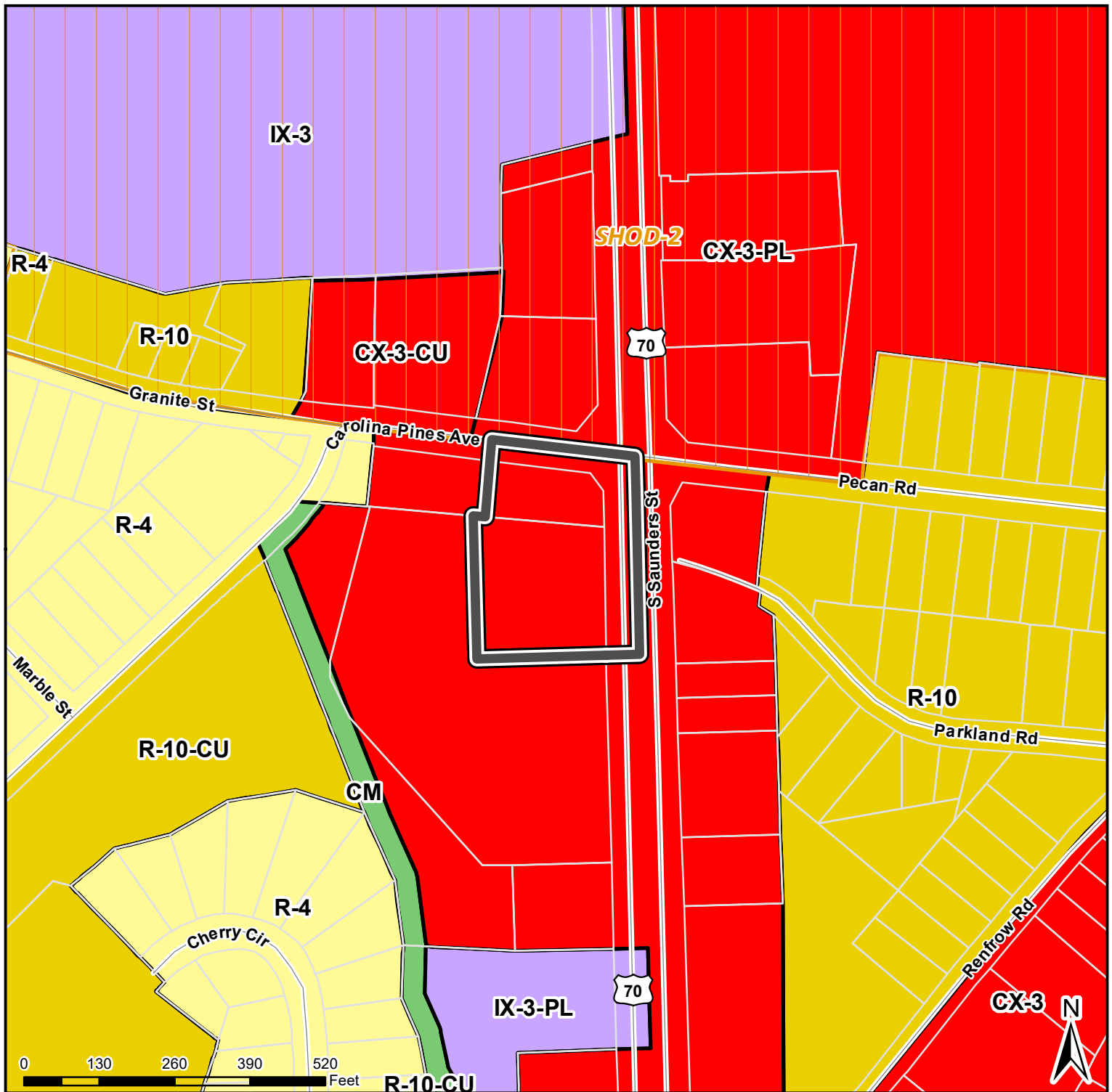
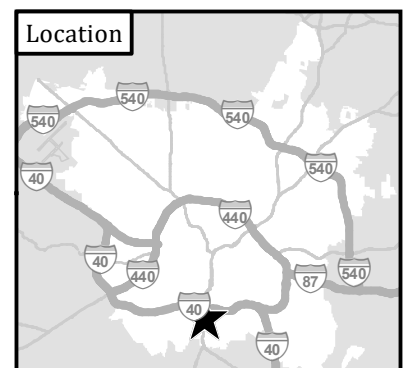


# Existing Zoning

# Z-6-2020



Property	2600 & 2604 S Saunders St
Size	1.64 acres
Existing Zoning	CX-3-PL
Requested Zoning	CX-3-CU





Raleigh

## MEMO

TO: Ruffin Hall, City Manager  
THRU: Ken Bowers, AICP, Director  
FROM: Hannah Reckhow, Planner II  
DEPARTMENT: City Planning  
DATE: May 20, 2020

**SUBJECT: City Council agenda item for June 2, 2020 – Z-6-20**

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On May 19, 2020, City Council authorized the public hearing for the following item:

**Z-6-20 2600 & 2604 S Saunders Street**, approximately 1.64 acres located southwest of its intersection with Carolina Pines Avenue at [2600 & 2604 S Saunders Street](#).

Signed zoning conditions provided on May 15, 2020 require an outdoor seating area of at least 15 seats along Carolina Pines Ave, a principal building be clad with brick masonry, outdoor vending and ice machines be located on the southern facing wall of a principal building, and a gas station canopy be located no more than 100 feet from S Saunders Street and have a width of no less than 50 percent of the frontage on S Saunders Street.

**Current zoning:** Commercial Mixed Use–3 stories–Parking Limited (CX-3-PL)

**Requested zoning:** Commercial Mixed Use–3 stories–Conditional Use (CX-3-CU)

The request is **consistent** with the 2030 Comprehensive Plan.

The request is **consistent** with the Future Land Use Map.

The request is **inconsistent** with the Urban Form Map.

The Planning Commission recommends approval of the request (9 - 0).

Attached are the Planning Commission Certified Recommendation (including Staff Report), the Zoning Conditions, the Petition for Rezoning, and the Neighborhood Meeting Report.

Municipal Building  
222 West Hargett Street  
Raleigh, North Carolina 27601

One Exchange Plaza  
1 Exchange Plaza, Suite 1020  
Raleigh, North Carolina 27601

City of Raleigh  
Post Office Box 590 • Raleigh  
North Carolina 27602-0590  
(Mailing Address)



# RALEIGH PLANNING COMMISSION CERTIFIED RECOMMENDATION

CR# 12005

## CASE INFORMATION: Z-6-2020

Location	Southwest quadrant of the intersection of S Saunders Street and Carolina Pines Avenue Address: 2600, 2604 S Saunders Street PINs: 1702379490, 1702470507 <a href="#">iMaps</a> , <a href="#">Google Maps</a> , <a href="#">Directions from City Hall</a>
Current Zoning	CX-3-PL
Requested Zoning	CX-3-CU
Area of Request	1.64 acres
Corporate Limits	The rezoning site is inside city limits and ETJ.
Property Owner	Speedway LLC
Applicant	Hayes Finley, Fox Rothschild
Council District	District D
PC Recommendation Deadline	August 10, 2020

## SUMMARY OF PROPOSED CONDITIONS

1. Amenity area shall include an outdoor seating area between primary building and Carolina Pines Avenue with a minimum of 15 seats.
2. Blank wall areas shall be clad with brick masonry.
3. All outdoor vending and ice machines shall be located along the south facing wall of the primary building opposite of Carolina Pines Avenue.
4. A gas pump canopy shall be no more than 100 feet from the S Saunders Street right-of-way, and the width of such canopy shall be no less than 50% of the property frontage along S Saunders Street.

## COMPREHENSIVE PLAN GUIDANCE

Future Land Use	Community Mixed Use
Urban Form	Core Transit Area
Consistent Policies	Policy LU 1.2 Future Land Use Map and Zoning Consistency Policy LU 1.3 Conditional Use District Consistency Policy LU 5.1 Reinforcing the Urban Pattern Policy UD 3.1 Gateway Corridor Design Quality

**Inconsistent Policies**

Policy LU 7.6 Pedestrian-friendly Development

**FUTURE LAND USE MAP CONSISTENCY**

The rezoning case is ☒ **Consistent** ☐ **Inconsistent** with the Future Land Use Map.

**COMPREHENSIVE PLAN CONSISTENCY**

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

**PUBLIC MEETINGS**

Neighborhood Meeting	Planning Commission	City Council
12/16/19; 1 attendee	5/12/20	5/19/20

**PLANNING COMMISSION RECOMMENDATION**

The rezoning case is **Consistent** with the Future Land Use Map and **Consistent** with the relevant policies in the Comprehensive Plan, furthermore **Approval** is reasonable and in the public interest because:

Reasonableness and Public Interest	The request is compatible with the surrounding area and would facilitate reinvestment in the existing use.
Change(s) in Circumstances	N/A
Amendments to the Comprehensive Plan	N/A
Recommendation	Approval
Motion and Vote	Motion: Miller Second: Lampman In Favor: Bennett, Fox, Hicks, Jeffreys, Lampman, Mann, Miller, McIntosh and Tomasulo Opposed: None
Reason for Opposed Vote(s)	N/A



## ATTACHMENTS

1. Staff report
2. Rezoning Application
3. Original conditions

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 and Comprehensive Plan Amendment Analysis.

_____	5/12/20__	_____	5/12/20__
Planning Director	Date	Planning Commission Chair	Date
Staff Coordinator:	Hannah Reckhow: (919) 996-2622; <a href="mailto:Hannah.Reckhow@raleighnc.gov">Hannah.Reckhow@raleighnc.gov</a>		



# ZONING STAFF REPORT – CASE Z-6-20

## Conditional Use District

### OVERVIEW

This is a request to rezone approximately 1.63 acres from Community Mixed Use – 3 stories – Parking Limited (CX-3-PL) to Community Mixed Use – 3 stories – Conditional Use (CX-3-CU). The requested rezoning would remove the -PL frontage and apply conditions that require that an amenity area between the primary building and Carolina Pines Ave include outdoor seating for at least 15; specify blank wall areas of a primary building be clad in brick; require outdoor vending or ice machines be located on south side of a principal building; and specify that a gas pump canopy be no farther than 100 feet from the S Saunders St frontage and that the canopy must make up at least 50% of that frontage.

The rezoning site is 2600 and 2604 S Saunders St and located at the southwest corner of S Saunders St and Carolina Pines Ave. The site currently contains a gas station and restaurant. The surrounding area along S Saunders St contains similar commercial uses, including vehicle fuel sales, restaurant, and pawn shop. These areas are zoned CX-3-PL and CX-3-CU. Farther west of the subject site is a residential area zoned R-4 and R-10. The rezoning site does not directly abut these residential areas, which are approximately 300 feet to the west.

The rezoning request would retain the base district and height limit of 3 stories and remove the Parking Limited (PL) frontage. The PL frontage includes a maximum build-to of 100 feet, among other standards, which would apply to the front building façade. The request includes a proposed condition that applies similar limitations to a gas station canopy. Under the proposed district, there would be no maximum build-to for principal building facades. Other PL standards, such as pedestrian access standards and limitation of street-facing parking, are not included in the proposed conditions.

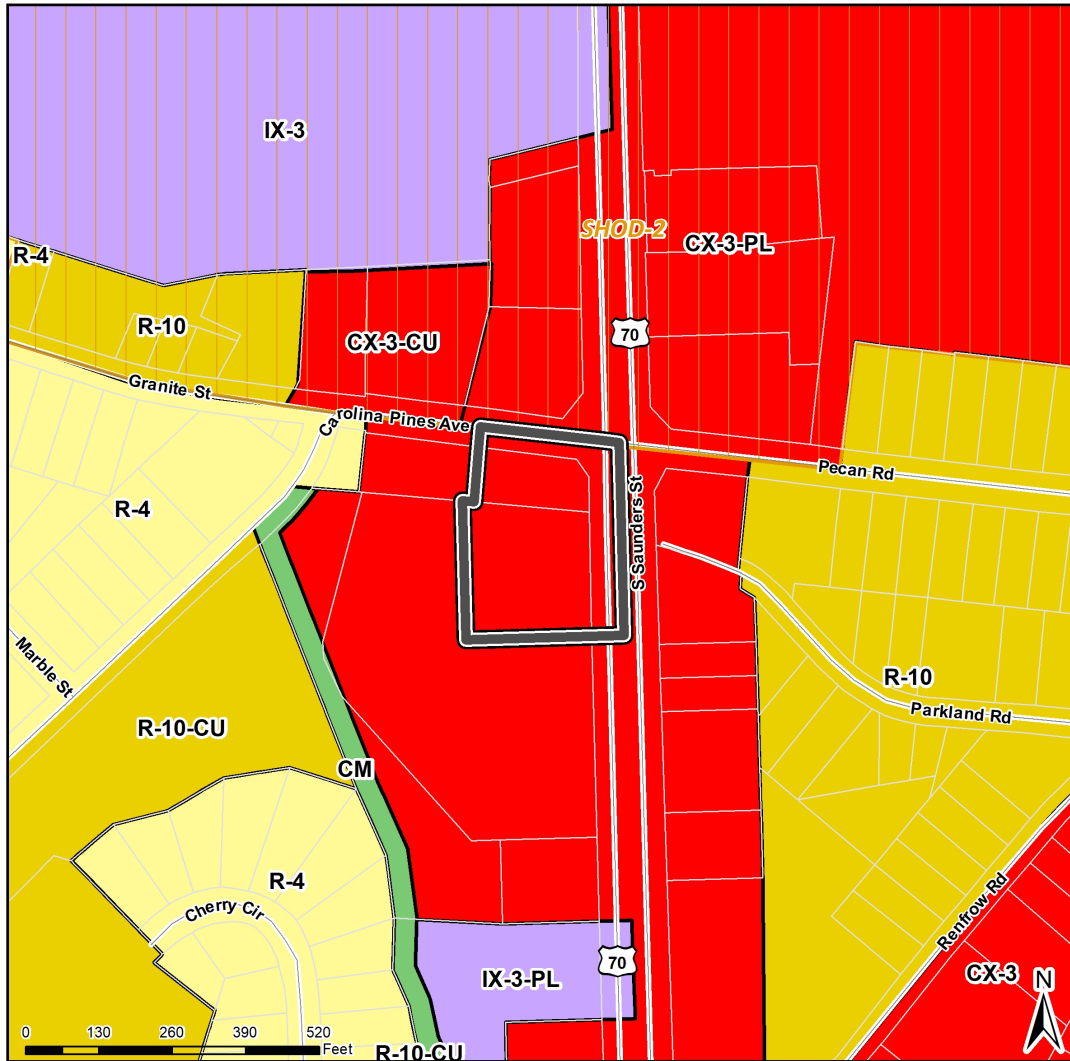
The site is designated as Community Mixed Use on the Future Land Use Map. The requested district CX-3-CU is consistent with this designation. The site is partially within the Core Transit area on the Urban Form Map, an area within a quarter mile of planned fixed guideway transit which may be located on S Wilmington Street. Adjacent areas are designated Transit Oriented District for proximity to this future service. Core Transit Areas recommend an urban or hybrid frontage to support a pedestrian-oriented environment in areas well-served by transit. The requested district would remove a hybrid frontage and does not include requirements for similar pedestrian access. As such, the request is inconsistent with the Urban Form Map.

### OUTSTANDING ISSUES

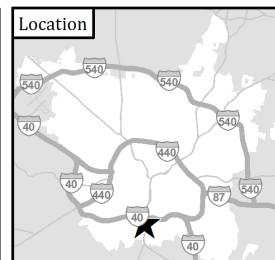
Outstanding Issues	1. None	Suggested Mitigation	1. N/A
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# Existing Zoning

Z-6-2020



<b>Property</b>	2600 & 2604 S Saunders St
<b>Size</b>	1.64 acres
<b>Existing Zoning</b>	CX-3-PL
<b>Requested Zoning</b>	CX-3-CU



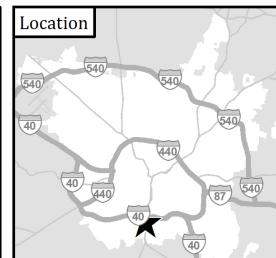
Map by Raleigh Department of City Planning (mansolf): 1/30/2020

# Future Land Use

Z-6-2020



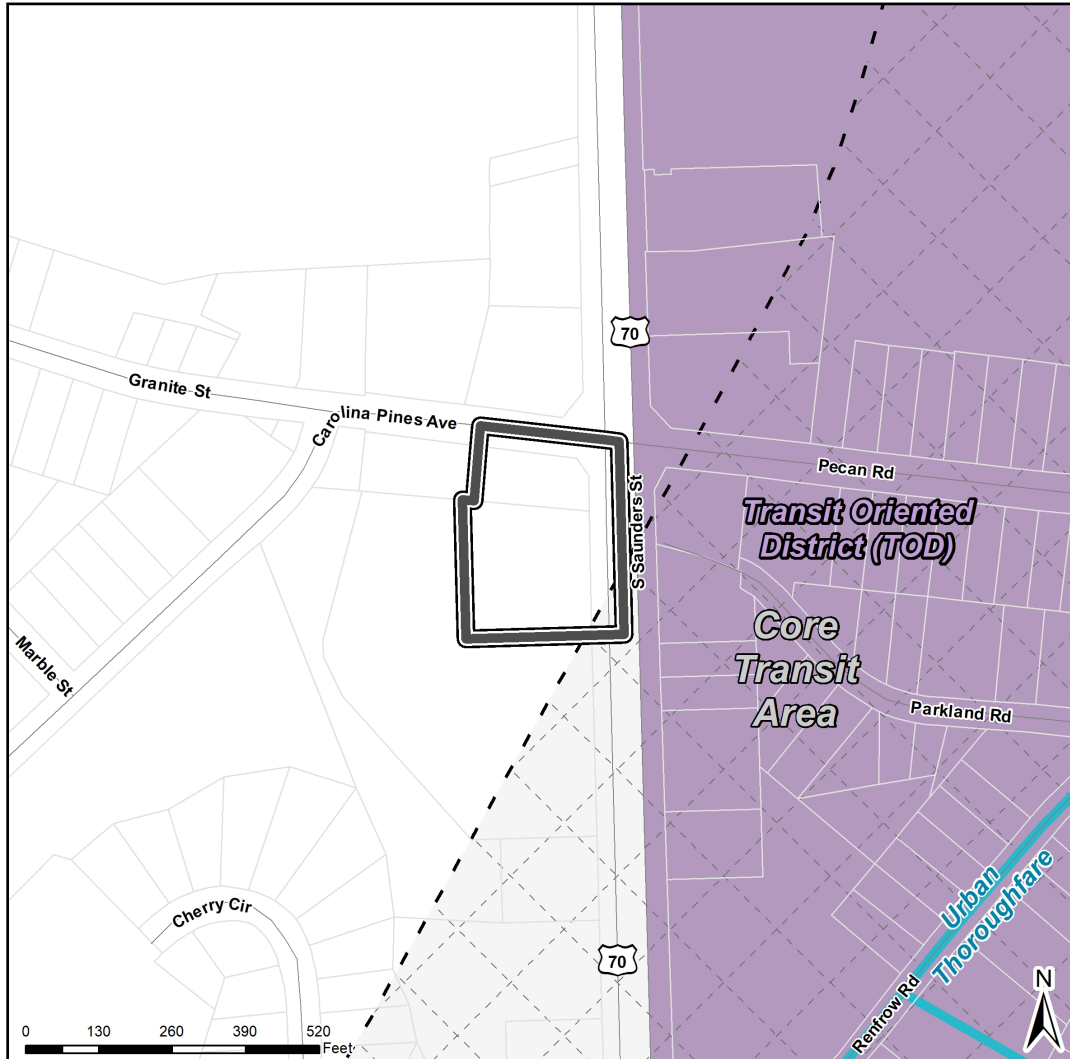
<b>Property</b>	2600 & 2604 S Saunders St
<b>Size</b>	1.64 acres
<b>Existing Zoning</b>	CX-3-PL
<b>Requested Zoning</b>	CX-3-CU



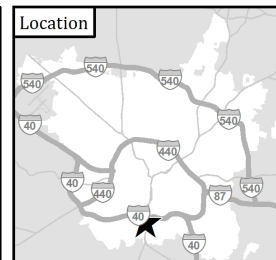
Map by Raleigh Department of City Planning (mansoff): 1/30/2020

# Urban Form

Z-6-2020



<b>Property</b>	2600 & 2604 S Saunders St
<b>Size</b>	1.64 acres
<b>Existing Zoning</b>	CX-3-PL
<b>Requested Zoning</b>	CX-3-CU



Map by Raleigh Department of City Planning (mansoff): 1/30/2020

# COMPREHENSIVE PLAN

Determination of the conformance of a proposed use or zone with the Comprehensive Plan includes consideration of the following questions:

- A. Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?

Yes, the request is consistent with the policies contained in the 2030 Comprehensive Plan, including the vision theme Coordinating Land Use and Transportation. The request would facilitate automobile-oriented commercial uses on a major transportation corridor.

- B. Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?

Yes, the Future Land Use Map envisions commercial uses and the request is for CX-3-CU.

- C. If the use is not specifically designated on the Future Land Use Map in the area where its location is proposed, is it needed to service such a planned use, or could it be established without adversely altering the recommended land use and character of the area?

N/A

- D. Will community facilities and streets be available at City standards to serve the use proposed for the property?

Yes, facilities and street will be available to serve the proposed use.

## Future Land Use

**Future Land Use designation:** Community Mixed Use

**The rezoning request is**

☒ **Consistent** with the Future Land Use Map.

☐ **Inconsistent**

The rezoning site is designated as Community Mixed Use, recommending retail districts between 3 and 5 stories. The requested district CX-3-CU would permit commercial uses that are compatible with this designation.

## Urban Form

**Urban Form designation:** Core Transit

**The rezoning request is**

☐ **Consistent** with the Urban Form Map.

☒ **Inconsistent**

☐ **Other**

The rezoning site is partially located within the Core Transit Area, indicating that the site is within walking distance of future fixed-guideway transit service. This designation recommends an urban or hybrid frontage to ensure a pedestrian-friendly urban form. The requested district would remove a hybrid frontage and does not include conditions requiring pedestrian access or other pedestrian-oriented urban form features required by Parking Limited.

## Compatibility

**The proposed rezoning is**

☒ **Compatible** with the property and surrounding area.

☐ **Incompatible.**

The surrounding area along S Saunders Street is zoned CX- and contains similar commercial uses, including automobile-oriented uses such as fuel sales, as those permitted in the requested district.

## Public Benefits of the Proposed Rezoning

- Requested district facilitates reinvestment in the existing vehicle fuel sales use and is compatible with surrounding development along major transportation corridor.

## Detriments of the Proposed Rezoning

- Requested district would remove the hybrid PL frontage from the site, which is applied to much of the corridor, possibly resulting in a less cohesive urban form along S Saunders St.

## Policy Guidance

*The rezoning request is **consistent** with the following policies:*

---

### **Policy LU 1.2 Future Land Use Map and Zoning Consistency**

*The Future Land Use Map shall be used in conjunction with the Comprehensive Plan policies to evaluate zoning consistency including proposed zoning map amendments and zoning text changes.*

- The requested district CX-3-CU is compatible with the designation of Community Mixed Use. This designation envisions medium-sized retail centers, and CX- permits a variety of commercial uses.

### **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.*

- The proposed conditions do not conflict with the Comprehensive Plan.

### **Policy LU 5.1 Reinforcing the Urban Pattern**

*New development should acknowledge existing buildings, and, more generally, the surrounding area. Quality design and site planning is required so that new development opportunities within the existing urban fabric of Raleigh are implemented without adverse impacts on local character and appearance.*

- The requested district CX-3-CU would permit development of a similar height and massing as surrounding CX- districts. While the proposed district does not include the same Parking Limited frontage, proposed conditions would require a gas station canopy – a major structure for a vehicle fuel sales use – mimic the maximum build-to required by the PL frontage.

### **Policy UD 3.1 Gateway Corridor Design Quality**

*Promote high quality development along gateway corridors to improve aesthetics and encourage higher levels of investment. Design of new development should contribute to the overall visual quality of the corridor and define the street space.*

- The proposed conditions include those which improve the visual quality of the S Saunders St and Carolina Pines Ave corridors. These include specifying that blank walls on primary buildings be brick and locating vending and ice machines away from Carolina Pines Ave street frontage.



*The rezoning request is **inconsistent** with the following policies:*

---

**Policy LU 7.6 Pedestrian-friendly Development**

*New and redeveloped commercial and mixed-use developments should be pedestrian-friendly.*

- The requested district would remove the Parking Limited frontage. This would remove requirements that support a pedestrian-friendly environment, including limitations of parking spaces between the street and front entrance and pedestrian access requirements. Conditions specifying direct pedestrian access from sidewalk to building entrance could improve consistency with this policy.

**Area Plan Policy Guidance**

The rezoning site is within the Southern Gateway area plan, but not within a designated focus area, and there are no relevant policies to this request.

# HOUSING AFFORDABILITY & ENERGY EFFICIENCY ANALYSIS

## Carbon Footprint: Transportation

	City Average	Site	Notes
Transit Score	30	39	Higher than city-wide average.
Walk Score	30	40	Higher than city-wide average.

Source: [Walk Score](#) is a publicly available service that measures pedestrian friendliness by analyzing population density and road metrics such as block length and intersection density. The higher the Transit Score or Walk Score, the greater the percentage of trips that will be made on transit or by walking, and the smaller the carbon footprint. The scores also correlate with shorter vehicle trips, which also produce less carbon. The city has a wide range of scores. Raleigh Municipal Building, for instance, has a Walk Score of 92, meaning the area is highly pedestrian-friendly and that many destinations are within a short walk. Some areas in the city have scores in single digits, indicating that few if any destinations are within walking distance, so nearly all trips are made by car.

**Summary:** The rezoning site is better served by transit compared to the city-wide average, including 15-minute service via Route 7 and 30-minute service via Route 7L. Through infrastructure and proximity to destinations, the site also has a higher Walk Score than the city-wide average.

## Carbon/Energy Footprint: Housing

Housing Type	Average Annual Energy Use (million BTU)	Permitted in this project?
Detached House	82.7	Yes
Townhouse	56.5	Yes
Small Apartment (2-4 units)	42.1	Yes
Larger Apartment	34.0	Yes

Source: U.S. Energy Information Administration, 2015 survey. Statistics for residential structures in the South.

**Summary:** The requested district permits all housing types, including more-efficient apartment type units.

## Housing Supply and Affordability

Does it add/subtract from the housing supply?	No change	The request would not change potential housing units.
Does it include any subsidized units?	No	No subsidized units are guaranteed with this request.
Does it permit a variety of housing types beyond detached houses?	Yes	There is no change in the variety of housing types permitted.
If not a mixed-use district, does it permit smaller lots than the average?*	N/A	
Is it within walking distance of transit?	Yes	Bus stops are located at Carolina Pine Ave

*\*The average lot size for detached residential homes in Raleigh is 0.28 acres.*

**Summary:** The rezoning request would not change the housing entitlement; the same number of units and housing types are permitted.

# IMPACT ANALYSIS

## Historic Resources

The site is not located within or adjacent to a National Register Historic District or Raleigh Historic Overlay District. It does not include nor is adjacent to any National Register individually-listed properties or Raleigh Historic Landmarks.

**Impact Identified:** None

## Parks and Recreation

This site is not directly impacted by any existing or proposed greenway trails, corridors, or connectors. Nearest existing park access is provided by Hertford Village Park (0.7 miles) and Peach Rd Park (0.7 miles). Nearest existing greenway trail access is provided by Walnut Creek Greenway Trail (0.5 miles). Current park access level of service in this area is graded a C letter grade.

**Impact Identified:** None

## Public Utilities

	Maximum Demand (current use)	Maximum Demand (current zoning)	Maximum Demand (proposed zoning)
Water	14,000	14,000	14,000
Waste Water	14,000	14,000	14,000

**Impact Identified:**

1. The proposed rezoning would add approximately 0 gpd to the wastewater collection and water distribution systems of the City. There are existing sanitary sewer and water mains adjacent to the proposed rezoning area
2. At the time of development plan submittal, a Downstream Sewer Capacity Study may be required to determine adequate capacity to support the proposed development. Any improvements identified by the study would be required to be permitted prior to the issuance of Building Permit & constructed prior to release of a Certificate of Occupancy
3. Verification of water available for fire flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the Developer

## Stormwater

<b>Floodplain</b>	Flood hazard soils, these likely are not accurate
<b>Drainage Basin</b>	Walnut
<b>Stormwater Management</b>	UDO 9.2
<b>Overlay District</b>	n/a

**Impact Identified:** No downstream structural impacts identified.

## Transit

GoRaleigh Route 7 operates on South Saunders Street and provides frequent service. Route 7L operates on Carolina Pines Avenue every 30 minutes, operating roughly parallel to I-40 between the Rock Quarry Road and Trailwood Hills Drive. Bus rapid transit is proposed in the general area, operating parallel to South Saunders Street and South Wilmington Street; neither a preferred route nor proposed stop locations have been determined at this time.

**Impact Identified:** None

## Transportation

### **Site Location and Context**

#### *Location*

The Z-6-2020 site is located in south Raleigh at the southwest corner of the intersection of South Saunders Street and Carolina Pines Avenue.

#### *Area Plans*

The Z-6-2020 site is located within the Southern Gateway Corridor Study Boundary, but not within a specific focus area. It is near the South Wilmington/Rush focus area, which is recommended to be a transit oriented neighborhood. The plan recommends that the southern Bus Rapid Transit corridor follow South Wilmington Street between Downtown Raleigh and the Town of Garner.

### **Existing and Planned Infrastructure**

#### *Streets*

South Saunders Street is a 4-lane divided avenue in Map T-1 of the Comprehensive Plan; it is maintained by NCDOT. Carolina Pines Avenue is a 2-lane undivided avenue in Map T-1 of the Comprehensive Plan; it is maintained by the City of Raleigh.

In accordance with UDO section 8.3.2, the maximum block perimeter for CX-3 zoning districts is 3,000 feet, and the maximum length for a dead-end street is 400 feet. Minimum

site area for block perimeter standards to apply in the CX-3 district is 5 acres. The Z-6-2020 site is approximately 1.6 acres.

The current block perimeter for this site is roughly 18,000 feet. This block stretches as far southwest as the intersection of Fairway Drive and Tryon Road; it is bisected by the Norfolk Southern Railroad. Construction of a planned local street between Illeagnes Road and Carolina Pines Avenue would reduce the block perimeter to approximately 4,300 feet.

#### *Pedestrian Facilities*

Sidewalks are complete near the subject site on South Saunders Street, but are missing from most sections of side streets in the area. Complete sidewalks are planned on Carolina Pines Avenue as a part of the street improvement project in design.

#### *Bicycle Facilities and Greenways*

There are no existing bikeways in the vicinity of the Z-6-20 site. Map T-3 of the Comprehensive Plan includes a bicycle lane on Carolina Pines Avenue and Pecan Road and a separated bikeway on South Saunders Street. The Carolina Pines Improvement project in design includes a shared use path.

#### *Access*

Access to the subject site is via Carolina Pines Avenue and South Saunders Street.

#### **Other Projects in the Area**

There is an active City of Raleigh Capital Improvement Program (CIP) project to upgrade Carolina Pines Avenue from South Saunders Street to Lake Wheeler Road. Improvements will include curb and gutter, sidewalks, and shared use paths. The project may include changes to the lane configuration of Carolina Pines Avenue near the subject property. Design is underway.

#### **TIA Determination**

Based on the Envision results, approval of case Z-6-20 would be a net neutral difference in the amount of projected vehicular trips for the site as indicated in the table below. This proposed rezoning does not trigger a Traffic Impact Analysis at rezoning based on the trip generation thresholds in the Raleigh Street Design Manual.

Z-6-20 Existing Land Use ITE LUC 934 and 853	Daily	AM	PM
	3,099	273	205
Z-6-20 Current Zoning Entitlements CX-3-PL	Daily	AM	PM
	649	61	75
Z-6-20 Proposed Zoning Maximums CX-3	Daily	AM	PM
	649	61	75
Z-6-20 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	0	0	0

**Impact Identified:** None

### Urban Forestry

**Impact Identified:** None

### Impacts Summary

The rezoning request would not change the intensity of potential development, and there are minimal impacts on infrastructure and service provision.

### Mitigation of Impacts

No mitigation required.

## CONCLUSION

The rezoning request would retain the current base district and height limit applied to the site and would remove the Parking Limited frontage and add conditions. The result is altered standards for how structures would relate to the street but no change in potential intensity of development. Proposed conditions include requirements for the placement of a gas station canopy that would mimic the maximum build-to in the PL frontage. However, other requirements of the PL frontage, including limitations on street-facing parking and pedestrian access requirements, would not be retained in the requested district. For this reason, the request is inconsistent with the Urban Form Map guidance to establish a pedestrian-friendly urban form within walking distance of major transit service. The addition of conditions that require direct pedestrian access between the sidewalk and principal building entrance could improve consistency with this guidance.

Overall, the request would permit development that is compatible with the surrounding area along S Saunders Street and is consistent with the 2030 Comprehensive Plan, including the Future Land Use Map.

## CASE TIMELINE

Date	Action	Notes
1/30/20	Application submitted	
2/21/20	Initial staff review provided	
5/12/20	Planning Commission review begins	



# APPENDIX

## SURROUNDING AREA LAND USE/ ZONING SUMMARY

SUBJECT PROPERTY		NORTH	SOUTH	EAST	WEST
Existing Zoning	CX-3-PL	CX-3-PL; CX-3-CU	CX-3-PL	CX-3-PL	CX-3-PL
Additional Overlay	-	SHOD-2	-	-	-
Future Land Use	Community Mixed Use	Office & Residential Mixed Use	Community Mixed Use	Community Mixed Use	Community Mixed Use
Current Land Use	Commercial	Commercial	Commercial	Commercial	Commercial
Urban Form	Core Transit Area	-	Core Transit Area	Core Transit Area; Transit Oriented District	-

## CURRENT VS. PROPOSED ZONING SUMMARY


EXISTING ZONING		PROPOSED ZONING
Zoning	CX-3-PL	CX-3-CU
Total Acreage	1.64	1.64
Setbacks:		
Front	5'-100'	5'
Side	0' or 6'	0' or 6'
Rear	0' or 6'	0' or 6'
Residential Density:	34.15	34.15
Max. # of Residential Units	56	56
Max. Gross Building SF	65,966	65,966
Max. Gross Office SF	52,304	52,304
Max. Gross Retail SF	29,185	29,185
Max. Gross Industrial SF	61,795	61,795
Potential F.A.R	0.92	0.92

\*The development intensities for proposed zoning districts were estimated using an impact analysis tool. The estimates presented are only to provide guidance for analysis.

# Rezoning Application



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2682

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			<b>OFFICE USE ONLY</b>  <b>Rezoning Case #</b>
Existing Zoning Base District <b>CX</b> Height <b>3</b> Frontage <b>PL</b> Overlay(s) <b>N/A</b>			
Proposed Zoning Base District <b>CX</b> Height <b>3</b> Frontage <b>N/A</b> Overlay(s) <b>N/A</b>			
<i>Click <a href="#">here</a> to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.</i>			
If the property has been previously rezoned, provide the rezoning case number: <b>N/A</b>			
GENERAL INFORMATION			
Date <b>1/28/2020</b>		Date Amended (1)	Date Amended (2)
Property Address <b>2600 and 2604 S. Saunders Street</b>			
Property PIN <b>1702470507 and 1702379490</b>		Deed Reference (book/page) <b>017386/00320 and ?</b>	
Nearest Intersection <b>S. Saunders Street and Carolina Pines Ave</b>			
Property Size (acres) <b>1.64</b>	For Planned Development Applications Only:	Total Units	Total Square Footage
		Total Parcels	Total Buildings
Property Owner Name/Address <b>Speedway LLC 539 S Main St Findlay, OH 45840</b>		Phone <b>336-231-5715</b>	Fax
		Email <b>kstrnad@speedway.com</b>	
Applicant Name/Address <b>Speedway LLC c/o Hayes Finley Fox Rothschild LLP 434 Fayetteville St, Ste 2800 Raleigh, NC 27604</b>		Phone <b>9197558700</b>	Fax
		Email <b>hfinley@foxrothschild.com</b>	
Applicant* Signature(s)  <b>Tom Lefevers Sr. Director Real Estate</b>		Email <b>tlefevers@speedway.com</b>	

\*Please see Page 11 for information about who may submit rezoning applications. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.



CONDITIONAL USE DISTRICT ZONING CONDITIONS		
Zoning Case Number <b>Z-6-2020</b>	<b>OFFICE USE ONLY</b>  <b>Rezoning Case #</b>	
Date Submitted <b>3/5/2020</b>		
Existing Zoning <b>CX-3-PL</b> Proposed Zoning <b>CX-3-CU</b>		
<b>Narrative of Zoning Conditions Offered</b>		
<p>1) There will be an amenity area that shall include, in part, an outdoor seating area (having a minimum capacity of 15 seats) between the principal building and Carolina Pines Avenue.</p> <p>2) All four sides of the principal building will be clad with brick masonry over all blank wall areas.</p> <p>3) In addition to meeting the standards listed in Section 7.5.2.B. of the UDO, all outdoor vending or ice machines, if any, shall be located along the south facing wall of the principal building opposite of Carolina Pines Avenue.</p> <p>4) The gas pump canopy shall be no more than 100 feet from the S. Saunders Street right-of-way, and the width of such canopy shall be no less than 50% of the property frontage along S. Saunders Street right-of-way.</p>		

The property owner(s) hereby offers, consents to, and agrees to abide by, if the rezoning request is approved, the conditions written above. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Property Owner(s) Signature \_\_\_\_\_ Print Name Tom Lefevers, Sr. Director Real Estate

REZONING APPLICATION ADDENDUM #1	
Comprehensive Plan Analysis	OFFICE USE ONLY
The applicant is asked to analyze the impact of the rezoning request and its consistency with the Comprehensive Plan. The applicant is also asked to explain how the rezoning request is reasonable and in the public interest.	Rezoning Case #
STATEMENT OF CONSISTENCY	
Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.	
<p>The rezoning request is consistent with the future land use designation of "Community Mixed Use". The subject property will remain a CX zoning district under this rezoning request, which is the primary zoning district for this area. The subject property is located near other commercial uses, including large shopping stores and fuel centers, which makes the proposed rezoning consistent with the surrounding area and future land use designations. The proposed rezoning to remove Parking Limited will allow for redevelopment of the property that is more consistent with the current and future land use designation.</p> <p>The subject properties are not located within any designated Centers on the Urban Form Map. On the Raleigh iMap, approximately 100 sqft of the subject property is located within a Transit Oriented District. However, this small area of the property is confined within the area designated to be dedicated as right-of-way. None of the planned development is within the TOD.</p> <p>The requested rezoning is consistent with many policies in the Comp Plan including: LU 1.3 Conditional Use District Consistency; LU 2.1 Placemaking: the proposed redevelopment will create a "visually attractive, safe, accessible, and functional" use of the property; LU 4.4 Reducing Vehicle Miles Traveled Through Mixed Use: the redevelopment will provide needed services within a short distance of nearby neighborhoods; T 7.1 Safety Improvements: the rezoning request will improve and provide safe routes for motorists by reducing and limiting the access points near an intersection and increasing visibility; ED 5.3 Creating Attractive Development Sites: the rezoning request will redevelop a site into an attractive and functional site with improved streetscapes.</p>	
PUBLIC BENEFITS	
Provide brief statements explaining how the rezoning request is reasonable and in the public interest.	
<p>This rezoning request is reasonable and in the public interest because it allows for increased safety and connectivity in redeveloping the property by moving access points further from the intersection, creating space for safe movement through the property, and increasing visibility for pedestrians and vehicles using the fuel pumps. The redevelopment of the property will also increase the tax base.</p>	

REZONING APPLICATION ADDENDUM #2	
<b>Impact on Historic Resources</b>  The applicant is asked to analyze the impact of the rezoning request on historic resources. For the purposes of this section, a historic resource is defined as any site, structure, sign, or other feature of the property to be rezoned that is listed in the National Register of Historic Places or designated by the City of Raleigh as a landmark or contributing to a Historic Overlay District.	<b>OFFICE USE ONLY</b>  <b>Rezoning Case #</b>
<b>INVENTORY OF HISTORIC RESOURCES</b>  List in the space below all historic resources located on the property to be rezoned. For each resource, indicate how the proposed zoning would impact the resource.	
N/A	
<b>PROPOSED MITIGATION</b>  Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.	
N/A	

## URBAN DESIGN GUIDELINES

The applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan if:

- a) The property to be rezoned is within a "City Growth Center" or "Mixed-Use Center", or
- b) The property to be rezoned is located along a "Main Street" or "Transit Emphasis Corridor"

as shown on the Urban Form Map in the 2030 Comprehensive Plan.

Urban Form Designation N/A

Click [here](#) to view the Urban Form Map.

1.	<p><i>All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.</i></p> <p><b>Response:</b> While the property is not within an Urban Form Center or Corridor, this rezoning request will accomodate retail establishments and a convenient store with minimal food sales is contemplated for this development.</p>
2.	<p><i>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.</i></p> <p><b>Response:</b> The properties are not adjacent to lower density neighborhoods.</p>
3.	<p><i>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.</i></p> <p><b>Response:</b> There are no neighborhood roads to connect to the properties.</p>
4.	<p><i>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.</i></p> <p><b>Response:</b> No new streets are contemplated.</p>
5.	<p><i>New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.</i></p> <p><b>Response:</b> No new streets are contemplated.</p>
6.	<p><i>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.</i></p> <p><b>Response:</b> Building and parking placement will be determined at site plan.</p>

7.	<p><i>Buildings should be located close to the pedestrian-oriented street (within 25 feet of the curb), with off-street parking behind and/or beside the buildings. When a development plan is located along a high volume corridor without on-street parking, one bay of parking separating the building frontage along the corridor is a preferred option.</i></p> <p><b>Response:</b> Per the proposed zoning conditions, a canopy with fuel pumps will be located within 100 feet of the right-of-way. There will be uninterrupted sidewalk access from the building entrance to Carolina Pines Avenue. Further building and parking placement will be determined at site plan.</p>
8.	<p><i>If the site is located at a street intersection, the main building or main part of the building should be placed at the corner. Parking, loading or service should not be located at an intersection.</i></p> <p><b>Response:</b> Per the proposed zoning conditions, vehicular access points on the properties will be limited to ensure safety of movement near the intersection. Further building and parking placement will be determined at site plan.</p>
9.	<p><i>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.</i></p> <p><b>Response:</b> Outdoor amenities will be visible and accessible.</p>
10.	<p><i>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.</i></p> <p><b>Response:</b> Outdoor amenity areas will have uninterrupted access to Carolina Pines Ave.</p>
11.	<p><i>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.</i></p> <p><b>Response:</b> Outdoor amenity areas will be provided.</p>
12.	<p><i>A properly defined urban open space is visually enclosed by the fronting of buildings to create an outdoor "room" that is comfortable to users.</i></p> <p><b>Response:</b> Outdoor amenity areas will be provided.</p>

13.	<p><i>New public spaces should provide seating opportunities.</i></p> <p><b>Response:</b></p> <p>Outdoor amenity areas will be provided. The proposed rezoning conditions include an outdoor seating area with a minimum capacity of 15 seats.</p>
14.	<p><i>Parking lots should not dominate the frontage of pedestrian-oriented streets, interrupt pedestrian routes, or negatively impact surrounding developments.</i></p> <p><b>Response:</b></p> <p>Per the zoning conditions, a canopy for fueling stations will be located within 100 feet of the right-of-way.</p>
15.	<p><i>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.</i></p> <p><b>Response:</b></p> <p>The location of parking will be determined at Site Plan.</p>
16.	<p><i>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.</i></p> <p><b>Response:</b></p> <p>No parking structures are contemplated. Any parking or building design will be determined at Site Plan.</p>
17.	<p><i>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.</i></p> <p><b>Response:</b></p> <p>There are no higher-building densities planned for the properties. However, there is currently a bus stop at 405 Carolina Pines near the subject properties.</p>
18.	<p><i>Convenient, comfortable pedestrian access between the transit stop and the building entrance should be planned as part of the overall pedestrian network.</i></p> <p><b>Response:</b></p> <p>The right-of-way will accommodate a sidewalk. Any further access or design plans will be determined at Site Plan.</p>
19.	<p><i>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.</i></p> <p><b>Response:</b></p> <p>The property is not located within a floodplain. Streams nearby the property will be buffered to minimize impact to them.</p>



20.	<p><i>It is the intent of these guidelines to build streets that are integral components of community design. Public and private streets, as well as commercial driveways that serve as primary pedestrian pathways to building entrances, should be designed as the main public spaces of the City and should be scaled for pedestrians.</i></p> <p><b>Response:</b> Sidewalks will be provided.</p>
21.	<p><i>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.</i></p> <p><b>Response:</b> Sidewalks will be provided.</p>
22.	<p><i>Streets should be designed with street trees planted in a manner appropriate to their function. Commercial streets should have trees which complement 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.</i></p> <p><b>Response:</b> Street trees and landscaping will be provided in accordance with the UDO and additional proposed zoning conditions.</p>
23.	<p><i>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.</i></p> <p><b>Response:</b> The property is not within an Urban Form Center or Corridor. The building design will be determined at Site Plan.</p>
24.	<p><i>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.</i></p> <p><b>Response:</b> The property is not within an Urban Form Center or Corridor. The building design will be determined at Site Plan.</p>
25.	<p><i>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.</i></p> <p><b>Response:</b> The property is not within an Urban Form Center or Corridor. The building design will be determined at Site Plan.</p>
26.	<p><i>The sidewalks should be the principal place of pedestrian movement and casual social interaction. Designs and uses should be complementary to that function.</i></p> <p><b>Response:</b> There is existing sidewalks along the property, and it is anticipated new sidewalks will be provided per a site plan.</p>

# **REZONING APPLICATION SUBMITTAL REQUIREMENTS ("Rezoning Checklist")**

TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
General Requirements – General Use or Conditional Use Rezoning	YES	N/A	YES	NO	N/A
1. I have referenced this <b>Rezoning Checklist</b> and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
2. Pre-Application Conference	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
3. Neighborhood Meeting notice and report	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
4. Rezoning application review fee (see <a href="#">Fee Schedule</a> for rate)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
5. Completed application, submitted through Permit & Development Portal	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Completed Comprehensive Plan Consistency Analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Completed Response to the Urban Design Guidelines	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
6. Two sets of stamped envelopes addressed to all property owners of area to be rezoned and properties within 500 feet of area to be rezoned	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
7. Trip Generation Study	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
8. Traffic Impact Analysis	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
<b>For properties requesting a conditional use district:</b>					
9. Completed zoning conditions, signed by property owner(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
<b>If applicable (see Page 11):</b>					
10. Proof of power of attorney or owner affidavit	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
<b>For properties requesting a Planned Development (PD) or Campus District (CMP):</b>					
10. Master Plan (see Master Plan Submittal Requirements)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
<b>For properties requesting an Accessory Dwelling Unit Overlay District (ADUOD):</b>					
15. Copy of ballot and mailing list	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

# MASTER PLAN SUBMITTAL REQUIREMENTS

TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
General Requirements – Master Plan	YES	N/A	YES	NO	N/A
1. I have referenced the <b>Master Plan Checklist</b> and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh	<input type="checkbox"/>	<input type="checkbox"/>			
2. Total number of units and square feet	<input type="checkbox"/>	<input type="checkbox"/>			
3. 12 sets of plans	<input type="checkbox"/>	<input type="checkbox"/>			
4. Completed application; submitted through Permit & Development Portal	<input type="checkbox"/>	<input type="checkbox"/>			
5. Vicinity Map	<input type="checkbox"/>	<input type="checkbox"/>			
6. Existing Conditions Map	<input type="checkbox"/>	<input type="checkbox"/>			
7. Street and Block Layout Plan	<input type="checkbox"/>	<input type="checkbox"/>			
8. General Layout Map/Height and Frontage Map	<input type="checkbox"/>	<input type="checkbox"/>			
9. Description of Modification to Standards, 12 sets	<input type="checkbox"/>	<input type="checkbox"/>			
10. Development Plan (location of building types)	<input type="checkbox"/>	<input type="checkbox"/>			
11. Pedestrian Circulation Plan	<input type="checkbox"/>	<input type="checkbox"/>			
12. Parking Plan	<input type="checkbox"/>	<input type="checkbox"/>			
13. Open Space Plan	<input type="checkbox"/>	<input type="checkbox"/>			
14. Tree Conservation Plan (if site is 2 acres or more)	<input type="checkbox"/>	<input type="checkbox"/>			
15. Major Utilities Plan/Utilities Service Plan	<input type="checkbox"/>	<input type="checkbox"/>			
16. Generalized Stormwater Plan	<input type="checkbox"/>	<input type="checkbox"/>			
17. Phasing Plan	<input type="checkbox"/>	<input type="checkbox"/>			
18. Three-Dimensional Model/renderings	<input type="checkbox"/>	<input type="checkbox"/>			
19. Common Signage Plan	<input type="checkbox"/>	<input type="checkbox"/>			

## Who can initiate a rezoning request?

If requesting to down-zone property, the rezoning application must be signed by all of the property owners whose property is subject to the down-zoning. Down-zoning is defined as a zoning ordinance that affects an area of land in one of the following ways:

1. By decreasing the development density of the land to be less dense than was allowed under its previous usage.
2. By reducing the permitted uses of the land that are specified in a zoning ordinance or land development regulation to fewer uses than were allowed under its previous usage.

If requesting to rezone property to a conditional district, the rezoning application must be signed by all owners of the property to be included in the district. For purposes of the application only (not the zoning conditions), the City will accept signatures on behalf of the property owner from the following:

1. the property owner;
2. an attorney acting on behalf of the property owner with an executed power of attorney; or
3. a person authorized to act on behalf of the property owner with an executed owner's affidavit.

An owner's affidavit must be made under oath, properly notarized and, at a minimum, include the following information:

- The property owner's name and, if applicable, the property owner's title and organization name.
- The address, PIN and Deed Book/Page Number of the property.
- A statement that the person listed as the property owner is the legal owner of the property described.
- The name of the person authorized to act on behalf of the property owner as the applicant. If applicable, the authorized person's title and organization name.
- A statement that the property owner, as legal owner of the described property, hereby gives authorization and permission to the authorized person, to submit to the City of Raleigh an application to rezone the described property.
- A statement that the property owner understands and acknowledges that zoning conditions must be signed, approved and consented to by the property owner.
- The property owner's signature and the date the property owner signed the affidavit.

If requesting to rezone property to a general use district that is not a down-zoning, the rezoning application may be signed, for the purposes of initiating the request, by property owners or third-party applicants.

Date:

Re: (SITE LOCATION)

Neighboring Property Owners:

You are invited to attend a neighborhood meeting on (MEETING DATE). The meeting will be held at (MEETING LOCATION, INCLUDING ADDRESS) and will begin at (TIME).

The purpose of this meeting is to discuss a potential rezoning of the property located at (SITE ADDRESS AND NEARBY LANDMARKS). This site is current zoned (CURRENT ZONING DISTRICT) and is proposed to be rezoned to (PROPOSED ZONING DISTRICT). (Please also provide any relevant details regarding the request.)

The City of Raleigh requires that prior to the submittal of any rezoning application, a neighborhood meeting involving the property owners within 500 feet of the area requested for rezoning.

If you have any concerns or questions I (we) can be reached at:

For more information about rezoning, you may visit [www.raleighnc.gov](http://www.raleighnc.gov) or contact the Raleigh City Planning Department at:

(919) 996-2682  
rezoning@raleighnc.gov

Thank you

**At least 10 days prior to the meeting date with the owners of property, the applicant shall notify the owners of property about the meeting; notice shall be by first class mail or certified mail return receipt. If notification is to be by first class mail, the applicant shall deliver the sealed, addressed, stamped envelopes to Planning & Development prior to the aforementioned 10 day period. If notification is to be by certified mail return receipt, copies of the return receipts shall be given to Planning & Development at time of application submittal.**

SUBMITTED DATE: \_\_\_\_\_

## SUMMARY OF ISSUES

A neighborhood meeting was held on 12/16/2019 (date) to discuss a potential rezoning located at 2600 and 2604 S. Saunders Street (property address).  
The neighborhood meeting was held at Fox Rothschild LLP, 434 Fayetteville Street, Ste 2800 Raleigh, NC (location).  
There were approximately 1 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

See attached.

[illegible]



**Fox Rothschild** LLP  
ATTORNEYS AT LAW

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Suite 2800  
Raleigh, NC 27601  
Tel (919) 755-8700 Fax (919) 755-8800  
[www.foxrothschild.com](http://www.foxrothschild.com)

DAVID YORK  
Direct No: 919.755.8749  
Email: [dyork@Foxrothschild.com](mailto:dyork@Foxrothschild.com)

December 5, 2019

**Re: Notice of Neighborhood Meeting**

**Neighborhood Property Owners:**

You are invited to attend a neighborhood meeting on December 16, 2019. The meeting will begin at 6:30 p.m. at the law office of Fox Rothschild LLP on the 28<sup>th</sup> floor of the BB&T (Two Hannover) Building in downtown Raleigh located at 434 Fayetteville Street. Please arrive early to allow time to find a convenient parking facility (see attached). Please enter the building through the Salisbury Street entrance (the Fayetteville Street entrance will be closed after 6 pm), and bring your parking ticket with you to the meeting for validation.

The purpose of this meeting is to discuss a potential rezoning of the properties located at 2600 and 2604 S Saunders Street, which are currently an eating establishment and Speedway store. This site is currently zoned CX-3-PL (meaning Commercial miXed use-3 story height maximum - Parking Limited street frontage) and is proposed to be rezoned to CX-3-CU (CU: Conditional Use). This rezoning request is to remove the Parking Limited element of the zoning district allowing the site to be redeveloped with an updated Speedway store.

The City of Raleigh requires that prior to the submittal of any rezoning application, a neighborhood meeting involving the property owners within 500 feet of the area requested for rezoning.

If you have any concerns or questions I can be reached at:

David York  
Fox Rothschild LLP  
434 Fayetteville Street, Suite 2800  
Raleigh, NC 27601  
[dyork@foxrothschild.com](mailto:dyork@foxrothschild.com)  
919-755-8749

For more information about rezoning, you may visit [www.raleighnc.gov](http://www.raleighnc.gov) or contact the Raleigh City Planning Department at:

(919) 996-2682  
[rezoning@raleighnc.gov](mailto:rezoning@raleighnc.gov)

Thank you.

A Pennsylvania Limited Liability Partnership

California Colorado Delaware District of Columbia Florida Georgia Illinois Minnesota Nevada  
New Jersey New York North Carolina Pennsylvania South Carolina Texas Virginia Washington



## **PARKING:**

### **Fox Rothschild LLP: RALEIGH OFFICE**

Visitors can have their visitor parking ticket validated from any of the following decks:

- **BB&T/One City Plaza Deck:** 498 S. Salisbury Street (at the intersection of S. Salisbury and W. Cabarrus Street)
- **Marriott Parking Deck:** 1 E. Lenoir Street
- **Convention Center Deck:** 12 W. South Street
- **City Center Parking Deck:** 124 E. Cabarrus Street
- **Red Hat Parking Deck:** 410 S Wilmington Street



Speedway Aerial



**Disclaimer**  
Maps make every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.

# 2600 S. SAUNDERS STREET NEIGHBORS

MAP #	Owner	Mail Address 1	Mail Address 2	Mail Address 3	Site Address
1	SPEEDWAY LLC	539 S MAIN ST	FINDLAY OH 45840-3229		2600 S SAUNDERS ST
2	SPEEDWAY LLC	PROPERTY TAX DEPT		FINDLAY OH 45840-3229	2604 S SAUNDERS ST
3	DAVIS, R EARL	PO BOX 464	RALEIGH NC 27602-0464		2626 S SAUNDERS ST
7	NEWTON, RICHARD H TRUSTEE ROBERT JOSEPH NANCE JR REVOCABLE TRUST	4804 MIMETREE CT	RALEIGH NC 27616-5616		2635 S SAUNDERS ST
8	NEWTON, RICHARD H TRUSTEE ROBERT JOSEPH NANCE JR REVOCABLE TRUST	4804 MIMETREE CT	RALEIGH NC 27616-5616		2633 S SAUNDERS ST
9	RUST PROPERTIES LLC	200 DARTMOUTH RD	RALEIGH NC 27609-5846		2619 S SAUNDERS ST
10	CAROLINA PAWN PTNR LLC	LDPM INC	430 DAVIS DR STE 110	MORRISVILLE NC 27560-6829	2609 S SAUNDERS ST
11	REDAN ASSOCIATES LLC	GEORGE LEE SINGLETON	2117 WHITE OAK RD	RALEIGH NC 27608-1451	2601 S SAUNDERS ST
12	41 EAST THIRTY FIRST ST CORP	1969 EMERSON COOK RD	PITTSBORO NC 27312-9768		2549 S SAUNDERS ST
13	JAY DAN GIGEV REALTY 2501 LLC	RAVIRAJ G VIRADIYA	3120 NEW BERN AVE	RALEIGH NC 27610-1217	2501 S SAUNDERS ST
14	A&A HOSPITALITY INC	2539 S SAUNDERS ST	RALEIGH NC 27603-2843		2539 S SAUNDERS ST
15	CIRKLE K STORES INC	PROPERTY TAX DC17	PO BOX 52085	PHOENIX AZ 85072-2085	2500 S SAUNDERS ST
16	CIRKLE K STORES INC	PROPERTY TAX DC17	PO BOX 52085	PHOENIX AZ 85072-2085	2506 S SAUNDERS ST
17	CLARK STORES LLC	PO BOX 469	CLINTON NC 28329-0469		2516 S SAUNDERS ST
18	RALEIGH DEVELOPMENT COMPANY IV LLC	333 FAYETTEVILLE ST STE 100	RALEIGH NC 27601-1882		498 CAROLINA PINES AVE
19	HOLMES, LARRY DALE	PO BOX 37338	RALEIGH NC 27627-7338		405 CAROLINA PINES AVE
20	DAVIS, R EARL	PO BOX 464	RALEIGH NC 27602-0464		497 CAROLINA PINES AVE
21	RALEIGH DEVELOPMENT COMPANY IV LLC	333 FAYETTEVILLE ST STE 100	RALEIGH NC 27601-1882		450 CAROLINA PINES AVE
22	RALEIGH DEVELOPMENT COMPANY IV LLC	333 FAYETTEVILLE ST STE 100	RALEIGH NC 27601-1882		500 GRANITE ST
23	GUPTA, SANJAI K TRUSTEE WILSON G. BANEGAS-GUPTA TRUST	3316 BOULDER CT	RALEIGH NC 27607-3111		518 GRANITE ST
24	WEEKS, CHYANNE	506 GRANITE ST	RALEIGH NC 27603-2822		506 GRANITE ST
25	NEHREN, LISA G	500 CAROLINA PINES AVE	RALEIGH NC 27603-2814		500 CAROLINA PINES AVE
26	TAYBRAN RIDGE APARTMENTS LLC	1202 S SAUNDERS ST	RALEIGH NC 27603-2206		510 CAROLINA PINES AVE
27	DAVIS, R EARL	PO BOX 464	RALEIGH NC 27602-0464		2608 S SAUNDERS ST
28	SHAIL INVESTORS AND DEVELOPERS LLC	114 TEALIGHT LN	CARY NC 27513-5766		511 CAROLINA PINES AVE
35	JOHNSON, STUART FLEMING	225 PARKLAND RD	RALEIGH NC 27603-2837		225 PARKLAND RD
36	WILLIAM M FOX PROPERTIES LLC	205 RIDGE CREEK DR	MORRISVILLE NC 27560-7802		229 PARKLAND RD
37	JONES, GEORGE EDWARD	5301 HILLSBOROUGH ST	RALEIGH NC 27606-6343		234 PARKLAND RD
39	HENDERSON, TRINITY M TRUSTEE 249 PECAN TRUST	133 US HWY 70 WEST	GARNER NC 27529		249 PECAN RD
40	WILDER, NATHAN BOYER	257 PECAN RD	RALEIGH NC 27603-2803		257 PECAN RD
41	RALEIGH CITY OF	PO BOX 590	RALEIGH NC 27602-0590		263 PECAN RD
42	SAM'S REAL ESTATE BUSINESS TRUST	REAL ESTATE ENTITY MGMT DEPT 9385	2001 SE 10TH ST	BENTONVILLE AR 72712-6489	2537 S SAUNDERS ST
43	PARRISH, JOSHUA H PARRISH, SIMON B	9309 SAULS RD	RALEIGH NC 27603-9324		254 PECAN RD
44	MATTHEWS, ROBERT GRADY TRUSTEE	6209 MALIBU DR	RALEIGH NC 27603-4903		509 GRANITE ST
47	N C EQUIPMENT CO	1820 RINGLING BLVD	SARASOTA FL 34236-5917		2400 S SAUNDERS ST

# 2604 S. SAUNDERS STREET NEIGHBORS

MAP #	Owner	Mail Address 1	Mail Address 2	Mail Address 3	Site Address
1	SPEEDWAY LLC	539 S MAIN ST	FINDLAY OH 45840-3229		2600 S SAUNDERS ST
2	SPEEDWAY LLC	PROPERTY TAX DEPT	539 S MAIN ST	FINDLAY OH 45840-3229	2604 S SAUNDERS ST
3	DAVIS, R EARL	PO BOX 464	RALEIGH NC 27602-0464		2626 S SAUNDERS ST
4	HARB ASSOCIATES LLC	211 ANDREWS CHAPEL RD	DURHAM NC 27703-8938		2642 S SAUNDERS ST
5	CAROLINA PINES BAP CHURCH	2655 S SAUNDERS ST	RALEIGH NC 27603-2839		2655 S SAUNDERS ST
6	PATEL, KANTILAL N PATEL, DAXABEN K	2639 S SAUNDERS ST	RALEIGH NC 27603-2839		2639 S SAUNDERS ST
7	NEWTON, RICHARD H TRUSTEE ROBERT JOSEPH NANCE JR REVOCABLE TRUST	4804 MIMETREE CT	RALEIGH NC 27616-5616		2635 S SAUNDERS ST
8	NEWTON, RICHARD H TRUSTEE ROBERT JOSEPH NANCE JR REVOCABLE TRUST	4804 MIMETREE CT	RALEIGH NC 27616-5616		2633 S SAUNDERS ST
9	RUST PROPERTIES LLC	200 DARTMOUTH RD	RALEIGH NC 27609-5846		2619 S SAUNDERS ST
10	CAROLINA PAWN PTNR LLC	LPCM INC	430 DAVIS DR STE 110	MORRISVILLE NC 27560-6829	2609 S SAUNDERS ST
11	REDAN ASSOCIATES LLC	GEORGE LEE SINGLETON	2117 WHITE OAK RD	RALEIGH NC 27608-1451	2601 S SAUNDERS ST
12	41 EAST THIRTY FIRST ST CORP	1969 EMERSON COOK RD	PITTSBORO NC 27312-9268		2549 S SAUNDERS ST
13	JAY DAN GIGEV REALTY 2501 LLC	RAVIRAJ G VIRADIYA	3120 NEW BERN AVE	RALEIGH NC 27610-1217	2501 S SAUNDERS ST
14	A&A HOSPITALITY INC	2539 S SAUNDERS ST	RALEIGH NC 27603-2843		2539 S SAUNDERS ST
16	CIRKLE K STORES INC	PROPERTY TAX DC17	PO BOX 52085	PHOENIX AZ 85072-2085	2506 S SAUNDERS ST
17	CLARK STORES LLC	PO BOX 469	CLINTON NC 28329-0469		2516 S SAUNDERS ST
18	RALEIGH DEVELOPMENT COMPANY IV LLC	333 FAYETTEVILLE ST STE 100	RALEIGH NC 27601-1882		450 CAROLINA PINES AVE
19	HOLMES, LARRY DALE	PO BOX 37338	RALEIGH NC 27627-7338		405 CAROLINA PINES AVE
20	DAVIS, R EARL	PO BOX 464	RALEIGH NC 27602-0464		497 CAROLINA PINES AVE
21	RALEIGH DEVELOPMENT COMPANY IV LLC	333 FAYETTEVILLE ST STE 100	RALEIGH NC 27601-1882		498 CAROLINA PINES AVE
22	RALEIGH DEVELOPMENT COMPANY IV LLC	333 FAYETTEVILLE ST STE 100	RALEIGH NC 27601-1882		500 GRANITE ST
23	GUPTA, SANJAI K TRUSTEE WILSON G. BANEGAS-GUPTA TRUST	3316 BOULDER CT	RALEIGH NC 27607-3111		518 GRANITE ST
24	WEEKS, CHYANNE	506 GRANITE ST	RALEIGH NC 27603-2822		506 GRANITE ST
25	NEHREN, USA G	500 CAROLINA PINES AVE	RALEIGH NC 27603-2814		500 CAROLINA PINES AVE
26	TAYBRAN RIDGE APARTMENTS LLC	1202 S SAUNDERS ST	RALEIGH NC 27603-2206		510 CAROLINA PINES AVE
27	DAVIS, R EARL	PO BOX 464	RALEIGH NC 27602-0464		2608 S SAUNDERS ST
28	SHAIL INVESTORS AND DEVELOPERS LLC	114 TEALIGHT LN	CARY NC 27513-5766		511 CAROLINA PINES AVE
29	DOWNNEY, LEWIS	2622 CHERRY CIR	RALEIGH NC 27603-3203		2622 CHERRY CIR
30	POULT, WASHINGTON E	2620 CHERRY CIR	RALEIGH NC 27603-3203		2620 CHERRY CIR
31	CONSTANZA, SANTOS ELIAS	2618 CHERRY CIR	RALEIGH NC 27603-3203		2618 CHERRY CIR
32	PEED, SARAH L PEED, GEORGE WALLY	2616 CHERRY CIR	RALEIGH NC 27603-3203		2616 CHERRY CIR
33	RALEIGH CITY OF	PO BOX 590	RALEIGH NC 27602-0590		219 PARKLAND RD
34	DUMONT, WILLIAM JOHN	303 BATHGATE LN	CARY NC 27513-5565		221 PARKLAND RD
35	JOHNSON, STUART FLEMING	225 PARKLAND RD	RALEIGH NC 27603-2837		225 PARKLAND RD
36	WILLIAM M FOX PROPERTIES LLC	205 RIDGE CREEK DR	MORRISVILLE NC 27560-7802		229 PARKLAND RD
37	JONES, GEORGE EDWARD	5301 HILLSBOROUGH ST	RALEIGH NC 27606-6343		234 PARKLAND RD
38	TMX INVESTMENTS, LLC	110 CUPOLA CHASE WAY	CARY NC 27519-5537		230 PARKLAND RD
39	HENDERSON, TRINITY M TRUSTEE 249 PECAN TRUST	133 US HWY 70 WEST	GARNER NC 27529		249 PECAN RD
40	WILDER, NATHAN BOYER	257 PECAN RD	RALEIGH NC 27603-2803		257 PECAN RD
41	RALEIGH CITY OF	PO BOX 590	RALEIGH NC 27602-0590		263 PECAN RD
42	SAM'S REAL ESTATE BUSINESS TRUST	REAL ESTATE ENTITY MGMT DEPT 9385	2001 SE 10TH ST	BENTONVILLE AR 72712-6489	2537 S SAUNDERS ST
43	PARRISH, JOSHUA H PARRISH, SIMON B	9309 SAULS RD	RALEIGH NC 27603-9324		254 PECAN RD
44	MATTHEWS, ROBERT GRADY TRUSTEE	6209 MALIBU DR	RALEIGH NC 27603-4903		509 GRANITE ST
45	CONSTANZA, JUAN PABLO	2624 CHERRY CIR	RALEIGH NC 27603-3203		2624 CHERRY CIR
46	FURR, PAUL A JR	215 PARKLAND RD	RALEIGH NC 27603-2837		215 PARKLAND RD
47	N C EQUIPMENT CO	1820 RINGLING BLVD	SARASOTA FL 34236-5917		2400 S SAUNDERS ST

Summary of Neighborhood Meeting  
2600 & 2604 S. Saunders Street  
December 16, 2019

A neighborhood meeting was held on December 16, 2019 at the offices of Fox Rothschild, LLP located at 434 Fayetteville Street, Suite 2800, Raleigh, NC 27601 to discuss a potential rezoning of 2600 & 2604 S. Saunders Street.

One neighbor was in attendance: Chyanne Weeks, 506 Granite Street, Raleigh, NC 27604.

Hayes Finley presented the proposed rezoning request using the attached power point slides which were handed out at the meeting.

ISSUES


Ms. Weeks expressed support for the project stating that a canopy fueling station, requiring the removal of the Parking Limited zoning designation, is better than the current design of the fueling pumps at that location. She agreed that the proposed redevelopment would be safer and improve accessibility. She also asked whether the number of parking spaces will change. Kimberly Strnad responded that the parking areas will actually decrease under the proposed site plan since the parking area in the back of the lot where trucks and cars currently park will be eliminated. Ms. Weeks was supportive of this proposed change, noting that the trucks and cars parking in the rear of the lot are unattractive.

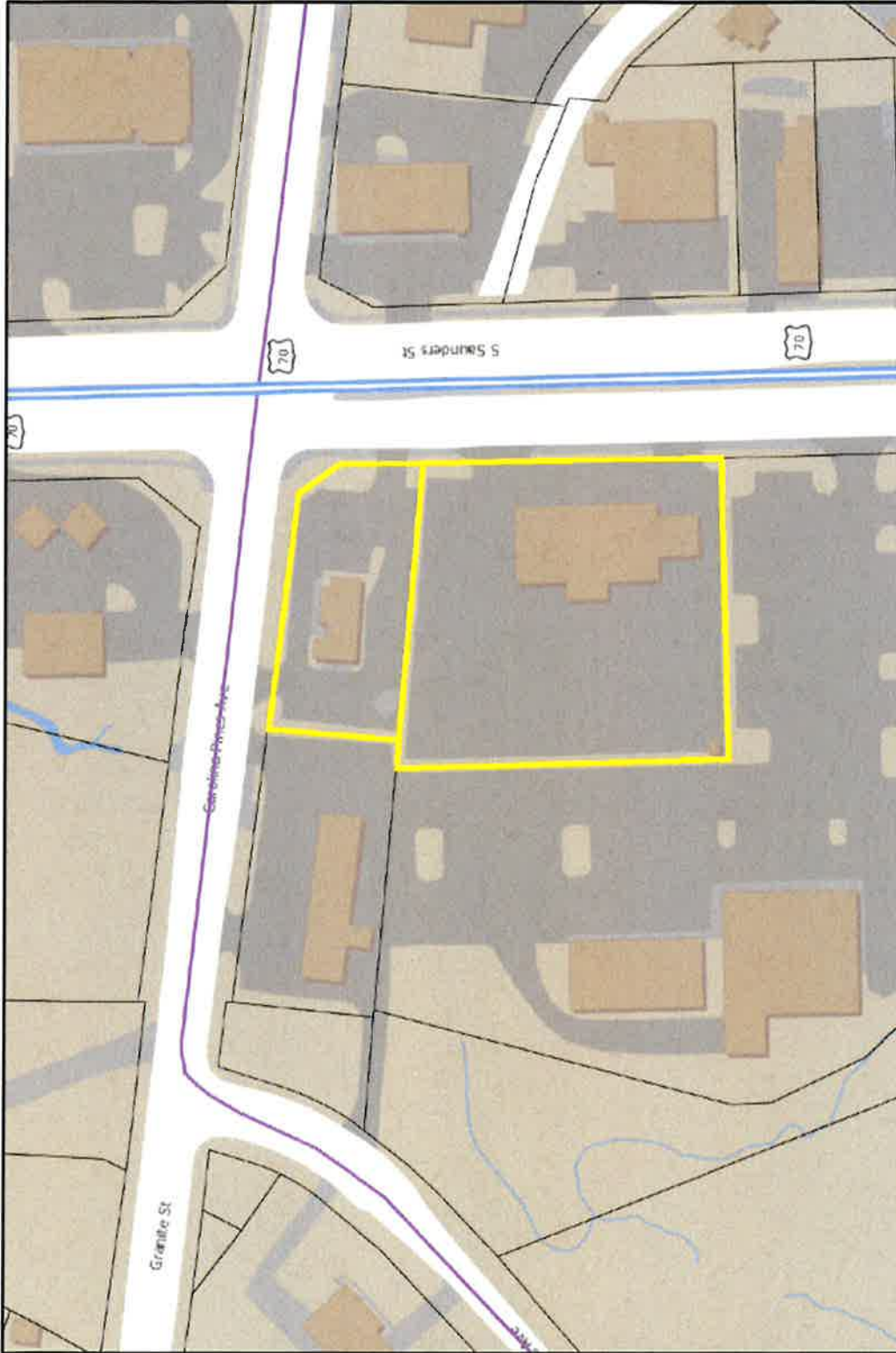





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ATTORNEYS AT LAW

## **Speedway South Saunders St Raleigh, NC**

 Avenue 6-Lane, Divided



 Avenue 2-Lane, Undivided

Speedway Street Plan



0 50 100 200 ft  
1 inch = 100 feet

**Disclaimer**

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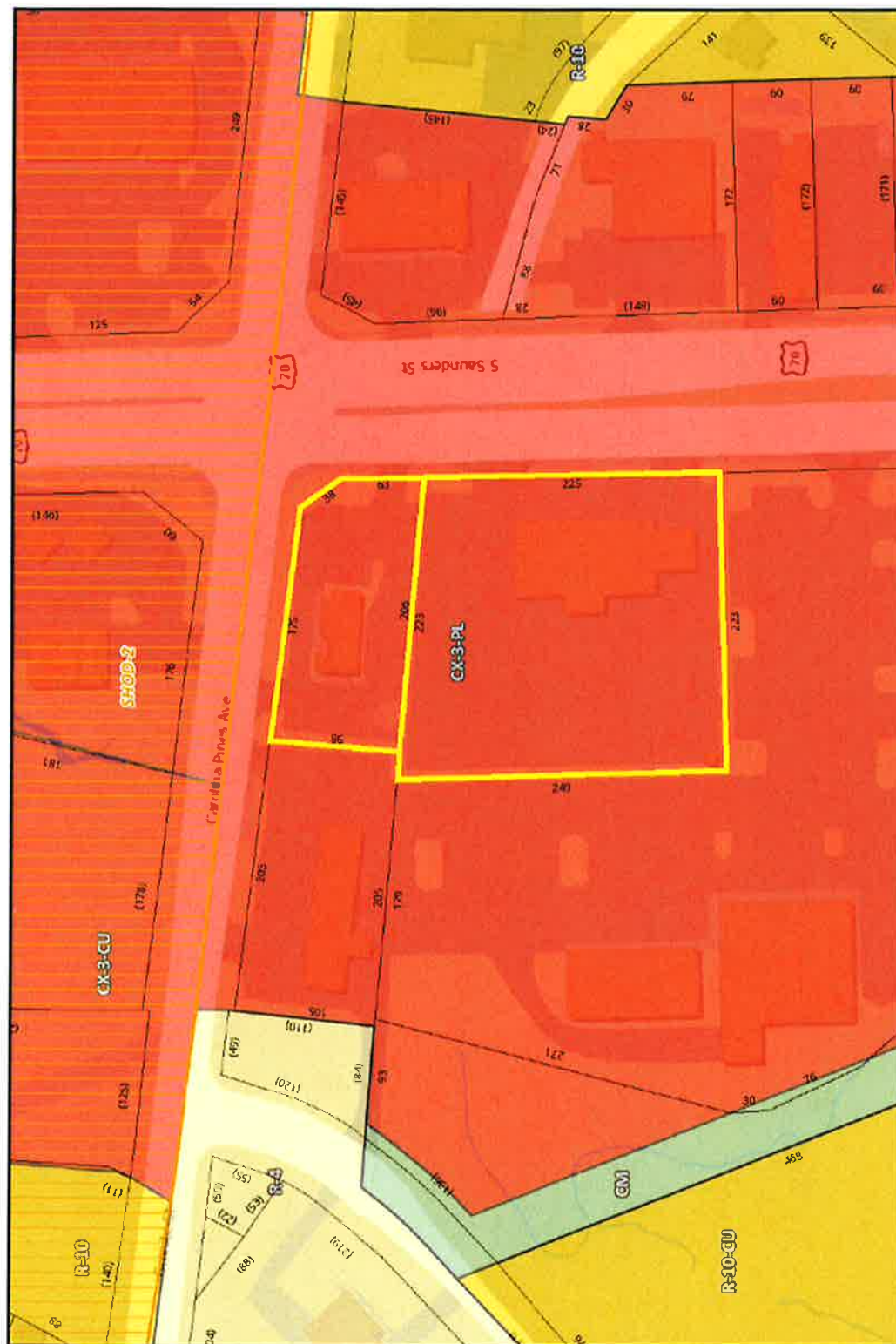
**Speedway Aerial**

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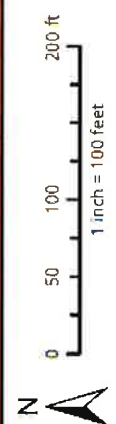


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**Speedway Zoning Map**

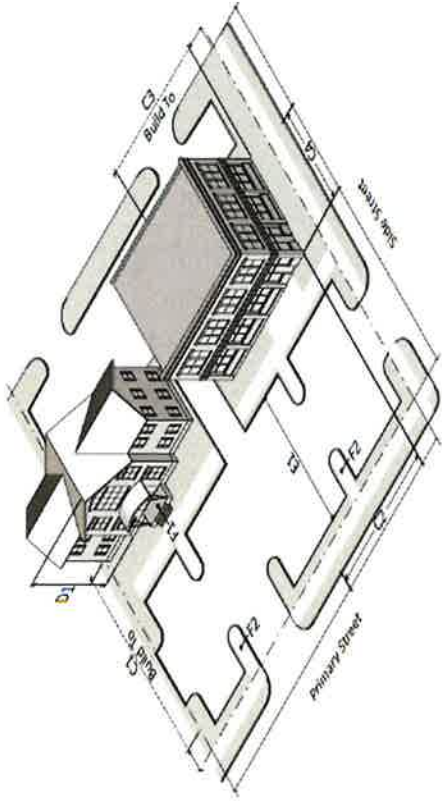


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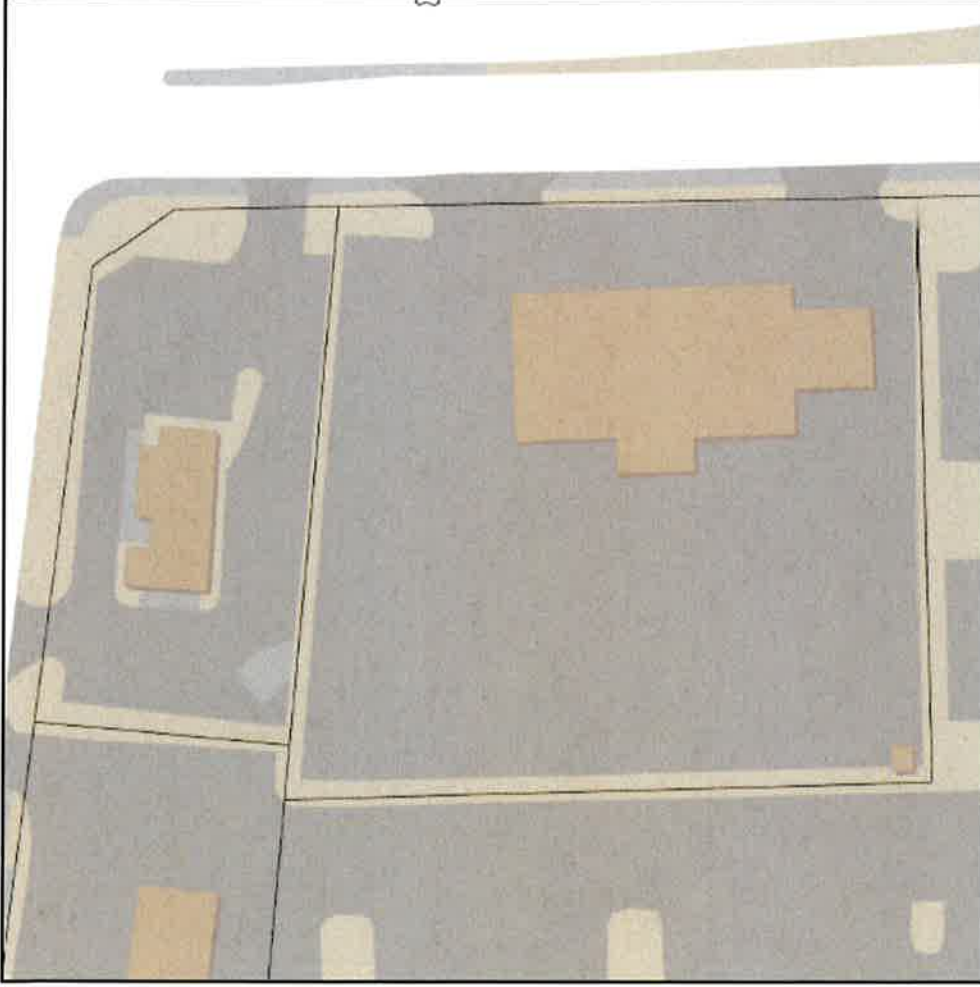
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Sec. 3.4.5. Parking Limited (-PL)



A. Description	
Intended for areas where access to buildings by automobile is desired but where some level of walkability is maintained. Permits a maximum of 2 bays of on-site parking with a single drive aisle between the building and the street right-of-way.	
B. Building Types Allowed	
Townhouse (see Sec. 3.2.3.)	Mixed use building (see Sec. 3.2.6.)
Apartment (see Sec. 3.2.4.)	Civic building (see Sec. 3.2.7.)
General building (see Sec. 3.2.5.)	Open lot (see Sec. 3.2.8.)
C. Build-to	
C1 Primary street build-to (min/max)	Minimum setback based on base dimensional standards for the specific building type/100' 50% 0'/100' 25%
C2 Building width in primary build-to (min)	
C3 Side street build-to (min/max)	
C4 Building width in side build-to (min)	
D. Height Limitations	
D1 Height limit for frontage (max)	7 stories/90'

E. Additional Parking Limitations	
E1	A maximum of 2 bays of on-site parking with a single drive aisle is permitted between the building and the street.
F. Pedestrian Access	
F1	Primary street-facing entrance required (min of 1 per building)
F2	Direct pedestrian access is required from the public sidewalk to the primary street-facing entrance of the building
G. Streetscape Requirement	
Main Street; or	see Sec. 8.5.2.A.
Mixed Use; or	see Sec. 8.5.2.B.
Commercial; or	see Sec. 8.5.2.C.
Multi-way; or	see Sec. 8.5.2.E.
Parking.	see Sec. 8.5.2.F.
The determination of the appropriate streetscape treatment will be made by the Planning Director, based on the existing built context and character.	

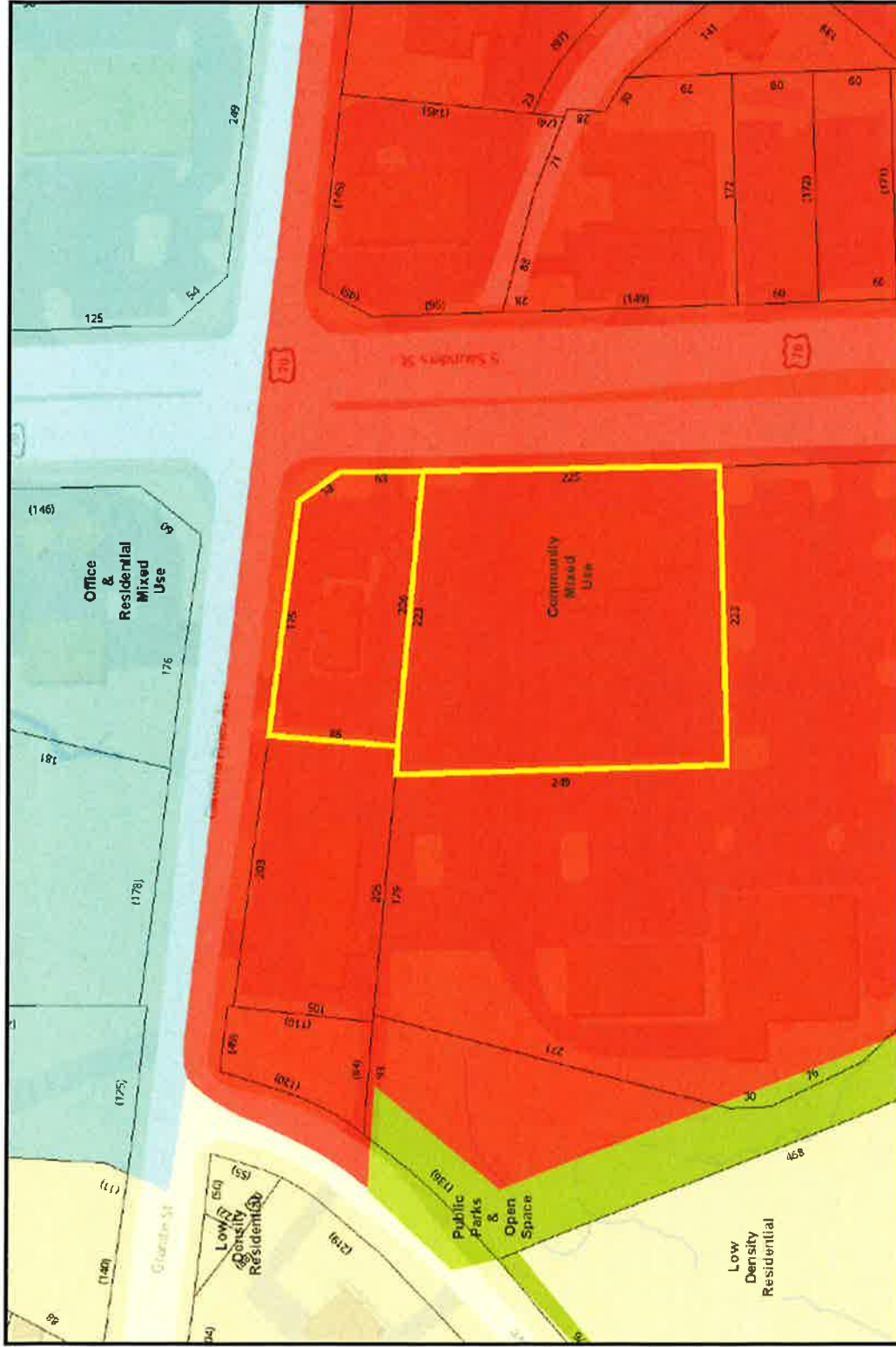


Speedway Site



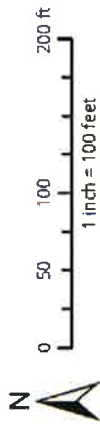
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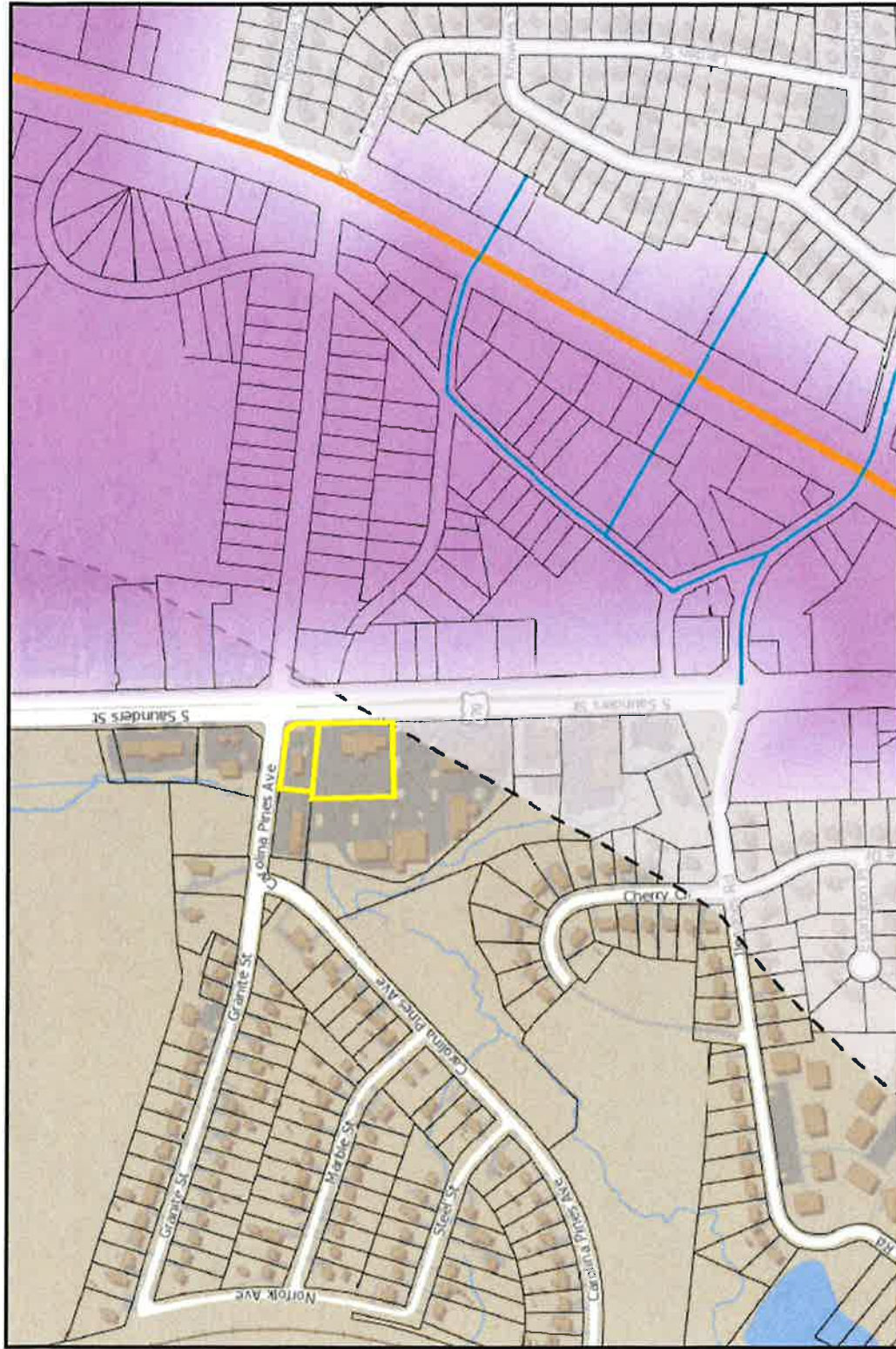


**Speedway Future Land Use Map**

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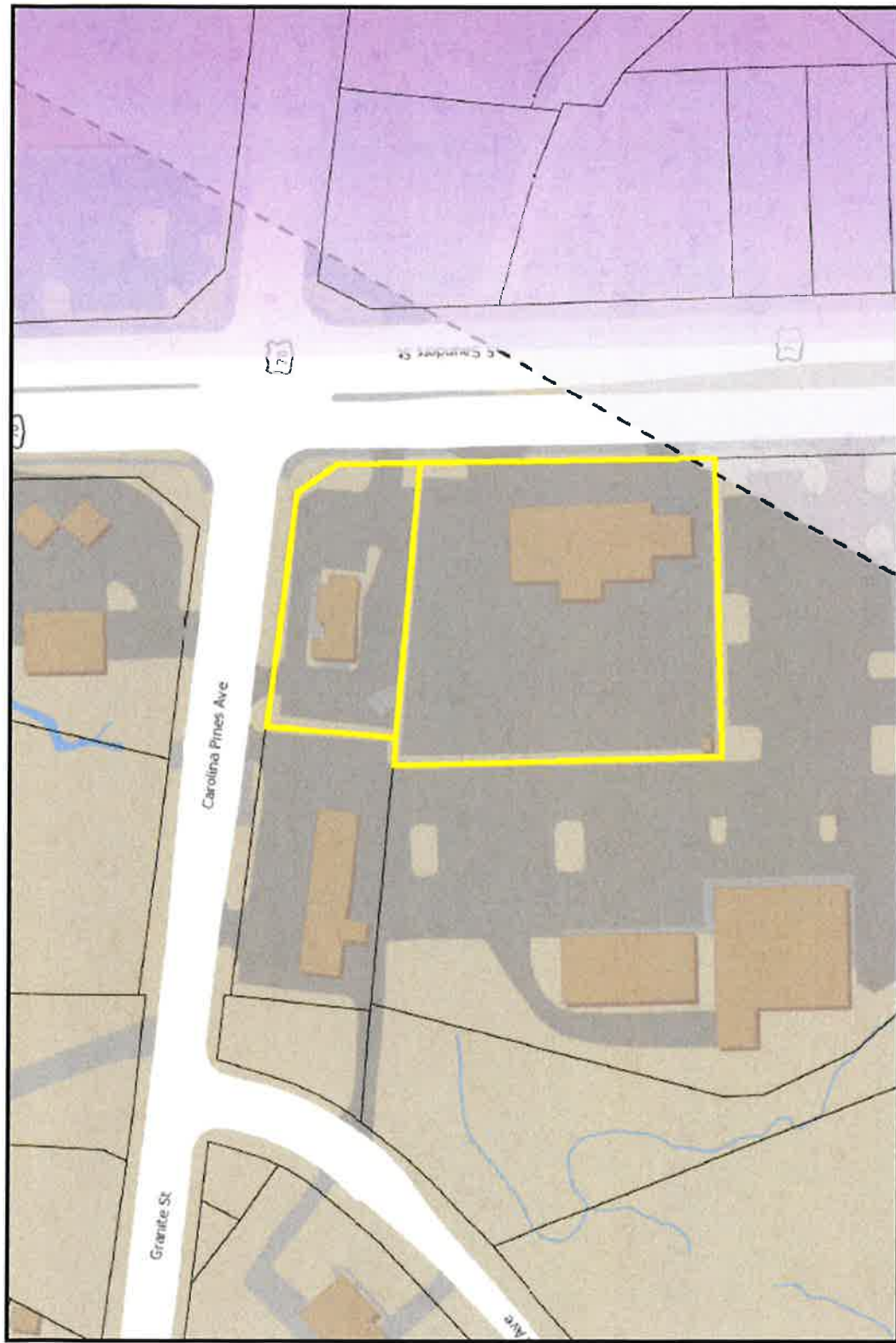
Speedway Urban Form Plan

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Speedway Urban Form Plan

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 ATTORNEYS AT LAW

**Hayes Finley**  
**919-755-8837**  
**[hfinley@foxrothschild.com](mailto:hfinley@foxrothschild.com)**



**Fox Rothschild** LLP  
ATTORNEYS AT LAW

# Pre-Application Conference

(this form must be provided at the time of formal submittal)



**DEVELOPMENT  
SERVICES  
DEPARTMENT**

Development Services Customer Service Center | 1 Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-996-2495 | cfax 919-996-1831  
Litchford Satellite Office | 8320 - 130 Litchford Road | Raleigh, NC 27601 | 919-996-4200

## PROCESS TYPE

- ☐ Board of Adjustment
- ☐ Comprehensive Plan Amendment
- ☒ Rezoning
- ☐ Site Review\*
- ☐ Subdivision
- ☐ Subdivision (Exempt)
- ☐ Text Change

\* Optional conference

## GENERAL INFORMATION

Date Submitted 21-Nov-2019

Applicant(s) Name Speedway LLC c/o David L York, Fox Rothschild LLP

Applicant's Mailing Address 434 Fayetteville St, Suite 2800, Raleigh, NC 27601

Phone 919-755-8749

Email dyork@foxrothschild.com

Property PIN # 1702470507 and 1702379490

Site Address / Location 2600 and 2604 S. Saunders Street

Current Zoning CX-3-PL

Additional Information (if needed) :

Looking at rezoning to CX-3-CU to remove the PL designation to allow for the re-development of the subject property for uses consistent with the current uses.

## OFFICE USE ONLY

Transaction # :

Date of Pre-Application Conference : 12/6/2019

Staff Signature

*Donald R. Bell, MCP*



<b>CONDITIONAL USE DISTRICT ZONING CONDITIONS</b>		
Zoning Case Number	<b>OFFICE USE ONLY</b>  Rezoning Case #	
Date Submitted <b>1/28/2020</b>		
Existing Zoning <b>CX-3-PL</b> Proposed Zoning <b>CX-3-CU</b>		
<b>Narrative of Zoning Conditions Offered</b>		
<p>1) The direct public street vehicular access shall be limited to one full-movement point of access onto Carolina Pines Avenue and one full-movement point of access point onto S. Saunders Street.</p> <p>2) Because of the turning radius required for the Carolina Pines Avenue driveway, existing topography and the narrow common boundary line between the Property and the property located at 405 Carolina Pines Avenue (Wake County Tax Parcel 1702378519), cross access to 405 Carolina Pines Avenue shall be accomplished through adjacent property located at 2626 S. Saunders Street (Wake County Tax Parcel 1702378272) via two separate points of cross access with the adjacent property located at 2626 S. Saunders Street.</p> <p>3) The amenity area shall include, in part, an outdoor seating area (having a minimum capacity of 15 seats) between the primary building and Carolina Pines Avenue.</p> <p>4) All four sides of the primary building will be clad with brick masonry over all blank wall areas.</p> <p>5) All outdoor vending or ice machines, if any, shall be located along the south facing wall of the primary building opposite of Carolina Pines Avenue.</p> <p>6) The build-to maximum limit for any gas pump canopy shall be 100 feet from the S. Saunders Street right-of-way, and the width of such canopy shall be no less than 50% of the property frontage along S. Saunders Street right-of-way.</p>		

The property owner(s) hereby offers, consents to, and agrees to abide by, if the rezoning request is approved, the conditions written above. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Property Owner(s) Signature



Print Name Tom Lefevers Sr. Director Real Estate

