



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.



2P-888-15

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 Residential-30 District
(current zoning district(s))
To Conditional Use Heavy Commercial District
(proposed zoning district(s))

Property

Parcel Identification Number (PIN): 1762-37-7713
Address: 4040 S Smithfield Road, Knightdale, NC 27545
Location: West side of S Smithfield Road, at/between
(north, east, south, west) (street)
north side of Poole Road and _____
(street) (street)

Total site area in square feet and acres: 312,027 square feet 7.1632 acres
Zoning District(s) and Overlay Districts (if any) and land area within each: All zoned R-30

Present land use(s): Single Family Residential

How is this proposed use a public necessity? See attached Exhibit A.

What is impact on surrounding neighborhood and adjacent properties?" See attached Exhibit A.

Property Owner

Name: Nancy M. Anderson
Address: 216 Cosgrove Avenue
City: Chapel Hill State: NC Zip Code: 27514
Telephone Number: 919.942.7018 Fax: _____
E-mail Address: _____

Applicant (person to whom all correspondence will be sent)

Name: Michael Birch, Morningstar Law Group
Address: 630 Davis Drive, Suite 200
City: Morrisville State: NC Zip Code: 27606
Telephone Number: 919.590.0388 Fax: _____
E-mail Address: mbirch@morningstarlawgroup.com Relationship to Owner: Attorney for Contract Purchaser

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
S Smithfield Road	60'	~22	2	Y	12,000 VPD	
Poole Road	60'	~22'	2	Y	12,000 VPD	

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: None at this time
 Electrical service provided by: Duke Energy
 Natural gas service provided by: None at this time
 Telephone service provided by: None at this time
 Cable television service provided by: None at this time
 Fire protection provided by: Eastern Wake #1

Miscellaneous:

Generalized slope of site Slopes generally down from Poole and Smithfield, with low point in northwest corner
 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: _____
Williamson Manor house (circa 1870) is located on site, designated as local interest historic site

Land Use Plan Classifications

General Classification (note associated municipality and/or watershed):
 () Short-Range Urban Services Area/Water Supply Watershed _____
 (x) 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): Within a Community Activity Center identified in the East Raleigh-Knightdale Area Land Use Plan.

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? See attached Exhibit A.

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

The following principal uses otherwise permitted in the zoning district shall be prohibited:

- (i) parking, park and ride; (ii) body art service; (iii) bars and nightclubs; (iv) pawnshop, currency exchange or payday loan; (v) campgrounds and recreational vehicle parks; (vi) rooming or boarding house;
- (vii) day camp; (viii) firearm/archery ranges and clubs; (ix) equestrian facilities/riding clubs/stables;
- (x) fishing club; (xi) golf course; (xii) swimming pool/tennis club; (xiii) wildlife/game preserve; (xiv) mobile home sales; (xv) sexually oriented business; (xvi) waste-related use - all types; (xvii) water tower - all types;
- (xviii) static transformer stations, radio/tv and towers, relay station.

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: N. Anderson Date: 11/25/2015

Signature: [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: 12/2/2015

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 to Rezoning Petition for 4040 S. Smithfield Road

How is this proposed use a public necessity?

Response: The proposed rezoning permits commercial uses within a designated Community Activity Center in an urbanizing part of the County. The growing residential population in this part of the County is driving demand for the types of uses and services permitted by the proposed rezoning.

What is impact on surrounding neighborhood and adjacent properties?

Response: The property is located at the intersection of two thoroughfares – Smithfield Road and Poole Road. It is bordered on the west by a twenty-acre parcel zoned HC-CU that is currently used for a trucking and grading business operation. To the north, there are a few residential structures fronting along Smithfield Road. Additionally, there is a parcel in the southwest quadrant of the intersection that is zoned GB-CU. The proposed rezoning would permit uses compatible with the surrounding neighborhood and adjacent properties, many of which already permit and are developed for similar uses. And, although there are residential properties to the north, the UDO requires adequate transitions and buffers between commercial and residential uses. Additionally, the proposed rezoning will provide uses and services that can serve as amenities for surrounding neighborhood, which benefits the surrounding neighborhood.

Statement of Conformance with the Land Use Plan.

Response: The proposed rezoning is consistent with the Land Use Plan because the property is located within a Community Activity Center (per East Raleigh-Knightdale Area Land Use Plan), and the proposed rezoning permits uses encouraged by that designation and prohibits uses incompatible with the activity center designation. Additionally, the rezoning is consistent with the goals of the East Knightdale-Raleigh Area Land Use Plan by locating growth that takes advantage of existing transportation infrastructure, and that serves surrounding neighborhoods. Finally, the proposed rezoning is consistent with the Transitional Urban Development policies given the urban intensities permitted by the rezoning and the proximity of municipal services.

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

Response: The proposed rezoning advances the public health, safety and welfare by permitting commercial uses in close proximity to existing neighborhoods and in a quickly urbanizing area of the County, which can have the effect of reducing vehicle miles traveled. Also, the proposed rezoning advances the public health, safety and welfare by permitting uses consistent with the Land Use Plan guidance and by prohibiting those uses that are not compatible with the Land Use Plan and adjoining residential uses.