compatibility of the proposed map amendment with the property and the surrounding area.**

- A. Description of land uses within the surrounding area (residential housing types, parks, institutional uses, commercial uses, large parking lots, thoroughfares and collector streets, transit facilities):**

The Property is surrounded by a mix of non-residential land uses. Restaurants adjoin the Property on both the north and south and multi-tenant commercial and office land uses are to the west across Spring Forest Road. Banking and office uses adjoin the Property to the east. Across Falls of the Neuse Road to the east of the Property are office and restaurant uses.

# EXHIBIT D. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in *Filing Addendum*

**B. Description of existing Zoning patterns (zoning districts including overlay districts) and existing built environment (densities, building heights, setbacks, tree cover, buffer yards):**

Zoning and land use patterns in the immediate area are entirely commercial and include eating establishments, offices, and general retail uses. The area is fully developed in a commercial, nodal manner.

**C. Explanation of how the proposed zoning map amendment is compatible with the suitability of the property for particular uses and the character of the surrounding area:**

The proposed rezoning contemplates the redevelopment of existing retail uses with a new retail use. A change in the underlying zoning district is not proposed.

**III. Benefits and detriments of the proposed map amendment.**

**A. For the landowner(s):**

The proposed rezoning will allow the redevelopment of the Property for a land use which is not currently allowed upon the Property.

**B. For the immediate neighbors:**

The proposed rezoning contemplates the replacement of a fifteen (15) year old retail building with new retail construction. The new use will not significantly affect traffic conditions and will not change the existing characteristics of the use of the Property.

**C. For the surrounding community:**

The proposed rezoning will enable the redevelopment of the Property for a use which will serve surrounding residential areas.

**IV. Does the rezoning of this property provide a significant benefit which is not available to the surrounding properties? Explain:**

The proposed rezoning will authorize a use of the Property not available to other parcels within the original Springfield Commons development. However, several of those parcels have been rezoned to modify the original zoning conditions.

**Explain why the characteristics of the subject property support the proposed map amendment as reasonable and in the public interest.**

The proposed rezoning of the Property will not increase the density of development allowed upon the Property. The redevelopment will, however, enable a land use for which there is a demand in the area.

# EXHIBIT D. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in *Filing Addendum*

## V. Recommended items of discussion (where applicable).

- a. **An error by the City Council in establishing the current zoning classification of the property.**

Not applicable.

- b. **How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.**

Not applicable.

- c. **The public need for additional land to be zoned to the classification requested.**

The Comprehensive Plan encourages the use of the Property as proposed in this rezoning. Further, an analysis of demographic characteristics indicates a public need for the use which would be allowed by the rezoning.

- d. **The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.**

The proposed rezoning will not adversely affect public services and infrastructure. Similarly, there will be no effect upon topography and the access to light and air by adjacent properties.

- e. **How the rezoning advances the fundamental purposes of zoning as set forth in the N.C. enabling legislation.**

The proposed rezoning advances the public health, safety, morals, and general welfare of the community by authorizing a desirable land use upon the Property and continuing the retail use of the Property in an area where such use is encouraged by the Comprehensive Plan.

## VI. Other arguments on behalf of the map amendment requested.

Not applicable.

## Design Guidelines for Mixed Use Areas

### RALEIGH COMPREHENSIVE PLAN

#### **Policy UD 7.3**

#### **Design Guidelines**

The design guidelines in **Table UD-1** [listed below] shall be used to review rezoning petitions and development applications for mixed-use developments or developments in mixed-use areas such as Pedestrian Business Overlays, including preliminary site and development plans, petitions for the application of the Pedestrian Business or Downtown overlay districts, Planned Development Districts, and Conditional Use zoning petitions.

#### **Elements of Mixed-Use Areas**

1. *All Mixed-Use Areas should generally provide retail (such as eating establishments, food stores, and banks), office, and residential uses within walking distance of each other.*

**Response:** *The 1.6 acre parcel that is the subject of this case is surrounded by a varied assortment of retail, office, and multifamily uses.*

#### **Mixed-Use Areas /Transition to Surrounding Neighborhoods**

2. *Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.*

**Response:** *Although the property in this case does not have proximity to a lower density neighborhood, condition (e) limits height to two (2) stories and 35 feet.*

#### **Mixed-Use Areas /The Block, The Street and The Corridor**

3. *A mixed use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed use area should be possible without requiring travel along a major thoroughfare or arterial.*

**Response:** *This case does not propose any modification to the existing street network.*

4. *Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.*

**Response:** *Existing streets and drives are in place.*

5. *Block faces should have a length generally not exceeding 660 feet.*

**Response:** *No new blocks are to be created as a result of this case.*



## **Site Design/Building Placement**

6. *A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.*

**Response: The location of the new building on this property will be determined at the time of site plan approval. It is anticipated that loading areas will be located on the side of the building facing Springfield Commons Drive.**

7. *Buildings should be located close to the pedestrian street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings.*

**Response: The exact building location will be addressed at the time of site plan approval.**

8. *If the building is located at a street intersection, the main building or part of the building placed should be placed at the corner. Parking, loading or service should not be located at an intersection.*

**Response: Again, building location on the property will be addressed at the time of site plan approval.**

## **Site Design/Urban Open Space**

9. *To ensure that urban open space is well-used, it is essential to locate and design it carefully. The space should be located where it is visible and easily accessible from public areas (building entrances, sidewalks). Take views and sun exposure into account as well.*

**Response: It is not contemplated that this 1.6 acre redevelopment parcel will include open space.**

10. *New urban spaces should contain direct access from the adjacent streets. They should be open along the adjacent sidewalks and allow for multiple points of entry. They should also be visually permeable from the sidewalk, allowing passersby to see directly into the space.*

**Response: As provided in condition (d), this parcel is and will be entirely surrounded by sidewalks.**

11. *The perimeter of urban open spaces should consist of active uses that provide pedestrian traffic for the space including retail, cafés, and restaurants and higher-density residential.*

**Response: This guideline is not applicable.**

12. *A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.*

**Response: Again, this guideline is not applicable.**

### **Site Design/Public Seating**

13. *New public spaces should provide seating opportunities.*

**Response:** *Again, this guideline is not applicable.*

### **Site Design/Automobile Parking and Parking Structures**

14. *Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.*

**Response:** *It is anticipated that given the limited size of this parcel, no more than two rows of parking will separate any side of the new building and a street.*

15. *Parking lots should be located behind or in the interior of a block whenever possible. Parking lots should not occupy more than 1/3 of the frontage of the adjacent building or not more than 64 feet, whichever is less.*

**Response:** *Springfield Commons, the original development of which this property is a part, does not consist of standard sized blocks.*

16. *Parking structures are clearly an important and necessary element of the overall urban infrastructure but, given their utilitarian elements, can give serious negative visual effects. New structures should merit the same level of materials and finishes as that a principal building would, care in the use of basic design elements can make a significant improvement.*

**Response:** *Given the size of this parcel, its redevelopment will not involve a parking structure.*

### **Site Design/Transit Stops**

17. *Higher building densities and more intensive land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.*

**Response:** *This use will be within walking distance of an existing transit stop at Sutton Square Shopping Center.*

18. *Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.*

**Response:** *Convenient access to the transit stop at Sutton Square is available via existing sidewalks and those to be provided upon redevelopment of the property subject to Z-20-12.*

### **Site Design/Environmental Protection**

19. *All development should respect natural resources as an essential component of the human environment. The most sensitive landscape areas, both environmentally and visually, are steep slopes greater than 15 percent, watercourses, and floodplains. Any development in these areas should minimize intervention and maintain the natural condition except under extreme circumstances. Where practical, these features should be conserved as open space amenities and incorporated in the overall site design.*

**Response: Not applicable.**

### **Street Design/General Street Design Principles**

20. *It is the intent of these guidelines to build streets that are integral components of community design. Streets should be designed as the main public spaces of the City and should be scaled for pedestrians.*

**Response: This project will not involve the construction of new streets.**

21. *Sidewalks should be 5-8 feet wide in residential areas and located on both sides of the street. Sidewalks in commercial areas and Pedestrian Business Overlays should be a minimum of 14-18 feet wide to accommodate sidewalk uses such as vendors, merchandising and outdoor seating.*

**Response: The width of sidewalk will be addressed at the time of site plan approval.**

22. *Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which compliment the face of the buildings and which shade the sidewalk. Residential streets should provide for an appropriate canopy, which shadows both the street and sidewalk, and serves as a visual buffer between the street and the home. The typical width of the street landscape strip is 6-8 feet. This width ensures healthy street trees, precludes tree roots from breaking the sidewalk, and provides adequate pedestrian buffering. Street trees should be at least 6 1/4" caliper and should be consistent with the City's landscaping, lighting and street sight distance requirements.*

**Response: Street trees will be addressed with the preparation of a landscape plan at the time of site plan approval.**

### **Street Design/Spatial Definition**

23. *Buildings should define the streets spatially. Proper spatial definition should be achieved with buildings or other architectural elements (including certain tree plantings) that make up the street edges aligned in a disciplined manner with an appropriate ratio of height to width.*

**Response: At the time of site plan approval, the relation of the building to be developed on this site and the street edge will be addressed. The siting of the building in relation to buildings on the east and west will also be addressed.**

### **Building Design/Facade Treatment**

24. *The primary entrance should be both architecturally and functionally on the front facade of any building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting facade.*

**Response: The location of the primary entrance will be addressed when the building to be placed on this parcel is designed.**

25. *The ground level of the building should offer pedestrian interest along sidewalks. This includes windows entrances, and architectural details. Signage, awnings, and ornamentation are encouraged.*

***Response: This will be addressed at the time of building design and site plan approval.***

**Building Design/Street Level Activity**

26. *The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.*

***Response: Sidewalk design and any pedestrian amenity will be addressed at the time of building design and site plan approval.***

**PROPOSED REZONING OF PIN NO. 1717-20-0731  
(THE "PROPOSED ZONING CASE")**

**Approximately 1.61 Acres – Spring Forest Road**

**REPORT OF MARCH 14, 2012 NEIGHBORHOOD MEETING**

In accordance with Section 10-2165(b)(3) of the Raleigh City Code, a neighborhood meeting was held with respect to the Proposed Zoning Case at 5:30 p.m. on Wednesday, March 14, 2012 at the offices of Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, L.L.P. at 150 Fayetteville Street, Suite 2300, Raleigh, NC 27601. Attached as Exhibit A is a list of those persons and organizations contacted about the meeting. Those persons and organizations were mailed a letter of invitation concerning the meeting, a copy of which is attached as Exhibit B. The letters were mailed on or about March 1, 2012 via First Class U.S. Mail.

Attached as Exhibit C is a list of the persons in attendance at the meeting. Lacy Reaves led the meeting and identified the property that will be the subject of the Proposed Zoning Case. He noted the reasons for the Proposed Zoning Case and the changes to existing zoning conditions requested in the case.

The issues discussed at the meeting included the proposed use of the property, the proposed site plan for this use, and traffic considerations related to the rezoning, including the potential for a reduction in trip generation related to the proposed use. At this time, there have been no changes to the rezoning petition subsequent to the neighborhood meeting.

A copy of this report will be provided to the Planning Department upon the filing of the petition for the Proposed Zoning Case.

Respectfully submitted, this 15<sup>th</sup> day of March, 2012.

  
\_\_\_\_\_  
Lacy H. Reaves, Attorney

Exhibit C

Andy Martin  
Comco Foods, LLC

Lacy H. Reaves  
Attorney

Blanton Hamilton  
Tribek Properties, LLC  
(Via Telephone )