



SPECIAL USE PERMIT APPLICATION



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

Land owner wants to erect small office/retail building on site for potential usage consistent with the Use Table from UDO Section 4-11.

Modification of previously issued Special Use Permit? ()Yes (x)No

If Yes, provide relevant Special Use Permit Number: N/A

Property

Parcel Identification Number: A portion of PIN 1606596410

Address: 4109 NC 42 HWY Raleigh, NC 27603

Location: north side of NC Highway 42, at/between
(north, east, south, west) (street)

Rock Service Station Rd and _____
(street) (street)

Total site area in square feet and acres: 104,000 square feet 2.39 acres

Zoning District(s) and Overlay Districts (if any) and land area within each: _____

HD Zoning located in Neighborhood Activity Center

List Conditions of any Conditional Use Zoning Districts: N/A

Present land use(s): This portion of the original 3.62 acre lot is currently a maintained grove of pine trees.

How is this proposed use a public necessity?

With continued growth in southern Wake County land owner believes new improved commercial property will provide needed resource for business owners wanting to service the local public and growing population.

What is impact on surrounding neighborhood and adjacent properties?

Minimal impact as new structure will be in line with existing houses and utilizing the already busy 42 corridor.

Land Owner

Land Owner Name: Playmaker Properties LLC

Business Operator Name (if different from Land Owner): N/A at this time

Address: 5600 Rock Service Station Rd

City: Raleigh State: NC Zip Code: 27603

E-mail Address: rob@chatterbox3.com Fax: 919.882.1224

Telephone Number: 919.795.4403

Applicant (person to whom all correspondence will be sent)

Name: Rob Baumgart

Address: 5600 Rock Service Station Rd

City: Raleigh

State: NC

Zip Code: 27603

E-mail Address: rob@chatterbox3.com

Fax: 919.882.1224

Telephone Number: 919.795.4403

Relationship to Owner: Land owner

Proposal

Max. allowable floor area ratio (see applicable zoning district/use regulation): .30

Proposed total floor area: 1200 sf Proposed floor area ratio (floor area/site area): .01

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

Proposed impervious surfaces area: 7,840 sf

Proposed impervious surface coverage (impervious surfaces area/site area x 100): 7.95 %

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

Front () N/A ft Left (C) 40 ft Right (C) 40 ft Rear (C) 40 ft

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

Front () N/A ft Left (C) 40 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 50 ft Rear 50 ft

Proposed yard depths: Front 91 ft Corner side 138 ft Side 103 ft Rear 90 ft

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

Proposed building height: 15 ft

Min. parking space standard (see Article 15): 1 spaces per 300 sq/ft

Min. no. of parking spaces: 4 Proposed no. of parking spaces 6

Number of employees: N/A Hours of operation: N/A

Vehicular Access:

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

NC Highway 42 - 1 access point

Name of access or 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	Est. traffic generated (ADT) ³
NC Highway 42	60	23	2	Y	15,000	8,800 (2013)	100-400

¹ See NCDOT Highway Capacity Manual or most recent Wake County Thoroughfare Plan Appendix

² See CAMPO web site (www.raleigh-nc.org/campo) or NCDOT Traffic Survey Unit

³ 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: N/A ADT: _____

Type of vehicle: N/A ADT: _____

Utilities and Services:

Water supply provided by: () municipal system : _____

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

Est. total water demand: 500 gpd

Wastewater collection/treatment provided by: () municipal system: _____

() community system – specify type: _____

(X) individual on-site system

Est. total wastewater discharge: 500 gpd

Solid waste collection provided by: Private contractor selected by tenant

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

Natural gas service provided by: N/A

Telephone service provided by: Time Warner / ATT Underground (X) yes () no

Cable television service provided by: Time Warner Underground (X) yes () no

Fire protection provided by: Garner #2

Miscellaneous:

Generalized slope of site Gentle slope down towards W point

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

Farmer's hay field and doublewide residence are immediately behind property

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 N/A

() Short-Range Urban Services Area N/A

() Long-Range Urban Services Area/Water Supply Watershed N/A

() Long-Range Urban Services Area N/A

() Non-Urban Area/Water Supply Watershed N/A

() Non-Urban Area

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

Neighborhood Activity Center. Listed as Node 13 in Town of Garner Urban Services Area.

Listed as 96 acre Neighborhood Activity Center in Fuquay Varina - Garner Land Use Plan

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?)

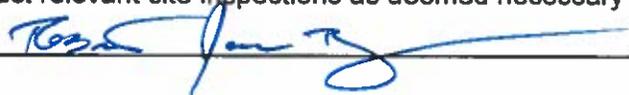
Erecting a small commercial building for use as an office or retail will help provide a viable location for a small business to operate along the NC Highway 42 corridor and offer their services to the local residents.

At this time, very little commercial property is available along 42 for professional services, or small destination retail. Other than a few gas stations and the Lowes shopping center in Johnston County at 50/42 few locations exist for business to operate.

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:  Date: 06/12/16

Signature: _____ Date: _____

Signature: _____ Date: _____

Land use professionals (architects, engineers, planners, landscape architects, etc.), as well as employees of corporate or municipal applicants, may testify at quasi-judicial proceedings about factual matters in support of an application, petition or appeal. However, they MAY NOT examine or cross-examine witnesses, make legal arguments as to why an application, petition or appeal should be granted, or otherwise advocate for results on behalf of another individual or entity at a quasi-judicial proceeding. These functions can ONLY be performed at a quasi-judicial proceeding by an attorney licensed to practice law in North Carolina. Therefore, it is **strongly recommended** that unless you are an individual representing yourself in a quasi-judicial proceeding, you have an attorney present to present your case.

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: 6/7/2016

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.

June 7th, 2016

Playmaker Properties
Rob Baumgart
5600 Rock Service Station Rd
Raleigh, NC 27603

Wake County Planning, Development, and Inspections
Board of Adjustment
PO Box 550
Raleigh, NC 27602

RE: Special Use Permit – Statement of Traffic conditions

Board of Adjustment Members,

Per the Special Use Permit Submittal checklist I have notated part 11 and 12 as N/A which pertain to traffic conditions and requiring the processing of a Traffic Impact Analysis for \$1,000. It is the opinion of our architect and the floor area ratios that our estimate traffic generated will be between 100-400 trips per day. The broad range is due to the application being for either retail (200-400 trips/day) or office (100-200 trips/day).

Per section 11 it indicates traffic counts over 100 per peak hour or more than 1,000 day should be subject to the analysis. Due to the building being so small in size our trips should be well below as indicated.

Thank you,



Rob Baumgart
919.795.4403

June 7th, 2016

Playmaker Properties
Rob Baumgart
5600 Rock Service Station Rd
Raleigh, NC 27603

Wake County Planning, Development, and Inspections
Board of Adjustment
PO Box 550
Raleigh, NC 27602

RE: Special Use Permit – Statement of Justification

Board of Adjustment Members,

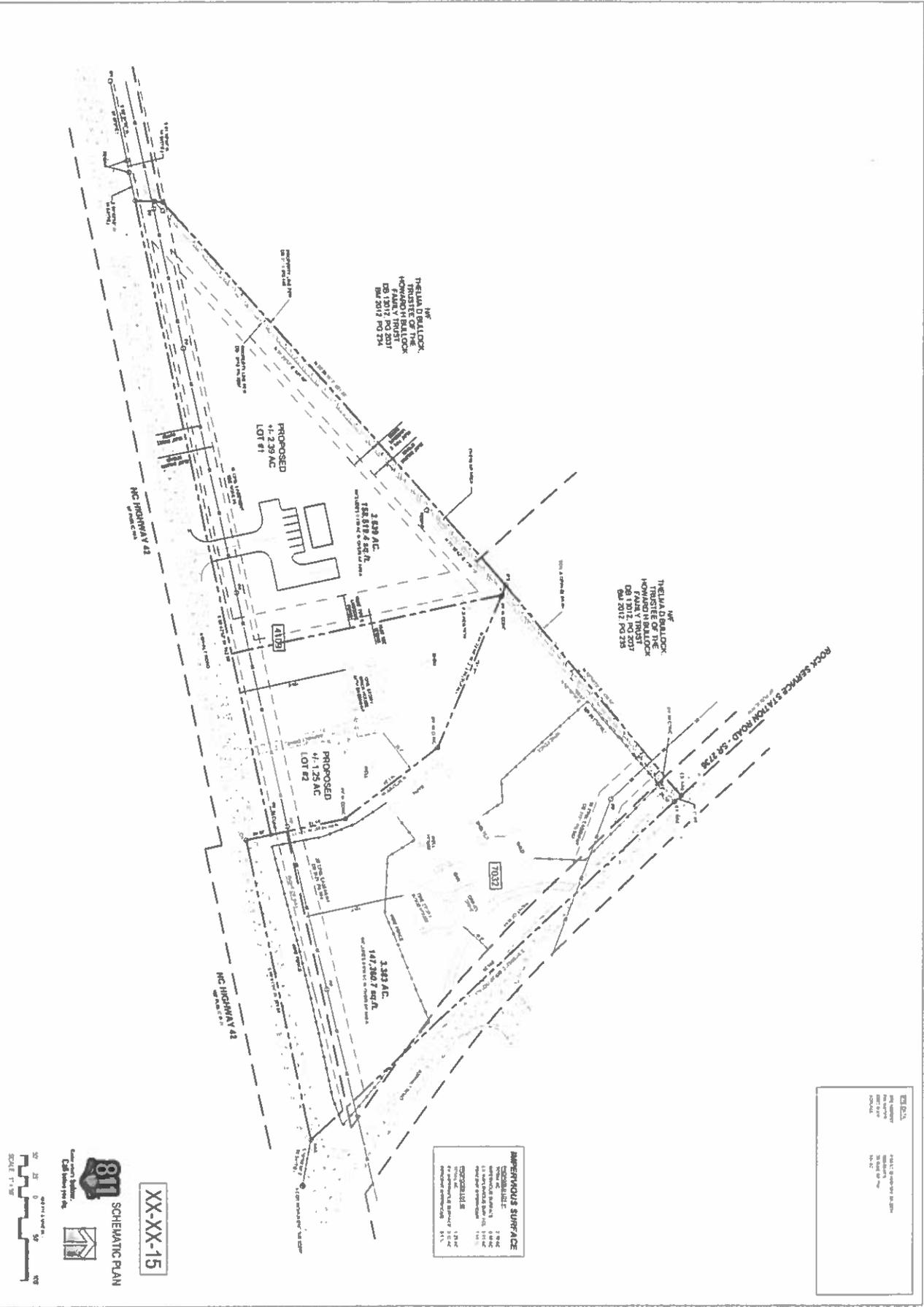
As required by the Special Use Permit application I present the following as evidence of justification for the development of a new lot located at 4109 NC Highway 42 Raleigh, NC 27603 in southern Wake County.

- 1) The proposed shell building will not materially endanger public health or cause a public safety hazard as the structure itself and believed end use as office, congregation space, or retail will be a low impact non-residential use in a neighborhood activity center. Further the set back of the building from Highway 42, impervious surfaces created, and small portion of disturbed land area all exceed minimum requirements asked in the UDO.
 - a. Single driveway entrance will be more than 700 ft from closest intersection of Rock Service Station Rd and Highway 42 to the east creating minimal impact on the signalized intersection per Article 3-23-2-A 1(a) and 1(b)
 - b. Set back of 91' beyond current 30' building set back requirement and consistent with the goals of HD Zoning as laid out in Article 3-23-2
 - c. Impervious surface 7.95% out of allowable 30% proposed and oversized 2.39 acre lot reduces need for storm water management
 - d. All utilities are currently on site or will be developed on site not interfering with neighbors or public spaces
- 2) Other than asking for the Special Use Permit for this shell building as a future office, congregation space, or retail in a Neighborhood Activity Center no variances are being asked as the structure, new lot, and site plan all meet/exceed requirements set forth in the UDO per current HD Zoning as found on the use table from section 4-11 and being located in existing neighborhood activity center.
- 3) The proposed development should not have a negative impact on adjoining property values as it sits within a predefined neighborhood activity center near the intersection of Rock Service Station Rd and NC Highway 42. Additionally the low impact development proposed and small size of the commercial structure should not create burdensome volumes of traffic, noise, pollution, or other annoyances to the adjoining properties consistent with the goals of the HD Zoning the site is currently in.

- 4) The proposed development should be in harmony with surrounding and nearby property types as the design of the structure is consistent with the surrounding one story ranch buildings and two story homes while it maintains similar set back from Highway 42. Further the building will sit within an existing mature and maintained grove of pine trees and impact less than 8% of proposed new lot being created consistent with the rural nature of southern Wake County.

- 5) The proposed shell building and future use as office, congregation, or retail use is consistent with both Wake County's Long Range Plan and the Fuquay-Varina/Garner Area Land Use Study as it identifies this parcel as a Neighborhood Activity Center and as Node 13 on Garner's Long Range Planning.

A handwritten signature in black ink, appearing to read "Rees", followed by a long horizontal line that loops back under the signature.



XX-XX-15

SCHEMATIC PLAN

Scale: 1" = 30'

North Arrow

IMPERVIOUS SURFACE

Category	Area (sq. ft.)
Asphalt	1,234,567
Concrete	987,654
Gravel	543,210
Other	123,456
Total	2,878,887

DATE: 10/15/14
 DRAWN BY: J. DAVIS
 CHECKED BY: J. DAVIS
 SCALE: 1" = 30'

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	10/15/14
2	REVISION	
3	REVISION	
4	REVISION	
5	REVISION	
6	REVISION	
7	REVISION	
8	REVISION	
9	REVISION	
10	REVISION	

PRELIMINARY

FOR REVIEW ONLY
 NOT FOR
 CONSTRUCTION

Rock Service Station
 Raleigh, NC

JDAVIS

145 South Western Boulevard, Suite 100
 Raleigh, NC 27606
 Phone: 919.876.1111
 Fax: 919.876.1112
 Email: info@jddavis.com

XX-XX-15
 TRANSACTION NO XXXXXX (TYPE)

LS1.1

