
ZEBULON

NORTH CAROLINA

**TOWN OF ZEBULON
PLANNING BOARD MEETING
August 14, 2023
Following 6:00 Joint Public Hearing**

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. ADOPTION OF MINUTES

- a. February 13, 2023 Minutes
- b. March 13, 2023 Minutes
- c. April 10, 2023 Minutes

IV. NEW BUSINESS

- a. **CZ 2023-03 1106 N Arendell Ave** – Conditional Rezoning request for a 3.51-acre parcel from Heavy Commercial (HC) to Heavy Commercial – Conditional (HC-C) District for the development of a convenience store with gasoline sales.
- b. **TA 2024-01 RV Park** – Text amendment to Section 4.2.3 to allow for consideration of Recreational Vehicle Parks as part of a Planned Development request.
- c. **TA 2024-02 Drop-In Child Care** - Text amendment to Section 4.2.3 and Section 9.4 of the UDO to allow for consideration of a new use “Child Care, Drop-In”.
- d. **TA 2024-03 Contractor Signs** - Text amendments to Section 5.11 and Section 9.4 of the UDO to allow for consideration of a new sign type “Contractor Signs”.
- e. **TA 2024-04 Process Change** - Text amendments to Article 2 of the UDO to revise and clarify site plan and construction drawing development review procedures.

V. ADJOURNMENT

**Zebulon
Planning Board
Minutes
February 13, 2023**

Present: David Lowry, Laura Johnson Michael Germano, Domenick Schilling, Stephanie Jenkins, Peggy Alexander, Joe Moore-Town Manager, Michael Clark-Planning, Lisa Markland-Town Clerk, Sam Slater-Town Attorney

Absent: Genia Newkirk

David Lowry called the meeting to order.

APPROVAL OF AGENDA

Laura Johnson made a motion, second by Domenick Schilling to approve the agenda. There was no discussion and the motion passed unanimously.

APPROVAL OF MINUTES

Domenick Schilling explained he had sent an email to staff about wanting more details included in the December 12, 2022 minutes. Lisa Markland responded to his email explaining the statutory requirements for minutes. Mr. Schilling wanted more detail about the reasoning for his vote.

Domenick Schilling made a motion, second by Michael Germano to remove the minutes from the agenda so staff could add more detail. There was no discussion and the motion passed unanimously.

Stephanie Jenkins made a motion, second by Laura Johnson to approve the January 23, 2023 minutes. There was no further discussion and the motion passed unanimously.

NEW BUSINESS

A. TA 2023-01 – BOA/Article 10 of UDO

Michael Clark stated his presentation was for information purposes only since the Board of Commissioners tabled the Public Hearing. The request was to amend section 10.2 of the UDO to allow the Planning Board members to fill the Board of Adjustment and to increase the Board of Adjustment to seven voting members. Mr. Clark spoke about the purpose of the Board of Adjustment. The current status was shown explaining there were only two current members and there had been unfilled vacancies since 2017. A table was displayed showing the Board of Adjustment cases from 1990 to 2023 with the most number of cases occurring in 2017 and 2011 with three cases and no cases in 2013, 2014, 2015, 2016, 2020, 2022 and 2023. The proposed changes would also change two of the voting members to be ETJ members.

The reasons behind the proposed change was because the Board of Adjustment met so infrequently, lacked quorum membership, currently had no ETJ representation, and would require additional meetings and training sessions.

David Lowry asked Sam Slater if he had any concerns with the boards being the same body. Mr. Slater stated he did not have concerns because 160D granted the Town the ability to assign additional duties to an appointed board.

There were concerns expressed about the Board of Adjustment members' roles being taken away from them. Michael Clark gave examples of ways members could participate and have a more active role with the Town. There were other concerns about the Town being unprotected by not having a Board of Adjustment.

A question was raised about voting for variance matters. Sam Slater explained a 4/5 vote was required in variance cases.

DEVELOPMENT UPDATES

Michael Clark provided development updates and stated the Planning Department recently hired a New Economic Development Specialist and Senior Planner.

Laura Johnson made a motion, second by Michael Germano to adjourn. There was no discussion and the motion passed unanimously.

Adopted this the 14th day of August 2023.

David Lowry—Chair

SEAL

Stacie Paratore, CMC—Deputy Town Clerk

**Zebulon
Planning Board
Minutes
March 13, 2023**

Present: David Lowry, Laura Johnson Michael Germano, Genia Newkirk Domenick Schilling, Stephanie Jenkins, Peggy Alexander, Joe Moore-Town Manager, Michael Clark-Planning, Stacie Paratore-Deputy Town Clerk, Sam Slater-Town Attorney

David Lowry called the meeting to order.

APPROVAL OF AGENDA

Laura Johnson made a motion, second by Stephanie Jenkins to approve the agenda. There was no discussion and the motion passed unanimously.

APPROVAL OF MINUTES

Michael Germano stated he wanted to amend the February 13, 2023 minutes to add more detail of the text amendment of the Board of Adjustment.

Michael Germano made a motion, second by Laura Johnson to table the February 13, 2023 minutes to add additional detail. There was no further discussion and the motion passed unanimously.

NEW BUSINESS

A. CZ-2023-02 0 Weavers Pond Dr. (Wall Purdy Tract)

Michael Clark stated the applicant, Weaver's Pond Development Company, LLC was requesting a 43.61-acre parcel be rezoned from R-40W to Residential Neighborhood-Conditional (R4-C) District for the development of an 87-lot residential subdivision. This property was currently outside of the Town's planning jurisdiction and the applicant was seeking annexation simultaneously with the rezoning application.

The property was adjacent to the Weaver's Pond subdivision and proposed connection through the extension of two Town maintained stub streets. The applicant was not requesting any deviations from the Ordinance.

The Unified Development Ordinance (UDO) Section 2.2.6.K provided the following standards for the Board to base their decision on the rezoning request:

1. Whether the proposed conditional rezoning advanced the public health, safety, or welfare;
2. Whether and the extent to which the proposed conditional rezoning was appropriate for its proposed location, and was consistent with the purposes, goals, objectives, and policies of the Town's adopted policy guidance;
3. Whether an approval of the conditional rezoning was reasonable and in the public interest;
4. Whether and the extent to which the concept plan associated with the conditional rezoning was consistent with this Ordinance; and
5. Any other factors as the Board of Commissioners may determine to be relevant.

Part of the parcel was located within the watershed district. If the Board of Commissioners approved the rezoning it would automatically amend the future land use plan.

The original proposal and the current proposal were detailed. The current proposal included:

- 87 lots
- Minimum lot width: 70 ft
- Minimum lot size: 8,700 sq. ft
- Greenway connection to Weavers Pond
- Architectural commitments to provide variety in housing stock

The concept plan, amenity plan and proposed elevations were shown. Mr. Clark explained the developer was exceeding the required UDO conditions by including:

- Commitment to residential design guidelines of Sec. 5.2 of the UDO
- Minimum two-car garage; doors with windows and carriage hardware
- Side loaded garages minimum 20% of homes
- Wrap around front porch minimum 20% of homes
- Garage doors recessed behind the front plain of home
- Cement fiber siding with brick/stone accents (no vinyl siding)
- Rear patio or deck minimum 100 sf ft
- Entire yard will be sodded
- Amenities included dog park, walking trails and open space
- HOA will limit number of rental homes to a maximum of 10%

Jason Barron requested to return to another meeting to provide updates on the questions and comments received before a decision was made.

Mr. Germano asked Mr. Barron to work with staff to set a percentage on façade materials. Mr. Barron clarified that 20% of the homes could have a wraparound porch and J drive and would satisfy both conditions.

David Lowry asked about rezoning the property. Michael Clark stated if the request was denied, staff would not recommend approval of the annexation because the land would not have a zoning designation. The developer would have the right to develop under the R40 regulations per Wake County regulations and would not have curb and gutter, sidewalks and architectural conditions.

Mr. Barron offered some feedback about the balance of open space and larger lot sizes. David Lowry suggested adding bike repair and work out stations on the greenway.

Domenick Schilling asked about the price point of the neighborhood. Mr. Barron stated the anticipated price point of the homes would be \$450,000 to \$550,000.

Michael Germano stated residents at Golden Plum expressed frustrations about the lot nearby being clear cut and would like a vegetative buffer in the space. Mr. Barron was aware of the concerns from the meeting he had with homeowners and the property was lawfully timbered by the owner. The new development included replanting new buffers.

Jason Barron spoke about rental regulations and the responsibility of the Homeowner's Association.

Michael Germano made a motion, second by Stephanie Jenkins to table CZ-2023-02 0 Weavers Pond Dr. There was no discussion and the motion passed with a vote 6 to 1 with Michael Germano, Stephanie Jenkins, David Lowry, Domenick Schilling, Peggy Alexander, Genia Newkirk voting in favor and Laura Johnson voting in opposition.

DEVELOPMENT UPDATES

Michael Clark provided development updates and introduced Adam Culpepper the new Senior Planner.

Michael Germano made a motion, second by Laura Johnson to adjourn. There was no discussion and the motion passed unanimously.

Adopted this the 14th day of August 2023.

David Lowry—Chair

SEAL

Stacie Paratore, CMC—Deputy Town Clerk

**Zebulon
Planning Board
Minutes
April 10, 2023**

Present: David Lowry, Laura Johnson Michael Germano, Genia Newkirk Domenick Schilling, Stephanie Jenkins, Peggy Alexander, Joe Moore-Town Manager, Michael Clark-Planning, Stacie Paratore-Deputy Town Clerk, Sam Slater-Town Attorney

David Lowry called the meeting to order.

APPROVAL OF AGENDA

Laura Johnson made a motion, second by Domenick Schilling to approve the agenda. There was no discussion and the motion passed unanimously.

APPROVAL OF MINUTES

Michael Germano asked to change the adopted date on the December 12, 2022 minutes to April 10, 2023.

Michael Germano made a motion, second by Laura Johnson to approve the December 12, 2022 minutes as amended. There was no further discussion and the motion passed unanimously.

OLD BUSINESS

A. CZ-2023-02 0 Weavers Pond Dr. (Wall Purdy Tract)

Michael Clark stated the applicant, Weaver's Pond Development Company, LLC was requesting a 43.61-acre parcel be rezoned from R-40W to Residential Neighborhood-Conditional (R4-C) District for the development of an 87-lot residential subdivision. This property was currently outside of the Town's planning jurisdiction and the applicant was seeking annexation simultaneously with the rezoning application.

The Unified Development Ordinance (UDO) Section 2.2.6.K provided the following standards for the Planning Board to base their decision on the rezoning request:

1. Whether the proposed conditional rezoning advanced the public health, safety, or welfare;
2. Whether and the extent to which the proposed conditional rezoning was appropriate for its proposed location, and was consistent with the purposes, goals, objectives, and policies of the Town's adopted policy guidance;
3. Whether an approval of the conditional rezoning was reasonable and in the public interest;
4. Whether and the extent to which the concept plan associated with the conditional rezoning was consistent with this Ordinance; and
5. Any other factors as the Planning Board may determine to be relevant.

The property was adjacent to the Weaver's Pond subdivision and proposed connection through the extension of two Town maintained stub streets. The applicant was not requesting any deviations from the Ordinance.

Part of the parcel was located within the watershed district. If the Board of Commissioners approved the rezoning it would automatically amend the future land use plan.

The original proposal and the current proposal were detailed. The current proposal included:

- 87 lots
- Minimum lot width: 70 ft
- Minimum lot size: 8,700 sq. ft
- Greenway connection to Weavers Pond
- Architectural commitments to provide variety in housing stock

The concept plan, amenity plan and proposed elevations were shown. Mr. Clark explained the developer was exceeding the required UDO conditions by including:

- Commitment to residential design guidelines of Sec. 5.2 of the UDO
- Minimum two-car garage; doors with windows and carriage hardware
- Side loaded garages minimum 20% of homes
- Wrap around front porched minimum 20% of homes
- Garage doors recessed behind the front plain of home
- Cement fiber siding with brick/stone accents (no vinyl siding)
- Rear patio or deck minimum 100 sf ft
- Entire yard will be sodded
- Amenities included dog park, walking trails and open space
- HOA will limit number of rentals homes to a maximum of 10%

Staff explained the proposed development offered a different product type, lower density and a greenway expansion.

Michael Germano asked if the developer investigated the possibility of connecting into the backside of Ferrell Meadows Drive to create another access point. Jason Barron, the attorney for the applicant, explained there was less traffic on the network than what was assumed in the traffic study and gave details of that study.

It was stated by Mr. Barron that the lots were 70ft wide which allowed for an improvement in the value of the home. The conditions in the development were different from Weaver's Pond and some examples were given.

Greg Barry spoke about the master planning efforts, how to accommodate the flow of traffic and ingress and egress points.

Mr. Barry stated there was an environmentally protected area at the backside of Ferrell Meadows Drive. Michael Germano asked the developer to investigate the area further to make the connection.

David Lowry asked for clarification about the development not being a part of Weaver's Pond. Mr. Barry confirmed the development was not part of Weaver's Pond and had a separate HOA.

Mr. Lowry inquired about adding additional amenities to the greenway. Greg Barry stated additional amenities were explored in the preliminary process but wanted to have enough amenities without being a burden on the HOA.

Michael Germano stated the only revised condition was lowering the allowable rentals from 20% rentals to 10%. Greg Barry explained that was the only revision to the zoning condition and the traffic counts were performed.

The applicant was asked how concerns from the public were addressed. Mr. Barron stated the most expressed concerns were related to traffic and spoke about how those were addressed. The roads on the west of Weaver's Pond carrying traffic to and from the proposed development were widened because of the anticipated future traffic.

Michael Germano expressed concerns about vehicles parking on the sides of the road in Weaver's Pond and it being difficult for two cars to pass at the same time. Adding more traffic to the roads would worsen the congestion issue. Mr. Germano wanted the issue mitigated for the residents who currently lived in the development.

Mr. Barron stated they were not able to go in and replace streets already done for a development. Mr. Barron was confident based on the analysis that the streets used for the proposed development would be wide enough to facilitate the development.

David Lowry stated a county development of R40 would not have the volume of 87 homes. The concern was the added volume and putting a development within one that already had traffic volume issues would worsen the issue.

Domenick Schilling commented that the volume concerns were more of an enforcement issue than a capacity issue.

Peggy Alexander made a motion, second by Laura Johnson to recommend approval of CZ 2023-02. There was no discussion and the motion failed with a vote 3 to 4 with Peggy Alexander, Laura Jonson, Domenick Schilling voting in favor and Stephanie Jenkins, Genia Newkirk, Michael Germano and David Lowry voting in opposition.

Michael Germano made a motion, second by Stephanie Jenkins to recommend denial of CZ 2023-02. There was no discussion and the motion passed with a vote 4 to 3 Stephanie Jenkins, Genia Newkirk, Michael Germano and David Lowry voting in favor and Peggy Alexander, Laura Jonson, Domenick Schilling voting in opposition.

NEW BUSINESS

A. TA 2023-04 Transportation Impact Analysis Amendments

Michael Clark presented the amendments to Section 6.13 of the Zebulon Unified Development Ordinance to lower the thresholds and expand the study areas of a required Transportation Impact Analysis ("TIA"). A TIA factored in the scope, current traffic patterns, future traffic with the proposed build and with no build, and the recommended improvements. The proposed text amendment to UDO 6.13 would lower the threshold to require a TIA, expand the study area and provide clarification. The current and proposed TIA thresholds were detailed. The proposed amendment would change the peak hour trips to 50 and average daily trips to 150. It was also

stated with the proposed amendment certain developments, uses and existing traffic conditions would trigger the threshold for a TIA to be performed.

An example of the ¼ mile radius study area was shown on a map. The proposed text amendment changed the study area to ½ mile, and that example was shown. Mr. Clark spoke about how the amendment would give clarification.

David Lowry asked for clarification on Section 6.13.17(c) the study area boundaries in the table Mr. Clark explained that was for average daily trips as opposed to peak hours and gave an example.

There was a question about developers using other TIA studies. Mr. Clark stated that was existing regulation and gave an example how developers factored in other TIAs into their study.

Domenick Schilling made a motion, second by Michael Germano to recommend approval of TA 2023-04 Transportation Impact Analysis Amendments. There was no discussion and the motion passed unanimously.

B. Utility Allocation Policy

Michael Clark presented the proposed amendment to the Zebulon Utility Allocation Policy. The purpose of the Amendment was to address limitations with the current policy, respond to development concerns and continue to tailor the policy for current and future needs of the community. The Utility Allocation Policy leveraged water and sewer allocation to obtain high quality development and incentivize desired uses, amenities and features.

The proposed amendments would:

- Amend base point structure
- Add new base point classification
- Restructure category maximums
- Provide additional subcategories
- Provide additional bonus point items

Mr. Clark spoke about the structure of the policy. Some of the base point categories that were not fully included in the original policy were the exempt or minor subdivisions, single use retail and change of use. Bungalow courts and small subdivisions (less than 25 lots) were on the new base point classification. More details of the category and subcategory point options were given.

Some of the new additional subcategories that were included were historic preservation, in fill development and affordable housing. Examples of additional point items were detailed and include murals, outdoor kitchens and enhanced landscape buffers.

David Lowry asked about base points for single family homes. Michael Clark stated there would be 60 points and gave an example. Mr. Lowry stated it was difficult to read with certain items lined out at the points sections. Mr. Clark would revise the chart to provide better clarification.

Domenick Schilling asked how many cases have come before staff since establishing the new Utility Allocation Policy. Mr. Clark did not know the exact number but knew of three that were unable to meet the policy standards.

Michael Germano made a motion, second by Stephanie Jenkins to recommend approval of the Utility Allocation Policy as amended. There was no discussion and the motion passed unanimously.

DEVELOPMENT UPDATES

Adam Culpepper provided development updates.

Michael Germano made a motion, second by Domenick Schilling to adjourn. There was no discussion and the motion passed unanimously.

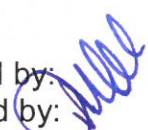
Adopted this the 14th day of August 2023.

David Lowry—Chair

SEAL

Stacie Paratore, CMC—Deputy Town Clerk

STAFF REPORT
CONDITIONAL ZONING 2023-03
1106 N ARENDELL AVE
AUGUST 14, 2023

Topic: CZ 2023-03 – 1106 N Arendell Ave
Speaker: Adam Culpepper, Senior Planner
From: Michael J. Clark, CZO, AICP, Planning Director
Prepared by: Adam Culpepper, Senior Planner
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Board of Commissioners will consider a Conditional Zoning Map Amendment for 1106 N Arendell Ave (PIN# 2705191832). This is a legislative case.

Background:

The Applicant, C4 CStore Holdings III, LLC (Thomas H. Johnson, Jr. with Williams Mullen) requests rezoning a 3.51-acre parcel from Heavy Commercial (HC) District to Heavy Commercial Conditional (HC-C) District for the development of Convenience Store (with gasoline sales).

The property is located at the south-east corner of N Arendell Ave and Dogwood Dr adjacent to the Wake County Eastern Regional Center and Zebulon Community Library:

Discussion:

Unified Development Ordinance (UDO) Section 2.2.6.K provides the following standards for

the Board to base their decision on the rezoning request:

1. Whether the proposed conditional rezoning advances the public health, safety, or welfare;
2. Whether and the extent to which the proposed conditional rezoning is appropriate for its proposed location, and is consistent with the purposes, goals, objectives, and policies of the Town's adopted policy guidance;
3. Whether an approval of the conditional rezoning is reasonable and in the public interest;
4. Whether and the extent to which the concept plan associated with the conditional rezoning is consistent with this Ordinance; and
5. Any other factors as the Board of Commissioners may determine to be relevant.

Policy Analysis:

Comprehensive Land Use Plan:

The Future Land Use and Character Map designates the future use of the property as General Commercial (GC) The GC designation is for properties in commercial retail, office and service uses, primarily along portions of major roadway corridors within the community for high visibility and accessibility (re. Grow Zebulon: Comprehensive Land Use Plan (Land Use and Development section pg.18)). Primary land use types within this designation include automobile service related enterprises, restaurant chains and "big box" commercial stores.

Unified Development Ordinance:

STAFF REPORT
CONDITIONAL ZONING 2023-03
1106 N ARENDELL AVE
AUGUST 14, 2023

The Applicant proposes limiting the uses to Convenience Store (with gasoline sales). The Applicant has proposed site design, architecture conditions and additional development conditions for the Board to consider (see Attachments).

All conditions and details on the concept plan meet the spirit and intent of the UDO. If approved, the applicant would proceed with Technical Review Committee (TRC) review of final site plan and construction drawings before development can begin.

Financial Analysis:

Rezoning the property to GC-C will allow the applicant to develop a Convenience Store (with gasoline sales). Based on data from the Wake County Tax Administration, a comparable site would generate \$15,539 year.

Any infrastructure extension and connection costs would be paid by the developer when the property is developed.

Staff Recommendation:

Staff recommends seeking public input during a joint public hearing and referring the matter to the Planning Board for recommendation.

Staff recommends approval of the request, finding that the conditions offered meet the spirit and intent for the requested deviations from the UDO.

Attachments:

1. Application, Conditions, Site Plan, Building Elevations, and TIA
2. Future Land Use and Character Map
3. Aerial Map
4. Zoning Map
5. Site Pictures
6. Utility Allocation Policy Worksheet
7. Public Hearing Notification Affidavit

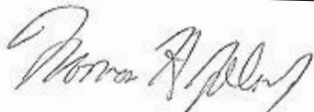


PART 1. DESCRIPTION OF REQUEST/PROPERTY		
Street Address of the Property: 1106 N Arendell Avenue		Acreage: 3.51 ac
Parcel Identification Number (NC PIN): 2705191832	Deed Book: 12-E-	Deed Page(s): 1688
Existing Zoning of the Property: Heavy Commercial (HC)	Proposed Zoning of the Property: Heavy Commercial-Conditional (HC-C)	
Existing Use of the Property: Vacant	Proposed Use of the Property: Convenience Store with gasoline sales	
Reason for Conditional Rezoning: The conditional rezoning is being requested to facilitate a design-related adjustment for the convenience store with gasoline sales use proposed on the subject property which is already a permitted use in HC zoning. Under the applicable use-specific standards in UDO 4.3.5.Q.1.a., fuel pump islands may not be located between a building and any adjacent street rights-of-way. The subject parcel is adjacent to street rights-of-way on three sides. Due to the site constraints for this permitted use resulting from existing frontage on three different rights-of-way, the proposed conditional zoning with associated concept plan is being requested, as provided for under UDO Section 3.6, to modify this particular use-standard.		

PART 2. APPLICANT/AGENT INFORMATION		
Name of Applicant/Agent: Thomas H. Johnson, Jr. (Attorney) / Williams Mullen, agent for C4 CStore Holdings III, LLC		
Street Address of Applicant/Agent: 301 Fayetteville Street, Suite 1700		
City: Raleigh	State: NC	Zip Code: 27601
Email of Applicant/Agent: tjohnson@williamsmullen.com	Telephone Number of Applicant/Agent: (919) 981-4006	Fax Number of Applicant/Agent:
Are you the owner of the property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Are you the owner's agent? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Note: If you are not the owner of the property, you <u>must</u> obtain the Owner's consent and signature giving you permission to submit this application.

PART 3. PROPERTY OWNER INFORMATION		
Name of Property Owner: Carl Victor Tart, Jr; Connie Tart; Jenna Burlington Fitch; Miles Fitch, III; Robert T. Burlington; Sara Burlington		
Street Address of Property Owner: 7815 Roxboro Rd		
City: Bahama	State: NC	Zip Code: 27503-9045
Email of Property Owner:	Telephone Number of Property Owner:	Fax Number of Property Owner:

I hereby state that the facts related in this application and any documents submitted herewith are complete, true, correct, and accurate to the best of my knowledge.

Signature of Applicant: 	Print Name: Thomas H. Johnson, Jr.	Date: 3/1/2023
Signature of Owner: * see attached page for property owner signatures	Print Name: * see attached page	Date:



LEGISLATIVE CONSIDERATIONS – CONDITIONAL REZONING

The applicant shall propose site-specific standards and conditions that take into account the following considerations, which are considerations that are relevant to the legislative determination of whether or not the proposed conditional zoning district rezoning is in the public interest. These considerations do not exclude the legislative consideration of any other factor that is relevant to the public interest. Failure to adequately address the findings below may result in denial of the application. Please attach additional pages if necessary. The petition is justified based on the facts as they relate to the Standards in Section 2.2.6.K of the UDO as follows:

1. Please explain how the proposed Conditional Rezoning advances the public health, safety, or welfare
See Exhibit A attached to this application.
2. Please explain how the proposed conditional rezoning is appropriate for its proposed location, and is consistent with the purposes, goals, objectives, and policies of the town’s adopted policy guidance;
See Exhibit A attached to this application.
3. Please explain how an approval of the conditional rezoning is reasonable and in the public interest;
See Exhibit A attached to this application.
4. Please explain how the concept plan associated with the conditional rezoning is consistent with this Ordinance; and
See Exhibit A attached to this application.
5. Please explain how the proposed conditional rezoning addresses any other factors as the Board of Commissioners may determine to be relevant. These include but are not limited to the proposed uses requested and any requested deviations and proposed alternative means of compliance.
See Exhibit A attached to this application.



CONCEPT PLAN REQUIREMENTS

Every applicant requesting a Conditional Zoning Amendment shall submit **8 copies** and **1 pdf (e-mail or USB Drive)** of a concept plan drawing with the application for a Conditional Rezoning. The concept plan shall contain sufficient information to adequately determine the type of development being proposed. The concept plan drawing shall include, at a minimum, the following features unless otherwise specified by the Planning Department:

CHECK IF SUBMITTED

ITEM

1.	Plot plan showing all existing and planned structures, building setback lines, perimeter boundaries, and easements.	<u> X </u>
2.	Elevation drawings of all buildings indicating the proposed exterior finish materials.	<u> X </u>
3.	Landscaping plan, lighting, fencing, screening, and walls, indicating all heights and locations.	<u> X </u>
4.	Location of all ingress and egress.	<u> X </u>
5.	Off-street parking and loading facilities, with calculations showing how the quantities were obtained.	<u> X </u>
6.	All pedestrian walks and open areas for use by residents, tenants, or the public.	<u> X </u>
7.	Proposed land uses indicating areas in square feet.	<u> X </u>
8.	The location and types of all signs, including lighting and heights, with elevation drawings.	<u> X </u>
9.	Existing and/or proposed street names.	<u> X </u>
10.	Proposed potable or reuse water, wastewater connections, and storm sewer line; proposed grading and drainage patterns; proposed water and sewer allocations.	<u> X </u>
11.	Such additional items and conditions, including design standards as the Planning Board and Board of Commissioners deems necessary.	<u> X </u>
12.	Trip generation data and TIA	<u> X </u>



PROPOSED CONDITIONAL USES

An application has been duly filed requesting that the property described in this application be rezoned from Heavy Commercial (HC) to Heavy Commercial-Conditional (HC-C). It is understood and acknowledged that if the property is rezoned as requested, the property described in this request will be perpetually bound to the use(s) authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in the Unified Development Ordinance. It is further understood and acknowledged that final plans for any specific development to be made pursuant to any such Conditional Zoning shall be submitted for site or subdivision plan approval. Use additional pages as needed.

The Rezoned Lands may be used for, and only for, the uses listed immediately below. The permitted uses are subject to the limitations and regulations stated in the Use Table and any additional limitations or regulations stated below. For convenience, some relevant sections of the Unified Development may be referenced; such references do not imply that other sections of the Unified Development Ordinance do not apply.

1.	All uses permitted within the HC District in accordance with the UDO.	25.	
2.		26.	
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24.		48.	



*** REVISED 7/27/23**

PROPOSED DEVELOPMENT CONDITIONS

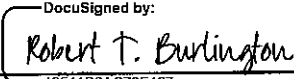
The applicant hereby requests that the Zebulon Board of Commissioners, pursuant Section 2.2.6 of the UDO approve the Conditional Zoning for the Conditional Zoning for the above listed use(s), subject to the following condition(s), requested deviations, and proposed alternative means of compliance. (Attach additional pages as needed)

**ATTACHMENT TO
PAGES 3 & 8 OF APPLICATION FOR CONDITIONAL REZONING MAP
AMENDMENT
1106 N ARENDELL AVE (PIN: 2705191832)**

**OWNER'S CONSENT FORM:
OWNER'S AUTHORIZATION & CERTIFICATION OF PROPERTY OWNER**

Owner Signature: 
C48E82508552489...
JENNA BURLINGTON FITCH

Owner Signature: 
102ECEB394074E2...
MILES FITCH, III

Owner Signature: 
43511B9AC79F427...
ROBERT T. BURLINGTON

Owner Signature: 
E58B79523985404...
SARA BURLINGTON

Owner Signature: 
CARL VICTOR TART, JR.

Owner Signature: 
CONNIE TART

EXHIBIT A: APPLICANT'S NARRATIVE
CONDITIONAL REZONING REVIEW STANDARDS - UDO SECTION 2.2.6.K
Application for Conditional Rezoning Map Amendment
1106 N Arendell Ave (Wake County PIN: 2705191832)
C4 CStore Holdings III, LLC (Applicant)

#

#

Below are the applicant's statements (bold text) in response to the Conditional Rezoning Review Criteria contained in UDO Section 2.2.6.K (shown below in italics).

1. *Please explain how the proposed Conditional Rezoning advances the public health, safety, or welfare.*

Applicant Response: The proposed conditional rezoning advances public health, safety and welfare by facilitating development of use already allowed by-right under current zoning at a location that utilizes an existing signalized intersection for controlled ingress and egress to the site. The location is within a commercially developed corridor and adjacent to major roadways (N Arendell Avenue and US 64 Highway) already being travelled for other destinations will potentially reduce the need for additional vehicle trips on other roads. The convenience store and gasoline sales use will be designed, constructed and operated consistent with current applicable regulations and incorporate improved technology, all focused on minimizing the potential for any impacts from the use.

2. *Please explain how the proposed conditional rezoning is appropriate for its proposed location, and is consistent with the purposes, goals, objectives, and policies of the town's adopted policy guidance.*

Applicant Response: The proposed conditional rezoning is appropriate in this location as it better facilitates development of a use already allowed by-right in HC zoning. The location utilizes an existing signalized intersection for controlled ingress and egress to the site, providing safer conditions and increased convenience for those using the site. The site is within a commercially developed corridor and adjacent to major roadways (N Arendell Avenue and US 64 Highway) already being travelled for other destinations.

The *Future Land Use and Character Map*, part of Zebulon's *Comprehensive Land Use Plan*, depicts the subject property within the General Commercial category. The majority of the parcel's boundary is both adjacent to and on the opposite side of streets from other properties also within the General Commercial category. The smaller remainder of the parcel boundary is separated by street right-of-way from land designated Suburban Commercial. A convenience store with gasoline sales is classified as "Commercial Use" under UDO Article 4. A Primary Land Use Type of the General Commercial category includes "*Automobile service-related enterprises (e.g., gas stations ...)*". The parcel's location within a major roadway corridor, along N. Arendell Ave and in close proximity to US 64 Highway and having increased accessibility via a signalized intersection are consistent with "Characteristics" of the General Commercial category. The proposed use/design supports multiple Plan policies, including:

- "*..., growth should first be directed toward vacant parcels and underutilized lands within the Town's existing incorporated area before extensive development is considered or encouraged within future growth areas beyond the Town limits.*" (Annexation and Growth Management: P.)

EXHIBIT A: APPLICANT'S NARRATIVE
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- ***“Emphasize economic development pursuits that will further diversify the local economic and tax bases and avoid over-reliance on a few major businesses and employers.”*** (Economic Development: E.)
- ***“Heavy commercial development should be concentrated in nodes at intersections and along major thoroughfares that are designed and constructed to accommodate higher traffic volumes.”*** (Heavy Commercial: H2.)
- ***“Land uses should not detract from the enjoyment or value of neighboring properties.”*** (General: G1.)

3. Please explain how an approval of the conditional rezoning is reasonable and in the public interest.

Applicant Response: Approval of the proposed conditional rezoning for the use as shown on the associated concept plan is reasonable and in the public interest as it facilitates establishment of a use already allowed by-right under the existing zoning for the site, which use provides a valuable and needed service to the community. The location utilizes an existing signalized intersection for controlled ingress and egress to the site, providing safer conditions and increased convenience for those using the site. The site is designed consistent with ordinance requirements and standards, including those pertaining to buffers, landscaping and preservation of existing mature vegetation. The site design/layout shown on the concept plan proposes locating the fuel pump island between the building and the adjacent street right-of-way with the least amount of vehicle traffic since it will not currently provide through access. This modification of the applicable UDO standard best maintains the use standard’s goal with the additional constraints it creates for this parcel due to the presence of three adjacent street rights-of-way.

4. Please explain how the concept plan associated with the conditional rezoning is consistent with this Ordinance.

Applicant Response: The development design shown on the proposed concept plan associated with this conditional rezoning request is consistent with all applicable requirements and standards of the UDO. The applicant is requesting conditional zoning for a site design-related adjustment to better facilitate consistency with a single UDO use-standard specific to the use of a convenience store with gasoline sales. All other elements of site design/development are consistent with the ordinance, including buffers, landscaping, parking, site ingress/egress, circulation, stormwater management, and building design.#

5. Please explain how the proposed conditional rezoning addresses any other factors as the Board of Commissioners may determine to be relevant. These include but are not limited to the proposed uses requested and any requested deviations and proposed alternative means of compliance.

EXHIBIT A: APPLICANT'S NARRATIVE
CONDITIONAL REZONING REVIEW STANDARDS - UDO SECTION 2.2.6.K
Application for Conditional Rezoning Map Amendment
1106 N Arendell Ave (Wake County PIN: 2705191832)
C4 CStore Holdings III, LLC (Applicant)

Applicant Response: The convenience store with gasoline sales use shown on the proposed concept plan associated with this conditional rezoning request is an allowed by-right use under the property's existing HC zoning. Due to the property having frontage on three existing street rights-of-way, the use shown on the concept plan is subject to additional UDO use standards that are not applicable to the same use throughout HC zoning. These additional standards constrain/reduce options and flexibility with site layout design. The use and layout as shown on the associated concept plan minimizes the degree of modification from the single use standard since the fuel pump island is located between the building and the adjacent street right-of-way (Jones Street) that will carry the least amount of vehicular traffic of all streets adjacent to this site. Currently the Jones Street right-of-way adjacent to this property is not built. As shown on the concept plan, the applicant is proposing to construct the required full width of the travel way within the right-of-way adjacent to the site's frontage.

Thomas H. Johnson, Jr.
Direct Dial: 919.981.4006
tjohnson@williamsmullen.com

January 31, 2023

**Re: Notice of Neighborhood Meeting for Proposed Rezoning –
Property Location: 1106 N Arendell Avenue (Wake County PIN: 2705191832)**

Dear Neighboring Property Owner and/or Occupant:

You are invited to attend a neighborhood meeting to learn about a proposed rezoning application for a 3.51-acre property located at 1106 N Arendell Avenue (identified as Wake County PIN: 2705191832), outlined in red as shown on the enclosed vicinity maps. The meeting will be held on **Monday, February 13, 2023 from 5:30 PM until 7:30 PM at the Zebulon Community Center (Yoga Room), 301 S. Arendell Avenue, Zebulon, NC 27597.** In accordance with the Town of Zebulon Neighborhood Meeting procedures, the Town requests applicants to notify owners and occupants of properties within 750 feet of property that is the subject of a proposed rezoning application and invite the owners and occupants to attend a neighborhood meeting. The applicant is proposing to rezone the property from the current zoning of Heavy Commercial (HC) to Heavy Commercial Conditional (HC-C). The applicant is proposing to construct on the subject property a convenience store with gasoline sales which is a permitted use in HC zoning. The purpose of rezoning to a conditional district is to facilitate design-related adjustments for the proposed use on the site. The applicant anticipates submitting the rezoning application to the Town in March 2023.

This neighborhood meeting is intended to be a way for the applicant to discuss the project and review the proposed plan with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This meeting provides neighbors an opportunity to ask questions of the applicant and discuss any concerns about potential impacts of the project before it is officially submitted. Once an application has been submitted to the Town, it may be tracked using the Interactive Development Map located on the Town of Zebulon website at: <https://www.townofzebulon.org/departments/planning/interactive-development-map>.

I represent C4 CStore Holdings III, LLC, the company that intends to submit the rezoning application described above. If you have any questions about this proposed rezoning and development, please contact me at 919-981-4006 or tjohnson@williamsmullen.com. Information about planning and development in Zebulon, including the rezoning process, can be found at: <https://www.townofzebulon.org/departments/planning>, or by contacting the Zebulon Planning Department at 919-823-1809.

Sincerely,



Thomas H. Johnson, Jr.

Enclosure: vicinity maps (aerial image and current zoning)

cc: Town of Zebulon Planning Department

Thomas H. Johnson, Jr.
Direct Dial: 919.981.4006
tjohnson@williamsmullen.com

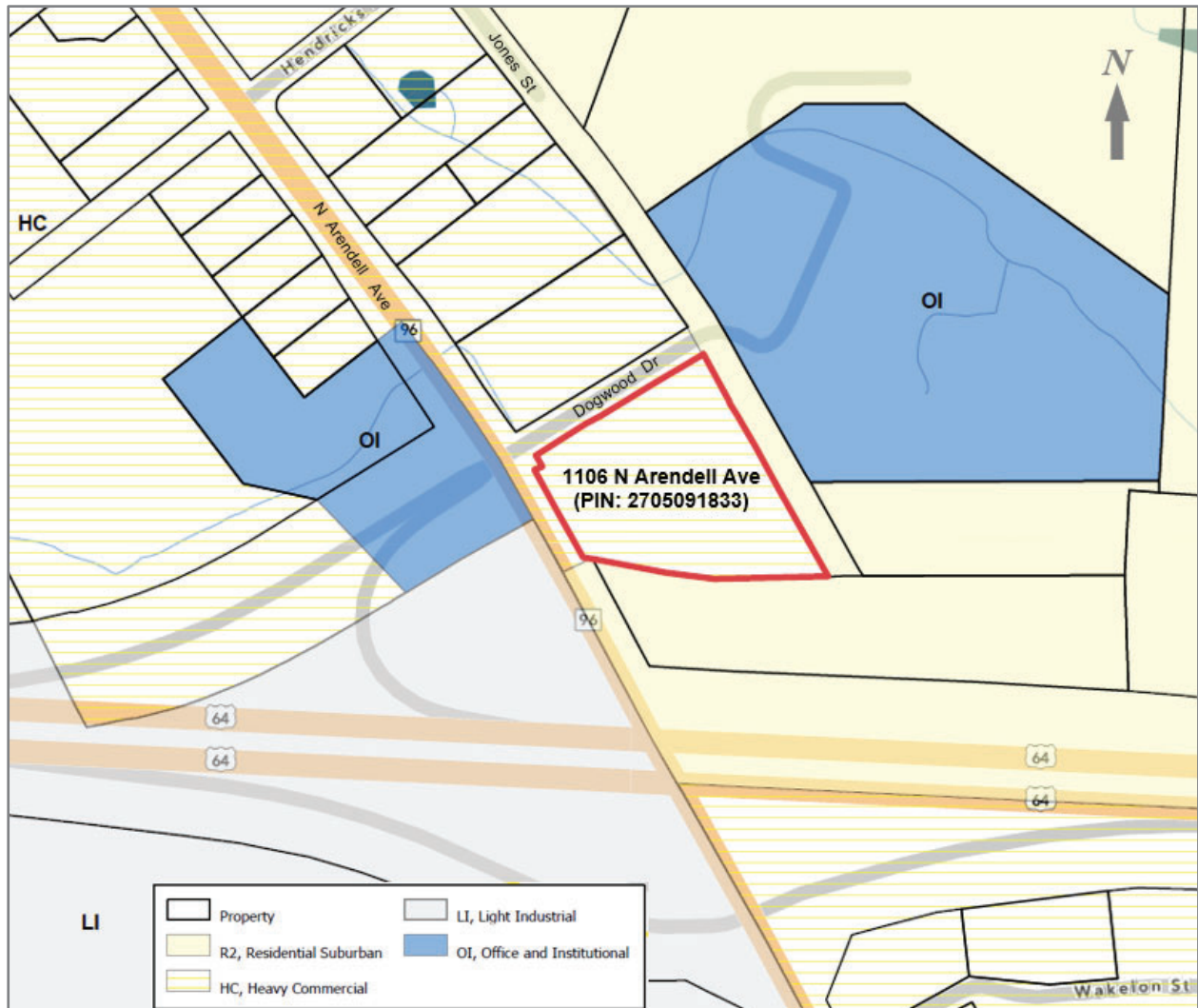
VICINITY MAP (WITH 2021 AERIAL IMAGE)



Parcel boundaries and 2021 aerial image source: Wake County GIS iMAPS (1/30/23)

Thomas H. Johnson, Jr.
Direct Dial: 919.981.4006
tjohnson@williamsmullen.com

VICINITY MAP (WITH ZONING DISTRICTS)



Parcel boundaries, zoning map/information source: Wake County GIS iMAPS (1/30/23)

NEIGHBORHOOD MEETING - NOTIFICATION MAILING LIST:
Property Owners and Occupants Within 750 Feet of
1106 N Arendell Ave (Wake County PIN: 2705191832)

OWNER	ADDR1	ADDR2	ADDR3
SPEEDWAY LLC	PROPERTY TAX DEPT	539 S MAIN ST	FINDLAY, OH 45840-3229
MASSEY, OREN D JR TRUSTEE ETAL DEBNAM, GLORIA MASSEY	C/O AMY D BOYD	3107 CLEERE CT	GREENVILLE, NC 27858-5570
STATE EMPLOYEES CREDIT UNION	PO BOX 26807	RALEIGH, NC 27611-6807	
SPIRIT MASTER FUNDING VII LLC	GREAT AMERICAN HOSPITALITY LLC	7003 CHADWICK DR, STE 101	BRENTWOOD, TN 37027-5288
CHURCH OF JESUS CHRIST OF LATTER-DAY	TAX ADM DIV 521-6575	50 E NORTH TEMPLE RM 2225	SALT LAKE CITY, UT 84150-0022
ZEBULON 64 LLC	PO BOX 979	CARY, NC 27512-0979	
WAKE COUNTY	WAKE COUNTY ATTORNEY'S OFFICE	PO BOX 550	RALEIGH, NC 27602-0550
FIRST CITIZENS BANK & TRUST COMPANY	PO BOX 27131	RALEIGH, NC 27611-7131	
MASSEY OREN D JR TRUST THE	AMY D BOYD	3107 CLEERE CT	GREENVILLE, NC 27858-5570
GLAXO INC	C/O DUGHARME MCMILLEN & ASSOC	PO BOX 80615	INDIANAPOLIS, IN 46280-0615
WAKE CNTY BOARD OF EDUCATION	RE SERVICES DIRECTOR	1551 ROCK QUARRY RD	RALEIGH, NC 27610-4145
TART, CARL VICTOR JR BURLINGTON, VICKIE NEWTON TART	7815 ROXBORO RD	BAHAMA, NC 27503-9045	
KITAHATA, MARI KITAHATA, LUTHER M	2623B FRANKLIN AVE E	SEATTLE, WA 98102-3218	
EPARK LLC	PO BOX 10907	GOLDSBORO, NC 27532-0907	
JTSI INC	9107 S TRYON ST, STE F	CHARLOTTE, NC 28273-3125	
COOK OUT-ZEBULON INC	PO BOX 698	THOMASVILLE, NC 27361-0698	
TRUIST BANK	PO BOX 167	WINSTON SALEM, NC 27102-0167	
COOK OUT-ZEBULON INC	15 LAURA LN, STE 300	THOMASVILLE, NC 27360-5865	
OCCUPANT	1201 N ARENDELL AVE	ZEBULON, NC 27597	
OCCUPANT	1240 N ARENDELL AVE	ZEBULON, NC 27597	
OCCUPANT	300 JONES ST	ZEBULON, NC 27597	
OCCUPANT	121 WAKELON ST	ZEBULON, NC 27597	
OCCUPANT	101 WAKELON ST	ZEBULON, NC 27597	
OCCUPANT	1002 DOGWOOD DR	ZEBULON, NC 27597	
OCCUPANT	1213 SHEPARD SCHOOL RD	ZEBULON, NC 27597	
OCCUPANT	1015 N ARENDELL AVE	ZEBULON, NC 27597	
OCCUPANT	700 PROCTOR ST	ZEBULON, NC 27597	
OCCUPANT	1309 SHEPARD SCHOOL RD	ZEBULON, NC 27597	
OCCUPANT	1260 N ARENDELL AVE	ZEBULON, NC 27597	
OCCUPANT	1204 N ARENDELL AVE	ZEBULON, NC 27597	
OCCUPANT	1206 N ARENDELL AVE	ZEBULON, NC 27597	
TOWN OF ZEBULON	PLANNING DEPARTMENT	1003 N ARENDELL AVE	ZEBULON, NC 27597



NEIGHBORHOOD MEETING SIGN-IN SHEET:

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Project Name: 1106 N Arendell Ave Conditional Rezoning

Meeting Address: Zebulon Community Center, 301 S Arendell Ave., Zebulon, NC 27597

Date of Meeting: February 13, 2023 Time of Meeting: 5:30 pm - 7:30 pm

Property Owner(s) Names: Carl Victor Tart, Jr; Connie Tart; Jenna Burlington Fitch; Miles Fitch, III; Robert T. Burlington; Sara Burlington

Applicants: Thomas H. Johnson, Jr.-attorney / Williams Mullen, agent for C4 CStore Holdings III, LLC

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number and email address. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only.

	Name/ Organization	Address	Phone#	E-mail
1	Chari Taft	525 Fallen Branch Way	252-531-9755	ctaft@CSFRE.COM
2	DPR - Dallas Pearce	214 N. Arendell Ave	919-464-1465	dallas@dallaspearceparty.com
3	Amy Debraun Boyd	3107 Cloop Ct Greenville, SC 29615	252-902-6138	ayd1957@gmail.com
4	Carl V. Tart, Jr.	7815 Roxboro Rd, Zebulon, NC 27597	919-219-0143	tart_c@yuloo.com
5	Robert T. Burlington			
6				
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Attach Additional Sheets If Necessary.



SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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Project Name: 1106 N Arendell Ave Conditional Rezoning

Meeting Address: Zebulon Community Center (Yoga Room), 301 S Arendell Ave., Zebulon, NC 27597

Date of Meeting: February 13, 2023 **Time of Meeting:** 5:30pm - 7:30pm

Property Owner(s) Names: Carl Victor Tart, Jr.; Connie Tart; Jenna Burlington Fitch; Miles Fitch, III; Robert T. Burlington; Sara Burlington

Applicants: Thomas H. Johnson, Jr. - attorney / Williams Mullen, agent for C4 CStore Holdings III, LLC

Please summarize the questions/comments and your response from the Neighborhood Meeting in the spaces below (attach additional sheets, if necessary). Please state if/how the project has been modified in response to any concerns. The response should not be “Noted” or “No Response”. There has to be documentation of what consideration the neighbor’s concern was given and justification for why no change was deemed warranted.

Question/ Concern #1 Why does property need to be rezoned?

Applicant Response: A convenience store with gasoline sales use is allowed by-right under the property's current HC zoning. Under the UDO, fuel pump islands for a convenience store use may not be located between a building and any adjacent street rights-of-way. Conditional rezoning is being requested to facilitate a design-related adjustment resulting from the parcel being adjacent to street rights-of-way on three sides.

Question/ Concern #2 What does the side of the building look like facing Dogwood Drive?

Applicant Response: Applicant showed drawing of proposed building facades and explained building design is required to comply with the applicable standards in Zebulon's UDO.

Question/ Concern #3 No other questions/concerns expressed regarding proposed rezoning.

Applicant Response: Since attendees questions at the neighborhood meeting were informational in nature and no concerns or issues were expressed, there have been no modifications to the proposed project as presented and explained at the meeting.

Question/ Concern #4 _____

Applicant Response: _____



AFFIDAVIT OF CONDUCTING A NEIGHBORHOOD MEETING, SIGN-IN SHEET AND ISSUES/RESPONSES SUBMITTAL

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I, Wayne P. Nicholas (of Williams Mullen), representative for Thomas H. Johnson, Jr., attorney (Williams Mullen), agent for C4 CStore Holdings III, LLC (Applicant), do hereby declare as follows:

Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, ~~Major Site Plan, Master Subdivision Plan, or Special Use Permit.~~
2. The meeting invitations were mailed to the Zebulon Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the Neighborhood Meeting.
3. The meeting was conducted at Zebulon Community Center (Yoga Room), 301 S. Arendell Ave, Zebulon, NC 27597 (location/address) on February 13, 2023 (date) from 5:30 pm (start time) to 7:30 pm (end time).
4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.
5. I have prepared these materials in good faith and to the best of my ability.

March 1, 2023
Date

By: Wayne P. Nicholas

STATE OF NC
COUNTY OF Wake

Sworn and subscribed before me, Kaye M. Horton, a Notary Public for the above State and County, on this the 1st day of March, 2023.

SEAL

Kaye M. Horton

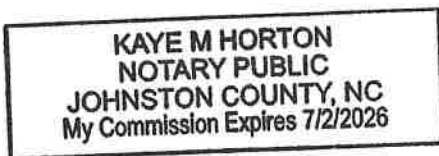
Notary Public

Kaye M. Horton

Print Name

My Commission Expires:

7-2-2026

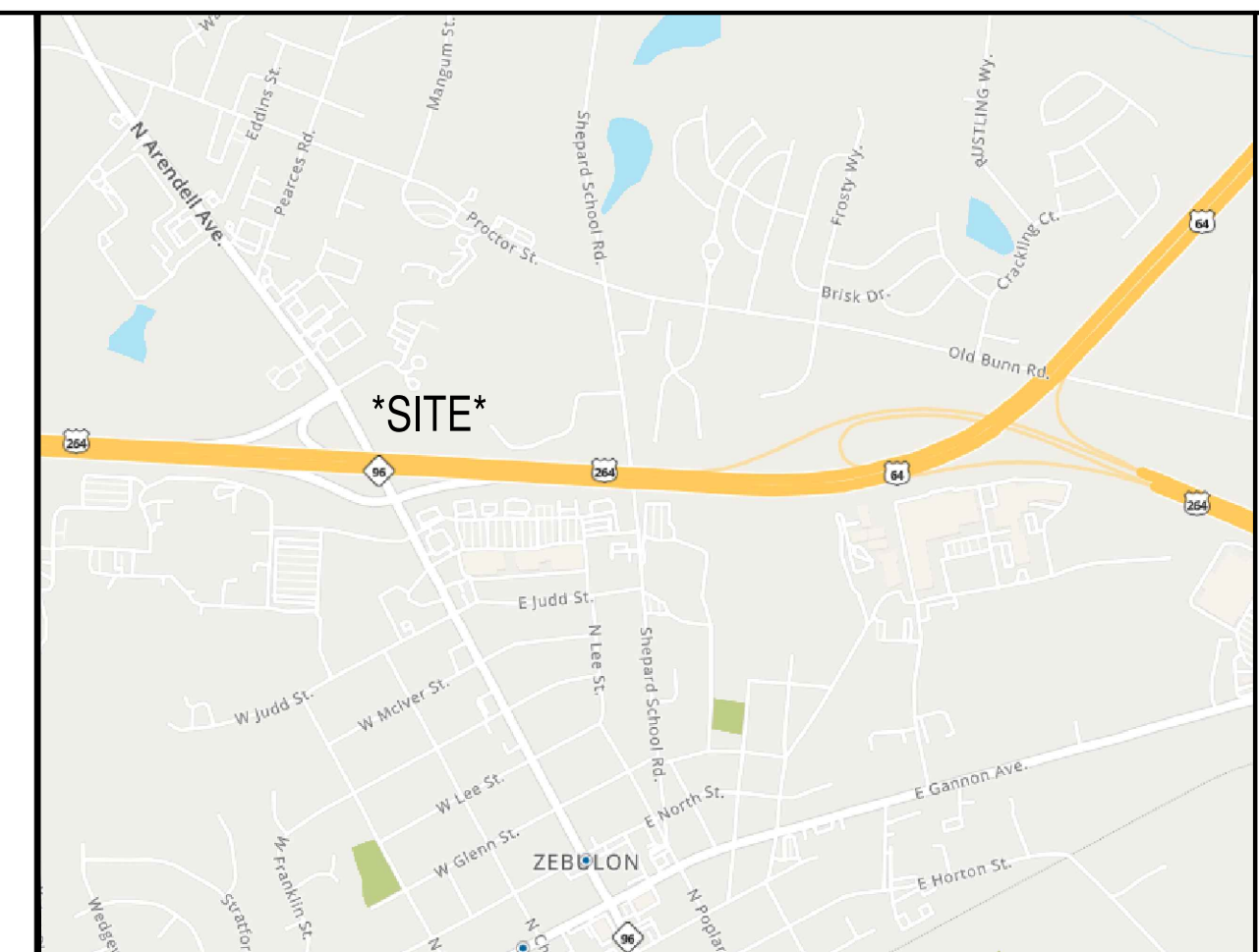
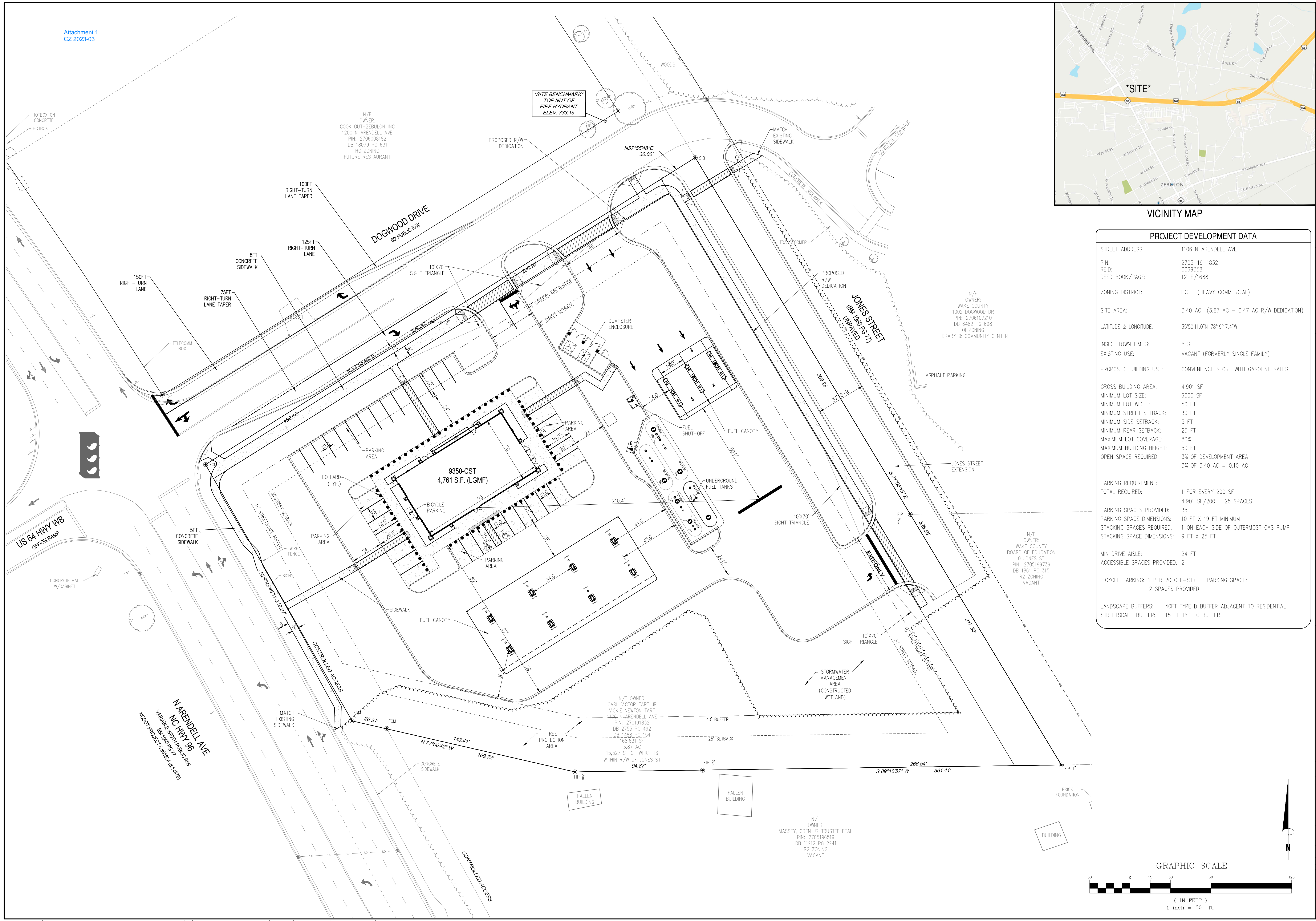




PROJECT CONTACT INFORMATION

This document is a public record under the North Carolina Public Records Act and may be published on the Town’s website or disclosed to third parties.

Development Contacts:		
Project Name: 1106 N Arendell Ave Conditional Rezoning		Zoning: Heavy Commercial (HC)
Location: 1106 N Arendell Avenue		
Property PIN(s): 2705191832		Acreage/Square Feet: 3.51 ac
Property Owner: Carl Victor Tart, Jr; Connie Tart; Jenna Burlington Fitch; Miles Fitch, III; Robert T. Burlington; Sara Burlington		
Address: 7815 Roxboro Rd		
City: Bahama	State: NC	Zip: 27503-9045
Phone:		Email:
Applicant /		
Developer: C4 CStore Holdings III, LLC		
Address: 801 East Boulevard		
City: Charlotte	State: NC	Zip: 28203
Phone: 252-531-9755	Fax:	Email: ctaft@csere.com
Engineer: Matt Lowder, PE / Bowman North Carolina Ltd.		
Address: 4006 Barrett Drive, Suite 104		
City: Raleigh	State: NC	Zip: 27609
Phone: (919) 553-6570	Fax:	Email: mlowder@bowman.com
Agent for Owner/Applicant:		
Builder (if known): Thomas H. Johnson, Jr. (Attorney) / Williams Mullen		
Address: 301 Fayetteville Street, Suite 1700		
City: Raleigh	State: NC	Zip: 27601
Phone: (919) 981-4006	Fax:	Email: tjohnson@williamsmullen.com



VICINITY MAP

PROJECT DEVELOPMENT DATA

STREET ADDRESS:	1106 N ARENDELL AVE
PIN:	2705-19-1832
REID:	0069358
DEED BOOK/PAGE:	12-E/1688
ZONING DISTRICT:	HC (HEAVY COMMERCIAL)
SITE AREA:	3.40 AC (3.87 AC - 0.47 AC R/W DEDICATION)
LATITUDE & LONGITUDE:	35°50'11.0"N 78°19'17.4"W
INSIDE TOWN LIMITS:	YES
EXISTING USE:	VACANT (FORMERLY SINGLE FAMILY)
PROPOSED BUILDING USE:	CONVENIENCE STORE WITH GASOLINE SALES
GROSS BUILDING AREA:	4,901 SF
MINIMUM LOT SIZE:	6000 SF
MINIMUM LOT WIDTH:	50 FT
MINIMUM STREET SETBACK:	30 FT
MINIMUM SIDE SETBACK:	5 FT
MINIMUM REAR SETBACK:	25 FT
MAXIMUM LOT COVERAGE:	80%
MAXIMUM BUILDING HEIGHT:	50 FT
OPEN SPACE REQUIRED:	3% OF DEVELOPMENT AREA 3% OF 3.40 AC = 0.10 AC
PARKING REQUIREMENT:	1 FOR EVERY 200 SF
TOTAL REQUIRED:	4,901 SF/200 = 25 SPACES
PARKING SPACES PROVIDED:	35
PARKING SPACE DIMENSIONS:	10 FT X 19 FT MINIMUM
STACKING SPACES REQUIRED:	1 ON EACH SIDE OF OUTERMOST GAS PUMP
STACKING SPACE DIMENSIONS:	9 FT X 25 FT
MIN DRIVE AISLE:	24 FT
ACCESSIBLE SPACES PROVIDED:	2
BICYCLE PARKING:	1 PER 20 OFF-STREET PARKING SPACES 2 SPACES PROVIDED
LANDSCAPE BUFFERS:	40FT TYPE D BUFFER ADJACENT TO RESIDENTIAL
STREETSCAPE BUFFER:	15 FT TYPE C BUFFER

Bowman

Bowman North Carolina Ltd.
4006 BARRETT DR
Suite 104
RALEIGH, NC 27609
Phone: (919) 959-6570
bowman.com
Bowman North Carolina Ltd.

SITE PLAN
Convenience Store
1106 North Arendell
Zebulon, NC Wake County

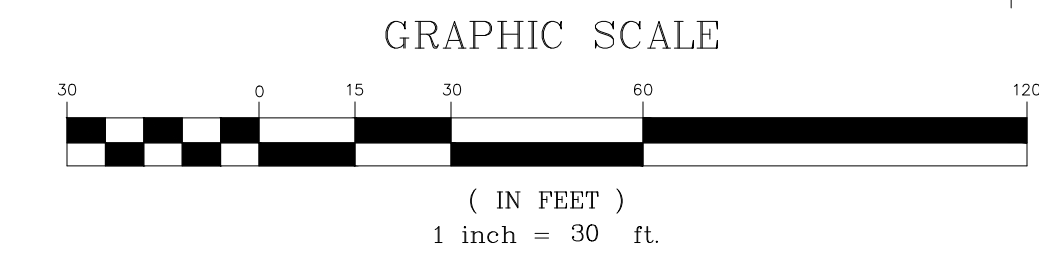
PRELIMINARY
DO NOT
USE FOR
CONSTRUCTION

PLAN STATUS
7/11/23 PER TOWN REVIEW

DATE	DESCRIPTION
MEL DESIGN	MEL DRAWN XXX CHKD
SCALE	H: 1" = 30' V: 1" = XXX'

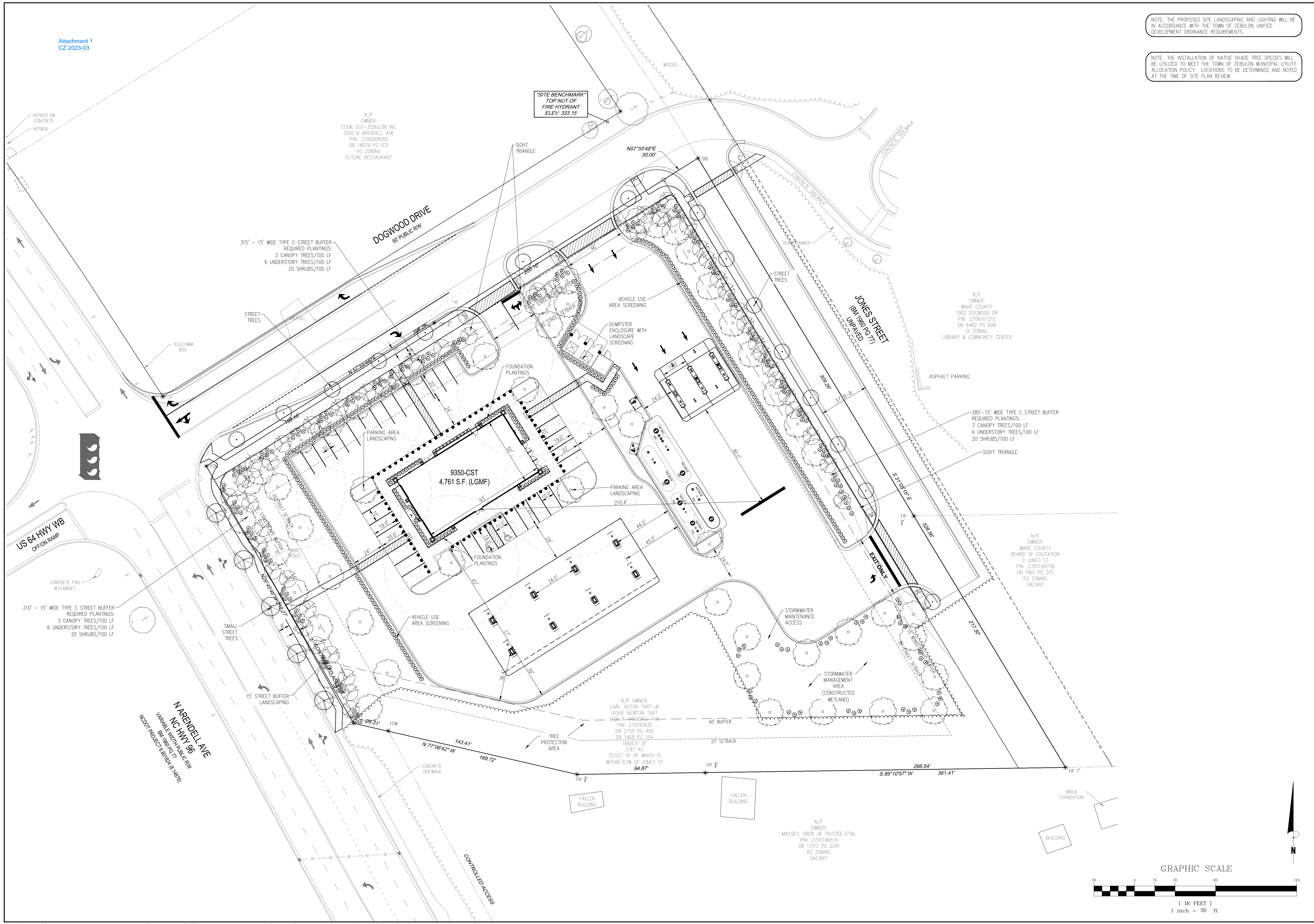
JOB No. 220163-01-002
DATE February 28, 2023
FILE No. xxxxxx-x-xx-xxx

SHEET **C1.0**



NOTE: THE PROPOSED SITE LANDSCAPING AND LIGHTING WILL BE IN ACCORDANCE WITH THE TOWN OF ZEBULON UNIFIED DEVELOPMENT ORDINANCE REQUIREMENTS.

NOTE: THE INSTALLATION OF NATIVE SHADE TREE SPECIES WILL BE UTILIZED TO MEET THE TOWN OF ZEBULON MUNICIPAL UTILITY ALLOCATION POLICY. LOCATIONS TO BE DETERMINED AND NOTED AT THE TIME OF SITE PLAN REVIEW.



Bowman North Carolina Ltd.
4006 BARRETT DR
Suite 104
RALEIGH, NC 27609
Phone: (919) 559-6570
bowman.com
Bowman North Carolina Ltd.

LANDSCAPE PLAN
Convenience Store
1106 North Arendell
Zebulon, NC Wake County

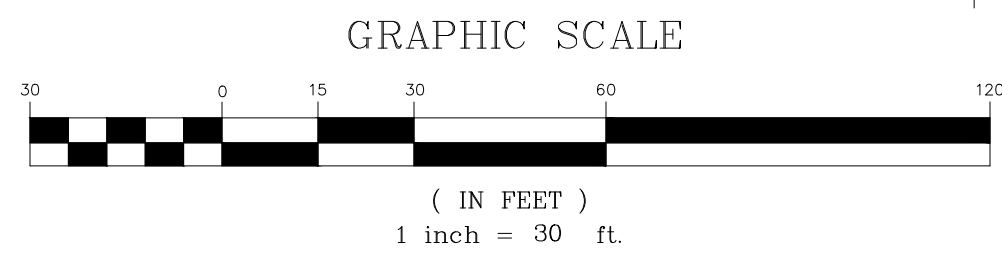
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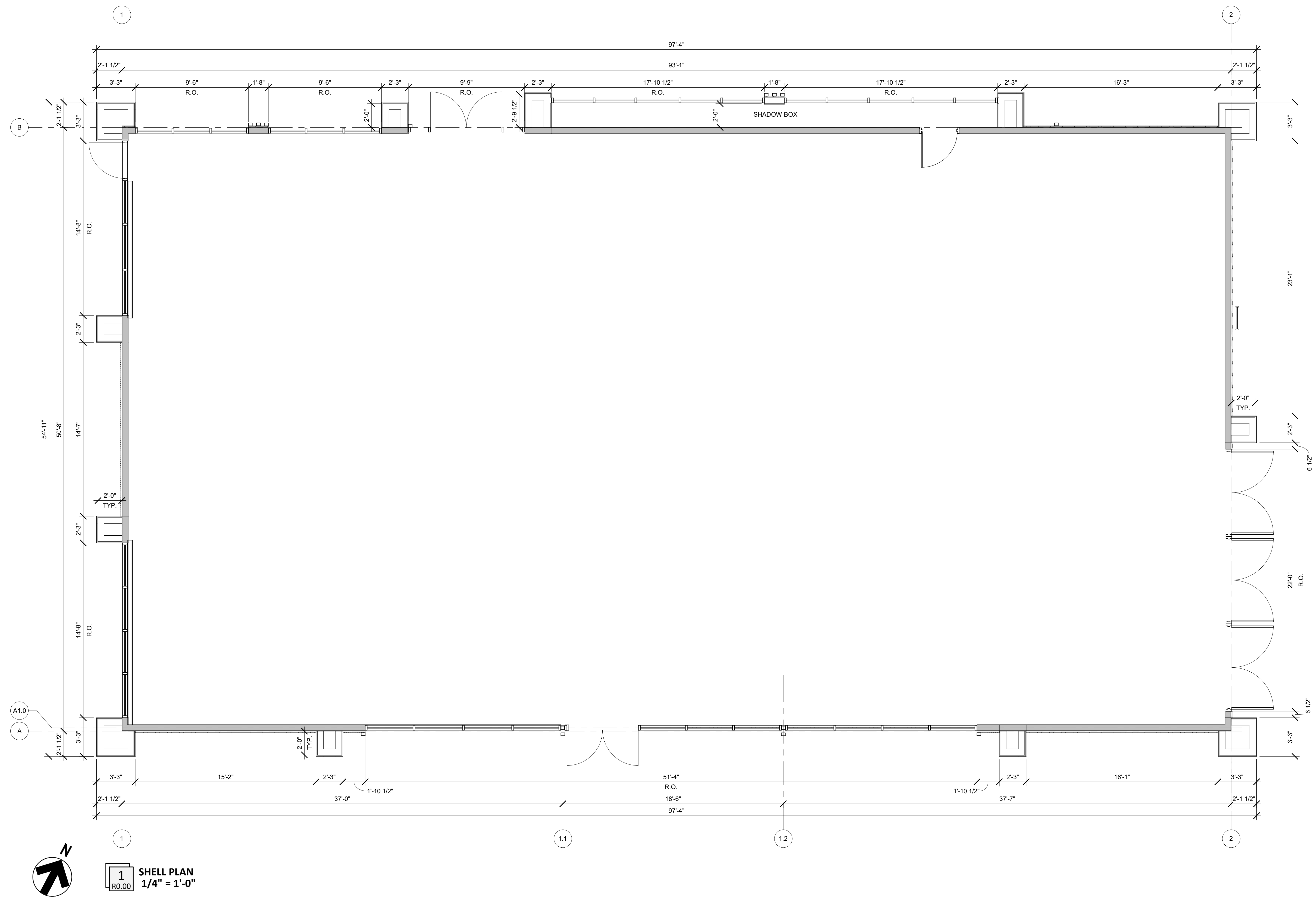
PLAN STATUS
7/11/23 PER TOWN REVIEW

DATE	DESCRIPTION
MEL DESIGN	MEL DRAWN XXX CHKD
SCALE	H: 1" = 30' V: 1" = XXX'

JOB No. 220163-01-002
DATE February 28, 2023
FILE No. xxxxxx-x-xx-xxx

SHEET C1.1





NOT FOR CONSTRUCTION

04/28/2023
Architect Name - RYAN M. FAUST
Architect Number - 14521
THE SEAL & SIGNATURE APPLY ONLY TO THE DOCUMENT TO WHICH THEY ARE AFFIXED & WE EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR ALL OTHER PLANS, SPECIFICATIONS, ESTIMATES, REPORTS OR OTHER DOCUMENTS OR INSTRUMENTS RELATING TO OR INTENDED TO BE USED FOR ANY PART OR PARTS OF THE PROJECT.

REVISIONS	
NO.	DESCRIPTION

Drawing Size: 30 x 42
Drawn By: JMA
Project #: 22121
Checked By: ADF

Title: SHELL PLAN

Sheet Number: R0.00

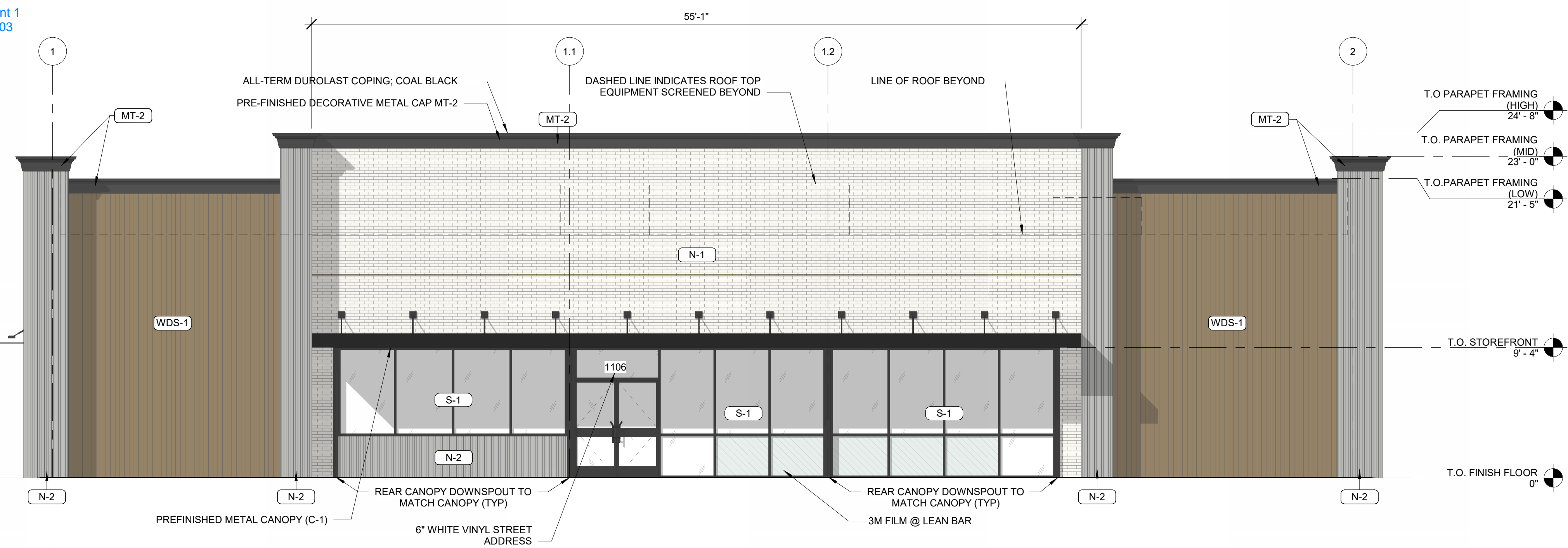
Date: 04/28/2023 **Store #:** 1055397

EXTERIOR MATERIALS SCHEDULE			
(NOT ALL MATERIALS IN SCHEDULE ARE USED)			
NO.	MATERIAL	MANUFACTURER	COLOR
MR-1	MEMBRANE ROOFING	DURLAST	WHITE
N-1	FIBER CEMENT PANEL	NICHIHA	VINTAGE BRICK, PAINTED SHERWIN WILLIAMS SW7005 "PURE WHITE"
N-2	FIBER CEMENT PANEL	NICHIHA	RIBBED, COLOR TO MATCH SHERWIN WILLIAMS SW7659 "GRIS"
CP-1	EDGE METAL PARAPET CAP	DURLAST - ALL TERM EDGE	COAL BLACK
P-2	EXTERIOR HM DOORS, FRAMES, TRASH ENCLOSURE GATE, GRAVEL GUARDS, AND LIGHT POLES	SHERWIN WILLIAMS	SHERWIN WILLIAMS SW6232 "MISTY"
MT-2	PREFINISHED METAL PARAPET DETAIL		COLOR TO MATCH SHERWIN WILLIAMS SW6232 "TRICORN BLACK"
P-6	EXTERIOR BOLLARDS	SHERWIN WILLIAMS	SHERWIN WILLIAMS SW6258 "TRICORN BLACK"
S-1	ALUMINUM STOREFRONT GLAZING	MAPES LUMISHADE CANOPY	451T VG - #29 BLACK FINISH
C-1	PREFINISHED ALUMINUM CANOPY		MATTE BLACK BAKED ENAMEL W/ REAR GUTTER CONNECTIONS
WDS-1	WOOD LOOK SIDING	NICHIHA	VINTAGE WOOD - CEDAR - VERTICAL

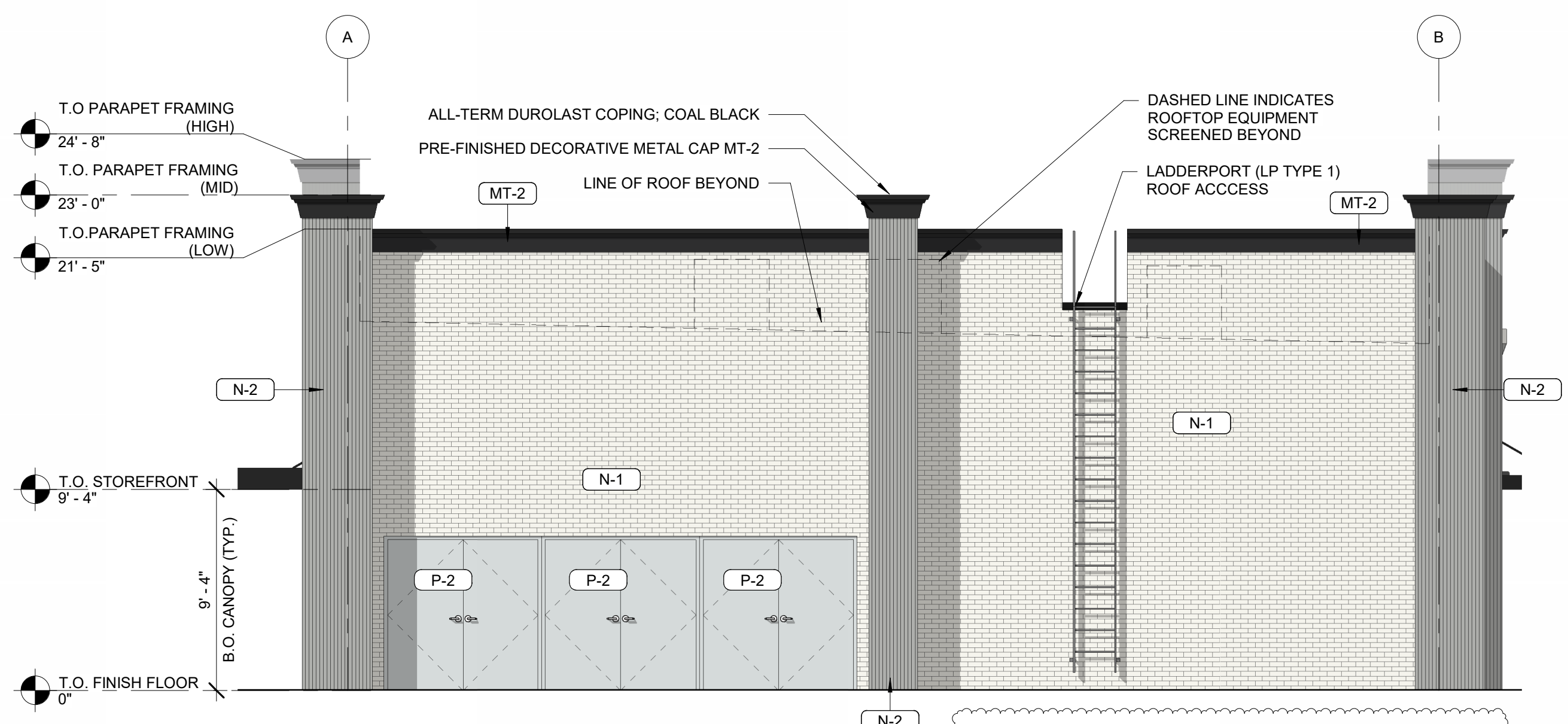


NICHIHA VINTAGE WOOD CEDAR (WDS-1)
NICHIIHA VINTAGE BRICK PAINTED SHERWIN WILLIAMS SW7005 "PURE WHITE" (N-1)
NICHIIHA RIBBED COLOR MATCH SHERWIN WILLIAMS SW7659 "GRIS" (N-2)
KAWNEER #29 BLACK (S-1)

UDO SECTION 5.3.1.F.7: COMMERCIAL BUILDING FENESTRATION REQUIRED:
SECONDARY BUILDING WALL
TOTAL AREA = (15'-1" X 97'-4") = 1,492 SQFT
TRANSPARENCY SQFT = (1,492 SQFT X 30%) = 448 SQFT
PROVIDED:
(9'-4" X 34'-6") + (6'-4" X 16'-5") = 427 SQFT

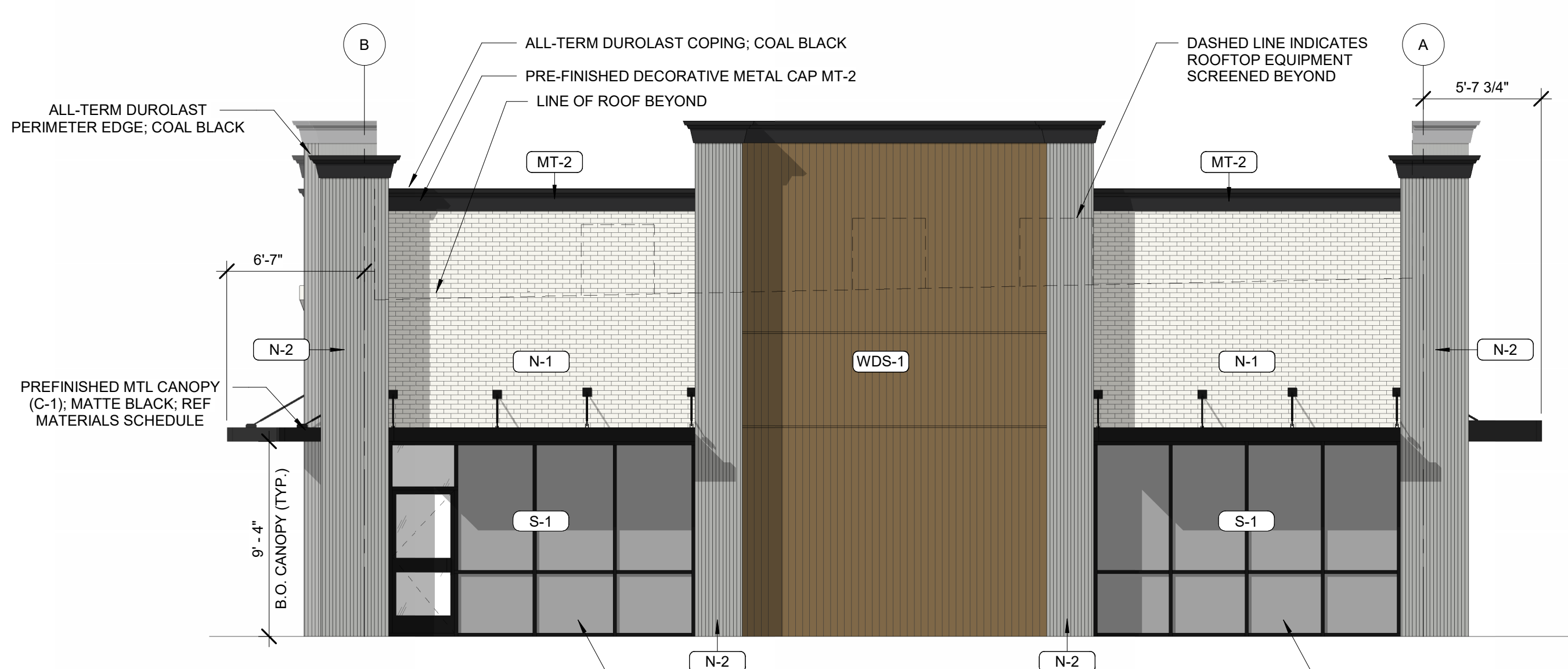


4 ELEVATION - FACING SOUTH
3/16" = 1'-0"



2 ELEVATION - FACING EAST
3/16" = 1'-0"

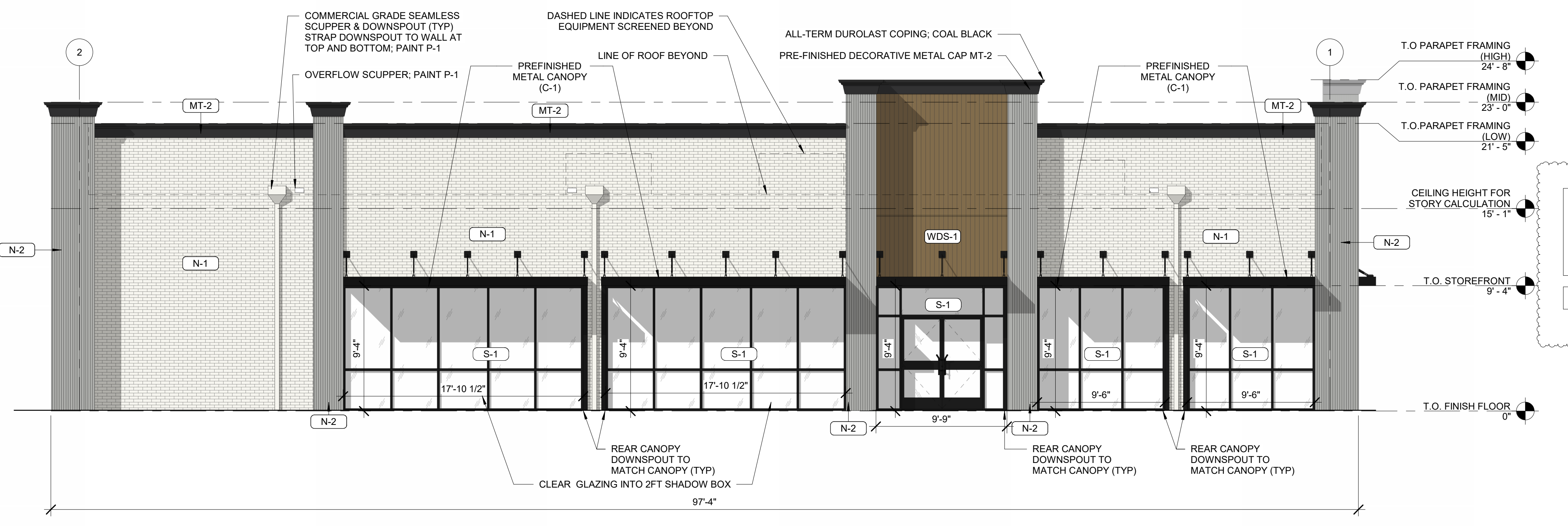
ELEVATION DOES NOT MEET THE 30% MINIMUM TRANSPARENCY REQUIREMENT. APPLICANT NOTES VIEW OF THIS WALL FROM THE ADJACENT SECONDARY STREET VIEW WILL BE SCREENED BY MULTIPLE DIFFERENT DESIGN ASPECTS INCLUDING: REQUIRED DUMPSTER ENCLOSURE AND LANDSCAPE SCREENING; STREET TREES; CANOPY AND UNDERSTORY TREES AND SHRUBS WITHIN THE REQUIRED STREET BUFFER; AND PROPOSED FUELING AREA AND ASSOCIATED STRUCTURES.



3 ELEVATION - FACING WEST
3/16" = 1'-0"

UDO SECTION 5.3.1.F.7: COMMERCIAL BUILDING FENESTRATION REQUIRED:
SECONDARY BUILDING WALL
TOTAL AREA = (15'-1" X 54'-11") = 829 SQFT
TRANSPARENCY SQFT = (829 SQFT X 30%) = 249 SQFT
PROVIDED:
(9'-4" X 14'-8") + (9'-4" X 14'-8") = 274 SQFT

ELEVATION MEETS THE REQUIRED MINIMUM PERCENTAGE OF 30% GLAZING HOWEVER, THE GLAZING IS SPANDREL DUE TO INTERIOR LAYOUT, BACK OF HOUSE AND RESTROOM USES. DESIGN CHANGES TO INCLUDE CANOPIES ON THIS FACADE WERE ADDED BASED ON DISCUSSION WITH CITY STAFF TO AID WITH THE ELEVATIONS SCALE AND INTEREST.



1 ELEVATION - FACING NORTH
3/16" = 1'-0"

UDO SECTION 5.3.1.F.7: COMMERCIAL BUILDING FENESTRATION REQUIRED:
PRIMARY BUILDING WALL
TOTAL AREA = (15'-1" X 97'-4") = 1,492 SQFT
TRANSPARENCY SQFT = (1,492 SQFT X 40%) = 597 SQFT
PROVIDED:
(9'-4" X 9'-6") + (9'-4" X 9'-6") + (9'-4" X 9'-9") + (9'-4" X 17'-10 1/2") + (9'-4" X 17'-10 1/2") = 602 SQFT

ELEVATION MEETS MINIMUM 40% TRANSPARENCY REQUIREMENT FOR A PRIMARY BUILDING WALL

NOT FOR CONSTRUCTION

THE SEAL & SIGNATURE APPLY ONLY TO THE DOCUMENT TO WHICH THEY ARE AFFIXED & WE EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR ALL OTHER PLANS, SPECIFICATIONS, ESTIMATES, REPORTS OR OTHER DOCUMENTS OR INSTRUMENTS RELATING TO OR INTENDED TO BE USED FOR ANY PART OR PARTS OF THE PROJECT.

REVISIONS	
NO.	DESCRIPTION
1	05/07/2023 Revision 2

Drawing Size: 30 x 42	Project #: 22121
Drawn By: JMA	Checked By: ADF

Title:
REVIEW BOARD ELEVATIONS

Attachment 1
CZ 2023-03

TRAFFIC IMPACT ANALYSIS

Zebulon 7-Eleven Convenience Store Zebulon, North Carolina

MARCH 1, 2023

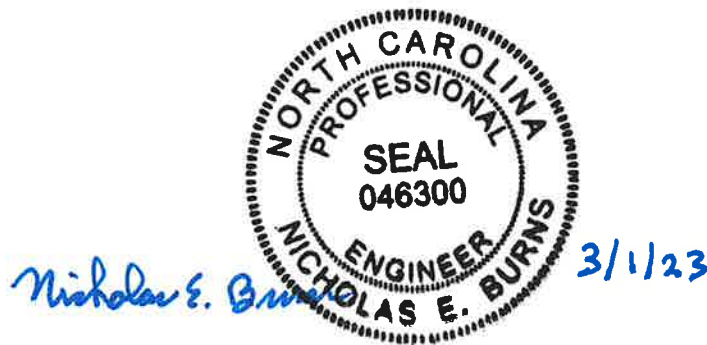
IMPACT DESIGNS, INC.

Prepared by: Nicholas Burns, PE

TRAFFIC IMPACT ANALYSIS

Zebulon 7-Eleven Convenience Store

ZEBULON, NORTH CAROLINA



REPORT PREPARED FOR:

C4 CStore Holdings II, LLC
121 West Trade Street, Suite 2550
Charlotte, NC 28202

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- B) Traffic Count Data
- C) Turn Lane Analysis
- D) Synchro Capacity Analysis Reports
- E) SimTraffic Analysis Reports

EXECUTIVE SUMMARY

A traffic impact study was conducted for the proposed Zebulon 7-Eleven in accordance NCDOT guidelines. The proposed development is located on the east side of N. Arendell Avenue, north of US 64, in Zebulon, North Carolina. The development is expected to consist of 4,714-square-foot convenience store with 16 vehicle fueling pumps and 3 truck fueling pumps and is planned to be completed by 2024. Access to the site is to be provided via a full movement access and a truck entrance on Dogwood Drive and a truck exit on an new unnamed road which will connect to back to Dogwood Drive.

The study was determined through coordination with NCDOT and the Town of Zebulon and consists of the following intersections:

- N. Arendell Avenue & US 64 EB Ramps
- N. Arendell Avenue & US 64 WB Ramps/Dogwood Drive
- N. Arendell Avenue & Pearces Road
- N. Arendell Avenue & Green Pace Road
- N. Arendell Avenue & Proctor Street/Riley Hill Road
- Proctor Street & Pearces Road
- Dogwood Drive and Access A
- Dogwood Drive and Access B
- Dogwood Drive and Unnamed Road
- Unnamed Road and Access C

For the purpose of this analysis, the study intersections listed above were analyzed under the following scenarios:

- Existing (2023) Conditions
- No-Build (2024) Conditions
- Build (2024) Conditions

Traffic operations during the AM and PM peak hours were modeled for each scenario. The results of each scenario were compared to determine impacts from background traffic growth and the proposed development.

The capacity analysis indicates that the existing road network can accommodate the proposed development with some minor improvements. By constructing a westbound right turn lane on Dogwood Drive at N. Arendell Avenue and retiming the corridor in both peak hours, operations are expected to be similar to the No-Build scenario.

Recommendations

- Construct an eastbound right turn lane on Dogwood Drive at Access A with 100 feet of storage and appropriate taper.
- Construct a westbound right turn lane on Dogwood Drive at N. Arendell Avenue with 150 feet of storage and appropriate taper.
- Retime existing traffic signals.

1. INTRODUCTION

The purpose of this report is to summarize the Traffic Impact Analysis that was completed for the proposed Zebulon 7-Eleven in Zebulon, North Carolina. The study was developed in accordance with NCDOT guidelines. The purpose of the study is to determine the potential impact to the surrounding transportation system caused by the traffic generated by the development. This report summarizes the procedures and findings of the traffic impact study.

1.1. Project Summary

The proposed development is located on the east side of N. Arendell Avenue, north of US 64, in Zebulon, North Carolina. The development is expected to consist of 4,714-square-foot convenience store with 16 vehicle fueling pumps and 3 truck fueling pumps and is planned to be completed by 2024. This traffic impact study analyzes the effects of the additional traffic associated with the proposed development during the weekday AM (7:00 AM - 9:00 AM) and the weekday PM (4:00 PM - 6:00 PM) peak periods. The study area for the purpose of the analysis includes:

- N. Arendell Avenue & US 64 EB Ramps
- N. Arendell Avenue & US 64 WB Ramps/Dogwood Drive
- N. Arendell Avenue & Pearces Road
- N. Arendell Avenue & Green Pace Road
- N. Arendell Avenue & Proctor Street/Riley Hill Road
- Proctor Street & Pearces Road
- Dogwood Drive and Access A
- Dogwood Drive and Access B
- Dogwood Drive and Unnamed Road
- Unnamed Road and Access C

Refer to Figures 1 for the site location.

For the purpose of this analysis, the study intersections listed above were analyzed under the following scenarios:

- Existing (2023) Conditions
- No-Build (2024) Conditions
- Build (2024) Conditions

Refer to Appendix A for a copy of the NCDOT TIA Scoping Checklist.

1.2. Existing Roadway Conditions

The primary roadways within the study area are N. Arendell Avenue, Pearces Road, Proctor Street, and Dogwood Lane. A summary of their existing characteristics is shown in Table 1.

Table 1 – Study Area Summary

Facility Name	Route #	Typical Cross Section	Posted Speed Limit	Maintained By	AADT
N. Arendell Avenue	NC 94	2-lane/3-lane/5-lane undivided	35 MPH	NCDOT	23,500 (2021)
Pearces Road	SR 1001	2-lane undivided	35 MPH	NCDOT	6,800 (2021)
Proctor Street	SR 2320	2-lane undivided	35 MPH	NCDOT	2,700 (2021)
Dogwood Drive	N/A	2-lane undivided	35 MPH	Local	No Data

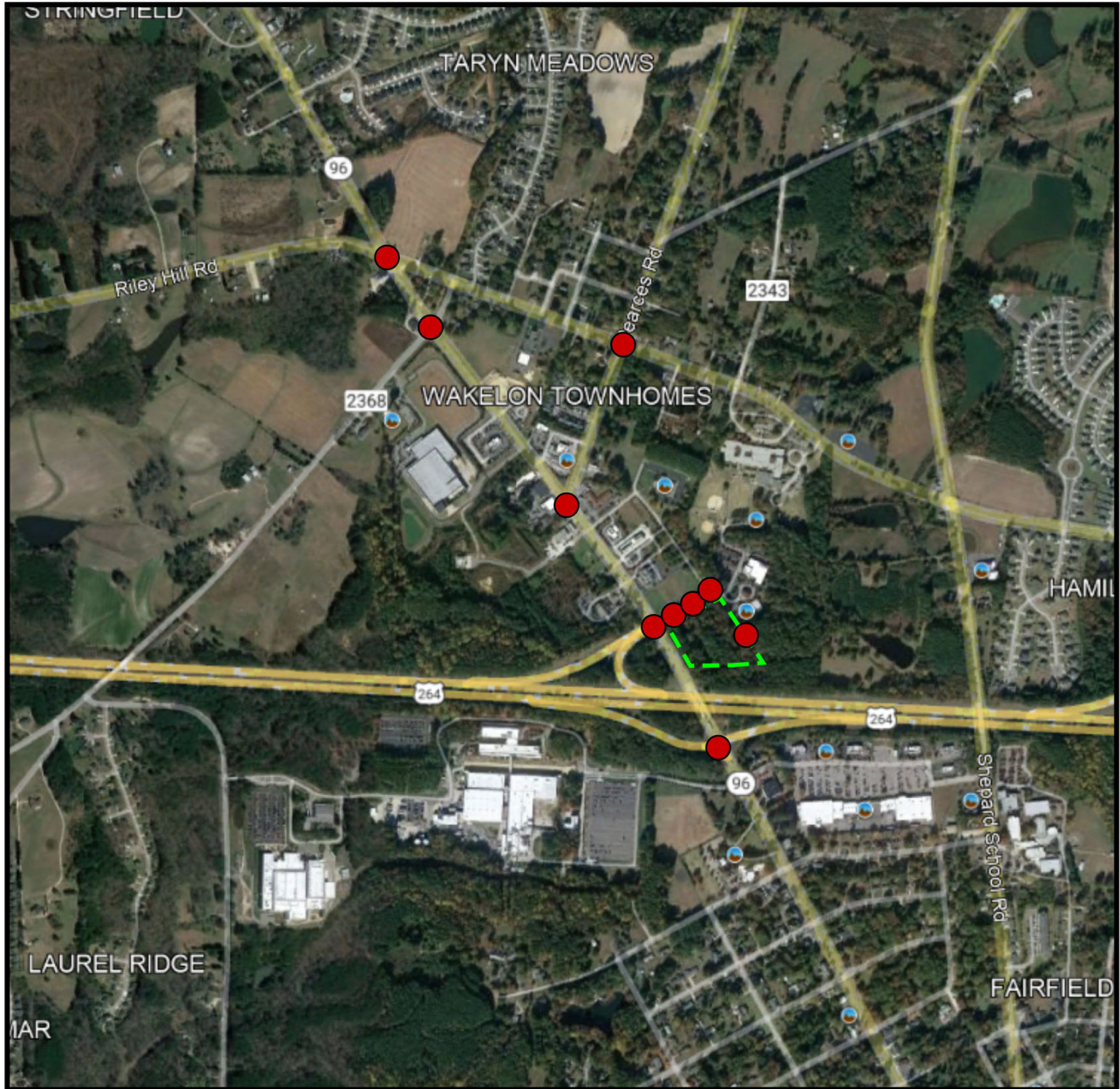
Refer to Figure 3 for an illustration of the existing lane geometry and traffic control at the study intersections.

1.3. No-Build Roadway Conditions

A locally managed construction project at N. Arendell Avenue and Green Pace Road is scheduled to be completed in Winter of 2023 according to the Town of Zebulon website. The project will install a new traffic signal at the intersection as well as install left turn lanes on both approaches of N. Arendell Avenue. The new configuration for this intersection was used for all future scenarios of this analysis. Refer to Figure 4 for an illustration of the new geometry.

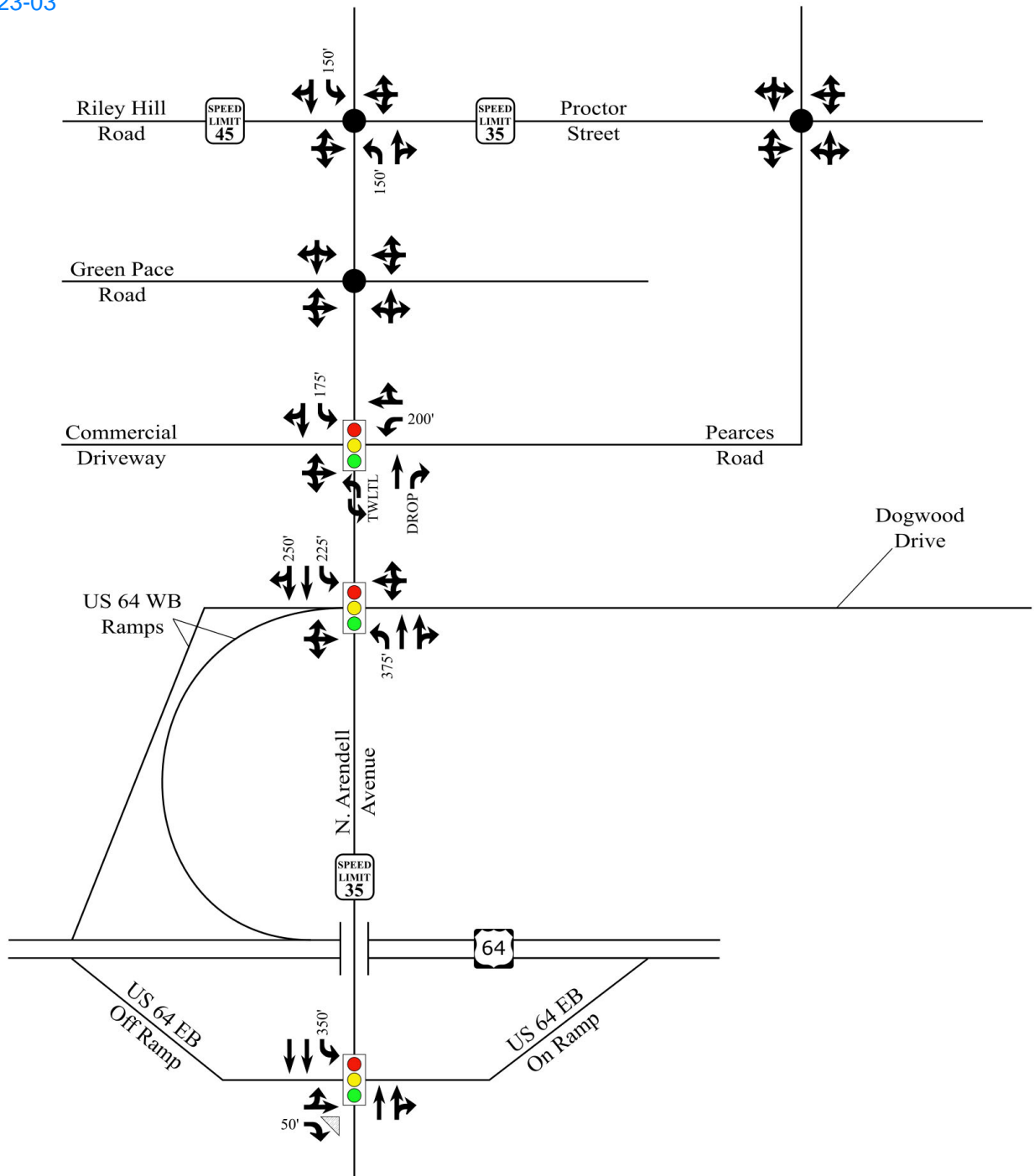
1.4. Driveway Location

Access to the proposed 7-Eleven site is to be provided via a full movement access and a truck entrance on Dogwood Drive and a truck exit on an new unnamed road which will connect to back to Dogwood Drive.



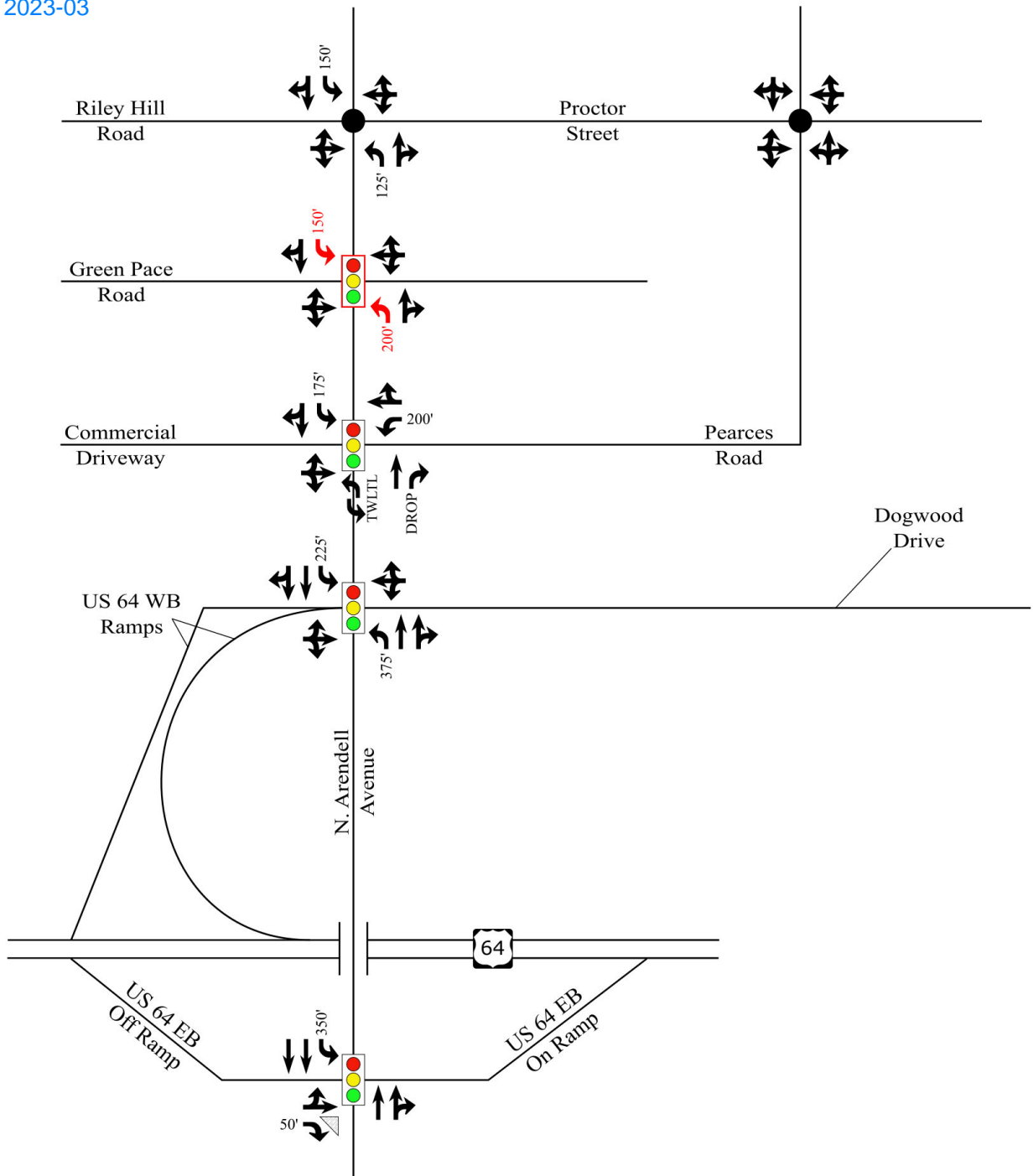
LEGEND	
	Proposed Site Location
	Site Access

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<i>Zebulon 7-Eleven Zebulon, NC</i>		
Site Location Map		
Scale: Not to Scale	Figure	1



LEGEND	
	Signalized Intersection
	Unsignalized Intersection
	Existing Lane
	Channelized Movement
	Storage (In Feet)
	Posted Speed Limit

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<i>Zebulon 7-Eleven</i> <i>Zebulon, NC</i>		
Existing Lane Configurations and Traffic Control		
Scale: Not to Scale	Figure	3



LEGEND

- Signalized Intersection
- New Signalized Intersection (by Others)
- Unsignalized Intersection
- Existing Lane
- Improvement by Others
- Channelized Movement
- Storage (In Feet)
- Posted Speed Limit

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Designs, Inc.

*Zebulon 7-Eleven
Zebulon, NC*

Future Lane Configurations
and Traffic Control

Scale: Not to Scale

Figure

4

2. TRAFFIC VOLUME DEVELOPMENT

2.1. Existing Traffic Volumes

Existing turning movement counts were conducted at the intersections during the weekday AM (7:00 AM to 9:00 AM) and weekday PM (4:00 PM to 6:00 PM) peak periods in November 2022 and January 2023. The existing traffic volumes are illustrated in Figure 5. Refer to Appendix B for a copy of the raw traffic count data.

2.2. Projected Traffic Volumes

Based on coordination with NCDOT, a 2% annual growth was applied to the 2023 counts to project traffic volumes for the future (2024) scenarios. This growth rate was applied to account for all background growth in the area without any adjacent and/or the proposed developments. Refer to Figure 6 for an illustration of the No-Build traffic volumes.

2.3. Proposed Development Traffic Volumes

As mentioned previously, the proposed development is expected to consist of 4,714-square-foot convenience store with 16 vehicle fueling pumps and 3 truck fueling pumps and is expected to be completed by 2024. The trip generation potential for the development was estimated utilizing methodology contained within the ITE’s *Trip Generation Manual*, 11th Edition. Utilizing ITE equations for ITE Code 945, traffic volumes were generated for the weekday daily, the weekday AM peak hour, and the weekday PM peak hour. Refer to Table 2 for a summary of the trip generation potential of the proposed development.

Table 2 – Trip Generation

ITE Land Use (Code)	Density	Independent Variable	Daily Traffic	AM Peak		PM Peak	
				Enter	Exit	Enter	Exit
<u>All Vehicles</u>							
Convenience Store/Gas Station (VFP 16-24) (ITE Code 945)	4.71	KSF	6,045	215	215	186	186
<u>Passenger Vehicles</u>							
Convenience Store/Gas Station (VFP 16-24) (ITE Code 945)	4.71	KSF	6,002	213	212	185	185
<i>Pass By Trips [AM: 62%, PM: 56%]</i>				<i>132</i>	<i>132</i>	<i>104</i>	<i>104</i>
Total Primary Passenger Vehicle Trips				81	80	81	81
<u>Trucks</u>							
Convenience Store/Gas Station (VFP 16-24) (ITE Code 945)	4.71	KSF	43	2	3	1	1

It is estimated that the proposed development could generate a total of 6,045 trips (in and out) during a typical 24-hour weekday period with 430 trips (215 entering and 215 exiting) generated during the AM peak hour and 372 trips (186 entering and 186 exiting) generated during the PM peak hour at full build-out in 2024.

Traffic associated with the proposed development was distributed and assigned to the roadway network based upon existing travel patterns and are summarized below:

Passenger Vehicles

- 10% to/from the north via N. Arendell Avenue
- 20% to/from the south via N. Arendell Avenue
- 30% to/from the east via US 64
- 30% to/from the west via US 64
- 5% to/from the north via Pearces Road
- 5% to/from the east via Proctor Street

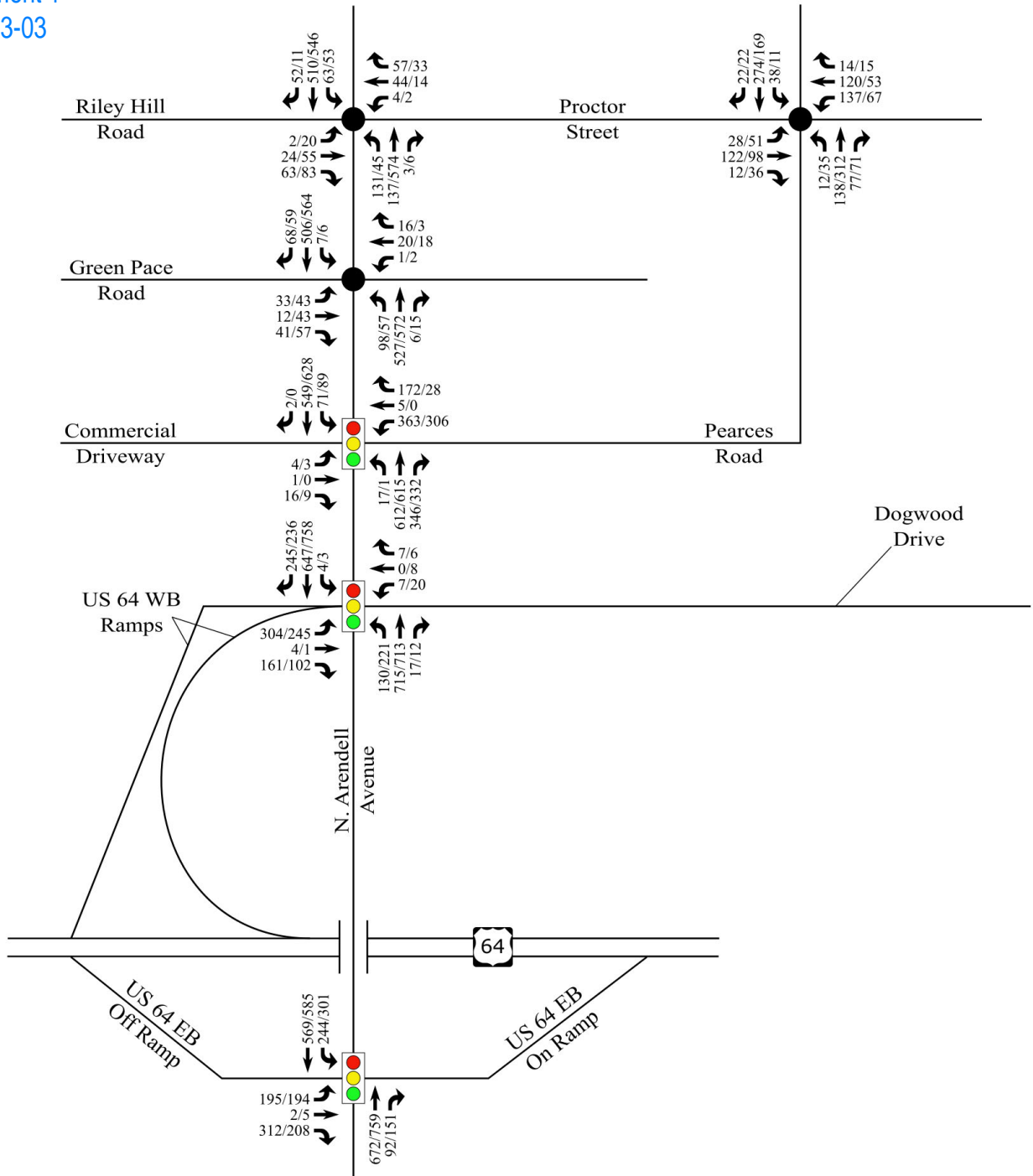
Trucks

- 50% to/from the east via US 64
- 50% to/from the west via US 64

Refer to Figures 7 through 12 for illustrations of the site trip distributions and assignments for the proposed development.

2.4. Future Build Traffic Volumes

The site generated traffic volumes were added to the No-Build traffic volumes to determine the Build traffic volumes. The Build (2024) volumes are illustrated in Figure 13.



LEGEND

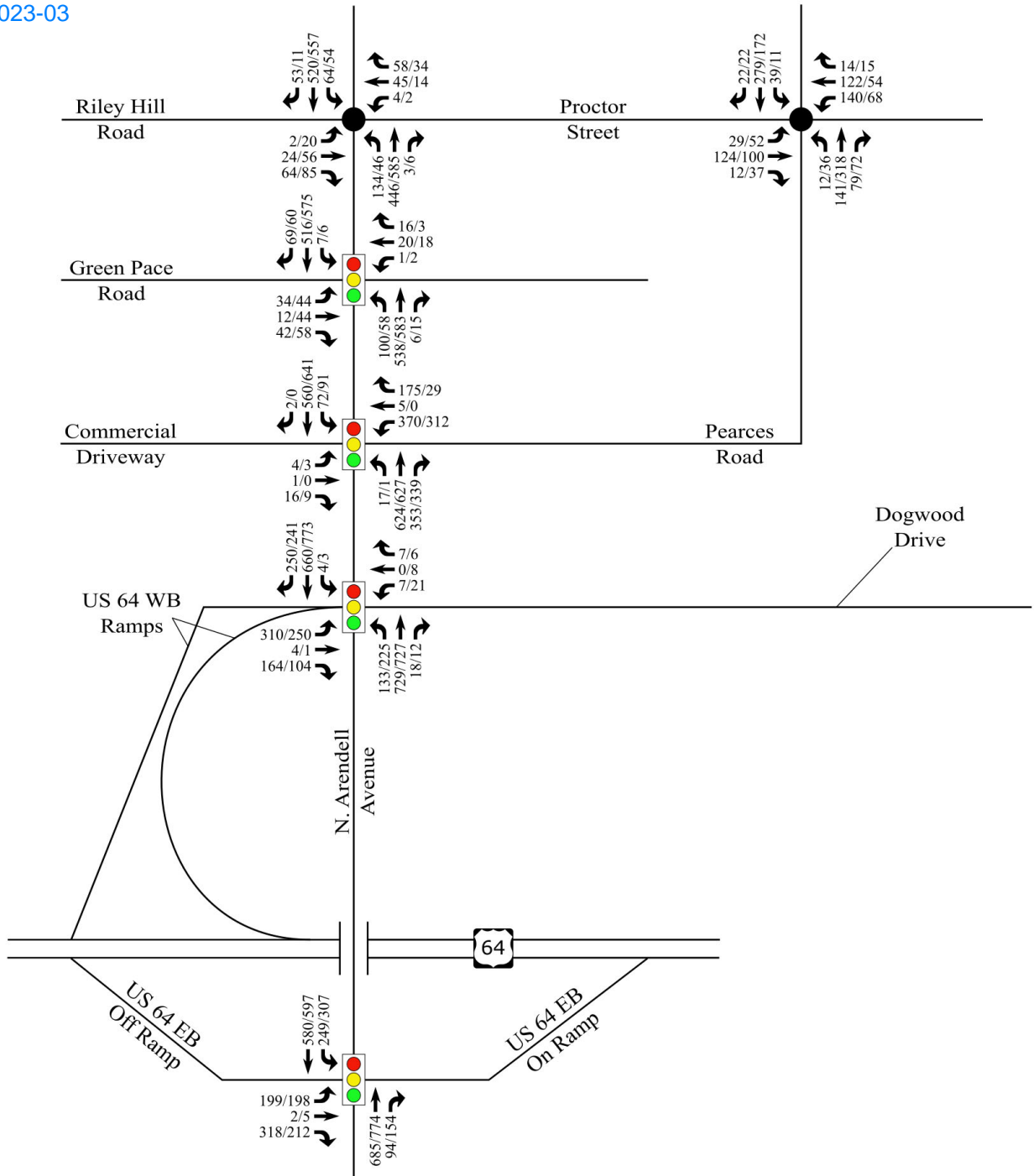
	Signalized Intersection
	Unsignalized Intersection
X / Y →	AM / PM Peak Hour Traffic

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Zebulon, NC

Existing (2023)
Traffic Volumes

Scale: Not to Scale	Figure	5
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LEGEND

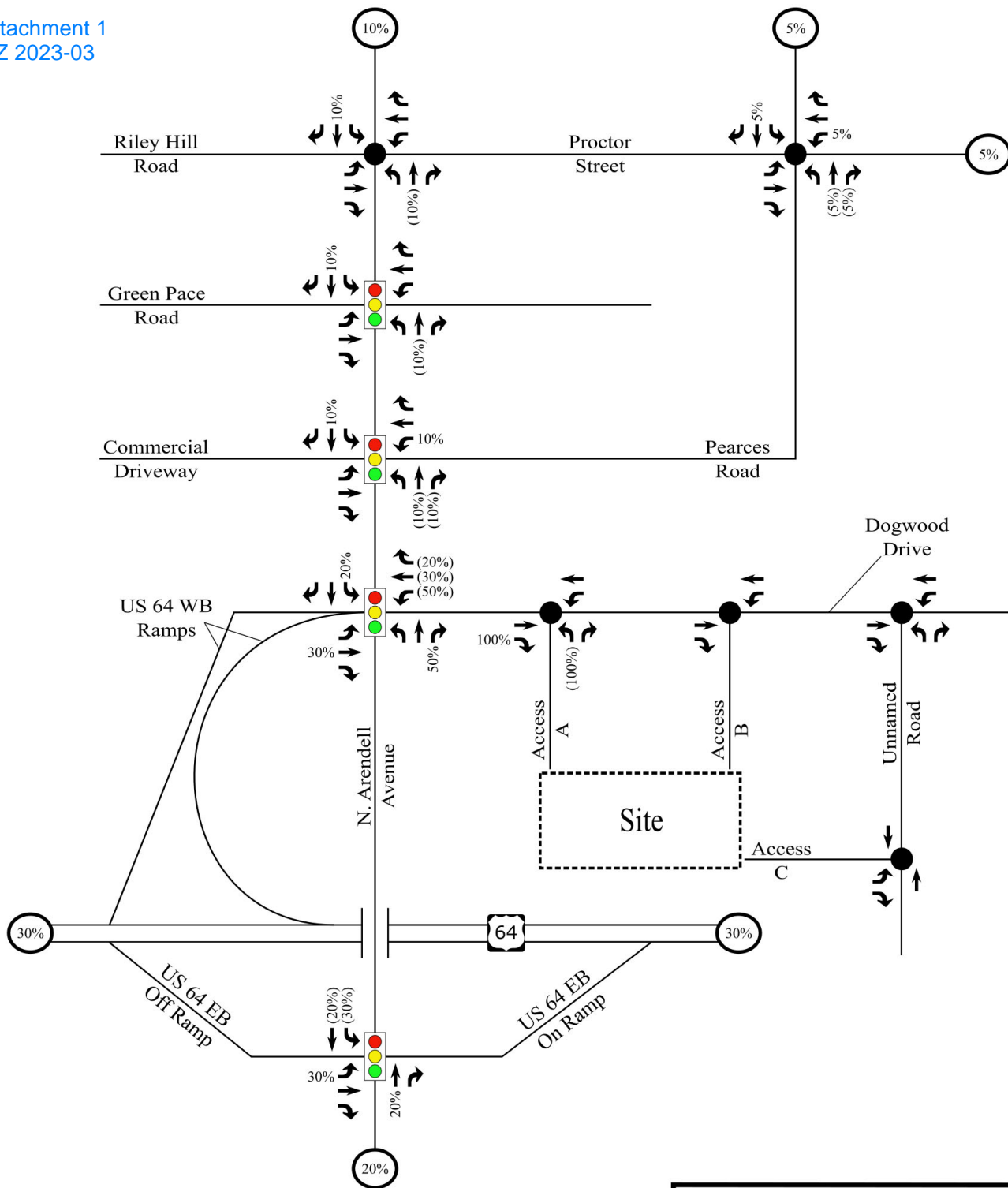
- Signalized Intersection
- Unsignalized Intersection
- X / Y → AM / PM Peak Hour Traffic

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Zebulon, NC*

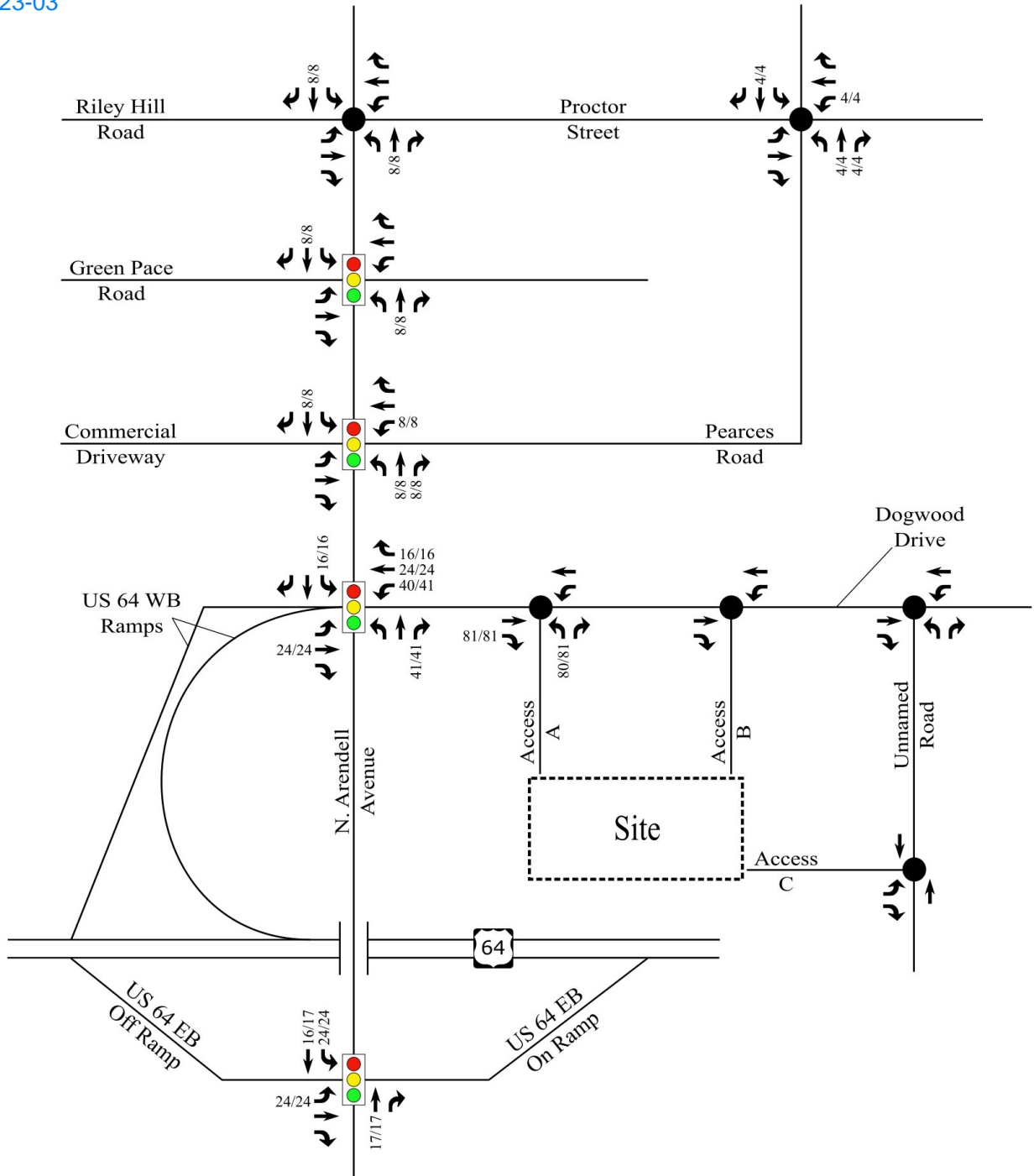
**No-Build (2024)
Traffic Volumes**

Scale: Not to Scale	Figure	6
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



LEGEND	
	Signalized Intersection
	Unsignalized Intersection
X% →	Entering Trip Distribution
(Y%) →	Exiting Trip Distribution
(X%)	Regional Trip Distribution

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Trip Distribution - Passenger Vehicles		
Scale: Not to Scale	Figure	7



LEGEND

-  Signalized Intersection
-  Unsignalized Intersection
- X/Y → AM / PM Passenger Vehicle Site Trips

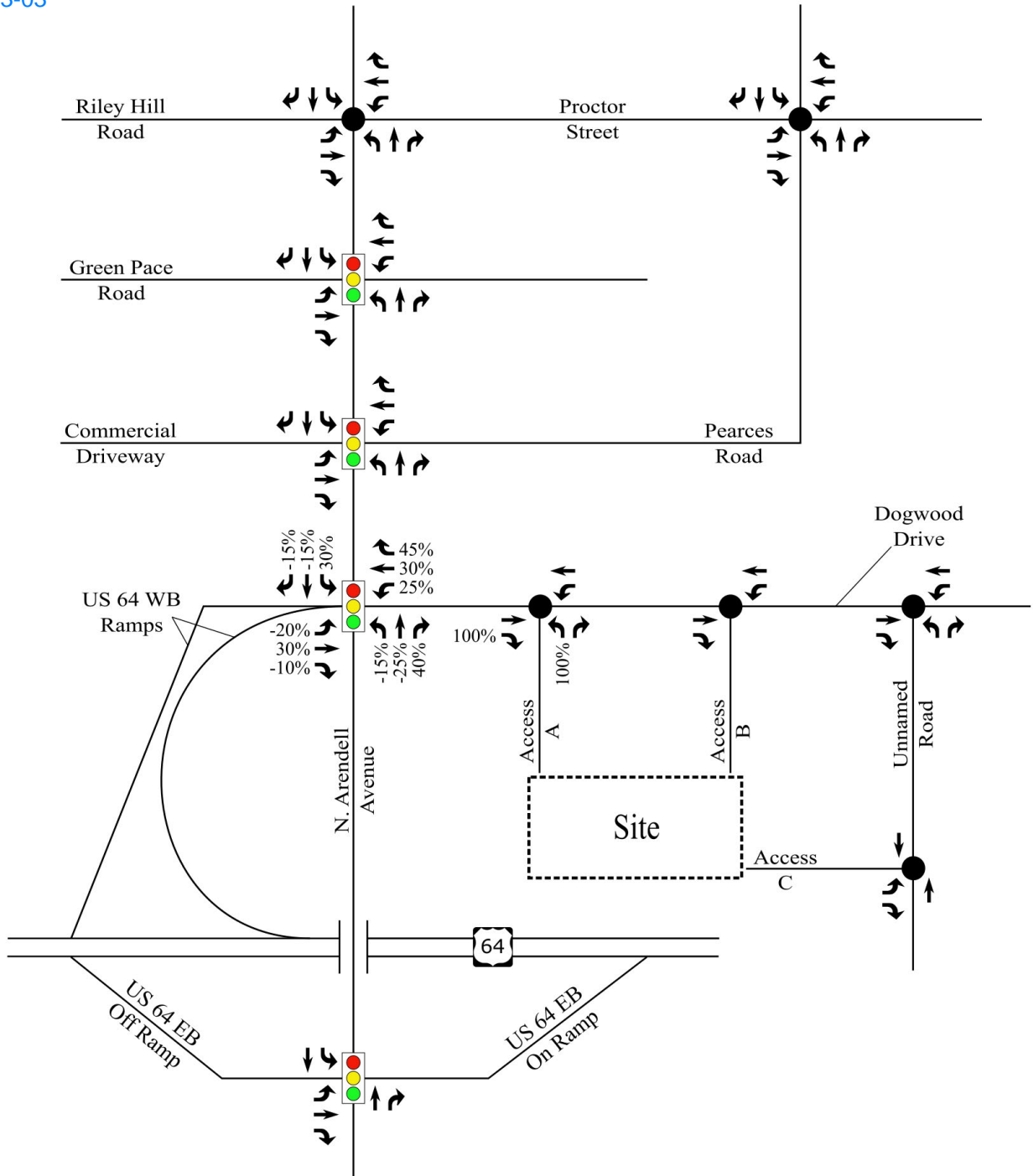
IMPACT

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Zebulon, NC

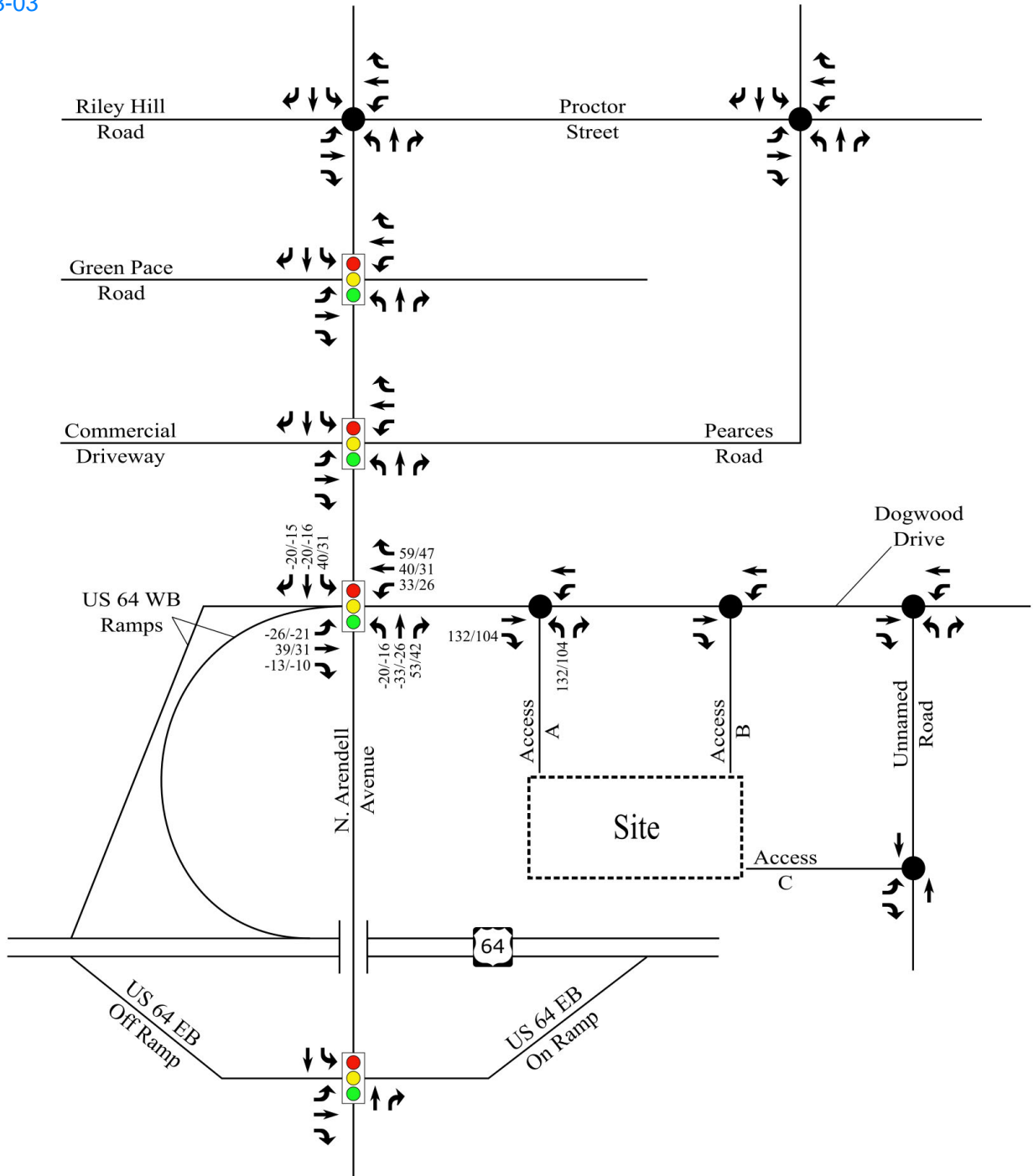
Primary Trip Assignments -
Passenger Vehicles

Scale: Not to Scale	Figure	8
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



LEGEND	
	Signalized Intersection
	Unsignalized Intersection
x% →	Entering Trip Distribution

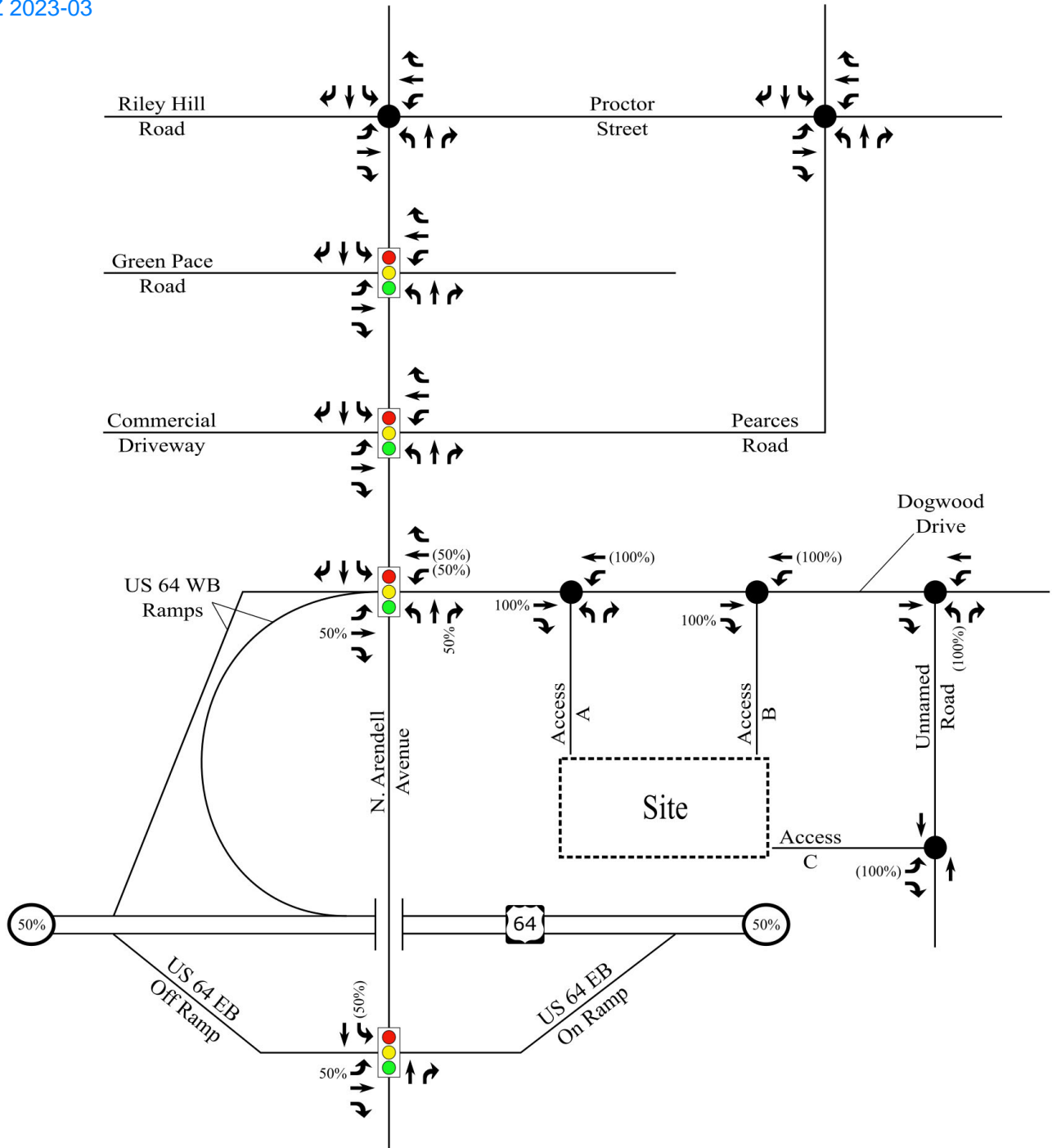
IMPACT Designs, Inc.		
<i>Zebulon 7-Eleven</i> <i>Zebulon, NC</i>		
Pass-By Trip Distribution		
Scale: Not to Scale	Figure	9



LEGEND

-  Signalized Intersection
-  Unsignalized Intersection
- X/Y → AM / PM Pass-By Trips

<h1 style="color: red; margin: 0;">IMPACT</h1> <p style="margin: 0;">Designs, Inc.</p>		
<p style="margin: 0;"><i>Zebulon 7-Eleven</i> <i>Zebulon, NC</i></p>		
<p style="margin: 0;">Pass-By Trip Assignments</p>		
Scale: Not to Scale	Figure	10



LEGEND

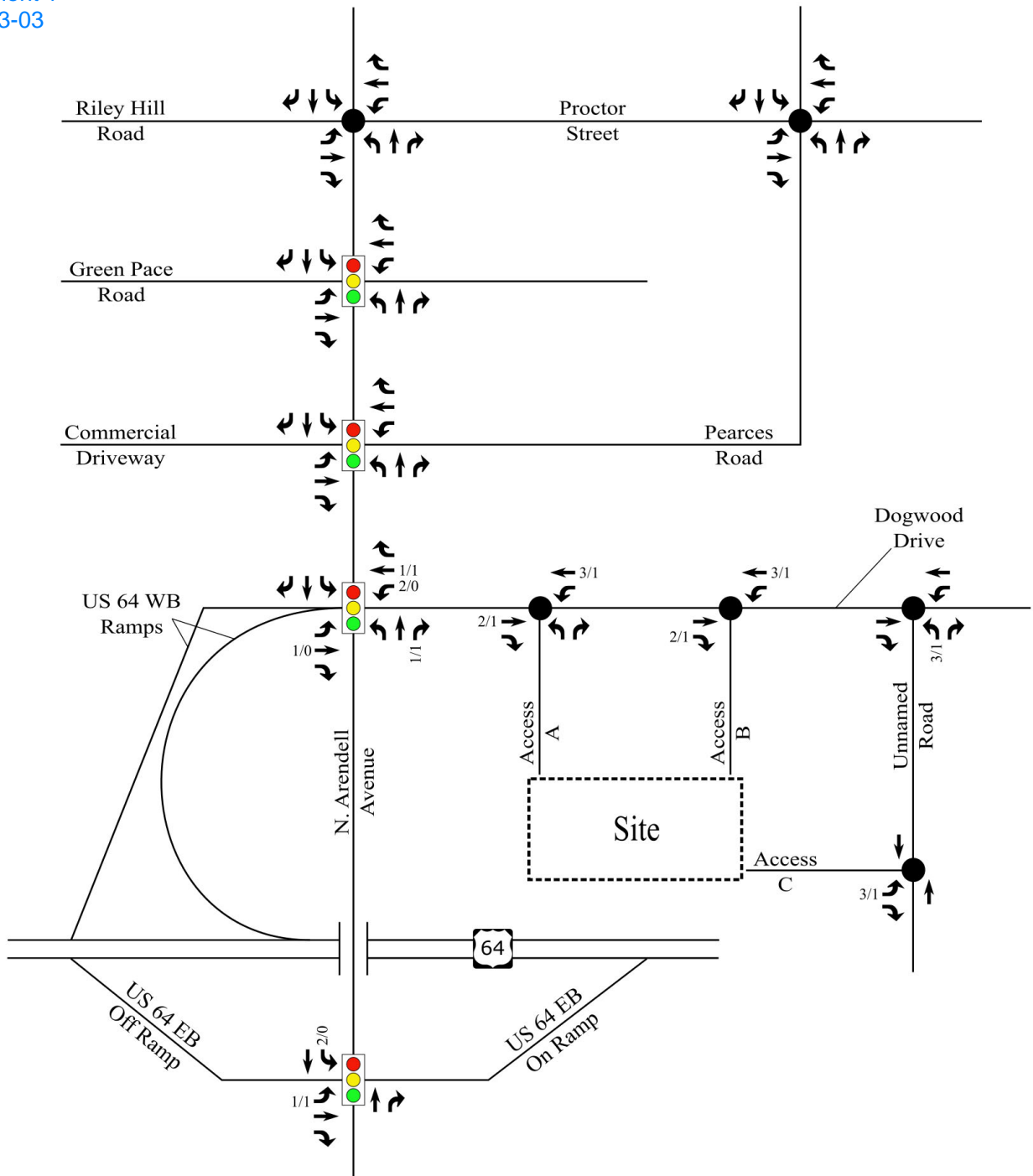
- Signalized Intersection
- Unsignalized Intersection
- $X\%$ → Entering Trip Distribution
- $(Y\%)$ → Exiting Trip Distribution
- Regional Trip Distribution

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*Zebulon 7-Eleven
Zebulon, NC*

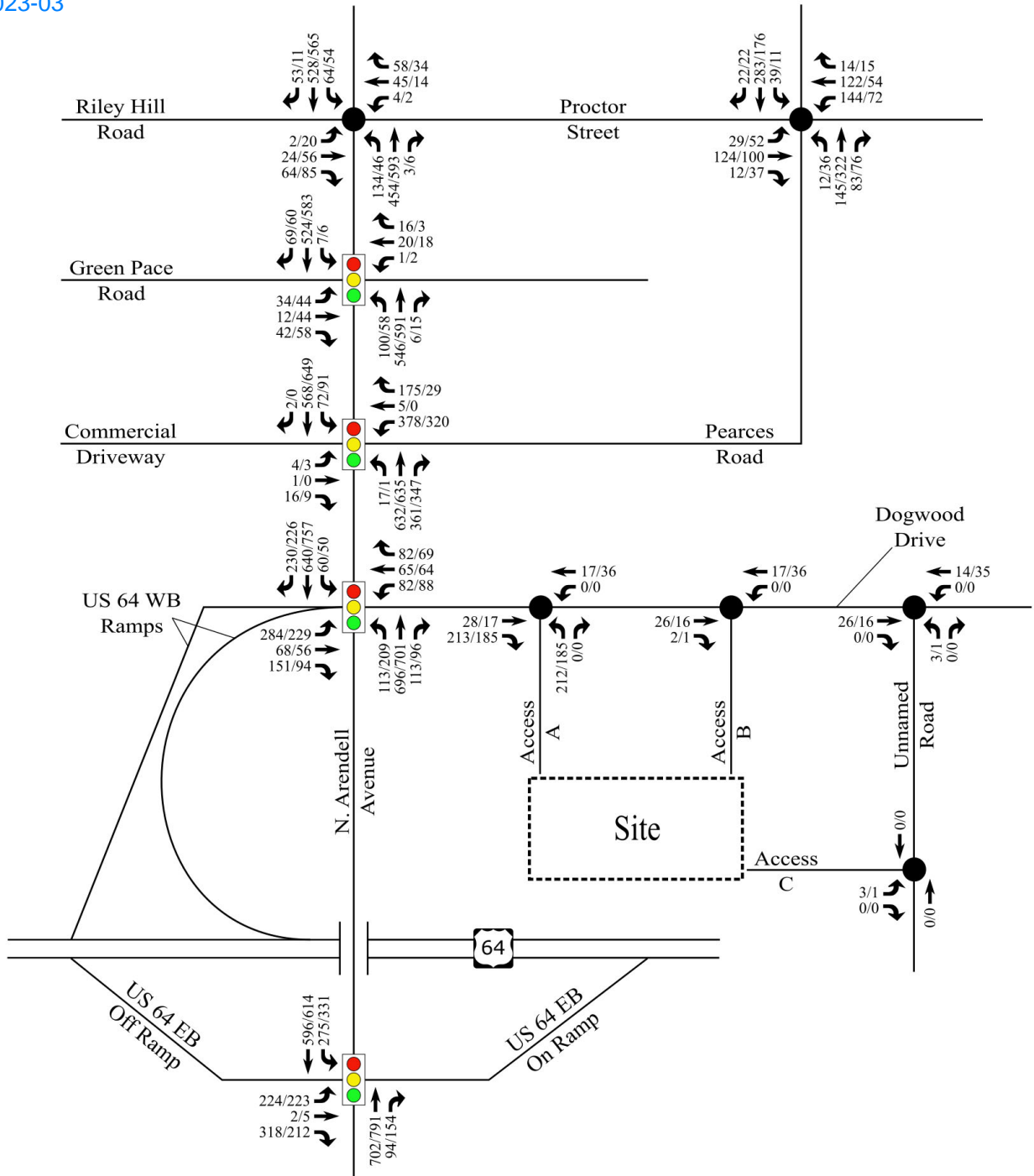
Trip Distribution - Trucks

Scale: Not to Scale	Figure	11
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LEGEND	
	Signalized Intersection
	Unsignalized Intersection
X/Y →	AM / PM Truck Site Trips

IMPACT Designs, Inc.		
<i>Zebulon 7-Eleven</i> <i>Zebulon, NC</i>		
Primary Trip Assignments - Trucks		
Scale: Not to Scale	Figure	12



LEGEND	
	Signalized Intersection
	Unsignalized Intersection
X/Y →	AM / PM Peak Hour Traffic

IMPACT Designs, Inc.		
Zebulon 7-Eleven Zebulon, NC		
Build (2024) Traffic Volumes		
Scale: Not to Scale	Figure	13

3. TRAFFIC IMPACT ANALYSIS

3.1. Turn Lane Analysis

A turn lane analysis was conducted utilizing the Build (2024) volumes. Based on build out volumes, a right turn lane is warranted on Dogwood Drive at Access A. It is recommended that right turn lane be constructed with 100 feet of storage and appropriate taper. Refer to Appendix B for the turn lane warrants with volumes graphed.

3.2. Intersection LOS Analysis

Using the existing, no-build, and build traffic volumes, intersection analyses were conducted for the study intersections under Existing (2023) conditions, No-Build (2024) conditions, and Build (2024) conditions. This analysis was conducted using the Transportation Research Board’s *Highway Capacity Manual 6th Edition (HCM 6th Edition)* methodologies of the *Synchro*, Version 11 software.

Intersection level of service (LOS) grades range from LOS A to LOS F, which are directly related to the level of control delay at the intersection and characterize the operational conditions of the intersection traffic flow. LOS A operations typically represent ideal, free-flow conditions where vehicles experience little to no delays, and LOS F operations typically represent poor, forced-flow (bumper-to-bumper) conditions with high vehicular delays, and are generally considered undesirable. Table 3 summarizes the *HCM 6th Edition* control delay thresholds associated with each LOS grade for signalized and unsignalized intersections.

Table 3 – HCM 6th Edition LOS Criteria for Signalized & Unsignalized Intersections

Signalized Intersections		Unsignalized Intersections	
LOS	Control Delay per Vehicle (seconds)	LOS	Control Delay per Vehicle (seconds)
A	≤ 10	A	≤ 10
B	> 10 and ≤ 20	B	> 10 and ≤ 15
C	> 20 and ≤ 35	C	> 15 and ≤ 25
D	> 35 and ≤ 55	D	> 25 and ≤ 35
E	> 55 and ≤ 80	E	> 35 and ≤ 50
F	> 85	F	> 50

A PHF of 0.90 was applied and a heavy vehicle percentages based on existing counts were utilized for the purpose of this analysis. With the addition of truck traffic from the site, heavy vehicles percentages were adjusted proportionally in the Build scenarios. Existing signal data was obtained from NCDOT and was utilized for the purpose of this analysis. Additionally, a conservative approach was taken in which no right turns on red were permitted, although right turns on red are permitted on all intersections in the field. Additionally, all signals with protected-permitted left turn phasing were modeled as protected only in all scenarios.

3.3. Mitigation Requirements

NCDOT typically requires mitigation to be identified when developments are expected to impact the traffic operations as described below:

- Overall intersection or intersection approach delay increases by 25%.
- LOS degrades by at least one level.
- LOS is F.
- Synchro 95th or SimTraffic maximum queue results are greater than the existing turn lane storage length.

3.4. Capacity Analysis

3.3.1. N. Arendell Avenue and US 64 Eastbound Ramps

The intersection of N. Arendell Avenue and the US 64 eastbound ramps was analyzed as a three-leg signalized intersection during all existing and future scenarios. The results of the capacity analysis for the study intersection are summarized in Table 4. Refer to Appendix D for more detailed capacity analysis reports.

Table 4 - Analysis Summary of N. Arendell Avenue and US 64 Eastbound Ramps

Scenario	Approach	LOS (Delay in seconds)			
		Weekday AM Peak Hour		Weekday PM peak Hour	
		Approach	Overall	Approach	Overall
Existing (2023)	EB	D (40.9)	C (24.9)	D (46.3)	C (23.9)
	NB	C (30.1)		C (27.0)	
	SB	A (9.9)		B (10.4)	
No-Build (2024)	EB	D (41.2)	C (25.3)	D (47.0)	C (24.4)
	NB	C (30.9)		C (27.7)	
	SB	B (10.1)		B (10.5)	
Build (2024)	EB	D (41.3)	C (26.7)	D (49.3)	C (25.9)
	NB	C (32.4)		C (28.9)	
	SB	B (12.4)		B (12.0)	
Build Improved (2024)	EB	D (43.8)	C (28.0)	D (49.3)	C (25.9)
	NB	C (33.9)		C (28.9)	
	SB	B (12.7)		B (12.1)	

The capacity analysis indicates that all movements are expected to operate at a LOS D or better under all existing and future conditions. Operations under Build conditions are anticipated to be similar to No-Build conditions. With the corridor retiming proposed as mitigation for impact at another intersection, the traffic signal would still be expected to operate acceptably, as shown in the “Improved” scenario.

3.3.2. N. Arendell Avenue and US 64 Westbound Ramps/Dogwood Drive

The intersection of N. Arendell Avenue and the US 64 westbound ramps/Dogwood Drive was analyzed as a four-leg signalized intersection during all existing and future scenarios. The results of the capacity analysis for the study intersection are summarized in Table 5. Refer to Appendix D for more detailed capacity analysis reports.

Table 5 - Analysis Summary of N. Arendell Avenue and US 64 Westbound Ramps

Scenario	Approach	LOS (Delay in seconds)			
		Weekday AM Peak Hour		Weekday PM peak Hour	
		Approach	Overall	Approach	Overall
Existing (2023)	EB	E (57.9)	C (30.4)	E (58.6)	C (29.7)
	WB	B (16.7)		C (22.0)	
	NB	B (13.9)		B (15.9)	
	SB	C (32.2)		C (33.0)	
No-Build (2024)	EB	E (59.4)	C (31.8)	E (60.8)	C (31.2)
	WB	B (16.7)		C (22.0)	
	NB	B (14.7)		B (16.1)	
	SB	C (34.1)		D (35.4)	
Build (2024)	EB	F (133.3)	D (43.1)	F (113.3)	D (36.7)
	WB	C (24.0)		C (31.3)	
	NB	B (11.9)		B (13.9)	
	SB	C (30.0)		C (32.1)	
Build Improved (2024)	EB	E (61.2)	C (34.9)	E (64.2)	C (32.7)
	WB	B (18.3)		C (23.5)	
	NB	B (17.6)		B (18.9)	
	SB	D (41.9)		D (36.7)	

The capacity analysis indicates that all approaches are expected to operate at a LOS E or better under No-Build conditions, while the eastbound approach is anticipated to drop to LOS F with the addition of site traffic in the Build scenario. As mitigation, it is recommended that a westbound right turn lane be installed on Dogwood Drive. Additionally, it is recommended that all the signals in the corridor be retimed to better accommodate the new traffic demand. With these improvements, the signal is expected to operate similar to the No-Build conditions, as shown in the “Improved” scenario.

3.3.3. N. Arendell Avenue and Pearces Road

The intersection of N. Arendell Avenue and Pearces Road was analyzed as a four-leg signalized intersection during all existing and future scenarios. While the private driveway opposite Pearces Road is not under signal control, the traffic utilizing this driveway likely affects the operations. To be conservative, the private driveway was modeled as a fourth leg of the traffic signal. The results of the capacity analysis for the study intersection are summarized in Table 6. Refer to Appendix D for more detailed capacity analysis reports.

Table 6 - Analysis Summary of N. Arendell Avenue and Pearces Road

Scenario	Approach	LOS (Delay in seconds)			
		Weekday AM Peak Hour		Weekday PM peak Hour	
		Approach	Overall	Approach	Overall
Existing (2023)	EB	B (18.9)	C (20.6)	C (20.3)	B (17.5)
	WB	D (40.5)		D (43.9)	
	NB	B (11.4)		A (8.6)	
	SB	B (17.7)		B (16.6)	
No-Build (2024)	EB	B (18.9)	C (20.5)	C (20.3)	B (18.4)
	WB	D (41.3)		D (44.3)	
	NB	B (11.8)		A (8.9)	
	SB	B (16.0)		B (18.7)	
Build (2024)	EB	B (18.9)	C (20.5)	C (20.1)	B (19.0)
	WB	D (41.7)		D (44.9)	
	NB	B (11.6)		A (9.5)	
	SB	B (16.4)		B (19.3)	
Build Improved (2024)	EB	B (19.9)	C (21.7)	C (20.1)	B (19.1)
	WB	D (42.4)		D (44.9)	
	NB	B (12.7)		A (9.7)	
	SB	B (18.0)		B (19.3)	

The capacity analysis indicates that all approaches are expected to operate at LOS D or better in all existing and future scenarios. The operations under Build conditions are expected to be similar to No-Build conditions. With the corridor retiming proposed as mitigation for another intersection, the traffic signal would still be expected to operate acceptably, as shown in the “Improved” scenario.

3.3.4. N. Arendell Avenue and Green Pace Road

The intersection of N. Arendell Avenue and Green Pace Road was analyzed as a four-leg unsignalized intersection with two-way stop control under existing conditions. A locally managed construction project is scheduled to install a new traffic signal at this intersection as well as left turn lanes on both N. Arendell Avenue approaches prior to the completion of the proposed development. This improvement is reflected in all future scenarios. The results of the capacity analysis for the study intersection are summarized in Table 7. Refer to Appendix D for more detailed capacity analysis reports.

Table 7 - Analysis Summary of N. Arendell Avenue and Green Pace Road

Scenario	Approach	LOS (Delay in seconds)			
		Weekday AM Peak Hour		Weekday PM peak Hour	
		Approach	Overall	Approach	Overall
Existing (2023)	EB	F (75.5)	-	F (173.2)	-
	WB	E (40.4)		F (50.7)	
	NB	A (9.3)		A (9.2)	
	SB	A (8.7)		A (8.8)	
No-Build (2024)	EB	D (43.7)	A (8.1)	D (43.1)	A (9.2)
	WB	D (35.1)		C (29.8)	
	NB	A (3.8)		A (1.5)	
	SB	A (5.6)		A (8.6)	
Build (2024)	EB	D (43.7)	A (8.2)	D (43.1)	A (9.2)
	WB	D (35.1)		C (29.8)	
	NB	A (4.0)		A (1.5)	
	SB	A (5.7)		A (8.7)	
Build Improved (2024)	EB	D (47.9)	A (8.4)	D (43.1)	A (9.2)
	WB	D (38.4)		C (29.8)	
	NB	A (3.9)		A (1.5)	
	SB	A (5.6)		A (8.7)	

The capacity analysis indicates that all approaches are expected to operate at LOS D or better in future scenarios with the new traffic signal in place. With the corridor retiming proposed as mitigation for another intersection, the traffic signal would still be expected to operate acceptably, as shown in the “Improved” scenario.

3.3.5. N. Arendell Avenue and Proctor Street/Riley Hill Road

The intersection of N. Arendell Avenue and Proctor Street/Riley Hill Road was analyzed as a four-leg unsignalized intersection with two-way stop control in all existing and future scenarios. The results of the capacity analysis for the study intersection are summarized in Table 8. Refer to Appendix D for more detailed capacity analysis reports.

Table 8 - Analysis Summary of N. Arendell Avenue and Proctor Street/Riley Hill Road

Scenario	Approach	LOS (Delay in seconds)			
		Weekday AM Peak Hour		Weekday PM peak Hour	
		Approach	Overall	Approach	Overall
Existing (2023)	EB	E (44.9)	-	F (126.7)	-
	WB	F (74.0)		E (35.4)	
	NB	A (9.5)		A (8.9)	
	SB	A (8.6)		A (9.1)	
No-Build (2024)	EB	E (48.9)	-	F (145.8)	-
	WB	F (84.6)		E (37.8)	
	NB	A (9.5)		A (9.0)	
	SB	A (8.6)		A (9.1)	
Build (2024)	EB	F (51.6)	-	F (155.7)	-
	WB	F (88.8)		E (39.7)	
	NB	A (9.6)		A (9.0)	
	SB	A (8.7)		A (9.2)	

The capacity analysis indicates that the side street movements are expected to operate at LOS E or F under existing conditions and in future scenarios, with or without the site traffic. Higher side street delay is not uncommon at unsignalized intersections, particularly during peak times when mainline volumes are highest. Additionally, the installation of the traffic signal to the south at N. Arendell Avenue and Green Pace Road would likely attract a portion of traffic from the Proctor Street intersection which would increase the availability of gaps in mainline traffic for vehicles turning off of Riley Hill Road. No mitigation is recommended for this intersection.

3.3.6. Proctor Street and Pearces Road

The intersection of Proctor Street and Pearces Road was analyzed as a four-leg unsignalized intersection with all-way stop control in all existing and future scenarios. The results of the capacity analysis for the study intersection are summarized in Table 9. Refer to Appendix D for more detailed capacity analysis reports.

Table 9 - Analysis Summary of Proctor Street and Pearces Road

Scenario	Approach	LOS (Delay in seconds)			
		Weekday AM Peak Hour		Weekday PM peak Hour	
		Approach	Overall	Approach	Overall
Existing (2023)	EB	B (12.9)	C (15.9)	B (12.3)	C (15.1)
	WB	C (16.3)		B (11.6)	
	NB	B (13.6)		C (19.1)	
	SB	C (18.7)		B (11.9)	
No-Build (2024)	EB	B (13.2)	C (16.5)	B (12.5)	C (15.7)
	WB	C (16.9)		B (11.8)	
	NB	B (14.0)		C (20.1)	
	SB	C (19.6)		B (12.1)	
Build (2024)	EB	B (13.4)	C (17.1)	B (12.8)	C (16.4)
	WB	C (17.5)		B (12.1)	
	NB	B (14.5)		C (21.2)	
	SB	C (20.3)		B (12.5)	

The capacity analysis indicates that all approaches are expected to operate at LOS C or better in all existing and future scenarios. No mitigation is recommended.

3.3.7. Dogwood Drive and Site Accesses/Unnamed Road

The site access driveway intersections as well as the unnamed road intersection along Dogwood Drive are expected to all be stop controlled. These intersections were analyzed under Build conditions only. The results of the capacity analysis for the site access intersections are summarized in Table 9. Refer to Appendix D for more detailed capacity analysis reports.

Table 10 - Build (2024) Dogwood Drive and Site Accesses/Unnamed Road

Intersection	Approach	Build (2024) Conditions	
		AM	PM
Dogwood Drive and Access A	EB	-	-
	WB	A (7.8)	A (7.7)
	NB	B (11.2)	B (10.8)
Dogwood Drive and Access B (Truck Entrance)	EB	-	-
	WB	A (8.2)	A (8.2)
Dogwood Drive and Unnamed Road	EB	-	-
	WB	A (7.3)	A (7.2)
	NB	A (9.1)	A (9.2)
Unnamed Road and Access C (Truck Exit)	EB	A (9.4)	A (9.4)

The capacity analysis indicates that all approaches of at all site driveways are expected to operate at LOS B or better. No additional improvements are recommended.

3.5. Queuing Analysis

A queuing analysis was also completed for all no-build and build-improved traffic. Reported in Table 10 are the maximum value between the Synchro 95th percentile queue and the SimTraffic maximum queue for each turn lane or side street approach lane. It is recommended that storage lengths be extended where Build Improved queue lengths increase over the No-Build scenario and exceed the available storage.

Table 11 - Queuing Analysis

Intersections	Movement	No-Build Storage	Max Queue (feet)			
			AM Peak Hour		PM Peak Hour	
			No-Build	Build	No-Build	Build
N. Arendell Avenue & US 64 EB Ramps	EB-LT	Full	347	615	533	407
	EB-R	50	311	324	222	222
	SB-L	350	352	318	323	337
N. Arendell Avenue & US 64 WB Ramps	EB-LTR	Full	499	562	393	468
	WB-LT	Full	56	160	74	160
	WB-R	150	0	115	0	95
	NB-L	375	257	240	330	353
	SB-L	225	28	71	27	137
N. Arendell Avenue & Pearces Road	EB-LTR	Full	50	50	49	50
	WB-L	200	370	394	299	311
	WB-TR	Full	518	380	50	71
	NB-R	Full	188	193	104	157
	SB-L	175	265	274	109	219
N. Arendell Avenue & Green Pace Road	EB-LTR	Full	135	182	165	159
	WB-LTR	Full	132	104	90	89
	NB-L	200	90	69	91	48
	SB-L	150	17	17	17	16
N. Arendell Avenue & Proctor Road/Riley Hill Road	EB-LTR	Full	170	88	269	280
	WB-LTR	Full	172	140	47	51
	NB-LTR	Full	89	70	42	70
	SB-LTR	Full	28	44	28	30
Proctor Road & Pearces Road	EB-LTR	Full	76	89	77	55
	WB-LTR	Full	120	82	74	76
	NB-LTR	Full	92	76	143	174
	SB-LTR	Full	138	98	76	95

The queuing analysis indicates that queuing is expected to be an issue with or without the project at some intersections. In general, the locations where queuing is expected to be a concern in the No-Build scenario, it would also be a concern in the Build scenario. In this analysis, there are no lanes where the available storage is adequate under No-Build conditions where the addition of site traffic causes the queue to exceed the available storage.

4. SUMMARY OF FINDINGS AND RECOMMENDATIONS

A traffic impact study was conducted for the proposed Zebulon 7-Eleven in accordance NCDOT guidelines. The proposed development is located on the east side of N. Arendell Avenue, north of US 64, in Zebulon, North Carolina. The development is expected to consist of 4,714-square-foot convenience store with 16 vehicle fueling pumps and 3 truck fueling pumps and is planned to be completed by 2024. Access to the site is to be provided via a full movement access and a truck entrance on Dogwood Drive and a truck exit on an new unnamed road which will connect to back to Dogwood Drive.

The study was determined through coordination with NCDOT and the Town of Zebulon and consists of the following intersections:

- N. Arendell Avenue & US 64 EB Ramps
- N. Arendell Avenue & US 64 WB Ramps/Dogwood Drive
- N. Arendell Avenue & Pearces Road
- N. Arendell Avenue & Green Pace Road
- N. Arendell Avenue & Proctor Street/Riley Hill Road
- Proctor Street & Pearces Road
- Dogwood Drive and Access A
- Dogwood Drive and Access B
- Dogwood Drive and Unnamed Road
- Unnamed Road and Access C

For the purpose of this analysis, the study intersections listed above were analyzed under the following scenarios:

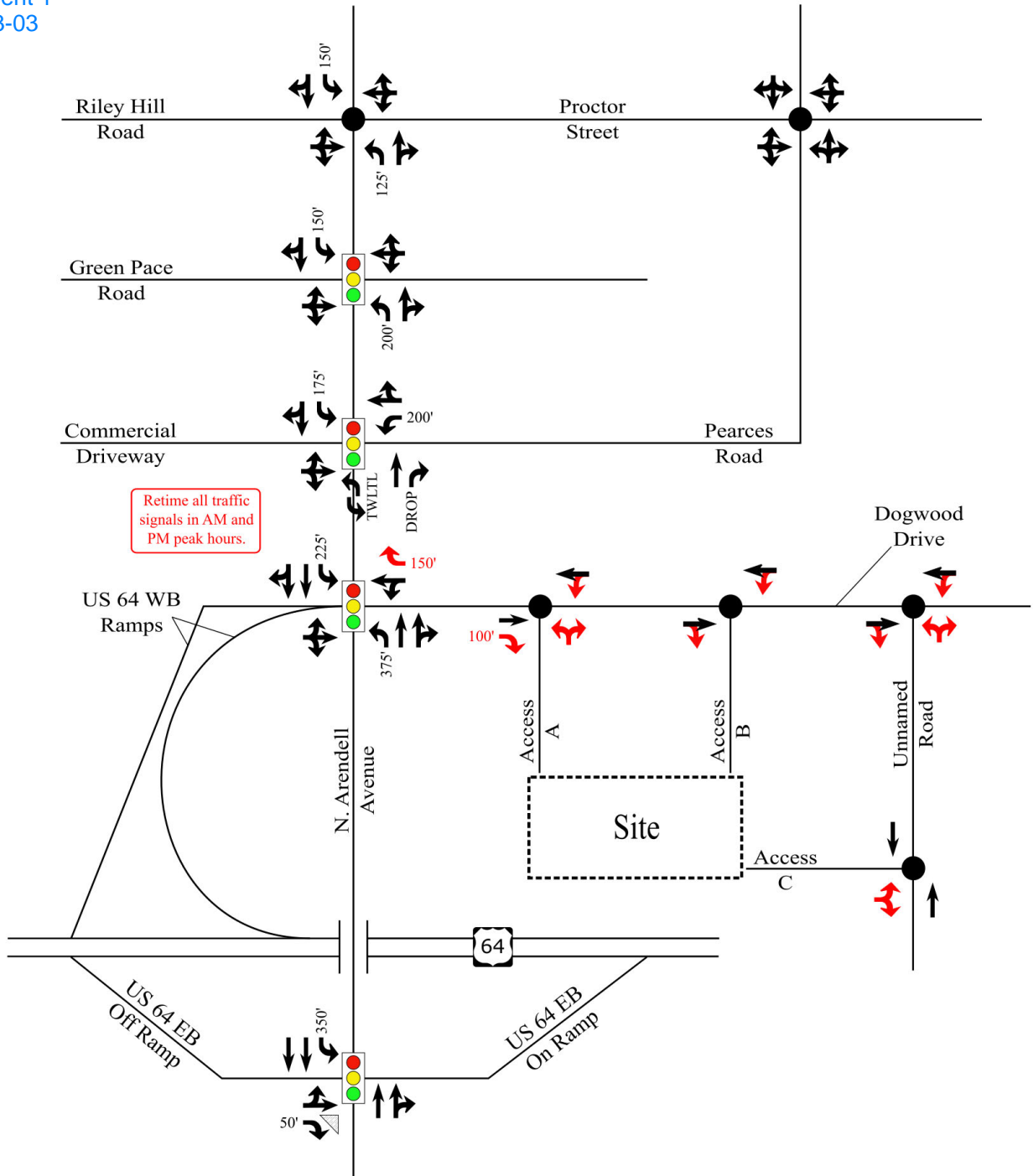
- Existing (2023) Conditions
- No-Build (2024) Conditions
- Build (2024) Conditions

Traffic operations during the AM and PM peak hours were modeled for each scenario. The results of each scenario were compared to determine impacts from background traffic growth and the proposed development.

The capacity analysis indicates that the existing road network can accommodate the proposed development with some minor improvements. By constructing a westbound right turn lane on Dogwood Drive at N. Arendell Avenue and retiming the corridor in both peak hours, operations are expected to be similar to the No-Build scenario.

Recommendations

- Construct an eastbound right turn lane on Dogwood Drive at Access A with 100 feet of storage and appropriate taper.
- Construct a westbound right turn lane on Dogwood Drive at N. Arendell Avenue with 150 feet of storage and appropriate taper.
- Retime existing traffic signals.



Retime all traffic signals in AM and PM peak hours.

LEGEND

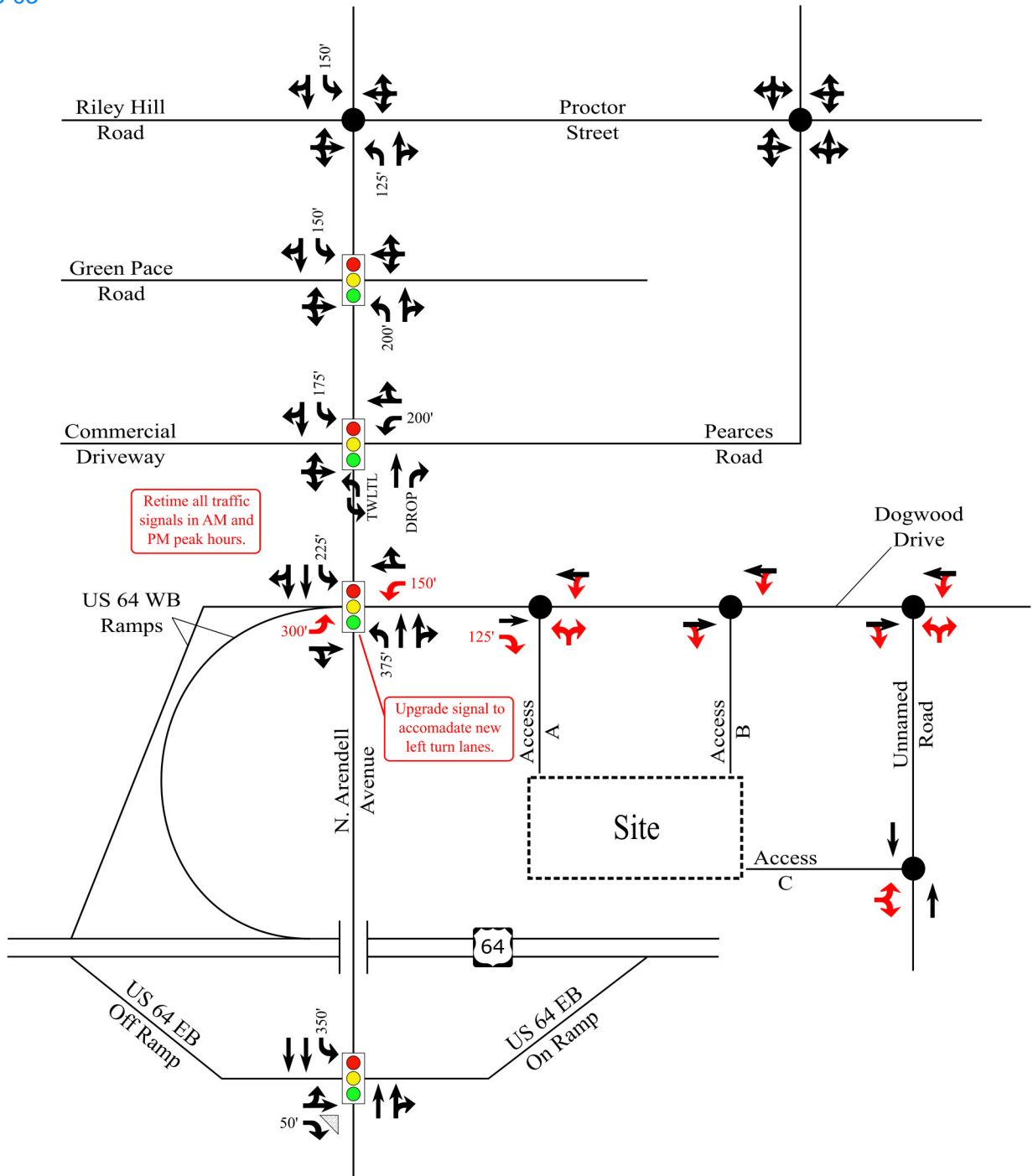
- Signalized Intersection
- Unsignalized Intersection
- Existing Lane
- Channelized Movement
- Recommended Improvement
- Storage (In Feet)

IMPACT
Designs, Inc.







*Zebulon 7-Eleven
Zebulon, NC*

Proposed Lane Configurations
and Traffic Control

Scale: Not to Scale	Figure	14
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LEGEND

-  Signalized Intersection
-  Unsignalized Intersection
-  Existing Lane
-  Channelized Movement
-  Recommended Improvement
-  Storage (In Feet)

IMPACT
Designs, Inc.

*Zebulon 7-Eleven
Zebulon, NC*

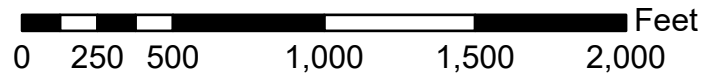
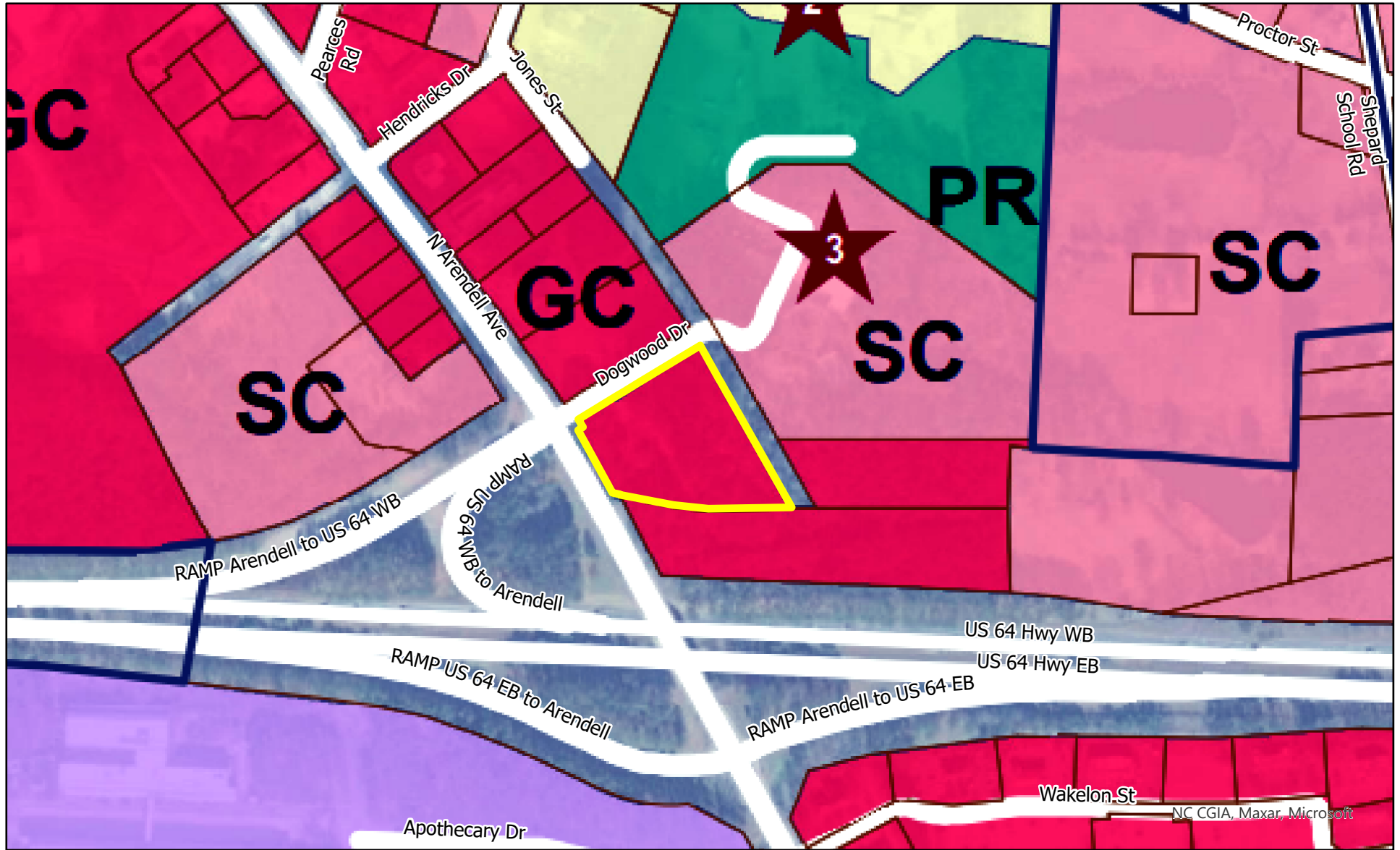
**Proposed Lane Configurations
and Traffic Control**








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Figure

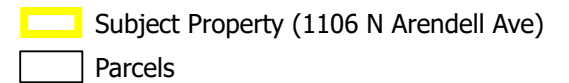
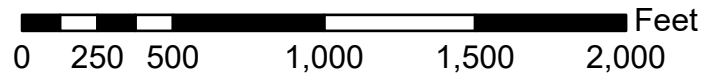
14

Attachment 2 - Future Land Use and Character Map

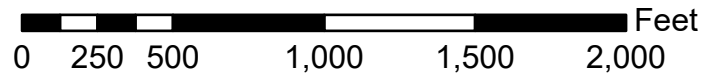
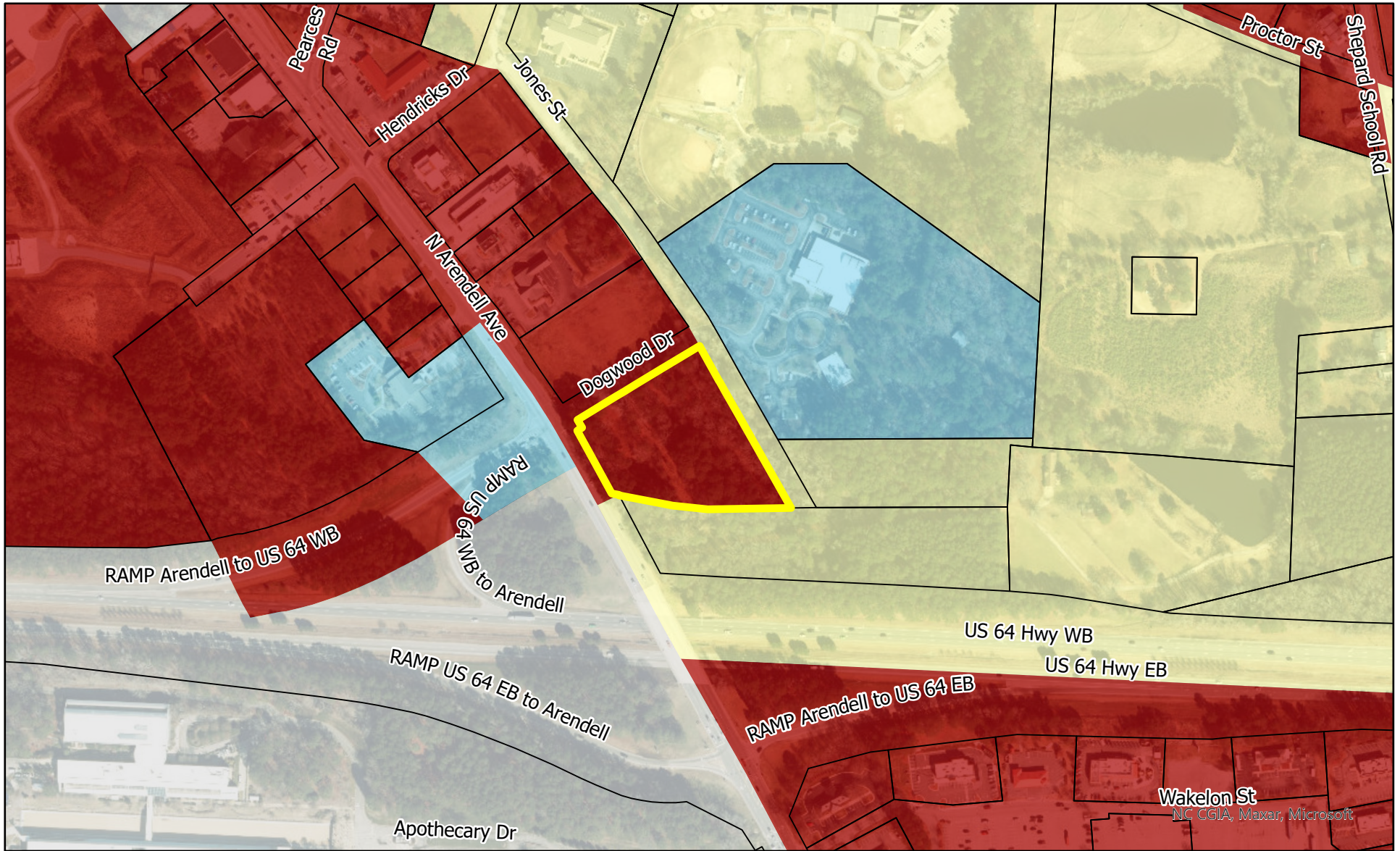



-  Subject Property (1106 N Arendell Ave)
-  Parcels
-  Parks and Recreation (PR)
-  Suburban Residential (SR)
-  General Commercial (GC)
-  Industrial Light (IL)
-  Suburban Commercial (SC)

Attachment 3 - Aerial Map



Attachment 4 - Zoning Map



 Subject Property (1106 N Arendell Ave)


 Parcels

Zoning Districts

 R2, Residential Suburban

 HC, Heavy Commercial

 LI, Light Industrial

 OI, Office and Institutional

Attachment 5 - Site Pictures



View of property at Dogwood Dr

Attachment 5 - Site Pictures



View of property at N Arendell Ave

UTILITY ALLOCATION WORKSHEET – TOWN OF ZEBULON

1106 N ARENDELL AVE CONDITIONAL REZONING

The table below summarizes how the development proposed by the above rezoning request, as shown on the associated concept plan, qualifies for allocation under the amended Utility Allocation Policy adopted by the Zebulon Board of Commissioners on May 9, 2023.

BASE POINTS	
Single Use Retail	
Newly constructed single use, stand-alone building used primarily for retail, restaurant, or similar commercial use.	40
BONUS POINTS	
Section 1B - Roadway Infrastructure Not Warranted by TIA/UDO/CTP	
Construction of full cross section of existing off-site public street	5
Section 2C - Stormwater SCM's	
Stormwater - Wetland	5
Section 3A – Outdoor Enhancement	
Installation of Native Shade Tree Species (per Tree up to 10 Trees)	10
Total	60

Below are comments by the applicant regarding the proposed development and the bonus point criteria utilized for this project as identified above:

Section 1B - Roadway Infrastructure Not Warranted by TIA/UDO/CTP

The proposed concept plan depicts construction of the full width of the cross-section for Jones Street along almost the entire length of the subject property’s respective frontage. This significantly exceeds the minimum UDO requirement for construction of only ½ the width of the cross section along the frontage.

Section 2C – Stormwater SCM's

Stormwater management for development on the site will include a constructed wetland in the area shown on the plan.

Section 3A – Outdoor Enhancement

In addition to all required landscape plantings, the applicant proposes to plant an additional 10 native species shade trees on the site. A note stating this commitment is included on the landscape plan.

MUNICIPAL UTILITY ALLOCATION POLICY

Statement of Purpose and Goals

Introduction

Drinking water supplies throughout the greater City of Raleigh distribution system are finite, subject to disruption by drought and/or other calamity and Zebulon’s allocation is contractually limited. The Town staff, the Planning Board, and the Board of Commissioners have given a great deal of thought and study as to the best utilization of this valuable resource to benefit current and future citizens.

The Town of Zebulon’s municipal water and sewer capacity is a valuable resource that must be conserved and apportioned to new development projects that promote the Town’s policy of ensuring a diversified tax base and housing supply. Such an allocation policy will tend to promote diversity of housing available to a wide cross section of citizens of diverse socio-economic backgrounds and promote economic viability and sustainability by providing for retail and other commercial development within the Town of Zebulon.

In order to preserve and enhance property values, manage its limited water supply as a vital natural resource, promote economic development, and incentivize smart growth practices, the allocation of Zebulon’s potable water capacity shall hereafter be in accordance with this policy.

Land Use and the Tax Base

The local government expense of providing fire and police protection, schools, parks, social services, water and sewage systems and other essential public services to residential neighborhoods is generally greater than the ad valorem tax revenue generated by such neighborhoods. On the other hand, the cost of providing services to commercial and industrial development is generally less than the tax revenue accruing to the local government. Having a predominantly residential tax base would require the Town of Zebulon over time to assess a higher tax levy to raise funds to provide essential services or to reduce the level of public services provided. This is one reason among many why local governments including Zebulon strive to achieve a balance of both residential and non-residential growth.

Zebulon’s historical development is transitioning from industrial to residential, leading to a current tax base of approximately 40% residential and 60% commercial/industrial. The following table shows Zebulon’s tax base over the past five years ¹

Zebulon Tax Base (Past Five Years)

Fiscal Year	Commercial	Residential
2021-2022	60%	40%
2020-2021	65%	35%
2019-2020	72%	28%
2018-2019	73%	27%
2017-2018	71%	29%

¹ “Tax Base Components | Wake County Government,” *Wake County North Carolina*, <https://www.wakegov.com/departments-government/tax-administration/data-files-statistics-and-reports/tax-base-components>

As shown in the table above, the residential tax base has steadily increased proportionally over the past five years. This trend in the tax base data, combined with the vested planned residential development in the coming years, demonstrates the need for the Town to address this shift through policy. The Zebulon Board of Commissioners believes that it is fiscally responsible and otherwise in the public interest to promote and encourage non-residential development in the jurisdiction as an alternative to rapid residential development to keep the ratio between the two development types well balanced. A goal of maintaining a tax base of 60% residential and 40% commercial/industrial is hereby established.

Development Goals for the Full Build-Out of Zebulon

Communities without a wide variety of housing types and styles also put pressure on the Wake County Public School System which remains committed to having students of a wide range of socio-economic backgrounds attend each local school. In addition to the goal of maintaining a balanced tax base, the Town of Zebulon is committed to achieving a balance of housing types within its jurisdiction.

This commitment is consistent with both the Town’s Strategic Plan and Comprehensive Plan. The *Town of Zebulon: Vision 2030 Strategic Plan* lists “Growing Smart” as one of its three focus areas, calling for the planning of appropriate land uses and affordability of the community. The *Grow Zebulon Comprehensive Land Use Plan* identifies six guiding principles for the town. Two of those principles are “Zebulon will be BALANCED” and “Zebulon will be PRUDENT.” A balance should be achieved for the Town’s tax base, its land uses, and its housing types to allow for an affordable community with employment and business opportunities that will help the community prosper. The achievement of balance in Zebulon will contribute to the Town being prudent. As stated previously, a local government’s cost of providing services to commercial properties is generally less than that of residential properties. Having a balanced tax base that is not proportionally over-saturated with residential properties will contribute to keeping the Town financially sound.

Below are three development goals that are integral to the utility allocation policy and the future of the Town. These development goals apply to the entire, future Zebulon jurisdiction including the ETJ, short-range and long-range urban service areas.

GOAL #1: Maintain 60%-40% ratio of residential to non-residential tax values.

<u>Upon Adoption-January 2021</u> 60% Residential - 40% Non-Residential
--

GOAL #2: Residential Housing Percentage Breakdown
SFD|TH|MF – 75%|10%|15% (Note – Duplex counted as MF)

<u>Upon Adoption-January 2021</u> 80.5% | 0.5% | 19%

GOAL #3: Encourage Mixed Use Development to improve pedestrian connectivity to non-residential activity.

Water Allocation

All existing parcels of real property within the corporate limits of Zebulon, regardless of proposed acreage, shape, or location as of the adoption of this ordinance are entitled to **115 gallons per day** of water allocation to build and sustain a single family or a limited business or commercial use. No additional water allocation will be awarded for proposed development except in accordance with the requirements of this policy.

Wastewater Connection

All projects considered for utility allocation must provide a wastewater system connection with adequate receiving capacity, as determined by the Wake County Health Department and/or City of Raleigh Public Utilities Department and approved by the Town of Zebulon Planning Director.

General Conditions & Requirements

- All proposed projects must be within the existing corporate limits or have filed a valid and complete petition for Voluntary Annexation.
- All proposed projects under consideration must have a complete application submitted for the appropriate Master Plan, Subdivision, Site Plan, Special Use Permit, Conditional Zoning Request, Zoning Compliance Permit, Building Permit, or any other necessary approval.
- All projects are subject to a Utility Allocation or Developer's Agreement approved by the Town's Board of Commissioners. If the Developer/Applicant fails to meet all terms of that agreement the unused allocation will be reclaimed, no new building permits will be issued, and no new connections to the water or wastewater systems will be permitted. Active building permits will have certificates of occupancy held until mitigating measures are agreed to by all parties.
- Projects with proven vested rights upon adoption of this ordinance will be permitted to finish their projects as previously approved.
- Public water may be utilized for irrigation purposes so long as the Primary Use associated with the site has previously gained water allocation through the Town.
- Any third parties who buy land to build upon are bound by the approved Utility Allocation Agreement or Development Agreement for that property. If the agreement is not fulfilled, the above terms and conditions still apply regardless of who owns the land.

Compliance Required

This policy allocates municipal water in gallons per day for new development proposals, master plans, site plans, building plans, and/or structures seeking construction approval. Each phase of a phased development must comply with the terms and development schedule of an approved Utility Allocation Agreement before the next phase can begin or the development risks loss of previously reserved allocation.

Previously dedicated but unused allocation can be reclaimed by the Town's Board of Commissioners for:

- (1) the lack of compliance with any existing Utility Allocation or Developer's Agreement;
- (2) violation of applicable town policy provision, ordinance standard, condition of approval;
- (3) violation of federal or state regulation; or
- (4) other good cause.

Utility Allocation Application Process

Upon receiving a new development proposal requesting water capacity, the Planning Staff shall direct the Developer/Applicant to demonstrate the project's qualifications. A Developer/Applicant shall state on the appropriate application, and stipulate within an approved Utility Allocation Agreement, the use or uses proposed to be built as part of the project along with the construction design and materials. Town action on the request will be deferred until the application is complete and the requested information has been provided.

Proposed projects shall complete the UTILITY ALLOCATION WORKSHEET according to its instructions to determine the total number of points achieved. The Utility Allocation Application package will be reviewed for completeness and compliance by the Technical Review Committee (TRC) in conjunction with the applicable development approval for the subject property (conditional rezoning, planned development, site plan, etc.).

Qualification for water allocation is judged by:

- The level of developer investment
- Anticipated increases in the Town's ad valorem tax base
- Construction and dedication of public infrastructure
- Provision of employment opportunities for Zebulon citizens
- Provisions of diversified housing stock
- Preservation of open space
- Protection of existing tree canopy
- Conservation of existing habitat
- The provision of recreational amenities for current or future Zebulon residents

Projects must be awarded **60 TOTAL POINTS** or more to merit water allocation.

Points are awarded in two categories, BASE POINTS and BONUS POINTS. BONUS POINTS are broken down into six categories.

1. Nonconformity Abatement and Public Infrastructure Improvements
2. Green Development Standards
3. Gateway and Transit Improvements
4. Amenities
5. Affordable Housing
6. Other

Unless a project can gain all necessary BONUS POINTS from a single improvement identified in the approved list, improvements must be made from at least two of the categories of BONUS POINTS.

All features and/or improvements that earn a projects BONUS POINTS must be clearly shown on a development plan for each application type.

Expiration of Allocation Award

A developer/applicant who has secured allocation according to this policy and hasn't progressed in construction plan approval, building permit approval, or on-site construction for a period of 12 months will lose the award of allocation without benefit.

Annual Review of Policy & Appeals

This policy shall be reviewed in January of each year and, when appropriate, readjusted by the Town's Board of Commissioners. The Town's overall progress on policy goals will be considered and the multipliers and/or point thresholds readjusted accordingly.

Appeals of any provision of this ordinance shall be decided upon by the Town's Board of Commissioners upon receiving a recommendation from the Planning Board.

BASE POINTS: List of Preferred Land Uses and Required Characteristics:

The uses listed below have been determined to be the most desirable and important uses for the Town of Zebulon to promote and maintain economic and housing diversity. Only projects that completely meet the stated performance characteristics will be considered for utility allocation. Please select one of the following Base Point classifications.

60 Base Points	<p>Single Family Homes (Expedited Subdivision or Recombination) Newly constructed Single Family Homes built upon new lots created via the minor subdivision, exempt subdivision, expedited subdivision (3 or fewer lots) or recombination process.</p>
60 Base Points	<p>Change of Use This category captures renovation, rehabilitation, up-fit or retrofit of existing buildings or portions of buildings that pre-date this policy and require a code summary sheet, change in building occupancy, certificate of occupancy, building permit and/or building inspections and do not increase the utility demand from the previous use of the building.</p>
45 Base Points	<p>Business Office/Finance/ Insurance / Professional Services Center - Large Qualifying projects must exceed 100,000 square feet of heated floor space and create at least 150 employment positions that exceed the average annual Wake County salary according to Wake County Economic Development or the Employment Security Commission. Employees perform professional, scientific, and technical services for others. Such services require a high degree of expertise and training and provide high salaried employment opportunities. Examples include software engineering, legal, medical, accounting, consulting, architectural, biomedical, chemical, research and development, and administrative services. Finance or Insurance Centers shall also pool financial risks by underwriting insurance and annuities. Some establishments support employee benefit programs. Examples include bank or credit union headquarters, brokerages, investments, insurance, financing, and data processing establishments.</p>
45 Base Points	<p>Manufacturing/Industrial Employment Center Manufacturing or Industrial establishments in this category exceed 200,000 square feet of floor space located in plants, factories, or mills and employ power-</p>

	<p>driven machines and materials-handling equipment. They may also employ workers who assemble or create new products by hand, without the characteristic machinery-intensive enterprise. Many manufacturing establishments process products of agriculture, forestry, fishing, mining, or quarrying as well as products of other manufacturing establishments. Most manufacturing establishments have some form of captive services (e.g., research and development, and administrative operations, such as accounting, payroll, or management) in conjunction on-site.</p>
45 Base Points	<p>Governmental Uses/Public Administration This category encompasses centers for all government functions; it includes federal, state, and local government agencies that administer, oversee, and manage public programs and budgets and have executive, legislative, or judicial authority. Establishments develop policy, create laws, adjudicate civil and criminal legal cases, and provide for public safety and national defense.</p>
40 Base Points	<p>Single Use Retail Newly constructed single use, stand-alone building used primarily for retail, restaurant, or similar commercial use.</p>
40 Base Points	<p>Hotels, Motels, or other Accommodation Service Establishments This category serves lodging and short-term accommodations for travelers. They may offer a wide range of services, from overnight sleeping space to full-service hotel suites. They may offer these services in conjunction with other activities, such as entertainment or recreation. Stays in these establishments are generally less than one month. This classification does not include boarding or rooming houses.</p>
40 Base Points	<p>Arts/Entertainment/Museums These establishments operate facilities or provide services for a variety of cultural, entertainment, and performing art functions. Establishments include those that produce, promote, or participate in live performances, events, or exhibits intended for public viewing; those that preserve and exhibit objects and sites of historical, cultural, or educational interest; and those that operate facilities or provide services to serve activities associated with the aforementioned.</p>
40 Base Points	<p>Amusement, Sports or Recreational Establishment Establishments in this category operate either indoor or outdoor facilities offering family activities (i.e. sports, recreation, or amusement) and provide services, such as facilitating amusement in places operated by others, operating recreational sports groups and leagues. Examples include golf courses, indoor sports venues, bowling alleys, miniature golf courses, athletic clubs, skating rinks and arcades. This category may be used in conjunction with a commercial or residential development as a mixed use development.</p>
40 Base Points	<p>Mixed Use Development (Transit Oriented) Newly constructed or substantially rehabilitated collection of vertically mixed retail, office and residential uses in multi-story buildings centered within a one-half mile radius of an existing rail or bus transit station or the intersection of</p>

	Horton Street and North Arendell Avenue in Downtown Zebulon. In order to qualify as mixed use, developments must dedicate at least one-third of the total heated square footage to residential use and the remainder to a mix of retail and office uses. All three use types must be represented and at least 10% of the heated square footage must be dedicated to street level, storefront retail uses.
40 Base Points	Mixed Use Development (Urban Infill) Newly constructed or substantially rehabilitated collection of mixed retail, office and residential uses in a multi-story building on a previously developed parcel within the corporate limits. In order to qualify as mixed use, developments must dedicate at least one-third of the total heated square footage to residential use and the remainder to a mix of retail and office uses. All three use types must be represented and at least 10% of the heated square footage must be dedicated to street level, storefront retail uses.
40 Base Points	Mixed Use Development (Greenfield) Newly constructed collection of mixed retail, office and residential uses in a multi-story building or buildings on a previously undeveloped parcel. In order to qualify as mixed use, developments must dedicate at least one-third of the total heated square footage to residential use and the remainder to a mix of retail and office uses. All three use types must be represented and at least 10% of the heated square footage must be dedicated to street level, storefront retail uses.
35 Base Points	Housing Services for the Elderly Establishments This category offers housing services for the aged, not requiring a license from the North Carolina Department of Health and Human Services, such as independent retirement housing, multi-unit assisted housing with services (MAHS), and continuing care retirement centers. All facilities must provide, but not necessarily be limited to, the following services/facilities: On-site laundry facilities, on site management, guaranteed transportation services at least four days per week, on-site exercise facilities, on-site computer access, and a clubhouse/common lounge area for all residents.
35 Base Points	Mixture of Use Development (Retail/Office-Institutional/Commercial) Newly constructed collection of horizontally arranged uses including retail, office-institutional and commercial within a master planned project on a previously undeveloped parcel or parcels totaling at least 10 acres. Mixture of use projects must include at least two (2) use types with at least 25% of the space devoted to each use type included in the development.
30 Base Points	Retail/Commercial Center Newly constructed center of at least 50,000 square feet, typically containing an anchor such as a grocery store and other smaller spaces and/or outparcels for subordinate uses. Uses are entirely consumer-driven and include all manner of retail, service and office possibilities.
30 Base Points	Business Office/Finance/ Insurance / Professional Services Center – Medium Qualifying projects must exceed 50,000 square feet of heated floor space and create at least 75 employment positions that exceed the average annual Wake County salary according to Wake County Economic Development or the

	<p>Employment Security Commission. Employees perform professional, scientific, and technical services for others. Such services require a high degree of expertise and training and provide high salaried employment opportunities. Examples include software engineering, legal, medical, accounting, consulting, architectural, biomedical, chemical, research and development, and administrative services. Finance or Insurance Centers shall also pool financial risks by underwriting insurance and annuities. Some establishments support employee benefit programs. Examples include bank or credit union headquarters, brokerages, investments, insurance, financing, and data processing establishments.</p>
30 Base Points	<p>Business Office/Finance/ Insurance / Professional Services Center – Small Qualifying projects 50,000 square feet of heated floor space or less. Employees perform professional, scientific, and technical services for others. Such services require a high degree of expertise and training and provide high salaried employment opportunities. Examples include software engineering, legal, medical, accounting, consulting, architectural, biomedical, chemical, research and development, and administrative services. Finance or Insurance Centers shall also pool financial risks by underwriting insurance and annuities. Some establishments support employee benefit programs. Examples include bank or credit union headquarters, brokerages, investments, insurance, financing, and data processing establishments.</p>
30 Base Points	<p>Multi-Tenant Retail Center Newly constructed center 50,000 square feet or less, typically containing a more than one tenant space within a single structure. Uses are entirely consumer-driven and include all manner of retail, service and office possibilities.</p>
30 Base Points	<p>Single Use Office Newly constructed single use, stand-alone building used primarily for office and professional.</p>
30 Base Points	<p>Bungalow Court or Pocket Neighborhood Newly constructed Bungalow Court or Pocket Neighborhood per the standards of the Unified Development Ordinance.</p>
30 Base Points	<p>Distribution/Trucking Center Newly constructed center of at least 500,000 square feet where products and resources are transported to and delivered from via truck or rail.</p>
25 Base Points	<p>Warehouse Newly constructed center of at least 500,000 square feet where products and resources are stored.</p>
25 Base Points	<p>Religious Institutions Any facility such as a church, temple, synagogue, mosque or monastery used for worship by a non-profit organization and their customarily related uses.</p>
20 Base Points	<p>Intensive Industrial Uses: Uses classified as Special Land Uses within the Industrial Classification.</p>

20 Base Points	Multi-Family Residential & Condo Units
20 Base Points	Major Subdivision 4- 25 Lots Any subdivision of land of four (4) – 25 Lots.
10 Base Points	Major Subdivision 26 lots or more Any subdivision of land of 26 or more lots.
Board Determination	All Other Uses Not Categorized This category of use captures all other uses not categorized elsewhere. Allocations for such uses are left to the discretion of the Town’s Board of Commissioners upon recommendation of the Planning Board and acted on a case-by-case basis.

BONUS POINTS

Proposed projects can gain BONUS POINTS by agreeing to provide any of the following items over and above the UDO or Standard Specification requirements for their development proposal.

NOTE: No bonus points are given for UDO requirements.

CATEGORY 1 – Non-Conformity Abatement and Public Infrastructure Improvements

Section 1A - Abatement of Nonconformities		(Max - 3 points)
	Abatement of any existing non-conforming structures	3
	Abatement of any existing non-conforming use of land	2
	Abatement of any existing non-conforming lots	1

Section 1B - Roadway Infrastructure Not Warranted by TIA/UDO/CTP		(Max - 10 points)
5	Construction of full cross section of existing off-site public street	5
	Nearby intersection improvements	5
	Traffic signal improvements	4
	Signage or striping improvements	1

Section 1C - Off-Site Public Greenway Improvements		(Max - 10 points)
	Construct more than 4000 linear feet of 10-foot-wide path	10
	Construct more than 3000 linear feet of 10-foot-wide path	8
	Construct more than 2000 linear feet of 10-foot-wide path	6
	Construct more than 1000 linear feet of 10-foot-wide path	4
	Construct 500 to 1000 linear feet of 10-foot-wide path	2

Section 1D – Off-Site Bike-Ped Improvements		(Max – 5 points)
	Construction of off-site sidewalk improvements (Subject to TRC Approval)	2
	Construction of off-site bike lane improvements (Subject to TRC Approval)	3

CATEGORY 2. Green Development Standards/ Building & Site Design

Section 2A - Conservation of Natural Habitat Meeting Active Open Space Requirements as Defined in the UDO		(Max - 10 points)
	One point per acre up to 10 acres	1 - 10

Section 2B - Parking		(Max – 15 points)
	Structured Parking Facilities - must reduce footprint by 20%	10
	EV Charging Stations (two-port)	5
	Provision of on-street public parking (1 point per stall up to 10 Max)	1 - 10

Section 2C - Stormwater SCM's		(Max – 10 points)
	Stormwater - Restored Riparian Buffer	10
	Construct a fountain or other stormwater amenity within the BMP/SCM (as approved by Staff)	4
	Stormwater - Landscaped Green Roof	5
	Stormwater - Underground capture system for on-site irrigation	5
	Stormwater - Bioretention	5
5	Stormwater - Wetland	5
	Exclusive use of porous pavement in parking areas where suitable	2

Section 2D - Building/Site Design		(Max - 20 points)
	Compliance with residential design guidelines per Section 5.2 of the UDO	10
	Non-Residential building design that incorporates an active upper story.	5
	Pedestrian oriented and walkable site design which promotes alternatives to vehicular travel within the development. (Subject to TRC Approval)	5

Section 2E - Infill/Redevelopment		(Max – 16 points)
	Development or Redevelopment within DTC	10
	Development or Redevelopment within DTP	6
	Redevelopment of previously vacant building space over 20,000 square feet	6
	Redevelopment of previously vacant building space under 20,000 square feet	5

Section 2F - Historic Preservation		
	Historic Structure Preservation via Deed Restriction (Determined by TRC)	10
	Restoration of Historic Structure (Must be approved by TRC)	5

Section 2G – LEED Certification		(Max – 10 points)
	LEED Certification for Neighborhood Development (LEED ND)	10
	Platinum LEED Certification	10
	Gold LEED Certification	8
	Silver LEED Certification	6
	Bronze LEED Certification	4
	LEED Certified Certification	2

CATEGORY 3 – Outdoor Enhancement and Transit Improvements

Section 3A – Outdoor Enhancement		(Max – 12 points)
	Construction of a Parkway Street Section on a Collector level street	5

	Construction or Preservation of Gateway Landscaping or Structure (Subject to Comprehensive Plan Consistency and TRC approval)	5
	Outdoor Display of Public Art (Subject to TRC Approval)	4
	Public Facing Outdoor Mural (Subject to TRC Approval)	4
	Maintenance of Roadside Gateway Plant Bed (requires maintenance agreement)	3
	Planting Pollinator Garden (225 Square Foot Minimum)	3
	Exclusive use of xeriscaping techniques and drought tolerant species	3
	Enhanced Roadside Landscaping (Subject to TRC Approval)	2
	Enhanced Buffer Landscaping (Subject to TRC Approval)	2
	Construction of a Parkway Street Section on a Local level street	2
10	Installation of Native Shade Tree Species (per Tree up to 10 Trees)	1

Section 3B – Transit (Pursuant to location being adjacent to a planned or active transit route)		(Max - 8 points)
	Provision of more than 50 designated Park & Ride Stalls	8
	Provision of 25 designated Park & Ride Stalls	5
	Provision of 10 designated Park & Ride Stalls	3
	Provision of mass transit easement w/ structure (bus stop with shelter & bench)	2

CATEGORY 4 - Amenities

Section 4A - Private Greenway		(Max - 3 points)
	Construction of more than 3000 linear feet private greenway meeting Town of Zebulon standards	3
	Construction of more than 2000 linear feet of private greenway meeting Town of Zebulon standards	2
	Construction of more than 1000 linear feet of private greenway meeting Town of Zebulon standards	1

Section 4B – Pool (Combinations may be approved by TRC)		(Max - 8 points)
	Olympic Pool and Aquatic Center	8
	Junior Olympic Pool	5
	Lap Pool (four lane minimum)	3
	Resort Style Pool	2
	Any Other Pool	1

Section 4C - Outdoor Deck/Patio		(Max - 3 points)
	Deck/Patio - More than 3000 square feet	3
	Deck/Patio - More than 2000 square feet	2
	Deck/Patio - More than 1000 square feet	1

Section 4D - Pool Amenities		(Max - 2 points)
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	Jacuzzi/Hot Tub/Whirlpool	2
	Water Playground with apparatus	2
	Sauna/Steam room	2

Section 4E - Clubhouse		(Max - 10 points)
	Commercial Coffee Shop with at least 10 designated public seating spaces.	10
	With full kitchen and over 4000 square feet of meeting space	10
	With full kitchen and less than 4000 square feet of meeting space	9
	Meeting space without kitchen more than 3500 square feet	8
	Meeting space without kitchen 2500 - 3499 square feet	7
	Meeting Space without kitchen 1500 - 2499 square feet	5
	Meeting Space without kitchen less than 1500 square feet	4
	No meeting space, bathrooms and changing rooms only	3
	Outdoor Kitchen or Grills	2

Section 4F - Additional Active Recreation		(Max - 10 points)
	Gymnasium (regulation size indoor basketball court)	10
	Baseball/Softball Field (regulation size)	5
	Football/Soccer Field (regulation size)	5
	Skate Park	5
	Tennis Courts (two regulation courts, fenced)	5
	Multi-Use Hardcourt (two regulation basketball courts, street hockey, fenced)	5
	Pickleball Court (three regulation courts, fenced)	5
	Pocket Park – 5,000 square feet	3
	IPEMA Certified Playground Equipment	4
	Lighted Field of Play for nighttime use	3
	Electronic Scoreboard or Covered Dugouts or Bleachers	3
	Community Garden – 15-foot by 15-foot, with water access and potting shed.	3

Section 4G – Additional Urban Open Space Enhancements (Within Non Residential Zoning Districts)		(Max – 10 points)
	Fountain	2
	Canopy Including Fixed Permanent Seating	2
	Drinking Fountain with Pet Fountain	2
	Permanent Game Tables	1
	Permanent Tables with Shade Cover	1
	All Weather Bulletin Board	1
	Covered or Internal Bicycle Parking	1
	Artist-Design Bicycle Racks	1
	Little Free Library	1
	Drinking Fountain	1
	Public Work Bike Stand With Tools	1

CATEGORY 5 – Affordable Housing

Inclusion of a percentage of the provided housing stock of a proposed development cost no more than 30% of a household income not exceeding 80% of the Area Median Income (AMI)		(Max – 10 Points)
	15% Affordable Housing	10
	10% Affordable Housing	5

CATEGORY 6 – Other

(Max 5 Points)

	Integrated public safety operation systems (EX. Flock Safety or others as approved by the Police Department)	3
	Smart Waste and Recycling Stations	2

ZEBULON

NORTH CAROLINA

CASE # CZ 2023-03 IDT# 964911 – 1106 N Arendell Conditional Rezoning

PROJECT ADDRESS 1106 N Arendell Ave

PIN NUMBER: 2705191832

HEARING DATE: August 14, 2023

State of North Carolina

County of Wake

BEFORE ME, the undersigned Notary, Stacie Paratore on this 4th day of August 2023, personally appeared Michael J. Clark, known to me to be a credible person and of lawful age, who being by me first duly sworn, on his oath, deposes and says:

I Michael J. Clark, acting as the Planning Director for the Town of Zebulon, affirm that the following Public Notice Procedures have been completed in accordance with applicable North Carolina General Statute and Town of Zebulon Unified Development Ordinance Section 2.3.6 have been satisfied for the above referenced hearing.

- First Class Mailing Sent on **8/1/2023** (see attached mailing list and copy of mailing)
- Advertisement in a Paper of General Circulation sent on **8/1/2023** (Wake weekly, publication dates **8/4 & 8/11/2023**)
- Posting Public Hearing Signage on Property on **7/27/2023** (pictures attached)
- Posted to Planning Department Website **8/2/2023**
- Sent to E-Mail Distribution List on **8/4/2023**

Michael J. Clark

8/4/2023

Michael J. Clark, AICP, CZO

Date

Subscribed and sworn to before me, this 4th day of August 2023.

[Notary Seal:]

Stacie Paratore

Stacie Paratore

[signature of Notary]

[printed name of Notary]

NOTARY PUBLIC

My commission expires: 6/27, 2025.

<p>STACIE PARATORE NOTARY PUBLIC WAKE COUNTY, N.C.</p>
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Notice of Public Hearing

Notice is hereby given pursuant to the provisions of Article 2.2.6 of the Town of Zebulon Unified Development Ordinance that a public hearing will be held on **August 14, 2023 at 6:00 PM** at the **Zebulon Municipal Complex, 1003 N. Arendell Avenue**, and will be conducted by the Board of Commissioners and Planning Board of the Town of Zebulon for the purpose of considering the following items:

IDT Project Number 964911 - CZ 2023-03 – 1106 N Arendell Ave (1106 N Arendell Ave)

PIN # 2705191832. A request by Thomas Johnson of Williams Mullen on behalf of C4 CStore Holdings III, LLC and property owners Carl Victor Tart Jr., for a Conditional Rezoning to the Heavy Commercial Conditional (HC-C) zoning district for the development of a convenience store with gasoline sales.

Public comments may be submitted to Deputy Town Clerk Stacie Paratore at SParatore@TownofZebulon.org no later than 12:00 Noon on the day of the hearing to be read into the record. Links will be provided along with the full application packet and documentation on the Planning Department web page at <https://www.townofzebulon.org/departments/planning/public-hearing-information> For questions or additional information, please contact us at (919) 823-1816.

Wake Weekly August 4th & 11th





PUBLIC HEARING NOTICE

Public Hearing on business
sites and uses for the property for
which a Conditional Zoning Ordinance
is being proposed.




For more information, please contact
the Town of Zebulon Planning
Department.

Town of Zebulon, GA
(919) 823-1809

ZEBULON
GA

Conditional Rezoning
1108 N. Memphis Ave

Topic: Recreational Vehicle Park Text Amendment

Speaker: Michael J. Clark, AICP, CZO, Planning Director
From: Michael J. Clark, AICP, CZO, Planning Director
Prepared by: Michael J. Clark, AICP, CZO, Planning Director
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Board of Commissioners will consider a text amendment to Section 4.2.3 of the UDO to allow for consideration of Recreational Vehicle Parks as part of Planned Development requests.

Background:

The Use Table within Article 4 of the UDO lists “RV Parks” as a special land use within three zoning districts. Jennifer Ashton, attorney with Long Leaf Partners, applied for a text amendment to Section 4.2.3 to allow consideration of RV Parks when presented as part of a Planned Development request.

The UDO has selected uses that require a greater level of scrutiny to be regulated as special land uses. RV Parks are one such use. However, Section 2.2.13.A of the UDO notes:

The planned development district creates opportunities for master planned development that is developed under unified control in accordance with more flexible standards and procedures that are conducive to creating high quality, mixed-use, pedestrian-oriented development that makes efficient use of land while protecting natural resources.

This establishes a legislative framework for consideration of uses, such as RV Parks, to be considered in a much larger context than the limitations of the quasi-judicial process as well as the limited applicable standards of Section 2.2.18.F of the UDO.

Discussion:

In consideration of the proposed request, the Board shall measure the request against the standards found in Section 2.2.20.G of the UDO which are as follows:

- 1. Enhances the public’s health, safety, and welfare;*
- 2. Is consistent with the Town’s adopted policy guidance;*
- 3. Is not in conflict with any provision of this Ordinance or the Town Code of Ordinances;*
- 4. Is required by changed conditions;*
- 5. Addresses a demonstrated community need;*
- 6. Addresses an unforeseen matter not present when the Ordinance was adopted;*
- 7. Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the Town;*

STAFF REPORT
TA 2024-01
RV PARK TEXT AMENDMENT
AUGUST 14, 2023

8. *Would result in a logical and orderly development pattern;*
9. *Addresses other factors determined to be relevant by the Board of Commissioners;*
and
10. *Would not result in significantly adverse impacts on the natural environment, including water, air, noise, stormwater management, wildlife, vegetation, and the natural functioning of the environment.*

Policy Analysis:

The Economic Development section of the Comprehensive Land Use Plan provides a list of policies. Policy "G" states, "Make tourism promotion an increasing focus within its overall economic development portfolio, in support of initiatives elsewhere in this CLUP and the Town's Strategic Plan to make Zebulon more of a destination and offer visitors a memorable experience." As an indirect element which would be privately funding, a range of tourist-based lodging opportunities would be consistent with the spirit and intent of this action.

Financial Analysis:

Additional lodging opportunities would increase tourism related tax dollars within the region. Furthermore, as a Planned Development, any project would be required to construct any applicable infrastructure including but not limited to road improvements, utility extensions, or other physical enhancements without cost to the Town.

Staff Recommendation:

Staff Recommends accepting and consideration of public comment and referring the matter to the Planning Board for recommendation.

Attachments:

1. Application
2. Draft Text Amendment
3. Public Hearing Notification Affidavit



Attachment 1
TA 2024-01

Town of Zebulon

Planning Department

1003 N. Arendell Avenue, Zebulon, NC 27597
Phone: (919) 823-1810 Fax: (919) 887-2824
www.townofzebulon.org

UDO TEXT AMENDMENT PETITION

GENERAL INFORMATION:

In cases where the standards of specific to a particular zoning district is inconsistent with the future land use or necessitates changes to the UDO text are needed to accommodate new practices, technology, or conditions, the UDO Text Amendment request as outlined in Section 2.2.20 of the UDO provides details on how to amend the UDO to for Town to apply different regulations.

INSTRUCTIONS:

PRE-APPLICATION MEETING: A pre-application meeting with staff in accordance with Section 2.3.2 of the UDO to verify the application requirements, processes, and procedures regarding a proposed request. To schedule a meeting, applicants must e-mail a details of the proposed request to Planning Director Michael Clark (mclark@TownofZebulon.org) no later than five (5) working days prior to the desired meeting day.

APPLICATION PROCEDURE: The applicant requesting a UDO Text Amendment must submit a written application to the Zebulon Planning Department using the forms included in this packet.

- Completed Application Form
- Petition Fee (Please See Fee Schedule)
- One (1) Legal Description (metes and bounds) of subject property


PUBLIC HEARING PROCEDURE: Upon submittal of a complete application, the Planning Department will schedule the application for a joint public hearing before the Planning Board and the Board of Commissioners. **APPLICANTS ARE STRONGLY ENCOURAGED TO CONTACT PLANNING STAFF AS SOON AS POSSIBLE TO ADDRESS ANY QUESTIONS ABOUT THE PUBLIC HEARING.** At the public hearing, the applicant, proponents, and opponents will be given the opportunity to offer evidence in favor of or against the proposal. After completion of the public hearing, the Planning Board will deliberate and forward its recommendation to the Board of Commissioners for final consideration. Deadline dates and Joint Public Hearing dates can be found on the Town of Zebulon's website.



APPLICATION FOR UDO TEXT AMENDMENT

PART 1. DESCRIPTION OF REQUEST
UDO Section to be amended: UDO Sec. 4.2.3 - Principal Use Table
Reason for Proposed Text Amendment: Add Recreational Vehicle Park as a Permitted Use in a Planned Development District
Proposed Text: The proposed text amendment seeks to amend UDO Sec. 4.2.3 - Principal Use Table to add Recreational Vehicle Park as a permitted use in a Planned Development District, provided that the specific use type is included in the list of potential use types in the master plan or terms and conditions statement.

PART 2. APPLICANT/AGENT INFORMATION		
Name of Applicant/Agent: Jennifer G. Ashton, Esq.		
Street Address of Applicant/Agent: 4509 Creedmoor Road, Suite 302		
City: Raleigh	State: NC	Zip Code: 27612
Email of Applicant/Agent: jashton@longleaflp.com	Telephone Number of Applicant/Agent: 919-780-5433	Fax Number of Applicant/Agent: N/A

<i>I hereby state that the facts related in this application and any documents submitted herewith are complete, true, correct, and accurate to the best of my knowledge.</i>		
Signature of Applicant: 	Print Name: Jennifer G. Ashton	Date: 5/31/23



LEGISLATIVE CONSIDERATIONS –ZONING MAP AMENDMENT

A UDO Text Amendment is a legislative process and subject to applicable review standards as set forth in Section 2.2.20.G of the UDO. Please note that the Planning Board and Board of Commissioners will be reviewing the proposed request based on all potential uses and activities that would be permitted within the subject request. Please provide detailed response on how the proposed rezoning request addresses each of these standards:

1) Please provide details on how the proposed amendment advances the public health, safety, or welfare.
The proposed text amendment advances the public health, safety or welfare because a Recreational Vehicle Park use will cater to families and visitors to the Town of Zebulon who enjoy outdoor and nature activities and a healthy, active lifestyle, and further advances the Town's economic development goals of bringing new visitors to Downtown and to the businesses within the Town.
2) Please provide details on how the proposed amendment is consistent with the Town’s adopted policy guidance.
The proposed text amendment to allow Recreational Vehicle Parks within a Planned Development District is consistent with the Town's Vision 2030 Strategic Plan by providing visitors with a temporary place to stay while vacationing in Town or visiting family and friends, which will assist in drawing visitors to Downtown Zebulon and the nearby businesses. The proposed amendment further will assist in providing for appropriate development to meet the Town's transportation and pedestrian connectivity needs given that the text amendment requires that the proposed use be developed under the Town's planned development process.
3) Please provide details on how the proposed amendment is not in conflict with any provision of this Ordinance or the Town Code of Ordinances
The proposed text amendment is not in conflict with any provisions of the Town's Code of Ordinances or the UDO. The proposed amendment seeks only to add Recreational Vehicle Park as a permitted use within a Planned Development District.
4) Please provide details if the proposed amendment is required by changed conditions.
The proposed amendment is not being requested because of changed conditions.
5) Please demonstrate how the proposed amendment addresses a demonstrated community need;
The proposed text amendment seeks to add Recreational Vehicle Park as a permitted use in the Planned Development District to specifically address the lack of hotels and temporary stay accommodations within the Town. The Town's Vision 2030 Strategic Plan specifically seeks to revitalize Downtown Zebulon and attract visitors to the Downtown, and this proposed text amendment assists in addressing those goals.



APPLICATION FOR UDO TEXT AMENDMENT

6) Please provide details on how the proposed amendment addresses an unforeseen matter not present when the Ordinance was adopted;

The UDO currently allows Campgrounds as permitted uses under a Planned Development District. Campgrounds and Recreational Vehicle Parks oftentimes are developed together in the same outdoor recreation resort facility, given that they both cater to individuals seeking a temporary stay in the great outdoors. The proposed text amendment seeks to add Recreational Vehicle Park as a permitted use in a Planned Development District in order to allow such a use to be developed concurrently with a Campground use in order to meet market demands and visitor expectations.

7) Please provide details on how the proposed amendment is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the Town

The proposed text amendment only requests that Recreational Vehicle Park be added as a permitted use to the Planned Development District, similar to Campgrounds, which already are a permitted use in said District. Any specific property seeking to construct a Recreational Vehicle Park would then be required to rezone the parcel to that zoning designation, which will include a master plan, all of which will be reviewed by the Board of Commissioners prior to approval. This process will ensure community engagement, compatibility among uses and ensure efficient development within the Town.

8) Please provide details on how the proposed amendment would result in a logical and orderly development pattern;

The proposed text amendment only requests that Recreational Vehicle Park be added as a permitted use to the Planned Development District, similar to Campgrounds, which already are a permitted use in said District. Any specific property seeking to construct a Recreational Vehicle Park would then be required to rezone the parcel to that zoning designation, which will include a master plan, all of which will be reviewed by the Board of Commissioners prior to approval. This process will ensure community engagement and a logical and orderly development pattern.

9) Please provide details on how the proposed request addresses other factors determined to be relevant by the Board of Commissioners;

Per the Town's Vision 2030 Strategic Plan, the proposed text amendment will assist in addressing the Board of Commissioner's goals of revitalizing Downtown by bringing new visitors to the Town and to local businesses. The proposed text amendment further will enhance the family-oriented community and quality of life of Town residents by providing a place where relatives and friends can stay while visiting from out of town. The proposed text amendment further will provide for a use that generally has lower traffic counts and traffic volumes than residential developments or shopping centers.

10) Please provide details on how the proposed request would not result in significantly adverse impacts on the natural environment, including water, air, noise, stormwater management, wildlife, vegetation, and the natural functioning of the environment.

The proposed text amendment will not adversely impact the natural environment. Instead, the proposed use is intended to function within the natural environment, and will promote coexistence with existing wildlife and vegetation.

TABLE 4.2.3: PRINCIPAL USE TABLE

A=Allowed (if listed in a PD master plan); P=Permitted subject to applicable use-specific standards; S=Requires approval of a special use permit and compliance with applicable use-specific standards; “-”=Prohibited

USE TYPE [1]	RESIDENTIAL					COMMERCIAL						MIXED USE				USE-SPECIFIC STANDARDS [2]
	R1	R2	R4	R6	RMF	NC	GC	HC	LI	CI	HI	OI	DTC	DTP	PD	
Office, Sales or Service	-	-	-	-	-	P	P	P	-	P	-	P	P	P	A	
Outdoor Commercial Recreation	-	-	-	-	-	-	-	P	S	-	S	-	-	-	A	4.3.5.FF
Outdoor Storage	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-	4.3.5.GG
Package and Printing Service	-	-	-	-	-	P	P	P	-	S	-	P	P	P	A	
Park and Ride Facility	-	-	-	-	P	P	P	P	P	P	P	P	P	P	A	
Parking Lot	-	-	-	-	P	P	P	P	P	P	P	P	P	P	A	4.3.5.HH
Parking Structure	-	-	-	-	S	S	P	P	P	P	P	P	P	P	A	4.3.5.II
Pawn Shop	-	-	-	-	-	-	P	P	-	-	-	-	P	P	A	4.3.5.JJ
Pharmacy	-	-	-	-	-	S	P	P	-	-	-	S	P	P	A	4.3.5.KK
Pool Hall	-	-	-	-	-	-	S	S	-	-	-	-	S	S	A	
Racetrack	-	-	-	-	-	-	-	-	S	-	S	-	-	-	-	
Recreational Vehicle Park	-	-	-	-	S	-	-	-	S	-	S	-	-	-	-	4.3.5.LL
Repair Shop	-	-	-	-	-	-	P	P	P	-	-	-	P	P	A	4.3.5.MM
Restaurant Indoor/Outdoor Seating	-	-	-	-	-	P	P	P	-	P	-	P	P	P	A	4.3.5.NN
Restaurant with Drive-through/Drive-up Service	-	-	-	-	-	-	P	P	-	P	-	P	-	-	A	4.3.5.NN
Restaurant, Walk-up Only	-	-	-	-	P	P	P	P	P	P	-	P	P	P	A	4.3.5.NN
Retail, Bulky Item	-	-	-	-	-	-	S	P	P	-	-	-	-	-	A	4.3.5.OO
Retail, Large Format	-	-	-	-	-	-	S	P	P	-	-	-	-	S	A	4.3.5.PP
Retail Use, Other	-	-	-	-	-	P	P	P	P	-	-	-	P	P	A	
Self Service Storage, External Access Only	-	-	-	-	-	-	-	S	P	-	P	-	-	-	A	4.3.5.QQ
Self Service Storage, Internal Access Only	-	-	-	-	-	-	S	S	P	-	P	-	-	P	A	4.3.5.QQ
Shooting Range, Indoor	-	-	-	-	-	-	-	S	S	-	-	-	-	-	-	4.3.5.RR
Specialty Eating Establishment	-	-	-	-	-	P	P	P	-	-	-	S	P	P	A	4.3.5.SS
Tattoo and Piercing Establishment	-	-	-	-	-	-	P	P	-	-	-	-	-	S	A	
Theatre	-	-	-	-	-	P	P	P	-	-	-	-	P	P	A	
Truck Stop	-	-	-	-	-	-	-	P	P	-	P	-	-	-	-	4.3.5.TT
Vape, Tobacco, and CBD Shop	-	-	-	-	-	-	P	P	-	-	-	-	P	P	A	4.3.5.UU
Veterinary Clinic	-	-	-	-	-	P	P	P	-	-	-	-	P	P	A	4.3.5.VV

ZEBULON

NORTH CAROLINA

CASE # Text Amendments 2024-01, 2024-02, 2024-03, and 2024-04

HEARING DATE: August 14, 2023

State of North Carolina

County of Wake

BEFORE ME, the undersigned Notary, Stacie Paratore on this 4th day of August 2023 personally appeared Michael J. Clark, known to me to be a credible person and of lawful age, who being by me first duly sworn, on his oath, deposes and says:

I Michael J. Clark, acting as the Planning Director for the Town of Zebulon, affirm that the following Public Notice Procedures have been completed in accordance with applicable North Carolina General Statute and Town of Zebulon Unified Development Ordinance Section 2.3.6 have been satisfied for the above referenced hearing.

- Advertisement in a Paper of General Circulation sent on **8/1/2023** (Wake weekly, publication dates **8/4 & 8/11/2023**)
- Posted to Planning Department Website **8/2/2023**
- Sent to E-Mail Distribution List on **8/4/2023**

Michael J. Clark

8/4/2023

Michael J. Clark, AICP, CZO

Date

Subscribed and sworn to before me, this 4th day of August 2023

[Notary Seal:]

Stacie Paratore

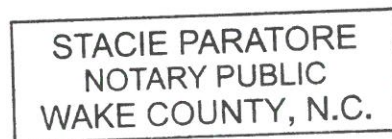
Stacie Paratore

[signature of Notary]

[printed name of Notary]

NOTARY PUBLIC

My commission expires: 10/27, 2025.



Attachment 2
TA 2024-01

Notice of Public Hearing

Notice is hereby given pursuant to the provisions of Article 2.3.6 of the Town of Zebulon Unified Development Ordinance that a public hearing will be held on **August 14, 2023 at 6:00 PM** at the **Zebulon Municipal Complex, 1003 N. Arendell Avenue**, and will be conducted by the Board of Commissioners and Planning Board of the Town of Zebulon for the purpose of considering the following items:

IDT Project Number 964911 - CZ 2023-03 – 1106 N Arendell Ave PIN # 2705191832. A request by Thomas Johnson of Williams Mullen on behalf of C4 CStore Holdings III, LLC and property owners Carl Victor Tart Jr., for a Conditional Rezoning to the Heavy Commercial Conditional (HC-C) zoning district for the development of a convenience store with gasoline sales.

TA 2024-01 – RV Parks - Request from Jennifer Ashton of Long Leaf Partners to amend UDO Section 4.2.3 to allow consideration of RV Parks when presented as a component of a Planned Development Request.

TA 2024-02 Drop-In Day Care - Staff initiated amendment to UDO Section 4.2.3 and 9.4 to create a new use “Child Care-Drop In” within the same zoning districts as Child Care Centers.

TA 2024-03 Contactor Signs - Staff initiated amendment to UDO Section 5.11.6 of the UDO to create regulations pertaining to Contractor Signs.

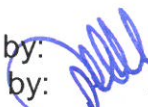
TA 2024-04 Development Review Procedures – Staff initiated amendment to Chapter 2 of the Unified Development Ordinance to separate Site Plan and Construction Drawing review procedures.

Public comments may be submitted to Deputy Town Clerk Stacie Paratore at SParatore@TownofZebulon.org no later than 12:00 Noon on the day of the hearing to be read into the record. Links will be provided along with the full application packet and documentation on the Planning Department web page at <https://www.townofzebulon.org/departments/planning/public-hearing-information> For questions or additional information, please contact us at (919) 823-1810.

Wake Weekly August 4th & 11th

STAFF REPORT
TA 2024-02
CHILD CARE, DROP-IN AMENDMENT
AUGUST 14, 2023

Topic: Child Care, Drop-In Text Amendment

Speaker: Catherine Farrell, Planner II
From: Michael J. Clark, AICP, CZO, Planning Director
Prepared by: Michael J. Clark, AICP, CZO, Planning Director
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Board of Commissioners will consider text amendments to Section 4.2.3 and Section 9.4 of the UDO to allow for consideration of a new use "Child Care, Drop-In".

Background:

The Use Table within Article 4 of the UDO provides a list of uses and how those uses are regulated per zoning district. The Table currently includes Child Care Center but does not include a possibility of the establishment of a drop-in option which is regulated differently by the State of North Carolina.

The UDO's definition and regulation of Child Care Center does not address the short-term nature of a drop-in daycare. These are typically found in more urbanized areas and allow for parents to peruse non-work-related activities on a short duration such as medical appointments, shopping, or other activities where they can return to the site with short notice.

In the past 2 years we have had a couple of inquiries about this use.

Discussion:

In consideration of the proposed request, the Board shall measure the request against the standards found in Section 2.2.20.G of the UDO which are as follows:

1. *Enhances the public's health, safety, and welfare;*
2. *Is consistent with the Town's adopted policy guidance;*
3. *Is not in conflict with any provision of this Ordinance or the Town Code of Ordinances;*
4. *Is required by changed conditions;*
5. *Addresses a demonstrated community need;*
6. *Addresses an unforeseen matter not present when the Ordinance was adopted;*
7. *Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the Town;*
8. *Would result in a logical and orderly development pattern;*
9. *Addresses other factors determined to be relevant by the Board of Commissioners;*
and
10. *Would not result in significantly adverse impacts on the natural environment, including water, air, noise, stormwater management, wildlife, vegetation, and the natural*

STAFF REPORT
TA 2024-02
CHILD CARE, DROP-IN AMENDMENT
AUGUST 14, 2023

functioning of the environment.

Policy Analysis:

The Economic Development section of the Comprehensive Land Use Plan provides a list of policies. Policy "C" states, "Maintain a regulatory framework and Town processes that signals its interest in attracting target business sectors, needed and compatible revenue-generating uses, and lifestyle and leisure uses that support Zebulon's livability and residents' quality of life." Furthermore, Policy "K" states, "Continue to promote a "stay local, buy local" mentality as Zebulon adds to its retail, service and restaurant options in the years ahead."

The inclusion of this use reflects the changing demographic of the Town as the number of families with young children continues to grow and this use allows for guardians to shop at local businesses whereas they may hesitate if child care options were not available.

Financial Analysis:

The inclusion of this new use would help to further diversify the child care options within the region which promotes economic vitality especially in more urbanized settings such as downtown. This results in increased property values and improved market conditions for property owners. Furthermore, it creates a more affordable option for citizens who may not need a more extended care option for their children due to irregular schedules.

Staff Recommendation:

Staff Recommends accepting and consideration of public comment and referring the matter to the Planning Board for recommendation.

Attachments:

1. Draft Text Amendment
2. Public Hearing Notification Affidavit

TABLE 4.2.3: PRINCIPAL USE TABLE

A=Allowed (if listed in a PD master plan); P=Permitted subject to applicable use-specific standards; S=Requires approval of a special use permit and compliance with applicable use-specific standards; “.”=Prohibited

USE TYPE [1]	RESIDENTIAL					COMMERCIAL						MIXED USE				USE-SPECIFIC STANDARDS [2]
	R1	R2	R4	R6	RMF	NC	GC	HC	LI	CI	HI	OI	DTC	DTP	PD	
Broadcasting Studio	P	P	P	.	.	.	P	P	A	4.3.4.D
Cemetery, Columbarium, or Mausoleum	.	S	.	.	.	.	S	S	S	.	S	S	.	.	A	4.3.4.E
Child Day Care Center	.	S	S	S	P	P	P	P	.	.	.	P	P	P	A	4.3.4.F
Child Day Care, Drop In	P	P	P	.	.	.	P	P	P	A	
College or University	S	S	.	.	.	P	.	P	A	
Community/Youth/ Senior Center	P	P	P	P	.	.	.	P	P	P	A	4.3.4.G
Community Garden	P	P	P	P	P	P	.	.	.	.	.	.	.	P	A	
Coliseum or Arena	P	P	P	.	.	.	P	A	4.3.4.H
Conference or Convention Center	P	.	.	.	.	P	P	A	4.3.4.H
Cultural Facility, Library, or Museum	S	P	P	P	.	.	.	P	P	P	A	
Drug/Alcohol Treatment Facility	S	S	.	.	.	P	.	S	.	4.3.4.I
Fire/EMS/Police Station	.	.	.	P	P	P	P	P	P	P	P	P	P	P	A	
Fraternal Club or Lodge	.	S	S	P	P	S	P	P	.	.	.	P	.	S	A	4.3.4.J
Government Office	P	P	P	P	P	P	.	P	P	P	.	
Government Maintenance, Storage, Distribution	P	P	P	P	.	.	.	.
Helicopter Landing Pad	P	P	P	S	.	.	A	4.3.4.K
Hospital	S	.	.	.	S	.	S	A	4.3.4.L
Indoor Private Recreation	.	P	P	P	P	P	P	.	.	.	.	P	.	P	A	
Outdoor Private Recreation	.	S	S	P	P	P	P	.	.	.	.	P	.	S	A	
Park (public or private)	P	P	P	P	P	P	P	P	P	P	.	P	P	P	A	
Passenger Terminal	P	P	P	P	P	P	P	P	P	A	
Post Office	P	P	P	.	.	.	P	P	P	A	
Psychiatric Treatment Facility	S	.	S	.	.	.	
Religious Institution	.	S	S	P	P	S	P	P	.	.	.	P	.	S	A	4.3.4.M
School, Elementary	.	S	S	P	P	S	P	P	.	.	.	P	.	S	A	
School, High/Middle	.	S	.	.	.	S	P	P	.	.	.	P	.	S	A	4.3.4.N
School, Vocational	P	P	P	P	P	.	P	A	4.3.4.O
Small Wireless Facility	S	S	S	S	P	P	P	P	P	P	P	P	P	P	A	4.3.4.P; 4.3.4.S
Telecommunications Tower, Major	S	S	.	P	.	.	.	.	4.3.4.Q; 4.3.4.S

DEFINITIONS	
CHECK CASHING/PAYDAY LENDING ESTABLISHMENT	An establishment engaged in loaning money upon deposit of personal property or signature on a promise to repay. Such uses also store personal property on site and may sell goods at retail sale.
CHICANE	A serpentine curve added to a street as a traffic calming measure.
CHILD CARE, INCIDENTAL	A program or arrangement, licensed by the State and located in the provider’s residence where, at any one time, three or more children under the age of 13, receive child care on a regular basis of at least once per week for at least four (but less than 24) hours per day from persons other than their guardians, full-time custodians, or persons related to them by blood, marriage, or adoption. This definition does not include child day care centers, cooperative arrangements among parents, or other activities not defined as child care by Section 110-86 of the North Carolina General Statutes. Provision of day care services for more than six children in a residential dwelling is subject to the standards for a child day care center.
CHILD DAY CARE CENTER	A commercial or non-profit use licensed by the State where, at any one time, three or more unrelated children under the age of 13 receive child care from an unrelated person in a building other than a private residence on a regular basis of at least one occurrence per week for more than four hours per occurrence. Such uses may also involve the provision of educational services in preparation for elementary school. This definition does not include incidental child care, cooperative arrangements among parents, or drop-in or short-term child care provided while parents work part-time or participate in other activities on the premises (e.g., churches, shopping malls, hotels, health spas).
<u>CHILD DAY CARE, DROP-IN</u>	<u>A commercial or non-profit use regulated by the State where, at any one time, three or more unrelated children under the age of 13 receive child care from an unrelated person in a building other than a private residence on an irregular basis where guardians participate in activities that are not employment related such as running errands or leisure activities and are otherwise easily accessible (within 15 minutes).</u>
CLIMATE CONTROL EQUIPMENT	Heating, ventilation, air conditioning, and similar heating or cooling equipment typically located outdoors.
CLUSTER MAILBOX UNIT	A centralized grouping of individually locked and keyed mailboxes meeting the specifications of the United States Postal Service.
COFFEE SHOP	A commercial establishment engaged in the retail sale of coffee, tea, and related beverages for on-site and off-site consumption. Coffee shops may also offer a limited range of food available for on-site or off-site consumption as well as merchandise associated with home consumption of coffee or tea. A coffee shop may also include, as an accessory use, equipment and facilities to prepare coffee beans for consumption. Uses engaged solely in coffee bean processing for off-site consumption are manufacturing uses. Uses that derive the majority of their income from sales of food are restaurant uses.
COLISEUM OR ARENA	A building or structure designed or intended for use for spectator sports, entertainment events, expositions, and other public gatherings. Such uses may or may not include lighting facilities for illuminating the field or stage area, concessions, parking facilities, and maintenance areas.
COLLECTOR STREET	See “Street, Collector.”

ZEBULON

NORTH CAROLINA

CASE # Text Amendments 2024-01, 2024-02, 2024-03, and 2024-04

HEARING DATE: August 14, 2023

State of North Carolina

County of Wake

BEFORE ME, the undersigned Notary, Stacie Paratore on this 4th day of August 2023 personally appeared Michael J. Clark, known to me to be a credible person and of lawful age, who being by me first duly sworn, on his oath, deposes and says:

I Michael J. Clark, acting as the Planning Director for the Town of Zebulon, affirm that the following Public Notice Procedures have been completed in accordance with applicable North Carolina General Statute and Town of Zebulon Unified Development Ordinance Section 2.3.6 have been satisfied for the above referenced hearing.

- Advertisement in a Paper of General Circulation sent on **8/1/2023** (Wake weekly, publication dates **8/4 & 8/11/2023**)
- Posted to Planning Department Website **8/2/2023**
- Sent to E-Mail Distribution List on **8/4/2023**

Michael J. Clark

8/4/2023

Michael J. Clark, AICP, CZO

Date

Subscribed and sworn to before me, this 4th day of August 2023

[Notary Seal:]

Stacie Paratore

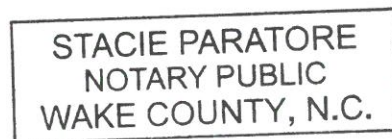
Stacie Paratore

[signature of Notary]

[printed name of Notary]

NOTARY PUBLIC

My commission expires: 10/27, 2025.



Notice of Public Hearing

Notice is hereby given pursuant to the provisions of Article 2.3.6 of the Town of Zebulon Unified Development Ordinance that a public hearing will be held on **August 14, 2023 at 6:00 PM** at the **Zebulon Municipal Complex, 1003 N. Arendell Avenue**, and will be conducted by the Board of Commissioners and Planning Board of the Town of Zebulon for the purpose of considering the following items:

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Public comments may be submitted to Deputy Town Clerk Stacie Paratore at SParatore@TownofZebulon.org no later than 12:00 Noon on the day of the hearing to be read into the record. Links will be provided along with the full application packet and documentation on the Planning Department web page at <https://www.townofzebulon.org/departments/planning/public-hearing-information> For questions or additional information, please contact us at (919) 823-1810.

Wake Weekly August 4th & 11th

STAFF REPORT
TA 2024-03
CONTRACTOR SIGNS AMENDMENT
AUGUST 14, 2023

Topic: Contractor Signs Text Amendment

Speaker: Michael J. Clark, AICP, CZO, Planning Director
From: Michael J. Clark, AICP, CZO, Planning Director
Prepared by: Catherine Farrell, CZO, Planner II
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Board of Commissioners will consider text amendments to Section 5.11 and Section 9.4 of the UDO to allow for consideration of a new sign type "Contractor Signs".

Background:

The sign standards in 5.11.6 of the UDO provides a list of allowed sign types and standards for the respective signs. Contractor Signs are not currently a listed sign category. In the past Staff received inquiries regarding installation of Contractor Signs, and classified them as alternative sign types to fulfill the request.

The proposed text amendments classifies contractor signs as temporary signs located on a lot for the duration of its construction/development. Contactor Signs have a unique need as they are non-permanent but serve a longer duration spanning months to years as sites are being constructed. Contractor Signs within a non-residential district or in a mixed-use district will be required to be inspected/reissued every year and in a residential district every two years. The Contractor Sign type will be permitted in all zoning districts but must follow the Contactor Sign standards as listed in the UDO as part of the adoption of this text amendment (Shown below).

Discussion:

In consideration of the proposed request, the Board shall measure the request against the standards found in Section 2.2.20.G of the UDO which are as follows:

1. *Enhances the public's health, safety, and welfare;*
2. *Is consistent with the Town's adopted policy guidance;*
3. *Is not in conflict with any provision of this Ordinance or the Town Code of Ordinances;*
4. *Is required by changed conditions;*
5. *Addresses a demonstrated community need;*
6. *Addresses an unforeseen matter not present when the Ordinance was adopted;*
7. *Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the Town;*
8. *Would result in a logical and orderly development pattern;*
9. *Addresses other factors determined to be relevant by the Board of Commissioners;*
and
10. *Would not result in significantly adverse impacts on the natural environment, including water, air, noise, stormwater management, wildlife, vegetation, and the natural*

functioning of the environment.

Policy Analysis:

The proposed text amendment is consistent with “Regulations and Standards” action item #2 under the Land Use and Development section of the Comprehensive Land Use Plan which states “Add new or amend current UDO provisions, as needed, that are directly linked to actions in other CLUP sections related to housing attainability, neighborhood conservation, business retention and attraction, leisure and lifestyle related land uses, transit support, a more pedestrian- and cycling-friendly community, and park and open space protection.” The addition of the Contractor Sign type helps to promote new business that are coming to Zebulon.

The addition of Contractor Signs is also compatible with “Policy C” in the Policies for Land Use and Development section of the Comprehensive Land Use Plan which states “Emphasize compatible intensities and character when evaluating applications involving more intensive and/or non-residential development near existing homes and neighborhoods.” With the addition of this sign type the town is better equipped to regulate the appearance of Contractor signs ensuring that that are in keeping with the community character.

Financial Analysis:

The proposed text amendment will allow for more visibility of new businesses and residential development that are being constructed within the town. The cost of the signs and their associated fees would be the responsibility of the applicant and/or the property owner. Contractor signs will help with promoting transparency to the public about new businesses coming to Zebulon as the public can see information about what will be developed on a particular lot.

The addition of this sign type will allow for better tracking and regulation of Contractor Signs. This will help to cut down on Code Enforcements workload by setting up a process for applying for a sign prior to putting up a sign so that it is a proactive process rather than a reactive Code Enforcement issue. If a developer were to put up a sign prior to this text amendment passing it becomes a Code Enforcement issue as this sign type is not currently a permitted sign type within the Unified Development Ordinance. Like with other Sign Permits, Contractor Signs would require a member of the Planning Department Staff to review any application that are submitted. The cost of the review to the town will be offset by the \$75 sign permit fee that is charged to all Sign Permit applications.

Staff Recommendation:

Staff Recommends accepting and consideration of public comment and referring the matter to the Planning Board for recommendation.

Attachments:

1. Draft Text Amendment
2. Public Hearing Notification Affidavit

ARTICLE 5: DEVELOPMENT STANDARDS

5.11. Signage

5.11.9. Sign Standards by Sign Type

4. ADDITIONAL STANDARDS

- a. Supports and braces should be hidden from public view to the fullest extent possible.
- b. Construction/Development Advertising signs shall not be located within a street right-of-way.
- c. Construction/Development Advertising signs shall not be placed within required sight distance triangles or in locations that obstruct the safe movement of vehicles and pedestrians.
- d. Construction/Development Advertising signs shall not include permanent modifications to a site or building.
- e. Construction/Development Advertising signs may not be illuminated.
- f. Construction/Development Advertising signs shall not block windows or doors.
- g. Construction/Development Advertising signs must be maintained in good condition.

Formatted: Heading 6

DEFINITIONS

SIDEWALK	A paved area running parallel to the street for the purposes of pedestrian travel and to facilitate pedestrian access to adjacent streets and land.
SIGHT DISTANCE TRIANGLE	The triangular area formed by a diagonal line connecting two points located at designated locations on intersecting right-of-way lines or a right-of-way line and the curb or a driveway.
SIGN	Any words, lettering, numerals, parts of letters or numerals, figures, phrases, sentences, emblems, devices, designs, trade names or trademarks by which any message is made known, including any surface, fabric or other material or structure designed to carry such devices that are used to designate or attract attention to an individual, firm, event, association, corporation, profession, business, or commodity or product that are exposed to public view. The definition of a sign does not include flags, badges, or insignias of any governmental unit.
SIGN CABINET	A metal enclosure housing sign face displays and methods of internal illumination, when provided.
SIGN FACE AREA	The portion of sign that contains the message being conveyed, as determined in accordance with <u>Section 9.3.13, Signage Measurement</u> .
SIGN HEIGHT	The height to the tallest point of a sign structure, as determined in <u>Section 9.3.13, Signage Measurement</u> .
SIGN PERMIT	A development approval associated with the erection, alteration, continuation, or removal of signage or ancillary features associated with a sign.
SIGN PERMIT	A development approval associated with the erection, alteration, continuation, or removal of signage or ancillary features associated with a sign.
SIGN SUPPORT STRUCTURE	The framework and structural support for a sign.
SIGN, AWNING	See <u>Table 5.11.9, Sign Standards by Sign Type</u> .
SIGN, BANNER	See <u>Table 5.11.9, Sign Standards by Sign Type</u> .
SIGN, BILLBOARD	See "Sign, Outdoor Advertising."
SIGN, BOW	A feather flag sign with an elongated mounting post that curves at the top to form a circular shape within which the sign material is mounted.
SIGN, CHANGEABLE COPY	A sign with a portion of the face area that accommodates the regular or occasional manual modification to the message or copy.
<u>SIGN, CONSTRUCTION</u>	<u>A temporary sign located on a lot for the duration of its construction/development.</u>
<u>SIGN, DEVELOPMENT ADVERTISING</u>	<u>See Sign, Construction definition.</u>
SIGN, DILAPIDATED	A sign that is old or that has been poorly maintained that poses a public safety hazard or is difficult to read.
SIGN, ELECTION	See "Sign, Political."
SIGN, FEATHER FLAG	A sign made of fabric or similar material in a curvilinear shape that is mounted to a pole along the long edge of the sign.
SIGN, FENCE WRAP	A temporary sign affixed to fencing surrounding an active construction site.

ZEBULON

NORTH CAROLINA

CASE # Text Amendments 2024-01, 2024-02, 2024-03, and 2024-04

HEARING DATE: August 14, 2023

State of North Carolina

County of Wake

BEFORE ME, the undersigned Notary, Stacie Paratore on this 4th day of August 2023 personally appeared Michael J. Clark, known to me to be a credible person and of lawful age, who being by me first duly sworn, on his oath, deposes and says:

I Michael J. Clark, acting as the Planning Director for the Town of Zebulon, affirm that the following Public Notice Procedures have been completed in accordance with applicable North Carolina General Statute and Town of Zebulon Unified Development Ordinance Section 2.3.6 have been satisfied for the above referenced hearing.

- Advertisement in a Paper of General Circulation sent on **8/1/2023** (Wake weekly, publication dates **8/4 & 8/11/2023**)
- Posted to Planning Department Website **8/2/2023**
- Sent to E-Mail Distribution List on **8/4/2023**

Michael J. Clark

8/4/2023

Michael J. Clark, AICP, CZO

Date

Subscribed and sworn to before me, this 4th day of August 2023

[Notary Seal:]

Stacie Paratore

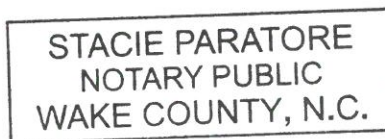
Stacie Paratore

[signature of Notary]

[printed name of Notary]

NOTARY PUBLIC

My commission expires: 10/27, 2025.



Notice of Public Hearing

Notice is hereby given pursuant to the provisions of Article 2.3.6 of the Town of Zebulon Unified Development Ordinance that a public hearing will be held on **August 14, 2023 at 6:00 PM** at the **Zebulon Municipal Complex, 1003 N. Arendell Avenue**, and will be conducted by the Board of Commissioners and Planning Board of the Town of Zebulon for the purpose of considering the following items:

IDT Project Number 964911 - CZ 2023-03 – 1106 N Arendell Ave PIN # 2705191832. A request by Thomas Johnson of Williams Mullen on behalf of C4 CStore Holdings III, LLC and property owners Carl Victor Tart Jr., for a Conditional Rezoning to the Heavy Commercial Conditional (HC-C) zoning district for the development of a convenience store with gasoline sales.

TA 2024-01 – RV Parks - Request from Jennifer Ashton of Long Leaf Partners to amend UDO Section 4.2.3 to allow consideration of RV Parks when presented as a component of a Planned Development Request.

TA 2024-02 Drop-In Day Care - Staff initiated amendment to UDO Section 4.2.3 and 9.4 to create a new use “Child Care-Drop In” within the same zoning districts as Child Care Centers.

TA 2024-03 Contactor Signs - Staff initiated amendment to UDO Section 5.11.6 of the UDO to create regulations pertaining to Contractor Signs.

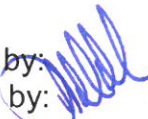
TA 2024-04 Development Review Procedures – Staff initiated amendment to Chapter 2 of the Unified Development Ordinance to separate Site Plan and Construction Drawing review procedures.

Public comments may be submitted to Deputy Town Clerk Stacie Paratore at SParatore@TownofZebulon.org no later than 12:00 Noon on the day of the hearing to be read into the record. Links will be provided along with the full application packet and documentation on the Planning Department web page at <https://www.townofzebulon.org/departments/planning/public-hearing-information> For questions or additional information, please contact us at (919) 823-1810.

Wake Weekly August 4th & 11th

STAFF REPORT
TA 2023-04
DEVELOPMENT REVIEW
PROCEDURES AMENDMENT
AUGUST 14, 2023

Topic: Development Review Procedures Text Amendment

Speaker: Adam Culpepper, Senior Planner
From: Michael J. Clark, AICP, CZO, Planning Director
Prepared by: Adam Culpepper, Senior Planner
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Board of Commissioners will consider text amendments to Article 2 of the UDO to revise and clarify site plan and construction drawing development review procedures.

Background:

The Application Review Procedures within Article 2 of the UDO currently lists the broad processes for development but does not specify and categorize the preliminary and construction plan process used by the development community and Technical Review Committee (TRC). The TRC is made up of Planning Department staff, representation from Police, Fire, Public Works, Parks, City of Raleigh Public Utilities, NCDOT, Wake County Environmental Control, the Town's contract engineer and other State Agencies as applicable. The proposed amendment provides improved plan review procedures by establishing a clarified preliminary and construction plan process consistent with other communities in the region in order to ease the development process for those who have worked in the surrounding municipalities.

Under the proposed amendment, developers will have the option to establish a preliminary approval with either a Residential Preliminary Plan or a Non-Residential Site Plan. These plans will not include engineer designed infrastructure, final utility details, etc. These preliminary plans will be the required degree of plans needed for Conditional Rezoning, Planned Developments and Special Use Permits. Preliminary plans will provide a detail of lot or site design that ensure conformance with the UDO, but their approval will not authorize construction.

Following the approval of one of the preliminary plan types, projects would move into the Construction Drawing phase. Both residential and non-residential plans will be evaluated through the Construction Drawing process which will include the grading, engineering, utility design, etc. This level of plan review will encompass a full review by the full TRC. Developers will also have the option to skip the preliminary plan review stage all together and just be reviewed as a Construction Drawing, while still following the Conditional Rezoning, Planned Developments and Special Use Permits approvals as needed. As described by the name, upon approval of Construction Drawings, authorization will be given to construct.

STAFF REPORT
TA 2023-04
DEVELOPMENT REVIEW
PROCEDURES AMENDMENT
AUGUST 14, 2023

Discussion:

In consideration of the proposed request, the Board shall measure the request against the standards found in Section 2.2.20.G of the UDO which are as follows:

1. *Enhances the public's health, safety, and welfare;*
2. *Is consistent with the Town's adopted policy guidance;*
3. *Is not in conflict with any provision of this Ordinance or the Town Code of Ordinances;*
4. *Is required by changed conditions;*
5. *Addresses a demonstrated community need;*
6. *Addresses an unforeseen matter not present when the Ordinance was adopted;*
7. *Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the Town;*
8. *Would result in a logical and orderly development pattern;*
9. *Addresses other factors determined to be relevant by the Board of Commissioners;*
and
10. *Would not result in significantly adverse impacts on the natural environment, including water, air, noise, stormwater management, wildlife, vegetation, and the natural functioning of the environment.*

Policy Analysis:

The proposed amendment is consistent with "Regulations and Standards" action item #2 under the Land Use and Development section of the Comprehensive Land Use Plan. Item #2 states "Add new or amend current UDO provisions, as needed, that are directly linked to actions in other CLUP sections related to housing attainability, neighborhood conservation, business retention and attraction, leisure and lifestyle related land uses, transit support, a more pedestrian- and cycling-friendly community, and park and open space protection." The amendment is also consistent with the CLUPs recommended use of smart grow principles which include but are not limited to streamlining the development process in order to make development decisions more predictable, fair and cost effective.

Financial Analysis:

The proposed text amendment would help to eliminate the confusion that developers have experienced regarding the degree of design work that must occur during their entitlement process i.e., the Non-Residential Site Plan and Residential Preliminary Plan. This would likely lead to a reduction in the number of resubmittals and both the preliminary and construction drawing process making the development process more cost effective and expedient for applicants. This would not have a significant impact on staff resources as it further structures an existing process.

STAFF REPORT
TA 2023-04
DEVELOPMENT REVIEW
PROCEDURES AMENDMENT
AUGUST 14, 2023

Staff Recommendation:

Staff Recommends accepting and consideration of public comment and referring the matter to the Planning Board for recommendation.

Attachments:

1. Draft Text Amendment
2. Public Hearing Notification Affidavit

ARTICLE 2: PROCEDURES

Attachment 1
TA 2024-04



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2.1.3. STEPS IN THE DEVELOPMENT REVIEW PROCESS

- A. The first step in the development review process is to determine the specific type(s) of development application to be submitted. Table 2.2, Application Review Procedures, describes all the application review procedures in this Ordinance and the review authorities who decide them.
- B. The second step is to find the relevant application procedure in Section 2.2, Application Review Procedures, and review that information to better understand the steps and the criteria used in the decision-making process.
- C. The third step is to review the application processing information in Section 2.3, Application Processing, to understand how the Town will process the application.
- D. Step four is to review the Procedures Manual for application forms, submittal requirements, application fees, and application review schedules.
- E. Applications that are not prepared, filed, and determined to be complete in accordance with this article and the Procedures Manual will not be processed by the Town.

2.1.4. FOR ADDITIONAL INFORMATION

Applicants who need additional information on how to file an application should schedule a pre-application conference with Town staff (see Section 2.3.2, Pre-application Conference) to better understand the review requirements and relevant procedural steps associated with their particular application.

2.2. APPLICATION REVIEW PROCEDURES

Table 2.2, Application Review Procedures, lists the development application procedures (in alphabetical order), identifies the section of this Ordinance where the information may be found, whether or not a pre-application conference is required or is optional, and the review authority(ies) who review and decide the application type.

TABLE 2.2: APPLICATION REVIEW PROCEDURES

Pre-application Conference: "M" = Mandatory "O" = Optional "." = not applicable
 Type of Action: "R"=Recommendation "D"=Decision "A"=Appeal
 Table symbols: | =Public Meeting < >=Legislative Public Hearing / \ =Quasi-Judicial Hearing
 [] =see Notes

REVIEW PROCEDURE	SECTION REFERENCE	PRE-APPLICATION CONFERENCE	REVIEW AUTHORITIES					
			PLANNING DIRECTOR [1]	TECHNICAL REVIEW COMMITTEE		PLANNING BOARD [2]	BOARD OF COMMISSIONERS	BOARD OF ADJUSTMENT
Administrative Adjustment	<u>2.2.1</u>	M	D	.		.	.	/A\
Annexation [3]	<u>2.2.2</u>	O	.	.		.	<D>	.
Appeal	<u>2.2.3</u>	O	.	.		.	.	/D\
Building Permit	<u>2.2.4</u>	O	[4]	.		.	.	.
Certificate of Occupancy	<u>2.2.5</u>	O	[4]	.		.	.	.
Conditional Rezoning [2]	<u>2.2.6</u>	M	.	[6]		|R|	|D|	.
Construction Drawing	<u>2.2.</u>	O	.	D				
Development Agreement	<u>2.2.7</u>	M	.	.		.	<D>	.

ARTICLE 2: PROCEDURES

TABLE 2.2: APPLICATION REVIEW PROCEDURES

Pre-application Conference: "M" = Mandatory "O" = Optional "." = not applicable
 Type of Action: "R"=Recommendation "D"=Decision "A"=Appeal
 Table symbols: | =Public Meeting < >=Legislative Public Hearing / \ =Quasi-Judicial Hearing
 [] =see Notes

REVIEW PROCEDURE	SECTION REFERENCE	PRE-APPLICATION CONFERENCE	REVIEW AUTHORITIES					
			PLANNING DIRECTOR [1]	TECHNICAL REVIEW COMMITTEE		PLANNING BOARD [2]	BOARD OF COMMISSIONERS	BOARD OF ADJUSTMENT
Exempt Subdivision [5]	<u>2.2.8</u>	O	D	.		.	.	/A\
Expedited Subdivision	<u>2.2.9</u>	M	D	.		.	.	/A\
Final Plat	<u>2.2.10</u>	O	D	.		.	.	/A\
Floodplain Development Permit	<u>2.2.11</u>	O	D	.		.	.	/A\
Interpretation	<u>2.2.12</u>	O	D	.		.	.	/A\
Planned Development [2]	<u>2.2.13</u>	M	.	[6]		|R|	|D|	.
Residential Preliminary Plan†	<u>2.2.14</u>	M	.	D		[2]	[2]	/A\
Reasonable Accommodation	<u>2.2.15</u>	M						/D\
Sign Permit	<u>2.2.16</u>	O	D	.		.	.	/A\
Non-Residential Site Plan	<u>2.2.17</u>	M	.	D		[2]	[2]	/A\
Special Use Permit	<u>2.2.18</u>	M	.	[6]		.	/D\	.
Temporary Use Permit	<u>2.2.19</u>	O	D	.		.	.	/A\
UDO Text Amendment [2]	<u>2.2.20</u>	M	.	.		|R|	|D|	.
Variance	<u>2.2.21</u>	M	.	.		.	.	/D\
Vested Rights Determination	<u>2.2.22</u>	M	.	.		.	<D>	.
Zoning Compliance Permit	<u>2.2.23</u>	O	D	.		.	.	/A\
Zoning Map Amendment [2]	<u>2.2.24</u>	M	.	.		|R|	|D|	.

NOTES:

[1] The Planning Director may delegate review authority in accordance with Section 9.1.9, Delegation of Authority.

[2] Applications subject to a recommendation by the Planning Board shall first be heard by the Board of Commissioners and the Planning Board in a joint legislative public hearing noticed in accordance with Section 2.3.6, Public Notice. Following the joint public hearing, the application is considered by the Planning Board during a public meeting and then by the Board of Commissioners in a second public meeting. Public meetings are not subject to public notification requirements in Section 2.3.6, Public Notice.

[3] In the event land being annexed is also subject to another application (such as a zoning map amendment), the annexation shall be reviewed and decided prior to any subsequent application.

[4] Building permits and certificates of occupancy are issued in cooperation with the Wake County Building Inspector.

[5] The exempt subdivision review procedure is provided as a courtesy, and is not mandated.

TABLE 2.2: APPLICATION REVIEW PROCEDURES

Pre-application Conference: "M" = Mandatory "O" = Optional "." = not applicable
 Type of Action: "R"=Recommendation "D"=Decision "A"=Appeal
 Table symbols: | =Public Meeting < >=Legislative Public Hearing / \ =Quasi-Judicial Hearing
 [] =see Notes

REVIEW PROCEDURE	SECTION REFERENCE	PRE-APPLICATION CONFERENCE	REVIEW AUTHORITIES				
			PLANNING DIRECTOR [1]	TECHNICAL REVIEW COMMITTEE		PLANNING BOARD [2]	BOARD OF COMMISSIONERS	BOARD OF ADJUSTMENT

[6] The TRC shall conduct a preliminary review of a site or concept plan attached to an application prior to consideration by the Board of Commissioners.

2.2.17. SITE PLAN

A. PURPOSE AND INTENT

The purpose for the site plan procedure is to establish a consistent and predictable process for the review of proposed development, through a graphical representation of the proposal. Site plan review is an analysis to ensure that allowable development is configured in accordance with the standards in this Ordinance, not a consideration of whether or not a proposed development is allowed.

B. APPLICABILITY

1. Except for development exempted from site plan review in accordance with Section 2.2.17.C, Exemptions, all forms of development that involve construction, moving, or significant alteration of a building or habitable structure, that result in the increase in the amount of impervious surface on a lot, or that involve the provision of landscaping, off-street parking, stormwater management devices, or similar site features shall be subject to site plan review in accordance with this section.
2. Changes in use that trigger requirements for sidewalk provision or changes to roadway configuration shall also require site plan approval.

C. EXEMPTIONS

The following forms of development are exempted from site plan review, but shall require a plot plan and shall be subject to the standards in Section 2.2.4, Building Permit, or Section 2.2.23, Zoning Compliance Permit, as appropriate:

1. Construction of a single-family detached dwelling on an individual lot;
2. Establishment of an accessory use or structure; and
3. Changes of use that do not result in the need for additional off-street parking spaces, additional screening, differing stormwater practices, or additional landscaping.

D. SITE PLAN PROCEDURE

The site plan procedure is described in Figure 2.2.17, Site Plan Procedure, as supplemented by Section 2.3, Application Processing, and the Procedures Manual.

E. APPLICATION

The application shall include a transportation impact analysis for review, when required by Section 6.13, Transportation Impact Analysis.

F. DECISION BY TECHNICAL REVIEW COMMITTEE

The Technical Review Committee shall review and decide the application in accordance with Section 2.2.17.G, Site Plan Review Standards.

G. SITE PLAN REVIEW STANDARDS

A site plan shall be approved on a decision the application complies with:

1. All standards or conditions of any prior applicable permits and development approvals;
2. All applicable requirements of this Ordinance and the Town Code of Ordinances; and
3. All applicable county, state, and federal requirements.

FIGURE 2.2.17: SITE PLAN PROCEDURE	
Step	Action
1	Pre-application Conference
	See Section 2.3.2, Pre-application Conference
2	File Application
	See Section 2.3.3, Application Filing
3	Completeness Determination
	See Section 2.3.3.G, Determination of Application Completeness
4	Technical Review Committee Review and Decision
	See Section 2.3.5, Staff Review and Action
5	Notification of Decision
	See Section 2.3.9, Notification of Decision

H. EFFECT**1. CONSTRUCTION PLANS**

- a. ~~Construction plans for all public improvements included with or filed subsequent to the site plan shall be approved prior to street and utility construction in accordance with the applicable Town standards.~~
- b. ~~In the case of a multi-phase site plan, any street and utility construction plans shall include all improvements within a phase and all public improvements outside the phase but necessary to serve development within that phase.~~

2. PERFORMANCE GUARANTEES

~~All public improvements that have not been installed by the developer, inspected, and accepted by the Town shall comply with the requirements in Section 6.6, Performance Guarantees, prior to the issuance of a certificate of occupancy.~~

3. AS-BUILT PLANS

~~As-built plans for all public improvements shall be submitted in accordance with Section 6.6.11, As-Built Plans Required.~~

I. AMENDMENT

~~Amendment of a site plan may only be reviewed and considered in accordance with the procedures and standards established for its original approval.~~

J. EXPIRATION

~~If the work authorized by a site plan approval is not commenced within one year from the date of issuance, the approval shall become null and void.~~

K. APPEAL

~~Appeal of the decision on a site plan shall be reviewed and decided by the BOA in the nature of certiorari and in accordance with Section 2.2.3, Appeal.~~

2.2.14. NON-RESIDENTIAL SITE PLAN

A. PURPOSE AND INTENT

The purpose for the Non-Residential Site Plan procedure is to establish a consistent and predictable process for the review of proposed non-residential development, through a graphical representation of the proposal. Non-Residential Site Plan review is an analysis to ensure that allowable development is configured in accordance with the standards in this Ordinance, not a consideration of whether or not a proposed development is allowed.

B. APPLICABILITY

1. Except for development exempted from Non-Residential Site Plan review in accordance with [Section 2.2.6.C, Exemptions](#), all forms of commercial development that involve construction, moving, or significant alteration of a building or habitable structure, that result in the increase in the amount of impervious surface on a lot, or that involve the provision of landscaping, off-street parking, stormwater management devices, or similar site features shall be subject to Commercial Site Plan review in accordance with this section.
2. Changes in use that trigger requirements for sidewalk provision or changes to roadway configuration shall also require site plan approval.

C. EXEMPTIONS

The following forms of development are exempted from site plan review, but shall require a plot plan and shall be subject to the standards in [Section 2.2.4, Building Permit](#), or [Section 2.2.24, Zoning Compliance Permit](#), as appropriate:

1. Construction of a single-family detached dwelling on an individual lot;
2. Establishment of an accessory use or structure; and
3. Changes of use that do not result in the need for additional off-street parking spaces, additional screening, differing stormwater practices, or additional landscaping.

D. NON-RESIDENTIAL SITE PLAN PROCEDURE

The site plan procedure is described in [Figure 2.2.17, Site Plan Procedure](#), as supplemented by [Section 2.3, Application Processing](#), and the Procedures Manual.

E. APPLICATION

The application shall include a transportation impact analysis for review, when required by [Section 6.13, Transportation Impact Analysis](#).

F. DECISION BY TECHNICAL REVIEW COMMITTEE

The Technical Review Committee shall review and decide the application in accordance with [Section 2.2.17.G, Site Plan Review Standards](#).

G. SITE PLAN REVIEW STANDARDS

A site plan shall be approved on a decision the application complies with:

1. All standards or conditions of any prior applicable permits and development approvals;

FIGURE 2.2.6: NON-RESIDENTIAL SITE PLAN PROCEDURE	
Step	Action
1	Pre-application Conference See Section 2.3.2, Pre-application Conference
2	File Application See Section 2.3.3, Application Filing
3	Completeness Determination See Section 2.3.3.G, Determination of Application Completeness
4	Technical Review Committee Review and Decision See Section 2.3.5, Staff Review and Action
5	Notification of Decision See Section 2.3.9, Notification of Decision
6	File Construction Drawings or Final Plat, as appropriate

- 2. All applicable requirements of this Ordinance and the Town Code of Ordinances; and
- 3. All applicable county, state, and federal requirements

H. EFFECT

- 1. Approval of a non-residential site plan authorizes the submittal of construction drawings. Construction drawings shall be required in cases where public infrastructure (e.g., streets, waterlines, sanitary., streets, waterlines, sanitary sewer, etc.) is extended to serve the development.

I. AMENDMENT

Amendment of a site plan may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

J. EXPIRATION

If a construction drawing is not submitted within one year from the date of issuance, the approval shall become null and void.

K. APPEAL

Appeal of the decision on a site plan shall be reviewed and decided by the BOA in the nature of certiorari and in accordance with Section 2.2.3, Appeal.

2.2.14. PRELIMINARY PLAT

A. PURPOSE AND INTENT

The purpose for this preliminary plat procedure is to establish a fair, consistent, and predictable procedure for the review of requests to divide land into a series of lots for development or sale in ways that promote the health, safety, and welfare of the citizens of the Town of Zebulon. The intent of these standards is to ensure:

1. Orderly growth and development;
2. Coordination of transportation and utility networks;
3. Preservation of open space for purposes of recreation or natural resource protection;
4. Protection from flooding, damaging sedimentation, and decreased surface water quality; and
5. Distribution of population in ways that supports infrastructure investment and diminishes the impact of traffic and overcrowding.

B. APPLICABILITY

Divisions of land that do not qualify as an exempt subdivision (see Section 2.2.8, Exempt Subdivision), or an expedited subdivision (see Section 2.2.9, Expedited Subdivision), shall be reviewed and decided as a preliminary plat in accordance with these standards.

C. PRELIMINARY PLAT REVIEW PROCEDURE

The preliminary plat procedure is described in Figure 2.2.14, Preliminary Plat Review Procedure, as supplemented by Section 2.3, Application Processing, and the Procedures Manual.

D. APPLICATION

The application shall include a transportation impact analysis for review, when required by Section 6.13, Transportation Impact Analysis.

E. REVIEW AND DECISION BY THE TECHNICAL REVIEW COMMITTEE

The Technical Review Committee shall review and decide the application in accordance with Section 2.2.14.F, Preliminary Plat Review Standards.

F. PRELIMINARY PLAT REVIEW STANDARDS

1. An application for a preliminary plat shall be approved, provided:
 - a. The preliminary plat is prepared and sealed by a licensed professional land surveyor, registered professional landscape architect, or licensed professional engineer;
 - b. The preliminary plat complies with the applicable standards in Section 47-30 of the North Carolina General Statutes;
 - c. The preliminary plat includes all applicable certifications identified in the Procedures Manual;
 - d. All lots have been certified by Wake County Environmental Resources as capable of accommodating the wastewater generated from the proposed use, in cases when the lot(s) is not served by a centralized wastewater system;
 - e. The preliminary plat is in substantial conformance with all applicable requirements in Article 3: Districts;

**FIGURE 2.2.14:
PRELIMINARY PLAT PROCEDURE**

Step	Action
1	Pre-application Conference
	See Section 2.3.2, Pre-application Conference
2	File Application
	See Section 2.3.3, Application Filing
3	Completeness Determination
	See Section 2.3.3.G, Determination of Application Completeness
4	Technical Review Committee Review and Decision
	See Section 2.3.5, Staff Review and Action
5	Notice of Decision
	See Section 2.3.9, Notification of Decision
6	File Construction Drawings or Final Plat, as appropriate

- ~~f. The preliminary plat complies with all standards and conditions of any applicable permits and development approvals;~~
 - ~~g. The name of the subdivision shall not duplicate or be similar to the name of an existing subdivision in Wake County or the town; and~~
 - ~~h. The preliminary plat complies with all other applicable requirements in this Ordinance and the County Code of Ordinances.~~
- ~~2. Preliminary plats of land located within a special flood hazard area shall comply with the standards in Section 3.8.2, Flood Hazard Overlay (FHO) District, and any recorded plats shall include the following statement:~~
- ~~"Use of land within a floodplain or flood hazard overlay is substantially restricted by the Town of Zebulon."~~

G. EFFECT

- ~~1. Approval of a preliminary plat authorizes the submittal of construction drawings, and/or a final plat. Construction drawings shall be required in cases where public infrastructure (e.g., streets, water lines, sanitary sewer, etc.) is being extended to serve lots in the development.~~
- ~~2. Approval of a preliminary plat shall not constitute the approval for recording a subdivision with the Wake County Register of Deeds, or approval for the conveyance of lots.~~

H. AMENDMENT

~~Amendment of a preliminary plat approval may only be reviewed and considered in accordance with the procedures and standards established for its original approval.~~

1. EXPIRATION

~~An approved preliminary plat shall be valid for two years from the date of approval.~~

2. EXTENSION

- ~~a. An applicant may request an extension of a preliminary plat approval in writing to the Planning Director at least 30 days prior to expiration.~~
- ~~b. Extension requests shall be reviewed and decided by the Technical Review Committee.~~
- ~~c. A preliminary plat may be extended once for a maximum duration of one year.~~

I. APPEAL

~~Appeal of a decision on a preliminary plat shall be reviewed and decided by the BOA in the nature of certiorari and in accordance with Section 2.2.3, Appeal.~~

2.2.17. RESIDENTIAL PRELIMINARY PLAN

A. PURPOSE AND INTENT

The purpose for this preliminary plan procedure is to establish a fair, consistent, and predictable procedure for the review of requests to divide land into a series of lots for development or sale in ways that promote the health, safety, and welfare of the citizens of the Town of Zebulon. The intent of these standards is to ensure:

1. Orderly growth and development;
2. Coordination of transportation and utility networks;
3. Preservation of open space for purposes of recreation or natural resource protection;
4. Protection from flooding, damaging sedimentation, and decreased surface water quality; and
5. Distribution of population in ways that supports infrastructure investment and diminishes the impact of traffic and overcrowding.

B. APPLICABILITY

Divisions of land that do not qualify as an exempt subdivision (see [Section 2.2.9, Exempt Subdivision](#)), or an expedited subdivision (see [Section 2.2.9, Expedited Subdivision](#)), shall be reviewed and decided as a preliminary plat in accordance with these standards.

C. PRELIMINARY PLAN REVIEW PROCEDURE

The preliminary plan procedure is described in [Figure 2.2.14, Preliminary Plan Review Procedure](#), as supplemented by [Section 2.3, Application Processing](#), and the Procedures Manual.

D. APPLICATION

The application shall include a transportation impact analysis for review, when required by [Section 6.13, Transportation Impact Analysis](#).

E. REVIEW AND DECISION BY THE TECHNICAL REVIEW COMMITTEE

The Technical Review Committee shall review and decide the application in accordance with [Section 2.2.14.F, Preliminary Plan Review Standards](#).

F. PRELIMINARY PLAN REVIEW STANDARDS

1. An application for a preliminary plan shall be approved, provided:
 - a. The preliminary plan is prepared and sealed by a licensed professional land surveyor, registered professional landscape architect, or licensed professional engineer;
 - b. The preliminary plan complies with the applicable standards in Section 47-30 of the North Carolina General Statutes;
 - c. The preliminary plan includes all applicable certifications identified in the Procedures Manual;
 - d. All lots have been certified by Wake County Environmental Resources as capable of accommodating the wastewater generated from the proposed use, in cases when the lot(s) is not served by a centralized wastewater system;
 - e. The preliminary plan is in substantial conformance with all applicable requirements in [Article 3: Districts](#);

FIGURE 2.2.14: PRELIMINARY PLAN PROCEDURE	
Step	Action
1	Pre-application Conference
	See Section 2.3.2, Pre-application Conference
2	File Application
	See Section 2.3.3, Application Filing
3	Completeness Determination
	See Section 2.3.3.G, Determination of Application Completeness
4	Technical Review Committee Review and Decision
	See Section 2.3.5, Staff Review and Action
5	Notice of Decision
	See Section 2.3.9, Notification of Decision
6	File Construction Drawings or Final Plat, as appropriate

- f. The preliminary plan complies with all standards and conditions of any applicable permits and development approvals;
 - g. The name of the subdivision shall not duplicate or be similar to the name of an existing subdivision in Wake County or the town; and
 - h. The preliminary plan complies with all other applicable requirements in this Ordinance and the County Code of Ordinances.
2. Preliminary plan containing parcels of land located within a special flood hazard area shall comply with the standards in Section 3.8.2, Flood Hazard Overlay (FHO) District, and any recorded plats shall include the following statement:
 "Use of land within a floodplain or flood hazard overlay is substantially restricted by the Town of Zebulon."

G. EFFECT

- 1. Approval of a preliminary plan authorizes the submittal of construction drawings, and/or a final plat. Construction drawings shall be required in cases where public infrastructure (e.g., streets, water lines, sanitary sewer, etc.) is being extended to serve lots in the development.
- 2. Approval of a preliminary plan shall not constitute the approval for recording a subdivision with the Wake County Register of Deeds, or approval for the conveyance of lots.

H. AMENDMENT

Amendment of a preliminary plan approval may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

1. EXPIRATION

An approved preliminary plan shall be valid for two years from the date of approval.

2. EXTENSION

- a. An applicant may request an extension of a preliminary plan approval in writing to the Planning Director at least 30 days prior to expiration.
- b. Extension requests shall be reviewed and decided by the Technical Review Committee.
- c. A preliminary plan may be extended once for a maximum duration of one year.

I. APPEAL

Appeal of a decision on a preliminary plan shall be reviewed and decided by the BOA in the nature of certiorari and in accordance with Section 2.2.3, Appeal.

2.2.7. CONSTRUCTION DRAWING

A. PURPOSE AND INTENT

The purpose for the Construction Drawing procedure is to establish a consistent and predictable process for the review of proposed development, through a detailed representation of the proposal. Construction Drawing review is an analysis to ensure that allowable development is configured in accordance with required utilities and constructions standards, not a consideration of whether or not a proposed development is allowed.

B. APPLICABILITY

1. Except for development exempted from Construction Drawing review in accordance with Section 2.2.7.C, Exemptions, all forms of development that involve construction, moving, or significant alteration of a building or habitable structure, that result in the increase in the amount of impervious surface on a lot, or that involve the provision of landscaping, off-street parking, stormwater management devices, or similar site features shall be subject to Construction Drawing review in accordance with this section.
2. Changes in use that trigger requirements for sidewalk provision or changes to roadway configuration shall also require site plan approval.

C. EXEMPTIONS

The following forms of development are exempted from construction drawing review, but shall require a plot plan and shall be subject to the standards in Section 2.2.4, Building Permit, or Section 2.2.24, Zoning Compliance Permit, as appropriate:

1. Construction of a single-family detached dwelling on an individual lot;
2. Establishment of an accessory use or structure; and
3. Changes of use that do not result in the need for additional off-street parking spaces, additional screening, differing stormwater practices, or additional landscaping.

D. CONSTRUCTION DRAWING PROCEDURE

The Construction Drawing procedure is described in Figure 2.2.7, Construction Drawing Procedure, as supplemented by Section 2.3, Application Processing, and the Procedures Manual.

E. APPLICATION

The application shall include details sheets and to scale engineered plans.

F. DECISION BY TECHNICAL REVIEW COMMITTEE

The Technical Review Committee shall review and decide the application in accordance with Section 2.2.7.G, Construction Drawing Review Standards.

G. CONSTRUCTION DRAWING REVIEW STANDARDS

A Construction Drawing shall be approved on a decision the application complies with:

1. All standards or conditions of any prior applicable permits and development approvals;
2. All applicable requirements of this Ordinance and the Town Code of Ordinances; and

FIGURE 2.2.7: CONSTRUCTION DRAWING PROCEDURE	
Step	Action
1	Pre-application Conference
	See <u>Section 2.3.2, Pre-application Conference</u>
2	File Application
	See <u>Section 2.3.3, Application Filing</u>
3	Completeness Determination
	See <u>Section 2.3.3.G, Determination of Application Completeness</u>
4	Technical Review Committee Review and Decision
	See <u>Section 2.3.5, Staff Review and Action</u>
5	Notification of Decision
	See <u>Section 2.3.9, Notification of Decision</u>

3. All applicable county, state, and federal requirements.

H. EFFECT

1. CONSTRUCTION PLANS

- a. Construction Drawing plans for all public improvements included with or filed subsequent to the Non-Residential Site Plan or Residential Preliminary Plan shall be approved prior to street and utility construction in accordance with the applicable Town standards.
- b. In the case of a multi-phase site plan, any street and utility construction plans shall include all improvements within a phase and all public improvements outside the phase but necessary to serve development within that phase.

2. PERFORMANCE GUARANTEES

All public improvements that have not been installed by the developer, inspected, and accepted by the Town shall comply with the requirements in Section 6.6, Performance Guarantees, prior to the issuance of a certificate of occupancy.

I. AMENDMENT

Amendment of a Construction Drawing may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

J. EXPIRATION

If the work authorized by a Construction Drawing approval is not commenced within one year from the date of issuance, the approval shall become null and void.

K. APPEAL

Appeal of the decision on a site plan shall be reviewed and decided by the BOA in the nature of certiorari and in accordance with Section 2.2.3, Appeal.

ZEBULON

NORTH CAROLINA

CASE # Text Amendments 2024-01, 2024-02, 2024-03, and 2024-04

HEARING DATE: August 14, 2023

State of North Carolina

County of Wake

BEFORE ME, the undersigned Notary, Stacie Paratore on this 4th day of August 2023 personally appeared Michael J. Clark, known to me to be a credible person and of lawful age, who being by me first duly sworn, on his oath, deposes and says:

I Michael J. Clark, acting as the Planning Director for the Town of Zebulon, affirm that the following Public Notice Procedures have been completed in accordance with applicable North Carolina General Statute and Town of Zebulon Unified Development Ordinance Section 2.3.6 have been satisfied for the above referenced hearing.

- Advertisement in a Paper of General Circulation sent on **8/1/2023** (Wake weekly, publication dates **8/4 & 8/11/2023**)
- Posted to Planning Department Website **8/2/2023**
- Sent to E-Mail Distribution List on **8/4/2023**

Michael J. Clark

8/4/2023

Michael J. Clark, AICP, CZO

Date

Subscribed and sworn to before me, this 4th day of August 2023

[Notary Seal:]

Stacie Paratore

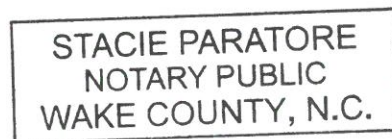
Stacie Paratore

[signature of Notary]

[printed name of Notary]

NOTARY PUBLIC

My commission expires: 10/27, 2025.



Notice of Public Hearing

Notice is hereby given pursuant to the provisions of Article 2.3.6 of the Town of Zebulon Unified Development Ordinance that a public hearing will be held on **August 14, 2023 at 6:00 PM** at the **Zebulon Municipal Complex, 1003 N. Arendell Avenue**, and will be conducted by the Board of Commissioners and Planning Board of the Town of Zebulon for the purpose of considering the following items:

IDT Project Number 964911 - CZ 2023-03 – 1106 N Arendell Ave PIN # 2705191832. A request by Thomas Johnson of Williams Mullen on behalf of C4 CStore Holdings III, LLC and property owners Carl Victor Tart Jr., for a Conditional Rezoning to the Heavy Commercial Conditional (HC-C) zoning district for the development of a convenience store with gasoline sales.

TA 2024-01 – RV Parks - Request from Jennifer Ashton of Long Leaf Partners to amend UDO Section 4.2.3 to allow consideration of RV Parks when presented as a component of a Planned Development Request.

TA 2024-02 Drop-In Day Care - Staff initiated amendment to UDO Section 4.2.3 and 9.4 to create a new use “Child Care-Drop In” within the same zoning districts as Child Care Centers.

TA 2024-03 Contactor Signs - Staff initiated amendment to UDO Section 5.11.6 of the UDO to create regulations pertaining to Contractor Signs.

TA 2024-04 Development Review Procedures – Staff initiated amendment to Chapter 2 of the Unified Development Ordinance to separate Site Plan and Construction Drawing review procedures.

Public comments may be submitted to Deputy Town Clerk Stacie Paratore at SParatore@TownofZebulon.org no later than 12:00 Noon on the day of the hearing to be read into the record. Links will be provided along with the full application packet and documentation on the Planning Department web page at <https://www.townofzebulon.org/departments/planning/public-hearing-information> For questions or additional information, please contact us at (919) 823-1810.

Wake Weekly August 4th & 11th