



**PLANNED COMPLIANCE PERMIT 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).

**Type of Proposed Use** (be as specific as possible and cite code section listing use as permitted use)  
General retail sales allowed per Rezoning ZP-873-10

Modification of previously issued Use Permit? ( )Yes (X)No

If Yes, provide relevant Permit Number: \_\_\_\_\_

**Property**

Parcel Identification Number: Portion of 1618.04 54 6148

Address: Benson Highway (NC Highway 50)

Location: West side of Benson Highway, at/between

Wakefield Lane and Turner Bond Drive

Total site area in square feet and acres: 80,157 square feet 1.84 acres

List Conditions of the Conditional Use Zoning District(s): \_\_\_\_\_

Present land use(s): Vacant-Agricultural

How is this proposed use a public necessity?

What is impact on surrounding neighborhood and adjacent properties?"

**Land Owner**

Land Owner Name: T.H. Turner Farms, Inc c/o The Advisory Group LLC

Business Operator Name (if different from Land Owner): Glandon Forest Equity

Address: 1122 Oberlin Road

City: Raleigh State: NC Zip Code: 27605

E-mail Address: jwalker@fagps.com Fax: 919.828.6095

Telephone Number: 919.755.8368

**Applicant** (person to whom all correspondence will be sent)

Name: George Venters - Glandon Forest Equity, LLC  
Address: 3900 Merton Drive  
City: Raleigh State: NC Zip Code: 27609  
E-mail Address: gventers@vanguardpg.com Fax: 919.459.2604  
Telephone Number: 919.459.2602 Relationship to Owner: \_\_\_\_\_

**Proposal**

Max. allowable floor area ratio (see applicable zoning district/use regulation): N/A  
Proposed total floor area: 9,209 sf Proposed floor area ratio (floor area/site area): 0.12

Max. allowable impervious surface coverage (see applicable zoning district/use regulation): none%  
Proposed impervious surfaces area: 36,638 sf  
Proposed impervious surface coverage (impervious surfaces area/site area x 100): 45.7 %

**Required transitional bufferyard types and depths (see Article 16):**

Front ( ) 10 ft Left ( ) 30 ft Right ( ) 0 ft Rear ( ) 10 ft

**Proposed transitional bufferyard types and depths (see Article 16):**

Front ( ) 10 ft Left ( ) 30 ft Right ( ) 0 ft Rear ( ) 10 ft

**Min. yard depths (see applicable district/use regulation):**

Front 50 ft Corner side 25 ft Side 25 ft Rear 50 ft

Proposed yard depths: Front 50 ft Corner side 25 ft Side 25 ft Rear 50 ft

**Max. building height (see applicable district/use regulation):** none ft

Proposed building height: 20 ft 300sf floor sales area = 24

Min. parking space standard (see Article 15): 1 spaces per 800sf floor storage area = 3

Min. no. of parking spaces: 27 Proposed no. of parking spaces 34

Number of employees: 5 per day Hours of operation: 8am to 9pm 7 days a week

**Vehicular Access:**

Names of access street(s) and number of access points along each: \_\_\_\_\_

Name of access or adjacent street	Right-of-way width (ft)	Pavement width (ft)	No. of lanes	Paved? (Y or N)	Roadway design capacity <sup>1</sup>	Traffic volume (ADT) <sup>2</sup>	Est. traffic generated (ADT) <sup>3</sup>
Benson Highway (NC 50)	100	28	2	Y			
Wakefield Lane	30	22	2	Y			

<sup>1</sup> See NCDOT Highway Capacity Manual or most recent Wake County Thoroughfare Plan Appendix  
<sup>2</sup> See CAMPO web site (www.raleigh-nc.org/campo) or NCDOT Traffic Survey Unit  
<sup>3</sup> Base on Institute of Transportation Engineers ratios - ratio used for estimate (e.g., x trips per y sf) 504 per day

Estimated traffic generated by heavy vehicles (vehicles other than automobiles and light trucks):

Type of vehicle: WB-67 ADT: 1 trip / week  
Type of vehicle: 16' or 24' Truck ADT: 2-3 trips / week

**Utilities and Services:**

Water supply provided by: ( ) municipal system : \_\_\_\_\_

(X) community system – specify type: Aqua America ( ) individual well(s)

Est. total water demand: 55 gpd

Wastewater collection/treatment provided by: ( ) municipal system: \_\_\_\_\_

( ) community system – specify type: \_\_\_\_\_

(X) individual on-site system

Est. total wastewater discharge: \_\_\_\_\_ gpd

Solid waste collection provided by: Private Provider (TBD)

Electrical service provided by: Progress Energy Underground (X) yes ( ) no

Natural gas service provided by: PSNC Energy

Telephone service provided by: Private Provider (TBD) Underground (X) yes ( ) no

Cable television service provided by: Private Provider (TBD) Underground (X) yes ( ) no

Fire protection provided by: \_\_\_\_\_

**Miscellaneous:**

Generalized slope of site FLAT

Valuable natural features (rare plant community, wildlife habitat, lake, stream, geology, etc.) on or adjoining site: NONE KNOWN

Valuable historic resources (homestead, mill, archeological site) on or adjoining site: \_\_\_\_\_

NONE KNOWN

**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 GARNER

( ) Non-Urban Area/Water Supply Watershed \_\_\_\_\_

( ) Non-Urban Area \_\_\_\_\_

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

COMMUNITY ACTIVITY CENTER - FUQUAY VARIANA

GARNER AREA LAND USE PLAN

Other information (additional relevant information about the site or proposal you wish to note or cite)  
It is important to note that approximately 1/2 mile south of the subject site is a proposed I-540 interchange with Benson Road. The subject site is located within a designated Community Activity Center within the Fuquay Varina/Garner Land Use Plan. The property was recently rezoned to Conditional Use General Business to coincide with the Land Use Plan. The planned I-540 interchange will inevitably bring more commercial activity to the immediate area and the proposed use is in keeping with both Land Use Plan as well as the recent rezoning.

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: James A. Walker \* Date: 6-7-2011

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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: \_\_\_\_\_ Date: \_\_\_\_\_

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](http://www.wakegov.com).

\* MANAGER T. H. TURNER FARMS, INC.



## PLANNED COMPLIANCE PERMIT STATEMENT OF JUSTIFICATION

Submit this form and other required documentation to:  
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Contact (919)856-6335 for additional information.

For each of the 2 required conclusions listed below, attach a statement that explains how any existing conditions, proposed development features, or other relevant facts would allow the Planning Board to reach the required conclusion, and attach any additional documents or materials that provide supporting factual evidence. The considerations listed under each required conclusion are simply those suggested in the Unified Development Ordinance. You should address any additional considerations potentially raised by the proposed development.

**Important:** You bear the burden of presenting sufficient factual evidence to support findings of fact that allow the Board to reasonably reach each of the required conclusions. If you fail to meet that burden, the Board has no choice but to deny the petition.

**(1) The proposed development will not materially endanger the public health or safety.**

Considerations:

- Traffic conditions in the vicinity, including the effect of additional traffic on streets and street intersections, and sight lines at street intersection and curb cuts.
- Provision of services and utilities, including sewer, water, electrical, garbage collections, fire protection.
- Soil erosion and sedimentation.
- Protection of public, community, or private water supplies, including possible adverse effects on surface waters or groundwater.

**(2) The proposed development will comply with all regulations and standards generally applicable within the zoning district and specifically applicable to the particular type of use or class of uses.**

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### Statement of Justification

- 1) The proposed development will not materially endanger the public health or safety:
  - a. The applicant has met with NCDOT several times to discuss traffic improvements that would be required for the specific intended retail use. The Wake County Thoroughfare Plan calls for NC Highway 50 (Benson Road) to have an ultimate right of way of 120 ft (60 ft from road centerline). The existing right of way is located 50 ft from centerline, therefore an additional 10 ft of right of way along the property frontage shall be dedicated to NCDOT to reach the ultimate width on the subject property side of Benson Road. The planned road improvements planned for the proposed, as directed and preliminarily approved by NCDOT, include approximately a 100' turn lane and several hundred feet of road tapers and road overlay to tie into the existing pavement.
  - b. The proposed use will be served with water via Aqua America, which currently serves the surrounding area. Sewer will be handled via a septic system. The applicant has already hired a professional soils consultant to confirm that the soils will appropriately accommodate a septic system, which has been designed. Stormwater will be stored and treated on site in accordance with Best Management Practices (BMP), and this facility shall be designed by a Professional Engineer (PE). Garbage collection will be handled by the appropriate private company servicing the area (ie. Waste Management etc.). The applicant has met with the Wake County Fire Marshall and the site plan for the proposed use has been designed to accommodate all of the needs and requirements of the fire department. Electrical service will be via Progress Energy and a site lighting design will be provided by Progress Energy to comply with all applicable site lighting codes.
  - c. The construction of the proposed use will incorporate an erosion control plan including any needed silt protection fences, temporary catch basins and other erosion measures to insure that no sedimentation issues occur. Upon completion of construction, the site will be professionally landscaped with some areas finished with sod. The balance of the site will be seeded and stabilized so that no post-construction erosion occurs.
  - d. The proposed use is strictly a retail sales use. There will be no hazardous materials, chemicals or automotive repair associated with the use, which will ensure that the proposed use will not negatively affect any private, public or community water supplies, surface waters or ground water. The water service to the site will be handled by Aqua America. All building materials shall be free from any asbestos or other hazardous materials. As part of the construction process, the applicant shall hire a third party testing firm (professional engineer) to test all construction materials, steel connections, fill material and soils compaction to ensure that the community is properly protected.
- 2) The proposed development will comply with all regulations and standards generally applicable within the zoning district and specifically applicable to the particular type of use or class of uses:
  - a. The proposed use is general/convenience retail sales, which is allowed under the current zoning classification for the property (Conditional Use General Business)
  - b. The specific building that will be constructed is a prototypical building that is used for the proposed tenant. The applicant has built approximately 30 of these prototypes in other North Carolina locations and thousands of these prototypical stores exist within the United States.
  - c. The building is a pre-engineered metal structure with non-metal exterior. The applicant has met with all departments of Wake County and the Town Manager with the Town of Garner and plans to design the building to comply with all applicable codes.



