



SPECIAL USE PERMIT APPLICATION



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

A request to modify the approved Wake County Special Use Permit for BA-2004-04 for the Hasentree community.

Specifically, this request seeks to reduce the buffer along the eastern boundary from 100' to 40'

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

If Yes, provide relevant Special Use Permit Number: BA 2004-04

Property

Parcel Identification Number: 1811-72-2777

Address: 7001 Hasentree Club Drive, Wake Forest, NC 27587

Location: east side of Hasentree Road, at/between
(north, east, south, west) (street)
Keith Road and Durham Road
(street) (street)

Total site area in square feet and acres: _____ square feet 13.24 acres

Zoning District(s) and Overlay Districts (if any) and land area within each: R-40W (part) and R-80W (part)

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

Present land use(s): Recreational and Entertainment Outdoor - Swimming Pool/Tennis Club

How is this proposed use a public necessity? The applicant submits that the proposed SUP is reasonably necessary in order to permit the existing use to come into compliance with current UDO Standards for Buffering.

What is impact on surrounding neighborhood and adjacent properties? The applicant submits there will be minimal impact to adjacent properties. The same screening opacity can be achieved with 40'.

Land Owner

Land Owner Name: Toll NC III Limited Partnership

Business Operator Name (if different from Land Owner): Hasentree

Address: 250 Gibraltar Road

City: Horsham State: PA Zip Code: 19044-2323

E-mail Address: c/o Jason Barron jbarron@morningstarlawgroup.com Fax: _____

Telephone Number: c/o Jason Barron 919.590.0371

Applicant (person to whom all correspondence will be sent)

Name: Jason Barron, Attorney for Owners

Address: c/o Morningstar Law Group, 630 Davis Drive, Suite 200

City: Morrisville State: NC Zip Code: 27560

E-mail Address: jbarron@morningstarlawgroup.com

Fax: _____

Telephone Number: 919.590.0371

Relationship to Owner: Attorney

Proposal

Max. allowable floor area ratio (see applicable zoning district/use regulation): N/A - not changing

Proposed total floor area: not changedsf Proposed floor area ratio (floor area/site area): not changed

Max. allowable impervious surface coverage (see applicable zoning district/use regulation) : 3.65 acres

Proposed impervious surfaces area: 3.62 acres sf

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

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

Front (NC) _____ ft Left (40) _____ ft Right (NC) _____ ft Rear (NC) _____ ft

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

Front (____) _____ ft Left (____) _____ ft Right (____) _____ ft Rear (____) _____ ft

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

Front NC _____ ft Corner side NC _____ ft Side NC _____ ft Rear NC _____ ft

Proposed yard depths: Front NC _____ ft Corner side NC _____ ft Side NC _____ ft Rear NC _____ ft

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

Proposed building height: NC _____ ft

Min. parking space standard (see Article 15): 67 spaces per _____ total spaces

Min. no. of parking spaces: 67 Proposed no. of parking spaces 130 (20 new)

Number of employees: 25 Hours of operation: 7am-9pm, 7 days a week

Vehicular Access:

Names of access street(s) and number of access points along each: Hasentree Club Drive (0),

Keith Road (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 ¹	Traffic volume (ADT) ²	Est. traffic generated (ADT) ³

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: 20 total parking spaces for standard vehicles ADT: _____

Type of vehicle: _____ ADT: _____

Utilities and Services:

Water supply provided by: () municipal system : Waste Management

(x) community system – specify type: community water system () individual well(s)

Est. total water demand: NC gpd

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

(x) community system – specify type: _____

() individual on-site system

Est. total wastewater discharge: no change gpd

Solid waste collection provided by: _____

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

Natural gas service provided by: PSNC

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

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

Fire protection provided by: Wake Forest

Miscellaneous:

Generalized slope of site gently sloping

Valuable natural features (rare plant community, wildlife habitat, lake, stream, geology, etc.) on or adjoining site: there are no rare plants or other significant natural features that will be impacted by the proposed development

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

there are no valuable is historic resources that will be impacted by the proposed development

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 _____

(x) Non-Urban Area/Water Supply Watershed Falls Lake

() Non-Urban Area

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

RES 1-4

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?)

The parcel currently is being used as a tennis court and recreation facility, including a pool. The proposed change does not seek to add any buildings, but merely to expand parking to serve these uses. Further, the proposed modification to the perimeter buffer where proposed will permit the maintenance of a 40' buffer, which is consistent with the current UDO requirements for the buffering of the proposed use. Finally, because the proposed use is not changing, the applicant submits that the use is consistent with the County's long range plans for development of this site.

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

As stated above, the proposal merely seeks to add parking to better serve the existing uses, and to do so in a manner that maintains the buffer that would be required had the site been developed today.

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: 6/7/16

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.



SPECIAL USE PERMIT STATEMENT OF JUSTIFICATION

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.

For each of the 5 required conclusions listed below, attach a statement that explains how any existing conditions, proposed development features, or other relevant facts would allow the Board of Adjustment to reach the required conclusion, and attach any additional documents or materials that provide supporting factual evidence. The considerations listed under each required conclusion are simply those suggested in the Wake County Unified Development Ordinance. You should address any additional considerations potentially raised by the proposed development.

Important: You bear the burden of presenting sufficient factual evidence to support findings of fact that allow the Board to reasonably reach each of the required conclusions. If you fail to meet that burden, the Board has no choice but to deny the petition.

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

Considerations:

- traffic conditions in the vicinity, including the effect of additional traffic on streets and street intersections, and sight lines at street intersection and curb cuts;
- provision of services and utilities, including sewer, water, electrical, garbage collections, fire protection;
- soil erosion and sedimentation; and
- protection of public, community, or private water supplies, including possible adverse effects on surface waters or groundwater.

(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 Uses.

(3.) The proposed development will not substantially injure the value of adjoining property, or is a public necessity.

Considerations:

- the relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved; and
- whether the proposed development is so necessary to the public health, safety, and general welfare of the community or County as a whole as to justify it regardless of its impact on the value of adjoining property.

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

Considerations:

- The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved.

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

Considerations:

- consistency with the Plan's objectives for the various planning areas, its definitions of the various land use classifications and activity centers, and its locational standards; and
- consistency with the municipal and joint land use plans incorporated in the Plan.

The applicant seeks a Special Use Permit to permit the construction of 20 additional parking spaces to serve the existing tennis and pool facility at Hasentree. The existing use was established pursuant to a previously issued Special Use Permit (SU-2004-04). As part of that approval, a 100' wide transitional buffer was established along the eastern edge of the property. Since that time, the Wake County Unified Development Ordinance has been amended to require only a 40 foot buffer for such a use. The requested Special Use Permit seeks to reduce the currently established 100 foot buffer to the required 40 foot buffer and allow for additional parking to be established in the previous buffer area. The parking request is necessitated by existing demands at the facility.

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

The proposed development will not materially endanger the public health or safety. The proposed development is in line with the current requirements of the UDO. Moreover, the proposed development does not seek to establish a more intense or dense use than is already present. Development consistent with the requested Special Use Permit is not projected to negatively affect traffic conditions in the vicinity, the provision of services and utilities, soil erosion, sedimentation, or water supplies.

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 Uses.

The proposed development will comply with all applicable regulations and standards. It is important to note that the existing use is in compliance with all applicable regulations and standards. The use of the property will not change as a result of the requested Special Use Permit. The facility will continue to operate in the same manner as it does today, provided there will be additional parking to serve guests of the facility. The proposed reduction in transitional buffer is in compliance with all applicable standards and regulations and parking will be provided in a manner consistent with any applicable regulation or standard.

3) The proposed development will not substantially injure the value of adjoining property, or is a public necessity.

The proposed development will not substantially injure the values of adjoining property. Again, the proposed development will not differ much from what currently exists, and the use will remain the same. Likewise, the relationship of the proposed use to the character of development to surrounding uses will be unchanged. Thus, values of adjoining properties are not expected to be affected much, if at all, by development consistent with the requested Special Use Permit.

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

The proposed development will be in harmony with the area in which it is located as it is only slightly different than the existing development which was built in 2007. The existing development has been operating on the subject property since 2007 in harmony with the surrounding uses. The proposed development will operate in the same manner as what currently exists. The only difference will be a reduction in the transitional buffer established on the eastern edge of the property and the addition of parking spaces. The proposed development; therefore, will operate in a manner that remains harmonious with the surrounding properties.

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

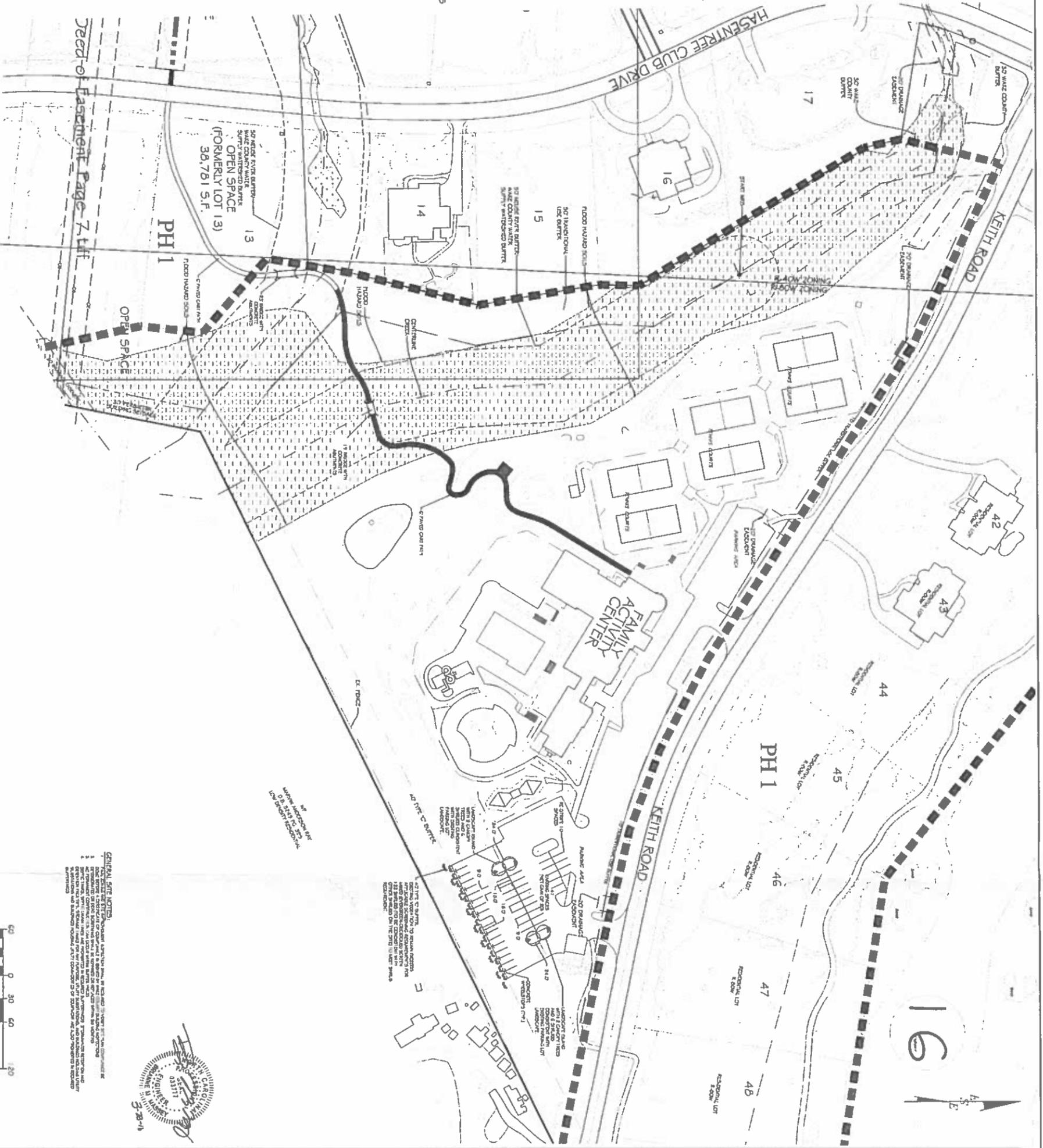
The proposed development will be consistent with the Wake County Land Use Plan. The property is designated for RES 1-4 on the County's adopted Land Use Plan. Because this proposed SUP seeks merely to expand the parking for an already permitted use – a residential and golf course community - the applicant submits that the proposed development will be consistent with the Wake County Land Use Plan.



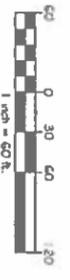
SITE DATA:
PROJECT NAME: HASENTREE FAMILY ACTIVITY CENTER EXPANSION
PROJECT LOCATION: NEW LIGHT TOWNSHIP, WAKE COUNTY, NC
PROPOSED USE: SINGLE FAMILY SUBDIVISION-RECREATION CENTER
CURRENT USE: SINGLE FAMILY SUBDIVISION-RECREATION CENTER
EXISTING FAR: .032
INSIDE NRD DRAINAGE AREA: Y15
INSIDE FLOOD HAZARD BOUNDARY: NO
PREPARED BY: ESE OF NORTH CAROLINA, P.C.
 23101 W. ADVANOR DRIVE
 SUITE J
 RALEIGH, NC 27617
 PHONE: (919) 321-4900
 FAX: (919) 321-0412
 WWW: www.eseland.com
 EMAIL: eseland@eseland.com

OWNER / APPLICANT:
 TOLL BROTHERS
 23101 W. ADVANOR DRIVE
 SUITE J
 RALEIGH, NC 27617
 PHONE: (919) 321-4900
 FAX: (919) 321-7900
 CONTACT: JAY HODGENT
 EMAIL: jayh@tollbrothers.com

PH: 1611-73-7945/1611-73-43 5/1611-73-3357
ZONING: R-3000R-40W (CLUSTER DEVELOPMENT)
WATERSEWER SERVICE: PROVIDED BY COMMUNITY WATERSEWER SYSTEMS
WAKE COUNTY PROJECT #:
MAXIMUM IMPERVIOUS ALLOWED: 3.65 AC.
EXISTING IMPERVIOUS: 3.33 AC.
PROPOSED IMPERVIOUS: 0.29 AC. (12,549 SF)
IMPERVIOUS TOTAL: 3.62 AC.
TOTAL SITE AREA: 1.35 AC.
TOTAL DISTURBED AREA: 0.76 AC. (33,233 S.F.)
PARKING REQUIRED: 67 SPACES
(BASED ON 0.4)
EXISTING PARKING: 110 SPACES (5 IN)
PROPOSED PARKING: 20 SPACES
INTENSITY OF USE: EXISTING: LOW-INTENSITY
 25
NUMBER OF EMPLOYEES:
HOURS OF OPERATION: 7AM-9PM 7 DAYS A WEEK



GENERAL SITE NOTES:
 1. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE WAKE COUNTY BOARD OF ZONING ADJUSTMENTS AND THE WAKE COUNTY BOARD OF PLANNING AND ZONING.
 2. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE WAKE COUNTY BOARD OF ZONING ADJUSTMENTS AND THE WAKE COUNTY BOARD OF PLANNING AND ZONING.
 3. THE PROPOSED DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE WAKE COUNTY BOARD OF ZONING ADJUSTMENTS AND THE WAKE COUNTY BOARD OF PLANNING AND ZONING.
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ESE Land Planning Engineering Land Surveying
 LICENSE # 27-C-2973
 1724 W. North Carolina, Suite J
 Raleigh, NC 27603
 TEL: 919.321.4900 FAX: 919.321.0412

SITE PLAN
HASENTREE
FAMILY ACTIVITY CENTER EXPANSION
SITE PLAN

SCALE: 1" = 60'
PROJECT NUMBER: 9017
DATE: 03-21-16
DRAWN BY: JLS
CHECKED BY: JLS
SHEET NUMBER: 3