

**Town of Cary, North Carolina
Site Plan Staff Report
Patel Brothers Grocery (13-SP-043)
Town Council Quasi-Judicial Hearing
March 6, 2014**

REQUEST

Triangle Civilworks, on behalf of the property owners, has requested approval of a site plan to revise the service and delivery access to Patel Brothers Grocery at 802 East Chatham Street. The proposal includes Minor Modifications to the Town's connectivity and streetscape requirements.

SUBJECT PARCELS

Property Owner	Wake County Parcel Identification Number (PIN) (10-digit)	Real Estate ID Number	Deeded Acreage
Patel Brothers of NC, Inc. 802 East Chatham Street Cary, NC 27511	0774031042	0017846	0.78
Edna Earle Sturdivant and Wade T. Cooper, Sr. 1205 Fairlane Road Cary, NC 27511	0774021757	0362149	0.29
Cooper Brothers Properties, LLC 820 East Chatham Street Cary, NC 27511	0774022748	0099032	0.23
Total Area			1.30

BACKGROUND INFORMATION

Applicant's Agent	Chad Simmons Triangle Civilworks, PA 211 Tyler Drive Smithfield, NC 27577 (919) 209-9955 Chad.simmons@trcivil.com
General <u>Location</u>	802 East Chatham Street
<u>Land Use Plan</u> Designation	Commercial (COM)
<u>Zoning</u> Districts	General Commercial (GC)
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

LIST OF EXHIBITS

The following documents incorporated into this staff report are to be entered into the record for this hearing:

[Exhibit A](#): 13-SP-043 Application (3 pages)

[Exhibit B](#): 13-SP-043 Plan Set (14 pages)

PROJECT DESCRIPTION/SUMMARY OF REQUEST

Triangle Civilworks, on behalf of the property owners, has requested approval of a site plan to revise the service and delivery access to Patel Brothers Grocery at 802 East Chatham Street. The proposed site plan includes relocation of an existing driveway and waste container enclosures, and a redesign of the loading dock for the business. A vehicular connection to the adjacent, undeveloped property is included in the project scope as well. Stormwater management would be handled through the use of a sand filter located under the new driveway.

The proposed site plan includes two Minor Modifications to the Town's development standards related to existing conditions in the area. The first modification would be a reduction in the required streetscape width along Southeast Maynard Road. The reduction would be necessary to make the new service area function with the location of the existing building, which is closer to Southeast Maynard Road than would be the case under today's ordinance. The second modification would be the provision of an access easement in-lieu of constructing a stub to the eastern property line. An existing building is located on the adjacent property and would preclude any physical connection in this location until it is removed.

SITE CHARACTERISTICS

Streams: There are no streams impacting the development of these properties.

Floodplain: There is no floodplain or flood hazard area impacting development of the properties.

Wetlands: There are no wetlands impacting development of the properties.

Topography: The elevation of the site descends approximately 15 feet from the eastern property line toward Southeast Maynard Road.

Surrounding Land Uses:

North – Railroad right-of-way (opposite side of East Chatham Street)

South – Light Vehicular Service (Discovery Automotive)

East – Retail Store (Cooper's Furniture)

West – Retail Store (Chatham Square)

SUMMARY OF PROCESS AND ACTIONS TO DATE

Notification

The Planning Department mailed notification of the public hearing on the site plan to property owners within 400 feet of the site on February 19, 2014. Notification was duly published on the Town's website on February 21 and February 28, 2014.

Property Posting

Notice of the public hearing was posted on the property on February 20, 2014.

CONSISTENCY WITH THE LAND DEVELOPMENT ORDINANCE (LDO)

Traffic

This project was not required by the LDO to have a traffic impact analysis performed through the Town's consultants. The proposed site plan is a revision to an existing use that would not generate additional vehicular trips to the site. No improvements to the surrounding transportation infrastructure have been proposed by the applicant; however, the conversion of the main entrance to a right-in/right-out condition, the proposed relocation of the driveway cut farther from the intersection, and the provision of vehicular connectivity to the adjacent site would be anticipated to contribute to safer vehicular circulation in the long term.

Comprehensive Transportation Plan (CTP) Improvements

The subject properties have frontage on both Southeast Maynard Road and East Chatham Street. Additional right-of-way on both streets was dedicated with the original re-use/re-development plan for Patel Brother's Grocery. The required right-of-way on Southeast Maynard Road would be dedicated for

the additional frontage south of the original parcel. No physical widening would be required based on the scope of the proposed work.

Buffers and Streetscapes

The Patel Brother's Grocery site at the intersection was the subject of a re-use/re-development plan and, therefore, was unable to provide the required perimeter buffers and streetscapes that would have been required of new development. The additional parcels being added to the site are undeveloped and would be subject to the required buffer widths in the LDO. This site plan includes the Type C buffers required between this site and the adjacent vehicular service and retail businesses. This development would be required to provide the full 20 feet width against the Discovery Automotive property, as no buffer was provided on their site. The Patel Brother's site would be responsible for providing only 10 feet, or one-half of the required 20 feet, adjacent to the undeveloped tract and the Cooper Furniture properties.

The proposed site plan does include a requested reduction in the streetscape width along Southeast Maynard Road. The Patel Brother's Grocery building is located approximately 22 feet behind the back-of-curb on Southeast Maynard Road. When the required right-of-way was dedicated with that plan, the building remained approximately two feet outside of the new right-of-way. The additional parcels being added to Patel Brother's Grocery site would be subject to the same right-of-way dedication requirements, complicating the provision of the required 30-foot streetscape along Southeast Maynard Road. The purpose of the proposed plan is to improve service access both to the loading dock and to the waste containers for the building. Given the proximity of the building to the right-of-way and the need to maintain access, the applicant has proposed an 8-foot streetscape along a portion of Southeast Maynard Road, which is the maximum width possible while maintaining truck access to service portions of the existing building.

Champion Trees

The tree survey required by Section 7.2.5(A) of the LDO identified one tree in excess of 30 inches in diameter (at breast height or DBH). The applicant is proposing to preserve the existing tree during construction.

Connectivity with Adjacent Properties

The LDO requires that development provide connections to adjacent parcels to facilitate internal and external traffic movement in the community. The applicant has requested that Town Council consider a modification to the requirement to provide vehicular connections to the parcel located to the east of the proposed development. The applicable section of the LDO, Sections 7.10.3(A)(2) and 7.10.3(C), read as follows:

7.10.3(A)(2): For non-residential, multi-family, or mixed used developments of greater than five (5) acres, an organized and complete street network must be provided with an emphasis on connectivity throughout the development and for future adjacent development. Sites, five (5) acres or less, must provide street connections with adjacent properties (i.e., taking into account the future development/redevelopment of these properties).

7.10.3(C): All non-residential development shall be designed to allow for both vehicular and pedestrian cross-access to adjacent properties to encourage shared parking and shared access points on public or private streets. A minimum distance of one hundred (100) feet shall be required between a cross-access way and an intersection or driveway entrance. This requirement may be modified pursuant to Section 3.19.1 provided that appropriate bicycle and pedestrian connections are provided between adjacent developments or land uses. A cross access easement must be recorded prior to issuance of a Certificate of Occupancy for the development.

The applicant has proposed to construct the required connection to the vacant property to the east of the existing store. This would ultimately be extended north through that site to provide a private street connection between Southeast Maynard Road and East Chatham Street. Connectivity to the Cooper Furniture property located to the east of the development is complicated by an existing building located on the property line in the path of any future connection. The applicant has requested that Town Council consider acceptance of an access easement in-lieu of a physical connection given the location of the building.

Stormwater Management

Stormwater management for the proposed revisions would be handled through a sand filter proposed under the relocated entrance drive. This sand filter would then tie into the existing storm drainage system along Southeast Maynard Road.

Utilities

Patel Brother's Grocery is currently served by public water and sewer services, and the proposed revisions would not impact those services.

**DEVELOPMENT PLAN WORKSHEET
AND
SUGGESTED MOTIONS**

Section 3.9.2(l) of the LDO states that a development plan may be approved by the Town Council only if it meets six listed criteria. Council must determine whether to grant the Minor Modifications to the development standards requested by the applicant as part of determining whether the first criterion is satisfied. 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?

Applicant's Statement: The plan complies with the development design standards set forth in Chapters 7 and 8 of the Land Development Ordinance as evidenced by Town Staff approval of all other aspects of the plan other than the Minor Modifications requested with this application.

Staff Observations: The plan is generally consistent with the requirements of the LDO, taking into account the nature of the proposed use and the location of existing development. The applicant has requested two Minor Modifications to the requirements of the LDO in regards to streetscape width and the provision of vehicular connectivity.

Once council has made a decision on the Minor Modifications, it may 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?

Town Council should consider and approve the Minor Modification requests 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. In addition to the requirements of Section 3.19, individual requests may have additional criteria for consideration.

1. Request that the Town Council accept a cross access easement in-lieu of physical construction of a street stub to PIN 0774024734 (Cooper's Furniture).

The street stub is required under two related sections of the LDO, 7.10.3(A)(2) and 7.10.3(C).

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

Applicant's Statement: This modification advances the goal of providing for future connection to the adjacent parcel with the creation of a public access easement through which a driveway connection may be made pending future development.

Staff Observations: The proposed access easement would allow for future connectivity to the east provided the building on the adjacent property was removed/relocated. Physically constructing the cross-access at this point would result in no practical benefit in the short term.

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?

Applicant's Statement: Applicant is unable to construct a driveway to the property line at this time due to the presence of the existing warehouse building at the adjacent property line. The proposed driveway is below the grade of the warehouse such that grading would have to be performed beyond the property line. This grading may interfere with the structural integrity of the existing warehouse.

Staff Observations: The proposed Minor Modification would result in additional vegetation being retained in the perimeter buffer in the immediate future. However, the extension of the street stub would, at some point, require the removal of the vegetation resulting in no additional long-term open space preservation by approving the requested Minor Modification.

TEST SATISFIED? __ YES __ NO

[Criterion from Section 7.10.3(C)]

- (3) Are appropriate bicycle and pedestrian connections provided between adjacent developments or land uses?

Applicant's Statement: Currently, bicycle access to adjacent Cooper properties is by way of E. Chatham Street. Future bicycle access could be provided by way of the proposed paved stub-out drive to the north of the new concrete driveway as an alternative to a paved driveway next to the existing warehouse building. This access would be pending future development of the existing parcel to the east of the Patel Grocery.

Pedestrian access to the adjacent Cooper properties is currently provided by way of the existing sidewalk along E. Chatham Street. There are no other improvements along E. Chatham St. proposed at this time to finish this connection to the Cooper Family Furniture Store. Future development of the parcel to the east of the Patel Grocery could provide this future connection.

Staff Observations: The site under consideration is small and connectivity to adjacent properties is adequately served via public sidewalk along both Southeast Maynard Road and East Chatham Street. Future development of the adjacent vacant property would be required to provide pedestrian and vehicular connectivity to this site.

TEST SATISFIED? __ YES __ NO

2. Request that the Town Council approve a reduction in the streetscape width from 30 feet to eight feet on Southeast Maynard Road.

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

Applicant's Statement: The existing Patel Grocery parcel is an existing non-conforming site. This modification advances the goal of providing for a landscaped yard that does not currently exist between the Patel Grocery building and SE Maynard Road.

Staff Observations: The proposed streetscape reduction would provide some visual separation between the service areas of the retail store and the adjacent roadway. This is the maximum width that can be provided while maintaining access to the loading and the service areas of the existing, legally non-conforming retail store.

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?

Applicant's Statement: The modification relieves practical difficulties in developing the site. Applicant is unable to construct a dumpster facility outside of the required 30' streetscape yard. Placement of a dumpster was considered next to the new driveway through the two parcels, but this location cannot be accommodated without impact to the adjacent 20' Class C Landscape Buffer while continuing to provide adequate room for delivery truck maneuvers. This location would also require employees cross the public access easement with refuse and recycling materials. This creates a potentially dangerous vehicle/pedestrian interaction.

Applicant also needs one-way driveway access adjacent to the dumpsters to provide for small "bread truck" type deliveries at the existing service ramp/entrance on the west side of the grocery. Provision of this drive was made for safety reasons. By getting the small truck deliveries away from the new drive, service vehicle congestion is relieved at this location.

Staff Observations: The proposed streetscape reduction would allow the applicant to maintain access to service areas of the existing, legally non-conforming retail store. In addition, it would reduce the amount of disturbance in the vicinity of the 30-inch oak tree located at the southeastern corner of the retail store.

TEST SATISFIED? YES NO

[Criterion from Section 7.2.5(C)(4)]

- (3) Does meeting the required width prevent reasonable use of the property based on the zoning and/or is additional healthy vegetation or open space provided elsewhere on the site?

Applicant's Statement: Meeting the required width for streetscape does prevent reasonable development of the existing parcel labeled as "Tract 2" on Sheet 3 of the Site Development Plans. If left alone and not recombined with other parcels, the requirements for right-of-way dedication, 30' streetscape yard, and 10' and 20' landscape buffers would restrict development to an area of 0.096 acres, just 32.4 % of the original undeveloped parcel area. It is unreasonable to expect this reduced area to support the commercial uses permitted in the General Commercial District, let alone support off-street parking, refuse collection, and stormwater facilities.

Existing healthy vegetation is preserved in the landscape buffers on the three remaining interior property lines per the landscape plan on Sheet 6. There is currently no existing vegetation (other than patchy lawn type grasses) in the area encompassed by the required 30' streetscape. The landscape plan calls for additional plantings in the reduced 8' streetscape. Furthermore, applicant agrees to remove a portion of the existing concrete drive and convert this area to planted open space. This new space is to be joined to the 8' streetscape with a hedgerow.

Staff Observations: The proposed streetscape reduction would allow the applicant to maintain access to service areas of the existing, legally non-conforming retail store. In addition, it would reduce the amount of disturbance in the vicinity of the 30-inch oak tree located at the southeastern corner of the retail store.

TEST SATISFIED? YES NO

SUGGESTED MOTIONS FOR MINOR MODIFICATION REQUEST

MOTION TO APPROVE ALL MINOR MODIFICATION REQUEST:

For the reasons discussed, I move that we APPROVE the Minor Modification requests made by the applicant as the requests meet all the approval criteria of Sections 3.19.1, 7.10.3(C), and 7.2.5(C) of the LDO.

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 APPROVE INDIVIDUAL MINOR MODIFICATION REQUESTS:

For the reasons discussed, I move that we APPROVE Minor Modification requests number(s) _____ made by the applicant as the requests meet all the approval criteria of Sections 3.19.1, and/or 7.10.3(C), and/or 7.2.5(C).

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 ALL MINOR MODIFICATION REQUESTS:

For the reasons discussed, I move that we DENY the Minor Modification requests made by the applicant as the requests do not meet all the approval criteria of Sections 3.19.1, 7.10.3(C), and 7.2.5(C).

MOTION TO DENY INDIVIDUAL MINOR MODIFICATION REQUESTS:

For the reasons discussed, I move that we DENY Minor Modification requests number(s) _____ made by the applicant as the requests do not meet all the approval criteria of Sections 3.19.1, and/or 7.10.3(C), and/or 7.2.5(C) of the LDO.

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?

Applicant's Statement: Neighboring properties to the south, PIN's 0774021567 (Big Dog Rover, LLC) and 0774023529 (Dogwood Asset Management Co., LLC) are protected from any potential adverse impacts with the establishment of a 20' Class C Landscape Buffer in accordance with Town of Cary LDO Section 7.2.3(B), Table 7.2-1. Existing vegetation in this area is to be selectively pruned to remove dead and unsightly limbs. No live plants are to be removed. Additional plantings are proposed where none exist in accordance with The Type 'C' Aesthetic Buffer Planting Standards.

Neighboring property to the northeast, PIN 0774032065 (Edna Earle Cooper, et al.) is protected from any potential adverse impacts with the establishment of a 10' Class C Landscape Buffer in accordance with Town of Cary LDO Section 7.2.3(B), Table 7.2-1. This buffer is ½ of the required 20' buffer width. The other half is proposed to be shared with the adjacent undeveloped parcel. Existing vegetation in this area is to be selectively pruned to remove dead and unsightly limbs. No live plants are to be removed. Additional plantings are proposed where none exist in accordance with The Type 'C' Aesthetic Buffer Planting Standards.

Neighboring property to the east, PIN 0774024734 (Cooper Brothers Property, LLC) is protected from any potential adverse impacts with the establishment of a 10' Class C Landscape Buffer in accordance with Town of Cary LDO Section 7.2.3(B), Table 7.2-1. This buffer is ½ of the required 20' buffer width. The other half is proposed to be shared with the adjacent parcel. Additional plantings are proposed where none exist in accordance with The Type 'C' Aesthetic Buffer Planting Standards.

The two above referenced properties are owned by the Cooper Family, who is selling the two properties proposed for development to the applicant, and are in agreement with sharing the full 20' landscape buffer widths with the applicant.

There are no residential uses adjacent to, or directly across the public right-of-way from, this property.

Staff Observations: The plan provides perimeter buffering consistent with the requirements of the LDO. There are no residential uses adjacent to the proposed development. The proposed plan would develop properties adjacent to downtown Cary that are currently vacant and are not maintained to the extent most developed landscapes are.

TEST SATISFIED? __ YES __ NO

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

Applicant's Statement: Adjacent uses are commercial retail or service establishments in the General Commercial zoning district. The parcel to the south (PIN 0774021567) is an automotive service establishment. There is no streetscape yard provided with this development. The parcel to the southeast (PIN 0774023529) is a multi-use commercial retail center with service access to the rear of the structure and adjacent to our proposed development. The parcel to the east (PIN 0774024734) is a retail furniture store with on-site warehousing immediately adjacent to our proposed development. An access easement is proposed with this site plan to provide for future access to this parcel. The parcel to the northeast (0774032065) is vacant and is under contract for purchase by Patel Bros. of NC for development of retail use. An access easement and paved drive is proposed for access to this parcel

Parcels across SE Maynard Road are currently developed for multiple retail uses and are currently zoned Town Center. Understanding that reduced or waived streetscapes are allowed in the Town Center district, allowing a reduced streetscape on the existing Tract 2 (as shown on Sheet 4 of the Site Development Plans) would be in unity with nearby developments along SE Maynard Rd.

Staff Observations: The proposed vertical development in the plan would be limited to revisions to the loading dock and to the waste container enclosures for the existing retail store. The reduced streetscape width would be consistent with the streetscape provided by other development in the immediate area. It is important to note that this property is not located within the Town Center district. Therefore, any reductions to the streetscape widths represent a Minor Modification to the Town's development standards and not flexibility inherent in the underlying zoning (as would be the case on the western side of Southeast Maynard Road).

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?

Applicant's Statement: It is Triangle Civilworks' opinion that the proposed development improves the interaction of pedestrians and vehicles by relocating service vehicle access to the rear of the existing development. This reduces the number of customer and pedestrian/service vehicle interactions at the existing SE Maynard Rd. driveway at the corner of the existing Patel Grocery store. Service vehicle routing is isolated from this driveway further with the conversion of the existing delivery aisle adjacent to Maynard to a green space. An additional existing driveway curb cut in this proposed green space is to be eliminated with continuous sidewalk connection across this removed drive. With this new configuration, service vehicles are limited from inadvertently entering the customer parking lot. A new pedestrian crosswalk with vehicle stop conditions are provided at the new driveway.

Staff Observations: The vehicular circulation at Patel Brother's Grocery was a concern during the development of that plan; however, given the limited space in which to work, there was little that could be done to improve the situation. The acquisition of the adjacent parcels allows the proposed modifications to close the second driveway access adjacent to the building and to relocate service access farther from the intersection with adequate space for service vehicles to turn around. In addition, the separation of service traffic from the pedestrian spaces in front of the store would also be anticipated to increase safety for the public.

TEST SATISFIED? YES NO

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

Applicant's Statement: Emergency vehicles may continue to safely access the customer parking lot through the existing SE Maynard Driveway. Emergency vehicles may access the truck dock area through the new driveway.

Staff Observations: The proposed revisions would be anticipated to have very little impact on the provision of emergency services to the site. Access to the rear of the building would be improved with the revised access drive and the loading dock area.

TEST SATISFIED? YES NO

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

Applicant's Statement: The existing configuration does not allow a semi-truck to enter/exit the existing delivery aisle in a perpendicular fashion. Upon exiting this existing delivery aisle, the driver must look over his or her shoulder to judge oncoming traffic. Furthermore, delivery trucks may block multiple lanes of SE Maynard if he or she wishes to exit in the opposite direction to which the truck is pointed. This maneuver would require the truck to swing widely into Maynard.

The existing configuration does not allow more than one semi-truck to be parked on-site at any one time. If a second delivery truck arrives while the first is unloading, then the second must wait in the turning lane of SE Maynard Rd.

The proposed plan provides for the mitigation of traffic congestion by providing a safer and quicker alternative for delivery trucks to enter/exit the site through a perpendicular driveway that allows forward motion. As configured, a delivery semi-truck may pull forward entirely off SE Maynard Rd. into the proposed driveway, back into the proposed truck docking stall, and pull forward through the same driveway once delivery is complete. There is room in the proposed driveway for a second delivery truck to wait without blocking any lane of SE Maynard Road. Acceptable departure sight distances are available at this new driveway as indicated in the Site Development Plans.

Staff Observations: The proposed revisions to the service areas of the Patel Brother's Grocery are expected to generate no additional vehicular trips to the site. The revisions would improve access to the service areas of the building and would potentially reduce impacts of deliveries on Southeast Maynard Road.

TEST SATISFIED? __ YES __ NO

SUGGESTED MOTIONS FOR SITE PLAN

MOTION TO APPROVE THE SUBDIVISION AND SITE PLAN

For the reasons discussed, I move that we **APPROVE** the proposed subdivision and 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 AND SITE PLAN

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