



**SPECIAL USE PERMIT APPLICATION**

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

BA-SU-2192-14

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 Special Use** (be as specific as possible and cite code section listing use as permitted special use)

*Proposed Automotive Dealership in a parcel zoned Highway District. "Vehicle Sales, Leasing, or Rental" allowed as a Special Use per Table 4-11, and*

Modification of previously issued Special Use Permit? ( ) Yes (x) No *further defined in 4-23-13.*  
If Yes, provide relevant Special Use Permit Number: \_\_\_\_\_

**Property**

Parcel Identification Number: 1740116945000

Address: 2701 US 70 Hwy E

Location: North side of US 70 Hwy E, at between  
(north, east, south, west) (street)

Guy Road and Green Garden Road  
(street) (street)

Total site area in square feet and acres: ~104,500 square feet 2.4 acres

Zoning District(s) and Overlay Districts (if any) and land area within each: HD - Highway District

List Conditions of any Conditional Use Zoning Districts: NA

Present land use(s): Vacant

How is this proposed use a public necessity? *Provides a quality pre-owned car alternative in the Garner, Raleigh, and Clayton area.*

What is impact on surrounding neighborhood and adjacent properties? *The vacant site will be developed with an attractive building, extensive landscaped buffers, and a well maintained Land Owner piece of property.*

Land Owner Name: Four Oaks Bank & Trust

Business Operator Name (if different from Land Owner): \_\_\_\_\_

Address: PO Box 309

City: Four Oaks State: NC Zip Code: 27524

E-mail Address: See Applicant Fax: See Applicant

Telephone Number: See Applicant

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

Name: Triangle Car Guy - Anthony Schumaker  
 Address: 3820 Olympia Drive  
 City: Raleigh State: NC Zip Code: 27603  
 E-mail Address: anthony72903@ad.com Fax: \_\_\_\_\_  
 Telephone Number: 919-285-9655 Relationship to Owner: Purchase Option On Site

**Proposal**

Max. allowable floor area ratio (see applicable zoning district/use regulation): 0.15

Proposed total floor area: 3,276 sf Proposed floor area ratio (floor area/site area): 0.03

Max. allowable impervious surface coverage (see applicable zoning district/use regulation): 30 %

Proposed impervious surfaces area: 31,284 sf

Proposed impervious surface coverage (impervious surfaces area/site area x 100): 30 %

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

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

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

Front (F) 10 ft Left (D) 30 ft Right (C) 40 ft Rear (-) - ft

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

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

Proposed yard depths: Front 30 ft Corner side NA ft Side 40 & 30 ft Rear - ft

Max. building height (see applicable district/use regulation): 35 ft

Proposed building height: 19 ft 1 SPACE PER 1,000 SF of Display or Storage Area

Min. parking space standard (see Article 15): 1 spaces per 300 SF of Office Floor Area

Min. no. of parking spaces: 12 Proposed no. of parking spaces 16

Number of employees: Max. 6 Hours of operation: M-F 9AM-7PM, Saturday 9-5PM

**Vehicular Access:**

Names of access street(s) and number of access points along each: US 70 E - One  
access point, right-in right-out driveway

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>
<u>US 70 Hwy E</u>	<u>200</u>	<u>34 &amp; 34</u>	<u>4</u>	<u>Y</u>	<u>~36,000 @ LOS B</u>	<u>25,000</u>	<u>85</u>

<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)

1 trip per 125 SF of Display Area

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

Type of vehicle: NA ADT: 0  
Type of vehicle: NA ADT: 0

**Utilities and Services:**

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

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

Est. total water demand: 150 gpd

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

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

(✓) individual on-site system

Est. total wastewater discharge: 150 gpd

Solid waste collection provided by: Waste Industries

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

Natural gas service provided by: NA

Telephone service provided by: AT&T Underground ( ) yes (✓) no

Cable television service provided by: AT&T Underground ( ) yes (✓) no

Fire protection provided by: Garner Volunteer Fire Department

**Miscellaneous:**

Generalized slope of site 2-5% , generally sloping to the west

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

Valuable historic resources (homestead, mill, archeological site) on or adjoining site: None observed

**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 \_\_\_\_\_

(✓) Long-Range Urban Services Area Fuquay - Garner Land Use Plan

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

( ) Non-Urban Area

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

\_\_\_\_\_  
\_\_\_\_\_

**Applicant's statement of compliance** with county, municipal and joint Land Use Plans (How is proposal consistent with Land Use Plan objectives for planning area, Land Use classification, activity centers, locational standards and transitional urban development standards?)

This property is within the Fuquay-Garner Land Use Plan. It is within an existing Community Activity Center where retail is intended to support residential communities, and this parcel is also within an area with a Growth overlay. An automobile sales facility at this site accomplishes both of these goals: It provides a service to nearby neighborhoods, and it will assist in the growth transition of this area, taking a vacant piece of property and transforming it into a retail use that will encourage future growth along the US 70 East corridor.

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

An automobile dealership fits in well with other automobile related services currently in operation along the US 70 corridor. There are other car sales and rental facilities located within 1 mile of this property, car repair and body shops can be found in both directions along US 70, and there are other facilities found along the corridor between I-40 and the Clayton city limits. This proposed dealership will compliment and contribute to the services this area is already providing.

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: 2-3-2014

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).

**Triangle Car Guy, Proposed Car Dealership – PIN 1740116945**

**Statement of Justification – Special Use Permit, Setback Reduction, Reduced Buffer Yard**

The applicant requests a Special Use Permit to construct an automobile dealership within the Highway District – HD zoning. The development will be a low-intensity nonresidential use with a floor area ratio of no greater than 0.15 and an impervious surface coverage of no greater than 30%.

Additionally, a Setback Reduction is requested to reduce the setback requirements from 50 feet along all property lines to 30 feet. Finally, a Reduced Buffer Yard from a 40' Type C Buffer to a 30' Type D Buffer is requested along the north property line.

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

This site sits slightly higher than the roadway allowing for clear navigation into and out of the site, and visibility into and out of the site will not be harmed by reducing the setback. Due to the presence of a median, access to the site will be limited to right in and right out movements. The driveway itself will be located over 500 feet from the Guy Road intersection, and is located near the center of the property frontage to not interfere with future driveways from adjacent properties. An on-site well for water and septic system for sanitary service will create no additional loading on municipal infrastructure. The site will provide a stormwater management facility on the west side of the site to control runoff from the site.

**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 special use or class of special use.**

The property is zoned Highway District –HD and “vehicle sales, leasing, or rental” is a permitted activity. The site complies with the parking requirements of 1 space per 1,000 SF of Display or Storage Area and the 1 space per SF of Office Floor Area requirement, along with internal landscaping.

**3. The proposed development will not substantially injure the value of adjoining property.**

The proposed development is consistent with the existing zoning and uses that are found along the US 70 E corridor. This property is within the Fuquay-Garner Land Use Plan in an existing Community Activity Center where retail is desired to support the nearby residential communities, and this parcel is also within the Growth Overlay. This development is in full compliance with this long term plan and will increase the value of property in this area as it shifts toward more non-residential uses in the future.

The Setback Reduction to 30' has been requested due to the irregular shape of the parcel and to allow for more of the site to be utilized and increase the value of this development. Even with a reduced setback, this site has been designed to be a low-intensity nonresidential use with an impervious surface coverage of 30% or less. If the full 50' setback were to be enforced, due to the irregular triangular shape of this parcel, only approximately 0.6 acres of this 2.4 acre site could be used for development.

The existing developed properties to the east consist of rental houses and a convenience store. These have been considered as low-density residential uses and the required 40' Type C buffer has been provided along this side of the site. To further lessen the impact of this development on the existing neighbors, in addition to the 40' Type C buffer, a 4' berm will be constructed along the east side of the site.

The parcel to the north is currently vacant and is therefore classified as a low-density residential use. Due to the size of the vacant property, its roadway frontage on both US 70 and Guy Road, and the long range plan for this area outlined in the Fuquay-Garner Land Use Plan, it is anticipated this property will someday be developed with a commercial use. The plan proposes to provide a 30' Type D buffer along this property line which would be the requirement if this parcel were developed as a medium-density residential site. As on the east property line, a 4' berm will be constructed as an additional screening measure.

**4. The proposed development will be in harmony with the area in which it is located.**

Automobile sales at this site will mesh perfectly with other nearby uses. There are several automobile sales facilities within one mile, and there are vehicle repair stations and auto body stores along the US 70 corridor in both directions from the site. A much more intense use, an auto salvage yard, is located just across the Guy Road intersection.

**5. The proposed development will be consistent with the Wake County Land Use Plan.**

This site is located in the Fuquay-Garner Land Use Plan and is noted as a Community Activity Center where retail is desired to support residential communities. Furthermore the site is located in a Growth Overlay district. Developing a new automobile sales facility on a vacant parcel is directly in line with this long term plan.

