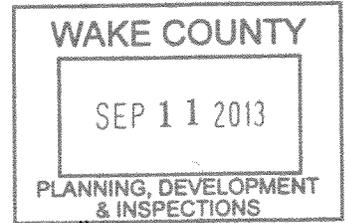


REZONING APPLICATION

Submit required documentation to:
Wake County Planning,
Development and Inspections
PO Box 550, Raleigh, NC
27602-0550

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 R40 & HC
(current zoning district(s))

To Conditional Use Heavy Commercial
(proposed zoning district(s))

Property

Parcel Identification Number (PIN): 1785 52 1551

Address: 2601 NC 97 Hwy

Location: south side of NC 97 Hwy at/between
(north, east, south, west) (street)

Marshburn Road and Vista Drive
(street) (street)

Total site area in square feet and acres: 129,808.8 square feet 2.98 acres

Zoning District(s) and Overlay Districts (if any) and land area within each: R40 – 1.98 acres and HC – 1.0 acres

Present land use(s): Commercial/vacant

How is this proposed use a public necessity? This rezoning is beneficial to the public for reasons set forth in Exhibit A.

What is impact on surrounding neighborhood and adjacent properties?" The impact is minimal as it will allow the continuation of the existing business in an expanded footprint, will provide an opportunity for more goods and services to the neighborhood and will provide a significant landscaped buffer adjacent to residential properties. It should also be noted that the immediately adjacent properties are undeveloped.

Property Owner

Name: Ronnie Lee Shirley and wife, Judith Ann Shirley

Address: 1221 Old Knight Road

City: Knightdale State: NC Zip Code: 27545

Telephone Number: _____ Fax: _____

E-mail Address: _____

Applicant (person to whom all correspondence will be sent)

Name: Isabel Worthy Mattox

Address: P. O. Box 946

City: Raleigh State: NC Zip Code: 27602

Telephone Number: 919-828-7171 Fax: 919-831-1205

E-mail Address: Isabel@mattoxfirm.com Relationship to Owner: Attorney

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
NC 97 Hwy	100'	21'	2	Y	15,000 ADT	8,600 ADT
Marshburn Rd.	60'	20'	2	Y	12,000 ADT	660 ADT

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 (_____)
() community system (_____) (X) individual well(s)

Wastewater collection/treatment provided by: () municipal system (_____)
() community system - specify type _____ (_____)
x) individual on-site system

Solid waste collection provided by: Private collection

Electrical service provided by: Duke Progress Energy

Natural gas service provided by: NCPSC

Telephone service provided by: Bell South

Cable television service provided by: Time Warner

Fire protection provided by: Wake County

Miscellaneous:

Generalized slope of site mostly flat, but slight slope to rear.

Valuable natural features (rare plant community, wildlife habitat, lake, stream, geology, etc.) on or adjoining site: Unknown

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

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 Wendell

() Non-Urban Area/Water Supply Watershed _____

() Non-Urban Area

Land Use Classification(s) (Note Area Land Use Plan, if applicable):. See Exhibit B.

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:

SEE ATTACHED EXHIBIT C.

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: Ronnie Lee Shirley Date: 9-9-13, 2013
Ronnie Lee Shirley

Signature: Judith Ann Shirley Date: 9-9-13, 2013
Judith Ann Shirley

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: Isabel Worony Mattox Date: 9-9-13, 2013
Isabel Worony Mattox

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.

EXHIBIT A

How Rezoning Otherwise Advances Public Health, Safety, and General Welfare:

1. It will permit a currently split-zoned parcel to have a single unified zoning district.
2. It will facilitate the expansion of Wendell Auto Brokers and Lizard Lick Towing and Recovery, successful Wake County businesses, which provide significant tax base and jobs to the community.
3. The subject property is located within an Activity Center which contemplates commercial development.
4. It will ultimately facilitate a mix of commercial and office uses for the area.

EXHIBIT B

This property is located within the Northeast Wake Area Land Use Plan. It is also within the NC 97 Highway/Lizard Lick Road Neighborhood Activity Center which contemplates a mix of uses including office, institutional and commercial uses to serve the area. The mix of uses which will be permitted upon approval of this rezoning will include the types of uses recommended by the Land Use Plan. The plan emphasizes compatibility and the short term proposed use will be compatible with nearby automotive uses. The provision of significant buffers will ensure compatibility with the undeveloped but residentially zoned property to the south and west.

EXHIBIT C

1. The following uses shall be permitted on the subject Property, subject to Special Use Permit requirements where applicable:
 - (a) Business, Trade and Technical Schools
 - (b) Cultural exhibits and Libraries
 - (c) Child Care Center
 - (d) Elderly Care
 - (e) Lodge or Private Club
 - (f) Public Recreation/Assembly Buildings
 - (g) Religious Assembly
 - (h) Veterinarian
 - (i) Kennel (public or private)
 - (j) Eating and Drinking Establishments, excluding bars and nightclubs except the extent a bar is included as a part of a restaurant
 - (k) Financial Services, including drive-through facilities, but excluding pay-day loan sources, currency exchanges and pawnshops
 - (l) Funeral Home
 - (m) Gas Station
 - (n) Hotel/Motel
 - (o) Offices
 - (p) Parking, Commercial
 - (q) Recreation, and Entertainment, Indoor, including the following: bowling alley, billiard halls, physical fitness centers, indoor shooting ranges and day camps
 - (r) Day Camp
 - (s) Mobile Home Sales
 - (t) Neighborhood/convenience-oriented retail (with or without gas sales)
 - (u) Outdoor Sales/Service
 - (v) Other Retail Sales (other than Neighborhood Retail Sales)
 - (w) Self-Service Storage
 - (x) Vehicle Repair/Service, including, without limitation, car washes, oil change services, impound yards, towing services and the sale, rental and storage of motor vehicles.
 - (y) Contractor's office
 - (z) Vehicle sales, leasing or rental, including sales of motor vehicles, boats and trailers
 - (aa) Warehousing
 - (bb) Wholesale trade
 - (cc) TV, movie or video filming and production activities, including creation of sets, staging, dramatic representations, filming, editing.

2. Flush mounted lighting fixtures, rather than drop-down fixtures, shall be used in any canopy installed over gasoline pumps.

3. In the event a self storage facility is developed on the subject property, direct entrances to individual storage units shall be screened from view from the public right-of-way