

**TOWN OF ZEBULON
JOINT PUBLIC HEARING AGENDA
BOARD OF COMMISSIONERS AND PLANNING BOARD
December 14, 2020
7:00pm**

Due to COVID-19 we will be taking public hearing comments in writing. Comments will be read into the record at the meeting. Please get all comments of 400 words or less to the Deputy Town Clerk – Stacie Paratore (sparatore@townofzebulon.org) by 12:00pm on December 14, 2020.

I. CALL TO ORDER

II. PUBLIC HEARING

A. RZ 2020-01 – 0, 601, 703, 705, 709 E Gannon Ave. Thurston Debnam Jr., representing the property owner, Providence Bank, requesting a Zoning Map Amendment from Residential-2 (R-2) to Heavy Commercial (HC).

B. CZ 2020-04 - 201, 313, 469 Green Pace Road. A request by Thomas F. Craven representing the property owner of properties listed above, Site Investments LLC, requesting a Conditional Zoning from Heavy Commercial District (HC) to Light Industrial Conditional Zoning District (LI-C).

C. Transportation Plan Amendment: The Town of Zebulon is proposing an amendment to the Multi-Modal Plan to connect the eastern Terminal of Innovative Way to E. Gannon Road with a two-lane median divided street.

III. MANAGER’S REPORT

A. Work Session Overview Memo


B. COVID Related Operating Impacts

1. Community Center
2. Rental Facilities
3. Town Hall
4. Town Hall Future Impacts

IV. ADJOURNMENT

STAFF REPORT
JOINT PUBLIC HEARING
RZ2020-01 601, 703, 705, AND 709
E. GANNON AVENUE
DECEMBER 14, 2020

Topic: RZ2020-01: 601, 703, 705, AND 709 E. GANNON AVE

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 rezoning request from Thurston Debnam on behalf of Providence Bank for 601, 703, 705, and 709 E. Gannon Avenue from R-2 Residential to HC Heavy Commercial

Background:

The subject tracts were zoned "HB-Heavy Business" as part of the previous zoning code, however due to a file corruption with the GIS file used for the rezoning as part of the Unified Development Ordinance, the subject properties were designated as R-2 Residential in error. Staff was going to bring a rezoning request of the subject properties before the board in early 2021, however the property owner requested that that it proceed sooner.

Discussion:

The discussion before the Board of Commissioners is whether to approve a UDO Map Amendment to rezone the subject parcels from R-2 Residential to HC Heavy Commercial.

Policy Analysis:

The proposed request is consistent with Section 2.2.4.H of the Unified Development Ordinance and the 2008 Comprehensive Master Plan Future Land Use Map.

Financial Analysis:

The existing R-2 Residential zoning classification is the second lowest impact zoning classification, and the residential yield would have minimal property tax benefit. However, the HC Heavy Commercial Uses would introduce higher property taxes and personal property taxes within a location that is currently within the Town service boundaries.

Staff Recommendation:

Staff Recommends the Board of Commissioners accept public comment on RZ2020-01 at the December 14th Joint Public Hearing and refer the matter to the Planning Board for consideration. Staff Recommends the Planning Board recommend approval of the UDO Map Amendment as proposed.

STAFF REPORT
JOINT PUBLIC HEARING
RZ2020-01 601, 703, 705, AND 709
E. GANNON AVENUE
DECEMBER 14, 2020

Attachments:

1. Application
2. Boundary Map
3. Zoning Map
4. Aerial Map
5. Land Use Map
6. Site Pictures
7. Public Hearing Notice
8. 150' Radius of Notified Mailed Property Owners Map



SMITH DEBNAM NARRON DRAKE SAINTSING & MYERS, LLP

W. Thurston Debnam, Jr.
Partner
tdebnam@smithdebnamlaw.com
(919) 250-2104
Fax: (919) 250-2211

October 1, 2020

Mr. Michael Clark
Planning Director
Town of Zebulon
1003 N. Arendell Avenue
Zebulon, NC 27597

RE: Providence Bank
0; 601; 703; 705 and 709 E. Gannon Avenue, Zebulon, NC 27597 Rezoning

Dear Mr. Clark,

In regard to the above request for rezoning, please find the attached documents:

1. Application for Zoning Map Amendment with adjacent owners that were invited to the meeting.
2. Revised Notice of Neighborhood Meeting that was mailed to all of the adjoining property neighbors.
3. List of adjoining property owners invited to the meeting (Adjacent Owners and HOA Contacts).
4. Neighborhood Meeting Sign In Sheet.
5. Report of Neighborhood Meeting.
6. Affidavit of Conducting a Neighborhood Meeting.
7. Reduced copy of the maps presented to the neighbors at the Neighborhood Meeting.

It is our understanding that the Town has agreed to waive fees associated with this Re-zoning request.

Please let us know if you require any additional information. Your assistance in this matter is great appreciated.

Sincerely,

SMITH DEBNAM NARRON DRAKE SAINTSING & MYERS, LLP



W. Thurston Debnam, Jr.
Partner

WTD/wk

Enclosures



APPLICATION FOR
ZONING MAP AMENDMENT

PART 1. DESCRIPTION OF REQUEST/PROPERTY		
Street Address of the Property: 0; 601; 703; 705 and 709 E. Gannon Avenue, Zebulon, NC 27597		Acres: 32.03 Acres
Parcel Identification Number (NC PIN): 0069280 (partial); 0256471; 0087256; 0087257 and 0030486	Deed Book: 15373	Deed Page(s): 2316
Existing Zoning of the Property: R-2 - Residential Suburban	Proposed Zoning of the Property: HC, Heavy Commercial	
Existing Use of the Property: vacant	Proposed Use of the Property: Commercial	
Reason for Rezoning: Property was inadvertently rezoned by the Town in error with the adoption of the new zoning map.		

PART 2. APPLICANT/AGENT INFORMATION		
Name of Applicant/Agent: Providence Bank/W. Thurston Debnam, Jr., Attorney		
Street Address of Applicant/Agent: 4601 Six Forks Road, Suite 400, Raleigh, NC 27609		
City: Raleigh	State: NC	Zip Code: 27609
Email of Applicant/Agent: tdebnam@smithdebnamlaw.com	Telephone Number of Applicant/Agent: 919-250-2104	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 must obtain the Owner's consent and signature giving you permission to submit this application.

PART 3. PROPERTY OWNER INFORMATION		
Name of Property Owner: Providence Bank		
Street Address of Property Owner: 450 N. Winstead Avenue		
City: Rocky Mount	State: NC	Zip Code: 27804
Email of Property Owner: tdebnam@smithdebnamlaw.com	Telephone Number of Property Owner: 919-250-2104	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: PROVIDENCE BANK By:	Print Name: Robert H. Ladd, III, Executive Vice President	Date: 9/18/2020
Signature of Owner: PROVIDENCE BANK By:	Print Name: Robert H. Ladd, III, Executive Vice President	Date: 9/18/2020



APPLICATION FOR ZONING MAP AMENDMENT

LEGISLATIVE CONSIDERATIONS – ZONING MAP AMENDMENT

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 zoning district 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 2.2.24 J of the UDO as follows:

<p>1. Please explain how the proposed Zoning Map Amendment advances the public health, safety, or welfare</p> <p>The real estate parcels in question have for more than 20 years been surrounded by industrial uses on the north, west and south. The adjoining property to the east of the subject property has been occupied for more than five years by heavy business and high traffic uses such as Wal Mart. There is a limited access highway lying immediate North of the subject property.</p>
<p>2. Please explain how the proposed Zoning Map Amendment is appropriate for its proposed location, and is consistent with the purposes, goals, objectives, and policies of the town's adopted policy guidance;</p> <p>For more than five (5) years the subject property was in a heavy business classification. For reasons unknown to the applicant and without its actual knowledge the subject property was rezoned to a residential use upon the adoption of the Town's most recent Zoning Map effective January 1, 2020.</p>
<p>3. Please explain how an approval of the Zoning Map Amendment is reasonable and in the public interest;</p> <p>For more than twenty-five (25) years the subject property has been located within the commercial corridor that runs from the intersection of Gannon Avenue and Arendell Avenue in an easterly direction to its intersection with N.C. Highway 39 adjacent to the baseball stadium.</p>
<p>4. Please explain how the proposed Zoning Map Amendment 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.</p> <p>See 1, 2 and 3 above.</p>



APPLICATION FOR ZONING MAP AMENDMENT

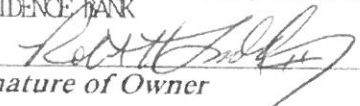
OWNER'S CONSENT FORM

Name of Project: _____ Submittal Date: _____

OWNER'S AUTHORIZATION


I hereby give CONSENT to W. Thurston Debnam, Jr., Attorney _____ (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in is the subject of this application. I acknowledge and agree that, pursuant to Section 2.2.24 of the Town of Zebulon Unified Development Ordinance, that lands subject to a zoning map amendment shall be subject to all the standards, conditions, and plans approved as part of that application. These standards, plans, and approved conditions are perpetually binding on the land as an amendment to this Ordinance and the Official Zoning Map, and may only be changed in accordance with the procedures established in this Ordinance. Development located outside the Town of Zebulon's corporate limits shall comply with all Town policies related to annexation and the extension of utilities. I understand that all other applicable standards and regulations of the UDO will remain applicable to the subject lands unless specifically listed as conditions or deviations as part of this request. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Zebulon to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

By: PROVIDENCE BANK  Signature of Owner Robert H. Ladd, III, Executive Vice President Print Name 9/18/2020 Date

CERTIFICATION OF PROPERTY OWNER

I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Zebulon, North Carolina, and will not be returned.

By: PROVIDENCE BANK  Signature of Owner Robert H. Ladd, III, Executive Vice President Print Name 9/18/2020 Date

*Owner of record as shown by the Wake County Revenue Department (www.wakegov.com). An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this form.



APPLICATION FOR ZONING MAP AMENDMENT

ADJACENT OWNERS AND HOA CONTACTS:

Provide a certified list of property owners subject to this application and all properties owners within 150-feet feet of the subject property, and any HOA Contacts for developments which fall within 300-feet of the subject property.

Table with 3 columns: Parcel Address, Parcel ID Number, Owner's Name. Contains 11 rows of data including addresses like 505 E. Horton Street and owners like Iglesia Christiana Resurreccion, Inc.

HOA Contacts:

Table with 3 columns: Development Name, Contact Name, Contact Address. Contains one row with 'N/A' in the Development Name column.



REVISED

NOTICE OF NEIGHBORHOOD MEETING

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.

Dear Neighbor:

You are invited to a neighborhood meeting to review and discuss the development proposal at:

0; 601; 703; 705 and 709 E. Gannon Avenue, Zebulon, NC 27597 0069280 (partial); 0256471; 0087256; 0087257 and 0030486
(Addresses) (Pin Numbers)

in accordance with the Town of Zebulon Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the 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/services/planning.

A Neighborhood Meeting is requested because this project will include:

- Conditional Rezoning
Planned Unit Development
Site Plan within the Downtown Core or Downtown Periphery Zoning Districts
Zoning Map Amendment (results in more intensive uses or increased density)
Special Use Permit (Quasi-Judicial Hearing)

*Quasi-Judicial Hearing: The Board of Commissioners cannot discuss the project prior to the public hearing.

The following is a description of the proposed (also see attached map(s) and/or plan sheet(s)):
Change zoning from R-2 - Residential Suburban to HC, Heavy Commercial for 0; 601; 703; 705 and 709 E. Gannon Avenue, Zebulon, NC 27597 - 32.03 Acres

Estimated Submittal Date:

MEETING INFORMATION:

Property Owner(s) Name(s) Providence Bank

Applicant(s) Providence Bank

Contact Information (e-mail/phone) tdebnam@smithdebnamlaw.com

Meeting Address: 815 North Arendell Avenue, Zebulon, NC 27597

Date of Meeting: September 28, 2020

Time of Meeting: 5:00 P.M. until 7:00 P.M.

**Meetings shall occur between 5:00 p.m.-9:00 p.m. on a Monday through Thursday (excluding Town recognized holidays). If you have questions about the general process for this application, please contact the Planning Department at 919-823-1809. You may also find information about the Zebulon Planning Department and on-going planning efforts at https://www.townofzebulon.org/services/planning



INFORMATION PACKET FOR NEIGHBORHOOD MEETINGS

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:	Zoning: HC, Heavy Commercial	
Location: 0; 601; 703; 705 and 709 E. Gannon Avenue, Zebulon, NC 27597		
Property PIN(s): 0069280; 0256471; 0087256; 0087257 and 0030486	Acreage/Square Feet: 32.03 Acres	
Property Owner: Providence Bank		
Address: 450 N. Winstead Avenue		
City: Rocky Mount	State: NC	Zip: 27804
Phone: 919-250-2104	Email: tdebnam@smithdebnamlaw.com	
Developer:		
Address:		
City:	State:	Zip:
Phone:	Fax:	Email:
Engineer:		
Address:		
City:	State:	Zip:
Phone:	Fax:	Email:
Builder (if known):		
Address:		
City:	State:	Zip:
Phone:	Fax:	Email:



INFORMATION PACKET FOR NEIGHBORHOOD MEETINGS

PROVIDING INPUT TO THE PLANNING BOARD OR BOARD OF COMMISSIONERS:

Each Board of Commissioners meeting agenda includes a Public Forum time when anyone is permitted to speak for three (3) minutes on any topic with the exception of items listed as Public Hearings for that meeting. The Board of Commissioners meets on the 1st Monday of each month at 7:00 p.m. and Joint Public Hearings are scheduled for the 2nd Monday of every Month. (except for holidays, see schedule of meetings at <https://www.townofzebulon.org/agendas-minutes>. You may also contact Board of Commissioners at <https://www.townofzebulon.org/government/board-commissioners>.

PRIVATE AGREEMENTS AND EASEMENT NEGOTIATION:

The Town of Zebulon cannot enforce private agreements between developers and neighbors and is not a party to the easement and right-of-way negotiation that occurs between developers and neighboring property owners for easements or rights-of-way that are necessary to build the project.

It is recommended that all private agreements be made in writing and that if a property owner feels it necessary, they should obtain private legal counsel in order to protect their interests in both private agreements and during easement negotiations. The only conditions that the Town of Zebulon can enforce are those conditions that are made a part of the conditional zoning of the property by agreement of the developer and the Town.

As an example, if a developer offers to build a fence for a neighbor to mitigate some impact, the Town can only enforce the construction of the fence if the fence becomes a condition of the rezoning. This would occur by the developer offering the condition as part of their conditional zoning application package or at the Joint Public Hearing on the conditional zoning and the Town accepting it as a condition. Private agreements regarding a fence being constructed will not be enforced by the Town.

To request that any agreement with a developer is made a part of the conditional zoning at the time of approval, you may ask at the public hearing if the agreement is included in the conditions. If it is not, you may request that the Board of Commissioners not approve the rezoning without the agreement being included in the conditions (note that it is up to Board of Commissioners whether to approve or deny the rezoning but they cannot impose conditions that the applicant does not agree to add). The developer's proposed conditions can be viewed any time after a rezoning is submitted on the Town of Zebulon Interactive Development Map which can be found at: <https://www.townofzebulon.org/services/planning/whats-coming-zebulon>

DOCUMENTATION:

Neighbors to a requested new development and/or rezoning are strongly encouraged to fully document (such as through dated photographs) the condition of their property before any work is initiated for the new development. Stormwater controls installed on developed property are not designed to and will likely not remove 100% of the soil particles transported by stormwater runoff. As a result, creeks and ponds could become cloudy for a period of time after rain events.



INFORMATION PACKET FOR NEIGHBORHOOD MEETINGS

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: _____
 Meeting Address: 815 North Arendell Avenue, Zebulon, NC 27597
 Date of Meeting: September 28, 2020 Time of Meeting: 5:00 P.M. until 7:00 P.M.
 Property Owner(s) Names: Providence Bank
 Applicants: Providence Bank

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.

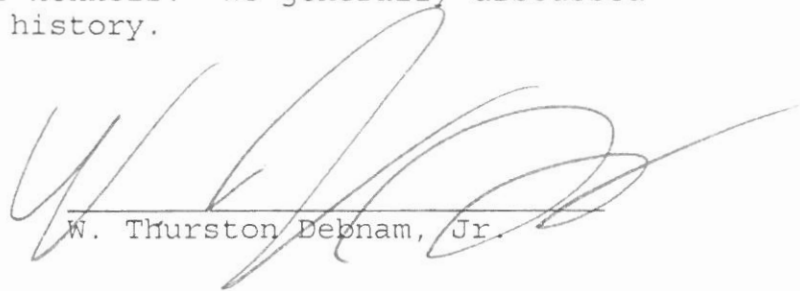
	Name/ Organization	Address	Phone#	E-mail
1	Linda Arnold		919-931-1841	linda@tmeinvestments.com
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Attach Additional Sheets If Necessary.

REPORT OF NEIGHBORHOOD MEETING
September 28, 2020

The meeting was held at the office of the Zebulon Chamber of Commerce on Arendell Avenue.

One person, Linda Arnold, attended. She represents the group of companies owned by Marc Noel, the owner of several adjoining tracts. Once she was informed that the real estate in question was not under contract Linda had no real questions. She made a general comment regarding the suitability of the site for kennels. We generally discussed the site and its ownership history.



W. Thurston Debnam, Jr.



INFORMATION PACKET FOR NEIGHBORHOOD MEETINGS

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

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.

I, W. Thurston Debnam, Jr., 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 815 N. Arendell Ave., Zebulon, NC 27597 (location/address) on September 28, 2020 (date) from 5:00 PM (start time) to 7:00 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.
SMITH DEBNAM NARRON DRAKE SAINESING & MYERS, LLP
Date 9/30/20 By: W. Thurston Debnam, Jr., Attorney

STATE OF nc
COUNTY OF Nash

Sworn and subscribed before me, Wendy B Kerns, a Notary Public for the above State and County, on this the 30th day of Sept., 2020.

SEAL
Wendy B Kerns



Notary Public

Wendy B. Kerns
























Print Name

My Commission Expires:

9/30/2020

Town of Zebulon Official Zoning Map

Legend

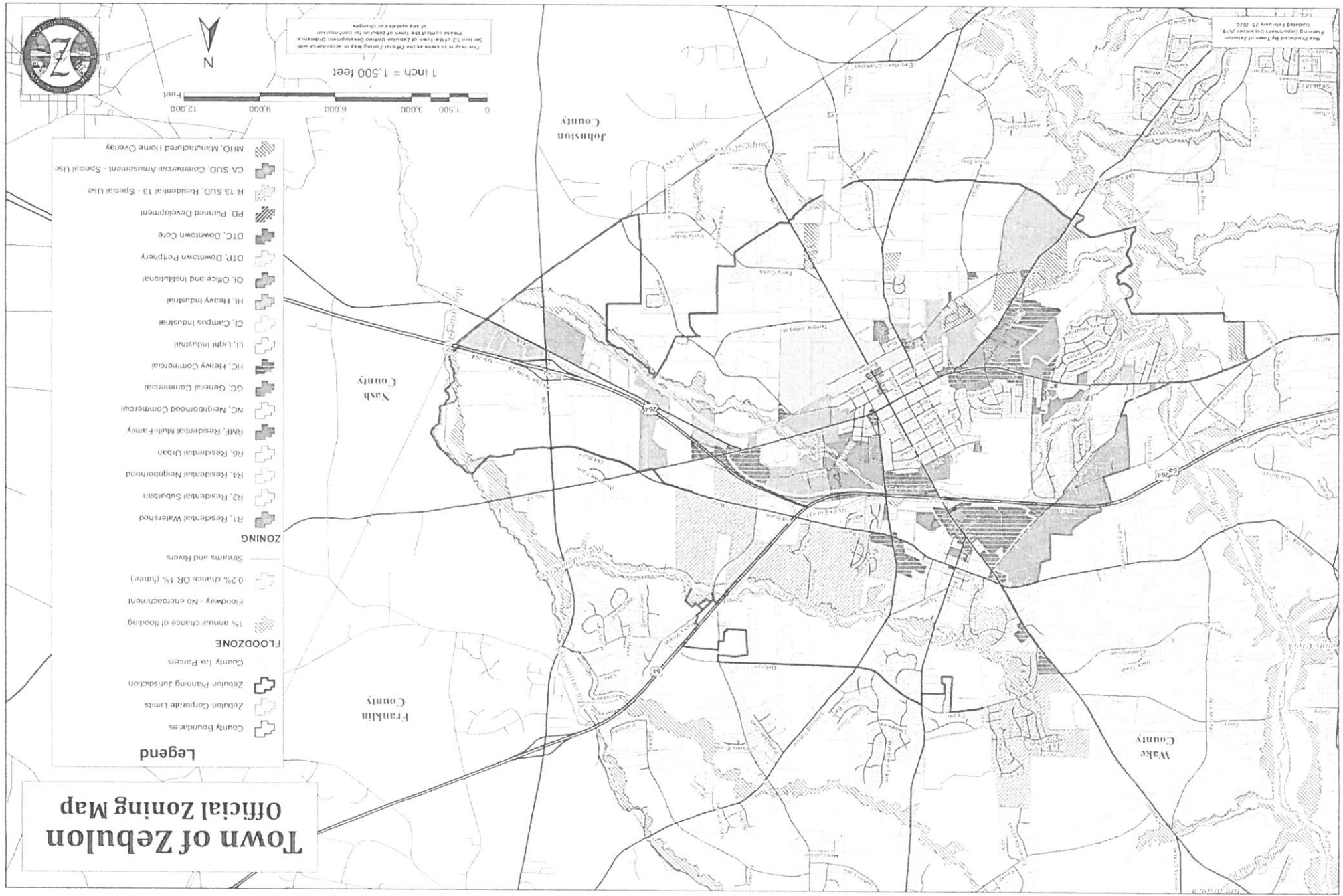
-  County Boundaries
 -  Zebulon Corporate Limits
 -  Zebulon Planning Jurisdiction
 -  County Tax Parcels
- FLOODZONE**
-  1% annual chance of flooding
 -  Floodway - No encroachment
 -  0.2% chance OR 1% (future)
 -  Streams and Rivers
- ZONING**
-  R1, Residential Watershed
 -  R2, Residential Suburban
 -  R4, Residential Neighborhood
 -  R6, Residential Urban
 -  RMF, Residential Multi-Family
 -  NC, Neighborhood Commercial
 -  GC, General Commercial
 -  HC, Heavy Commercial
 -  LI, Light Industrial
 -  CI, Campus Industrial
 -  HI, Heavy Industrial
 -  OI, Office and Institutional
 -  DTP, Downtown Periphery
 -  DTC, Downtown Core
 -  PD, Planned Development
 -  R-13 SUD, Residential 13 - Special Use
 -  CA-SUD, Commercial Amusement - Special Use
 -  MHIO, Manufactured Home Overlay

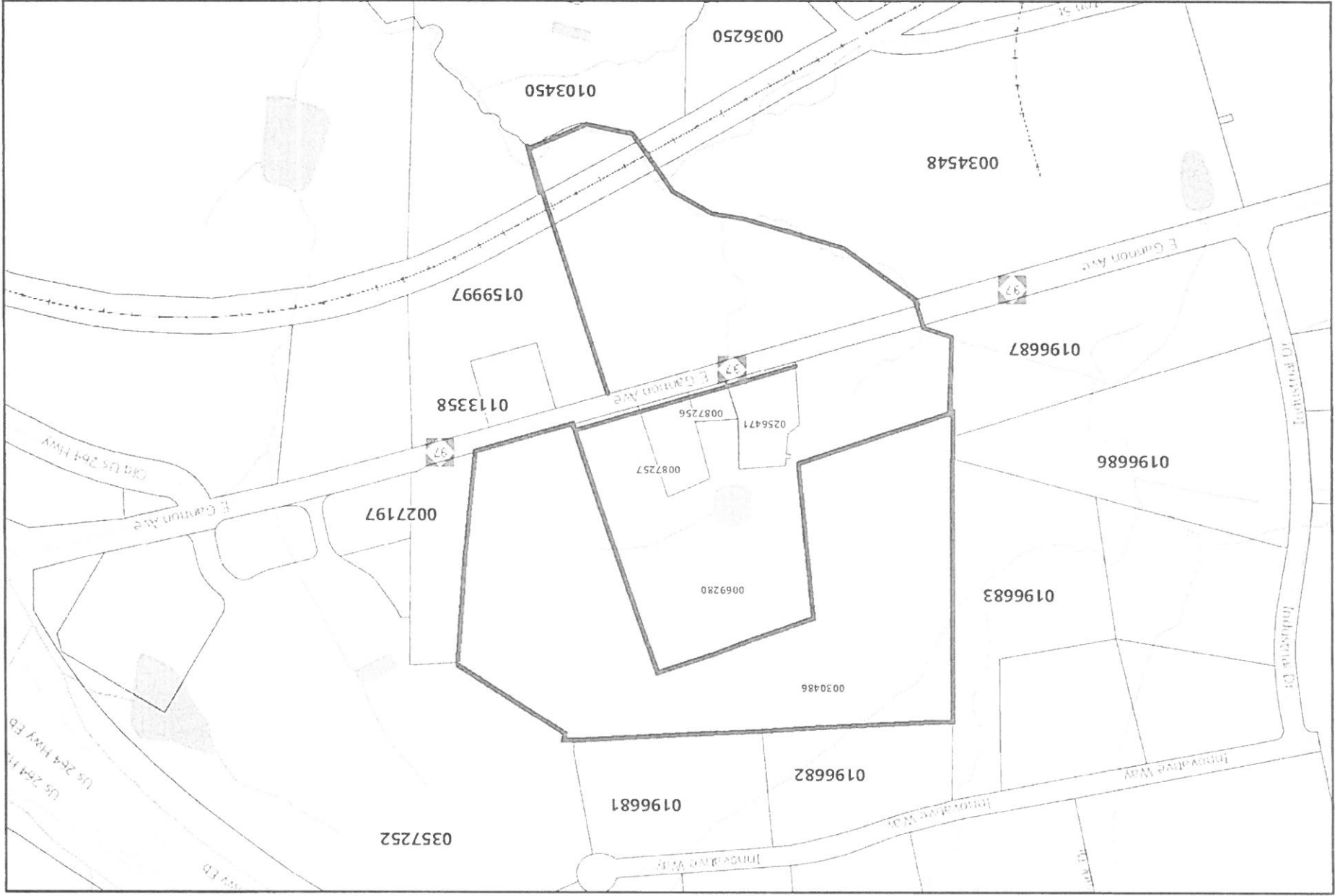


This map is based on the Official Zoning Map as shown on the last date of the Town of Zebulon Planning Commission. Please contact the Town of Zebulon for confirmation of any updates or changes.

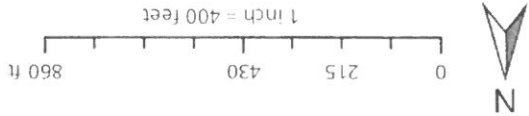


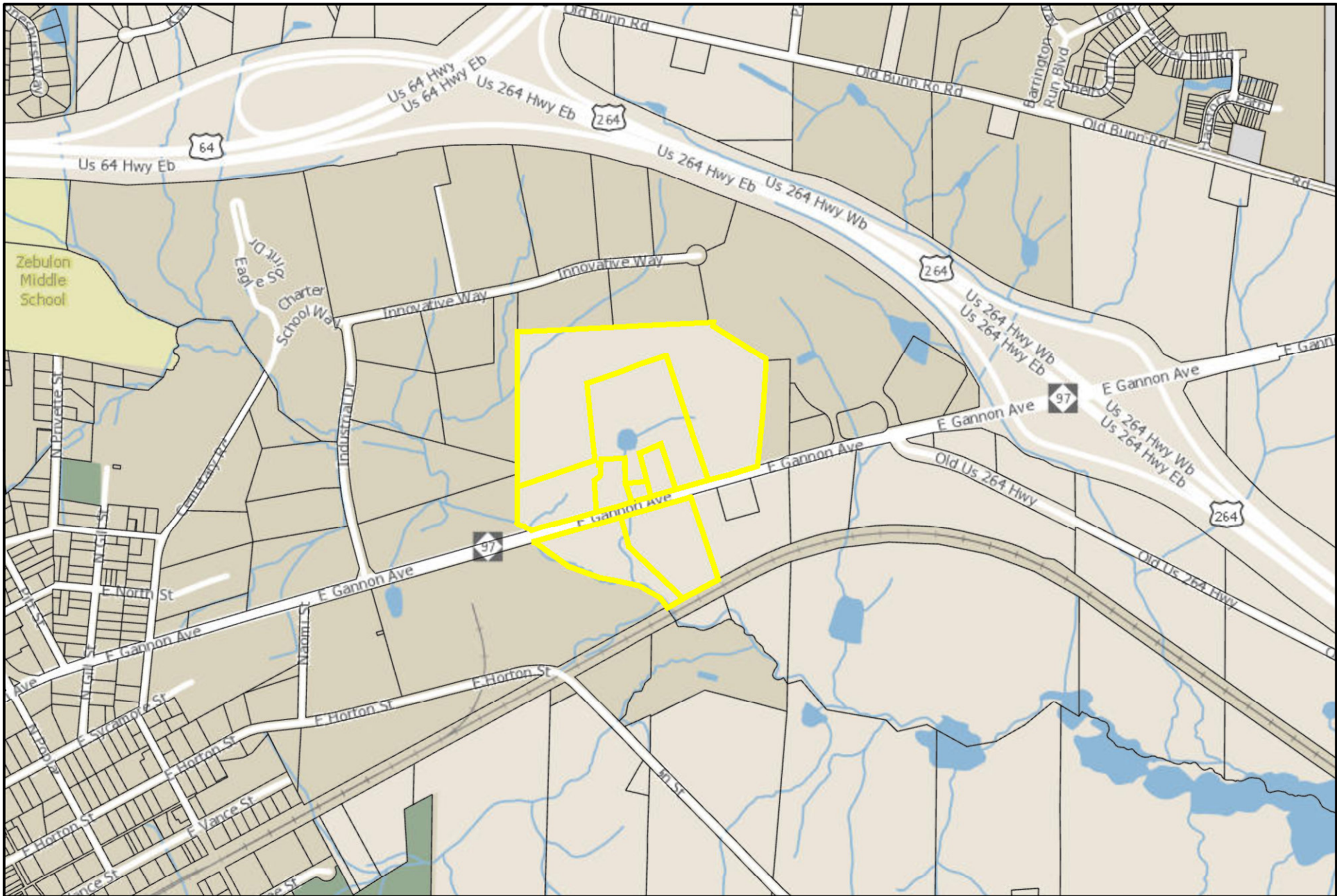
Map Produced By Town of Zebulon
Planning Department (last revised: 05-19)
Updated February 23, 2020



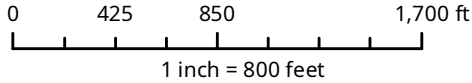


Disclaimer
 Maps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.

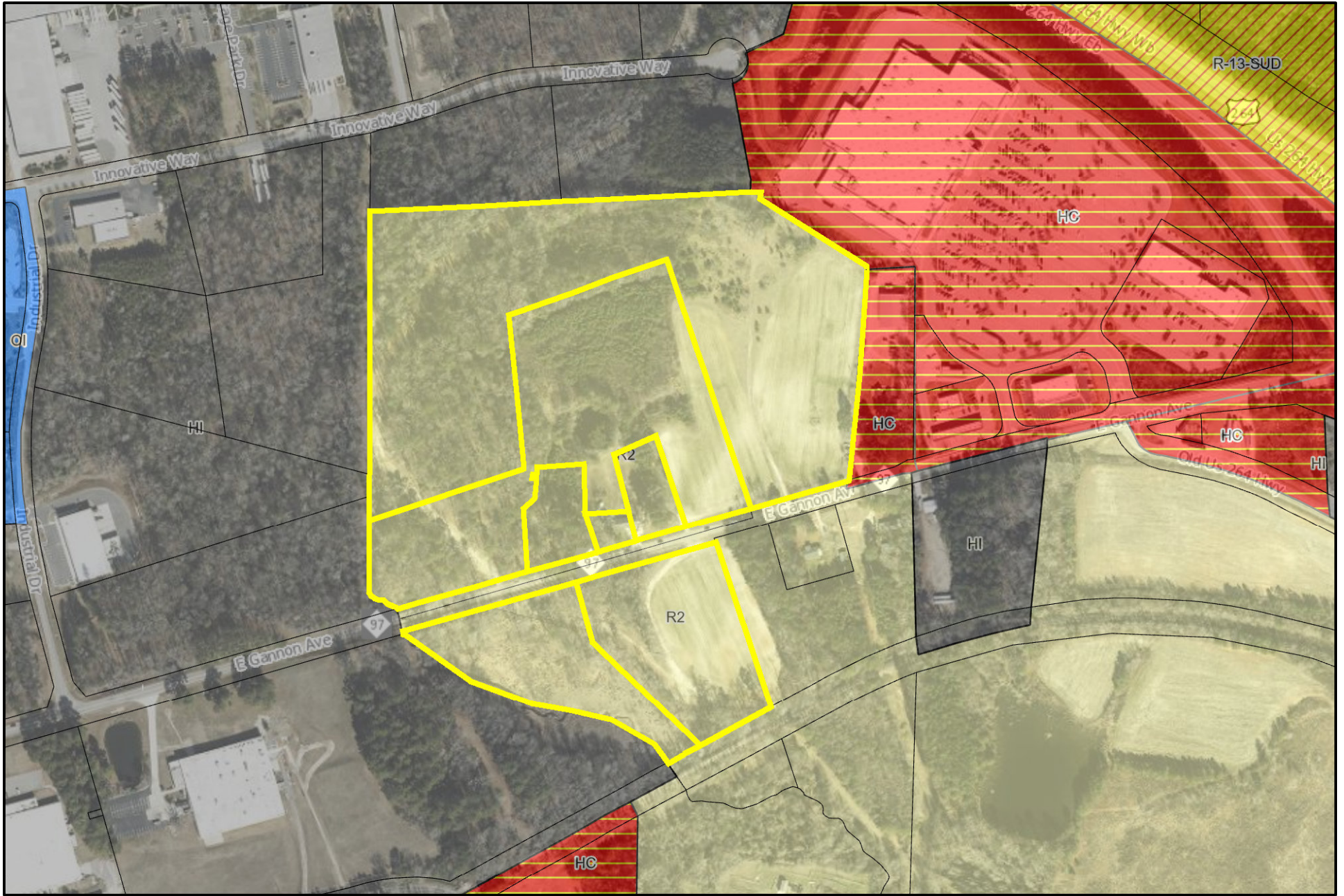




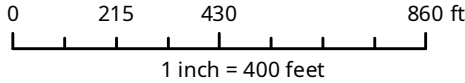
CZ 2020_01 Boundary Map



Disclaimer
iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.



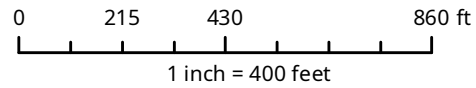
Current Zoning Map



Disclaimer
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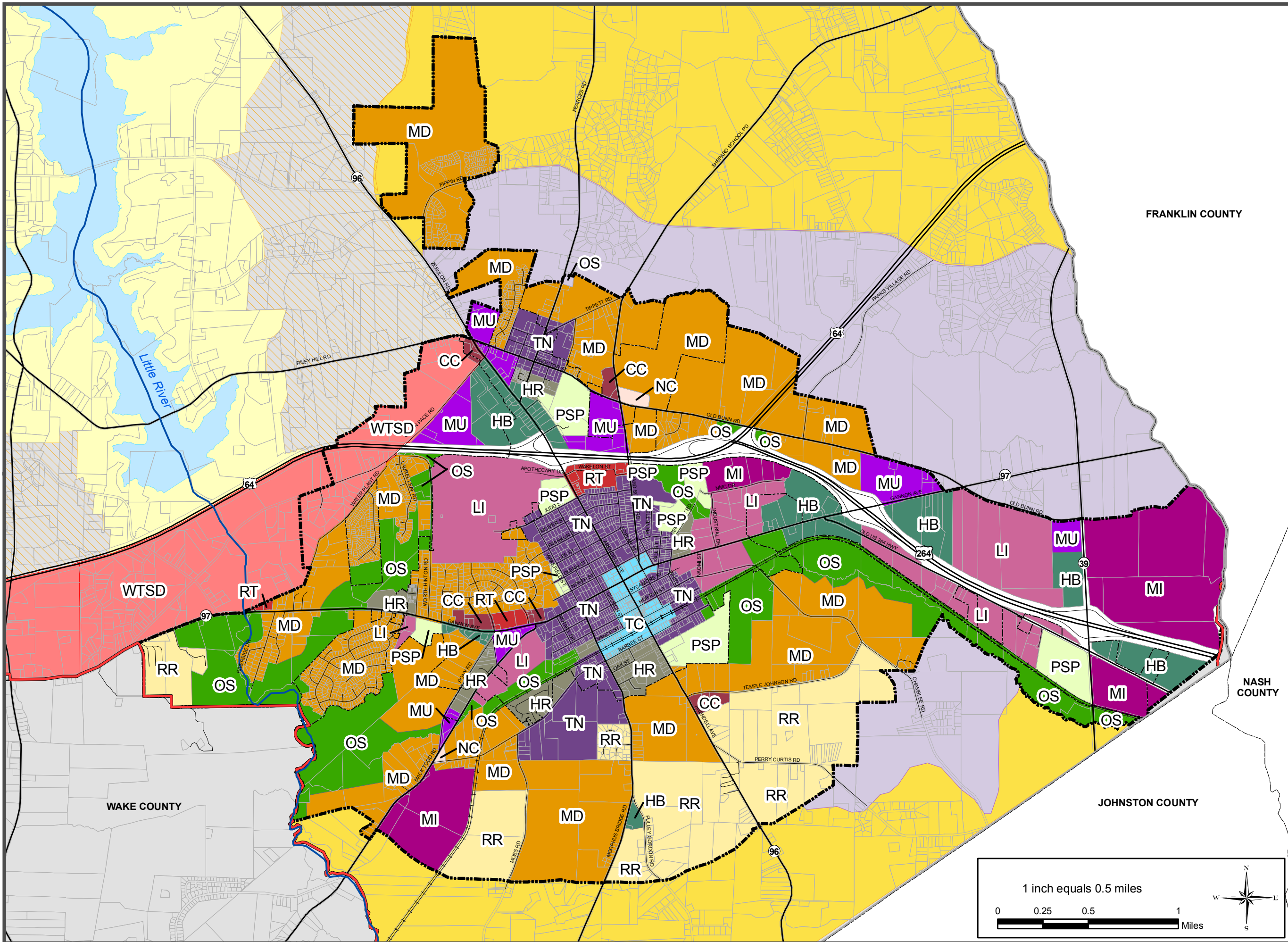


Subject Rezoning



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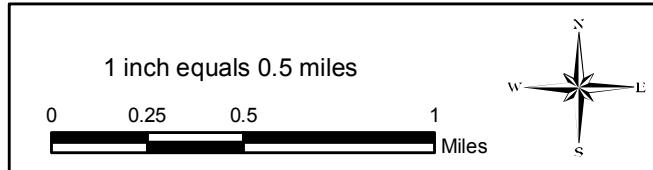


Land Use

Town of Zebulon
Wake County, NC

Legend

- Railroad
- Streets
- Major Roads
- Major Streams
- Critical Water Supply Watershed (R-80W)
- Little River Reservoir
- Little River Water Supply Watershed
- Annexation/Utility Boundary Agreement Line
- Zebulon Short Range Utility Service Area
- Zebulon Long Range Utility Service Area
- WTSD-Watershed
- Land Use**
- OS-Open Space
- PSP-Public/Semi-Public Open Space
- RR-Residential Rural
- MD-Medium Density Residential
- HR-High Density Residential
- TN-Traditional Neighborhood
- TC-Town Core/Downtown
- HB-Highway Business
- MU-Mixed Use
- CC-Community Commercial
- NC-Neighborhood Commercial
- RT-Retail
- LI-Light Industrial
- MI-Medium Industrial
- Parcels
- Zebulon City Limits
- Zebulon Extra Territorial Jurisdiction Limits
- Wake County



Data obtained from Wake County GIS and the Town of Zebulon



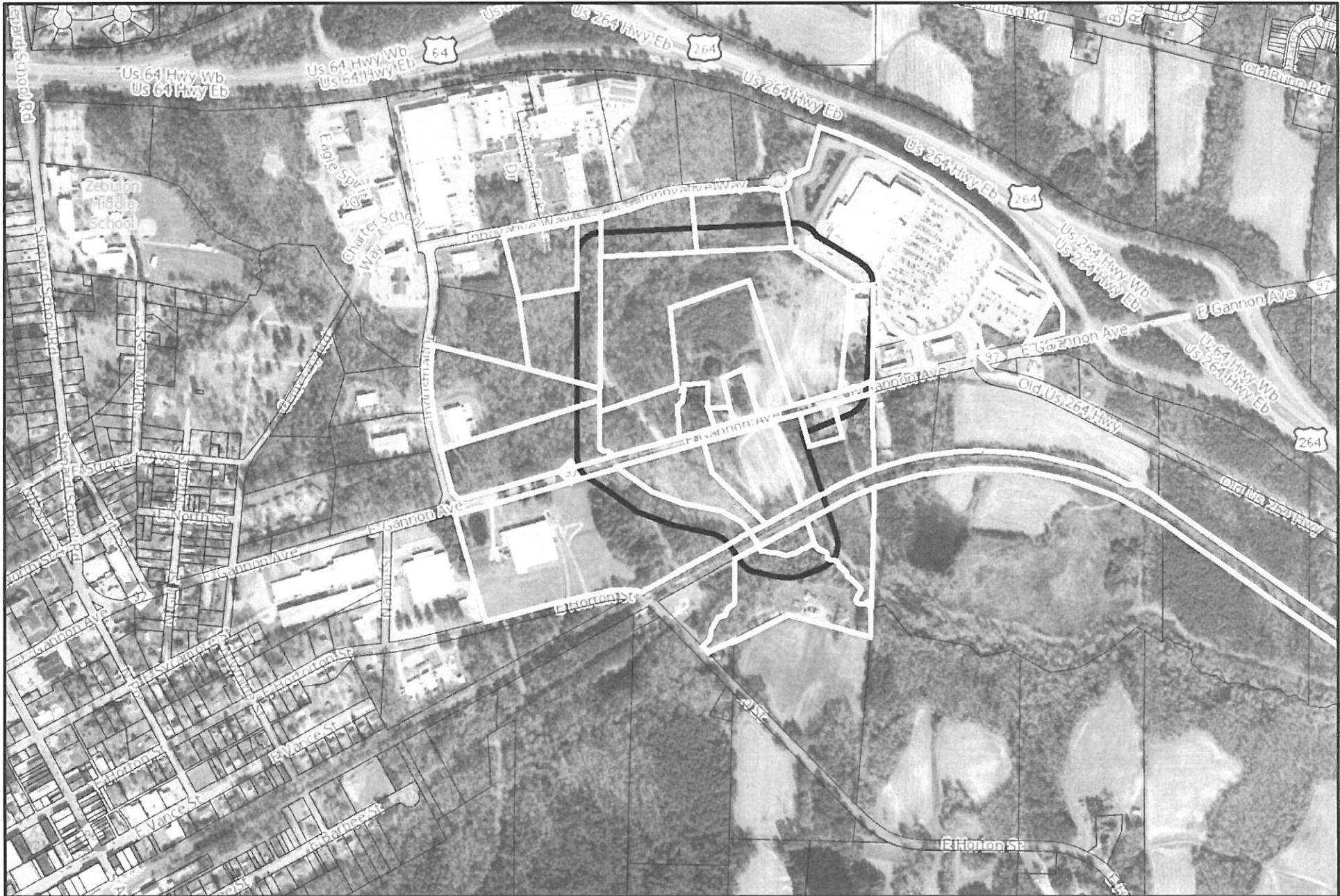


Notice of Public Hearing
PH
www.townofzebulon.org
919-323-1810
Zebulon Planning Department

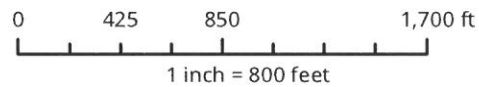




7 Notice of Public Hearing
PH
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919-823-1810
Zebulon Planning Department



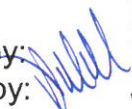
RZ 2020-01 Notification Map



Disclaimer
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STAFF REPORT
CZ 2020-04 Green Pace
CONDITIONAL ZONING REQUEST
December 14, 2020

Topic: CZ 2020-04 201, 313, & 469 Green Pace Road
Speaker: Meade O. Bradshaw, III, CZO, Assistant Planning Director
From: Michael J. Clark, AICP, CZO, Planning Director
Prepared by: Meade O. Bradshaw, III, CZO, Assistant Planning Director
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Board of Commissioners will consider a Conditional Zoning Map Amendment for 201, 313, 469 Green Pace Road from Heavy Commercial District (HC) to Light Industrial Conditional Zoning District (LI-C). This is a legislative case.

Background:

The applicant, Thomas F. Craven, requests rezoning three parcels approximately 34 acres cumulative in size from Heavy Commercial District (HC) to Light Industrial Conditional Zoning District (LI-C). The property is located on Green Pace Road, southwest of its intersection with NC Highway 96. A Special Use Permit was approved for a Major Subdivision in 2019 (SUP 2019-05), as well as annexing 201 and 313 Green Pace Road, AN 2019-01 into the corporate limits. 469 Green Pace Road is currently owned by the Town of Zebulon, but the applicant has entered a contract to purchase the parcel from the Town.

A notice of public hearing was mailed to all property owners within 150 feet of the subject property on November 25, 2020. The site was posted with public hearing signs on November 25, 2020. A notice was published in the Wake Weekly on December 3, 2020 and December 10, 2020.

Discussion:

The discussion before the Board is whether to approve the Conditional Zoning Map Amendment to Light Industrial Conditional Zoning District (LI-C).

Policy Analysis:

The vacant parcels are zoned Heavy Commercial District (HC). A rezoning from HC to Light Industrial Conditional Zoning District (LI-C) allows land uses that could produce lower traffic volumes but heavier vehicles. Meaning, the HC zoning will theoretically have a greater impact on the volume capacity of the transportation system (e.g. widening of Green Pace Road, signalization of the Green Pace Road / N. Arendell Avenue intersection), while the LI-C zoning will have greater impact on the weight capacity of the transportation system (e.g. pavement durability of Green Pace Road).

Unified Development Ordinance Section 2.2.6.K provides the following standards in which the Board is to base a decision:

1. Whether the proposed conditional rezoning advances the public health, safety, or welfare;



STAFF REPORT
CZ 2020-04 Green Pace
CONDITIONAL ZONING REQUEST
December 14, 2020

2. Whether 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.

Fiscal Analysis:

The development of the property is limited by the HC zoning designation. The lack of sanitary sewer connections in the vicinity limits the uses available under the HC zoning designation. The provision of sewer service would require boring underneath US 64 and is cost prohibitive when compared to the return on investment in developing a property zoned HC. Maintaining the HC zoning designation will likely keep this property vacant.

LI-C zoning increases the development potential of the property, but will generate approximately one-half the property tax revenue for a property zoned HC.

Proposed Conditions:

Town of Zebulon Staff has worked with the applicant to finalize conditions that are still in the spirit and intent of the Unified Development Ordinance.

See Attachment 6

Staff Recommendation:

Following the Joint Public Hearing and a recommendation from the Planning Board, staff recommends approval of CZ 2020-04.



STAFF REPORT
CZ 2020-04 Green Pace
CONDITIONAL ZONING REQUEST
December 14, 2020

Attachments:

1. Application
2. Boundary Survey/Concept Plan
3. Zoning Map
4. Aerial Map
5. Land Use Map
6. Proposed Conditions
7. Site Pictures
8. Public Hearing Notice
9. 150' Radius of Notified Mailed Property Owners Map

Attachment 1



Town of Zebulon

Planning Department

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

CONDITIONAL REZONING MAP AMENDMENT PETITION

GENERAL INFORMATION:

In cases where the standards of a general use zoning district are inadequate to ensure that development allowed by the district will conform to the Town's adopted plans or to appropriately address the impacts expected to be generated by development, a landowner may apply for a conditional rezoning in accordance with Section 2.2.6 of the Unified Development Ordinance. The conditional rezoning, if approved, establishes a parallel conditional zoning district that is equivalent to a corresponding general use zoning district, except as modified through additional conditions restrictions that the applicant and Town mutually agree are necessary to ensure conformance with adopted plans and to adequately address expected development impacts.

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 pdf map, drawing, model, site or sketch plan to Assistant Planning Director Meade Bradshaw (mbradshaw@TownofZebulon.org) no later than five (5) working days prior to the desired meeting day.

NEIGHBORHOOD MEETING: Neighborhood meetings are required in accordance with Section 2.3.4 of the UDO prior to application submission. The applicant is required to notify property owners and any neighborhood association that represents citizens within that area within 300 feet of the subject property via first class mail a minimum of 10 days in advance of the neighborhood meeting. The applicant shall use their own return address on the envelopes as the meeting is a private meeting between the developer and the neighbors. The applicant shall submit the "Certified List of Property Owners" and "Neighborhood Meeting Packet" forms included on the Town's website with their initial submittal.

ANNEXATION REQUIREMENTS: If a property or portion thereof subject to this rezoning is outside the corporate limits and ETJ, an annexation petition is **required** to be submitted on the same day as this application in accordance with section 2.2.2 of the UDO.



APPLICATION FOR CONDITIONAL REZONING MAP AMENDMENT

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

- Completed Application Form
- 8 Full Size Plan Sets and 1 PDF set on USB drive. (see site plan checklist)
- Petition Fee (Please See Fee Schedule)
- One (1) Legal Description (metes and bounds) of subject property
- Registered survey of subject property
- Certified List of Property Owners within 150 feet of subject property
- Owner's Consent Form
- Neighborhood Meeting Packet
- Stamped envelopes addressed to Certified List of Property Owners all the homeowners associations of those properties within 150 feet of the outer boundary subject property or properties affixed with the following return address:
 - Town of Zebulon
 - Planning Department
 - 1003 N. Arendell Ave
 - Zebulon, NC 27597

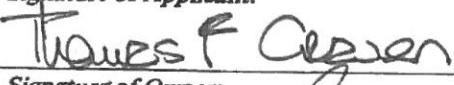
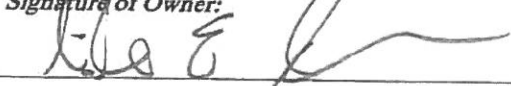
PUBLIC HEARING PROCEDURE: Upon submittal of a complete application, the Planning Department will schedule the application for a joint public hearing before the Planning Board and the Board of Commissioners. **APPLICANTS ARE STRONGLY ENCOURAGED TO CONTACT PLANNING STAFF AS SOON AS POSSIBLE TO ADDRESS ANY QUESTIONS ABOUT THE PUBLIC HEARING.** Notices of the public hearing will be mailed to all adjacent property owners of the property being considered for a Conditional Rezoning Map Amendment. 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 CONDITIONAL REZONING MAP AMENDMENT

PART 1. DESCRIPTION OF REQUEST/PROPERTY		
Street Address of the Property: 201, 313 and 469 Green Pace Rd, Zebulon, NC 27597	Acreage: 34.3 Total	
Parcel Identification Number (NC PIN): 1796804769, 1796802112, 1795795922	Deed Book: DB017141 Pg00113(201/313)	Deed Page(s): DB012482 Pg00821(469)
Existing Zoning of the Property: HC (Heavy Commercial)	Proposed Zoning of the Property: LI (Light Industrial) Conditional Use	
Existing Use of the Property: Vacant	Proposed Use of the Property: Business Park	
Reason for Conditional Rezoning: <p>The conditional rezoning will allow uses and a style of development that were originally envisioned for the business park prior to the implementation of the Town's Unified Development Ordinance and the associated rezoning of the property to HC (Heavy Commercial).</p>		

PART 2. APPLICANT/AGENT INFORMATION		
Name of Applicant/Agent: Thomas F. Craven		
Street Address of Applicant/Agent: Priest, Craven & Associates, Inc., 3803-B Computer Dr, Suite 104		
City: Raleigh	State: NC	Zip Code: 27609
Email of Applicant/Agent: tcraven@priestcraven.com	Telephone Number of Applicant/Agent: 919 781-0300	Fax Number of Applicant/Agent: 919 782-1288
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 must obtain the Owner's consent and signature giving you permission to submit this application.

PART 3. PROPERTY OWNER INFORMATION		
Name of Property Owner: Site Investments, LLC By: JV Management, LLC Manager		
Street Address of Property Owner: 933 Old Knight Road		
City: Knightdale	State: NC	Zip Code: 27545
Email of Property Owner: mike.jordan@jvmgmt.net	Telephone Number of Property Owner: 919 422-3933	Fax Number of Property Owner:
<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: Thomas F. Craven	Date: Oct 15, 2020
Signature of Owner: 	Print Name: Michael Jordan, Manager	Date: Oct 15, 2020



APPLICATION FOR

CONDITIONAL REZONING MAP AMENDMENT

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
The proposed conditional rezoning will allow for a wider range of uses that will provide additional job opportunities to the community, an increased and more diversified tax base to the Town, and a wider range of goods and services to the public.
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;
The proposed conditional rezoning will allow a broader mix of uses in accordance with the intent of the comprehensive plan and future land use map. The proposed conditional rezoning will also allow for greater economic diversity within the allowed uses, supporting the economic development goals of the comprehensive plan.
3. Please explain how an approval of the conditional rezoning is reasonable and in the public interest;
The approval of this conditional use rezoning is a reasonable extension of the current HC zoning, that will also allow the uses and style of development originally envisioned with the approval of the business park subdivision plan in 2019 prior to the effective date of the UDO. As described in Items 1 and 2 above, this proposed conditional use rezoning serves the public interest by advancing the economic development goals of the comprehensive plan as well as providing a wider range of allowed uses within the the land use goals of the comprehensive plan.
4. Please explain how the concept plan associated with the conditional rezoning is consistent with this Ordinance; and
The concept plan is actually the proposed revision to the original business park subdivision plan that was approved by the Board of Commissioners in 2019.
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.
As was explained with the 2019 subdivision approval, this site will be served by Raleigh water and individual private septic tanks and nitrification fields for each lot. This requires that the location of the suitable soils on each lot to become the over riding constraint for the placement of buildings and parking. This proposed conditional rezoning request helps to provide the flexibility to UDO requirements that would be in conflict with the need to preserve and utilize suitable soil areas for subsurface wastewater treatment.



APPLICATION FOR CONDITIONAL REZONING MAP AMENDMENT

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



APPLICATION FOR CONDITIONAL REZONING MAP AMENDMENT

PROPOSED CONDITIONAL USES

An application has been duly filed requesting that the property described in this application be rezoned from HC (Heavy Commercial) to LI (Light Industrial) Conditional Use. 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.	Please see attached	25.	
2.		26.	
3.		27.	
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APPLICATION FOR CONDITIONAL REZONING MAP AMENDMENT

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)

Please see attached.



APPLICATION FOR CONDITIONAL REZONING MAP AMENDMENT

OWNER'S CONSENT FORM

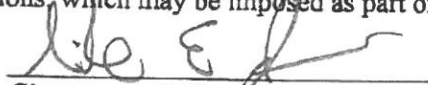
Name of Project: Green Pace Business Park Submittal Date: 10/16/2020

OWNER'S AUTHORIZATION

I hereby give CONSENT to Thomas F. Craven (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in is the subject of this application. I acknowledge and agree that, pursuant to Section 2.2.6 M. of the Town of Zebulon Unified Development Ordinance, that lands subject to a conditional rezoning shall be subject to all the standards, conditions, and plans approved as part of that application. These standards, plans, and approved conditions are perpetually binding on the land as an amendment to this Ordinance and the Official Zoning Map, and may only be changed in accordance with the procedures established in this Ordinance. Development located outside the Town of Zebulon's corporate limits shall comply with all Town policies related to annexation and the extension of utilities. I understand that all other applicable standards and regulations of the UDO will remain applicable to the subject lands unless specifically listed as conditions or deviations as part of this request. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Zebulon to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

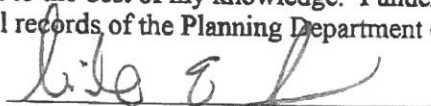
AND A CONTRACTUAL INTEREST


Signature of Owner

Michael Jordan, Manager 10/16/2020
Print Name *Date*

CERTIFICATION OF PROPERTY OWNER

I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Zebulon, North Carolina, and will not be returned.


Signature of Owner

Michael Jordan, Manager 10/16/2020
Print Name *Date*

*Owner of record as shown by the Wake County Revenue Department (www.wakegov.com). An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this form.

* SITE INVESTMENTS LLC OWNS PARCELS 1796804709 AND 1796802112 AND HAS PARCEL 1795795922 UNDER CONTRACT WITH THE TOWN OF ZEBULON.

Parcels Included for Green Pace Park Conditional Zoning

201 Green Pace Road, PIN 1796804769

313 Green Pace Road, PIN 1796802112

469 Green Pace Road, PIN 1795795922

Proposed Zoning

Light Industrial Conditional

Proposed Conditional Uses

Any use allowed as a Permitted Use within the Light Industrial district or any use allowed as a Permitted Use within the Heavy Commercial district except for the following uses:

- Coliseum or Arena
- Conference or Convention Center
- Fraternal Club or Lodge
- Helicopter Landing Pad
- Utility Major
- Utility Minor
- Campground
- Heavy Equipment Sales, Rental, Repair
- Parking Structure
- Truck Stop
- Heavy Manufacturing
- Recycling Center
- Salvage or Junkyard

Proposed Development Conditions

District Dimensional Standards

Standard	Mixed Use Development	Non-Residential Development
Minimum Residential Density	4	N/A
Minimum Lot Area (square feet)	30,000	30,000
Minimum Lot Width (linear feet)	150	150
Maximum Lot Coverage (% of lot area)	85	80
Minimum Street Setback (feet)	30	30
Minimum Side Setback (feet)	5	5
Minimum Rear Setback (feet)	25	25
Maximum Building Height (feet/stories)	50; height may increase by 2 feet for each additional foot of setback up to 100 feet in height	
Minimum Spacing Between Principal Buildings on the Same Lot (feet)	25	25

UDO Article 5.1.6.F

Minimum parking stem length shall be 25 feet for all parking lots.

UDO Article 5.1.8. Parking Lot Connections

Due to the variable location of suitable soils for septic tank drain fields, the parking lot connection requirements will not apply, as implied by Article 5.1.8.C.3. which states " Significant natural features exist in the only viable location for parking lot connections".

UDO Article 5.3.1.C.3 Uses Exempt from Commercial Standards

All uses within Green Pace Park shall be exempt from the Commercial standards.

UDO Article 5.3.1.F.2.b Customer Entrances

Primary building entrances shall be visually prominent and shall include at least two of the features listed in i through ix.

UDO Article 5.3.1.F.4 through 11 Building Articulation, Materials and Colors, Roof Form, Fenestration, Awnings, Out Parcels, Multi-Building Development and Site Features

All lots and buildings within Green Pace Park will be exempt from these articles of the UDO.

UDO Article 5.4.7 Maximum Illumination Levels

The maximum illumination level at the lot line applicable to Green Pace Park will be 2.5 FC on lots lines interior to the Park, 2.0 FC on the perimeter lot lines of the Park, and 5.0 along the right of way of Green Pace Road.

UDO Article 5.5.5 Maximum Height

The maximum security fence panel height will be limited to 8 feet. If barbed wire is added to the top of the fence panels, it will be a minimum of 6 feet off the ground.

UDO Article 5.6.6.A.3 Canopy Tree Size

This article shall be modified to read:

An evergreen hedge will be installed to a minimum height of 6 feet at the time of planting to surround any security fencing to screen loading or storage areas. These plantings will be between the fence and the property line. If barbed wire is added to the top of the fence panels, it will be a minimum of 6 feet off the ground.

UDO Article 5.8.11.E Alternate Surfacing

Crushed stone surfacing material will be allowed in any vehicular area other than the off street parking spaces required by the UDO and the driveway that directly connects to those required spaces.

Miscellaneous

Metal building walls shall be allowed on all facades of all buildings within Green Pace Park. Front facades facing Green Pace Road provide a minimum of 25% of the front façade, inclusive of windows, as brick, masonry, stone, stucco or EIFS.

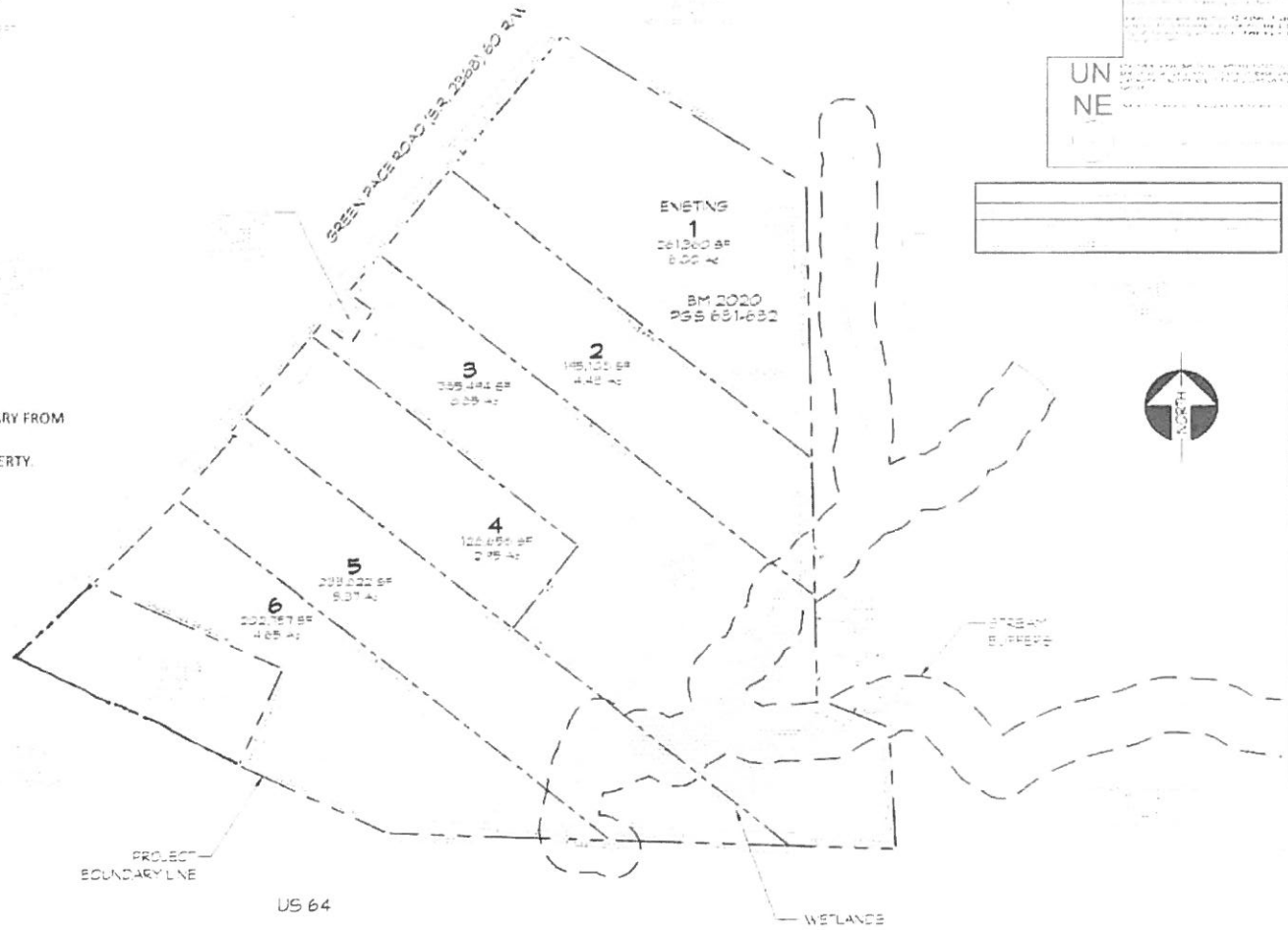
The constraints of the septic system design and location of suitable soils shall take precedence over setbacks and other spatial constraints of the UDO.

- 1. THE INFORMATION SHOWN ON THIS PLAN IS FOR INFORMATIONAL PURPOSES ONLY.
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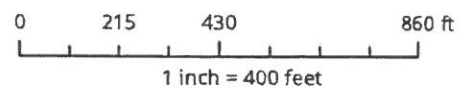
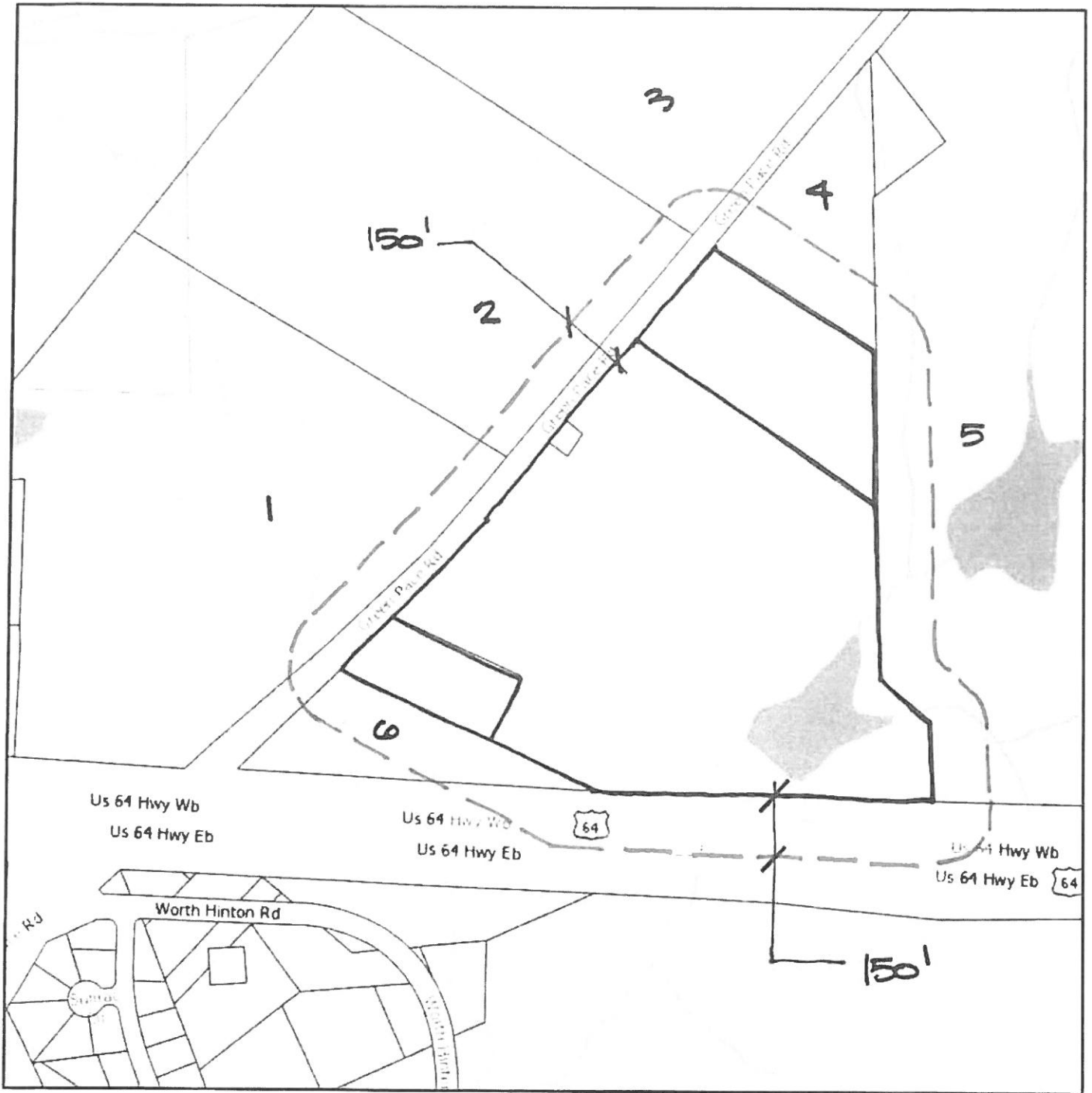
NO.	DESCRIPTION	AREA (SQ. FT.)	AREA (AC.)
1	Lot 1	261,300	6.00
2	Lot 2	145,100	3.33
3	Lot 3	105,400	2.39
4	Lot 4	102,000	2.35
5	Lot 5	208,000	4.74
6	Lot 6	302,700	6.95

UN
NE

- NOTE:
1. EXACT LOT LINES WILL BE DETERMINED IN THE FUTURE AND MAY VARY FROM WHAT ARE SHOWN ON THE PLAN.
 2. THERE WILL BE NO MORE THAN SIX (6) LOTS CREATED ON THE PROPERTY.



PRELIMINARY
FOR REVIEW
ONLY



Disclaimer
iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.

	PIN #	OWNER	ADDRESS
1	1796608358	EMMA JEAN P. PIPPIN	TRUSTEE EMMA JEAN P. PIPPIN REVOCABLE LIVING TRUST 187 M.C. WILDER RD. LOUISBURG, NC 27549
2	1796714146	EMMA JEAN P. PIPPIN	TRUSTEE EMMA JEAN P. PIPPIN REVOCABLE LIVING TRUST 187 M.C. WILDER RD. LOUISBURG, NC 27549
3	1796811757	JOSTAN INVESTMENTS GROUP LLC	8009 CREEDMOOR RD. SUITE 203 RALEIGH, NC 27613-4394
4	1796815202	YELLOW DOG INVESTMENTS LLC	2601 STONEWALK CT. ZEBULON, NC 27597-5001
5	1796902666	BRANCH BANKING & TRUST CO.	PROPERTY TAX COMPLIANCE P.O. BOX 167 WINSTON SALAM, NC 27102-0167
6	1795793708	NANCY L HIGH & ALTON HIGH	DARRYL R. HIGH 1401 SHEPHERD SCHOOL ROAD ZEBULON, NC 27597-9380

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$460.00

Parcel Identifier No. 0044796 Verified by _____ County on the ____ day of _____, 20____
By: _____

Mail/Box to: Grantee

This instrument was prepared by: W. Thurston Debnam, Jr. (wk) Smith Debnam, Attorneys

Brief description for the Index: 32.40 Acres, B/M 2007, Page 233

THIS DEED made this 9th day of May, 2018, by and between

GRANTOR	GRANTEE
UNITED COMMUNITY BANK F/K/A FOUR OAKS BANK & TRUST COMPANY	SITE INVESTMENTS, LLC, A North Carolina limited liability company
6114 U.S. Highway 301 South Four Oaks, NC 27524	933 Old Knight Road Knightdale, NC 27545

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the Little River Township, Wake County, North Carolina and more particularly described as follows:

BEING all of Lot 1, containing 32.4 Acres of land as shown on that plat entitled "Minor Subdivision Plat of Davidson & Jones 34.4 ac. Tract", dated January 23, 2007, prepared by BSC Rice, and recorded in Book of Maps 2007, Page 233, Wake County Registry.

(Continued on page 2)

Submitted electronically by "Smith Debnam Narron Drake Saintsing & Myers, LLP"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Wake County Register of Deeds.

Specifically excluded from the above referenced land is the cemetery referenced in Book of Maps 2007, Page 233 being a 0.1 acre tract, Wake County Registry, which has the following metes and bounds description: Beginning in the Green Pace Road 60' Public Right of Way (SR #2368) and running thence S 40 deg. 09 min 12 sec W 77.21 feet to a stake, thence N 53 deg. 20 min 31 sec W 56.21 feet to a stake, thence N 34 deg. 19 min 42 sec E 75.34 feet to a stake, thence S 54 deg. 27 min 36 sec E 66.01 feet to the point and place of beginning.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 16321, page 923.

All or a portion of the property herein conveyed ___ includes or X does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book 2007, page 233.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the following exceptions:

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

UNITED COMMUNITY BANK F/K/A FOUR OAKS BANK & TRUST COMPANY _____ (SEAL)

By: Lynn DelGaudio (Entity Name) _____ Print/Type Name: _____

Print/Type Name & Title: Lynn DelGaudio, Vice President _____ Print/Type Name: _____ (SEAL)

By: _____ Print/Type Name & Title: _____ Print/Type Name: _____ (SEAL)

By: _____ Print/Type Name & Title: _____ Print/Type Name: _____ (SEAL)

State of _____ - County or City of _____
I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20____.

My Commission Expires: _____ Notary Public
(Affix Seal) _____ Notary's Printed or Typed Name

State of NC - County or City of Wake
I, the undersigned Notary Public of the County or City of Wash and State aforesaid, certify that Lynn DelGaudio personally came before me this day and acknowledged that she is the Vice President of UNITED COMMUNITY BANK F/K/A FOUR OAKS BANK & TRUST COMPANY, and that by authority duly given and as the act of such entity, she signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 24th day of May, 2018.

My Commission Expires: 9/30/2020
(Affix Seal) _____ Notary Public
Wendy B. Keens
Wendy B. Keens Notary's Printed or Typed Name



BK012482PG00821

WAKE COUNTY, NC 32
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
04/04/2007 AT 08:53:33
STATE OF NORTH CAROLINA
REAL ESTATE EXCISE TAX: 5240
BOOK:012482 PAGE:00821 - 00823

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$240.00

Parcel No. Out of 0044796 Verified by _____ County on the ____ day
of _____, 20__
By: _____

Mail after recording to: _____ Grantee Gay & Jackson, LLP
BOX #68

This instrument was prepared by: Benjamin H. Hervey, Hervey & Hervey, P.A.
(without title examination)

Brief description for the Index: Lot 2, Book of Maps 2007, Page 233

THIS DEED made this 3rd day of April, 2007, by and between

GRANTOR	GRANTEE
Davidson and Jones Residential, LLC, a North Carolina limited liability company	The Town of Zebulon, North Carolina, a municipal corporation 100 North Arendell Avenue Zebulon, North Carolina 27597

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Little River Township, Wake County, North Carolina and more particularly described as follows:

BK012482PG00822

BEING all of Lot 2, containing 2.0 acres (87,120.00 Sq. Ft.) of land, as shown on that plat entitled "Minor Subdivision Plat of Davidson & Jones 34.4 Ac. Tract", prepared by BSC Rice, dated December 19, 2006 (original release) and recorded in Book of Maps 2007, Page 233, Wake County Registry.

The property hereinabove described was acquired by Grantor by deed recorded in Book 12002, Page 875, Wake County Registry.

A map showing the above described property is recorded in Book of Maps 2007, Page 233.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

This property is conveyed subject to all enforceable covenants, restrictions and easements of record affecting said property and to 2007 ad valorem taxes.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Davidson and Jones Residential, LLC

By: M. Steven Cunnigham
M. Steven Cunnigham,
Authorized Delegate of the Manager

State of North Carolina - County of Wake

I, Wayne W. Jones, a Notary Public for said County and State, certify that M. Steven Cunnigham, Authorized Delegate of the Manager of Davidson and Jones Residential, LLC, a limited liability company, personally came before me this day and acknowledged the due execution of the foregoing instrument on behalf of the company.

Witness my hand and Notarial stamp or seal this ____ day of April, 2007.

My Commission Expires: 5/28/2011

Seal:

Wayne W. Jones
Notary Public





BOOK:012482 PAGE:00821 - 00823

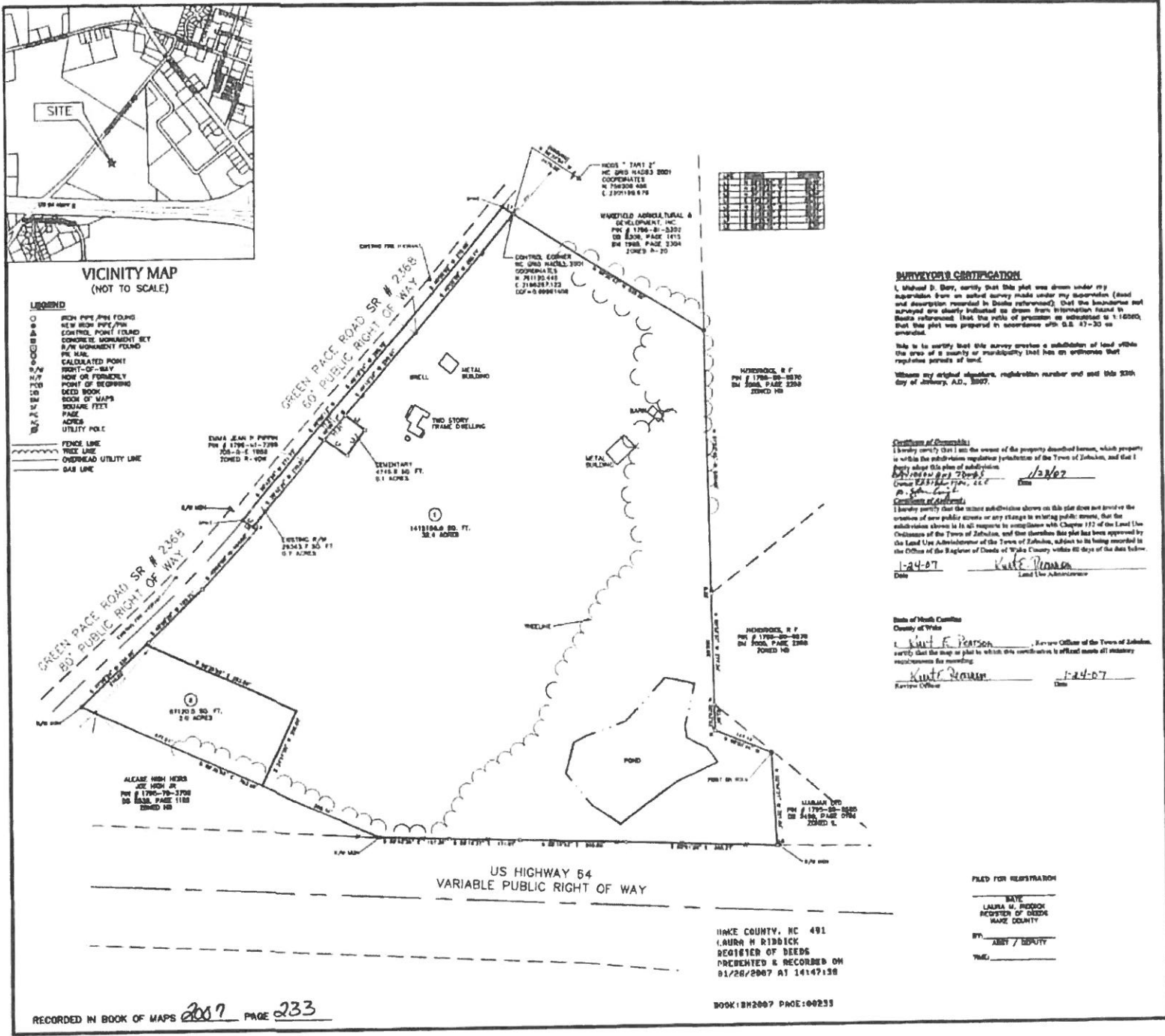
**Yellow probate sheet is a vital part of your recorded document.
Please retain with original document and submit for rerecording.**




**Wake County Register of Deeds
Laura M. Riddick
Register of Deeds**

This Customer Group
_____ # of Time Stamps Needed


This Document
_____ New Time Stamp
_____ 3 # of Pages





NC GRID NORTH NAD 83 2001

REVISIONS:		
NO.	DATE	DESC.
1	12-18-06	ORIGINAL RELEASE




01-23-07
DATE

Michael D. Barr
Professional Land Surveyor

MINOR SUBDIVISION PLAT OF DAVIDSON & JONES 34.4 ac. TRACT

ZEBULON LITTLE RIVER TOWNSHIP
Wake County
North Carolina

PREPARED FOR:
Davidson & Jones Residential LLC
3101 Industrial Dr. Ste 200
Raleigh, NC 27609
(919) 836-2125



BSC RICE
978 Trinity Road
Raleigh, NC 27607
919 854 0811

FILED FOR REGISTRATION

DATE: _____
LAURA M. RIBBICK
REGISTERED DEEDS
WAKE COUNTY

BY: AMT / DEPUTY
TITLE: _____

FILE: 2005 The BSC Group, Inc.
SCALE: 1" = 100'
0 75 150 300 FEET

FILE: 2005 The BSC Group, Inc.
DWG. NO: SUBDIVISION SHEET 1 OF 1
JOB. NO: 06023.00

SURVEYOR'S CERTIFICATION

I, Michael D. Barr, certify that this plat was drawn under my supervision from an actual survey made under my supervision (and any description recorded in Deeds referenced) that the boundaries and acreage are clearly indicated on drawn from information found in Deeds referenced that the plats of previous as submitted to 116200, that this plat was prepared in accordance with G.S. 47-30 as amended.

This is to certify that this survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates plats of land.

Witness my original signature, registration number and seal this 23rd day of January, A.D., 2007.

Certification of County Clerk

I hereby certify that I am the owner of the property described herein, which property is within the jurisdiction regular jurisdiction of the Town of Zebulon, and that I hereby release this plat of subdivision.

DAVIDSON & JONES, LLC
Clerk of Zebulon, N.C.
Date: 1/24/07

Certification of Town Clerk

I hereby certify that the minor subdivision shown on this plat does not involve the creation of new public streets or any change in existing public streets. That the subdivision shown is in full compliance with Chapter 112 of the Land Use Ordinance of the Town of Zebulon, and that therefore this plat has been approved by the Land Use Administrator of the Town of Zebulon, subject to its being recorded in the Office of the Register of Deeds of Wake County within 60 days of the date below.

1-24-07
Date: Kurt Pearson
Land Use Administrator

State of North Carolina
County of Wake

I, Kurt Pearson, Surveyor of the Town of Zebulon, certify that the map or plat to which this certificate is affixed meets all necessary requirements for recording.

1-24-07
Kurt Pearson
Surveyor

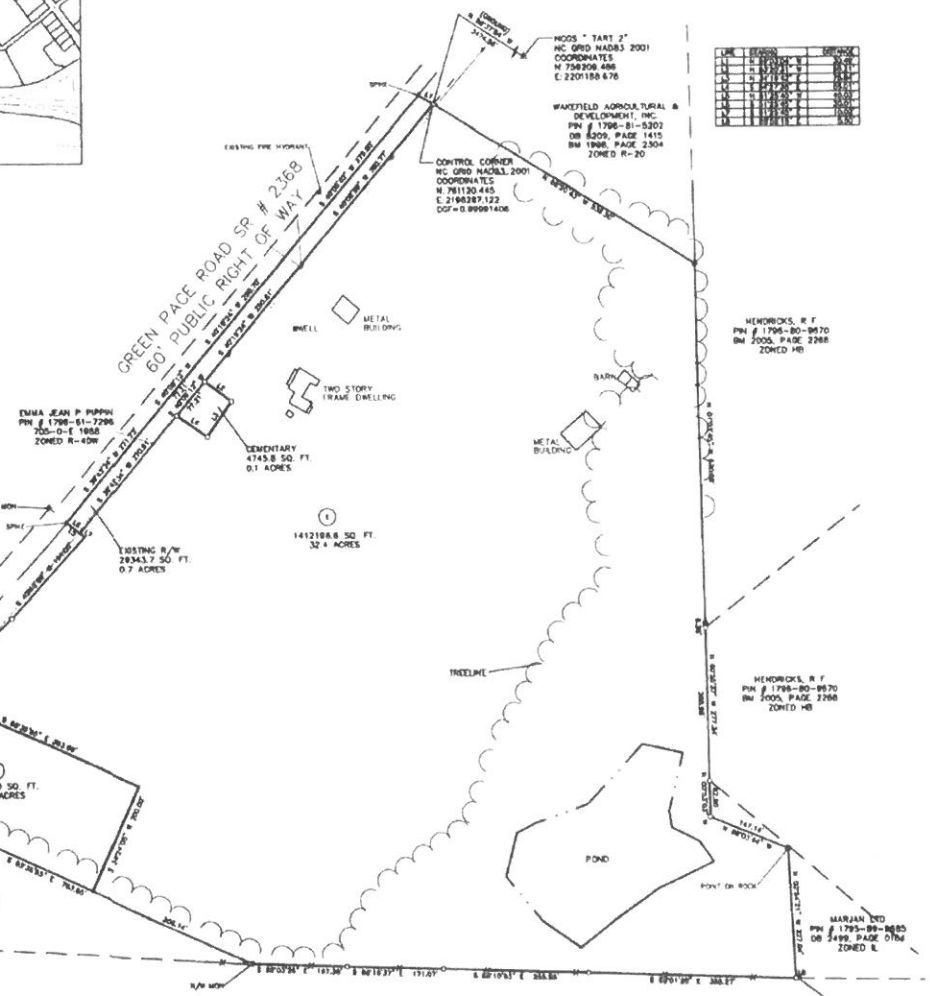


VICINITY MAP (NOT TO SCALE)

- LEGEND**
- IRON PIPE/PIN FOUND
 - ▲ NEW IRON PIPE/PIN
 - △ CONTROL POINT FOUND
 - CONCRETE MONUMENT SET
 - ▢ R/W MONUMENT FOUND
 - PC NAIL
 - CALCULATED POINT
 - RIGHT-OF-WAY
 - NOW OR FORMERLY
 - POINT OF BEGINNING
 - DB DEED BOOK
 - BM BOUND. OF MAPS
 - SF SQUARE FEET
 - PG PAGE
 - AC ACRES
 - UP UTILITY POLE
 - - - FENCE LINE
 - - - TREE LINE
 - - - OVERHEAD UTILITY LINE
 - - - GAS LINE

**GREEN PACE ROAD SR # 2368
80' PUBLIC RIGHT OF WAY**

**GREEN PACE ROAD SR # 2368
60' PUBLIC RIGHT OF WAY**



LINE	SECTION	SURFACE
1	1	1
1	2	1
1	3	1
1	4	1
1	5	1
1	6	1
1	7	1
1	8	1
1	9	1
1	10	1
1	11	1
1	12	1
1	13	1
1	14	1
1	15	1
1	16	1
1	17	1
1	18	1
1	19	1
1	20	1

SURVEYOR'S CERTIFICATION

I, Michael D. Barr, certify that this plat was drawn under my supervision from an actual survey made under my supervision (read and description recorded in Books referenced) that the boundaries not surveyed are shown as drawn from information found in Books referenced, that the rules of procedure as contained in 1-15580; that this plat was prepared in accordance with G.S. 47-30 as amended.

This is to certify that this survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.

Witness my original signature, registration number and seal this 23rd day of January, A.D., 2007.

Certificate of Ownership

I hereby certify that I am the owner of the property described herein, which property is within the subdivision regulation jurisdiction of the Town of Zebulon, and that I hereby adopt this plan of subdivision.

DAVIDSON & JONES Date: 1/23/07

Owner: DAVIDSON & JONES, LLC

Certificate of Approval

I hereby certify that the minor subdivision shown on this plat does not involve the creation of new public streets or any change in existing public streets, that the subdivision shown is in all respects in compliance with Chapter 152 of the Land Use Ordinance of the Town of Zebulon, and that therefore this plat has been approved by the Land Use Administrator of the Town of Zebulon, subject to its being recorded in the Office of the Register of Deeds of Wake County within 60 days of the date below.

Date: 1-24-07 Kurt Pearson
Land Use Administrator

State of North Carolina

County of Wake

I, Kurt E. Pearson, Review Officer of the Town of Zebulon, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Kurt Pearson Date: 1-24-07
Review Officer



NC GRID NORTH NAD 83 2001

REVISIONS:

NO.	DATE	DESC.
1	12-19-06	ORIGINAL RELEASE



01-23-07

Michael D. Barr Professional Land Surveyor DATE

MINOR
SUBDIVISION PLAT
OF
DAVIDSON & JONES
34.4 ac. TRACT

ZEBULON
LITTLE RIVER
TOWNSHIP
Wake County
North Carolina

PREPARED FOR:

Davidson & Jones Residential LLC
3101 Industrial Dr. Ste 200
Raleigh, NC 27609
(919) 836-2125

BSC RICE

978 Trinity Road
Raleigh, NC
27607

919 854 0811

© 2005 The BSC Group, Inc.
SCALE: 1" = 150'
0 75 150 300 feet

FILE: P:\Projects\2007\01-23-07\BSC-Rice-Subdivision.dwg
DWG. NO. SUBDMISION SHEET 1 OF 1
JOB. NO. 06023.00

RECORDED IN BOOK OF MAPS 2007 PAGE 233

WAKE COUNTY, NC 491
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
01/26/2007 AT 14:47:38

BOOK: BH2007 PAGE: 09233

Attachment 2

GENERAL NOTES

1. SURVEY INFORMATION IS TAKEN FROM A SURVEY BY THE OFFICE AND HAS NOT BEEN VERIFIED AGAIN FROM THE COUNTY RECORDS.
2. ALL PROPERTY LINES ARE TAKEN FROM THE COUNTY RECORDS.
3. WETLANDS, CHANNELS, PANS AND BARRIERS ARE SHOWN BY THEIR LOCATION TO BE DETERMINED BY THE SURVEYOR'S OBSERVATION AND INTERVIEW WITH LOCAL RESIDENTS.
4. ALL WETLANDS ARE SHOWN AS PREVIOUSLY DETERMINED BY THE SURVEYOR'S OBSERVATION AND INTERVIEW WITH LOCAL RESIDENTS.
5. ALL WETLANDS ARE SHOWN AS PREVIOUSLY DETERMINED BY THE SURVEYOR'S OBSERVATION AND INTERVIEW WITH LOCAL RESIDENTS.
6. ALL WETLANDS ARE SHOWN AS PREVIOUSLY DETERMINED BY THE SURVEYOR'S OBSERVATION AND INTERVIEW WITH LOCAL RESIDENTS.
7. ALL WETLANDS ARE SHOWN AS PREVIOUSLY DETERMINED BY THE SURVEYOR'S OBSERVATION AND INTERVIEW WITH LOCAL RESIDENTS.
8. ALL WETLANDS ARE SHOWN AS PREVIOUSLY DETERMINED BY THE SURVEYOR'S OBSERVATION AND INTERVIEW WITH LOCAL RESIDENTS.
9. ALL WETLANDS ARE SHOWN AS PREVIOUSLY DETERMINED BY THE SURVEYOR'S OBSERVATION AND INTERVIEW WITH LOCAL RESIDENTS.
10. ALL WETLANDS ARE SHOWN AS PREVIOUSLY DETERMINED BY THE SURVEYOR'S OBSERVATION AND INTERVIEW WITH LOCAL RESIDENTS.

LOT	AREA	ACRES
1	EXISTING	6.00 AC
2	COMMERCIAL	4.40 AC
3	COMMERCIAL	8.05 AC
4	COMMERCIAL	2.95 AC
5	COMMERCIAL	5.37 AC
6	COMMERCIAL	4.65 AC

LEGEND

Stream center line with 25' to 50' setback or more of suitable material and from the adjacent non-wetlands shall be preserved. This setback shall be greater than the width of the stream.

Wetlands shown with 15' to 25' setback or more of suitable material and from the adjacent non-wetlands shall be preserved. This setback shall be greater than the width of the stream.

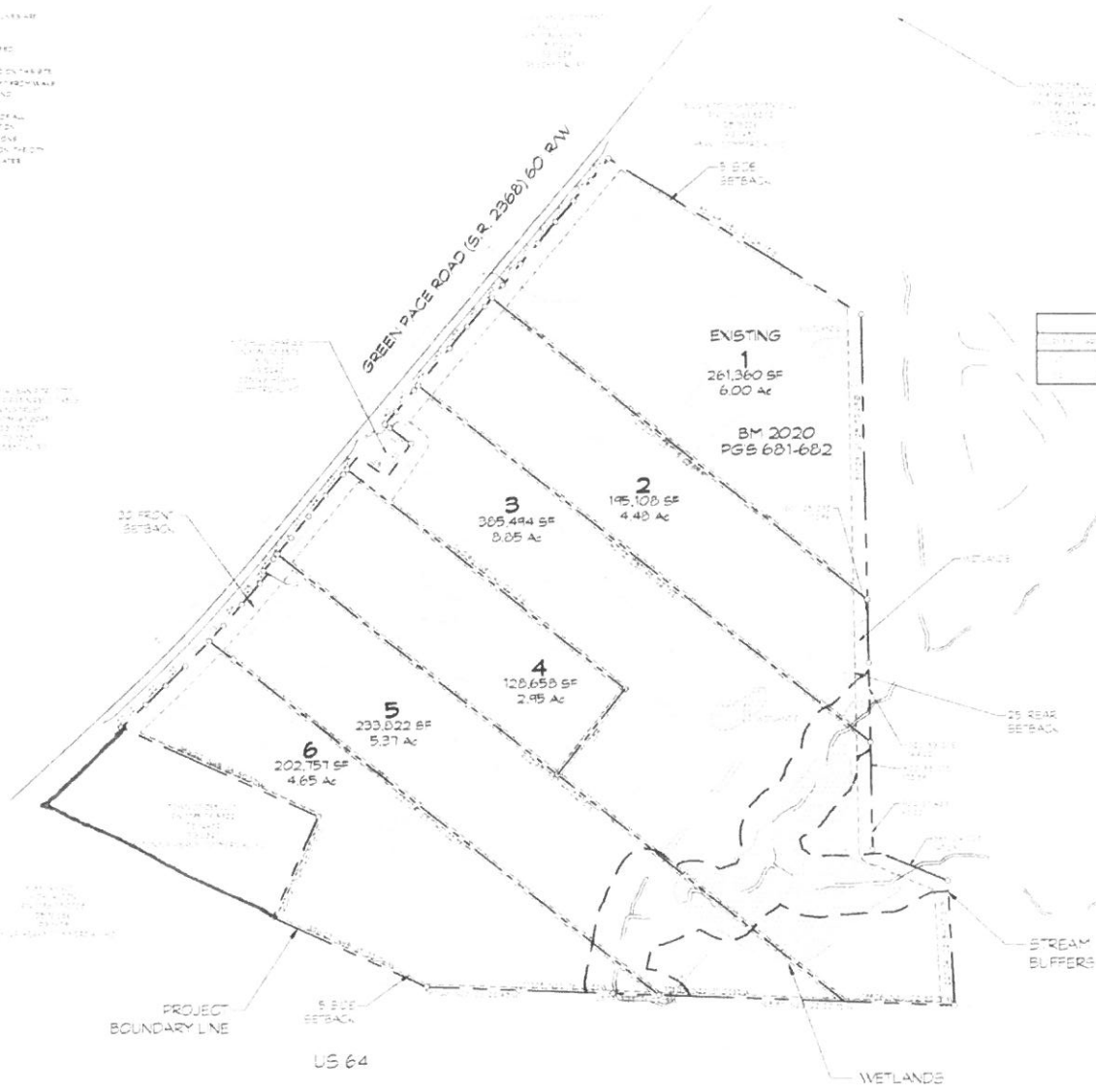
Wetlands shown with 15' to 25' setback or more of suitable material and from the adjacent non-wetlands shall be preserved. This setback shall be greater than the width of the stream.

Wetlands shown with 15' to 25' setback or more of suitable material and from the adjacent non-wetlands shall be preserved. This setback shall be greater than the width of the stream.

Wetlands shown with 15' to 25' setback or more of suitable material and from the adjacent non-wetlands shall be preserved. This setback shall be greater than the width of the stream.

UN NE

Survey made by: [Name]

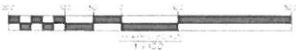


SURVEY DATA

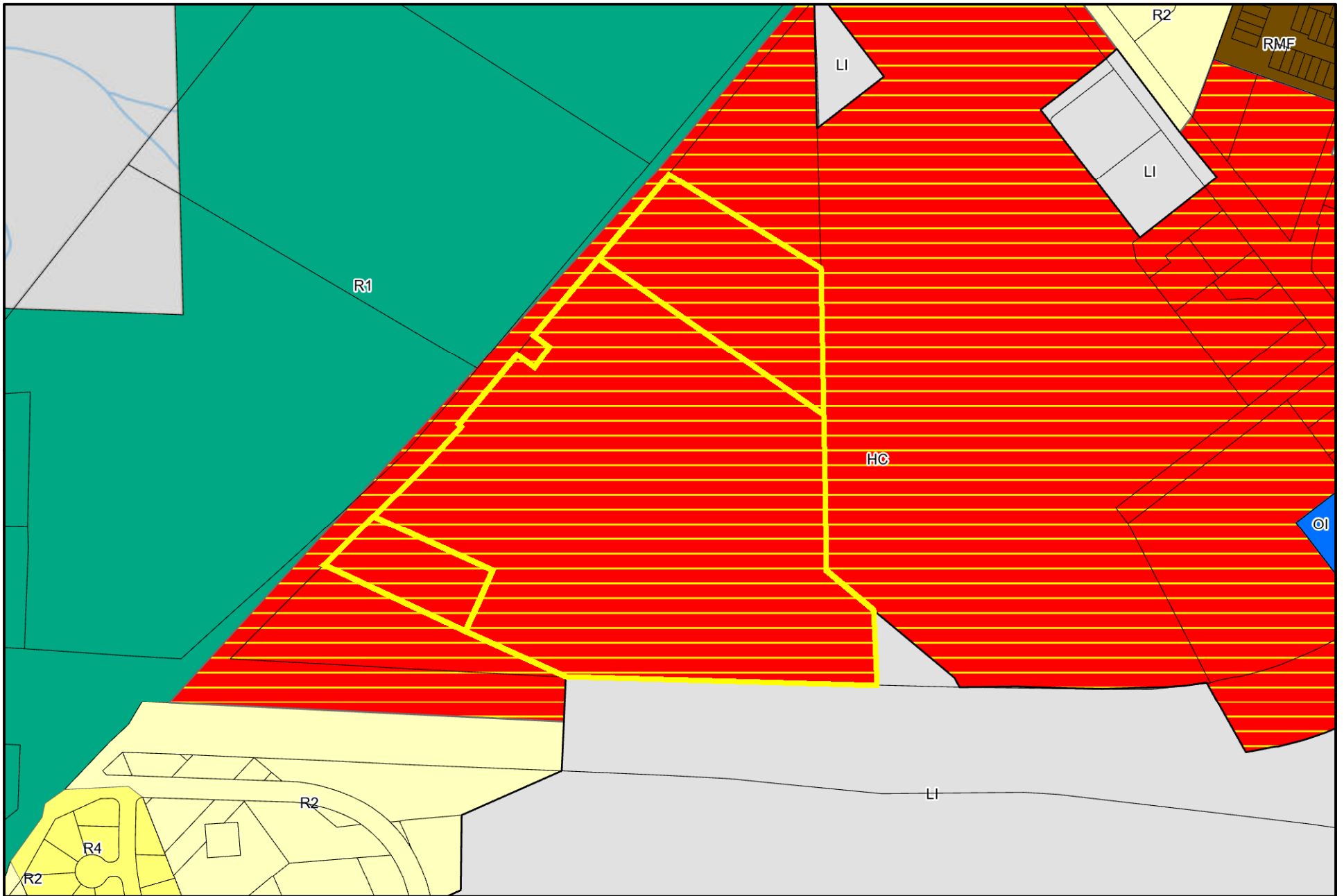
STATION	BENCH MARK	ELEVATION	DESCRIPTION
1	BM 2020	681.682	PGS 681-682

LINE TABLE

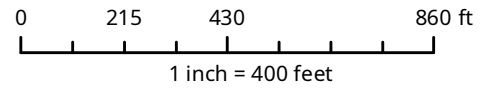
LINE NO.	START STATION	END STATION	LENGTH	BEARING	AREA
1	0+00	0+10	10.00	N 00° 00' 00" E	100.00
2	0+10	0+20	10.00	N 00° 00' 00" E	100.00
3	0+20	0+30	10.00	N 00° 00' 00" E	100.00
4	0+30	0+40	10.00	N 00° 00' 00" E	100.00
5	0+40	0+50	10.00	N 00° 00' 00" E	100.00
6	0+50	0+60	10.00	N 00° 00' 00" E	100.00
7	0+60	0+70	10.00	N 00° 00' 00" E	100.00
8	0+70	0+80	10.00	N 00° 00' 00" E	100.00
9	0+80	0+90	10.00	N 00° 00' 00" E	100.00
10	0+90	1+00	10.00	N 00° 00' 00" E	100.00
11	1+00	1+10	10.00	N 00° 00' 00" E	100.00
12	1+10	1+20	10.00	N 00° 00' 00" E	100.00
13	1+20	1+30	10.00	N 00° 00' 00" E	100.00
14	1+30	1+40	10.00	N 00° 00' 00" E	100.00
15	1+40	1+50	10.00	N 00° 00' 00" E	100.00
16	1+50	1+60	10.00	N 00° 00' 00" E	100.00
17	1+60	1+70	10.00	N 00° 00' 00" E	100.00
18	1+70	1+80	10.00	N 00° 00' 00" E	100.00
19	1+80	1+90	10.00	N 00° 00' 00" E	100.00
20	1+90	2+00	10.00	N 00° 00' 00" E	100.00
21	2+00	2+10	10.00	N 00° 00' 00" E	100.00
22	2+10	2+20	10.00	N 00° 00' 00" E	100.00
23	2+20	2+30	10.00	N 00° 00' 00" E	100.00
24	2+30	2+40	10.00	N 00° 00' 00" E	100.00
25	2+40	2+50	10.00	N 00° 00' 00" E	100.00
26	2+50	2+60	10.00	N 00° 00' 00" E	100.00
27	2+60	2+70	10.00	N 00° 00' 00" E	100.00
28	2+70	2+80	10.00	N 00° 00' 00" E	100.00
29	2+80	2+90	10.00	N 00° 00' 00" E	100.00
30	2+90	3+00	10.00	N 00° 00' 00" E	100.00



PRELIMINARY FOR REVIEW ONLY



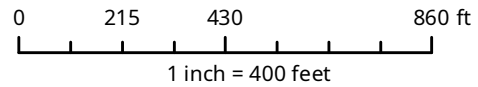
Attachment 3 - Zoning Map



Disclaimer
*iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.*



Attachment 4 - Aerial Map



Disclaimer

iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.

Land Use

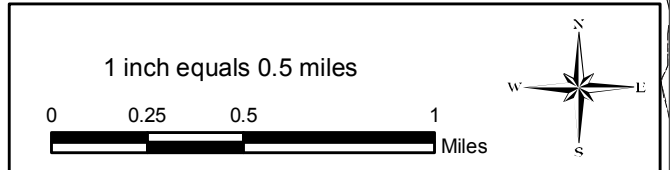
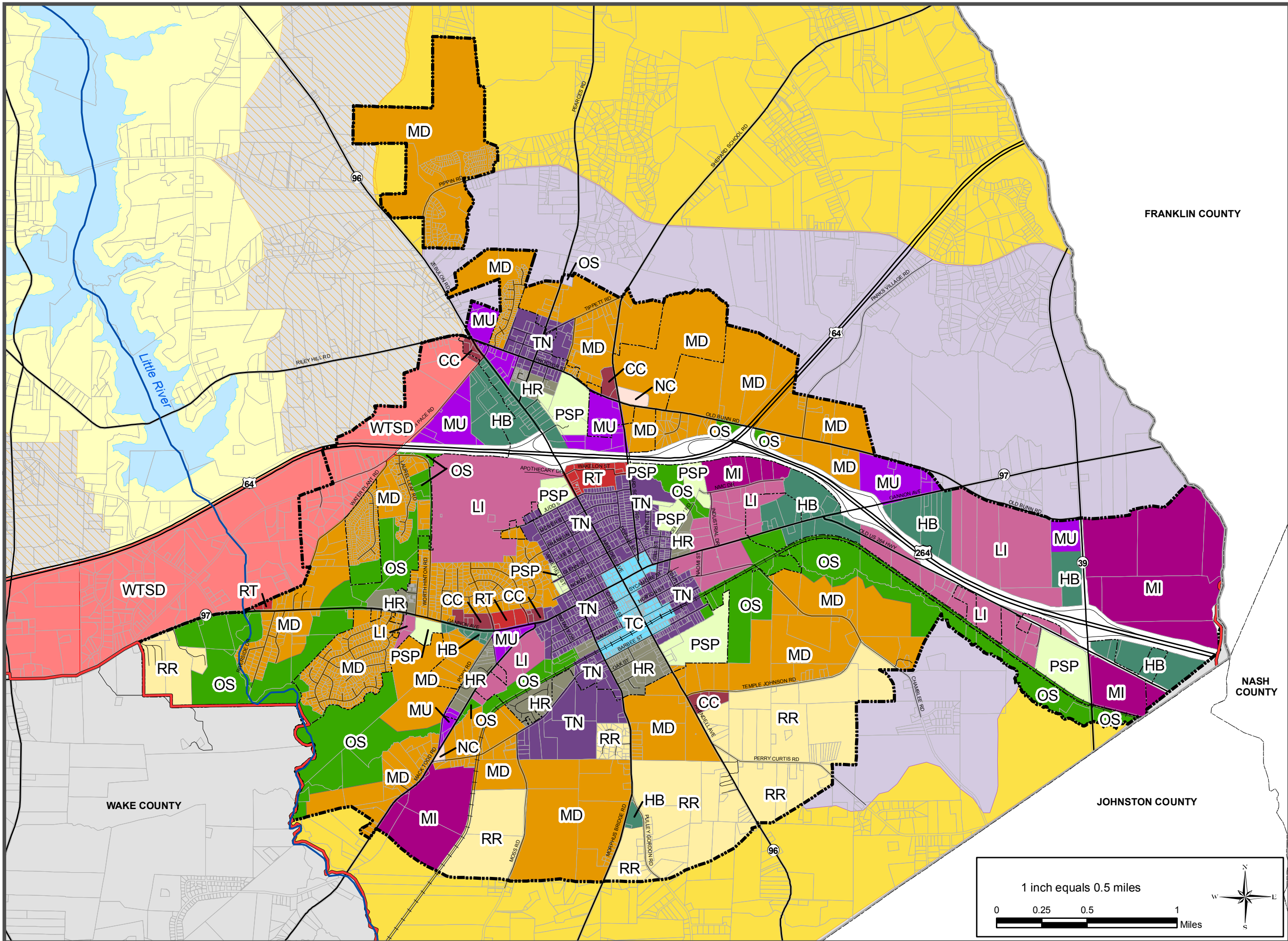
Town of Zebulon Wake County, NC

Legend

- Railroad
- Streets
- Major Roads
- Major Streams
- Critical Water Supply Watershed (R-80W)
- Little River Reservoir
- Little River Water Supply Watershed
- Annexation/Utility Boundary Agreement Line
- Zebulon Short Range Utility Service Area
- Zebulon Long Range Utility Service Area
- WTSD-Watershed

Land Use

- OS-Open Space
- PSP-Public/Semi-Public Open Space
- RR-Residential Rural
- MD-Medium Density Residential
- HR-High Density Residential
- TN-Traditional Neighborhood
- TC-Town Core/Downtown
- HB-Highway Business
- MU-Mixed Use
- CC-Community Commercial
- NC-Neighborhood Commercial
- RT-Retail
- LI-Light Industrial
- MI-Medium Industrial
- Parcels
- Zebulon City Limits
- Zebulon Extra Territorial Jurisdiction Limits
- Wake County



Attachment 5



Data obtained from Wake County GIS and the Town of Zebulon

Attachment 6



Conditional Rezoning Agreed Conditions

In accordance with Section 2.2.6 of the Town of Zebulon Unified Development Ordinance and NCGS 160D-703, the following conditions are agreed upon for request CZ 2020-04.

1. Any use allowed as a Permitted Use or Special Use within the Light Industrial district, except for the uses listed below as Not Permitted. Also, among the permitted uses will be any use in the Heavy Commercial district that is listed below. Any Heavy Commercial Use not listed below is not permitted unless it is a Permitted or Special Use within the Light Industrial district.

Light Industrial Uses that are not Permitted:

- Airport and Related Facilities
- Auditorium
- Cemetery, Columbarium or Mausoleum
- College or University
- Coliseum or Arena
- Conference or Convention Center
- Drug/Alcohol Treatment Facility
- Fraternal Club or Lodge
- Helicopter Landing Pad
- Telecommunications Tower, Major
- Utility Major
- Utility Minor
- Bar, Cocktail Lounge or Private Club
- Campground
- Heavy Equipment Sales, Rental, Repair
- Parking Structure
- Pool Hall
- Race Track
- Recreational Vehicle Park
- Truck Stop
- Heavy Manufacturing
- Asphalt or Concrete Plant
- Extractive Industry
- Manufacturing, Heavy



Conditional Rezoning Agreed Conditions

- Recycling Center
- Salvage or Junkyard
- Waste Composting
- Wind Energy Conversion

Heavy Commercial Uses That Are Permitted

- Adult Day Care
- Child Day Care Center
- Community/Youth/Senior Center
- Cultural Facility, Library or Museum
- Post Office
- Religious Institution
- School, Elementary
- School, High/Middle
- Urgent Care Facility
- ABC Store
- Automotive Parts and Accessory Sales
- Bottle Shop (with on premises consumption)
- Clothing Rental
- Event Venue
- Financial Services Establishment
- Flea Market
- Golf Course or Driving Range
- Grocery Store
- Gymnasium/ Fitness Center
- Hair, Nails and Skin Related Care
- Laundry or Cleaning Service
- Office, Sales or Service
- Outdoor Commercial Recreation
- Package and Printing Service
- Pharmacy
- Farmers Market
- Plant Nursery



Conditional Rezoning Agreed Conditions

2. District Dimensional Standards

District Dimensional Standards

Standard	Non-Residential Development
Minimum Residential Density	N/A
Minimum Lot Area (square feet)	30,000
Minimum Lot Width (linear feet)	200
Maximum Lot Coverage (% of lot area)	80
Minimum Street Setback (feet)	30
Minimum Side Setback (feet)	5*
Minimum Rear Setback (feet)	25
Maximum Building Height (feet/stories)	50; height may increase by 2 feet for each additional foot of setback up to 100 feet in height
Minimum Spacing Between Principal Buildings on the Same Lot (feet)	25

*5 foot Minimum Side Yard Setback shall be subject to TRC approval and fire code requirements, but in no case shall the Minimum Side Yard Setback be greater than 10 feet.

- The constraints of the septic system design and location of suitable soils shall take precedence over setbacks, parking location, building location and other spatial constraints of the UDO. The TRC will work with the applicant regarding the site layout of the building and vehicular areas in relation to the septic system design, and the septic system design shall allow encroachment into the Type D buffer.



Conditional Rezoning Agreed Conditions

4. Minimum parking stem length shall be 25 feet for all parking lots.
5. Due to the variable location of suitable soils for septic tank drain fields, and since sufficient access exists to each proposed lot, the parking lot connections are encouraged where appropriate, but not required.
6. All uses within Green Pace Park shall be exempt from the Commercial Design Standards UDO Article 5.3.1.D., E, and F, however:
 - The primary customer building entrance shall be visually prominent and shall include at least two of the features listed in i through ix.
7. Metal building walls shall be allowed on all facades of all building within Green Pace Park other than facades directly facing Green Pace Road which shall provide that all of the façade directly facing Green Pace Road, exclusive of windows and doors, shall be brick, masonry, stone, stucco or EIFS; however, no EIFS shall be installed within 36" of the ground.
8. Article 5.1.8.C. states that "Parking lot connections are not required when any of the following conditions are present:"
 - 3. " Significant natural features exist in the only viable location for parking lot connections". The suitable soils for septic disposal are a significant natural feature that warrant an exception of 5.1.8.
 - 5. "Sufficient access already exists without need for additional parking lot connections". Each of the proposed lots with Green Pace Business Park have at least 200 feet of frontage on Green Pace Road and will apply for individual driveway permitting from NC Department of Transportation. No additional access is necessary. Each of the proposed lots will be under separate individual ownership. Under this ownership model, there is no shared parking and interconnected parking lots are an insurance complication and a security risk.
9. The maximum illumination level at the lot line applicable to Green Pace Park will be 2.5 FC on lots lines interior to the Park, 2.0 FC on the perimeter lot lines of the Park, and 5.0 along the right of way of Green Pace Road.



Conditional Rezoning Agreed Conditions

10. In cases where a Type C or D perimeter buffer is required but the lot line abuts unbuildable land within a riparian buffer, the FHO, a Town designated tree save area, a reforestation area, or other Town designated conservation area where existing vegetation will not be removed, the required perimeter buffer width and amount of required landscaping material may be reduced by 50%, and the existing vegetation that is to be preserved will be credited toward the remaining required planting.
11. For a Type C Semi-Opaque or Type D Opaque Buffer - The provision of a fully opaque fence, wall, or berm; or increasing the planting requirements by an additional 25%, allows the buffer width to be reduced to 20 feet.
12. The perimeter buffers along the northern property line adjacent to the 4.25 acre parcel owned by Yellow Dog Investments, LLC and identified by Wake County PIN 1796815202 and along the southern property line adjacent to the 3.65 acre parcel owned by the Highs and identified by Wake County PIN 1795793708 shall both be a Type D Opaque Buffer, subject to the modification of buffer width with increased plantings listed above.
13. Crushed stone surfacing material will be allowed in any vehicular area other than the off street parking spaces required by the UDO and the driveway that directly connects to those required spaces. Vehicular areas surfaced with crushed stone material will be screened with a semi opaque fence such as a chain link fence with pvc slats or privacy screening and an evergreen hedge row with a minimum height of 6 feet at the time of planting.
14. No driveway shall access Green Pace Road at a point closer than 200 feet north of the existing northern corner along the right of way of Green Pace Road of the 3.65 acre parcel owned by the Highs and identified by Wake Co PIN 1795793708.
15. The driveway spacing between driveways to Green Pace Road serving these properties shall be a minimum of 200 feet from one another measured from center line of driveway to center line of driveway.



PH
616-822-1810



NOTICE OF PUBLIC HEARING
PH
www.townofzebulon.org
919.823.1810
Zebulon Planning Department





Notice of Public Hearing

Notice is hereby given pursuant to the provisions of Article 2.2.2 of the Town of Zebulon Unified Development Ordinance that a public hearing will be held on **December 14, 2020 at 7:00 PM** at the **Zebulon Municipal Complex, 1003 N. Arendell Avenue**, and will be conducted by the Board of Commissioners of the Town of Zebulon for the purpose of considering the following items:

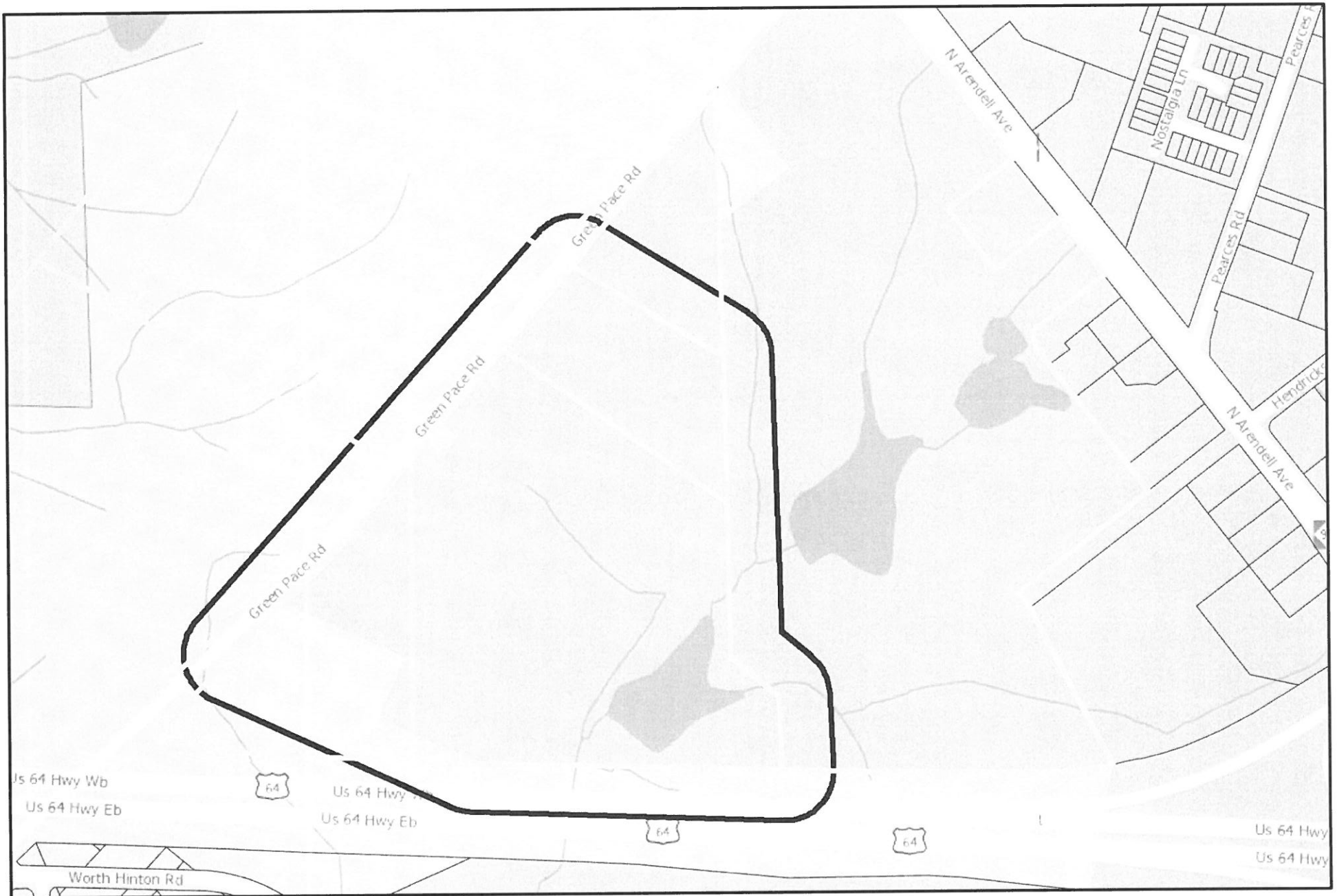
RZ 2020-01 0, 601, 703, 705, 709 E Gannon Avenue. A request by Thurston Debnam Jr., representing the property owner, Providence Bank, requesting a Zoning Map Amendment from Residential-2 (R-2) to Heavy Commercial (HC).

CZ 2020-04 201, 313, 469 Green Pace Road. A request by Thomas F. Craven representing the property owner of properties listed above, Site Investments LLC, requesting a Conditional Zoning from Heavy Commercial District (HC) to Light Industrial Conditional Zoning District (LI-C).

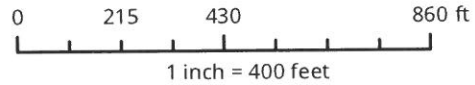
Transportation Plan Amendment: The Town of Zebulon is proposing an amendment to the Multi-Modal Plan to connect the eastern Terminal of Innovative Way to E. Gannon Road with a two-lane median divided street.

Due to potential social distancing and occupancy limits related to the State's COVID-19 Order, in-person public comments will be accepted; however, the Town of Zebulon encourages that all public comments 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. The meeting will be streamed live and links will be provided along with the full application packet and documentation on the Planning Department web page at www.TownofZebulon.org/services/planning. For questions or additional information, please contact us at (919) 823-1809.

Wake Weekly 12/3/2020 & 12/10/2020




Attachment 9 - 150' Mailed Notice Radius



Disclaimer
*iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are **NOT** surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.*

STAFF REPORT
JOINT PUBLIC HEARING
TRANSPORTATION PLAN AMENDMENT
DECEMBER 14, 2020

Topic: TRANSPORTATION PLAN AMENDMENT – INNOVATION WAY CONNECTOR

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 an amendment to the current Transportation Plan to include 2 lane median divided connector between E. Gannon Avenue and the eastern end of Innovation Way.

Background:

Innovation Way is the east-west road serving Zebulon's Industrial Park (home to Nomaco, Vinventions, GREC and other industries). Industrial Drive is the only link connecting Innovation Way with NC 97 (E. Gannon Avenue) and access to the broader transportation network of US 64 and US 264. Industrial Drive also serves as the designated carpool access to East Wake Academy for the 9th – 12th grade classes. The dual purposes of Industrial Drive combine two very different types of traffic users. As development of vacant tracts within the Zebulon Industrial Park continues, the traffic volume and congestion between these competing purposes and schedules will increase. Additionally, the single point of access for these industrial uses creates a potential emergency services challenge if the Industrial Drive becomes blocked.

Discussion:

The discussion before the Board is whether to approve an amendment to the Transportation Plan for the construction of a two-lane median divided road between the east end of Innovation Way and East Gannon Avenue when the subject parcels are developed.

Policy Analysis:

The proposed amendment is consistent with the "Growing Smart" goal of the 2030 Strategic Plan in that it establishes a distribution of traffic while creating access redundancy for emergency service vehicles to the buildings that provide the greatest health and safety risk.

Financial Analysis:

The inclusion of the road on the transportation plan defers the cost of the right-of-way and construction costs to the developer as part of the redevelopment of the subject parcels. Failure to approve the amendment may result in the Town absorbing the cost of securing right-of-way, as well as, the cost of design and construction.

STAFF REPORT
JOINT PUBLIC HEARING
TRANSPORTATION PLAN AMENDMENT
DECEMBER 14, 2020

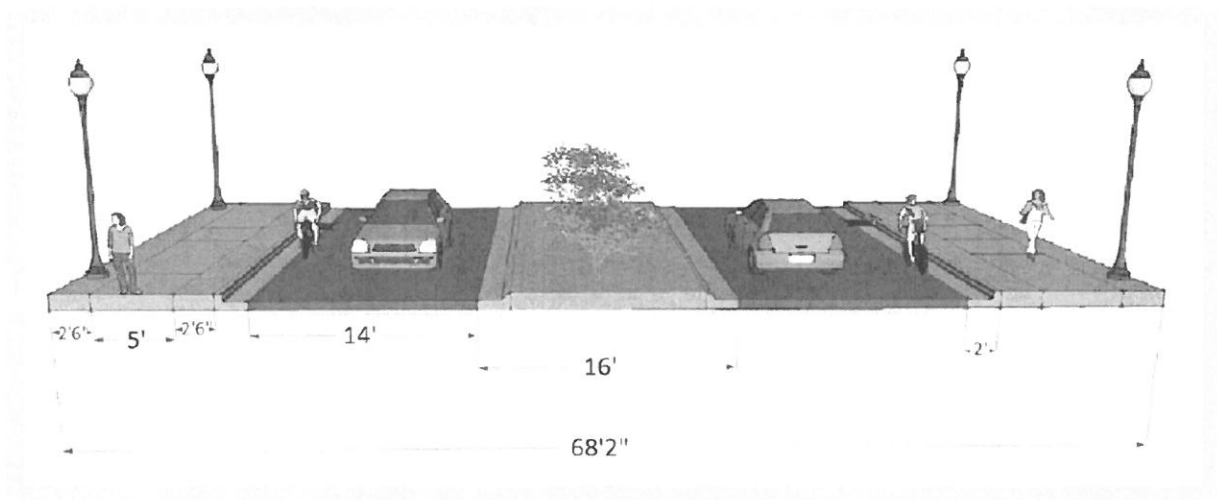
Staff Recommendation:

Staff Recommends the Board accept public comment on this Transportation Plan Amendment at the December 14th Joint Public Hearing and defer the matter to the Planning Board for consideration. Staff Recommends the Planning Board recommend approval of the amendment as proposed.

Attachments:

1. Proposed Amendment
2. Map

2-Lane Median Divided



This cross section includes two 14-foot lanes with curb and gutter, divided by a 16 foot terrain median that can support trees or other aesthetic vegetation. The wide lane width could be used to accommodate bicycles. The cross section also includes 5-foot sidewalks with 2 foot 6 inches of terrain on both sides. There are lamp posts posted along the sidewalks located within the far side terrain area. The total width of the cross section is 68 feet 2 inches.

Main Rd.	From	To	Map Number
Gannon Ave. East	Arendell Ave.	NC 39 Hwy.	14
Judd St.	Arendell Ave.	Worth Hinton Rd.	32
New Street	Innovative Way	Gannon Ave. East	33

ZEBULON

NORTH CAROLINA



Legend

- 2-Lane Median Divided Street
- Current Streets
- Parcels

