



# PLANNED COMPLIANCE PERMIT APPLICATION

File # PCP 02-10  
Fee  
Amt Paid  
Check #  
Rec'd Date  
Rec'd By

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.

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)

Convenience Store with gas pumps & grill

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

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

### Property

Parcel Identification Number: 1703-30-6899

Address: S. Smithfield Rd.

Location: East side of Smithfield Rd., at/between  
(north, east, south, west) (street)

Poor Boy Farm Rd and King Farm Ln.  
(street) (street)

Total site area in square feet and acres: 293,318 square feet 6.73 acres

List Conditions of the Conditional Use Zoning District(s): see attached

Present land use(s): Vacant

How is this proposed use a public necessity? There is a need & desire for the services offered by the proposed facility within the neighborhood area.

What is impact on surrounding neighborhood and adjacent properties?"  
There will be no adverse affect on the neighborhood or adjacent properties. Property will be well screened in accordance with Wake County standards.

Land Owner Name: Poor Boy Farms Inc.

Business Operator Name (if different from Land Owner): Reuben Broadwell

Address: 5821 Poor Boy Farm Rd.

City: Knightdale State: NC Zip Code: 27545

E-mail Address: — Fax: —

Telephone Number: (919) 796-0224

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

Name: CMS Engineering  
 Address: 5 W. Hargett St., Ste. 202  
 City: Raleigh State: NC Zip Code: 27601  
 E-mail Address: carl@cmsengineering.net Fax: (919) 833-1926  
 Telephone Number: (919) 833-0830 Relationship to Owner: consultant

**Proposal**

**Max. allowable floor area ratio** (see applicable zoning district/use regulation): 15,000 sf/lot

Proposed total floor area: 4317 sf Proposed floor area ratio (floor area/site area): 0.015

**Max. allowable impervious surface coverage** (see applicable zoning district/use regulation): N/A %

Proposed impervious surfaces area: 54,868 sf

Proposed impervious surface coverage (impervious surfaces area/site area x 100): 18.7 %

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

Front (F) 10 ft Left (F) 10 ft Right (C) 40 ft Rear (C) 40 ft

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

Front (F) 10 ft Left (F) 10 ft Right (C) 40 ft Rear (C) 40 ft

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

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

Proposed yard depths: Front 80 ft Corner side 68 ft Side 198 ft Rear 397 ft

**Max. building height** (see applicable district/use regulation): N/A ft

Proposed building height: 24 ft *gas 1/pump + 1/employee grill 1/4seats*

**Min. parking space standard (see Article 15):**          spaces per Retail 1400 sf

Min. no. of parking spaces: 27 Proposed no. of parking spaces 30

Number of employees:          Hours of operation: 6am - 9pm

**Vehicular Access:**

Names of access street(s) and number of access points along each: 1 / 2

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>
Smithfield Rd	90	24	2	Y	2ln-12000vpd 4ln divided - 24,000vpd		5,840 trips/day

<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)         

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

Type of vehicle: \_\_\_\_\_ ADT: \_\_\_\_\_  
Type of vehicle: \_\_\_\_\_ ADT: \_\_\_\_\_

**Utilities and Services:**

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

( ) community system – specify type: \_\_\_\_\_  individual well(s)

Est. total water demand: \_\_\_\_\_ gpd

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

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

individual on-site system

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

Solid waste collection provided by: Waste Industries

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

Natural gas service provided by: n/a

Telephone service provided by: Bellsouth Underground ( ) yes ( ) no

Cable television service provided by: \_\_\_\_\_ Underground ( ) yes ( ) no

Fire protection provided by: Eastern Wake #2

**Miscellaneous:**

Generalized slope of site 3.4%

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

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 Knightdale

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

( ) Long-Range Urban Services Area \_\_\_\_\_

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

( ) Non-Urban Area

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

East Raleigh/Knightdale

\_\_\_\_\_

**Other information** (additional relevant information about the site or proposal you wish to note or cite)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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: Kenner Broadwell Date: 9-28-10

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: Carl Simms Date: 9/28/10  
Carl Simms  
CMS Engineering

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).

**Revised Conditions, Wake County Rezoning Case No. ZP-872-09**

1. The following uses shall be permitted on the subject property:
  - a) Single family residential and agricultural uses;
  - b) Child and/or adult day care facilities;
  - c) Church or religious assembly;
  - d) Eating or drinking establishments other than bars and nightclubs;
  - e) Financial institutions, not including pawn shops or "pay-day" loan services;
  - f) Offices; and
  - g) Neighborhood convenience oriented retail with or without gas sale.
2. Flush mounted lighting fixtures, rather than drop-down fixtures, shall be used in any canopy installed over gasoline pumps.
3. No building or parking area shall be located closer than one hundred ten (110) feet to the common line of the subject property and the property of Lona J. Myrick (PIN 17633070430) and, further, a combination of a vegetative buffer and a solid fence or wall and/or berm shall be provided in an area of not less than forty feet in width along such line.
4. No dumpster on the property of Lona J. Myrick (PIN 1763307430). All dumpster(s) shall be screened on all three sides with solid walls at least seven (7) feet high on the fourth side with an opaque gate, such enclosure(s) to be landscaped with evergreen trees or shrubs on any side which is visible from a public road or from the above referenced Myrick property.
5. Subject to the approval of the North Carolina Department of Transportation there shall be constructed a left turn lane within Smithfield Road to accommodate southbound traffic turning from Smithfield Road onto Poor Boy Farm Road.
6. Subject to the approval of the North Carolina Department of Transportation the southern entrance into the subject property shall be a driveway limited to right in and right out turning movements only for northbound traffic on Smithfield Road, with an appropriate deceleration area to assist ingress into the property.
7. At such time as the Town of Knightdale seeks to annex the subject property, property Owner/Petitioner agrees that consent to the Town of Knightdale shall be given voluntarily.
8. At such time as public utilities are made available to the subject property, Property Owner/Petitioner agrees to dedicate the easements necessary to allow its eventual service by a municipal water and/or sewer system.
9. The neighborhood oriented retail store permitted under Condition 1. g) shall have as its exterior material brick (save and except for doors, windows and openings for utility fixtures and appurtenances) and shall further feature an "A-style" roof with a covering of asphalt shingles or standing seam metal material.



## STATEMENT OF JUSTIFICATION

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

**Traffic considerations.** The proposed use will not generate significant additional trips along the right-of-way of Smithfield Road. It is anticipated that much of the traffic will already be on that road and will merely make a stop at the convenience store/grill. Traffic engineers have designed access from the right-of-way to be a safe sight distance from all curves and intersections located in close proximity to the site. The proposed use will reduce the number and length of trips residents will need to make to obtain daily basic necessities. The site is located on a major road which can easily handle additional traffic.

In addition, subject to the approval of the North Carolina Department of Transportation, there shall be constructed a left turn lane within Smithfield Road to accommodate southbound traffic turning from Smithfield Road onto Poor Boy Farm Road and the southern entrance into the subject property shall be a driveway limited to right in and right out turning movements only for northbound traffic on Smithfield Road, with an appropriate deceleration area to assist ingress into the property.

**Provision of services and utilities, including water, electrical, garbage collections, fire protection.** The subject property was recently added to the Knightdale Short Term Urban Services Area; however, County Staff has indicated there are no plans for extension of Knightdale utility services at the present time. Therefore, this site initially will be served by a private well and septic system, best management practice drainage facilities, private garbage collection and a volunteer fire station. In the future, the property owner has agreed he would not object to annexation by the Town of Knightdale and to connect to City utilities if appropriate.

**Soil erosions and sedimentation.** The large 7-acre size of the property, together with the design of a stormwater plan and use of best management practices, will adequately address concerns regarding, erosion, sedimentation and stormwater management.

**Protection of public, community, or private supplies, including possible adverse effects on surface waters or groundwater.** Public health, safety and welfare will be served by providing goods and services, including gas, groceries and prepared foods in close proximity to nearby homes, businesses and farms. Moreover, the site contains almost seven acres of land which is more than adequate to provide generous buffers, septic fields and stormwater protection.

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.**

The property had recently been rezoned to General Business Conditional Use which permits as a matter of right, use as a convenience store with gasoline sales. The new

zoning classification also permits use as an eating establishment and would allow a grill serving prepared food within the store.

Although the project is not consistent with the County's Land Use Plan, it was determined to be reasonable and in the public interest as it will provide for needed goods and services along a major thoroughfare to serve residents, businesses and farms in the area. The proposed use will give area residents the option to reduce the amount of time and traffic on the road for trips made to obtain groceries, prepared foods and other daily basic necessities and services, thereby saving time and gas.







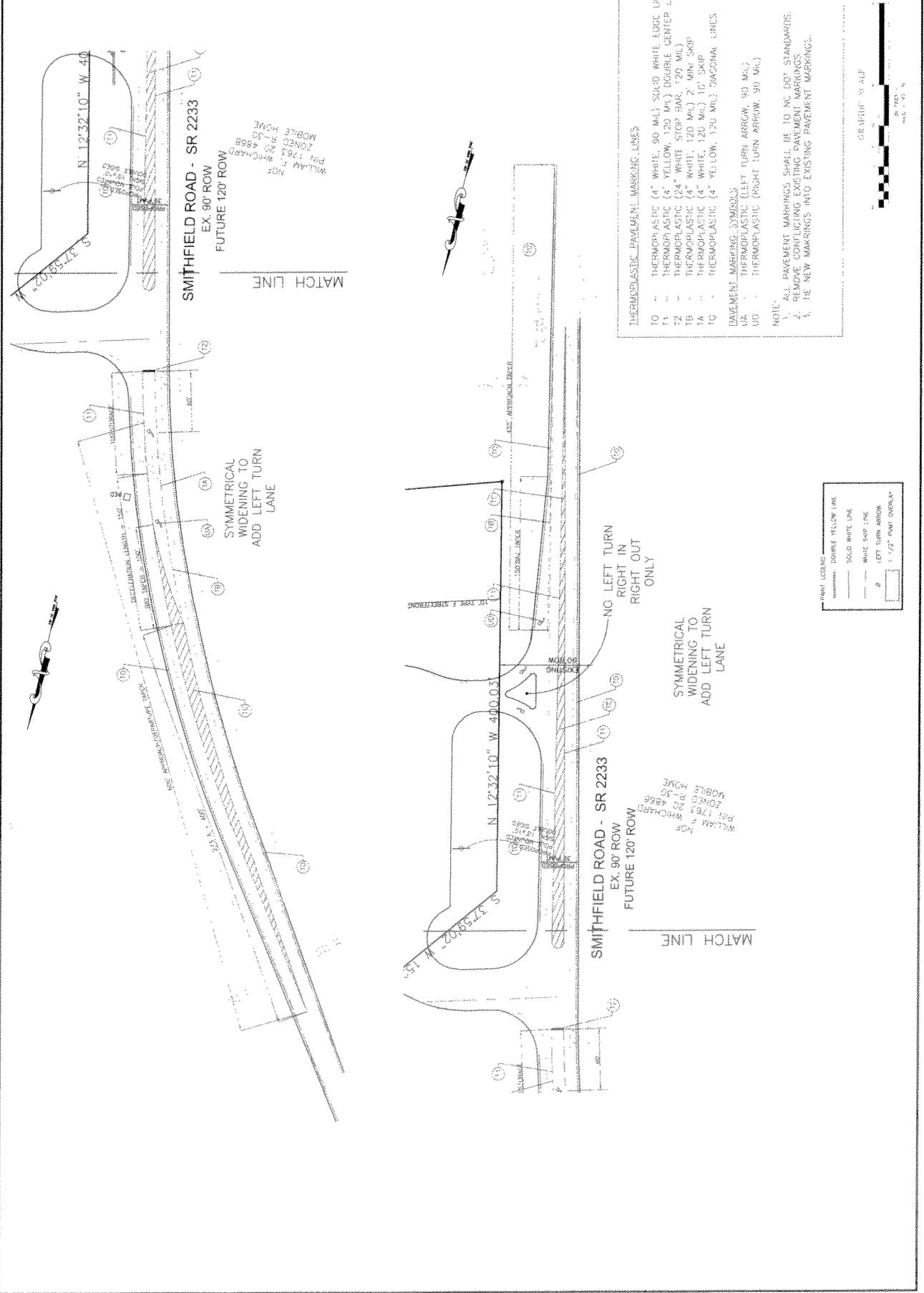
5 W Hargett St., Ste. 202  
 Raleigh, NC 27601  
 PHONE: (919) 833-0830  
 FAX: (919) 833-1928

**CMS Engineering**

POOR BOY GENERAL STORE & GRILL  
 Smithfield Road  
 WAKE COUNTY  
 NORTH CAROLINA

REVISIONS	
PLANNED COMPLIANCE PERMIT ROAD WIDE	
DWG NAME	POOR BOY SITE
CHECKED	
DATE	09/28/10
DESIGNED	
SCALE	1"=40'
4 OF 4	

*PRELIMINARY - NOT RELEASED FOR CONSTRUCTION*



**THERMOPLASTIC PAVEMENT MARKING LINES**

TO	THERMOPLASTIC (4" WHITE, 90 ML) SOLID WHITE EDGE LINE
T1	THERMOPLASTIC (4" YELLOW, 120 ML) DOUBLE CENTER LINE
T2	THERMOPLASTIC (24" WHITE STOP BAR, 120 ML)
TB	THERMOPLASTIC (4" WHITE, 120 ML) 2' MINI SKIP
TA	THERMOPLASTIC (4" WHITE, 120 ML) 10' SKIP
TC	THERMOPLASTIC (4" YELLOW, 170 ML) DIAGONAL LINES

**PAVEMENT MARKING SYMBOLS**

VA	THERMOPLASTIC (LEFT TURN ARROW, 90 ML)
VD	THERMOPLASTIC (RIGHT TURN ARROW, 90 ML)

**NOTE:**

- ALL PAVEMENT MARKINGS SHALL BE TO NC DOT STANDARDS.
- REMOVE CONFLICTING EXISTING PAVEMENT MARKINGS.
- BE NEW MARKINGS INTO EXISTING PAVEMENT MARKINGS.

**PAVEMENT LEGEND**

---	DOUBLE YELLOW LINE
---	SOLID WHITE LINE
---	WHITE STOP BAR
---	LEFT TURN ARROW
---	1/2" PAINT OVERLAY



WILLIAM F. WHICHARD  
 PIN: 1763 20 4868  
 ZONE: R-30  
 MOBILE HOME

WILLIAM F. WHICHARD  
 PIN: 1763 20 4868  
 ZONE: R-30  
 MOBILE HOME

SMITHFIELD ROAD - SR 2233  
 EX. 90' ROW  
 FUTURE 120' ROW

SMITHFIELD ROAD - SR 2233  
 EX. 90' ROW  
 FUTURE 120' ROW

SYMMETRICAL WIDENING TO ADD LEFT TURN LANE

SYMMETRICAL WIDENING TO ADD LEFT TURN LANE

NO LEFT TURN RIGHT IN RIGHT OUT ONLY

