



REZONING APPLICATION

Submit required documentation to:

Wake County Planning, Development and Inspections
PO Box 550 Wake County Office Building
Raleigh, NC 27602-0550 336 Fayetteville Street Mall, Downtown Raleigh
Contact (919) 856-6335 for additional information.

File #
Fee
Amt Paid
Check #
Rec'd Date
Rec'd By

Complete with required information (write "n/a" if information is not applicable to proposal).

Proposed Rezoning (include area for each current and proposed district)

From **R-30 WITH RCOD-2 OVERLAY**

(current zoning district(s))

To **CU-R-15 WITH RCOD-2 OVERLAY**

(proposed zoning district(s))

Property

Parcel Identification Number (PIN): 1627292845 / 1627296190

Address: 7401 CLEVELAND SCHOOL ROAD, GARNER, NC 27529

Location: NORTH side of CLEVELAND SCHOOL ROAD (1010 HWY), at/between
(north, east, south, west) (street)

NC HWY 42 WEST and NC HWY 50 NORTH

(street)

(street)

Total site area in square feet and acres: 5,052,960 square feet +/-116 acres

Zoning District(s) and Overlay Districts (if any) and land area within each: R30 WITH RCOD-2 OVERLAY

Present land use(s): AGRICULTURE

How is this proposed use a public necessity? THIS PROPOSED HIGH DENSITY, OPEN SPACE

SUBDIVISION CREATES A PEDESTRIAN FRIENDLY WALKABLE COMMUNITY WITH AN ABUNDANCE OF GREEN SPACES THAT WILL ALLOW RESIDENTS TO ENJOY AN ACTIVE HOMELIFE WITHOUT HAVING TO LEAVE HOME

What is impact on surrounding neighborhood and adjacent properties? WHILE THERE ARE A FEW ACTIVE RESIDENTIAL PROPERTIES ADJACENT TO THE SUBJECT PROPERTIES THE BULK OF THE ADJACENT PROPERTIES ARE EITHER WOODED AND VACANT OR HAVE BEEN CLEARED AND ARE BEING USED FOR AGRICULTURAL PURPOSES. THERE IS AN EXISTING SUBDIVISION ACROSS THE STREET FROM THE SUBJECT PROPERTIES THAT IS BASED ON THE EXISTING R-30 ZONING THAT WILL SEE AN INCREASE IN TRAFFIC AS THE SUBJECT PROPERTIES ARE DEVELOPED

Property Owner

Name: THERE ARE (2) TRACTS. SEE ATTACHED SHEET FOR OWNER INFORMATION

Address: _____

City: _____ State: _____ Zip _____ Code: _____

Telephone Number: _____ Fax: _____

E-mail Address: _____

Applicant (person to whom all correspondence will be sent)

Name: JACK CARLISLE C/O DONNIE ADAMS, ADAMS & HODGE ENGINEERING, P.C.

Address: 335 ATHLETIC CLUB BLVD

City: CLAYTON State: NC Zip Code: 27520

Telephone Number: 919-763-7278 Fax: N/A

E-mail Address: donnie@adamsandhodge.com Relationship to Owner: AGENT

Site Information

Vehicular Access:

Name of adjacent street	Right-of-way width (ft)	Pavement width (ft)	No. of lanes	Paved? (Y or N)	Roadway design capacity ¹	Traffic volume (ADT) ²
CLEVELAN SCHOOL ROAD (1010 HWY)	60 FT	20 FT	2	Y		7,500

¹ See NCDOT Highway Capacity Manual or Wake County Thoroughfare Plan Appendix

² See CAMPO web site (www.raleigh-nc.org/campo/trafcnt/98trfcnt.html) or contact NCDOT Traffic Survey Unit

³ Base on Institute of Transportation Engineers ratios - ratio used for estimate (e.g., x trips per y sf) _____

Utilities and Services:

Water supply provided by: () municipal system (_____)

(X) community system (COMMUNITY WELL) () individual well(s)

Wastewater collection/treatment provided by: () municipal system (_____)

(X) community system - specify type PACKAGE TREATMENT PLANT () individual on-site system

Solid waste collection provided by: PRIVATE CONTRACTOR

Electrical service provided by: DUKE-PROGRESS

Natural gas service provided by: PUBLIC SERVICE GAS COMPANY (PSNC) IF GAS IS AVAILABLE

Telephone service provided by: AT&T / CENTURY LINK

Cable television service provided by: TIME WARNER CABLE

Fire protection provided by: CLEVELAND FIRE DEPARTMENT / GARNER FIRE DEPT STA #2

Miscellaneous:

Generalized slope of site GENTLE SLOPE TRANSITIONING TO INTERMITTANT STREAM BEDS

Valuable natural features (rare plant community, wildlife habitat, lake, stream, geology, etc.) on or adjoining site: MIX OF PINE AND HARDWOOD ALONG STREAM BED AREAS

Valuable historic resources (homestead, mill, archeological site) on or adjoining site: N/A

Land Use Plan Classifications

General Classification (note associated municipality and/or watershed):

() Short-Range Urban Services Area/Water Supply Watershed _____

() Short-Range Urban Services Area _____

() Long-Range Urban Services Area/Water Supply Watershed _____

(X) Long-Range Urban Services Area TOWN OF GARNER/ACRE IMP (FROM WAKE CO. G.I.S.)

() Non-Urban Area/Water Supply Watershed _____

() Non-Urban Area

Land Use Classification(s) {Note Area Land Use Plan, if applicable):

RESIDENTIAL (FROM FUQUAY-VARINA/GARNER AREA LAND USE PLAN) - 1 TO 4 UNITS/ACRE

Conditional Use Zoning Conditions

The proposed use(s) of the property must be identified by condition. How does the proposed use benefit the adjacent and surrounding properties?

If conditional use zoning is being proposed, list the proposed conditions below:

- #1-One side of every street in this development will have either a sidewalk or a multi-use path to create a true walkable community.
- #2-The development will use an urban streetscape with curb and gutter, rolled curb or valley curb anywhere that a sidewalk is planned. Any areas where a multi-use path is planned may have a swale.
- #3- The wastewater distribution system and water distribution system will be designed to meet Town of Garner, City of Raleigh and State of North Carolina requirements for such systems
- #4-The development will provide active recreation areas for residents and any off street greenways will form a network of connections that will link public spaces – the streets and active recreation areas

All property owners must sign this application unless one or more individuals are specifically authorized to act as an agent on behalf of the collective interest of some or all of the owners (provide a copy of such authorization).

The undersigned property owner(s) hereby authorize the filing of this application (and any subsequent revisions thereto). The filing of this application authorizes the Wake County staff to enter upon the site to conduct relevant site inspections as deemed necessary to process the application.

Signature: [Signature] Date: 9-8-16

Signature: _____ Date: _____

The undersigned applicant hereby certifies that, to the best of his or her knowledge and belief, all information supplied with this application is true and accurate.

Signature: [Signature] Date: 9-8-16

Notes: All documents and maps submitted as required become the property of Wake County.
The Wake County Unified Development Ordinance is on the web at www.wakegov.com.

DIRECTIONS FOR FILING A REZONING PETITION

SPECIAL NOTES:

1. **Concurrent Appeal:** A petition for rezoning should not be filed when an appeal concerning the same property is pending before the Board of Adjustment.
2. **Existing Violation:** The filing of a rezoning petition will not delay any legal actions arising from an existing violation on the subject property. Existing violations should be eliminated before a rezoning is requested.
3. **Filing a Petition:** A petition must be clearly and accurately written or typed. Petitions may be filed at the Planning, Development and Inspections in person or by mail (Planning, Development and Inspections, P.O. Box 550, Raleigh, NC 27602).
4. **Public Hearing notice must be published:** It is the petitioner's responsibility to see that notice of the public hearing is published in a newspaper of general circulation. Contact the Planning staff for assistance in preparing a notice (see form to place ad).
5. **Fees:** Submit a check in the amount of \$1,000 made payable to Wake County with a petition for a new rezoning. A check in the amount of \$750 made payable to Wake County is required for a petition to modify a previously approved rezoning. Fees are due at the time of petition submittal. Petition fees are non-refundable.
6. **Land Use Permits Required for Development:** Should the Board of Commissioners approve a rezoning, the applicant must still apply for, and obtain, appropriate approvals to develop and/or establish the land use.

TYPES OF PETITIONS

There are two types of zoning districts, General Use Districts (GUD) and Conditional Use Districts (CUD). The petitioner must decide which type of district to petition for. The differences between the two are as follows:

1. **General Use District:** In a GUD any use permitted in that zoning district may occur on the property-subject to County development standards. Conditions cannot be attached to further restrict development standards than in the County Code.
2. **Conditional Use District:** Rezoning request allows the petitioner to attach conditions to the petition, offering to meet stricter requirements than set out in the County Code. The petitioner may voluntarily restrict the property to a specific use or range of uses; specify development standards for the property stricter than the County's; and specify any other legal condition upon the development or use of the property as long as it exceeds Code requirements for the corresponding General Use District. (CUD Petition, complete Attachment B.) The proposed use(s) of the property must be identified by condition and a statement must be provided to indicate how the proposed use would benefit the adjacent surrounding property.

NOTE: A CUD petition must be signed by all owners, as listed in the Tax Assessor's Master File, or by their authorized agent. Petitions signed by an authorized agent must include documentation of the agent's authorization to sign on behalf of the owner. Any change of conditions on a petition is treated as an original petition: It must be signed by all owners or an agent with documented authorization. Conditions must be voluntary.

REVISIONS TO PETITION

A petitioner may have the opportunity to revise a petition by request 1) after its initial submission prior to being forwarded for Board review. 2) After the Planning Board has heard presentations and completed its review of the petition, but before making a recommendation; and 3) After the Board of Commissioners has heard presentations and completed its review, but before taking final action. Revised petitions will be accepted and reviewed in the same manner as an original petition.

INFORMATION WHICH MUST BE SUBMITTED

A. Conformance with the Land Use Plan:

1. **Statement of how rezoning complies with the Land Use Plan.** Attach written statement of how your request conforms with the County's Land Use Plan (LUP). The LUP is intended to direct quality growth within the County. It classifies land within the County (land use classifications are described in the Land Use Plan which is available at the Planning Department). **Note:** When a proposed rezoning is in the Urban Services Area (USA) of a municipality the County will require comments from the municipality prior to considering rezonings within that municipality's USA (You

may wish to check with municipality to determine its position on a rezoning prior to filing a petition). We will request that municipalities respond in a timely manner. However, if that municipality has assigned this responsibility to its Planning Board or elected officials, comments may not be received in time to maintain the normal published schedule.

2. **Compliance with Transitional Urban Development Policies:** The proposal must comply with the Land Use Plan's Transitional Urban Development policies (TUDs), which call for new development to be served by centralized or municipal water and sewer service (within Short Range USAs) or provide the necessary easements for future installation of utility lines (within Long Range USAs). The proposal must comply with the TUDs policies that call for new development to provide for the types and levels of transportation facilities that accommodate vehicular, bicycle, pedestrian, and transit access needs and that they be designed and constructed to the standards of the municipality associated with the Urban Service Area and the Wake County Thoroughfare Plan.

B. Statement of How Rezoning Otherwise Advances Public Health, Safety, and General Welfare:

The statement may address the following: Traffic: The additional traffic that could be generated under the proposed zoning and its relationship to the current and projected capacity of area roads. Development Compatibility: types and intensities of development allowed under the rezoning, focusing on compatibility with adjacent areas. (This may cover compatibility with adjacent zoning and land uses, with existing or proposed infrastructure or services, and with the environment, including surface and ground water, soils, and air, if applicable.

C. **Traffic Impact Analysis Requirement:** Your application may require that a traffic impact analysis, if your proposal is expected to increase traffic more than 100 trips per peak hour, or more than 1000 trips per day, or as may be determined by the Land Development Supervisor. Calculations are based on trip generation estimates made in accord with the most recent editions of Trip Generation and Trip Generation Handbook, published by the Institute of Transportation Engineers (ITE). Specific information can be found in the **Guidelines for Traffic Impact Analysis**.

D. **Mapping Requirements:** If requesting (1) part of a parcel to be rezoned, or (2) more than one zoning district on a parcel, then submit a map certified by a registered land surveyor or engineer with a metes and bounds description to show boundaries of proposed zoning.

E. **Mailing List of Owners within 1000 feet of Property:** Attach complete list of all property owners within one thousand feet of the subject property with parcel identification number of each parcel and the full name and address of each owner. The list must be taken from current tax records and must include all persons, firms, corporations, entities, or governments owning property. The list must be clearly written or typed. Submit duplicate copies of stamped envelopes (2 sets of envelopes are required in order to notify owners of two Board meetings. Business size (10) envelopes must be used with the following return address: Wake County Planning, Development and Inspections P.O. Box 550, Raleigh, NC 27602.

Note: Due to short time frame between submittal and mailing notices we suggest postage stamps be used rather than a postage meter. The Post Office may take longer to send predated meter mail.