

**Town of Cary, North Carolina  
Special Use 13-SU-001 and Site Plan 13-SP-014 Staff Report  
Triangle Math and Science Academy  
Town Council Public Hearing  
May 23, 2013**

**REQUEST**

Triad Educational Services, Inc. and William G. Daniel & Associates, P.A., on behalf of the property owner, Saia-Burgess Automotive, Inc., have requested approval of a Special Use permit and a site plan to convert an existing 73,000-square-foot building to a school use. The property is currently zoned Office/Research and Development (ORD), which requires approval of a Special Use permit to establish a school use.

**SPECIAL USE NOTES:**

*Special uses are generally compatible with other land uses permitted in the zoning district. However, because of the unique characteristics or potential impacts on the surrounding neighborhood and on the Town as a whole, they require individual consideration as to location, design, configuration, and/or operation at a particular location. [LDO Sec. 3.8.1(A)].*

*In accordance with Section 3.8.1(B) of the LDO, an associated site plan is being reviewed in conjunction with this Special Use Permit application.*

*In accordance with Section 3.8.3(C) of the LDO, the Town Council must follow quasi-judicial procedures when deciding special use permits.*

**SUBJECT PARCELS**

Property Owner	Wake County Parcel Identification Number (PIN) (10-digit)	Real Estate ID Number	Deeded Acreage
Saia-Burgess Automotive, Inc. 755 Bill Jones Industrial Drive Springfield, TN 37172-5014	0752717837	0124279	9.48
<b>Total Area</b>			9.48

**BACKGROUND INFORMATION**

Applicant & Agent (Special Use)	Alper Tekten Triad Educational Services 700 Creek Ridge Road Greensboro, NC 27406 (919) 651-1418 atekten@tmsacademy.org
Applicant & Agent (Site Plan)	Bill Daniel William G. Daniel & Associates, P.A. 1150 SE Maynard Road, Suite 260 (919) 467-9708 bdaniel@wmgda.com
General Location	312 Gregson Drive
Land Use Plan Designation	Office/Industrial (OFC/IND)
Zoning Districts	Office/Research and Development (ORD) within the Watershed Protection Overlay District – Swift Creek sub-area
Within Town Limits	Yes
Staff Contact	Kevin A. Hales, Senior Planner

	Town of Cary Planning Department P.O. Box 8005 Cary, NC 27512-8005 (919) 462-3944 kevin.hales@townofcary.org
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**LIST OF EXHIBITS**

The following documents incorporated into this staff report are to be entered into the record for the Special Use Permit and development plan applications:

- Exhibit A: 13-SU-001 Application and Justification Statement (6 pages)
- Exhibit B: 13-SP-014 Application (3 pages)
- Exhibit C: 13-SP-014 Plan Set (20 pages)
- Exhibit D: TMSA Stacking Plan (1 page)
- Exhibit E: TMSA Traffic Study Letter (9 pages)
- Exhibit F: Appraisal Report
- Exhibit G: VHB Traffic Memorandum for Town of Cary (16 pages)

**PROJECT DESCRIPTION/SUMMARY OF REQUEST**

The applicant proposes to convert an existing 73,000-square-foot warehousing and distribution building into a new charter school. Limited changes would be made to the exterior of the building, thereby maintaining the existing architectural character of the structure. An additional vehicular drive on the site would be added to connect the two existing parking lots, which are not accessible from one another. As a result, the applicant has proposed an averaging of the streetscape width along Gregson Drive. A future soccer field is shown for consideration as part of the Special Use permit; however, no construction details have been provided and the field will require administrative site plan approval in the future prior to construction. No reductions or waivers to the Town’s development standards have been proposed by the applicant.

**SITE CHARACTERISTICS**

- Streams:** A small length of stream is located in the northeastern corner of the site. A 50-foot stream buffer would be required from the top of each bank. This stream is located such that no impact to the development of the property is anticipated.
- Floodplain:** There are no floodplains, no flood hazard areas, and no floodways indicated on the subject site.
- Wetlands:** There are no wetlands indicated on the subject site.
- Topography:** The site is currently graded to accommodate both the building and the parking for the existing use. A ravine approximately 10 to 20 feet in depth bisects the property east of the eastern parking lot.
- Surrounding Land Uses:**
  - North – Office uses (Withers & Ravenel and Trans World Radio)
  - South – Pre-school and office uses (Chesterbrook Academy and The Pantry) across Gregson Drive
  - East – Office use (Strategic Technologies) across Gregson Drive
  - West – Multi-tenant office buildings across MacKenan Drive

**SUMMARY OF PROCESS AND ACTIONS TO DATE**

**Pre-application Conference**  
 The applicant attended a pre-application conference with the Town of Cary Development Review Committee (DRC) on January 23, 2013, regarding the special use and the development plan.

**Notification**  
 The Planning Department mailed notification of the public hearing on the special use and on the

development plan to property owners within 400 feet of the site on May 8, 2013. Notification consistent with North Carolina General Statutes was published in the Cary News both on May 8 and May 15, 2013.

**Property Posting**

Notice of the public hearing was posted on the property on May 8, 2013.

**COMPREHENSIVE PLAN SUMMARY**

Comprehensive Plan Element	Consistent	Not Consistent	Not Applicable
A. Land Use Plan		X	
B. Parks, Recreation, and Cultural Resources Facility Master Plan	X		
C. Growth Management Plan			X
D. Affordable Housing Plan			X
E. Comprehensive Transportation Plan	X		
F. Open Space and Historic Resources Plan			X
G. Historic Preservation Master Plan			X

**A. Land Use Plan**

The site is designated for Office/Industrial (OFC/IND) land uses by the Land Use Plan. Schools are not generally considered an appropriate use in this land use category. The property is located within MacGregor Park, which is considered an office/industrial park by the Land Use Plan. Typical uses within an office/industrial park would be warehousing, mini-storage, trans-shipment facilities, building trades offices, light manufacturing, and professional offices. Larger office/industrial parks can support limited commercial uses in a focus area. This focus area may also be appropriate for institutional uses serving the overall office/industrial park, such as satellite college facilities or library branches. Uses that do not directly serve the business and employee needs of the office/industrial park should be avoided.

The applicant’s justification statement references section 6.2.7 of the Land Use Plan in order to address the redevelopment of this existing building. While this is a redevelopment project, that section of the plan is related to Activity Centers, which are the activity nodes located at major intersections. This project is not located within an Activity Center identified in the Land Use Plan.

**B. Parks & Greenways Master Plan**

The Parks, Recreation and Cultural Resources (PRCR) Facilities Master Plan indicates a future extension of the Swift Creek Greenway through the MacGregor Park office/industrial park. It is not anticipated that this future extension, which is currently being designed by the Town, will impact this project.

**C. Growth Management Plan**

The application is for re-use of an existing structure and site with limited changes; therefore, the Growth Management Plan is not applicable to this proposal.

**D. Affordable Housing Plan**

The Affordable Housing Plan does not apply to non-residential development proposals.

**E. Comprehensive Transportation Plan (CTP)**

The subject property is located in the northeastern quadrant of the intersection of MacKenan Drive and Gregson Drive. The property has approximately 570 feet of frontage along MacKenan Drive and approximately 1,200 feet of frontage along Gregson Drive.

**MacKenan Drive is designated as a Collector Avenue.**

**Existing Section:** 2-lane roadway within approximately 60 feet of right of way

**Required Section:** 2-lane roadway within 58 feet of right of way

**Sidewalks:** Required on both sides; existing on opposite side

**Bicycle Lanes:** 4-foot-wide bicycle lanes

**Transit:** No transit service is planned along this corridor.

**Status of Planned Improvements:** No improvements are indicated as being necessary for this project.

**Gregson Drive is designated as a Collector Avenue.**

**Existing Section:** 2-lane roadway within approximately 60 feet of right of way

**Required Section:** 2-lane roadway within 58 feet of right of way

**Sidewalks:** Required on both sides; existing on opposite side

**Bicycle Lanes:** 4-foot-wide bicycle lanes

**Transit:** No transit is planned along this corridor.

**Status of Planned Improvements:** No improvements are indicated as being necessary for this project.

#### **F. Open Space Plan**

The Open Space and Historic Resources Plan indicates no priority open space on the subject parcel.

#### **G. Historic Preservation Master Plan**

The subject properties are developed as industrial warehouses with no historic value.

### **CONSISTENCY WITH THE LAND DEVELOPMENT ORDINANCE (LDO)**

#### **Traffic**

The project is not proposing to expand the existing building; therefore, the LDO does not require a traffic study to be performed. However, the applicant chose to perform their own traffic study, the executive summary of which is attached to this staff report. The traffic study provided indicates that the proposed school use would potentially generate 375 vehicle trips in the morning peak-hour (0730 to 0830) and 249 vehicle trips in the evening peak-hour (1645 to 1745).

The impacts of the proposed development on the nearby intersections are summarized in Table 2 of the report. Essentially, the consultant indicates that the intersection of MacKenan Drive and Old Raleigh Road, which is currently a four-way stop condition, is impacted to create an unacceptable Level of Service (LOS) in the evening peak-hour. In order to mitigate this impact, the consultant has recommended signalization of that intersection to bring the LOS back to an acceptable level. The applicant has not proposed to install that traffic signal.

The report also indicates that Autopark Honda, which is currently in review for the southwestern quadrant of the intersection, is proposing a 125-foot eastbound (erroneously identified in the traffic study as westbound) left-turn lane on Old Raleigh Road. The Autopark Honda plan set does include that improvement. However, that plan has not been approved, and if approved, there is no guarantee that it would move forward.

Finally, the traffic study recommends a westbound right-turn bay on Gregson Drive into the easternmost driveway for the school. The applicant has not proposed to provide that right-turn bay.

In addition to the lack of commitment in the plan set to make the identified improvements, staff is concerned that the traffic study assumed that bus service would be provided for 275 of the projected 796 students enrolled in the school. That represents the need for approximately 35% of the projected student population to be brought to the site on buses. Given that the Town has no way either of enforcing bus usage or controlling the percentage of bus utilization, that represents a huge potential variable in the traffic impacts expected to be generated by the school if that assumption does not prove correct.

Staff received the applicant's report on May 7, 2013, and has not had sufficient time, as of the writing of this report, to fully analyze the applicant's report. The observations above should be considered preliminary and additional information and analysis will be provided at the hearing.

#### **Buffers and Streetscapes**

The proposed development would provide the required 10-foot Type C buffer along the northern property line, which represents one-half of the total required 20-foot buffer. The streetscape along MacKenan Drive would also conform to the required 30-foot width identified in the LDO.

The developer has proposed an averaged streetscape width along the Gregson Drive frontage to allow room to install the vehicular interconnection between the two parking lots. LDO section 7.2.10(D) provides for the averaging of a buffer. This section of the LDO is included below for reference and is followed by staff comments on how the plan satisfies the requirements for approval of the averaged buffer.

Section 7.2.10(D) of the LDO reads as follows:

*An average buffer/streetscape width that equals the width of the required buffer/streetscape may be approved, provided that all of the following requirements are met:*

- (1) *The buffer/streetscape average equals the required width {for example, a required fifty (50) foot buffer could average a minimum of fifty (50) feet in width.}*
- (2) *In no case shall a buffer/streetscape that is adjacent to single-family residential development be less than thirty (30) feet in width.*
- (3) *All buffer/streetscape areas that are less than the required minimum width must include additional vegetation, walls/fencing, and/or other measures.*

The reduced width in the streetscape is necessary for the grading associated with the proposed drive connecting the eastern and western parking lots. The minimum streetscape width proposed is 10 feet, though the actual planted streetscape width would be wider at the conclusion of construction. An existing five-foot-tall berm would continue to help screen the building and the eastern portion of the new drive, although in a reduced footprint from its current configuration.

#### **Architectural**

The proposed use would occupy an existing building located on the property and does not propose any expansion of the existing footprint. Exterior changes to the building façade are limited to modifying the existing parapet to enhance the screening of rooftop mechanical equipment.

#### **Utilities**

The existing building is currently served by public utilities, and there are no concerns on the part of staff in regards to available capacity.

### **PROPOSED CONDITIONS FOR THE SPECIAL USE**

Staff has reviewed the application and the materials provided by the applicant both for compliance with the requirements of the LDO and for consistency with the Comprehensive Plan. Staff has included a brief discussion of its findings in relation to the general criteria for approval of a Special Use permit and to other applicable approval criteria in this staff report and in the attached Town Council worksheet.

Based on information submitted by the applicant and on the analysis presented within this staff report, the Development Review Committee (DRC) recommends the attachment of the following conditions to the requested Special Use Permit:

1. The Resolution and Permit approved by the Town Council in this Special Use permit application shall be recorded with the Wake County Register of Deeds upon the expiration of the appeal period, per Section 3.8.4(E) of the LDO. The original recorded Resolution and Permit shall be returned to the Planning Department when received from the Register of Deeds.
2. The approval of this Special Use permit is conditioned on the subsequent approval of a site plan in accordance with LDO Section 3.8.1(B)(2) and as required under LDO Section 3.9.

As noted above, staff has not had sufficient time to analyze the traffic study submitted by the applicant. Staff may recommend additional conditions at the hearing to address concerns raised by the traffic study.

**SPECIAL USE WORKSHEET  
AND  
SUGGESTED MOTIONS**

Section 3.8.3 of the LDO states the following: “*The Town Council shall not approve a proposed special use and any accompanying site plan unless and until it determines that the proposed use meets all the criteria set forth below, based on the evidence and testimony received at the public hearing or otherwise appearing in the record of the case.*”

- (A) The proposed use or development of the land will generally conform with the Comprehensive Plan, other official plans and manuals or documents adopted by the Town;

*Staff has included a discussion of the Special Use’s consistency with the various elements of the Comprehensive Plan and with general LDO requirements as set forth earlier in this report. Staff’s comments indicate that the plan is generally consistent with the majority of the applicable elements of the Comprehensive Plan and is consistent with the applicable LDO requirements except as identified in the body of the report.*

**TEST SATISFIED? \_\_ YES \_\_ NO**

- (B) The proposed use or development of the land will not materially endanger the public health or safety;

*The proposed school use would be located within the existing structure on the site and is not anticipated to create noxious effects. The changes to the site would be limited to the addition of parking and of circulation routes, as well as improvements to the areas surrounding the building for pedestrian accessibility and playground use.*

**TEST SATISFIED? \_\_ YES \_\_ NO**

- (C) The proposed use is reasonably necessary for the public health or general welfare, such as by enhancing the successful operation of the surrounding area in its basic community functions or by providing an essential service to the community;

*The Town of Cary is a growing community and that growth brings an increase in the demand for school seats; therefore, the school use would benefit the surrounding community as a whole. However, the Land Use Plan indicates that such uses are not typically located within an office/industrial park. The use may not directly serve the immediate surrounding community, though there is an element of convenience for parents of school-aged children who may work in the MacGregor park development.*

**TEST SATISFIED? \_\_ YES \_\_ NO**

- (D) The proposed use or development of the land will not substantially injure the value of adjoining or abutting property;

*The LDO contains development standards designed to mitigate impacts of development on adjoining properties. The proposed development would be in compliance with the regulations governing such development, including both the setback and the buffering standards except as indicated in the report. It is expected the applicant will provide additional information on this criterion at the hearing.*

**TEST SATISFIED? \_\_ YES \_\_ NO**

- (E) The proposed use or development of the land will be in harmony with the scale, bulk, coverage, density, and character of the area or neighborhood in which it is located;

*Since the proposed use would occupy an existing building, the character and the density of the surrounding area would not be affected. The changes to the exterior of the building are related to increasing the mechanical screening and to modifying the entrances to better serve the proposed school use, rather than a wholesale change to the architectural character of the building.*

**TEST SATISFIED? \_\_ YES \_\_ NO**

- (F) The proposed use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar facilities;

*The property is located at the intersection of two collector streets and is already served by Town services. The proposed use is not anticipated to significantly alter the demand for public safety services, and the existing utilities in the area have sufficient capacity to serve the proposed use.*

**TEST SATISFIED? \_\_ YES \_\_ NO**

- (G) The proposed use will not cause undue traffic congestion or create a traffic hazard or unsafe pedestrian pathway.

*The proposed school use would generate significantly higher traffic during the morning peak hour than the previous warehousing use. The applicant has provided a traffic study that recommends the signalization of the Old Raleigh Road/MacKenan Drive intersection and the provision of a 100-foot turn lane on Gregson Drive into the site. As currently presented, the site plan does not include either of those recommended improvements.*

**TEST SATISFIED? \_\_ YES \_\_ NO**

## SUGGESTED MOTIONS FOR SPECIAL USE

### **MOTION TO GRANT THE APPLICATION**

For the reasons discussed, I move that we **APPROVE** the request for a Special Use permit as the proposed use meets all of the approval criteria set forth in Section 3.8.3. This approval shall include the following conditions:

1. The Resolution and Permit approved by the Town Council in this Special Use application shall be recorded with the Wake County Register of Deeds upon the expiration of the appeal period, per Section 3.8.4(E) of the LDO. The original recorded Resolution and Permit shall be returned to the Planning Department when received from the Register of Deeds.
2. The approval of this special use is conditioned on the subsequent approval of a development plan in accordance with LDO Section 3.8.1(B)(2) and as required under LDO Section 3.9.

**NOTE: The above two conditions are LDO requirements; any additional condition(s) may be added or modified at the Town Council's discretion**

**OR**

### **MOTION TO DENY THE APPLICATION**

For the reasons discussed, I move that we **DENY** the request for a Special use permit as the proposed use does not meet all of the approval criteria set forth in Section 3.8.3.



**SITE PLAN WORKSHEET  
AND  
SUGGESTED MOTIONS**

Section 3.9.2(I) of the LDO states that a development plan may be approved by the Town Council only if it meets six listed criteria. As part of determining whether the first criterion is satisfied, council must determine whether to grant minor modifications to the development plan requested by the applicant. Staff comments are included as appropriate in italics following each criterion. A roadmap of the decisions council must make is provided below:

**WORKSHEET 1**

1. Does the plan comply with all applicable requirements of the LDO, including the development and design standards of Chapters 7 and 8 as well as the dedication and improvements provisions of Chapter 8 as well as all applicable Town specifications?

*As indicated in the staff report, the proposed school use as currently presented is not in compliance with the requirements of the LDO. The applicant has requested approval to average approximately 320 feet of the streetscape along a portion of the Gregson Drive frontage to a minimum of 10 feet. Council must find that the requested modification: (1) advances the goals and purposes of the LDO; and (2) either results in less visual impact or more effective environmental or open space preservation, or relieves practical difficulties in developing a site.*

Once council has made a decision on the minor modification, it can then turn to the remaining site plan approval criteria:

**WORKSHEET 2**

2. Does the plan adequately protect other property, or residential uses located on the same property, from the potential adverse effects of the proposed development?
3. Does the plan provide harmony and unity with the development of nearby properties?
4. Does the plan provide safe conditions for pedestrians or motorists and prevent a dangerous arrangement of pedestrian and vehicular ways?
5. Does the plan provide safe ingress and egress for emergency services to the site?
6. Does the plan provide mitigation for traffic congestion impacts reasonably expected to be generated by the project?

## WORKSHEET 1

1. Does the plan comply with all applicable requirements of this Ordinance, including the development and design standards of Chapters 7 and 8 as well as the dedication and improvements provisions of Chapter 8 as well as all applicable Town specifications? (Note: Plans within Planned Developments may be subject to different requirements based on the approval).

*The proposed development plan generally complies with the applicable regulations of the LDO except for section 7.2.4(C)(1), which addresses the required width of streetscapes for non-residential development. The applicant has requested a Minor Modification to the required width of the Gregson Drive streetscape.*

*Town Council should consider and approve the Minor Modification request below pursuant to section 3.19.1(C)(2) of the LDO. Council may approve a Minor Modification to the development standards at any point before it approves the associated development plan. However, in order to approve a requested Minor Modification, the council must find the following:*

- (1) *That the modification advances the goals and purposes of this Ordinance and*
- (2) *That the modification either*
  - A. *Results in less visual impact or more effective environmental or open space preservation, or*
  - B. *Relieves practical difficulties in developing a site. In determining if "practical difficulty" exists, the factors set forth in Section 3.20.5, "Approval Criteria" (for Variances) shall be considered.*

*The criteria for determining whether or not 'practical difficulty' exists include the following:*

- a. Whether there can be any beneficial use of the property without the variance;*
- b. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;*
- c. Whether the variance would adversely affect the delivery of public services such as water and sewer;*
- d. Whether the applicant purchased the property with knowledge of the requirement; and*
- e. Whether the applicant's predicament can be mitigated through some method other than a variance.*

*In granting a Minor Modification, council may require conditions that will substantially secure the objectives of the standard that is being modified and that will substantially mitigate any potential adverse impact on the environment or on adjacent properties, including but not limited to additional landscaping or buffering.*

**1. Request that the council allow the averaging of approximately 320 feet of the Gregson Drive streetscape to a width of 10 feet at the minimum and to 60 feet at the maximum.**

(1) Does the modification advance the goals and purposes of this Ordinance?

*The requested averaging of the streetscape serves to preserve the same area of existing vegetation on the site as the provision of the typical 30-foot streetscape, while allowing flexibility in the implementation to account for the provision of improved vehicular circulation on the site. There is an existing 5-foot knoll at the southeastern corner of the building, which currently serves to effectively screen that side of the building from Gregson Drive. It also prevents vehicular connectivity between the eastern and western halves of the site. The applicant has proposed to create a vehicular connection between the two sides of the site to improve circulation on site, which is an important goal of the LDO, especially in light of the proposed use. To do so, the existing knoll has to be removed and the new drive tied into the existing grade across the frontage, which necessitates grading into a large portion of the streetscape.*

*In addition, the applicant would be providing pedestrian facilities along both their MacKenan Drive and Gregson Drive frontages. The provision of sidewalk along Gregson Drive is requiring further removal of existing vegetation in the streetscape in order to create grades to tie back into the remaining portion of the knoll. The streetscape is being impacted from both sides in order to provide better vehicular circulation on-site and better pedestrian circulation in the right of way.*

**TEST SATISFIED? \_\_ YES \_\_ NO**

(2) Does the modification result in less visual impact or more effective environmental or open space preservation or relieve practical difficulties in developing a site?

*The averaging of the streetscape would not result either in an increase or a decrease in the amount of streetscape area protected on the site, but would simply relocate the area to be protected. The relocated streetscape area would be in the northeastern corner of the site, which is not being proposed for development at this time and would result in the preservation of additional mature forest. Additionally, the location of the existing structure on the site precludes the provision of vehicular connectivity on the site in any other manner.*

**TEST SATISFIED? \_\_ YES \_\_ NO**

**SUGGESTED MOTIONS FOR MINOR MODIFICATION REQUEST**

**MOTION TO APPROVE MINOR MODIFICATION REQUEST:**

For the reasons discussed, I move that we **APPROVE** the Minor Modification request as the request meets all of the approval criteria of Section 3.19.1.

**This approval is conditioned upon the following:**

1. **[insert any conditions necessary to bring the project into compliance with the LDO or other standards]**

**MOTION TO DENY MINOR MODIFICATION REQUEST:**

For the reasons discussed, I move that we **DENY** the Minor Modification request as the request does not meet all of the approval criteria of Section 3.19.1.

**WORKSHEET 2**

2. Does the plan adequately protect other property, or residential uses located on the same property, from the potential adverse effects of the proposed development?

*The proposed plan is generally consistent with requirements of the LDO except as indicated above. The proposed changes to the building are not anticipated to significantly alter the character of the building and how the building relates to the surrounding properties. The changes to the site are limited to the areas adjacent to MacKenan Drive and Gregson Drive and would not be anticipated to adversely affect the neighboring property to the north. The other neighboring properties are separated by collector streets and by the associated streetscapes on both sides of the roadways.*

**TEST SATISFIED? \_\_ YES \_\_ NO**

3. Does the plan provide harmony and unity with the development of nearby properties?

*The proposed change in use would occupy the existing building and no adverse impacts on adjacent properties are anticipated. Neither the existing building mass nor the architectural character of the building would be altered by the proposed changes. The scale and bulk of the site would remain consistent with the surrounding office/industrial park.*

**TEST SATISFIED? \_\_ YES \_\_ NO**

4. Does the plan provide safe conditions for pedestrians or motorists and prevent a dangerous arrangement of pedestrian and vehicular ways?

*The proposed development would be consistent with the requirements for road design and for pedestrian facilities found in the LDO and in the Standards and Specifications Manual. The sight distance at all intersections would be consistent with current AASHTO standards. The project includes new sidewalks along MacKenan Drive and along Gregson Drive, and the project improves both pedestrian and vehicular circulation patterns on-site. The applicant's traffic study recommended the provision of a right-turn lane into the eastern site driveway, which is not included in the applicant's development plan. This right-turn lane would alleviate safety concerns associated with the anticipated number of right turning movements into that driveway from Gregson.*

**TEST SATISFIED? \_\_ YES \_\_ NO**

5. Does the plan provide safe ingress and egress for emergency services to the site?

*The proposed development plan would provide multiple points of safe ingress and egress for emergency service vehicles and personnel. The provision of the vehicular connection between the eastern and the western parking lots would potentially improve the response time and effectiveness by allowing access to both sides of the building through any of the proposed access points.*

**TEST SATISFIED? \_\_ YES \_\_ NO**

6. Does the plan provide mitigation for traffic congestion impacts reasonably expected to be generated by the project?

*The proposed school use generates traffic in excess of the previous warehousing/distribution use, as indicated in the applicant's traffic study. The study identifies two recommended improvements to mitigate the anticipated traffic impacts associated with the change in use. These improvements*

*include a new turn lane into the site from Gregson Drive and a new traffic signal located at the intersection of MacKenan Drive and Gregson Drive. The current plan does not include either of these improvements, nor does it propose any alternative improvements to mitigate its impacts.*

**TEST SATISFIED? \_\_ YES \_\_ NO**

## SUGGESTED MOTIONS FOR SITE PLAN

### **MOTION TO APPROVE THE SITE PLAN**

For the reasons discussed, I move that we **APPROVE** the proposed site plan with conditions as stated below, as it meets all of the approval criteria set of Section 3.9.2(I).

#### **This approval is conditioned upon the following:**

1. The applicant must satisfactorily address any remaining Development Review Committee comments on the master plan set submitted for signature.
2. *[insert any additional conditions necessary to bring the project into compliance with the LDO or other standards]*

**OR**

### **MOTION TO DENY THE SUBDIVISION PLAN**

For the reasons discussed, I move that we **DENY** the proposed site plan, as it does not meet all of the approval criteria set forth in Section 3.9.2(I).