



Wake Forest Board of Commissioners
Meeting Agenda
March 19, 2024 at 6:00 PM
All items listed are for discussion and possible action.

Notice

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the Town of Wake Forest will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. For individuals with impaired hearing, special equipment is available for use during meetings in the Town Hall board chambers. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Town of Wake Forest should contact ADA Coordinator [Mickey Rochelle](#) at 919-435-9455 or Town Clerk [Terry Savary](#) at 919-435-9432 as soon as possible, but no less than 48 hours before the scheduled event.

Cable & Online Broadcast of Board of Commissioners Meetings

All [Board of Commissioners](#) (BOC) meetings are broadcast live on [WFTV 10](#) beginning at 6 p.m. Meetings are also streamed online on the [Public Meetings Portal](#) on the [Town of Wake Forest website](#). Archived meeting videos are also provided and available for one year after the original air date.

Meeting Agendas

The BOC meeting agenda is available to be viewed and downloaded by noon on the Friday prior to the third Tuesday of each month. Citizens may request copies of the agenda or submit questions concerning agenda items by calling the Town Clerk's office at 919-435-9432. Citizens may also receive a copy of each month's agenda via email by enrolling in the free [E-Notifier](#) subscription service.

Public Hearings

When an agenda item is denoted as a [Public Hearing](#), persons attending shall be permitted to address the BOC regarding the item under consideration. Anyone wishing to address the BOC concerning a public hearing item should complete and submit the BOC Public Comment Form on the [Town website](#). Proponents and opponents shall each be given three minutes of time to speak and may choose to allow one speaker to utilize the time. In the event either proponent(s) or opponent(s) have not designated a speaker to represent the view, each speaker will be allowed three minutes each to express his/her comments, ideas, concerns, expressions, and desires. A designated speaker for a group will be allowed 10 minutes to speak. Only comments on a Public Hearing will be allowed during this time.

Public Comment

During the Public Comment period, anyone wishing to address the BOC concerning an issue or topic that is not a public hearing item or an agenda item should complete and submit the BOC Public Comment Form on the [Town website](#). Then, during the Public Comment portion of the meeting, Mayor Jones will recognize you and invite you to the podium at which time you will have three minutes to speak. Thank you for your cooperation.

Call to Order

Pledge of Allegiance

1.Approval of Agenda

2.Approval of Minutes

- 2.A. February 6, 2024 Work Session
February 20, 2024 Regular Meeting
[DraftBOCWSTMinutesFeb202406.pdf](#)
[DraftBOCMinutesFeb202420.pdf](#)

3.Presentations

- 3.A. Proclamation Recognizing April 11, 2024, as "PARKINSON'S DAY" in the Town of Wake Forest, NC
[ProclamationRaiseAwarenessParkinson'sDisease_Mar202419.pdf](#)
- 3.B. Proclamation Recognizing March 29, 2024, as "Vietnam War Veterans Day"
[ProclamationVietnamVeteransDayMar202419.pdf](#)
- 3.C. Resolution Recognizing Senior Police Officer Richard B. May on his retirement
[R May Summary appreciation of services.docx](#)
[R May Resolution of Appreciation for Services.docx](#)
- 3.D. Wake Forest Downtown Plan: Houseal Lavigne (Consultant) Presentation.
[Agenda Summary_031924.pdf](#)

4.Public hearings / Public Comment

- 4.A. Public Hearing on LEGISLATIVE CASE RZ-23-06, Star Road Tech Center, a rezoning filed by St. John Properties to rezone 30.35 acres located at 0 Star Road, being Wake County Tax PINs 1739-65-3709, 1739-55-8441, and 1739-65-4232 from Highway Business (HB) and Special Highway Overlay (SH1-O) to Highway Business Conditional District (HB-CD) and Special Highway Overlay (SH1-O).
[BOC Agenda Summary RZ-23-06.pdf](#)
[RZ-23-06 Staff Report.pdf](#)
[Attachment A - Neighborhood Meeting Information.pdf](#)
[Attachment B - Application.pdf](#)

[Attachment C - Maps.pdf](#)

[Attachment D - Planning Board Recommendation and Plan Consistency Analysis.pdf](#)

[Attachment E - TIA Executive Summary and NCDOT Review Report and U-5307 email.pdf](#)

[Attachment F - RZ-21-09 Ordinance and Staff Report.pdf](#)

[Attachment G - Applicant's request for a continuation.pdf](#)

[Exhibit 3 - Proposed Conditional District Plan.pdf](#)

[Exhibit 2 - Consistency Statement RZ-23-06.pdf](#)

- 4.B. Public Hearing to receive public input for the FY 2024-2025 Annual Operating Budget
[First Budget Public Hearing FY 2024-2025_summary.pdf](#)
[FY 24-25 Budget Preparation Schedule.pdf](#)

- 4.C. Public Comment: If anyone would like to address the Board of Commissioners on an item other than a public hearing item during the time of public comment, please sign up with the Town Clerk prior to the meeting. Each speaker is asked to limit comments to 3 minutes. Please provide the clerk with copies of any handouts you have for the Board. Although the Board is interested in hearing your concerns, speakers should not expect Board action or deliberation on subject matter brought up during the Public Comment segment. Topics requiring further investigation will be referred to the appropriate Town Staff and may be scheduled for a future agenda. Thank you for your consideration of the Board of Commissioners, staff and other speakers.

5.Consent Agenda

(A Consent Agenda is a group of items passed with a single motion and vote. These matters are of a generally routine nature. No debate is allowable on any item included on the Consent Agenda. If a Commissioner or any citizen of Wake Forest or its ETJ wants separate consideration of any item, it may be removed from the Consent Agenda by request.)

- 5.A. Approval of Resolution to Accept Streets into the Town of Wake Forest Street System for Maintenance.

[Attachment_A_Summary_Accept_Streets.docx](#)

[Attachment_B_Resolution_Accept_Streets.docx](#)

[Attachment_C_NCDOT S. Franklin deletion.pdf](#)

- 5.B. Approval of a resolution to schedule the public hearing and certify the sufficiency for a petition requesting contiguous annexation submitted by property owners Elizabeth Hunt Holding and SW Capital LLC for property associated with the rezoning request RZ-22-07, located at 12621 and 12631 Capital Blvd being Wake County PINs 1831-85-3681 and 1831-85-5861 being approximately 5.54 acres.

[031924 BOC Agenda Summary AN-22-05.pdf](#)

[Attachment A Legal Descriptions.pdf](#)
[Attachment B Annexation Exhibit.pdf](#)
[Attachment C Contiguous Annexation Petitions.pdf](#)
[CERTIFICATE OF SUFFICIENCY .docx](#)
[DRAFT PUBLIC HEARING RESOLUTION.docx](#)

- 5.C. Approval of a Resolution to surplus the badge and service weapon carried by Senior Police Officer Richard May

[R May Summary badge and weapon surplus.docx](#)

[R May Resolution Badge and Weapon.docx](#)

- 5.D. Approval of Housing Initiatives Special Revenue Fund

[Housing Initiatives Fund Ordinance_summary.pdf](#)

[2024 - xx HOUSING INITIATIVES FUND.docx](#)

- 5.E. Approval of Ordinance Codification for the Town's Code of Ordinances, Supplement 17

[Summary_Ordinance Codification_Supplement 17_Mar202419.pdf](#)

[Ordinance2024-06CodificationOfSupplement17_Mar202419.pdf](#)

[Supplement 17 Ordinances.pdf](#)

6.Legislative Items

7.Planning Items

- 7.A. Consideration of LEGISLATIVE CASE RZ-23-06, Star Road Tech Center, a rezoning filed by St. John Properties to rezone 30.35 acres located at 0 Star Road, being Wake County Tax PINs 1739-65-3709, 1739-55-8441, and 1739-65-4232 from Highway Business (HB) and Special Highway Overlay (SH1-O) to Highway Business Conditional District (HB-CD) and Special Highway Overlay (SH1-O).

8.Administration and Financial Items

9.Public Services Items

10.Parks and Recreation Items

- 10.A. Update on the Renovation of Flaherty Park Field Park Field #2

[Summary Sheet - Update on Flaherty Park Field #2.docx](#)

[WFFUNGO Lease Justification Contribution.docx](#)

11.Public Safety Items

12.Other Business

12.A. Department Monthly Report

[February 2024 Monthly Report.pdf](#)

12.B. Wake County Tax Release

[WF-TXREP-MAR-2024-BOC-MTG.pdf](#)

12.C. Commissioner Reports

12.D. Closed Session: To prevent the disclosure of information that is privileged or confidential or is not of public record, N.C.G.S. § 143-318.11(a)(1)

13.Adjournment



Board of Commissioners Agenda Item Report

Agenda Item No.: 2024-81-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: March 19, 2024

SUBJECT

February 6, 2024 Work Session

February 20, 2024 Regular Meeting

Recommendation:

Item Summary:

ATTACHMENTS

- [DraftBOCWSEMinutesFeb202406.pdf](#)
- [DraftBOCMinutesFeb202420.pdf](#)



Wake Forest Board of Commissioners Work Session Meeting Minutes

The Wake Forest Board of Commissioners met on **Tuesday, February 6, 2024, at 6:00 p.m.** in the Board Room at Wake Forest Town Hall, 301 S Brooks Street.

Mayor Jones called the meeting to order at 6:00 p.m.

Commissioners Present: Mayor Vivian A. Jones, Commissioner Ben Clapsaddle, Commissioner Faith Cross, Commissioner Keith Shackleford, Commissioner Nick Sliwinski, and Commissioner Adam Wright.

Commissioners Absent: None.

Staff Members Present:

Town Manager Kip Padgett
Assistant Town Manager Candace Davis
Assistant Town Manager Allison Snyder
Assistant Planning Director/CFO Aileen Staples
Town Attorney Hassan Kingsberry
Town Clerk Theresa Savary
Planning Director Courtney Tanner
Long Range Planning Manager Brad West
Parks, Recreation & Cultural Resources Director Ruben Wall
Organization Performance Director Lisa Hayes

Public Works Director Tim Bailey
Chief Information Officer Adam Oates
Communications & Public Affairs Director Bill Crabtree
Budget & Performance Analyst Ben Blevins
Finance Director Samantha Sanchez
CIP Manager Steve Meyers
Interim Assistant Engineering Director Chris Glass
Captain Brandon High
Captain Julius Jefferson

1. Presentations

1.1 Discussion of FY 2024-2029 Capital Improvements Plan

Budget & Performance Analyst Ben Blevins provided a brief overview of the FY2024-2029 Capital Improvement Plan for FY 2024-2029.

Commissioner Cross inquired about the \$250,000 per year for the downtown parking deck. Ms. Staples explained that it was allocated as a placeholder for any work that needs to be done towards the development agreement, and to move forward.

Commissioner Cross asked about the reliability of electric vehicles and whether they are the best choice for the town. Assistant Town Manager Allison Snyder stated that they intend to research the costs of both electric and gas vehicles and then decide whether to move forward with their fleet as a whole moving towards electric or continue to use gas. Ms. Snyder mentioned that they plan to start exploring electric vehicles by trying just one vehicle to walk down the renewable energy path.

Commissioner Clapsaddle asked if staff would be collecting data to compare labor and cost rates on electric vehicles. Ms. Snyder replied yes, they collect data on all town vehicles. She said this is an exploration to see if it would be feasible and the direction that the town would want to go.

Commissioner Cross asked if the town could collect data from other towns regarding electric vehicles instead of purchasing one. Assistant Town Manager Allison Snyder said they could if that's the avenue the Board would like them to go.

Commissioner Cross inquired about the possibility of using a crack sealer to maintain the roads, which could help reduce the need for frequent maintenance. She asked Public Works Director Tim Bailey if it would be beneficial to implement such a program, considering the large number of roads that need to be maintained. Mr. Bailey mentioned that they have already requested for this to be done in-house instead of contracting it out. He further informed that a major resurfacing project is underway this year, and hopefully the same will be done next year. This will help the staff to define a maintenance program by acquiring the crack sealer. Commissioner Cross asked whether it would be better to expedite the process rather than delay it for another year. Mr. Bailey suggested that it would be wise to put it off for another year until they complete some of the resurfacing work, as they don't want to seal the cracks on roads that they plan to replace. However, this program will help them maintain the town's roads in the future.

Commissioner Cross asked about the repairs needed for the low areas in the outfield of Forest Field. She inquired whether it was preventing the town's residents from being

able to practice and have games regularly. Parks, Recreation & Cultural Resources Director Ruben Wall replied that they do have an issue with Forest Field being in a low-lying area and staff are constantly trying to keep water off that field. He suggested putting some measures in place to reduce maintenance. Ms. Cross indicated that considering the increasing number of people joining Parks & Recreation, should the maintenance of the field be done sooner. Mr. Wall replied that they are open to moving up the maintenance of the field.

Commissioner Cross asked about the two-year projection of renovations being done to the restrooms. Mr. Wall stated that it's a bond project and Town Manager Padgett stated it lines up with their debt model.

Commissioner Cross inquired about the criteria for replacing town vehicles. In response, Mr. Blevins explained that the decision usually depends on the condition and mileage of the vehicles. He further added that they follow certain parameters to determine which vehicles need immediate attention and which ones can be pushed out for a later date.

Commissioner Cross asked for information about the Tryon Greenway Bridge. Assistant Town Manager Allison Snyder explained that the developer proposed to construct the bridge using timber, which had previously been used for another bridge (Sanford Greenway Boardwalk) that now needs to be replaced. To address the issue, the town is asking to partner with the developer to upgrade the bridge with reinforced plastic/concrete material, and the town would share the cost difference. Commissioner Cross asked if the issue is significant enough to be addressed this coming year. Ms. Snyder confirmed that is correct.

Mayor Jones asked if the Board had any other questions. No questions were heard.

1.2. Presentation of results of revaluation of assessed property for Wake Forest

Assistant Town Manager/CFO Aileen Staples introduced Wake County Deputy Tax Administrator Nicole Kreiser.

Ms. Kreiser provided an overview and results of the 2024 revaluation.

Mayor Jones asked if the Board had any questions. No questions were heard.

1.3 NCDOT Project updates

CIP Manager Steve Meyer provided the NCDOT Project Updates.

Commissioner Sliwinski expressed concern over the delay of some of the mentioned projects and requested an update on the anticipated dates. He inquired whether the team was confident that the expected dates would hold or if there could be further delays. Mr. Meyer stated that he hadn't heard anything about future delays. Ms. Snyder mentioned that staff meets with NCDOT every quarter, and they usually receive updates on the project delays during those meetings. She assured the Board that they would be informed of any updates as soon as they received them.

Mayor Jones said it would be interesting to know the original date for the Rogers Road Project and the original date for the Synchronization Project. Mr. Meyer said originally the date for the Rogers Road Project was anticipated to start FY 2022-2023 and he did not have the original dates for the Synchronization Project.

Mayor Jones asked if the Board had any other questions. No questions were heard.

2. Discussion of Monthly Financial Report

2.1 Monthly Financial Report

Received.

3. Review of Draft Agenda for Upcoming Regular Meeting

3.1 Review of Draft Agenda for Upcoming Regular Meeting

The draft agenda was reviewed.

4. Other Business

4.1. Strategic Plan Quarterly Tracker

Received.

4.2. CIP Project Tracker

Received.

4.3. Consideration of Contract for Flaherty Park Field #2 Upgrades

Parks Recreation & Cultural Resources Director Ruben Wall reviewed the contract for Flaherty Park Field #2 Upgrades.

Commissioner Cross asked if the bid was in line for this type of work. Mr. Wall replied, yes.

ACTION:

Mover: Commissioner Sliwinski moved to approve the contract for Flaherty Park Field #2 Upgrades.

Second: Commissioner Wright.

Vote: Motion carried 5-0.

4.4. Presentation of a Resolution to Support Development of the S-Line Rail Corridor and to Provide Local Funding to Match a Federal Grant Opportunity for Mobility Hub Design and Project Development Activities

Long Range Planning Manager Brad West provided a brief overview of the resolution to support the development of the S-Line Rail Corridor.

Commissioner Clapsaddle asked about the timeline. Mr. West replied that the funds would have to be fully obligated by September 20, 2028.

This item will come before the Board of Commissioners for action at its February 20, 2024, meeting.

4.5. Closed Session: N.C.G.S. § 143.318.11(a)(5)

ACTION:

Mover: Commissioner Wright moved to go into closed session for N.C.G.S. § 143.318.11(a)(5) at 7:20 p.m.

Second: Commissioner Sliwinski.

Vote: Motion carried 5-0.

The Board reconvened to open session at 7:30 p.m.

ACTION:

Mover: Commissioner Wright moved to approve the acquisition of a permanent storm drainage easement and temporary construction easement at 1000 Greenway Village Circle for the South Franklin Street Widening Project.

Second: Commissioner Sliwinski.

Vote: Motion carried 5-0.

ACTION:

Mover: Commissioner Wright moved to approve the acquisition of a permanent wall easement and temporary construction easement at 1524 Heritage Garden Street for the South Franklin Street Widening Project.

Second: Commissioner Shackelford.

Vote: Motion carried 5-0.

5. Commissioner Reports

During the last CAMPO Meeting, Mayor Jones said they had voted unanimously to request NCDOT and the Toll Authority to conduct a study on constructing Capital Blvd. as a freeway with toll funding. Mayor Jones, Julie White, and Jason Orthner with NCDOT met with a multi-modal group to update them about the S-Line. They're expecting the first groundbreaking event for the infrastructure from Raleigh to Wake Forest to happen soon. Mayor Jones attended the Endeavor Charter School and met with the 3rd graders. She attended the Regional Transportation Alliance Annual Meeting, the Heritage High School Mid-Year Graduation, and the Triangle Community Coalition Annual Meeting.

Commissioner Sliwinski thanked town staff for their hard work, and Mayor Jones concurred. He asked that folks submit their nominees for Black History Month.

Commissioner Clapsaddle expressed his gratitude towards the town staff. He attended the Martin Luther King Celebration and the Human Relations Council Meeting.

Commissioner Cross attended the Downtown Business Owners Luncheon, the ribbon cutting at Wayback Burgers, and the Urban Forestry Board Meeting. She also echoed Commissioner Sliwinski's appreciation towards the town staff.

Commissioner Shackelford thanked Commissioner Sliwinski and Commissioner Cross for their statements regarding the town staff. He expressed his gratitude towards the Planning Department, Bill Crabtree, and his team for how they handled things. He also shared that attending the police officer's retirement party is one of his favorite events as the officers can relax and enjoy each other's company.

Commissioner Wright supported everything Commissioner Sliwinski and Commissioner Cross said about the town staff. He attended the Technology Advisory Board and suggested the Board consider amending the meeting policy to allow for remote meetings of Advisory Boards.

Mayor Jones expressed her full support for the town's staff, while Town Manager Padgett thanked the Board for their continuous support of the staff.

6. Adjournment

The Board of Commissioners adjourned the meeting at 7:32 p.m.

Duly approved in open session this 19th day of March 2024.

(ATTEST)

Vivian A. Jones, Mayor

Theresa Savary, Town Clerk

DRAFT



Wake Forest Board of Commissioners Meeting Minutes

The Wake Forest Board of Commissioners met on **Tuesday, February 20, 2024**, at **6:00 p.m.** in the Board Room at Wake Forest Town Hall, 301 S Brooks Street.

Mayor Jones called the meeting to order at 6:00 p.m.

Mayor Jones led everyone in the Pledge of Allegiance.

Council Members Present: Mayor Vivian A. Jones, Commissioner Ben Clapsaddle, Commissioner Faith Cross, Commissioner Keith Shackelford, Commissioner Nick Sliwinski, and Commissioner Adam Wright.

Commissioner Members Absent: None.

Staff Members Present:

Town Manager Kip Padgett
Assistant Town Manager Candace Davis
Assistant Town Manager Allison Snyder
Assistant Town Manager/CFO Aileen Staples
Town Attorney Hassan Kingsberry
Town Clerk Theresa Savary
Planning Director Courtney Tanner
Assistant Planning Director Jennifer Currin
Budget & Performance Analyst, Ben Blevins
Public Works Director Tim Bailey

Finance Director Samantha Sanchez
Public Facilities Specialist Steven Carpenter
Planner II Emma Linn
Fire Chief Ron Early
Police Chief Jeff Leonard
Lieutenant Cindy Johnson-Perry
Police Captain Julius Jefferson
Police Captain Brandon High
Police Captain Matthew May

1. Approval of Agenda

ACTION:

Mover: Commissioner Wright moved to approve the agenda as presented.

Second: Commissioner Sliwinski.

Vote: Motion carried 5-0.

2. Approval of Minutes

2.A. Approval of Minutes:

- January 2, 2024 Work Session
- January 16, 2024 Regular Meeting
- January 19, 2024 BOC Annual Retreat

ACTION:

Mover: Commissioner Wright moved to approve the minutes as presented.

Second: Commissioner Sliwinski.

Vote: Motion carried 5-0.

3. Presentations

3.A. Resolution Recognizing Lieutenant Cindy Johnson-Perry on her retirement

Mayor Jones read the proclamation into the record:

RESOLUTION 2024-11
RESOLUTION OF APPRECIATION
FOR THE SERVICES OF
Cindy Johnson-Perry

WHEREAS, Cindy Johnson-Perry was hired as a Police Officer I in January of 1995 and has served as a sworn member of the Wake Forest Police Department for nearly 30 years with a retirement date of March 1, 2024; and

WHEREAS, Johnson-Perry achieved Officer First Class in February of 2000; and

WHEREAS, Johnson-Perry achieved Master Officer in February of 2009; and

WHEREAS, Johnson-Perry achieved Senior Officer in February of 2013; and

WHEREAS, Johnson-Perry was promoted to Police Corporal in June of 2020; and

WHEREAS, Johnson-Perry was promoted to Police Sergeant in February of 2022; and

WHEREAS, Johnson-Perry was promoted to Police Lieutenant in November of 2022; and

WHEREAS, Johnson-Perry served in a variety of specialized positions including Community Police Officer, School Resource Officer, and Detective, as well as Corporal, Sergeant, and Lieutenant in the Criminal Investigation Division. She has also played an integral role in the Shop with a Cop program.; and

WHEREAS, Johnson-Perry served unselfishly as a law enforcement officer for the good of the Town of Wake Forest, making sacrifices in personal and family ties;

NOW, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that Lieutenant Cindy Johnson-Perry is hereby officially commended by this Board on

behalf of the citizens of Wake Forest for valuable and outstanding service rendered to the Town of Wake Forest Police Department in her official capacity.

BE IT FURTHER RESOLVED that this resolution be made a part of the permanent records of the Town of Wake Forest and that a copy of this resolution is presented to Cindy Johnson-Perry.

Mayor Jones presented the proclamation to Lt. Cindy Johnson-Perry.

4. Public hearings / Public Comment

4.A. Public Hearing on a petition requesting contiguous annexation submitted by WithersRavenel C/O the property owner AWB-DP JDS OWNER LLC for property associated with the rezoning request RZ-23-01, located at 1950 Friendship Chapel Road being Wake County PIN 1850-06-6925 being approximately 3.008 acres.

Mayor Jones asked if anyone else would like to speak. No one came forward to speak.

Mayor Jones declared the public hearing closed.

4.B. Public Comment: If anyone would like to address the Board of Commissioners on an item other than a public hearing item during the time of public comment, please sign up with the Town Clerk prior to the meeting. Each speaker is asked to limit comments to 3 minutes. Please provide the clerk with copies of any handouts you have for the Board. Although the Board is interested in hearing your concerns, speakers should not expect Board action or deliberation on subject matter brought up during the Public Comment segment. Topics requiring further investigation will be referred to the appropriate Town Staff and may be scheduled for a future agenda. Thank you for your consideration of the Board of Commissioners, staff and other speakers.

The following citizens provided comment:

- Karla Pace, 834 Mill St., Wake Forest, NC 27587 expressed concern regarding a noise disturbance being emitted by Glen Royal Baptist Church
- Gerritt Raterink, 835 Mill St., Wake Forest, NC 27587 would like to seek relief from the persistent amplified noise coming from Glen Royal Baptist Church
- Janice Davis, 1009 Lightfoot Ct., Wake Forest, NC 27587 said she was dismayed by the lack of concern regarding the protection of water resources by the Town Planning Staff and the previous Board of Commissioners as witnessed in the past
- Margaret Watkins, 407 Belmellen Ct., Wake Forest, NC 27587 spoke about the need to reevaluate compensation for the Town's mayor

5. Consent Agenda

(A Consent Agenda is a group of items passed with a single motion and vote. These matters are of a generally routine nature. No debate is allowable on any item included on the Consent Agenda. If a commissioner or any citizen of Wake Forest or its ETJ wants separate consideration of any item, it may be removed from the Consent Agenda by request.)

5.A. Approval of Budget Ordinance Amendment # 2 - FY 2023 – 2024

[Filed in the Clerk's Office as Ordinance 2024-05.]

5.B. Approval of a Resolution to surplus the badge and service weapon carried by Lieutenant Cindy Johnson-Perry

[Filed in the Clerk's Office as Resolution 2024-12.]

5.C. Approval of Appointment to Citizen Advisory Board

[Filed in the Clerk's Office as Resolution 2024-13.]

5.D. Approval of a Resolution to Support Development of the S-Line Rail Corridor and to Provide Local Funding to Match a Federal Grant Opportunity for Mobility Hub Design and Project Development Activities

[Filed in the Clerk's Office as Resolution 2024-14.]

ACTION:

Mover: Commissioner Sliwinski moved to approve the consent agenda as presented.

Seconder: Commissioner Wright.

Vote: Motion carried 5-0.

6. Legislative Items

No Legislative Items presented.

7. Planning Items

7.A. Consideration of a petition requesting contiguous annexation submitted by WithersRavenel C/O the property owner AWB-DP JDS OWNER LLC for property associated with the rezoning request RZ-23-01, located at 1950 Friendship Chapel Road being Wake County PIN 1850-06-6925 being approximately 3.008 acres.

ACTION:

Mover: Commissioner Shackelford moved to approve contiguous annexation for property associated with the rezoning request RZ-23-01, located at 1950 Friendship Chapel Road.

Second: Commissioner Sliwinski.

Vote: Motion carried 5-0.

Commissioner Cross commented that she did not participate in the vote for the rezoning and master plan of the project. She explained that the Board who approved this was previous to her serving on the Board. She clarified that the current vote is just to bring the town within corporate limits and should not be seen as an affirmation by her as to the merits of the projects that were decided last year. She added at the time the Town's Planning Department recommended denial and believes there was a missed opportunity to include greenway connections.

Commissioner Clapsaddle shared the same views as Ms. Cross and said he would support the Board's decision.

8. Administration and Financial Items

8.A. Consideration of approval of 2024-2029 Capital Improvements Plan (CIP) Update
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ACTION:

Mover: Commissioner Wright moved to approve the 2024-2029 Capital Improvements Plan (CIP) Update.

Second: Commissioner Sliwinski.

Vote: Motion carried 5-0.

Mayor Jones asked if there were any comments or questions.

Commissioner Cross would like to see the Forest Field surface repair done sooner rather than later. She also suggested conducting a thorough data evaluation on the cost maintenance, battery life replacement, and battery disposal of electric vehicles before committing any taxpayer funds. She preferred gathering information before the Town purchases an electric vehicle.

9. Public Services Items

No Public Service Items presented.

10. Parks and Recreation Items

No Parks and Recreation Items presented.

11. Public Safety Items

No Public Safety Items presented.

12. Other Business

12.A. Department Monthly Report

Received.

12.B. Wake County Tax Release

Received.

12.C. Commissioner Reports

Commissioner Wright attended the State of the Town Address & Dinner and shared that Mayor Jones delivered a wonderful speech.

Commissioner Shackelford attended the State of the Town Address & Dinner and shared that Mayor Jones did a fantastic job in her speech. He asked Town Manager Padgett for more information about the issue with the church and the noise ordinance. He also inquired about the Board's compensation process.

Commissioner Cross attended the Economic Development Forum, Youth Leadership Program, Austin T. Smith Core Values Program, and the State of the Town Address & Dinner, which she enjoyed.

Commissioner Clapsaddle attended the State of the Town Address & Dinner and praised Mayor Jones for doing a great job. He also attended the Youth Leadership Program, the Black History Expo, and went on a walking tour of the northeast community where he thanked Michelle Michael for her work.

Commissioner Sliwinski attended the State of the Town Address & Dinner and shared that Mayor Jones did a great job. He also informed everyone that the Wake Forest Film Festival would be held on March 1-2.

Mayor Jones attended several events, including the Economic Development Forum, Youth Leadership Program, Austin T. Smith Core Values Program, State of the Town

Address & Dinner, Black History Expo, Mental Wellness Program in conjunction with the county, and the premiere of a new movie produced by Living Word Church.

Town Manager Padgett had no report.

Mayor Jones asked Town Manager Padgett if he'd bring back a report of the issue with the church and the noise ordinance. Mr. Padgett confirmed that they would let the Board know the status of the issue.

13. Adjournment

With no further business to discuss, the meeting was adjourned at 6:31 p.m.

Duly approved in open session this 19th day of March 2024.

(ATTEST)

Vivian A. Jones, Mayor

Theresa Savary, Town Clerk



Board of Commissioners Agenda Item Report

Agenda Item No.: 2024-40-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: March 19, 2024

SUBJECT

Proclamation Recognizing April 11, 2024, as "PARKINSON'S DAY" in the Town of Wake Forest, NC

Recommendation:

Item Summary:

ATTACHMENTS

- [ProclamationRaiseAwarenessParkinson'sDisease_Mar202419.pdf](#)

**PROCLAMATION
RECOGNIZING APRIL 11, 2024 AS “PARKINSON’S DAY”
IN THE TOWN OF WAKE FOREST, NORTH CAROLINA**

WHEREAS, Parkinson’s disease is a chronic, progressive, neurological disease and is the second most common neurodegenerative disease in the United States;

WHEREAS, Parkinson’s disease is estimated to affect approximately one million people in the United States and the prevalence will rise to 1.2 million by 2030;

WHEREAS, 90,000 new people are diagnosed each year in the United States with Parkinson’s disease;

WHEREAS, Parkinson’s disease is the 14th leading cause of death in the United States according to the Centers for Disease Control and Prevention;

WHEREAS, there is an estimated 30,000 people living with Parkinson’s disease in the State of North Carolina.

WHEREAS, it is estimated that the economic burden of Parkinson’s disease is at least \$52 billion annually in the United States, including direct and indirect costs, treatment, and lost income, to patients and family members;

WHEREAS, research suggests the cause of Parkinson’s disease is a combination of genetic and environmental factors, but the exact cause and progression of the disease is still unknown;

WHEREAS, there is no objective test for Parkinson’s disease, and there is no cure or drug to slow or halt the progression of the disease;

WHEREAS, the symptoms of Parkinson’s disease vary from person to person and can include tremors; slowness of movement and rigidity; difficulty with balance, swallowing, chewing, and speaking; cognitive impairment and dementia; mood disorders; and a variety of other non-motor symptoms;

WHEREAS, volunteers, researchers, caregivers, and medical professionals are working to improve the quality of life of persons living with Parkinson’s disease and their families;

WHEREAS, increased research, education, and community support services are needed to find more effective treatments and to provide access to quality care to those living with the disease today;

NOW, THEREFORE, I, Vivian A. Jones, Mayor of the Town of Wake Forest and the Board of Commissioners, do hereby proclaim April 11, 2024, as “*PARKINSON DAY*” in the Town of Wake Forest.

This the 19th day of March 2024.

Attest:

Theresa Savary, Town Clerk



Vivian A. Jones, Mayor



Board of Commissioners Agenda Item Report

Agenda Item No.: 2024-41-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: March 19, 2024

SUBJECT

Proclamation Recognizing March 29, 2024, as "Vietnam War Veterans Day"

Recommendation:

Item Summary:

ATTACHMENTS

- [ProclamationVietnamVeteransDayMar202419.pdf](#)

PROCLAMATION

RECOGNIZING MARCH 29, 2024 AS “VIETNAM WAR VETERANS DAY” IN THE TOWN OF WAKE FOREST, NORTH CAROLINA

WHEREAS, March 29th now known as National Vietnam War Veterans Day. The day was first proclaimed by President Barrack Obama in 2012, and President Donald Trump subsequently signed it into law in 2017.

WHEREAS, March 29, 2024, marks the 50th Anniversary of U.S. combat troops returning home and is a day to thank and honor all veterans who served in the war.

WHEREAS, the National Vietnam War lasted almost 20 years, spanning the period between November 1955 and April 1975 with nearly 3 million American soldiers serving in uniform in Vietnam, and more than 58,000 sacrificing their lives to protect our nation’s freedom; and

WHEREAS, of the more than 700,000 veterans living in North Carolina, today more than 250,000 served in the Vietnam War; and

WHEREAS, North Carolina is proud and humbled to be the home of these brave veterans, who continue to serve our state as stellar citizen leaders in their workplaces, communities, homes, and churches; and

WHEREAS, Vietnam War Veterans Day is an opportunity to commemorate the 1,627 North Carolinians killed or missing in Vietnam, who made the ultimate sacrifice to protect and honor their home state and nation;

WHEREAS, the men and women who served North Carolina and the United States during the Vietnam War deserve the utmost respect and gratitude from their fellow Americans for their heroic and selfless actions;

NOW THEREFORE, I Vivian A. Jones, Mayor of the Town of Wake Forest, and the Board of Commissioners, do hereby proclaim March 29, 2024, as “**VIETNAM WAR VETERANS DAY**” in the Town of Wake Forest and commend its observance to all citizens.

This the 19th day of March 2024.

Attest:

Theresa Savary, Town Clerk



Vivian A. Jones, Mayor



Board of Commissioners Agenda Item Report

Agenda Item No.: 2024-47-
Submitted by: Brandon High
Submitting Department:
Meeting Date: March 19, 2024

SUBJECT

Resolution Recognizing Senior Police Officer Richard B. May on his retirement

Recommendation:

Item Summary:

ATTACHMENTS

- [R May Summary appreciation of services.docx](#)
- [R May Resolution of Appreciation for Services.docx](#)

Agenda: Resolution recognizing Senior Police Officer Richard May on his retirement

Summary: Senior Police Officer Richard May is retiring, effective April 1, 2024. Senior Police Officer Richard May started working for the town in April of 1999. He is retiring as a Senior Police Officer with the Wake Forest Police Department.

RESOLUTION 2024-XX

RESOLUTION OF APPRECIATION FOR
THE SERVICES OF

Richard B. May

WHEREAS, Richard B. May was hired as a Police Officer I in April of 1999 and will have served as a sworn member of the Wake Forest Police Department for 25 years with a retirement date of April 1, 2024; and

WHEREAS, May achieved Police Officer II in April of 2001; and

WHEREAS, May was promoted to Police Sergeant in February of 2005; and

WHEREAS, May achieved Senior Police Officer in January of 2016; and

WHEREAS, May served in a variety of specialized positions including Field Training Officer, Impact Team Officer, and Community Resource Officer. May was awarded Crisis Intervention Officer of the Year in 2019 for Wake County; and

WHEREAS, May served unselfishly as a law enforcement officer for the good of the Town of Wake Forest, making sacrifices in personal and family ties;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that Senior Police Officer Richard B. May is hereby officially commended by this Board on behalf of the citizens of Wake Forest for valuable and outstanding service rendered to the Town of Wake Forest Police Department in his official capacity.

BE IT FURTHER RESOLVED that this resolution be made a part of the permanent records of the Town of Wake Forest and that a copy of this resolution is presented to Richard B. May.

This the 19th day of March 2024.

ATTEST:

Vivian A. Jones
Mayor

Theresa Savary
Town Clerk



Board of Commissioners Agenda Item Report

Agenda Item No.: 2024-83-
Submitted by: Jennifer Currin
Submitting Department: Planning
Meeting Date: March 19, 2024

SUBJECT

Wake Forest Downtown Plan: Houseal Lavigne (Consultant) Presentation.

Recommendation:

Item Summary:

ATTACHMENTS

- [Agenda Summary_031924.pdf](#)

Agenda Item: Wake Forest Downtown Plan: Houseal Lavigne (Consultant) Presentation.

Summary: Houseal Lavigne, the Town's consultant for the Downtown Plan, will present information from the draft Existing Conditions Memo and introduce draft Plan vision statement, goals, and functional subareas to the Board of Commissioners.

Attachments: None.



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-360-
Submitted by: Patrick Reidy
Submitting Department: Planning
Meeting Date: March 19, 2024

SUBJECT

Public Hearing on LEGISLATIVE CASE RZ-23-06, Star Road Tech Center, a rezoning filed by St. John Properties to rezone 30.35 acres located at 0 Star Road, being Wake County Tax PINs 1739-65-3709, 1739-55-8441, and 1739-65-4232 from Highway Business (HB) and Special Highway Overlay (SH1-O) to Highway Business Conditional District (HB-CD) and Special Highway Overlay (SH1-O).

Recommendation:

Item Summary:

ATTACHMENTS

- [BOC Agenda Summary RZ-23-06.pdf](#)
- [RZ-23-06 Staff Report.pdf](#)
- [Attachment A - Neighborhood Meeting Information.pdf](#)
- [Attachment B - Application.pdf](#)
- [Attachment C - Maps.pdf](#)
- [Attachment D - Planning Board Recommendation and Plan Consistency Analysis.pdf](#)
- [Attachment E - TIA Executive Summary and NCDOT Review Report and U-5307 email.pdf](#)
- [Attachment F - RZ-21-09 Ordinance and Staff Report.pdf](#)
- [Attachment G - Applicant's request for a continuation.pdf](#)
- [Exhibit 3 - Proposed Conditional District Plan.pdf](#)
- [Exhibit 2 - Consistency Statement RZ-23-06.pdf](#)

Agenda Item: Public hearing on LEGISLATIVE CASE RZ-23-06, Star Road Tech Center, a rezoning filed by St. John Properties to rezone 30.35 acres located at 0 Star Rd, being Wake County Tax PINs 1739-65-3709, 1739-55-8441, and 1739-65-4232 from Highway Business (HB) and Special Highway Overlay (SH1-O) to Highway Business Conditional District (HB-CD) and Special Highway Overlay (SH1-O).

Summary: A public comment session was held at the February 13, 2024 Planning Board meeting. The Planning Board voted 7-0 to find the request inconsistent with the Community Plan and recommended denial of the zoning map amendment (rezoning).

The applicant chose not to make any revisions to their plans or conditions prior to staff presenting the request to the Board of Commissioners at the March 5, 2024 Board of Commissioners Work Session. Since the work session, the applicant has requested a meeting with staff, and it is scheduled for March 18th. An update from that meeting will be provided at the March 19th Board of Commissioners meeting. A meeting between NCDOT, the applicant, and town staff is scheduled on April 1 to discuss U-5307 and the project's Star Rd. improvements.

The applicant has submitted a continuance request to the April 16th Board of Commissioners meeting. If the Board chooses to consider the applicant's continuation request, the public hearing should be opened since the public hearing has already been advertised. Staff recommended that the applicant request a continuance to the May 21st meeting to allow adequate time for the staff to review any proposed changes for compliance with adopted Plans and the UDO.

Attachments: See Staff Report



Staff Report

Case RZ-23-06: Star Road Tech Center Conditional District

Meeting Date	March 19, 2024
Requested Actions	Consideration of the following items related to the Conditional Zoning Map Amendment request for 0 Star Road: 1. Act on Plan Consistency Statement 2. Rezone 30.35 acres on the Town of Wake Forest Zoning Map from Highway Business (HB) and Special Highway Overlay (SH1-O) to Highway Business Conditional District (HB-CD) and Special Highway Overlay (SH1-O).
Case Manager	Patrick Reidy, Senior Planner – Development Services
Planning Board Recommendation	Recommended denial by a vote of 7-0 of the zoning map amendment request. Since the Planning Board meeting, the applicant has chosen not to make any changes to the plan or rezoning conditions. See Attachment D for the Planning Board Recommendation and Plan Consistency Analysis.
Applicant Request Since Planning Board	The applicant chose not to make any revisions to their plans or conditions prior to staff presenting the request to the Board of Commissioners at the March 5, 2024 Board of Commissioners Work Session. Since the work session, the applicant has requested a meeting with staff, and it is scheduled for March 18th. An update from that meeting will be provided at the March 19th Board of Commissioners meeting. A meeting between NCDOT, the applicant, and town staff is scheduled on April 1 to discuss U-5307 and the project's Star Rd. improvements. The applicant has submitted a continuance request (Attachment G) to the April 16th Board of Commissioners meeting. If the Board chooses to consider the applicant's continuation request, the public hearing should be opened since the public hearing has already been advertised.

PUBLIC MEETINGS

Neighborhood Meeting	Public Comment Session	Public Hearing
September 18, 2023 (See Attachment A)	February 13, 2024	March 19, 2024

CASE INFORMATION

Applicant	St. John Properties C/O Dustin Atkielski 8601 Six Forks Road, Suite 400 Raleigh, NC 27615
Developer	St. John Properties C/O Dustin Atkielski 8601 Six Forks Road, Suite 400 Raleigh, NC 27615
Property Owners	Star Landing LLC C/O Dustin Atkielski 2560 Lord Baltimore Drive Baltimore, MD 21244 Star Landing 2 LLC C/O Dustin Atkielski 2560 Lord Baltimore Drive Baltimore, MD 21244
Location	Frontage along Star Road, south of the intersection of Star Road and US-1
Addresses	0 Star Road
Wake County Tax PIN(s)	1739653709, 1739558441, and 1739654232
Acreage	30.35 acres
Zoning	Existing: Highway Business (HB) and Special Highway Overlay (SH1-O) Proposed: Highway Business Conditional District (HB-CD) and Special Highway Overlay (SH1-O)
Land Use	Existing: Vacant Proposed: Commercial, Office, and Light Industrial
Community Plan Designation	Corridor Commercial; Commercial & Industrial Areas Plan (Area #1 – Capital Boulevard)
Corporate Limits	This application is outside the Town’s corporate limits and within the Town’s extraterritorial planning jurisdiction (ETJ). An annexation petition has not been filed at this time.

See Attachment B for a copy of the application and Attachment C for Aerial, Zoning, and Land Use Maps. See Community Plan [page 42](#) for a description of Corridor Commercial and [page 54](#) for a description of Capital Boulevard Commercial & Industrial Areas Plan map.

SURROUNDING LAND USES AND ZONING

	Land Use	Zoning
North	Professional Services (City of Raleigh Water Lab under construction) and Light Industrial (City of Raleigh North Operations Center)	Highway Business
South	Vacant; Religious Institution (Living Word Family Church)	Highway Business
East	Vacant; Railroad Right-of-Way	Highway Business
West	US-1 Right-of-Way	Highway Business
The proposed land use is generally incompatible with surrounding land uses. The proposed zoning is generally compatible with surrounding zoning. <i>See Attachment C for associated maps.</i>		

ZONING HISTORY

The applicant has requested a Conditional Rezoning to request significant modifications to the UDO to develop the property with Light Industrial uses. The requested modifications are detrimental to orderly Town growth and development patterns. Examples of the UDO deviations requested include 1) allowing driveway access to light industrial directly on a road that is not classified as a thoroughfare and therefore not suitable for non-intermittent tractor trailer traffic, 2) not building a road shown on the Comprehensive Transportation Plan (CTP) and required to be built by the UDO, and 3) reducing SHOD building setbacks in order to accommodate existing site topography and increase visibility to buildings fronting Star Road. These deviations are not in keeping with the spirit and intent of the UDO. Thoroughfare roads are designed to support more traffic volume and Star Road is a narrow road that does not support heavy tractor trailer traffic. New streets being constructed according to the CTP and UDO are for the public benefit of creating a complete road network. By not constructing the road, the burden to construct the road would require taxpayer funds. The intent of the SHOD is to protect major access corridors for future widening and enhance buffering to create a vegetative buffer along the roadways. The building setback of 100' is intended to minimize the need to acquire buildings for future road projects. The U-5307 project will widen Star Road and allowing a building to be setback 50' instead of the required 100' could put NCDOT in a position to have to acquire the front buildings of this development.

While not associated with this rezoning request, the Board of Commissioners approved a rezoning for property north of this project (RZ-21-09 Hawthorne Phase 2) that was inconsistent with the Community Plan. It is important to note that while those apartments were inconsistent with the Community Plan, other aspects of the rezoning request were in accordance with the UDO and Comprehensive Transportation Plan. See Attachment F for approved Ordinance and Staff Report.

MASTER PLAN ANALYSIS

Parking	Required: Per UDO Chapter 9.4, the parking requirement for Commercial uses has a range of requirements. The most conservative parking requirement is 1 space per 200 square feet or 102 parking spaces. The parking requirement for Office is 1 space per 300 square feet or 86 parking spaces. The parking requirement for Light Industrial has a range of requirements. The most conservative parking requirement is 1 per 200 square feet of Indoor Sales Area or 487 spaces. A total of 675 parking spaces are required. The bike parking requirement for Commercial is 2 per 50 auto spaces or 6 bike spaces. The bike parking requirement for Office is 2 per 50 auto spaces or 4 bike spaces. The bike parking requirement for Light Industrial is 2 per 50 auto spaces or 20 bike spaces. A total of 30 bike spaces are required. Proposed: The applicant proposes a zoning condition requiring a parking ratio of 1 parking space per 500 square feet for the Light Industrial uses, regardless of the proposed layout of each space and keeping the remaining commercial and office parking ratios as required. The Master Plan shows 170 spaces provided for commercial, 102 spaces for office, and 267 spaces for light industrial. The applicant proposes to provide 60 bicycle parking spaces. Summary: The proposed Master Plan does not comply with the minimum parking requirements in the UDO.
Public Utilities	Required: The UDO requires that public water and sewer mains are extended to serve the site. Proposed: This property is served by a 12" water line located along Star Road. It is also served by a 12" sewer line located along the eastern property boundary and adjacent to the streams within the project that will be extended through the project. Summary: The proposed Master Plan complies with the public utility requirements in the UDO.
Roads	Required: The Comprehensive Transportation Plan requires a US-1 Service Road South of S. Main Street cross section for Star Road. The 50' cross section includes 2.5' curb and gutter on the west side, 2-12' travel lanes, and 2.5' curb and gutter, a 4' verge, and a 5' sidewalk on the east side of Star Road. The CTP also requires a 2A cross section for a backage road that is shown along the eastern side of this project. The 55' cross section requires curb and gutter, 6' sidewalks, curb and gutter, and two 12' travel lanes. Based on the square footage proposed, the UDO required a Transportation Impact Analysis (TIA). Proposed: The proposed Master Plan (Exhibit 1, Sheet C-3) complies with the US-1 service road cross section for Star Road for the required improvements, but the master plan shows issues with alignment of the improvements that are not consistent with the U-5307 public hearing maps. The required backage road is showing right-of-way dedication with only a required turnaround for

Road 1. Staff has advised the applicant that the road improvements must be provided and a fee-in-lieu for half of the stream crossing must be provided to comply with the UDO requirements. The applicant has refused to construct the roadway and provide a fee-lieu for the roadway and stream crossing.

The US 1 Council of Planning determined that the proposed Master Plan was generally in compliance with the US 1 Corridor Study at its October 31, 2023 meeting. The US 1 Council of Planning commented that the U-5307 project team needed to determine if the frontage improvements were properly aligned and that the backage road needed to be provided. An e-mail dated 12/1/23 (Attachment E) from the U-5307 project manager, Terry Farr indicates that the plans do not resolve their concerns about potential risk impacts to the proposed commercial buildings. Staff informed the application that the alignment needed to be resolved prior to taking the item to the Planning Board for a recommendation and the Board of Commissioners for action. The applicant was unwilling to resolve it and has stated that the proposed drive-thru lanes will be coordinated with NCDOT as part of the construction plans. By not resolving this the issue now, the resolution could have significant impacts on the overall site design or U-5307 and require a major modification to the rezoning application should it be approved.

A TIA was provided for the project (Attachment E). The improvements required to mitigate the impact of the development are:

US-1 and Star Road Connector

- Install signal at the western side of the existing reduced conflict intersection (Capital Boulevard and Star Road Connector). Coordinate with NCDOT to develop a coordination and timing plan for all signals along Capital Boulevard.
- Convert to free-flow (north bound and south bound Star Road approaches converted to stop-control)

Capital Boulevard and Height Lane/Montys Lane

- Modify signal timings to allow more green time for minor street approach.

Star Road and Star Road Connector

- Provide a two-way left-turn lane (TWLTL) for northbound approach, extending to southbound approach of Site Access A. (~600 feet)

Star Road and Site Access A

- Construct the westbound approach as a full movement intersection with one ingress lane and one egress lane.
- Provide southbound TWLTL that extends to Star Road and Star Road Connector intersection. (~600 feet)
- Provide stop-control for westbound approach.
- Provide an internal protected stem (IPS) of at least 100 feet for westbound approach.

	Summary: The proposed Master Plan does not comply with the minimum roadway infrastructure requirements in the UDO.
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PROPOSED MODIFICATIONS OF BASE HIGHWAY BUSINESS ZONING DISTRICT STANDARDS

Article 2.2.5.C.1 Principal Front Setback (min)	
Required:	30 feet
Proposed:	20 feet for Office Building A, Light Industrial Building B and C
Article 2.4.3.D.1 Special Highway Overlay Dimensional Requirements	
Required:	Building Setback: 100 feet from property line abutting major access corridor.
Proposed:	Building Setback: 50 feet from property line abutting major access corridor. This reduction could potentially eliminate the landscaping and buildings adjacent to Star Road as part of the U-5307 project. A 100-foot buffer would preserve the structures and most likely some of the vegetation.
Article 3.9.1.C Supplemental Use Standards – Industry/Wholesale/Storage Vehicular Access	
Required:	Vehicular Access to the site shall be provided on a thoroughfare of suitable industrial capacity as determined by the Administrator and/or any Required Transportation Impact Analysis.
Proposed:	Light Industrial uses shall be permitted on the site with vehicular access via Star Road.
Article 6.5.1.H.2.a Stub Street Location and Arrangement	
Required:	New development shall connect to any existing street stub from an adjacent property.
Proposed:	The applicant is proposing to provide a parking lot stub and a fee-in-lieu to stop the stub short of connecting to Via Fortunata instead of existing the street to Road A. This would require the Town to subsidize funding or construct the future road connection required to be constructed by the developer.

Article 6.6.1 New Streets Designated in Transportation Plan	
Required:	Where a proposed subdivision or development includes any part of a thoroughfare which has been designated as such on the officially adopted Town of Wake Forest Transportation Plan, as provided for by NCGS, such part of such thoroughfare shall be reserved, platted, dedicated, and constructed in the location shown on the plan and at the width specified in the Transportation Plan.
Proposed:	The CTP shows a backage road along the eastern property line, but the applicant has refused to construct the roadway and provide a fee-lieu for the roadway and stream crossing. Only right-of-way dedication is being shown. As a result, the Town would have to subsidize funding or construct the future road connection required to be constructed by the developer.
Article 9.4.B Parking Requirements – Schedule B	
Required:	Light Industrial Uses are listed as the type of use occurring within the space, ranging from 1 parking space required per 200 square feet for indoor sales area to 1 per 2,000 square feet for motor vehicle outdoor sales area, 50,000 square feet and greater indoor storage/warehouse/vehicle storage/manufacturing area.
Proposed:	1 parking space required per 500 square feet
<i>See Attachment B for proposed zoning conditions.</i>	

COMPREHENSIVE PLAN CONSISTENCY

Community Plan	The proposed zoning map amendment request is generally inconsistent with the adopted Community Plan. The five main areas of inconsistency are: - Land Use Plan (pages 42 and 47): The Land Use Plan calls for Corridor Commercial for these properties. Corridor Commercial uses include auto-oriented retail and service businesses, such as large-scale shopping centers, grocery stores, restaurants, gas stations, and hotels. Standalone office uses are included within this designation. Corridor Commercial areas serve patrons from within Wake Forest and the region and play a role in strengthening the Town’s tax base. This development provides small scale retail, office, and light industrial uses. Only the office use is consistent with the Land Use Plan. Larger scale commercial is more appropriate than the small scale retail and light industrial is not appropriate in corridor commercial. - Commercial and Industrial Areas Plan – Capital Boulevard (page 54): Capital Boulevard is a major arterial roadway that connects Wake Forest with the surrounding region, including the City of Raleigh. It is the primary route residents and visitors take to pass through the Town. The development of undeveloped and underdeveloped land along Capital Boulevard into commercial uses should be encouraged with both a local and regional customer base. This should be done in coordination with NCDOT’s planned controlled-access highway conversion project that will affect roadway configurations.
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	The uses are not appropriate along Capital Boulevard and the Star Road service road has not been coordinated enough with NCDOT and the backage road in the CTP is not being built. - Commercial Development (page 66): Promote multi-story structures within Corridor Commercial; encourage pedestrian- oriented shopping environments; buildings facing each other to create a sense of enclosure; provide outdoor seating; and promote cross-access and pedestrian pathways between parking lots and buildings. No multi-story buildings are proposed, pedestrian connectivity is only provided along the sidewalks leading to Road A and not connections between the buildings, and building are situated so that each is isolated from the other. There are opportunities to connect parking areas and buildings with additional sidewalks/stairs. The developer provided a rezoning condition that says they will commit to pursue additional outdoor seating or gathering spaces, but it does not provide any enforceable information to ensure these will be provided. - Community Character (page 70): Encourage public art and enhanced landscaping. The developer provided a rezoning condition that says they will commit to pursue public art, but it does not provide any enforceable information to ensure these will be provided. Only required landscaping has been provided. - Capital Boulevard (page 76): Continue to work closely with NCDOT to implement the project and promote commercial growth in accordance with the Land Use Plan. The applicant is unwilling to continue to have conversations so that U-5307 conformance can be determined and implemented.
Comprehensive Transportation Plan (2019)	The proposed zoning map amendment request is generally inconsistent with the Comprehensive Transportation Plan for the following reason: Roadway Recommendations (page 73): The CTP calls for a new collector road along the eastern side of the property to be constructed. Only right-of-way dedication is being provided.
Historic Preservation Plan (2022)	The Historic Preservation Plan is not applicable to the zoning map amendment request.
Northeast Neighborhood Plan (2007)	The Northeast Neighborhood Plan is not applicable to the zoning map amendment request.
Park, Recreation, and Cultural Resources Master Plan (2015)	The Parks, Recreation, and Cultural Resources Master Plan is not applicable to the zoning map amendment request.

Renaissance Plan (2017)	The Renaissance Plan is not applicable to the zoning map amendment request.
<i>See Attachment D for detailed Plan Consistency Analysis. The Comprehensive Transportation Plan is not included in the Consistency Analysis since cross-sections are the only applicable element of the Plan.</i>	

STAFF RECOMMENDATION

The zoning map amendment request is generally **Inconsistent** with the relevant policies in the Comprehensive Plan, and **Denial** of the zoning map amendment request is reasonable and in the public interest.

ATTACHMENTS

- Attachment A: Neighborhood Meeting Information
- Attachment B: Application
- Attachment C: Maps
- Attachment D: Planning Board Recommendation and Plan Consistency Analysis
- Attachment E: TIA Executive Summary, NCDOT Review Report, and U-5307 e-mail
- Attachment F: RZ-21-09 Ordinance and Staff Report
- Attachment G: Applicant's request for a continuation

EXHIBITS

- Exhibit 1: Legal Description
- Exhibit 2: Inconsistency Statement
- Exhibit 3: Proposed Conditional District Plan

Star Road Tech Center Neighborhood Meeting Summary

On Monday, September 18, 2023, a neighborhood meeting was held to inform neighboring property owners of the proposed Star Road Conditional District Rezoning (Project) project to answer any questions and gain their feedback for consideration. The notification sent to the neighboring property owners is attached along with the list of neighboring property owners notified. The neighboring property owners that attended the meeting are shown on the attached attendees list. The attendees that represented the development team included Jon Fraizer, FLM Engineering and Dustin Atkielski, St John Properties, Inc.

Following a brief introduction, the neighboring property owners in attendance were invited to ask questions and share concerns. Below is a list of the questions, comments, and concerns raised along with the answers provided by the development team. The feedback and questions are in no particular order and summarized for brevity.

Keith Wallace

In Feedback:

support of Project.

Questions:

Q1: What is the anticipated vertical construction timing of the Project if approved?

A1: If the Project is approved, the timing to get to vertical construction is approximately Q3 of 2024.

Q2: Who is the general contractor for the development?

A2: We are working with various local contractors, but none have been selected at this time.

Q3: What type of uses do you anticipate?

A3: The project anticipates a mix of uses that are currently allowed under the existing HB zoning code, ranging from retail to research and development.

<u>Address</u>	<u>Owner</u>	<u>REID</u>	<u>PIN</u>	<u>Mailing Address 1</u>	<u>Mailing Address 2</u>	<u>Mailing Address 3</u>
10520 VIA FORTUNATA PLZ	STAR ROAD PROPERTIES LLC	468927	1739641968	5310 NC HIGHWAY 55 STE 101	DURHAM NC 27713-7813	
10501 VIA FORTUNATA PLZ	STAR ROAD PROPERTIES LLC	468925	1739556212	5310 NC HIGHWAY 55 STE 101	DURHAM NC 27713-7813	
10521 VIA FORTUNATA PLZ	STAR ROAD PROPERTIES LLC	468926	1739558155	5310 NC HIGHWAY 55 STE 101	DURHAM NC 27713-7813	
10500 VIA FORTUNATA PLZ	STAR ROAD PROPERTIES LLC	468928	1739546963	5310 NC HIGHWAY 55 STE 101	DURHAM NC 27713-7813	
10520 STAR RD	LIVING WORD FAMILY CHURCH INC	150944	1739640646	PO BOX 61129	RALEIGH NC 27661-1129	
10700 STAR RD	CITY OF RALEIGH	338301	1739661393	PO BOX 590	RALEIGH NC 27602-0590	
0 STAR RD	LA SCALA ASSOCIATES LLC	312392	1739558441	STE 101	847 WAKE FOREST BUSINESS PARK	WAKE FOREST NC 27587-6576
0 STAR RD	LA SCALA ASSOCIATES LLC	379120	1739653709	STE 101	847 WAKE FOREST BUSINESS PARK	WAKE FOREST NC 27587-6576
0 STAR RD	LA SCALA ASSOCIATES LLC	312391	1739750868	STE 101	847 WAKE FOREST BUSINESS PARK	WAKE FOREST NC 27587-6576
0 STAR RD	PURYEAR INVESTMENTS, LLC	379119	1739654232	5844 LEASE LN	RALEIGH NC 27617-4708	
0 STAR RD	HAWTHORNE AT WAKEFIELD APARTMENTS LLC	509590	1739760567	806 GREEN VALLEY RD STE 311	GREENSBORO NC 27408-7076	
5228 UNICON DR	5228 UNICON DRIVE LLC	478278	1739740366	701 FINGER LAKES DR	WAKE FOREST NC 27587-9571	
0 STAR RD	HAWTHORNE AT WAKEFIELD APARTMENTS PHASE II LLC	414675	1739662623	806 GREEN VALLEY RD STE 311	GREENSBORO NC 27408-7076	
10510 STAR RD	CASA ESPERANZA HOLDING LLC	43448	1739640225	10510 STAR RD	WAKE FOREST NC 27587-7765	
1808 INDUSTRY OAKS LN	MERRITT-WF1 LLC	502555	1739743970	2066 LORD BALTIMORE DR	BALTIMORE MD 21244-2501	



9/18/2023



September 6th, 2023

**RE: Star Road Technology Center-Conditional District Rezoning & Site Master Plan
Neighborhood Meeting Notification**

Dear Neighboring Property Owner,

We are writing to notify all property owners within 500 feet of a neighborhood meeting to present and discuss the proposed Conditional District Rezoning and Site Master Plan approval (RZ-23-06) for St John Properties, Inc.

The subject parcels are located off the east side of Star Road just north of Via Fortunata Plaza and have the following Parcel Identification Numbers (PIN):

1739558441
1739653709
1739654232

We've also included a vicinity map with this letter, highlighting the subject parcels in yellow.

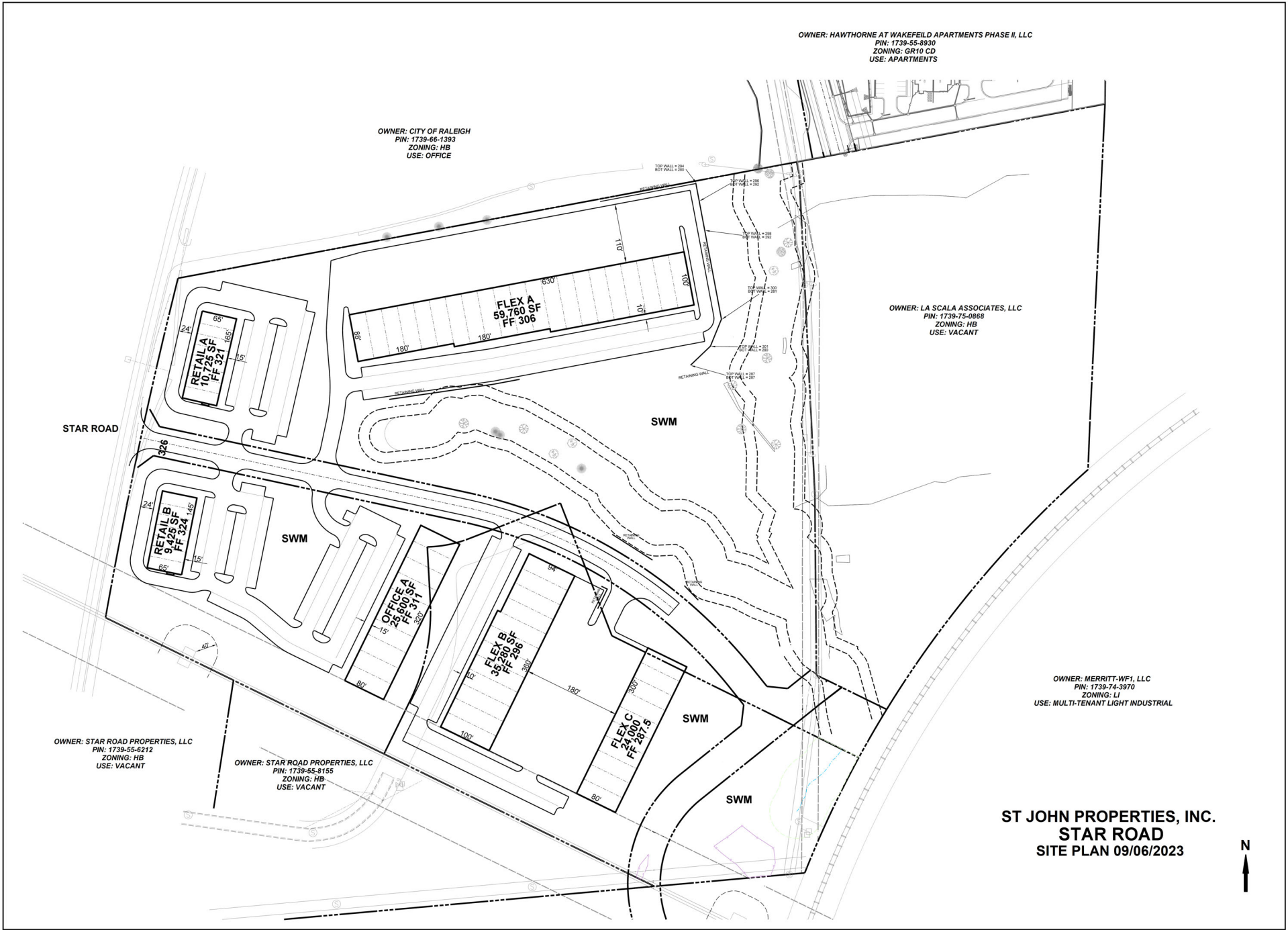
The neighborhood meeting will be held on Monday, September 18th, 2023, at 6:00 PM in the Richland Creek Community Church, which is located at 3229 Burlington Mills Rd, Wake Forest, NC 27587. Please use the parking lot to the east of the property and the east entrance to the Church.

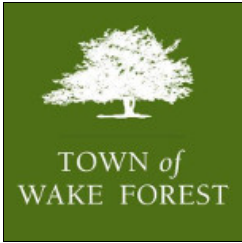
If you have any questions about this rezoning, please contact St John Properties, Inc. at infoWF@sjpi.com or the Town of Wake Forest at (919) 435-9510. This project will be taken up for future consideration by the Town's Board of Commissioners for a public hearing and those notices will be sent from the Town at a future date.

Thanks,

A handwritten signature in blue ink, appearing to read "Dustin Atkielski".

Dustin Atkielski
St John Properties, Inc.
(919) -827-0100





Conditional District Rezoning Application

(Conditional District Rezoning Workflow)

Town of Wake Forest, NC

301 S. Brooks St.

Wake Forest, NC 27587-2932

TEL (919) 435-9510 | FAX (919) 435-9539

Project Overview

#984005

Project Title: Star Road Tech Center Conditional District Rezoning

Jurisdiction: Town of Wake Forest (Wake County)

Application Type: Conditional District Rezoning

State: NC

Workflow: Conditional District Rezoning

County: Wake

Submittal Requirements

A submittal checklist is available to view additional documents which are required to be submitted with this application. After answering the application questions, you will be asked to upload the required documents.

[VIEW CONDITIONAL DISTRICT REZONING SUBMITTAL CHECKLIST](#)

Missing items will result in the application being declined and returned to the applicant to resubmit. A revised and complete application including all missing items must be received or the application will be not be deemed complete and routed for review.

Please confirm you have reviewed the associated submitted checklist for this permit and confirm you will submit all documents required on the submittal checklist: Yes

Pre-Application Meeting

Has a pre-application conference been held?: Yes

*Note: This type of project requires a pre-application conference be completed prior to official submittal. If this has not been completed, please return to the home screen and select **Pre-Application Conference** from the application type drop down list in order to schedule your required meeting.*

Pre-Application Conference Date: 03/07/2023

Staff Member Met With: Patrick Reidy

Pre-application Conference Project Number:

Address & Basic Site Information

Please Note:

In some cases, a parcel address may not verify. In the event that our system is unable to verify the address you enter, please submit the project as an *Unverified Parcel* and provide zoning and land use information as requested below. For verified addresses, the zoning and land use information will be added to the application automatically (you do not need to provide it below).

Project Address or PIN:

- 1739653709 (Unverified)

Tax PIN:

- 1739558441 (Unverified)
- 1739654232 (Unverified)

Acreage: 30.35

Name of Existing Development/Subdivision (if applicable--for reference only):

For unverified addresses/parcels only. please provide below 1) the current use of the parcel, 2) the zoning district(s) it is in, and 3) any overlay districts that apply. Reference the [zoning map](#) and the [overlay districts map](#) on the town's website.

Current Use & Zoning (required only if address/parcel is unverified):

Vacant parcel, HB zoning

*Note: Projects falling outside the limits of the Town or ETJ will be required to submit an annexation petition in conjunction with their project submittal. In this case, please return to the home screen and select **Annexation Petition** from the application type drop down.*

GIS Site Information (Automatically Generated - Not Available for Unverified Addresses)

Parcel Area:

Wake Forest (WF):

Base District:

In SH2-O Overlay:

In TND Overlay:

In HL-O Overlay:

In National Register of Historic Places:

Current Use:

Planning and Zoning:

In SH1-O Overlay:

In Water Supply Watershed Protection Overlay:

In SF Overlay:

In MVCP-O Overlay:

In Flood Hazard Area:

Additional Zoning Information

Currently a Conditional District?: No

Currently a Conditional Use?: No

Is there an existing Special Use Permit for the Property?: No **Case Number of related site plan (if applicable):**

Case Numbers of other related approvals (if applicable): N/A

Project Contacts

Please enter all project contacts related to your application.

This is an important step to ensure all members of the applicant team receive email notifications associated with the project which may include comments, requested revisions, scheduled meetings or hearings, and final decisions. This also informs Town staff of the team members assigned role with the project.

Project Contact - Applicant

Dustin Atkeilski

8601 Six Forks Rd, Ste 400

Raleigh, NC 27615

P:9198270600

datkielski@sjpi.com

Project Contact - Developer

Dustin Atkeilski

8601 Six Forks Rd, Ste 400

Raleigh, NC 27615

P:9198270600

Project Contact - Property Owner

Dustin Atkeilski

Star Landing LLC

2560 Lord Baltimore Dr

Baltimore, MD 21244-2677

P:919-827-0600

Project Contact - Engineer

Jon Frazier

FLM Engineering, Inc

PO Box 91727

Raleigh, NC 27675

P:9196101051

Transportation Impact Analysis

As per Section 6.11.1 of the UDO is the project required to provide a Traffic Impact Analysis (TIA)?: Yes

Was the TIA reviewed in a separate permit prior to this application?: No

Project Number:

For projects requiring a TIA, a separate TIA application must be submitted in conjunction with this application. Please review the [TIA submittal checklist](#) and submit a ***Transportation Impact Analysis Review*** application in IDT.

- i** If the request is to a Conditional District (CD), this application should be accompanied by a master plan that includes land use, existing conditions, buildings, lots, etc. per Chapter 15 of the UDO. In addition, please provide a narrative of the proposed use and list any proposed conditions.

Proposed Conditional Zoning District: HB-CD, Highway Business

Proposed Land Use:

See submitted zoning conditions

Proposed Number of Lots: 2

Number of Buildings: 4

Number of Single-Family Lots: 0

Number of Townhome Lots: 0

Number of Multi-Family Units: 0

Number of Stories: 1

Square Footage of All Buildings (non-residential): 126960

Plan Information - Conditional Rezoning

Description of Request:

Development of 126,960 SF of flex space in four buildings with associated infrastructure

Initial Proposed Conditions Offered by Applicant:

See submitted conditions

Justification of Consistency with Comprehensive Plan:

Comprehensive plan calls for corridor commercial and the request is for Highway Business Conditional District, which is consistent with the plan



December 15, 2023

Patrick Reidy, AICP, CZO
Senior Planner - Development Services
Town of Wake Forest
301 S Brooks Street
Wake Forest, NC 27587

Reference: Wake Forest Exchange (RZ-23-06)
Proposed Zoning Conditions

Dear Mr. Reidy:

The proposed zoning conditions for the Wake Forest Exchange, Town of Wake Forest Case No. RZ-23-06, are listed below:

1. The site master plan is a condition of the rezoning request. Amendments to the master plan shall require a rezoning amendment unless the administrator finds the modification to be minor and in keeping with the spirit and intent of the approved site master plan.
2. The following uses shall be permitted:

A. Residential

None

B. Lodging

None

C. Office/Service

ATM

Bank, Credit Union, Financial Services

Business Support Services

Dry Cleaning & Laundry Services

Medical Clinic

Personal Services

Personal Services, Restricted

Post Office

Professional Services

Small Equipment Repair/Rental

Veterinary Services

D. Commercial/Entertainment

Alcoholic Beverage Sales Store

Amusement, Indoor
 Bar/Tavern
 General Commercial
 Night Club
 Open Air Retail
 Outdoor Seating
 Outside or Display Sales
 Restaurant
 Shooting Range, Indoor
 Theater, Indoor Movie or Live
 Performance

E. Civic

Civic Meeting Facility
 Community or Cultural Facility
 Conference/Convention Center
 Public Safety Station
 Recreation Facility, Indoor
 Religious Institution

F. Educational/Institutional

Child/Adult Day Care Center (More than 8
 persons)
 Community Support Facility

Studio – Art, dance, martial arts, music

G. Automotive

Drive-In Facility
 Vehicle Services – Minor
 Maintenance/Repair
 Vehicle Services – Major Repair/Body
 Work

H. Industry/Wholesale/Storage

Industry, Light
 Light Manufacturing Workshop

I. Agriculture

Kennel
 Produce Stand

J. Infrastructure

Wireless Telecommunications Facility
 (Non-Tower)
 Wireless Telecommunications Facility
 (Tower)

Utilities – Class 1

Utilities – Class 2

K. Other

Temporary Uses

3. Section 3.9.1.C. shall not apply to the site. Industry, Light uses shall be permitted on the site with vehicular access via Star Road.
4. Section 2.4.3.D.1. (SH1-0 Special Highway Overlay Building Setback) shall be reduced from 100' to 50' to accommodate existing site topography and increase visibility to buildings fronting Star Road.
5. Section 2.2.5.C.1. (Principal Front Building Setback) shall be reduced from 30' to 20' for Office Building A, Light Industrial building B, and Light Industrial building C to accommodate topography, environmental constraints, and existing easements.
6. If an impact is approved by NCDEQ (the "Approval") to the Neuse Buffer, the location and shape of Light Industrial building A's parking lot and building may be adjusted if the

building size does not exceed a net change greater than 5 %. Written confirmation of the Approval including proof of payment for mitigation costs shall be provided during construction document approval.

7. Overnight parking or storage of client vehicles for Vehicle Services Minor or Major uses shall only be allowed in the truck court areas or building interiors for all Light Industrial ("LI") buildings. The truck court areas include all pavement behind LI building A and LI building B, including the area in front of LI building C.
8. Child/Adult Day Care Centers located within the Light Industrial buildings will only be placed on the ends of the building, next to a complementary use, or substitute location deemed appropriate by the administrator, which approval shall not unreasonably be conditioned, withheld, or delayed.
9. A minimum of four electric vehicle charging locations will be added to the development.
10. Light Industrial buildings will have a parking rate of 1 spot per 500 SF.
11. A commitment to pursue the addition of public art to the development.
12. A commitment to pursue additional outdoor seating or gathering space to the development.
13. Associated road improvements shall be constructed in accordance with the approved TIA (including all NCDOT requirements from the TIA review) and UDO.

Sincerely,



Dustin Atkielski
Regional Partner
919-827-0600
datkielski@sjpi.com

Agent Authorization Form



TOWN of
WAKE FOREST

The Wake Forest Unified Development Ordinance (UDO) states that applications for development approvals may only be made by the landowner, a lessee or person holding an option or contract to purchase or lease the land, or an authorized agent of the landowner (see [Sec. 15.2.5.C](#)). This agent authorization form must be signed by the landowner and included with any application not submitted by the landowner or lessee as specified above. If more than one landowner is involved, a separate agent authorization form must be submitted by each landowner.

Address(es) and Tax PIN(s) for
which authorization is granted: 1739-65-3709 & 1739-55-8441

Landowner's name*: Star Landing, LLC

Application(s) for which
authorization is granted (e.g.,
Rezoning, Special Use Permit): Rezoning, Master Site Plan, Construction Docs., etc.

Person authorized to submit
application(s) as landowner's
agent (*must be the same
person listed as the applicant
on the application form*): Dustin Atkielski, Regional Partner, St John Properties, Inc

Landowner's Signature: _____

Date: _____

12/19/2023

Please provide below the name, address, and other information
of the person signing this form.

Name: Dustin Atkielski

Address: 2560 Lord Baltimore Dr., Baltimore, MD 21244

Telephone number: 919-827-0600

Email address: datkielski@sjpi.com

If signing for a corporation or other entity, please
specify title and/or relationship to the corporation
or other entity (e.g., Member, Executive Officer): Authorized Person

*Owner of record as shown on the latest equalized assessment rolls of Wake County, or, if ownership has recently been transferred, the grantee shown on the recorded deed (a copy of the deed must accompany this form).

Agent Authorization Form



TOWN of
WAKE FOREST

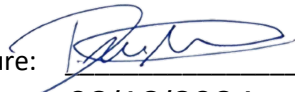
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Address(es) and Tax PIN(s) for
which authorization is granted: 1739-65-4232

Landowner's name*: Star Landing 2, LLC

Application(s) for which
authorization is granted (e.g.,
Rezoning, Special Use Permit): All applications

Person authorized to submit
application(s) as landowner's
agent (*must be the same
person listed as the applicant
on the application form*): Dustin Atkielski, Regional Partner, St. John Properties, Inc.

Landowner's Signature: 

Date: 02/12/2024

Please provide below the name, address, and other information
of the person signing this form.

Name: Dustin Atkielski

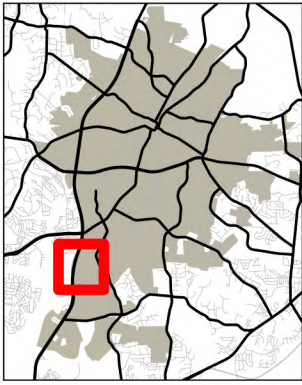
Address: 2560 Lord Baltimore Dr, Baltimore, MD 21244

Telephone number: 919-827-0600

Email address: datkielski@sjpi.com

If signing for a corporation or other entity, please
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or other entity (e.g., Member, Executive Officer): Authorized Person

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Aerial



TOWN of
WAKE FOREST

RZ-23-06

Star Road Tech Center Conditional District Rezoning

PINS: 1739653709, 1739558441 & 739654232

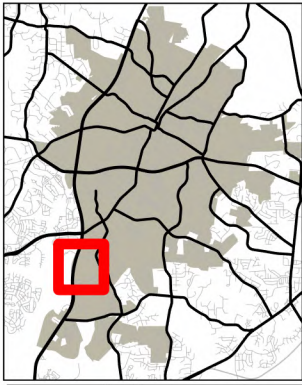
10/9/2023



Please note that this map is intended for illustrative purposes only.
For specific inquiries regarding zoning boundaries, contact the
Town Wake Forest Planning Department at 919-435-9510.

0 500 1,000 1,500 2,000 2,500
Feet





Zoning

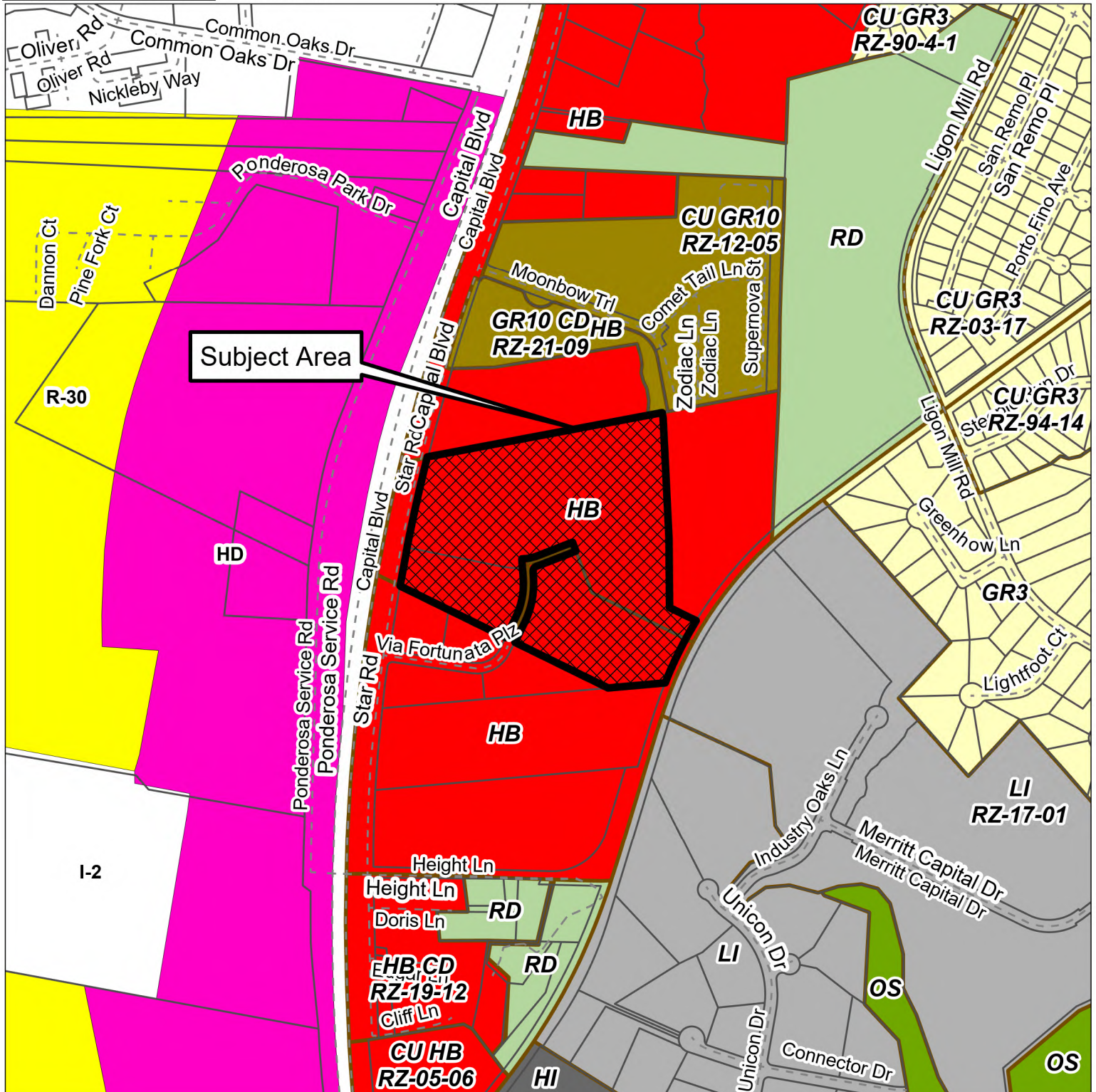


TOWN of
WAKE FOREST

RZ-23-06

Star Road Tech Center Conditional District Rezoning PINS: 1739653709, 1739558441 & 739654232

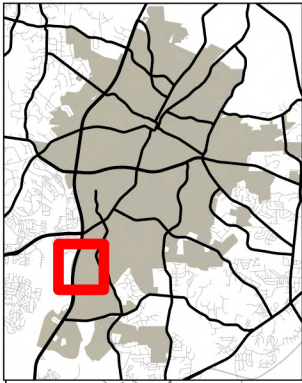
10/9/2023



Please note that this map is intended for illustrative purposes only.
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0 500 1,000 1,500 2,000
Feet





Land Use Plan

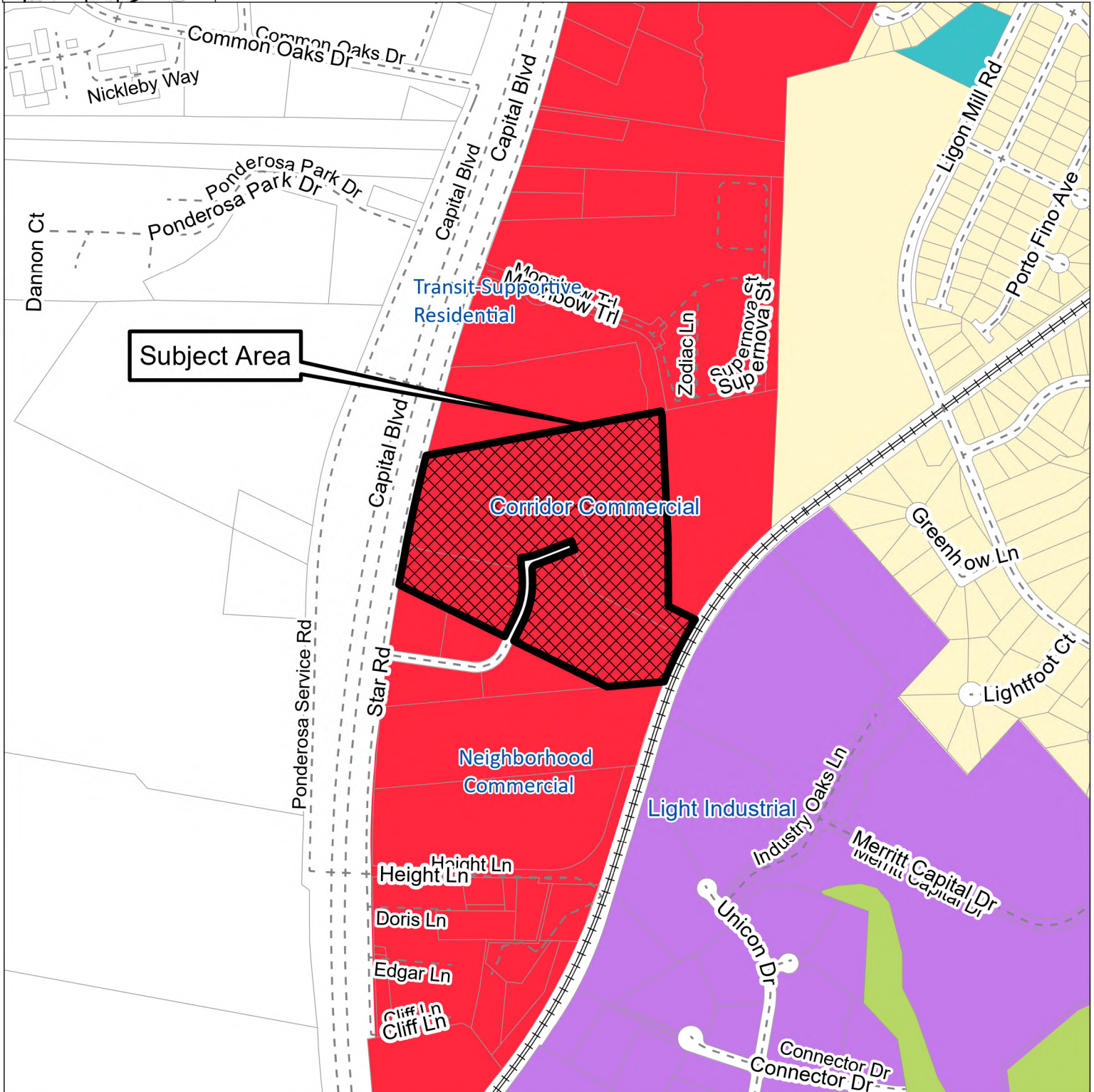


TOWN of
WAKE FOREST

RZ-23-06

Star Road Tech Center Conditional District Rezoning PINS: 1739653709, 1739558441 & 739654232

10/9/2023



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For specific inquiries regarding zoning boundaries, contact the
Town Wake Forest Planning Department at 919-435-9510.

0 500 1,000 1,500 2,000
US Feet





TOWN of WAKE FOREST

Report Requirements:

Per NCGS 160D-604, all proposed amendments to the zoning ordinance or zoning map shall have a written report provided from the Planning Board to the Board of Commissioners within 30 days of referral of the amendment to the Planning Board, or the Board of Commissioners may proceed in its consideration of the amendment without the Planning Board report. Furthermore, in no case is the Board of Commissioners bound by the recommendations, if any, of the Planning Board.

Per NCGS 160D-604, the Planning Board shall advise and comment on whether the proposed zoning amendment is consistent with all applicable officially adopted plans, and provide a written recommendation to the Board of Commissioners that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Board of Commissioners.

GENERAL INFORMATION

Applicant: St. John Properties

Owner: Star Landing LLC

Requested Action: Rezone 30.35 acres on the Town of Wake Forest Zoning Map from Highway Business (HB) and Special Highway Overlay (SH1-O) to Highway Business Conditional District (HB-CD) and Special Highway Overlay (SH1-O)

Existing Zoning: Highway Business (HB) and Special Highway Overlay (SH1-O)

Location: O Star Road

Size: 30.35 acres

Tax PINs: 1739653709, 1739558441, and 1739654232

Existing Land Use: Vacant

Applicable Officially Adopted Plans:

The request is generally *inconsistent* with the relevant policies in the Comprehensive Plan, and *denial* of the zoning map request is reasonable and in the public interest. See Attachment.

This report reflects the recommendation of the Planning Board, this the 13th day of February 2024.

Introduced by Planning Board member: Adam Redler

Seconded by Planning Board member: Michael Almqvist

Attest:


Karin Kuropas, Planning Board Chair


Courtney Tanner, Planning Director

Community Plan Consistency Grid: RZ 23-02					
	POLICIES FOR AFFORDABLE HOUSING		YES	NO	NA
	AH-1	Implement Affordable Housing Plan			
	POLICIES FOR RESIDENTIAL CHARACTER		YES	NO	NA
	RC-1	Encourage single-family attached and multifamily development to incorporate varied building frontages and rooflines, front porches, front yards, and balconies to provide visual interest and complement the scale and character of surrounding single-family neighborhoods			
	RC-2	Setbacks of infill development should match the existing context as much as possible as uniform setbacks can help foster a pedestrian-friendly environment			
	RC-3	Promote higher density infill and redevelopment within older established neighborhoods to provide greater housing choices while matching the scale and character of existing properties			
	RC-4	Promote higher density housing along key corridors and surrounding activity centers. This includes near areas designated in the Land Use Plan as Commercial Corridor; Neighborhood Commercial; Light Industrial; and Office, Civic, and Institutional			
	RC-5	For larger scale planned subdivisions that provide a mix of housing types, work with private developers to locate lower density housing near existing single-family detached neighborhoods to create appropriate transitions and preserve the character of established neighborhoods			
	RC-6	Consider requiring a minimum percentage of housing types in new neighborhood developments to increase housing diversity and affordability (e.g. at least 20% duplexes/townhomes)			
	RC-7	Review and update the UDO to align with residential character recommendations within this Community Plan			
	POLICIES FOR SENIOR HOUSING		YES	NO	NA
	SH-1	Promote senior housing within a quarter mile of transit stops, Downtown, shopping areas, parks, and recreational facilities			
	SH-2	Encourage smaller lot, single-story housing types for seniors that are ADA accessible			
	SH-3	Encourage age-targeted cooperative housing types for community-oriented senior living, such as co-housing and cottage home courts			
	SH-4	Promote the development of continuing care retirement communities (CCRC), or life plan communities, which offer distinct types of housing and care levels based on a senior's needs			
	SH-5	Encourage developers of age-targeted housing to include amenities attractive to seniors, such as front porches, back patios, walking paths, and outdoor sports facilities, and activated gathering spaces			

Community Plan Consistency Grid: RZ 23-02					
POLICIES FOR COMMERCIAL DEVELOPMENT			YES	NO	NA
CD-1	Enhance established commercial areas by incentivizing redevelopment and/or renovation of existing businesses.				
CD-2	Support small, local businesses within commercial centers to support unique shopping options within Wake Forest				
CD-3	Establish architectural design standards for commercial building facades that promote quality design while allowing for flexibility that encourages creative design				
CD-4	Promote multi-story structures within Commercial Corridor and Neighborhood Commercial areas at appropriate scales that offer residential or office above ground-floor commercial				
CD-5	Encourage pedestrian-oriented shopping environments with sidewalks, attractive storefronts, and buildings facing each other to create a sense of enclosure				
CD-6	Encourage the incorporation of pedestrian/bicyclist/transit-oriented areas in large-scale shopping centers that provide outdoor seating and gathering areas, bicycle parking stations, and access to transit services				
CD-7	Promote cross-access and pedestrian pathways between adjacent parking lots and leading to buildings to promote well-connected, cohesive shopping areas				
CD-8	Encourage the consolidation of commercial driveways onto major streets to reduce traffic conflicts				
CD-9	Require "360 degree architecture" (high quality architecture on all sides of the building as opposed to just the front-facing façade), including well-designed or screened service areas				
CD-10	Encourage businesses to replace existing, non-conforming signage with attractive signage that meets Town standards				
CD-11	Promote outparcel development to improve the character along primary roadways and break up views of large parking lots				
CD-12	Review and update the UDO, including the US 1 Special Highway Overlay (SH1-O) and Dr Calvin Jones Highway Overlay (SH2-O) districts, to align with commercial development recommendations within this Community Plan				
CD-13	Support accessory commercial units (ACUs) that allow the ground floor of residential properties or an accessory structure facing the street to contain a commercial use beneficial to the surrounding neighborhood				
CD-14	Establish block standards for commercial areas to break up large tracts into more human scale pieces with streets or street-like features within the development				
POLICIES FOR MINORITY & WOMEN-OWNED BUSINESSES			YES	NO	NA
MWOB-1	Work with organizations, such as the Chamber and the Black Business Alliance, to expand diversity, equity, and inclusion programs that are supported with grassroots community engagement				
MWOB-2	Explore successful programs for supporting minority and women-owned businesses in surrounding communities to implement in Wake Forest				
MWOB-3	Explore regional, state, and federal grants available for minority and women businesses, such as grants from the National Institute of Economic Development and Carolina Community Impact				
MWOB-4	Support informational sessions and/or provide educational resources to employers on how they can establish equitable work environments and policies within their businesses				
POLICIES FOR SETBACKS			YES	NO	NA
SB-1	Incentivize businesses to situate new buildings at or near the property line to improve walkability, such as by requiring more landscaping if parking lots are located in front of buildings rather than to the rear/side				
SB-2	Promote consistency in setbacks within commercial and residential areas to form desirable continuity in the streetwall, or the facades of buildings facing the street				
SB-3	Encourage outparcel development with 360 architecture to "hold the corner" of commercial corridor development				
SB-4	Ensure adequate setbacks of industrial or other high intensity uses to reduce potential sound or visual impacts on adjacent lower intensity uses				
SB-5	Allow for flexibly in setbacks in Downtown where existing conditions prevent a consistent streetwall, while maintaining a close interface with the street (e.g., utility, landscaping, and/or topography challenges)				
POLICIES FOR PARKING LOTS			YES	NO	NA
PL-1	For existing front-loaded surface parking lots, encourage property owners to improve their character with perimeter and interior landscaping, and/or decorative walls and fencing				

Community Plan Consistency Grid: RZ 23-02					
PL-2	Require off-street parking to be located to the side or rear of the primary building				
PL-3	Encourage shared parking agreements where neighboring uses with different peak parking demand times can use the same parking lot, reducing the need for additional parking lots				
PL-4	Reevaluate minimum parking standards and consider implementing maximum parking standards to reduce excessive requirements				
PL-5	Monitor parking supply and strategically encourage structured or underground parking in higher density areas if needed, such as in Downtown, TOD, and activity center areas, to reduce the amount of land dedicated to surface parking				
PL-6	Consider offering incentives for structured parking, such as density bonuses, allowable lot coverage increases, and height limit increases.				
PL-7	Encourage the integration of structured parking into multifamily buildings to minimize surface parking lots				
PL-8	Encourage North Carolina Department of Environmental Quality's (NCDEQ) Stormwater Nitrogen and Phosphorus (SNAP) nutrient-reducing practices, such as permeable surfaces, that allow water infiltration in parking lots to improve stormwater drainage and water quality				
PL-9	Encourage the provision of pedestrian walkways in parking lots to enhance connectivity and safety to businesses				
POLICIES FOR SCREENING & BUFFERING			YES	NO	NA
SB-1	Ensure sufficient screening and buffering of industrial and commercial uses next to residential uses to minimize potential adverse impacts, such as in the Unicon Drive area				
SB-2	Encourage new development to preserve existing wooded areas along the perimeter of sites to provide natural buffering				
SB-3	Encourage screening of utility, loading, outdoor storage, and trash disposal areas that are visible from the right-of-way and adjacent development				
SB-4	Promote the use of setbacks for walls and fences that allow for plantings between the property line and the right-of-way and adjacent development				

Community Plan Consistency Grid: RZ 23-02					
POLICIES FOR COMMUNITY CHARACTER			YES	NO	NA
CC-1	Preserve vistas and view corridors that contribute to the economic and aesthetic value of Wake Forest, such as the church steeple at Southeastern Baptist Theological Seminary, S White Street in Downtown, and N Main Street in the Wake Forest Local Historic District				
CC-2	Curate public outdoor spaces for important monuments and artworks to showcase them as anchors and entry points to neighborhoods				
CC-3	Leverage historic structures, events, and people to create a sense of place through placemaking and branding				
CC-4	Ensure new development is contextual to the existing character of the area in terms of scale, massing, setback, fenestration, and design features (porches, storefronts, etc.)				
CC-5	Encourage developers to incorporate landscaping to beautify neighborhoods and commercial areas, such as landscaped medians and roundabouts.				
CC-6	Incorporate landscaping and gateway features into public rights-of-way, such as landscaped streetscapes, green infrastructure, and public promenades				
CC-7	Emphasize quality development along highly visible thoroughfares in the Town to reinforce its positive image				
CC-8	In accordance with the Land Use Plan, ensure incompatible, high intensity uses are directed away from low intensity residential areas				
CC-9	Continue to provide quality municipal services for the maintenance and upkeep of neighborhoods, such as street cleaning, snow removal, and trash disposal services				
CC-10	Work with NCDOT to identify areas for roadway enhancements				
CC-11	Refer to the Public Art Vision Plan for guidance when public art is being proposed in private development				
CC-12	Work with developers to improve the character of retaining walls, such as by incorporating public art or tiering the walls to reduce their visual impact				
POLICIES FOR UTILITY LINES			YES	NO	NA
UL-1	Create a master plan for burying utility lines with community involvement to identify priority areas for conversion				
UL-2	Ensure major Town entrances and gateway corridors and highly visible, pedestrian-oriented areas are prioritized for conversion				
UL-3	Consider trenching utilities as capital improvements are made in the right-of-way for all areas of the Town				
UL-4	Investigate partnering with private developers to install conduit for fiber and/or burying utility lines in priority conversion areas				
UL-5	Explore partnerships with private developers for boring and burying additional conduit along main roadways				
UL-6	Consider and install conduit with greenway project construction.				

Community Plan Consistency Grid: RZ 23-02					
	POLICIES FOR HISTORIC PRESERVATION		YES	NO	NA
	HP-1	Work with the Historic Preservation Commission (HPC) and the Planning Department to continue to implement the 2019 Historic Property Handbook and Design Standards and continue to preserve existing and new historic landmarks			
	HP-2	Continue to enforce the Historic Preservation Ordinance for the Wake Forest Local Historic District and local historic landmarks			
	HP-3	Promote State and Federal Tax Incentives for qualified rehabilitation projects for properties listed individually or as contributing historic properties in the National Register of Historic Places			
	HP-4	Ensure development surrounding and within historic districts is sensitive to the historic context of the neighborhood			
	HP-5	Encourage adaptive reuse, restoration, and repurposing of historic structures to preserve Wake Forest's history			
	HP-6	Continue to enforce the Demolition of Historic Structures Ordinance for the protection of all historic properties in Wake Forest			
	HP-7	Investigate the adoption of new local historic districts or character historic overlay districts to preserve Wake Forest's historic character			
	POLICIES FOR COMMUNITY FACILITIES		YES	NO	NA
	CF-1	Expand Town facilities concurrently with new growth			
	CF-2	Annually review the Town's Work Management Plan, Staffing, and Budget section to reflect current needs and priorities			
	CF-3	Work with the Wake Forest Parks, Recreation, and Cultural Resources Department to identify strategies to close gaps in park service areas, such as west of Capital Boulevard and the southern and eastern portion of Town			
	CF-4	Work with the Wake Forest Parks, Recreation, and Cultural Resources Department to expand equity in the quality of public park facilities and programming			
	CF-5	Explore green infrastructure options that also beautify spaces, like bioswales and planters			
	CF-6	Continue to work with regional educational entities to provide support as they seek new facility locations or expansion with growth			
	CF-7	Coordinate with regional educational entities to ensure increased equity in educational facilities across the community			
	CF-8	Coordinate with the Police and Fire Departments to ensure response times are sufficient for all areas of town with growth			
	CF-9	Consider emerging best practices for community safety, such as mental health crisis response teams			
	CF-10	Promote and incorporate sustainable building practices into community facilities, setting a precedent for private developers to implement			
	CF-11	Coordinate with regional healthcare providers to explore opportunities to locate a full service hospital or regional medical facilities in the Town			
	CF-12	Evaluate existing streets and explore UDO updates to address traffic congestion, traffic speed, reduce collisions, and improve safety conditions for all modes of transportation			
	CF-13	Regularly update the Town Pavement Management System program			

Community Plan Consistency Grid: RZ 23-02					
	POLICIES FOR PUBLIC TRANSIT		YES	NO	NA
	PT-1	Continue to work with transit partners to consider more frequent service and route network expansions to key locations to improve rider experience and attract more usage of mass transit			
	PT-2	Coordinate with property owners, private developers, and transit partners to set aside land for transit stops at appropriate locations. The Town should obtain a transit easement for these locations and construct and maintain quality bus shelter infrastructure			
	PT-3	Work with GoRaleigh and GoTriangle to construct smart bus shelters, or sustainable shelters that incorporate elements like interactive screens with live timetables, smart lighting, solar panels, and bike lock stations			
	PT-4	Explore incorporating public art into bus shelters			
	PT-5	Continue to evaluate and coordinate Park and Ride locations with transit partners			
	PT-6	Explore best long term transit options such as fixed or microtransit			
	POLICIES FOR CAPITAL BOULEVARD		YES	NO	NA
	CB-1	Continue to work closely with NCDOT to implement the project and promote commercial growth in accordance with the Land Use Plan			
	CB-2	Continue advocating for improvements along the corridor to assist in improving the quality of life for Wake Forest residents, businesses, and property owners			
	POLICIES FOR STREET CONNECTIVITY		YES	NO	NA
	SC-1	Promote short blocks of less than 600 linear feet between intersections of local roads to improve walkability			
	SC-2	Avoid dead-ends, cul-de-sacs, and T-intersections in places where four-way intersections can be aligned			
	SC-3	Study the appropriateness of traffic circles at four-way intersections to ease congestion and improve safety			
	POLICIES FOR SIDEWALKS & MULTI-USE PATHS		YES	NO	NA
	SP-1	Update the CTP to include an inventory of sidewalks in addition to multi-use paths and establish project priorities, private-public funding, and time frames for closing gaps in the network			
	SP-2	Update the CTP to identify priority areas for high visibility crosswalks, bulb outs, refuge islands, rectangular rapid flashing beacons, and other pedestrian improvements			
	SP-3	Work with Public Works to identify crosswalk ramps that are not ADA compliant and prioritize upgrades			
	SP-4	In coordination with roadway improvements, upgrade aging sidewalks or install new sidewalks if none exist			
	SP-5	Promote sidewalk, multi-use path, or trail connectivity between residential subdivisions and nonresidential development to improve pedestrian and bicycle connectivity			
	SP-6	Continue to ensure all new residential development provides sidewalks on both sides of the street			
	SP-7	Encourage multi-use paths to be provided along the main road in developments			
	SP-8	Ensure multifamily and commercial developments include strong pedestrian networks within and between their sites			

Community Plan Consistency Grid: RZ 23-02					
	POLICIES FOR BIKEWAYS, GREENWAYS & TRAILS		YES	NO	NA
	BGT-1	Identify trail head locations as the greenway and trail network continues to expand			
	BGT-2	Explore opportunities along greenways to add amenities (i.e. water fountains, seating /rest areas, pocket parks, public art, and fix it stations) and programming with the Parks, Recreation, and Cultural Resources Department or other organizations like StoryWalks			
	BGT-3	Encourage development along greenways to incorporate greenway access into the site, particularly for uses attractive to trail users (i.e. restaurant, cafes, and bars)			
	POLICIES FOR LOCAL FOOD SYSTEMS		YES	NO	NA
	LFS-1	Continue to support the Northern Community Food Security Team and together explore other locations for community food hubs within the Town			
	LFS-2	Partner with local food cooperatives and regional food networks, such as the Capital Area Food Network, to address food insecurity in the community			
	LFS-3	Encourage regenerative practices, such as use of organic fertilizers, crop rotation, and crop variation for healthy soil			
	LFS-4	Conduct a meal gap survey to better assess the immediate and long term needs in the community			
	LFS-5	Evaluate the economic impact of local food systems in the community to encourage localized marketplaces for food producers			
	LFS-6	Explore updates to the UDO that would promote urban agriculture and repurposing of vacant or underutilized lots for such uses			
	POLICIES FOR CONSERVATION DESIGN		YES	NO	NA
	CD-1	Encourage conservation design in the UDO's subdivision development regulations, particularly for areas within watershed protection areas			
	CD-2	Explore incentives for promoting conservation design, such as density bonuses to allow for comparable number of housing units but greater preserved green space within the site			
	CD-3	Encourage developers to enhance preserved green spaces as accessible amenities for residents, such as trails and outdoor seating			
	POLICIES FOR GREEN SPACE PRESERVATION		YES	NO	NA
	GSP-1	Prioritize higher density redevelopment and infill development within already developed areas to avoid premature development in long term growth areas and reduce greenfield development			
	GSP-2	Work with private developers to preserve significant natural assets within sites, such as streams, steep slopes, unique geological formations, wetlands, and mature stands of trees, which can be incorporated as development amenities			
	GSP-3	Continue to identify and strategically acquire environmentally sensitive land to preserve as dedicated conservation areas and publicly accessible open space			
	GSP-4	Explore incentives to promote conservation design in future development, such as density bonuses, to promote clusters of taller structures that preserve natural areas of the site			
	GSP-5	Explore strategies to further promote green space preservation within the updated UDO, such as increasing set aside requirements, and evaluate what is credited as open space			
	GSP-6	Explore strategies to further protect wildlife and environmentally sensitive areas in the UDO			

Community Plan Consistency Grid: RZ 23-02					
POLICIES FOR TREE CANOPY			YES	NO	NA
TC-1	Continue to support the Town in administering the Urban Forestry Program and planting, preserving, and maintaining trees on public properties and rights-of-way				
TC-2	Explore updates to the UDO that could further promote tree preservation and replacement in new developments				
TC-3	Review existing incentives and consider additional incentives for private developers to promote tree preservation above what is required by the UDO				
TC-4	Explore ways to increase the number of trees required in parking lots during the update to the UDO, such as requiring an island every 20 parking spaces or decreasing the minimum distance a parking space can be from a tree				
TC-5	Ensure public and private tree plantings and xeriscaping are made up of native plant species that are adapted to local environmental conditions and require less irrigation				
TC-6	Coordinate efforts to influence State regulations related to the expansion of tree preservation standards				
POLICIES FOR SUSTAINABLE DEVELOPMENT			YES	NO	NA
SD-1	Encourage private developers to incorporate green building, LID, and green infrastructure practices in future developments				
SD-2	Incorporate green infrastructure into public streetscapes, prioritizing pedestrian-oriented areas like Downtown, TOD, and Neighborhood Commercial areas				
SD-3	Continue to incorporate sustainable design best practices into Town-owned infrastructure and community facilities, striving to incorporate LEED practices into future facilities				
SD-4	Use the Environmental Protection Agency's (EPA) "Revising Local Codes to Facilitate Low Impact Development" guide to help identify regulations within the UDO that discourage LID practices				
SD-5	Evaluate potential rainwater collection programs and composting programs				
SD-6	Explore an incentive program to encourage development to provide stormwater when lots are exempt from stormwater requirements				
SD-7	Update the Manual of Specifications, Standards and Design to reference green infrastructure design				
SD-8	Explore decommissioned rights-of-way as potential stormwater routes				
SD-9	Support the use of attractive, safe, and sustainable street furniture and infrastructure, such as solar streetlights, and LED traffic lights				
SD-10	Expand the electric vehicle (EV) charging network by requiring the installation of charging stations, or the infrastructure needed to accommodate future charging stations, in all new parking lots, especially parking lots of multifamily and large scale developments, and increasing supply of public charging stations				
SD-11	Promote adaptive reuse over redevelopment for structures that are structurally sound, feature desirable built form, and/or are historically significant. This includes creating an online inventory of buildings available for adaptive reuse				
SD-12	Investigate developing a solar energy ordinance and enrolling in the SolSmart program, a national designation program funded by the US Department of Energy charged with making solar power faster, easier, and more affordable				
SD-13	Explore ways to incentivize renewable energy and passive solar design in the Town's development standards. SolSmart's Solar Energy Toolkit can be used as resource for better promoting solar panels within the code				
SD-14	Continue partnership with Raleigh to encourage homeowners to incorporate practices for water conservation				
POLICIES FOR TOURISM			YES	NO	NA
T-1	Grow the Town's art community and reputation as a regional arts destination with a Downtown focus				

Community Plan Consistency Grid: RZ 23-02					
T-2	Explore the potential of constructing a recreational destination facility with a regional draw				
T-3	Develop annual Tourism Economic Impact Reports to help quantify progress made in Wake Forest's tourism sector and identify trends, issues, and opportunities that can help Town staff prioritize future investments				
T-4	Support the Wake Forest Area Chamber to create and market a local visitor's center as a public resource hub for the Town's attractions, events, and businesses for visitors				
T-5	Leverage Wake County's Room Occupancy Tax to build, finance, and create new establishments or run events related to tourism, allowing the Town to capitalize on its success in drawing hotel occupants				
T-6	Create a community-wide wayfinding plan to improve sense of place and signage that directs visitors and residents to Town destinations				
T-7	Continue to support Wake Forest Downtown Inc. (a Main Street America accredited program) in meeting the National Accreditation Standards of Performance as outlined by the National Main Street Center				
T-8	Continue to participate in the NC Main to Main Trail program, a network that connects the State's Main Street America communities, and leverage this designation in the Town's marketing strategy				
T-9	Investigate hiring consultants to provide a comprehensive evaluation of Town events and provide recommendations for improved programs				
T-10	Explore the creation of a social district, where customers can carry and consume food and drinks purchased from businesses outside in a designated zone				
POLICIES FOR GATEWAYS			YES	NO	NA
GW-1	Create a Gateway Plan to identify and prioritize sites for gateway features and establish design standards. Ensure the Plan works in synergy with the Town's Wayfinding Plan.				
GW-2	Improve roadway infrastructure along key gateway routes to enhance their character and multimodal connectivity.				
POLICIES FOR DOWNTOWN WAKE FOREST			YES	NO	NA
DWF-1	Evaluate existing zoning regulations around density in appropriate locations to balance Downtown's development potential with preserving its historic character				
DWF-2	Identify strategies to fill vacant buildings Downtown that promote an entrepreneurial and small-business culture				
DWF-3	Identify strategies to attract families and younger populations to Downtown with inviting public spaces, entertainment, and destinations for all ages				
DWF-4	Provide guidelines for how buildings should be orientated to support pedestrian-friendly environments				
DWF-5	Reassess parking demand and supply with consideration for a new parking garage(s) to minimize surface parking lots				
DWF-6	Identify strategies to create an "experience-based" Downtown retail environment with unique local businesses and a pedestrian-oriented environment				
DWF-7	Reassess strategies to improve gateways and wayfinding to and within Downtown to better direct people and create a distinct sense of place				
DWF-8	Identify opportunities for Downtown events and public gathering spaces to bring the community together, such as live outdoor events and festivals				



Star Road Development
Traffic Impact Analysis - Update
Wake Forest, North Carolina

TRAFFIC IMPACT ANALYSIS

FOR

STAR ROAD DEVELOPMENT - UPDATE

LOCATED

IN

WAKE FOREST, NC

Prepared For:
St. John Properties
8601 Six Forks Road, Suite 400
Raleigh, NC 27615

Prepared By:
Infrastructure Consulting Services, Inc.
dba
Ramey Kemp Associates
5808 Faringdon Place
Raleigh, NC 27609
License #F-1489

SEPTEMBER 2023



9/12/23

RKA Project No. 23025

Prepared By: CDS, VT

Reviewed By: DC

**TRAFFIC IMPACT ANALYSIS
STAR ROAD DEVELOPMENT
WAKE FOREST, NORTH CAROLINA**

EXECUTIVE SUMMARY

1. Development Overview

A Traffic Impact Analysis (TIA) was conducted for the proposed Star Road development in accordance with the Wake Forest (Town) Unified Development Ordinance (UDO) and North Carolina Department of Transportation (NCDOT) capacity analysis guidelines. The proposed development is to be located east of Star Road and north of Via Fortunata Plaza in Wake Forest, North Carolina. The proposed development, anticipated to be completed in 2027, is assumed to consist of the following uses:

- 119,100 square feet (s.f.) General Light Industrial
- 93 student Daycare Center
- 25,600 s.f. General Office
- 20,150 s.f. Strip Retail Plaza

Site access is proposed via one full-movement driveway along Star Road.

2. Existing Traffic Conditions

The study area for the TIA was determined through coordination with the Town and NCDOT and consists of the following existing intersections:

- S Main Street and Star Road
- Capital Boulevard and Star Road Connector / Ponderosa Service Road
- Star Road and Star Road Connector
- Capital Boulevard and Height Lane / Montys Lane
- Height Lane and Star Road

Existing peak hour traffic volumes were determined based on traffic counts conducted at the study intersection listed below, in April of 2023 during weekday AM (7:00 AM – 9:00 AM) and PM (2:00 PM – 6:00 PM) peak periods:

- S Main Street and Star Road
- Capital Boulevard and Star Road Connector / Ponderosa Service Road
- Star Road and Star Road Connector
- Capital Boulevard and Height Lane / Montys Lane
- Height Lane and Star Road

Traffic volumes were balanced between intersections where appropriate.

3. Site Trip Generation

The proposed development is assumed to consist of the land uses found below:

- 119,100 square feet (s.f.) General Light Industrial
- 93 student Daycare Center
- 25,600 s.f. General Office
- 20,150 s.f. Strip Retail Plaza

Average weekday daily, AM peak hour, and PM peak hour trips for the proposed development were estimated using methodology contained within the ITE Trip Generation Manual, 11th Edition. Table E-1, on the following page, provides a summary of the trip generation potential for the site.

Table E-1: Site Trip Generation

Land Use (ITE Code)	Intensity	Daily Traffic (vpd)	Weekday AM Peak Hour Trips (vph)		Weekday PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
Light Industrial (110)	119,100 s.f.	500	75	10	6	40
Daycare Center (565)	93 Students	378	37	33	32	37
General Office (710)	25,600 s.f.	356	46	6	9	45
Strip Retail Plaza (822)	20,150 s.f.	1,100	29	19	66	67
Total Trips		2,334	187	68	113	189
<i>Internal Capture (3% AM & 1% PM)*</i>			-7	-1	-0	-3
Total External Trips			180	67	113	186
<i>Pass-By Trips: Daycare Center (44% PM)</i>			--	--	-15	-15
<i>Pass-By Trips: Strip Retail Plaza (29% PM)</i>			--	--	-19	-19
Total Primary Trips			180	67	79	152

*Utilizing methodology contained in the NCHRP Report 684.

4. Future Traffic Conditions

Through coordination with the Town and NCDOT, it was determined that an annual growth rate of 3% would be used to generate 2027 projected weekday AM and PM peak hour traffic volumes. The Hawthorne Development was identified as an adjacent development to be considered under future conditions.

The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenarios:

- 2023 Existing Traffic Conditions
- 2027 No-Build Traffic Conditions
- 2027 Build Traffic Conditions
- 2027 Build Traffic Conditions with Improvements

5. Recommendations

Based on the findings of this study, specific geometric and traffic control improvements have been identified at study intersections. The improvements are summarized below and are illustrated in Figure E-1.

Improvements by others

Capital Boulevard and Height Lane / Montys Lane

- Extend the existing southbound left-turn lane to 500 feet of full width storage.

Recommended Improvements by the Star Road Development

Capital Boulevard and Star Road Connector

- Install signal at the western side of the existing reduced conflict intersection (Capital Boulevard and Star Road Connector). Coordinate with NCDOT to develop a coordination and timing plan for all signals along Capital Boulevard.

Capital Boulevard and Height Lane / Montys Lane

- Modify signal timings to allow more green time for minor street approach.

Star Road and Star Road Connector

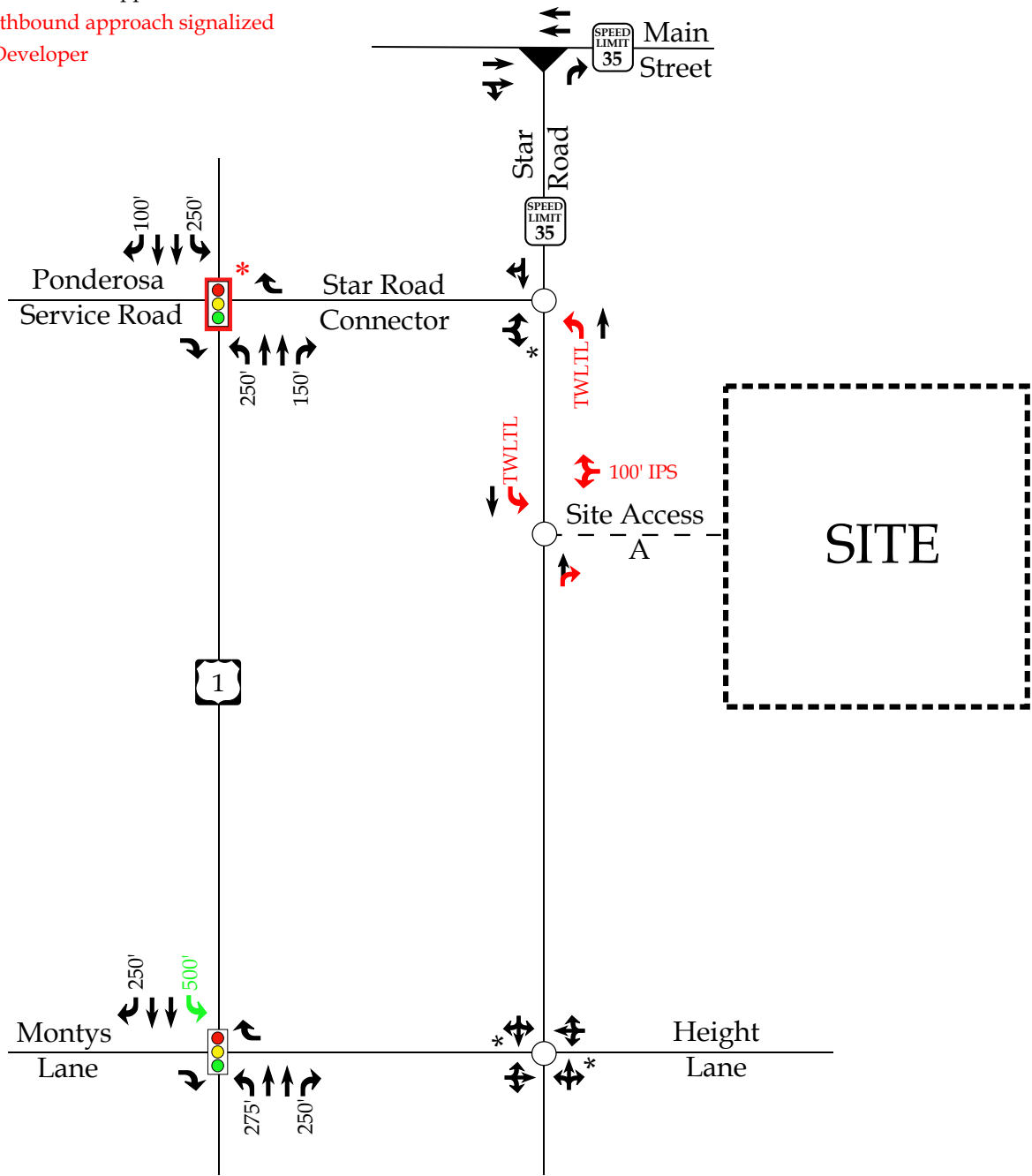
- Provide a two-way left-turn lane (TWLTL) for northbound approach, extending to southbound approach of Site Access A. (~600 feet)

Star Road and Site Access A

- Construct the westbound approach as a full movement intersection with one ingress lane and one egress lane.
- Provide southbound TWLTL that extends to Star Road and Star Road Connector intersection. (~600 feet)
- Provide stop-control for westbound approach.
- Provide an internal protected stem (IPS) of at least 100 feet for westbound approach.

* Stop-controlled approach

* Northbound approach signalized by Developer



○	Unsignalized Intersection	LEGEND	▲	Right-In / Right-Out Intersection
●	Signalized Intersection	x'	▲	Left-Over Intersection
→	Existing Lane		→	Improvement by Developer
			→	Adjacent Improvement



Star Road Development
Wake Forest, NC

Recommended Lane
Configurations

Scale: Not to Scale

Figure E-1



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

Roy Cooper
Governor

J. Eric Boyette
Secretary

September 27, 2023

Star Road Development

Traffic Impact Analysis Review Report Congestion Management Section

TIA Project: SC-2021-080R2
Division: 5
County: Wake



Nicholas C. Lineberger, P.E. Regional Engineer
Madonna Saleh, Design Engineer

Star Road Development

SC-2021-080R2

Wake Forest

Wake County

Per your request, the Congestion Management Section (CMS) of the Transportation Mobility and Safety Division has completed a review of the subject site. The comments and recommendations contained in this review are based on data for background conditions presented in the Traffic Impact Analysis (TIA) and are subject to the approval of the local District Engineer's Office and appropriate local authorities.

Date Initially Received by CMS	09/13/23	Date of Site Plan	08/21/23
Date of Complete Information	09/13/23	Date of Sealed TIA	09/12/23

Proposed Development

The TIA assumes the development is completed by 2027 and consists of the following:

Land Use	Land Use Code	Size
General Light Industrial	110	119,100 sq.ft.
Day Care Center	565	93 Students
General Office Building	710	25,600 sq.ft.
Strip Retail Plaza (<40k)	822	20,150 sq.ft.

Trip Generation - Unadjusted Volumes During a Typical Weekday

	IN	OUT	TOTAL
AM Peak Hour	187	68	255
PM Peak Hour	113	189	302
Daily Trips			2,334

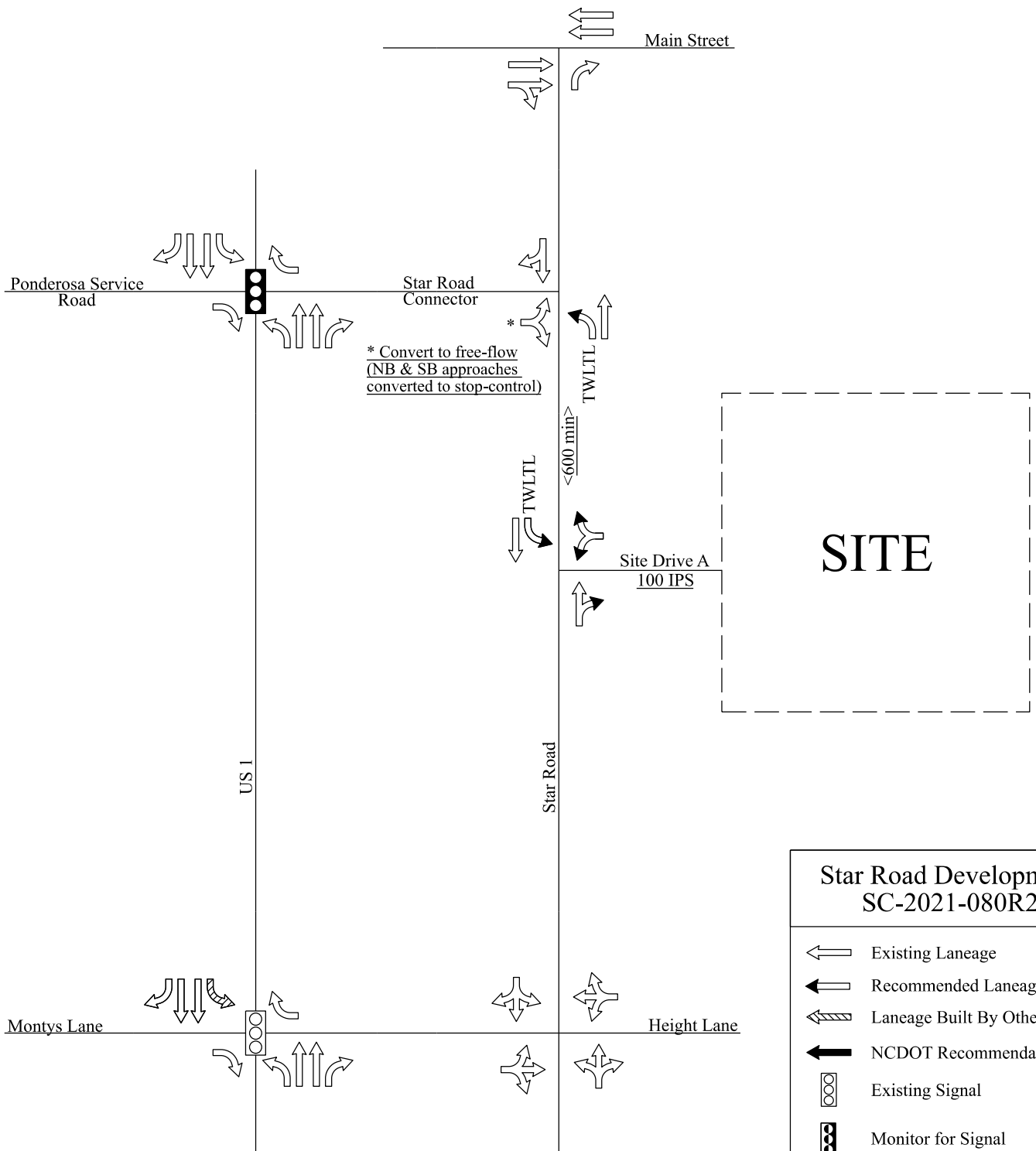
General Reference

For reference to various documents applicable to this review please reference the following link: <https://connect.ncdot.gov/resources/safety/Pages/Congestion-Management.aspx>

Once the driveway permit has been approved and issued, a copy of the final driveway permit requirements should be forwarded to this office. If we can provide further assistance, please contact the Congestion Management Section.

Signalization

We defer to the District Engineer, the Division Traffic Engineer, and the Regional Traffic Engineer for final decisions regarding signalization.



Star Road Development SC-2021-080R2

- Existing Laneage
- Recommended Laneage
- Laneage Built By Others
- NCDOT Recommendation
- Existing Signal
- Monitor for Signal
- Developer Proposed Signal
- XXX Storage
- XXX NCDOT Recommended Storage
- <XXX> Distance Between Intersections
- IPS Internal Protected Stem
- All Distances in Feet
- Drawing Not to Scale



From: [Reidy, Patrick](#)
To: [Farr, Terry E](#); [Nicholson, Jacob P](#); [Palermo, Elisabeth](#)
Cc: [Glass, Chris](#); [Nolfo, Matthew J](#); [Currin, Jennifer](#)
Subject: RE: [External] Star Rd. Technology Center
Date: Monday, December 4, 2023 8:49:36 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[townlogoemail_5539183b-0da4-4043-9c73-07de5dbbb2f8.png](#)
[facebook_b2dd47ff-b525-412c-bfe8-a5aad35c6135.png](#)
[twitter_80c973cd-4947-4b97-bfe6-25403b679296.png](#)
[instagram_2d31c576-710b-4ab9-97eb-ae8ac7d2d21.png](#)
[linkedin_1c34b13b-4980-47a2-b625-4e056d4f8a38.png](#)

Terry,

Thank you for that confirmation.



Patrick Reidy, AICP, CZO

Senior Planner - Development Services
PLANNING

Office: 919-435-9510 | Direct: 919-435-9515 | Mobile: 919-761-3105
301 S. Brooks Street | Wake Forest, NC 27587
wakeforestnc.gov



Where Innovation Meets Opportunity

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From: Farr, Terry E <tefarr@ncdot.gov>
Sent: Friday, December 1, 2023 4:30 PM
To: Reidy, Patrick <preidy@wakeforestnc.gov>; Nicholson, Jacob P <jpnicholson@ncdot.gov>; Palermo, Elisabeth <epalermo@wakeforestnc.gov>
Cc: Glass, Chris <cglass@wakeforestnc.gov>; Nolfo, Matthew J <mjnolfo@ncdot.gov>
Subject: RE: [External] Star Rd. Technology Center

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please use the **Phish Alert Button** to submit any suspicious emails for review.

We have been in contact with the developer and have provided them responses that mirror your concern. We are shifting Star Rd to the East a bit in that location and our service road conflicts with their development. They will either need to use our design and redesign something that would work with the U-5307 project or risk impact to the buildings once we get into design. No guarantee for design minimization can be given. All their pdf shows is our design overlaid on their development, solidifying that there is a conflict.

Thanks,

Terry E. Farr, PE
Senior Project Manager, Project Management Unit
North Carolina Department of Transportation

919 707 6017 Office
tefarr@ncdot.gov

1000 Birch Ridge Drive (Delivery)
Raleigh, NC 27610

1582 Mail Service Center (Mail)
Raleigh, NC 27699-1582



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From: Nicholson, Jacob P <jpnicholson@ncdot.gov>
Sent: Friday, December 1, 2023 3:29 PM
To: Palermo, Elisabeth <epalermo@wakeforestnc.gov>
Cc: Glass, Chris <cglass@wakeforestnc.gov>; Nolfo, Matthew J <minolfo@ncdot.gov>; Farr, Terry E <tefarr@ncdot.gov>
Subject: RE: [External] Star Rd. Technology Center

Liz,

I will defer to Terry Farr (cc'd) on this one as I have had limited involvement on this development and U-5307.

Terry,

Please take a look at Liz's email below and provide feedback. I've attached the exhibit referenced below.

Thanks,

Jacob Nicholson
Assistant District Engineer
Wake County District Office (Division 5 District 1)
North Carolina Department of Transportation

jpnicholson@ncdot.gov

Office Number: (919) 814 – 6115

Physical Address

4009 District Drive
Raleigh, NC 27607

Mailing Address

1575 Mail Service Center
Raleigh, NC 27699-1575



Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.

From: Palermo, Elisabeth <epalermo@wakeforestnc.gov>
Sent: Friday, December 1, 2023 9:01 AM
To: Nicholson, Jacob P <jpnicholson@ncdot.gov>
Cc: Glass, Chris <cglass@wakeforestnc.gov>

Subject: [External] Star Rd. Technology Center

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Mr. Nicholson,

I asked the [Star Rd Developer](#) to submit an exhibit showing an overlay of the U-5307 project so we could see how it will impact the project. You approved as noted last time so the review would not have gone to you. The exhibit is not very clear, but it appears to me that the drive through will be in the construction/utility easement and the building appears to be very near the edge of the easement. I had to use an electric scale on printed drawings (scale 1"=200ft) so I might be wrong. The easement line is not on the submitted exhibit. I used a printed copy of the NCDOT recommended U-5307 drawings to determine the depth of the easement compared to the property line. The link should take you to the IDT project page. The exhibit is under submittal 5 and has U-5307 overlay in the title. Would you mind taking a look at it and letting me know if you have any comments or concerns or even if there is anything else you would like to see labelled in the exhibit?

Thank you for your help,

Liz Palermo



Elisabeth Palermo

Engineering Technician Assistant
ENGINEERING

Office: 919-435-9510 | Direct: 919-435-9441
301 S. Brooks Street | Wake Forest, NC 27587

wakeforestnc.gov



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ORDINANCE 2022-24

ORDINANCE AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE TOWN OF WAKE FOREST TO CHANGE THE ZONING OF APPROXIMATELY 6.47 ACRES LOCATED AT 0 STAR ROAD, BEING WAKE COUNTY TAX PIN 1739662623, FROM USE HIGHWAY BUSINESS (HB) TO GENERAL RESIDENTIAL 10 CONDITIONAL DISTRICT (GR10-CD)

RZ-21-09, HAWTHORNE WAKE FOREST PHASE 2

WHEREAS, the application submitted by Kimley-Horn for the rezoning of land hereinafter described was duly filed with the Planning Department; and

WHEREAS, the Planning Board held a public comment session on June 14, 2022 and the Board of Commissioners held a public hearing on August 16, 2022; and

WHEREAS, mailed notices, property sign postings, and a newspaper notice publication were carried out for the public comment session and public hearing pursuant to G.S. § 160D-602 and the Unified Development Ordinance; and

WHEREAS, the Planning Board submitted its recommendation to the Board of Commissioners recommending approval of said application that was generally consistent with the Comprehensive Plan for the lands hereinafter described, all in accordance with the requirements of the Town of Wake Forest Unified Development Ordinance and the provisions of Chapter 160D, Article 6, of the North Carolina General Statutes;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Wake Forest, North Carolina:

Section 1: The lands that are the subject of the Ordinance are those certain lands described in Exhibit 1 – Legal Description, which is incorporated herein by reference, and said lands are hereafter referred to as the “Rezoned Lands.”

Section 2: The parcels identified by the Wake County Tax Parcel Identification Number 1739662623 and adjacent right-of-way to centerlines, and described in Exhibit 1, are located within the Town’s Corporate Limits.

Section 3: The Town of Wake Forest Unified Development Ordinance, including the Town of Wake Forest North Carolina Official Zoning District Map which is a part of said Ordinance, is hereby amended by changing the zoning classification of the “Rezoned Lands” from Highway Business (HB) to General Residential 10 Conditional District (GR10-CD) as shown on Exhibit 1, subject to the conditions stated herein.

Section 4: The “Rezoned Lands” are subject to all of the standards and conditions in Exhibit 3 Hawthorne Wake Forest Phase 2 Site Master Plan, which are imposed as part of this rezoning.

Section 5: The Administrator is hereby authorized and directed to cause the said Official Zoning District Map for the Town of Wake Forest, North Carolina, to be physically revised and amended to reflect the zoning changes ordained by this Ordinance.

Section 6: After reviewing all the information presented at the public hearing and the Wake Forest plans, policies and ordinances, the Wake Forest Board of Commissioners

find the zoning map amendment request reasonable and consistent with the Community Plan and the Comprehensive Transportation Plan and adopted a written consistency statement, which is on file with the Wake Forest Planning Department and attached as Exhibit 2.

Section 7: The "Rezoned Lands" are subject to the following conditions which are imposed as part of this rezoning:

1. Phase 2 open space requirements shall be satisfied by excess open space and active open space in Phase 1 of Hawthorne at Wake Forest. Phase 2 requires 0.6 acres of open space and 0.15 acres of active open space for a total of 0.75 acres. Phase 1 provided an additional 2.1 acres of open space and an additional 1.06 acres of active open space for a total of 3.16 acres. Residents of Phase 2 shall have full rights to use the active open space found within Phase 1.

Section 8: The "Rezoned Lands" shall be perpetually bound to the conditions imposed including the uses authorized, unless subsequently changed or amended as provided for in the Unified Development Ordinance.

Section 9: This ordinance shall be in full force and effect from and after its adoption.

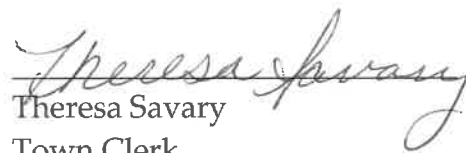
Adopted and effective this the 6th day of September 2022.



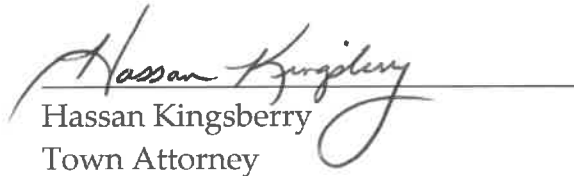
Vivian A. Jones
Mayor

ATTEST:

APPROVED AS TO FORM:



Theresa Savary
Town Clerk



Hassan Kingsberry
Town Attorney





Staff Report

Case RZ-21-09: Hawthorne Wake Forest Phase 2 Conditional District

Meeting Date	September 6, 2022
Requested Actions	Consideration of the following items related to the Conditional Zoning request for O Star Road: 1. Act on Plan Consistency Statement 2. Rezone 6.47 acres on the Town of Wake Forest Zoning Map from Highway Business (HB) to General Residential 10 Conditional District (GR10-CD).
Case Manager	Patrick Reidy, Senior Planner
Planning Board Recommendation	The Planning Board voted 5-1 to find the request inconsistent with the Comprehensive Plan and recommended denial of the zoning map amendment request. <i>See Attachment D for Planning Board recommendation.</i>

PUBLIC MEETINGS

Neighborhood Meeting	Public Comment Session	Public Hearing
December 16, 2021 (See Attachment A)	June 14, 2022	September 6, 2022

CASE INFORMATION

Applicant	Evolve Companies C/O Matt Rogers 2012 Eastwood Road Wilmington, NC 28403
Property Owner	Forest Greenery Group LLC 500 Avenue P Newark, NJ 07105
Location	Near the intersection of Star Road and Capital Boulevard
Address	O Star Road
Wake County Tax PIN(s)	1739-66-2623
Acreage	6.47 acres (includes right-of-way)

Zoning	Existing: Highway Business (HB) and US 1 Special Highway Overlay (SH1-O) Proposed: General Residential 10 Conditional District (GR10-CD) and US 1 Special Highway Overlay (SH1-O)
Land Use	Existing: Vacant Proposed: Dwelling - Multifamily (56 units)
Future Land Use Map	Existing: Corridor Commercial Proposed: Transit-Supportive Residential
Corporate Limits	This application is in the Town's corporate limits.
See Attachment B for a copy of the application and Attachment C for Aerial, Zoning, and Community Plan Maps. See pages 39, 42, and 54 for descriptions of Corridor Commercial, Transit-Supportive Residential, and Commercial & Industrial Area: Capital Boulevard in the Community Plan .	

SURROUNDING LAND USES AND ZONING

	Land Use	Zoning
North	Dwelling - Multi-family (Hawthorne at Wake Forest Phase 1) (Under Construction)	Conditional Use General Residential 10
South	Industry, Light (City of Raleigh Northern Operations Center)	Highway Business
East	Dwelling - Multi-family (Hawthorne at Wake Forest Phase 1) (Under Construction)	Conditional Use General Residential 10
West	Star Road/Capital Boulevard ROW	Highway Business
The proposed land use is generally incompatible with surrounding land uses. The proposed zoning is generally incompatible with surrounding zoning. See Attachment C for associated maps.		

MASTER PLAN ANALYSIS

Size	6.47 ± Acres	
<i>Open Space</i>	<i>Required:</i>	<i>10% or 0.6 acres</i>
	<i>Proposed:</i>	<i>0% or 0.0 acres</i>
	<i>Summary:</i>	<i>The applicant has proposed a rezoning condition to allow excess open space in Phase 1 to count towards the requirements of Phase</i>

		2. The proposed Master Plan does not comply with the minimum open space percentage requirement in the UDO.
Park Space	Required: 2.5% or 0.15 acres Proposed: 0% or 0.0 acres Summary: The applicant has proposed a rezoning condition to allow excess open space in Phase 1 to count towards the requirements of Phase 2. The proposed Master Plan does not comply with the minimum open space percentage requirement in the UDO.	
Roads	Required: The Comprehensive Transportation Plan requires the US 1 Service Road cross-section for Star Road. Based on trip generation, a TIA is not required for this project. See Attachment E for details. Proposed: The proposed Master Plan (Exhibit 1, Sheet C-100) proposed to provide the US-1 Service Road cross section for Star Road. Summary: The proposed Master Plan complies with the minimum roadway infrastructure requirements in the UDO.	
Parking	Required: Per UDO Chapter 9.4, the parking requirement for dwelling-multifamily is 1.8 spaces per unit or 101 parking spaces. The bike parking requirement is 2 spaces per 40 automobile spaces or 6 bike spaces. Proposed: The applicant is proposing to provide 103 parking spaces through off-street parking spaces and 8 bike parking spaces. Summary: The proposed Master Plan complies with the minimum parking requirements in the UDO.	
Public Utilities	Required: The UDO requires that public water and sewer mains are extended to serve the site. Proposed: This property is served by an 8" water line located along Moonbow Trail that is currently under construction. It is also served by an 8" sewer line located along Moonbow Trail that is currently under construction. Summary: The proposed Master Plan complies with the public utility requirements in the UDO.	

PROPOSED MODIFICATIONS OF BASE GENERAL RESIDENTIAL 10 ZONING DISTRICT STANDARDS

No modifications of the General Residential 10 district standards are proposed.

See Exhibit 1, Sheet C-000 for proposed zoning condition.

COMPREHENSIVE PLAN CONSISTENCY

Community Plan (2022)	The proposed zoning map amendment request is generally inconsistent with the adopted Community Plan. (Note: Applicant has requested that the application be reviewed against the recently adopted Community Plan, which is permitted by law)
Comprehensive Transportation Plan (2019)	The Comprehensive Transportation Plan is not applicable to the zoning map amendment request.
Historic Preservation Plan (2012)	The Historic Preservation Plan is not applicable to the zoning map amendment request.
Northeast Neighborhood Plan (2007)	The Northeast Neighborhood Plan is not applicable to the zoning map amendment request.
Park, Recreation, and Cultural Resources Master Plan (2015)	The Parks, Recreation, and Cultural Recourses Master Plan is not applicable to the zoning map amendment request.
Public Art Vision Plan (2009)	The Public Art Vision Plan is not applicable to the zoning map amendment request.
Renaissance Plan (2017)	The Renaissance Plan is not applicable to the zoning map amendment request.
<i>See Attachment D for detailed Plan Consistency Analysis.</i>	

STAFF RECOMMENDATION

The zoning map amendment request is generally **Inconsistent** with the relevant policies in the Comprehensive Plan, and **Denial** of the zoning map amendment request is reasonable and in the public interest.

ATTACHMENTS

- Attachment A: Neighborhood Meeting Information
- Attachment B: Application
- Attachment C: Maps
- Attachment D: Planning Board Recommendation and Plan Consistency Analysis
- Attachment E: Trip Generation Letter
- Attachment F: Request for Public Hearing Delay
- Attachment G: Proposed Conditional District Master Plan
- Attachment H: Resolution
- Exhibit 1: Consistency Statement



March 12, 2024

Patrick Reidy, AICP, CZO
Senior Planner – Development Services
Town of Wake Forest
301 S Brooks Street
Wake Forest, NC 27587

Reference: Request for Continuance for Rezoning RZ-23-06

Dear Mr. Reidy:

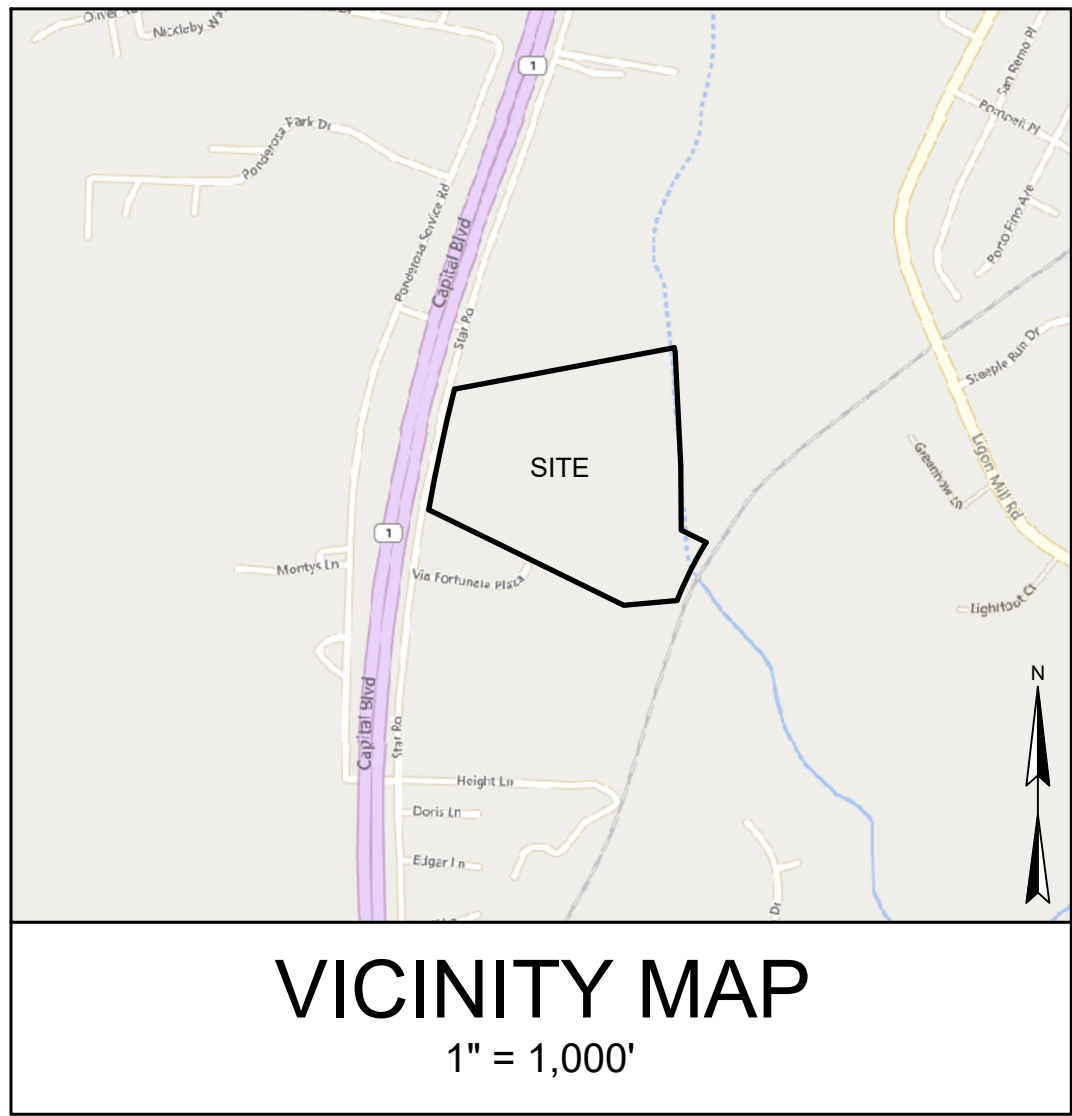
I am submitting this request for continuance for the conditional district rezoning for Wake Forest Exchange, project RZ-23-06.

Due to scheduling conflicts, a meeting with the U-5307 team, the Town of Wake Forest, and St John Properties, Inc. was not able to take place prior to the Board of Commissioners meeting scheduled for March 19, 2024. A meeting has been scheduled for April 1, 2024, and I am requesting a continuance until April 16, 2024.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dustin Atkielski", written over a horizontal line.

Dustin Atkielski
Regional Partner
919-827-0600
datkielski@sjpi.com



PROPOSED ZONING CONDITIONS

1. THE SITE MASTER PLAN IS A CONDITION OF THE REZONING REQUEST. AMENDMENTS OF THE MASTER PLAN SHALL REQUIRE A REZONING AMENDMENT UNLESS THE ADMINISTRATOR FINDS THE MODIFICATION TO BE MINOR AND IN KEEPING WITH THE SPIRIT AND INTENT OF THE APPROVED SITE MASTER PLAN.

2. THE FOLLOWING USES SHALL BE PERMITTED:

A. RESIDENTIAL

NONE

B. LODGING

NONE

C. OFFICE/SERVICE

ATM
BANK, CREDIT UNION, FINANCIAL SERVICES
BUSINESS SUPPORT SERVICES
DRY CLEANING & LAUNDRY SERVICES
MEDICAL CLINIC
PERSONAL SERVICES
PERSONAL SERVICES, RESTRICTED
POST OFFICE
PROFESSIONAL SERVICES
SMALL EQUIPMENT REPAIR/RENTAL
VETERINARY SERVICES

D. COMMERCIAL/ENTERTAINMENT

ALCOHOLIC BEVERAGE SALES STORE
AMUSEMENT, INDOOR
BAR/TAVERN
GENERAL COMMERCIAL
NIGHT CLUB
OPEN AIR RETAIL
OUTDOOR SEATING
OUTSIDE OR DISPLAY SALES
RESTAURANT
SHOOTING RANGE, INDOOR
THEATER, INDOOR MOVIE OR LIVE PERFORMANCE

E. CIVIC

CIVIC MEETING FACILITY
COMMUNITY OR CULTURAL FACILITY
CONFERENCE/CONVENTION CENTER
PUBLIC SAFETY STATION
RECREATION FACILITY, INDOOR
RELIGIOUS INSTITUTION

F. EDUCATIONAL/INSTITUTIONAL

CHILD/ADULT DAY CARE CENTER (MORE THAN 8 PERSONS)
COMMUNITY SUPPORT FACILITY
STUDIO - ART, DANCE, MARTIAL ARTS, MUSIC

G. AUTOMOTIVE

DRIVE-IN FACILITY
VEHICLE SERVICES - MINOR
MAINTENANCE/REPAIR
VEHICLE SERVICES - MAJOR REPAIR/BODY WORK

H. INDUSTRY/WHOLESALE/STORAGE

INDUSTRY, LIGHT
LIGHT MANUFACTURING WORKSHOP

I. AGRICULTURE

KENNEL
PRODUCE STAND

J. INFRASTRUCTURE

WIRELESS TELECOMMUNICATIONS FACILITY (NON-TOWER)
WIRELESS TELECOMMUNICATIONS FACILITY (TOWER)

K. OTHER

TEMPORARY USES

3. SECTION 3.9.1.C. SHALL NOT APPLY TO THE SITE. INDUSTRY, LIGHT USES SHALL BE PERMITTED ON THE SITE WITH VEHICULAR ACCESS VIA STAR ROAD.

4. SECTION 2.4.3.D.1. (SH1-0 SPECIAL HIGHWAY OVERLAY BUILDING SETBACK) SHALL BE REDUCED FROM 100' TO 50' TO ACCOMMODATE EXISTING SITE TOPOGRAPHY AND INCREASE VISIBILITY TO BUILDINGS FRONTING STAR ROAD.

5. SECTION 2.2.5.C.1. (PRINCIPAL FRONT BUILDING SETBACK) SHALL BE REDUCED FROM 30' TO 20' FOR OFFICE BUILDING A, LIGHT INDUSTRIAL BUILDING B, AND LIGHT INDUSTRIAL BUILDING C TO ACCOMMODATE TOPOGRAPHY, ENVIRONMENTAL CONSTRAINTS, AND EXISTING EASEMENTS.

6. IF AN IMPACT IS APPROVED BY NCDEQ (THE "APPROVAL") TO THE NEUSE BUFFER, THE LOCATION AND SHAPE OF LIGHT INDUSTRIAL BUILDING A'S PARKING LOT AND BUILDING MAY BE ADJUSTED IF THE BUILDING SIZE DOES NOT EXCEED A NET CHANGE GREATER THAN 5 %. WRITTEN CONFIRMATION OF THE APPROVAL INCLUDING PROOF OF PAYMENT FOR MITIGATION COSTS SHALL BE PROVIDED DURING CONSTRUCTION DOCUMENT APPROVAL.

7. OVERNIGHT PARKING OR STORAGE OF CLIENT VEHICLES FOR VEHICLE SERVICES MINOR OR MAJOR USES SHALL ONLY BE ALLOWED IN THE TRUCK COURT AREAS OR BUILDING INTERIORS FOR ALL LIGHT INDUSTRIAL ("LI") BUILDINGS. THE TRUCK COURT AREAS INCLUDE ALL PAVEMENT BEHIND LI BUILDING A AND LI BUILDING B, INCLUDING THE AREA IN FRONT OF LI BUILDING C.

8. CHILD/ADULT DAY CARE CENTERS LOCATED WITHIN THE LIGHT INDUSTRIAL BUILDINGS WILL ONLY BE PLACED ON THE ENDS OF THE BUILDING, NEXT TO A COMPLEMENTARY USE, OR SUBSTITUTE LOCATION DEEMED APPROPRIATE BY THE ADMINISTRATOR, WHICH APPROVAL SHALL NOT UNREASONABLY BE CONDITIONED, WITHHELD, OR DELAYED.

9. A MINIMUM OF FOUR ELECTRIC VEHICLE CHARGING LOCATIONS WILL BE ADDED TO THE DEVELOPMENT.

10. LIGHT INDUSTRIAL BUILDINGS WILL HAVE A PARKING RATE OF 1 SPOT PER 500 SF.

11. A COMMITMENT TO PURSUE THE ADDITION OF PUBLIC ART TO THE DEVELOPMENT.

12. A COMMITMENT TO PURSUE ADDITIONAL OUTDOOR SEATING OR GATHERING SPACE TO THE DEVELOPMENT.

13. ASSOCIATED ROAD IMPROVEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE APPROVED TIA (INCLUDING ALL NCDOT REQUIREMENTS FROM THE TIA REVIEW) AND UDO.

WAKE FOREST EXCHANGE

MASTER SITE PLANS

RZ-23-06

STAR ROAD
WAKE FOREST, NORTH CAROLINA
PINS: 1739-65-3709, 1739-55-8441 & 1739-65-4232

OWNERS:

STAR LANDING, LLC (1739-65-3709 AND 1739-55-8441)
2560 LORD BALTIMORE DR
BALTIMORE, MD 21244

PURYEAR INVESTMENTS, LLC (1739-65-4232)
5844 LEASE LN
RALEIGH, NC 27617

DEVELOPER:

ST. JOHN PROPERTIES
CONTACT: DUSTIN ATKIELSKI
8601 SIX FORKS RD, STE 400
RALEIGH, NC 27615
919.827.0600
DATKIELSKI@SJPI.COM

ENGINEER OF RECORD:

FLM ENGINEERING, INC
CONTACT: JON FRAZIER, PE
PO BOX 91727
RALEIGH, NC 27675
919.610.1051
JFRAZIER@FLMENGINEERING.COM

SUMMARY INFORMATION	
DEVELOPMENT NAME:	WAKE FOREST EXCHANGE
SITE ADDRESS:	STAR ROAD, WAKE FOREST, NC
PIN NUMBER(S):	1739-65-3709, 1739-55-8441 & 1739-65-4232
TOTAL AREA:	30.35 AC
EXISTING USE:	VACANT
PROPOSED USE:	COMMERCIAL/RESTAURANT (CR), OFFICE & LIGHT INDUSTRIAL (LI)
JURISDICTION:	TOWN OF WAKE FOREST (ETJ ANNEXATION REQUIRED PRIOR TO CONSTRUCTION DRAWING APPROVAL)
CURRENT ZONING DISTRICT:	HB
PROPOSED ZONING DISTRICT:	HB CD
OVERLAY DISTRICT:	SPECIAL HIGHWAY OVERLAY (SH1-0)
2022 COMMUNITY PLAN DESIGNATION:	CORRIDOR COMMERCIAL
PROP BUILDING AREA:	
CR BLDG. A AREA:	10,824 SF
CR BLDG. B AREA:	9,504 SF
OFFICE BLDG. A AREA:	25,600 SF
LI BLDG. A AREA:	59,640 SF
LI BLDG. B AREA:	35,280 SF
LI BLDG. C AREA:	24,000 SF
TOTAL BUILDING AREA:	164,848 SF
HB MAX. BUILDING HEIGHT:	3 STORIES
PROP. BUILDING HEIGHT:	1 STORY
BUILDING SETBACKS:	
FRONT:	30'
SIDE STREET:	20'
SIDE:	10'
REAR:	30'
AUTO PARKING CALCULATIONS:	
REQUIRED PARKING:	
CR BLDG. A PARKING:	54 SPACES (1 PER 200 SF)
CR BLDG. B PARKING:	48 SPACES (1 PER 200 SF)
OFFICE A PARKING:	86 SPACES (1 PER 300 SF)
LI BLDG. A PARKING:	120 SPACES (1 PER 500 SF)
LI BLDG. B PARKING:	71 SPACES (1 PER 500 SF)
LI BLDG. C PARKING:	48 SPACES (1 PER 500 SF)
TOTAL REQUIRED PARKING:	427 SPACES
PROPOSED PARKING:	
CR BLDG. A PARKING:	92 SPACES (4 ADA)
CR BLDG. B PARKING:	78 SPACES (4 ADA)
OFFICE A PARKING:	102 SPACES (4 ADA)
LI BLDG. A PARKING:	132 SPACES (6 ADA)
LI BLDG. B PARKING:	84 SPACES (4 ADA)
LI BLDG. C PARKING:	51 SPACES (4 ADA)
TOTAL PROPOSED PARKING:	539 SPACES (26 ADA)
BICYCLE PARKING CALCULATIONS:	
REQUIRED PARKING:	2 PER 40 AUTO SPACES = 539 / 40 X 2 = 27 SPACES
PROPOSED PARKING:	60 SPACES (30 INVERTED 'U' RACKS)
EXISTING IMPERVIOUS COVERAGE:	2,523 SF / 0.06 AC (0.3%)
PROPOSED IMPERVIOUS COVERAGE:	552,000 SF / 12.67 AC (41.7%)

SHEET	TITLE
C-1	COVER
C-2	EXISTING CONDITIONS & DEMOLITION PLAN
C-3	SITE PLAN
C-4	UTILITY PLAN
C-5	GRADING & DRAINAGE PLAN
C-6	LANDSCAPING PLAN
C-7	LIGHTING PLAN

POST OFFICE BOX 91727
RALEIGH, NORTH CAROLINA 27675
PHONE: 919.610.1051
FIRM NC LICENSE NUMBER C-4222

REVISION HISTORY			
REV #	DESCRIPTION	DATE	BY
1	TOWF COMMENTS	9/14/2023	FLM
2	TOWF COMMENTS	10/6/2023	FLM
3	TOWF COMMENTS	11/13/2023	FLM
4	TOWF COMMENTS	12/15/2023	FLM

ORIGINAL PLAN SIZE: 24" X 36"

PRELIMINARY
PLANS
DO NOT USE FOR CONSTRUCTION

SCALE ADJUSTMENT
THIS BAR IS 1 INCH IN LENGTH
ON ORIGINAL DRAWING
0 1"
IF IT IS NOT 1 INCH ON THIS
SHEET, ADJUST YOUR SCALE
ACCORDINGLY

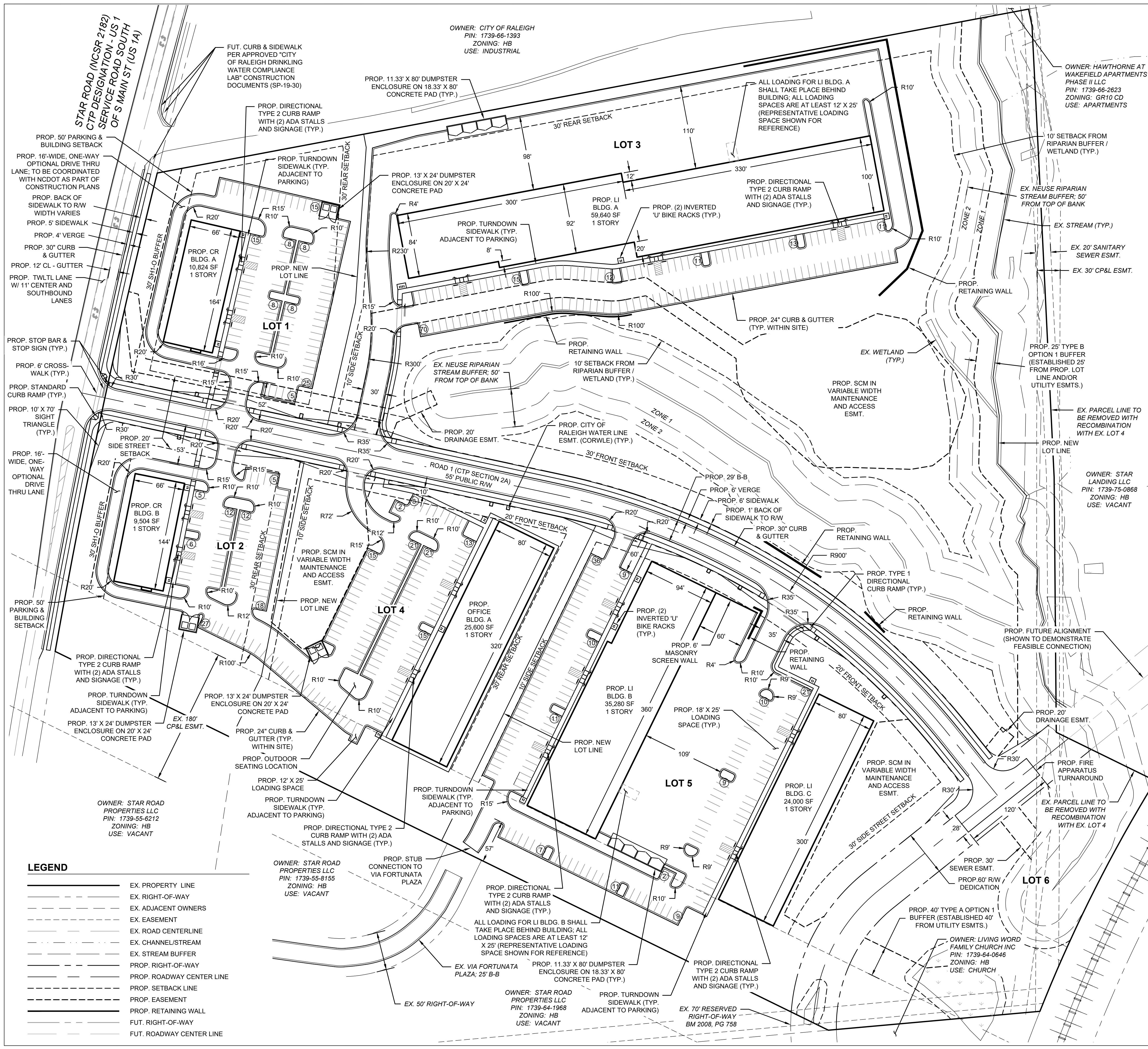
MASTER SITE PLANS
WAKE FOREST EXCHANGE
WAKE FOREST, NC

DATE:	06-09-2023
SCALE:	AS SHOWN
DESIGNED BY:	FLM
APPROVED BY:	FLM
PROJECT NO.:	23003

COVER

C-1
SHEET 1 OF 7

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SUMMARY INFORMATION

DEVELOPMENT NAME: WAKE FOREST EXCHANGE

SITE ADDRESS: STAR ROAD, WAKE FOREST, NC

PIN NUMBER(S): 1739-65-3709, 1739-55-8441 & 1739-65-4232

TOTAL AREA: 30.35 AC

EXISTING USE: VACANT

PROPOSED USE: COMMERCIAL/RESTAURANT (CR), OFFICE & LIGHT INDUSTRIAL (LI)

JURISDICTION: TOWN OF WAKE FOREST (ETJ ANNEXATION REQUIRED PRIOR TO CONSTRUCTION DRAWING APPROVAL)

CURRENT ZONING DISTRICT: HB

PROPOSED ZONING DISTRICT: HB CD

OVERLAY DISTRICT: SPECIAL HIGHWAY OVERLAY (SH1-O)

2022 COMMUNITY PLAN DESIGNATION: CORRIDOR COMMERCIAL

PROPOSED BUILDING AREA:
CR BLDG. A AREA: 10,824 SF
CR BLDG. B AREA: 9,504 SF
OFFICE BLDG. A AREA: 25,600 SF
LI BLDG. A AREA: 59,640 SF
LI BLDG. B AREA: 35,280 SF
LI BLDG. C AREA: 24,000 SF
TOTAL BUILDING AREA: 164,848 SF

HB MAX. BUILDING HEIGHT: 3 STORIES

PROPOSED BUILDING HEIGHT: 1 STORY

BUILDING SETBACKS:
FRONT: 30'
SIDE STREET: 20'
SIDE: 10'
REAR: 30'

AUTO PARKING CALCULATIONS:
REQUIRED PARKING:
CR BLDG. A PARKING: 54 SPACES (1 PER 200 SF)
CR BLDG. B PARKING: 48 SPACES (1 PER 200 SF)
OFFICE A PARKING: 86 SPACES (1 PER 300 SF)
LI BLDG. A PARKING: 120 SPACES (1 PER 500 SF)
LI BLDG. B PARKING: 71 SPACES (1 PER 500 SF)
LI BLDG. C PARKING: 48 SPACES (1 PER 500 SF)
TOTAL REQUIRED PARKING: 427 SPACES

PROPOSED PARKING:
CR BLDG. A PARKING: 92 SPACES (4 ADA)
CR BLDG. B PARKING: 78 SPACES (4 ADA)
OFFICE A PARKING: 102 SPACES (4 ADA)
LI BLDG. A PARKING: 132 SPACES (6 ADA)
LI BLDG. B PARKING: 84 SPACES (4 ADA)
LI BLDG. C PARKING: 51 SPACES (4 ADA)
TOTAL PROPOSED PARKING: 539 SPACES (26 ADA)

BICYCLE PARKING CALCULATIONS:
REQUIRED PARKING: 2 PER 40 AUTO SPACES = 539 / 40 X 2 = 27 SPACES
PROPOSED PARKING: 60 SPACES (30 INVERTED 'U' RACKS)

EXISTING IMPERVIOUS COVERAGE: 2,523 SF / 0.06 AC (0.3%)

PROPOSED IMPERVIOUS COVERAGE: 552,000 SF / 12.67 AC (41.7%)

- NOTES
1. PROPOSED ADA STALLS AND AISLES SHALL HAVE SLOPES NO STEEPER THAN 1:48 (2%) IN ALL DIRECTIONS.

2. PROPOSED ACCESSIBLE ROUTES SHALL HAVE RUNNING SLOPES NO STEEPER THAN 1:20 (5%) AND CROSS SLOPES NO STEEPER THAN 1:48 (2%).

3. ACCESSIBLE PARKING SPACES ARE THOSE DENOTED BY ADA PARKING SIGNS AND ACCESSIBLE AISLES ARE REPRESENTED BY CROSS HATCHING.

4. ALL DRIVE AISLES ARE 24'-WIDE UNLESS OTHERWISE NOTED.

5. ALL PARKING STALLS ARE 9' X 18'.

6. ALL PARKING STALLS ARE AT LEAST 10' FROM BUILDINGS. NO PARKING MAY BE WITHIN 10' OF THE BUILDINGS.

7. DIMENSIONS SHOWN ARE TO FACE OF CURB.

8. RADII ARE 3' UNLESS OTHERWISE NOTED.

9. FINAL DESIGN OF OFFSITE ROAD IMPROVEMENTS TO BE COORDINATED WITH NCDOT DURING PERMITTING.

RECOMMENDATION FOR APPROVAL
BY THE WAKE FOREST
PLANNING BOARD

DATE

APPROVAL BY THE
WAKE FOREST BOARD OF
COMMISSIONERS

DATE

FLM
ENGINEERING

POST OFFICE BOX 91727
RALEIGH, NORTH CAROLINA 27675
PHONE: 919.610.1051
FIRM NC LICENSE NUMBER C-4222

REVISION HISTORY

REV #	DESCRIPTION	DATE	BY
1	TOWF COMMENTS	9/14/2023	FLM
2	TOWF COMMENTS	10/6/2023	FLM
3	TOWF COMMENTS	11/13/2023	FLM
4	TOWF COMMENTS	12/15/2023	FLM

ORIGINAL PLAN SIZE: 24" X 36"

PRELIMINARY
PLANS
DO NOT USE FOR CONSTRUCTION

60 30 0 60
SCALE: 1 INCH = 60 FEET

N

SCALE ADJUSTMENT
THIS BAR IS 1 INCH IN LENGTH
ON ORIGINAL DRAWING
0 1"
IF IT IS NOT 1 INCH ON THIS
SHEET, ADJUST YOUR SCALE
ACCORDINGLY

MASTER SITE PLANS
WAKE FOREST EXCHANGE
WAKE FOREST, NC

ST. JOHN
PROPERTIES

DATE: 06-09-2023
SCALE: AS SHOWN
DESIGNED BY: FLM
APPROVED BY: FLM
PROJECT NO.: 23003

SITE PLAN

C-3
SHEET 3 OF 7

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NOTES

1. ALL NON-RETAIL BUILDINGS SHALL BE EQUIPPED WITH AN AUTOMATIC SPRINKLER SYSTEMS.
2. ALL WATER AND SANITARY SEWER CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY OF RALEIGH STANDARDS AND SPECIFICATIONS.
3. CONSTRUCTION APPROVAL THROUGH THE CITY OF RALEIGH IS REQUIRED FOR WATER AND SANITARY SEWER MAIN EXTENSIONS.
4. ON-SITE SANITARY SEWER EASEMENTS SHALL BE DEDICATED AS NECESSARY SO THAT THE COMBINATION OF RIGHT-OF-WAY AND EASEMENT EQUALS 15' ON EACH SIDE OF THE SANITARY SEWER MAIN.
5. THE UTILITIES SHOWN ARE NOT GUARANTEED TO BE A REPRESENTATION OF ALL UTILITIES WITHIN THE PROJECT EXTENT.
6. THE CONTRACTOR SHALL CALL THE NORTH CAROLINA ONE-CALL-CENTER AT LEAST 48 HOURS PRIOR TO BEGINNING WORK.
7. THE CONTRACTOR SHALL VERIFY DEPTHS AND LOCATIONS OF ALL UTILITIES PRIOR TO BEGINNING WORK AND SHALL USE CARE WHEN OPERATING AROUND EXISTING UTILITIES.
8. THE CONTRACTOR SHALL BE FINANCIALLY RESPONSIBLE FOR THE REPAIR OF ANY EXISTING UTILITIES DAMAGED DURING CONSTRUCTION.

OWNER: CITY OF RALEIGH
PIN: 1739-66-1393
ZONING: HB
USE: INDUSTRIAL

OWNER: HAWTHORNE AT WAKEFIELD APARTMENTS
PHASE II LLC
PIN: 1739-66-8930
ZONING: GR10 CD
USE: APARTMENTS

OWNER: HAWTHORNE AT WAKEFIELD APARTMENTS
PHASE II LLC
PIN: 1739-66-2623
ZONING: GR10 CD
USE: APARTMENTS

OWNER: STAR LANDING LLC
PIN: 1739-75-0868
ZONING: HB
USE: VACANT

OWNER: MERRITT-WF1 LLC
PIN: 1739-74-3970
ZONING: LI
USE: VACANT

OWNER: STAR ROAD PROPERTIES LLC
PIN: 1739-55-8155
ZONING: HB
USE: VACANT

OWNER: STAR ROAD PROPERTIES LLC
PIN: 1739-64-1968
ZONING: HB
USE: VACANT

APPROX. LOCATION
EX. WATER LINE;
SIZE, DEPTH &
MATERIAL UNKNOWN

STAR ROAD (MCSR 2182)
CTP DESIGNATION - US 1
SERVICE ROAD

PROP. FIRE HYDRANT ASSEMBLY
PROP. 8" TAPPING SLEEVE & VALVE

PROP. 2" METER ASSEMBLY IN CORWLE
PROP. 2" RPZ IN HEATED ENCLOSURE
PROP. 2" SOFT 'K' COPPER WATER SERVICE LINE

PROP. CR BLDG. A
10,824 SF
1 STORY
FFE = 321.00'

PROP. CR BLDG. B
9,504 SF
1 STORY
FFE = 324.00'

PROP. 4" SCHED 40 PVC SANITARY SEWER SERVICE LINE (TYP. EACH RETAIL BLDG.)

OWNER: STAR ROAD PROPERTIES LLC
PIN: 1739-55-6212
ZONING: HB
USE: VACANT

LEGEND

- EX. PROPERTY LINE
- EX. RIGHT-OF-WAY
- EX. ADJACENT OWNERS
- EX. EASEMENT
- EX. ROAD CENTERLINE
- EX. CHANNEL/STREAM
- EX. STREAM BUFFER
- OHW OHW
- EX. OVERHEAD ELECTRIC LINE
- W W
- EX. WATER LINE
- SS SS
- EX. SANITARY SEWER
- SD SD
- EX. STORM SEWER
- PROP. RIGHT-OF-WAY
- PROP. SETBACK LINE
- PROP. EASEMENT
- PROP. RETAINING WALL
- W W
- PROP. WATER LINE
- SS SS
- PROP. SANITARY SEWER
- PROP. STORM SEWER

PROP. LI BLDG. A
59,640 SF
1 STORY
FFE = 306.00'

PROP. 6" DIP PRIVATE FIRE LINE
PROP. 2" SOFT 'K' COPPER WATER SERVICE LINE

PROP. FIRE HYDRANT ASSEMBLY

PROP. 6" SCHED 40 PVC SANITARY SEWER SERVICE LINE (TYP. EACH NON-RETAIL BLDG.)

EX. NEUSE RIPARIAN STREAM BUFFER: 50' FROM TOP OF BANK

PROP. 6" RPDA IN HEATED ENCLOSURE

PROP. 6" TAPPING SLEEVE & VALVE

PROP. 8" SANITARY SEWER LINE (TYP.)

PROP. 8" DIP WATER LINE (TYP. WITHIN PUBLIC R/W)

PROP. 6" TAPPING SLEEVE & VALVE

PROP. 2" METER ASSEMBLY IN CORWLE

PROP. 2" RPZ IN HEATED ENCLOSURE

PROP. FIRE HYDRANT ASSEMBLY IN CORWLE

PROP. 6" RPDA IN HEATED ENCLOSURE

PROP. 2" SOFT 'K' COPPER WATER SERVICE LINE

PROP. LI BLDG. B
35,280 SF
1 STORY
FFE = 296.00'

PROP. 6" DIP PRIVATE FIRE LINE

PROP. 2" SOFT 'K' COPPER WATER SERVICE LINE

PROP. LI BLDG. C
24,000 SF
1 STORY
FFE = 287.50'

PROP. 6" DIP PRIVATE FIRE LINE

PROP. 2" SOFT 'K' COPPER WATER SERVICE LINE

PROP. FIRE HYDRANT ASSEMBLY

PROP. 6" SCHED 40 PVC SANITARY SEWER SERVICE LINE (TYP. EACH NON-RETAIL BLDG.)

EX. NEUSE RIPARIAN STREAM BUFFER: 50' FROM TOP OF BANK

PROP. 6" RPDA IN HEATED ENCLOSURE

PROP. 6" TAPPING SLEEVE & VALVE

PROP. 8" SANITARY SEWER LINE (TYP.)

PROP. 8" DIP WATER LINE (TYP. WITHIN PUBLIC R/W)

PROP. 6" TAPPING SLEEVE & VALVE

PROP. 2" METER ASSEMBLY IN CORWLE

PROP. 2" RPZ IN HEATED ENCLOSURE

PROP. FIRE HYDRANT ASSEMBLY IN CORWLE

PROP. 6" RPDA IN HEATED ENCLOSURE

PROP. 2" SOFT 'K' COPPER WATER SERVICE LINE

PROP. LI BLDG. D
24,000 SF
1 STORY
FFE = 287.50'

PROP. 6" DIP PRIVATE FIRE LINE

PROP. 2" SOFT 'K' COPPER WATER SERVICE LINE

PROP. LI BLDG. E
24,000 SF
1 STORY
FFE = 287.50'

PROP. 6" DIP PRIVATE FIRE LINE

PROP. 2" SOFT 'K' COPPER WATER SERVICE LINE

PROP. LI BLDG. F
24,000 SF
1 STORY
FFE = 287.50'

PROP. 6" DIP PRIVATE FIRE LINE

PROP. 2" SOFT 'K' COPPER WATER SERVICE LINE

PROP. LI BLDG. G
24,000 SF
1 STORY
FFE = 287.50'

PROP. 6" DIP PRIVATE FIRE LINE

PROP. 2" SOFT 'K' COPPER WATER SERVICE LINE

PROP. LI BLDG. H
24,000 SF
1 STORY
FFE = 287.50'

PROP. 6" DIP PRIVATE FIRE LINE

PROP. 2" SOFT 'K' COPPER WATER SERVICE LINE

PROP. LI BLDG. I
24,000 SF
1 STORY
FFE = 287.50'

PROP. 6" DIP PRIVATE FIRE LINE

PROP. 2" SOFT 'K' COPPER WATER SERVICE LINE

PROP. LI BLDG. J
24,000 SF
1 STORY
FFE = 287.50'

PROP. 6" DIP PRIVATE FIRE LINE

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24,000 SF
1 STORY
FFE = 287.50'

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24,000 SF
1 STORY
FFE = 287.50'

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1 STORY
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24,000 SF
1 STORY
FFE = 287.50'

PROP. 6" DIP PRIVATE FIRE LINE

PROP. 2" SOFT 'K' COPPER WATER SERVICE LINE

PROP. LI BLDG. O
24,000 SF
1 STORY
FFE = 287.50'

PROP. 6" DIP PRIVATE FIRE LINE

PROP. 2" SOFT 'K' COPPER WATER SERVICE LINE

EX. STREAM (TYP.)

EX. 20' SANITARY SEWER ESMT.

EX. 30' CP&L ESMT.

EX. SANITARY SEWER MAIN (TYP.)

EX. 80' SEABOARD COAST LINE RAILWAY RIGHT-OF-WAY

EX. 180' CP&L ESMT.

EX. VIA FORTUNATA WAY: 25' B-B

EX. 180' CP&L ESMT.

EX. 180' CP&L ESMT.

EX. 180' CP&L ESMT.

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EX. 180' CP&L ESMT.

EX. 180' CP&L ESMT.

CITY OF RALEIGH STANDARD
UTILITY NOTES
(AS APPLICABLE)

1. ALL MATERIALS & CONSTRUCTION METHODS SHALL BE IN ACCORDANCE WITH CITY OF RALEIGH DESIGN STANDARDS, DETAILS & SPECIFICATIONS (REFERENCE: CORPUD HANDBOOK, CURRENT EDITION)
2. UTILITY SEPARATION REQUIREMENTS:
 - A) A DISTANCE OF 100' SHALL BE MAINTAINED BETWEEN SANITARY SEWER & ANY PRIVATE OR PUBLIC WATER SUPPLY SOURCE SUCH AS AN IMPOUNDED RESERVOIR USED AS A SOURCE OF DRINKING WATER. IF ADEQUATE LATERAL SEPARATION CANNOT BE ACHIEVED, FERROUS SANITARY SEWER PIPE SHALL BE SPECIFIED & INSTALLED TO WATERLINE SPECIFICATIONS. HOWEVER, THE MINIMUM SEPARATION SHALL NOT BE LESS THAN 25' FROM A PRIVATE WELL OR 50' FROM A PUBLIC WELL
 - B) WHEN INSTALLING WATER &/OR SEWER MAINS, THE HORIZONTAL SEPARATION BETWEEN UTILITIES SHALL BE 10'. IF THIS SEPARATION CANNOT BE MAINTAINED DUE TO EXISTING CONDITIONS, THE VARIATION ALLOWED IS THE WATER MAIN IN A SEPARATE TRENCH WITH THE ELEVATION OF THE WATER MAIN AT LEAST 18" ABOVE THE TOP OF THE SEWER & MUST BE APPROVED BY THE PUBLIC UTILITIES DIRECTOR. ALL DISTANCES ARE MEASURED FROM OUTSIDE DIAMETER TO OUTSIDE DIAMETER
 - C) WHERE IT IS IMPOSSIBLE TO OBTAIN PROPER SEPARATION, OR ANYTIME A SANITARY SEWER PASSES OVER A WATERMAIN, DIP MATERIALS OR STEEL ENCASEMENT EXTENDED 10' ON EACH SIDE OF CROSSING MUST BE SPECIFIED & INSTALLED TO WATERLINE SPECIFICATIONS
 - D) 5.0' MINIMUM HORIZONTAL SEPARATION IS REQUIRED BETWEEN ALL SANITARY SEWER & STORM SEWER FACILITIES, UNLESS DIP MATERIAL IS SPECIFIED FOR SANITARY SEWER
 - E) MAINTAIN 18" MIN. VERTICAL SEPARATION AT ALL WATERMAIN & RCP STORM DRAIN CROSSINGS; MAINTAIN 18" MIN. VERTICAL SEPARATION AT ALL SANITARY SEWER & RCP STORM DRAIN CROSSINGS. WHERE ADEQUATE SEPARATIONS CANNOT BE ACHIEVED, SPECIFY DIP MATERIALS & A CONCRETE CRADLE HAVING 6" MIN. CLEARANCE (PER CORPUD DETAILS W-41 & S-48)
 - F) ALL OTHER UNDERGROUND UTILITIES SHALL CROSS WATER & SEWER FACILITIES WITH 18" MIN. VERTICAL SEPARATION REQUIRED
3. ANY NECESSARY FIELD REVISIONS ARE SUBJECT TO REVIEW & APPROVAL OF AN AMENDED PLAN &/OR PROFILE BY THE CITY OF RALEIGH PUBLIC UTILITIES DEPARTMENT PRIOR TO CONSTRUCTION
4. DEVELOPER SHALL PROVIDE 30 DAYS ADVANCE WRITTEN NOTICE TO OWNER FOR ANY WORK REQUIRED WITHIN AN EXISTING CITY OF RALEIGH UTILITY EASEMENT TRAVERSING PRIVATE PROPERTY
5. CONTRACTOR SHALL MAINTAIN CONTINUOUS WATER & SEWER SERVICE TO EXISTING RESIDENCES & BUSINESSES THROUGHOUT CONSTRUCTION OF PROJECT. ANY NECESSARY SERVICE INTERRUPTIONS SHALL BE PRECEDED BY A 24 HOUR ADVANCE NOTICE TO THE CITY OF RALEIGH PUBLIC UTILITIES DEPARTMENT
6. 3.0' MINIMUM COVER IS REQUIRED ON ALL WATER MAINS & SEWER FORCEMAINS. 4.0' MINIMUM COVER IS REQUIRED ON ALL REUSE MAINS
7. IT IS THE DEVELOPER'S RESPONSIBILITY TO ABANDON OR REMOVE EXISTING WATER & SEWER SERVICES NOT BEING USED IN REDEVELOPMENT OF A SITE UNLESS OTHERWISE DIRECTED BY THE CITY OF RALEIGH PUBLIC UTILITIES DEPARTMENT. THIS INCLUDES ABANDONING TAP AT MAIN & REMOVAL OF SERVICE FROM ROW OR EASEMENT PER CORPUD HANDBOOK PROCEDURE
8. INSTALL 3/4" COPPER WATER SERVICES WITH METERS LOCATED AT ROW OR WITHIN A 2'X2' WATERLINE EASEMENT IMMEDIATELY ADJACENT. NOTE: IT IS THE APPLICANT'S RESPONSIBILITY TO PROPERLY SIZE THE WATER SERVICE FOR EACH CONNECTION TO PROVIDE ADEQUATE FLOW & PRESSURE
9. INSTALL 4" PVC SEWER SERVICES @ 1.0% MINIMUM GRADE WITH CLEANOUTS LOCATED AT ROW OR EASEMENT LINE & SPACED EVERY 75 LINEAR FEET MAXIMUM
10. PRESSURE REDUCING VALVES ARE REQUIRED ON ALL WATER SERVICES EXCEEDING 80 PSI; BACKWATER VALVES ARE REQUIRED ON ALL SANITARY SEWER SERVICES HAVING BUILDING DRAINS LOWER THAN 1.0' ABOVE THE NEXT UPSTREAM MANHOLE
11. ALL ENVIRONMENTAL PERMITS APPLICABLE TO THE PROJECT MUST BE OBTAINED FROM NCDDWG, USACE &/OR FEMA FOR ANY RIPARIAN BUFFER, WETLAND &/OR FLOODPLAIN IMPACTS (RESPECTIVELY) PRIOR TO CONSTRUCTION
12. NCDDOT / RAILROAD ENCROACHMENT AGREEMENTS ARE REQUIRED FOR ANY UTILITY WORK (INCLUDING MAIN EXTENSIONS & SERVICE TAPS) WITHIN STATE OR RAILROAD ROW PRIOR TO CONSTRUCTION
13. GREASE INTERCEPTOR / OIL WATER SEPARATOR SIZING CALCULATIONS & INSTALLATION SPECIFICATIONS SHALL BE APPROVED BY THE CORPUD FOG PROGRAM COORDINATOR PRIOR TO ISSUANCE OF A BUILDING PERMIT. CONTACT STEPHEN CALVERLEY AT (919) 996-2334 OR STEPHEN.CALVERLEY@RALEIGHNC.GOV FOR MORE INFORMATION
14. CROSS-CONNECTION CONTROL PROTECTION DEVICES ARE REQUIRED BASED ON DEGREE OF HEALTH HAZARD INVOLVED AS LISTED IN APPENDIX-B OF THE RULES GOVERNING PUBLIC WATER SYSTEMS IN NORTH CAROLINA. THESE GUIDELINES ARE THE MINIMUM REQUIREMENTS. THE DEVICES SHALL MEET AMERICAN SOCIETY OF SANITARY ENGINEERING (ASSE) STANDARDS OR BE ON THE UNIVERSITY OF SOUTHERN CALIFORNIA APPROVAL LIST. THE DEVICES SHALL BE INSTALLED AND TESTED (BOTH INITIAL AND PERIODIC TESTING THEREAFTER) IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS OR THE LOCAL CROSS-CONNECTION CONTROL PROGRAM, WHICHEVER IS MORE STRINGENT. A CERTIFICATE OF COMPLIANCE SHALL ALSO BE OBTAINED FOR EACH DEVICE PRIOR TO ISSUANCE OF A BUILDING PERMIT. CONTACT JOANIE HARTLEY AT (919) 996-9823 OR JOANIE.HARTLEY@RALEIGHNC.GOV FOR MORE INFORMATION

RECOMMENDATION FOR APPROVAL
BY THE WAKE FOREST
PLANNING BOARD

DATE

APPROVAL BY THE
WAKE FOREST BOARD OF
COMMISSIONERS

DATE



POST OFFICE BOX 91727
RALEIGH, NORTH CAROLINA 27675
PHONE: 919.610.1051
FIRM NC LICENSE NUMBER C-4222

REVISION HISTORY

REV #	DESCRIPTION	DATE	BY
1	TOWF COMMENTS	9/14/2023	FLM
2	TOWF COMMENTS	10/6/2023	FLM
3	TOWF COMMENTS	11/13/2023	FLM
4	TOWF COMMENTS	12/15/2023	FLM

ORIGINAL PLAN SIZE: 24" X 36"

PRELIMINARY
PLANS
DO NOT USE FOR CONSTRUCTION

60 30 0 60
SCALE: 1 INCH = 60 FEET



SCALE ADJUSTMENT
THIS BAR IS 1 INCH IN LENGTH
ON ORIGINAL DRAWING
0 1"
IF IT IS NOT 1 INCH ON THIS
SHEET, ADJUST YOUR SCALE
ACCORDINGLY

MASTER SITE PLANS

WAKE FOREST EXCHANGE
WAKE FOREST, NC

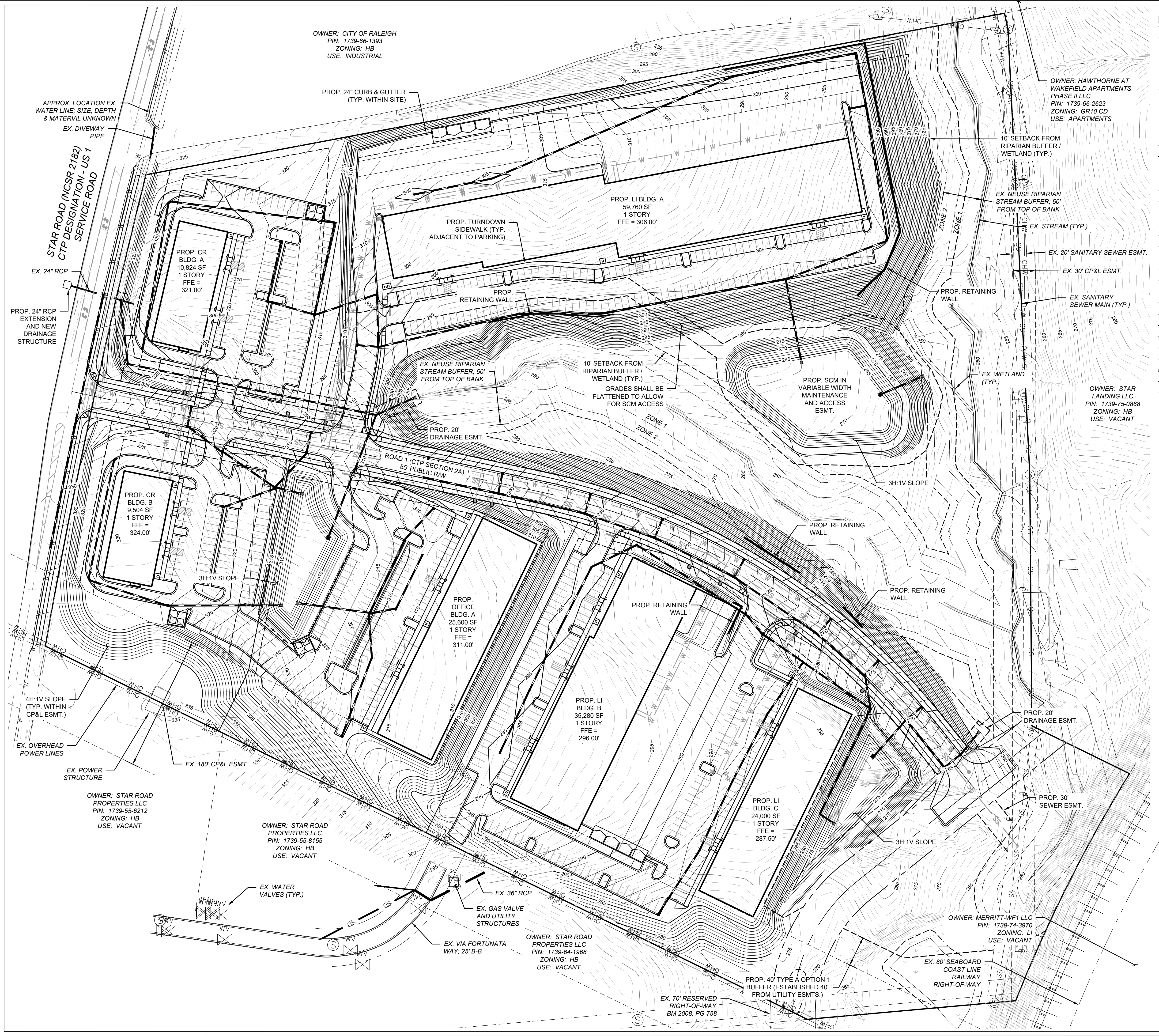


DATE:	06-09-2023
SCALE:	AS SHOWN
DESIGNED BY:	FLM
APPROVED BY:	FLM
PROJECT NO.:	23003

UTILITY PLAN

C-4

SHEET 4 OF 7



NOTES

- PRELIMINARY GRADES SHOWN REPRESENT FINISHED GRADES.
- CUT/FILL SLOPES ARE 2H:1V UNLESS OTHERWISE NOTED.
- ALL STORMWATER INFRASTRUCTURE OUTSIDE OF THE PUBLIC RIGHT-OF-WAY SHALL BE PRIVATELY MAINTAINED WITHIN PRIVATE DRAINAGE EASEMENTS.

LEGEND

---	EX. PROPERTY LINE
---	EX. RIGHT-OF-WAY
---	EX. ADJACENT OWNERS
---	EX. EASEMENT
---	EX. ROAD CENTERLINE
---	EX. CHANNEL/STREAM
---	EX. STREAM BUFFER
---	EX. OVERHEAD ELECTRIC LINE
---	EX. WATER LINE
---	EX. SANITARY SEWER
---	EX. STORM SEWER
---	EX. MAJOR CONTOUR (5')
---	EX. MINOR CONTOUR (1')
---	PROP. RIGHT-OF-WAY
---	PROP. SETBACK LINE
---	PROP. EASEMENT
---	PROP. RETAINING WALL
---	PROP. WATER LINE
---	PROP. SANITARY SEWER
---	PROP. STORM SEWER
---	PROP. MAJOR CONTOUR (5')
---	PROP. MINOR CONTOUR (1')



POST OFFICE BOX 91727
RALEIGH, NORTH CAROLINA 27675
PHONE: 919.610.1051
FIRM NC LICENSE NUMBER C-4222

REVISION HISTORY

REV #	DESCRIPTION	DATE	BY
1	TOWF COMMENTS	9/14/2023	FLM
2	TOWF COMMENTS	10/6/2023	FLM
3	TOWF COMMENTS	11/13/2023	FLM
4	TOWF COMMENTS	12/15/2023	FLM

ORIGINAL PLAN SIZE: 24" X 36"

PRELIMINARY PLANS

DO NOT USE FOR CONSTRUCTION

60 30 0 60
SCALE: 1 INCH = 60 FEET

N

SCALE ADJUSTMENT

THIS BAR IS 1 INCH IN LENGTH ON ORIGINAL DRAWING

0 1"

IF IT IS NOT 1 INCH ON THIS SHEET, ADJUST YOUR SCALE ACCORDINGLY

MASTER SITE PLANS

WAKE FOREST EXCHANGE
WAKE FOREST, NC



DATE: 06-09-2023

SCALE: AS SHOWN

DESIGNED BY: FLM

APPROVED BY: FLM

PROJECT NO.: 23003

GRADING & DRAINAGE PLAN

C-5

SHEET 5 OF 7

RECOMMENDATION FOR APPROVAL
BY THE WAKE FOREST
PLANNING BOARD

DATE

APPROVAL BY THE
WAKE FOREST BOARD OF
COMMISSIONERS

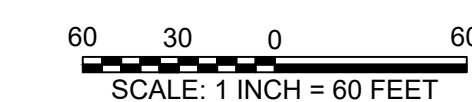
DATE

[illegible]

ORIGINAL PLAN SIZE: 24" X 36"

PRELIMINARY
PLANS

DO NOT USE FOR CONSTRUCTION



	SCALE ADJUSTMENT
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THIS BAR IS 1 INCH IN LENGTH
ON ORIGINAL DRAWING

0 1"

IF IT IS NOT 1 INCH ON THIS SHEET, ADJUST YOUR SCALE ACCORDINGLY

MASTER SITE PLANS

WAKE FOREST EXCHANGE
WAKE FOREST, NC



DATE:	06-09-2023
SCALE:	AS SHOWN
DESIGNED BY:	FLM
APPROVED BY:	FLM
PROJECT NO.:	23003

LIGHTING PLAN

C-7

SHEET 7 OF 10

Consistency Statement of the Wake Forest Board of Commissioners Pursuant to G.S. 160D-605 Addressing Action on Zoning Map Amendment RZ-23-06: Star Road Tech Park Conditional District

The Wake Forest Board of Commissioners finds that RZ-23-06 is inconsistent with the 2022 Wake Forest Community Plan. The Wake Forest Board of Commissioners finds that the denial of the rezoning request is reasonable and in the public interest for the following reasons:

1. The proposed rezoning is inconsistent with the Future Land Use Plan in the Community Plan. The plan designates Corridor Commercial for this property, which includes businesses such as large-scale shopping centers, grocery stores, restaurants, gas stations, hotels, and offices.
2. The proposed rezoning does not provide the construction of the Comprehensive Transportation Plan's new collector road along the eastern side of the property. Only right-of-way dedication is being proposed.
3. The proposed rezoning is inconsistent with the Commercial Development section in the Community Plan. No multi-story buildings are proposed, pedestrian connectivity is only provided along the sidewalks leading to Road A and not connections between the buildings, and building are situated so that each is isolated from the other.
4. The proposed rezoning is inconsistent with the Community Character section in the Community Plan. Only a commitment to pursue public art and seating areas has been provided without any tangible requirements of the developer to provide these items.
5. The proposed rezoning is inconsistent with the Commercial and Industrial Areas Plan for Capital Boulevard section in the Community Plan. The uses are not appropriate along Capital Boulevard and the Star Road service road has not been finalized with NCDOT



Board of Commissioners Agenda Item Report

Agenda Item No.: 2024-49-

Submitted by: Aileen J. Staples

Submitting Department: Administration

Meeting Date: March 19, 2024

SUBJECT

Public Hearing to receive public input for the FY 2024-2025 Annual Operating Budget

Recommendation:

Item Summary:

ATTACHMENTS

- [First Budget Public Hearing FY 2024-2025_summary.pdf](#)
- [FY 24-25 Budget Preparation Schedule.pdf](#)

Public Hearing to receive public input for the FY 2024-2025 Annual Operating Budget

Staff will be preparing the proposed FY 2024-2025 Budget over the next few months. The purpose of the hearing is to receive public comment(s) for the upcoming fiscal year beginning July 1, 2024. The budget preparation schedule is attached, and the proposed budget will be presented at the work session on May 7, 2024.

Town of Wake Forest
BUDGET PREPARATION SCHEDULE
Fiscal Year Ending June 30, 2025

<i>DATE</i>	<i>ACTIVITY</i>	<i>RESPONSIBILITY</i>
February 13, 2024	Budget Kick-off Meeting (via Zoom –9:30 am)	ATM/CFO Town Manager Assistant Town Managers Department Directors
February 16, 2024	Distribute information to Department Directors	ATM/CFO
March 8, 2024	Updates to Performance Measures and Workload Indicators	Budget and Performance Analyst Department Directors
March 19, 2024	Initial Public Hearing to receive input on Budget needs	ATM/CFO Town Clerk
March 25, 2024	Complete and return Budget requests to ATM/CFO	Department Directors
March 28, 2024	Complete and return Performance Measures Data	Department Directors Budget and Performance Analyst
April 1- 12, 2024	Meet with Department Directors to review budget requests (Conference Room 303)	Town Manager Assistant Town Managers Budget Team
April 2024	Finalize Proposed Budget	Town Manager ATM/CFO Budget Team
May 7, 2024	Present Proposed Budget to Board of Commissioners	Town Manager Budget Team
May 21, 2024	Public Hearing on Proposed Budget	Town Clerk
June 4, 2024	Budget work session with Board of Commissioners	Town Manager Budget and Performance Manager Department Directors
June 18, 2024	Adopt Budget FY 2024-2025 Budget Ordinance	Board of Commissioners



Board of Commissioners Agenda Item Report

Agenda Item No.: 2024-3-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: March 19, 2024

SUBJECT

Public Comment: If anyone would like to address the Board of Commissioners on an item other than a public hearing item during the time of public comment, please sign up with the Town Clerk prior to the meeting. Each speaker is asked to limit comments to 3 minutes. Please provide the clerk with copies of any handouts you have for the Board. Although the Board is interested in hearing your concerns, speakers should not expect Board action or deliberation on subject matter brought up during the Public Comment segment. Topics requiring further investigation will be referred to the appropriate Town Staff and may be scheduled for a future agenda. Thank you for your consideration of the Board of Commissioners, staff and other speakers.

Recommendation:

Item Summary:

ATTACHMENTS

-



Board of Commissioners Agenda Item Report

Agenda Item No.: 2024-32-

Submitted by: Elisabeth Palermo

Submitting Department: Engineering

Meeting Date: March 19, 2024

SUBJECT

Approval of Resolution to Accept Streets into the Town of Wake Forest Street System for Maintenance.

Recommendation:

The purpose of this resolution is to vote to accept streets into the Town of Wake Forest Street System for Maintenance

Item Summary:

ATTACHMENTS

- [Attachment_A_Summary_Accept_Streets.docx](#)
- [Attachment_B_Resolution_Accept_Streets.docx](#)
- [Attachment_C_NCDOT S. Franklin deletion.pdf](#)

Agenda Item: Resolution to Accept Streets into the Town of Wake Forest Street System for Maintenance.

Summary: New streets are required to be designed and built to Town of Wake Forest standards and specifications. Historically, the Board has accepted streets into the Town of Wake Forest Street System and added them to the Powell Bill submission for additional maintenance funds annually. In a proactive endeavor to prevent omissions of newly accepted streets, the Engineering Department is submitting street acceptance resolutions to the Board of Commissioners once a quarter on an as needed basis. This resolution list the additions that have been approved and by Engineering Staff since the June 2023 Street acceptance Resolution. The list includes S. Franklin St. from Rogers Rd. to Artisan Park Dr. The board voted to take over maintenance of this section of Franklin St. in March of 2023 and NCDOT deleted this segment of S. Franklin St. from the State Highway System in September of 2023. The Powell Bill map will be updated annually in June to include these additions.

Attachments: Attachment_A_Summary_Accept_Streets,
Attachment_B_Resolution_Accept_Streets,
Attachment_C_NCDOT S. Franklin deletion

RESOLUTION 2024-XX

RESOLUTION TO ACCEPT STREETS INTO THE TOWN OF WAKE FOREST STREET SYSTEM FOR MAINTENANCE

WHEREAS, streets are required to be designed and built according to our Manual of Standards, Specifications and Design; and

WHEREAS, Engineers and Construction Inspectors approved the street segments for acceptance accordingly as described in the table below;

WHEREAS, approval by the Town of Wake Forest Board of Commissioners is necessary for eligibility for receiving funding from the NCDOT's Powell Bill Program;

BE IT RESOLVED that the Board of Commissioners of the Town of Wake Forest accept this list of streets into the Town of Wake Forest Street System.

Duly adopted this 19th day of March 2024.

<u>SUBDIVISION</u>	<u>STREET NAME</u>	<u>BEG DESCRIPTION</u>	<u>END DESCRIPTION</u>	<u>LENGTH</u>
TRYON PHASE 10 & 11	KNIGHTS CREST WAY	END OF PH 8	END OF PH 10	0.12
TRYON PHASE 10 & 11	HAWKS BLUFF COURT	KNIGHTS CREST WAY	CUL-DE-SAC	0.05
TRYON PHASE 10 & 11	MARTIN CREEK DRIVE	KNIGHTS CREST WAY	END OF PHASE	0.11
TRYON PHASE 10 & 11	ARMOR CREST LANE	ARMOR CREST LANE	CUL-DE-SAC	0.02
	S. FRANKLIN ST.	ROGERS ROAD	ARTISAN PARK DRIVE	0.66
STONEMILL FALLS 2 & 3	STONEMILL FALLS DR.	PH 2	CUL-DE-SAC	0.34
STONEMILL FALLS 2 & 3	COPPER TRACE CT.	STONEMILL FALLS DRIVE	CUL-DE-SAC	0.06
STONEMILL FALLS 2 & 3	FREEMAN FALLS CT.	STONEMILL FALLS DRIVE	CUL-DE-SAC	0.08
STONEMILL FALLS 2 & 3	HILLSIDE FALLS DR.	STONEMILL FALLS DRIVE	END OF PHASE	0.07
			TOTAL	1.51

Vivian A. Jones,
Mayor

ATTEST:

Terry Savary
Town Clerk



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

September 13, 2023

Vivian Jones
Mayor, Town of Wake Forest
301 S. Brooks Street
Wake Forest, North Carolina 27587

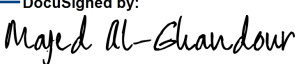
Dear Mayor Jones,

This letter is to acknowledge that the Town of Wake Forest was approved for the requested change in the State Highway System within the corporate limits. This resolution was forwarded to us by Division Engineer Wright Archer, III, PE.

On September 7, 2023, the Board of Transportation approved the requested addition/deletion from the State Highway System, please see the attached Item P agenda.

Please also share this information with all appropriate staff members so that the mileage will be accurately reflected on the next Powell Bill Certified Statement, Streets Listing, Add/Delete sheet and new Powell Bill map that will be submitted on July 1, 2024.

Sincerely,

DocuSigned by:

8361D48F05E84F21
Dr. Majed Al-Ghandour, Ph.D., PE, CPM, M.ASCE
Director, Project Management & Powell Bill
Assistant Director, Division of Planning and Programming
North Carolina Department of Transportation

Attachment

CC: Kip Padgett, Town of Wake Forest, Town Manager
Tim Bailey, Town of Wake Forest, Public Works Director
Wright Archer, III, PE, Division Division 7, NCDOT
C. N. (Chuck) Edwards, PE, District office, NCDOT
File

Mailing Address:

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF PLANNING AND PROGRAMMING
POWELL BILL UNIT
1534 MAIL SERVICE CENTER
RALEIGH, NC 27699-1534

Email: NCDOT_PowellBill@ncdot.gov

Website: <https://connect.ncdot.gov/municipalities/State-Street-Aid>

Location:

1 SOUTH WILMINGTON STREET
RALEIGH, NC 27601

919-707-4586

NCDOT September 2023 Board of Transportation Agenda Municipal Street System Changes for the Powell Bill Program

Deletions from the State Highway System

Division	County	Municipality	Road	Termini	Length
13	Rutherford	Spindale	SR 1593; Steward Street	From SR 1546 (Spindale Street) to US-74 Business (East Main Street)	0.12

File Name: RUTHERFORD_2023_09_M001

5	Wake	Raleigh	SR 3566, Otters Run Court	From 0.09 miles north east of Atlantic Avenue to end of cul-de-sac (This section is currently maintained by the city of Raleigh this is a formal transfer from NCDOT to the city of Raleigh)	0.05
---	------	---------	---------------------------	---	------

File Name: WAKE_2023_09_M001

5	Wake	Wake Forest	SR 5163; South Franklin Street	From SR 2052 (Rogers Road) to Artisan Park Drive	0.66
---	------	-------------	--------------------------------	--	------

File Name: WAKE_2023_09_M002

Total Miles = 0.83

Addition to the State Highway System

Division	County	Municipality	Road	Termini	Length
2	Greene	Snow Hill	Pine Shoal Drive	From US 13 (Kingold Boulevard) for 0.08 miles	0.08

File Name: GREENE_2023_09_M001

Total Miles = 0.08

Thursday September 7, 2023

Correction to the State Highway System

Division	County	Municipality	Road	Termini	Corrected Length
7	Guilford	High Point	SR 1193; Triangle Lake Road	"(Correction to the original abandonment length of 1.00)	1.01

File Name: GUILFORD_2023_07_M001

Total Miles = 1.01

Thursday September 7, 2023



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-207-
Submitted by: Emma Linn
Submitting Department: Planning
Meeting Date: March 19, 2024

SUBJECT

Approval of a resolution to schedule the public hearing and certify the sufficiency for a petition requesting contiguous annexation submitted by property owners Elizabeth Hunt Holding and SW Capital LLC for property associated with the rezoning request RZ-22-07, located at 12621 and 12631 Capital Blvd being Wake County PINs 1831-85-3681 and 1831-85-5861 being approximately 5.54 acres.

Recommendation:

Item Summary:

ATTACHMENTS

- [031924 BOC Agenda Summary AN-22-05.pdf](#)
- [Attachment A Legal Descriptions.pdf](#)
- [Attachment B Annexation Exhibit.pdf](#)
- [Attachment C Contiguous Annexation Petitions.pdf](#)
- [CERTIFICATE OF SUFFICIENCY .docx](#)
- [DRAFT PUBLIC HEARING RESOLUTION.docx](#)

Agenda Item: Approval of a resolution to schedule the public hearing and certify the sufficiency for a petition requesting contiguous annexation submitted by property owners Elizabeth Hunt Holding and SW Capital LLC for property associated with the rezoning request RZ-22-07, located at 12621 and 12631 Capital Blvd being Wake County PINs 1831-85-3681 and 1831-85-5861 being approximately 5.54 acres.

Summary: The property proposed for annexation is contiguous to the corporate limits of the Town of Wake Forest. The proposed annexation is associated with Amavi Wake Forest, RZ-22-07.

Staff is requesting that the Board accept the petition, adopt the resolution to investigate the annexation petition, certify the sufficiency of the annexation petition, and adopt the resolution setting the public hearing date for the annexation petition.

Attachments: Attachment A Legal Descriptions AN-22-05
Attachment B Annexation Map AN-22-05
Attachment C Contiguous Annexation Petitions AN-22-05
Certificate of Sufficiency
Draft Public Hearing Resolution

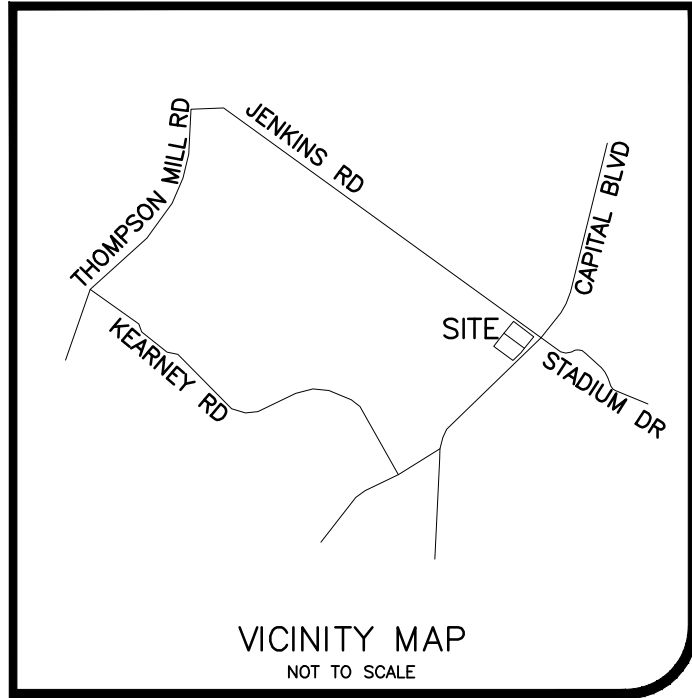
TRACT 3 DESCRIPTION

BEGINNING AT AN IRON PIPE IN THE SOUTHWESTERN LINE OF EMILY H. AND WILLIAM P. ANDREWS PROPERTY, HAVING THE NC GRID NAD83 COORDINATE OF N: 815858.57, E: 2138314.01; THENCE N 38°40'11" E A DISTANCE OF 265.23 FEET TO A POINT; THENCE S 52°57'32" E A DISTANCE OF 441.19 FEET TO AN IRON PIPE; THENCE S 38°58'53" W A DISTANCE OF 260.36 FEET TO AN IRON PIPE; THENCE N 53°35'58" W A DISTANCE OF 439.94 FEET TO AN IRON PIPE, BEING THE POINT OF BEGINNING. CONTAINING AN AREA OF 115698 SQUARE FEET OR 2.66 ACRES.

TRACT 4 DESCRIPTION

BEGINNING AT AN IRON PIPE IN THE SOUTHWESTERN LINE OF EMILY H. AND WILLIAM P. ANDREWS PROPERTY, HAVING THE NC GRID NAD83 COORDINATE OF N: 815858.57, E: 2138314.01; THENCE S 53°35'58" E A DISTANCE OF 439.94 FEET TO AN IRON PIPE; THENCE S 39°04'55" W A DISTANCE OF 96.66 FEET TO A RIGHT OF WAY DISK; THENCE S 44°41'52" W A DISTANCE OF 195.27 FEET TO A POINT; THENCE N 53°35'48" W A DISTANCE OF 418.66 FEET TO AN IRON PIPE; THENCE N 38°35'10" E A DISTANCE OF 119.63 FEET TO AN IRON PIPE; THENCE N 38°42'29" E A DISTANCE OF 170.36 FEET TO AN IRON PIPE, BEING THE POINT OF BEGINNING. CONTAINING AN AREA OF 125344 SQUARE FEET OR 2.88 ACRES.

I:\Projects\MCR\MC21001\02-Geomatics\Survey\Plats\MC21001-AN1.dwg, 6/14/2022 10:01:45 AM, Jake Sayer



VICINITY MAP
NOT TO SCALE

I, RONALD T. FREDERICK, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM DEED DESCRIPTION RECORDED IN BOOK AND PAGE (AS SHOWN); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AND DRAWN FROM INFORMATION FOUND IN BOOK AND PAGE (AS SHOWN); THAT THE RATIO OF PRECISION AS CALCULATED IS 1: 97,299.; AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

I HEREBY CERTIFY THAT THIS PLAT IS OF THE FOLLOWING TYPE:
G.S. 47-30 (f)(1)(c)(1). THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS

_____ DAY OF _____, A.D. 2022.

RONALD T. FREDERICK PLS L-4720

ANNEXATION MAP: AN-22-05, AMAVI WAKE FOREST
5.54± ACRES
TOWN OF WAKE FOREST
FULFILLS REQUIREMENTS OF N.C.G.S. 160A-29
ORDINANCE # _____
ADOPTED: _____
EFFECTIVE DATE OF ANNEXATION: _____

I, THERESA SAVARY, TOWN CLERK, TOWN OF WAKE FOREST, NORTH CAROLINA CERTIFY THAT THIS IS A TRUE AND ACCURATE MAP OF ANNEXATION ADOPTED THE _____ DAY OF _____, 2022, BY THE WAKE FOREST BOARD OF COMMISSIONERS. I SET MY HAND AND SEAL OF THE TOWN OF WAKE FOREST,

_____, 2022.

THERESA SAVARY

TRACT 2
EMILY H AND WILLIAM P. ANDREWS
PIN:1831852918
1121 JENKINS ROAD
DB. 5319, PG. 145
BM. 1992, PG. 446

TRACT 3
SW CAPITAL, LLC
PIN:1831855861
12631 CAPITAL BOULEVARD
DB. 12623, PG. 2538
(3.14 AC.)
BM. 1984, PG. 758
115,698 S.F. OR 2.66 AC.

P.O.B.
N: 815858.57
E: 2138314.01
"IRON PIPE"

TRACT 4
ELIZABETH HUNT HOLDINGS
PIN:1831853681
12621 CAPITAL BOULEVARD
DB. 18496, PG. 2730
(3.13 AC.)
BM. 1984, PG. 758
125,344 S.F. OR 2.88 AC.

TRACT 1
E HUNT III, LLC
PIN:1831764251
DB. 10610, PG. 2694

PIN:1831756220
WAKE FOREST PRESBYTERIAN CHURCH
DB. 6114, PG. 848

PIN:1831759291
WAKE FOREST PRESBYTERIAN CHURCH
DB. 5547, PG. 071
PB. 1991, PG. 040

CONTIGUOUS
ANNEXATION AREA
5.54 ACRES



GENERAL NOTES

- THIS IS A SURVEY OF AN EXISTING PARCEL(S) OF LAND. THIS IS AN ANNEXATION EXHIBIT.
- BEARINGS FOR THIS SURVEY ARE BASED ON NC NAD83.
- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
- ZONING: GR3
- AREA BY COORDINATE GEOMETRY.
- FLOOD NOTE: A PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED IN ZONE "ae" AS DEFINED BY F.E.M.A F.I.R.M COMMUNITY PANEL #3720183100J DATED MAY 02, 2006. THE REMAINDER IS LOCATED IN ZONE "X" AS DEFINED BY F.E.M.A F.I.R.M COMMUNITY PANEL #3720183100J DATED MAY 02, 2006.
- REFERENCES: AS SHOWN OF THE WAKE COUNTY REGISTRY.
- UTILITY STATEMENT
THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
- NO GRID MONUMENTS FOUND WITHIN 2000' OF SITE.



McADAMS

The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713

phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CLIENT

MILL CREEK RESIDENTIAL
1710 CAMDEN ROAD, SUITE 5
CHARLOTTE, NORTH CAROLINA 28203

AMA VI WAKE FOREST
ANNEXATION EXHIBIT - JENKINS ROAD
12621 & 12631 CAPITAL BOULEVARD
WAKE FOREST, WAKE COUNTY, NORTH CAROLINA



REVISIONS

NO.	DATE	COMMENTS
1	2022-06-13	PLANNING DEPARTMENT COMMENTS

PLAN INFORMATION

PROJECT NO. MCR-21001
FILENAME MCR-21001-AN1
CHECKED BY RTF
DRAWN BY JSS
SCALE 1"=40'
DATE 4.05.2022

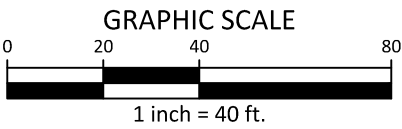
SHEET

ANNEXATION
EXHIBIT

1-1

LEGEND

- EXISTING CONCRETE MONUMENT
- EXISTING IRON PIPE
- IRON PIPE SET
- NCGS/GRID MONUMENT
- CALCULATED POINT





TOWN of WAKE FOREST

Planning Department
Wake Forest Town Hall – 3rd Floor
301 S. Brooks Street
Wake Forest, NC 27587
t 919.435.9510
f 919.435.9539
www.wakeforestnc.gov

CONTIGUOUS ANNEXATION PETITION APPLICATION

(Last updated: July 2013)

Submittal Date: 4/29/2022

To the Board of Commissioners of the Town of Wake Forest:

I/we the undersigned owner(s) of real property respectfully request that the area described in the paragraph below and as shown in the attached survey map of the property be annexed into the Town of Wake Forest.

The area to be annexed is contiguous to the Town of Wake Forest corporate limits and the boundaries of such territory are as follows (*attach or insert below a metes & bounds description with a matching survey map*):

12621 Capital Blvd, Wake Forest NC 27587 PIN: 1831853681 See attached

Note: If ownership is a corporation or partnership, please provide such name and the name and signature of the person authorized to sign on behalf of the corporation or partnership. If in joint ownership, please provide names and signatures of ALL owners.

Elizabeth Hunt Holding	12621 Capital Blvd, Wake Forest NC 27587	<i>Elizabeth Hunt Holding</i>	3/23/2022
Name	Address	Signature	Date
_____	_____	_____	_____
Name	Address	Signature	Date
_____	_____	_____	_____
Name	Address	Signature	Date
_____	_____	_____	_____
Name	Address	Signature	Date
_____	_____	_____	_____

For additional information or assistance, please call the Planning Department at (919) 435-9510.



TOWN of WAKE FOREST

Planning Department
Wake Forest Town Hall – 3rd Floor
301 S. Brooks Street
Wake Forest, NC 27587
t 919.435.9510
f 919.435.9539
www.wakeforestnc.gov

CONTIGUOUS ANNEXATION PETITION APPLICATION

(Last updated: July 2013)

Submittal Date: 4/29/2022

To the Board of Commissioners of the Town of Wake Forest:

I/we the undersigned owner(s) of real property respectfully request that the area described in the paragraph below and as shown in the attached survey map of the property be annexed into the Town of Wake Forest.

The area to be annexed is contiguous to the Town of Wake Forest corporate limits and the boundaries of such territory are as follows *(attach or insert below a metes & bounds description with a matching survey map)*:

12631 Capital Blvd, Wake Forest NC 27587 PIN: 1831855861 See attached

Note: If ownership is a corporation or partnership, please provide such name and the name and signature of the person authorized to sign on behalf of the corporation or partnership. If in joint ownership, please provide names and signatures of ALL owners.

SW Capital LLC
William P Andrews

1121 Jenkins Rd, Wake Forest NC 27587

Name

Address

William P. Andrews
Signature

3/22/2022
Date

Name

Address

Signature

Date

Name

Address

Signature

Date

Name

Address

Signature

Date

For additional information or assistance, please call the Planning Department at (919) 435-9510.

CERTIFICATE OF SUFFICIENCY

To the Board of Commissioners of the Town of Wake Forest, North Carolina:

I, Theresa Savary, Town Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying the area described therein, in accordance with N.C.G.S 160A-31.

In witness whereof, I have hereto set my hand and affixed the seal of the Town of Wake Forest, this the 19th day of March, 2024.

Town Clerk

(SEAL)

RESOLUTION 2024-

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF
ANNEXATION PURSUANT TO N.C.G.S. 160A-31, AS AMENDED
(by property owners Elizabeth Hunt Holding and SW Capital LLC for property
associated with the rezoning request RZ-22-07, located at 12621 and 12631 Capital Blvd
being Wake County PINs 1831-85-3681 and 1831-85-5861 being approximately 5.54
acres.)

WHEREAS, a petition requesting the annexation of the area described herein has been received; and

WHEREAS, the Board of Commissioners has by said resolution directed the Town Clerk to investigate the sufficiency of said petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest:

Section 1. That a public hearing on the question of annexation of the contiguous area described herein will be held at the Wake Forest Town Hall at 6:00 p.m. on the 16th day of April, 2024.

Section 2. The area proposed for annexation is described as follows:

(See Attachment A - Legal Descriptions and Attachment B - Annexation Exhibit)

Section 3. Notice of said public hearing shall be published once in the News and Observer having general circulation in the Town of Wake Forest, at least ten (10) days prior to the day of said public hearing.

Adopted and effective this the 19th day of March, 2024.

Vivian A. Jones

Mayor

ATTEST:

APPROVED AS TO FORM:

Theresa Savary
Town Clerk

Hassan Kingsberry
Town Attorney



Board of Commissioners Agenda Item Report

Agenda Item No.: 2024-48-

Submitted by: Brandon High

Submitting Department:

Meeting Date: March 19, 2024

SUBJECT

Approval of a Resolution to surplus the badge and service weapon carried by Senior Police Officer Richard May

Recommendation:

Item Summary:

ATTACHMENTS

- [R May Summary badge and weapon surplus.docx](#)
- [R May Resolution Badge and Weapon.docx](#)

Agenda: Approval of a Resolution to surplus the badge and service sidearm carried by Senior Police Officer Richard May.

Summary: Senior Police Officer Richard May is retiring, effective April 1, 2024. North Carolina General Statute 20-187.2 authorizes governing boards of law enforcement agencies to award a retiring officer the badge worn by him, as well as his service sidearm. Also, pursuant to North Carolina General Statute 160A-266, municipalities are authorized to dispose of personal property.

RESOLUTION 2024-XX

A RESOLUTION OF THE WAKE FOREST TOWN BOARD OF COMMISSIONERS
AUTHORIZING AWARD OF BADGE AND SALE OF SERVICE SIDEARM TO A
RETIRING LAW ENFORCEMENT OFFICER

WHEREAS, the Board of Commissioners of the Town of Wake Forest, North Carolina, has determined that the Town owns certain personal property which has become surplus for the current needs of the Town, to wit: the service sidearm of Senior Police Officer Richard May who is a retiring law enforcement officer with the Town; and

WHEREAS, North Carolina General Statute § 20-187.2 permits the Town, upon request, to donate the badge worn by a law enforcement officer to said officer upon retirement; and

WHEREAS, North Carolina General Statute § 20-187.2 permits the Town, upon request, to sell the service sidearm to the retiring law enforcement officer;

NOW, THEREFORE, BE IT RESOLVED by the Town of Wake Forest Board of Commissioners as follows:

To honor the service of Senior Police Officer Richard May as a law enforcement officer, the Town Board of Wake Forest authorizes the donation of the badge worn by said officer, and further authorizes the sale of the following service sidearm which has been declared surplus to said officer for the price of \$1.00, with the payment of said purchase price to be waived in consideration of this officer's loyal service to the citizens of Wake Forest.

Make: Glock

Model: 45

Caliber: 9mm

Serial #: CAES078

AND BE IT FURTHER RESOLVED that property described in this resolution is surplus as of April 1, 2024.

Adopted this the 19th day of March 2024.

ATTEST:

Vivian A. Jones, Mayor

Theresa Savary, Town Clerk



Board of Commissioners Agenda Item Report

Agenda Item No.: 2024-50-
Submitted by: Aileen J. Staples
Submitting Department: Finance
Meeting Date: March 19, 2024

SUBJECT

Approval of Housing Initiatives Special Revenue Fund

Recommendation:

Approval as submitted

Item Summary:

ATTACHMENTS

- [Housing Initiatives Fund Ordinance_summary.pdf](#)
- [2024 - xx HOUSING INITIATIVES FUND.docx](#)

Approval of Housing Initiatives Special Revenue Fund

Special revenue funds are used to account for resources set aside for specific purposes. By establishing this fund, it will enable staff to account for revenues and expenditures as related to affordable housing and other housing initiatives.

Currently, one half cent of the tax rate is accounted for in the General Fund for this initiative. These funds were used for the recently adopted affordable housing plan, housing rehabilitation program, land disposition program and long-range planning manager personnel costs. Once the plan was adopted, the intent was to “set aside” resources and going forward the respective portion of tax rate will be transferred to this fund. This establishes a starting budget and will be amended accordingly as activity progresses.

ORDINANCE 2024-xx

ORDINANCE ESTABLISHING
HOUSING INITIATIVES
SPECIAL REVENUE FUND

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Wake Forest, that a special revenue fund be established to account for housing initiatives as follows:

	<i>Debit</i>	<i>Credit</i>
<i>Revenues:</i>		
Interest on Investments		\$ 12,500
Transfer from General Fund		<u>375,000</u>
Total Revenues		<u>\$ 387,500</u>
<i>Expenditures:</i>		
Contracted Services	\$ <u>387,500</u>	
	<u>\$ 387,500</u>	

Adopted and effective this 19th day of March 2024.

Vivian A. Jones
Mayor

ATTEST:

APPROVED AS TO FORM:

Theresa Savary
Town Clerk

Hassan Kingsberry
Town Attorney



Board of Commissioners Agenda Item Report

Agenda Item No.: 2024-82-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: March 19, 2024

SUBJECT

Approval of Ordinance Codification for the Town's Code of Ordinances, Supplement 17

Recommendation:

Item Summary:

ATTACHMENTS

- [Summary_Ordinance Codification_Supplement 17_Mar202419.pdf](#)
- [Ordinance2024-06CodificationOfSupplement17_Mar202419.pdf](#)
- [Supplement 17 Ordinances.pdf](#)

Agenda Item: Approval of Ordinance Codification for the Town's Code of Ordinances, Supplement 17.

Summary: North Carolina General Statute 160A-77 requires municipalities with populations of 5,000 or more to adopt and maintain its code of ordinances. The Town of Wake Forest periodically adopts a supplement, thus codifying our Town Code of Ordinances with the assistance of Municode, a codification service.

Attachments: Ordinance, Codification of Ordinance Amendments and Supplement 17 Ordinances.

Ordinance 2024-06
Codification of Ordinance Amendments

Whereas, ordinances are dynamic and may be amended, added, or abolished as needed;

Whereas, North Carolina General Statute 160A-77 requires municipalities with populations of 5,000 or more to adopt and maintain its code of ordinances;

Whereas, the Town of Wake Forest periodically adopts a supplement, thus codifying our Town Code of Ordinances with the assistance of Municode, a codification service;

Whereas, the Town of Wake Forest remitted the below 11 ordinance amendments to Municode for our Town Code of Ordinances:

2022-13	2022-26	2023-05	2023-08
2022-14	2022-29	2023-06	2023-14
2022-16	2022-30	2023-07	

Whereas Municode named the above 11 ordinance amendments as Supplement 17;

Whereas the Town Clerk's Office has reviewed the proof for Supplement 17 and found the amendments for the Town of Wake Forest Code of Ordinances correct;

Be it ordained, that the above 11 ordinances for Supplement 17 be incorporated into the Town of Wake Forest Town Code of Ordinances.

Duly adopted this 19th day of March 2024.

Vivian A. Jones,
Mayor

ATTEST:

APPROVED AS TO FORM:

Theresa Savary
Town Clerk

Hassan Kingsberry
Town Attorney

ORDINANCE 2022-13

ORDINANCE AMENDING THE CODE OF ORDINANCES CHAPTER 30 - TRAFFIC AND VEHICLES; ARTICLE VI. - TRAFFIC SCHEDULES SEC. 30-241. - SCHEDULE I, PARKING PROHIBITED AT ALL TIMES; TO PROVIDE RESIDENTIAL CONTROLLED PARKING ALONG HERITAGE VIEW TRAIL IN THE TOWN OF WAKE FOREST, NORTH CAROLINA

WHEREAS, Representatives from three Homeowners Associations (Heritage Spring, Heritage Trace and Wildflower Townes at Heritage South) contiguous to Heritage View Trail brought it to staff's attention that cars parking on Heritage View Trail are impeding two directional traffic; and

WHEREAS, residence brought it to staff's attention that traffic exiting the roundabout do not have adequate room to safely maneuver vehicles including emergency vehicles; and

WHEREAS, the board was given options at their Board of Commissioner Work Session on June 7, 2022;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that Chapter 30 - Traffic And Vehicles; Article VI. - Traffic Schedules Sec. 30-241. - Schedule I, Parking Prohibited at all times be amended to include the following:

Add:

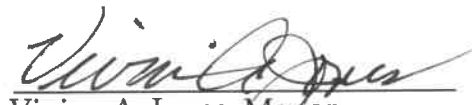
Heritage View Trail, north side, 30 ft north of the Marshall Farm St. traffic circle to 30 ft before Willow Grass Ln.

Heritage View Trail, south side, 190 ft north of Marshall Farm St. traffic circle to 30 ft south of the Marshall Farm St. traffic circle.

Heritage View Trail and approaching and the entire "bulb out" of the road between Heritage Spring Circle and Wild Meadow Ln. for both directions of traffic.

Duly adopted this ^{21st} 7th day of June 2022.

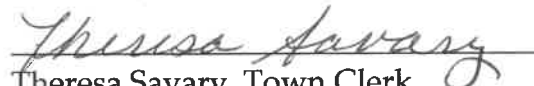
TOWN OF WAKE FOREST


Vivian A. Jones, Mayor

Approved as to form:


Hassan Kingsberry, Town Attorney

ATTEST:


Theresa Savary, Town Clerk



ORDINANCE 2022-14

ORDINANCE AMENDING THE CODE OF ORDINANCES CHAPTER 30; TRAFFIC AND VEHICLES; ARTICLE VI. - TRAFFIC SCHEDULES SEC. 30-256. – SCHEDULE X, STOP INTERSECTIONS; TO TRAFFIC CALMING ALONG OLD DAIRY DR. IN THE TOWN OF WAKE FOREST, NORTH CAROLINA

WHEREAS, Residents Holding Village brought it to staff's attention that traffic on Old Dairy Dr. at the intersection of Thicketon Cir. is the location for several school bus stops and pedestrian traffic;

WHEREAS, and residents have expressed to staff their concern for life safety at the intersection of Old Dairy Dr. and Thicketon Cir.; and

WHEREAS, a four-way stop at the intersection of Old Dairy Dr. and Thicketon Cir will improve conditions.; and

WHEREAS, the board was given options at their Board of Commissioner Work Session on June 7, 2022;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Wake Forest, North Carolina, to amend the Code of Ordinances that Chapter 30 - Traffic And Vehicles; Article VI. - Traffic Schedules Sec. 30-256. - Schedule X, Stop Intersections to convert the the intersection of Old Dairy Dr. and Thicketon Circle. To a four-way stop control as follows:

Add:

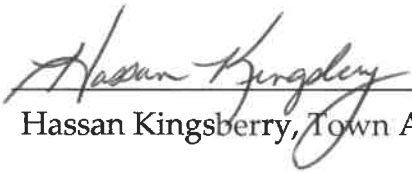
**The following shall be schedule X and may be cited as such:
Old Dairy Dr. and Thicketon Cir., four-way stop.**

Duly adopted this 21st day of June 2022.

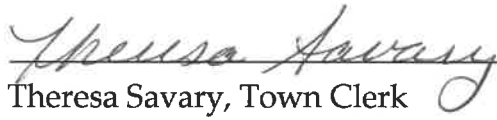
TOWN OF WAKE FOREST


Vivian Jones, Mayor

Approved as to form:


Hassan Kingsberry, Town Attorney

ATTEST:


Theresa Savary, Town Clerk



ORDINANCE 2022 – 16

ORDINANCE AMENDING CHAPTER 30; ARTICLE VI. TRAFFIC SCHEDULES; SEC. 30-263. - SCHEDULE XVII, SPEED LIMITS OF THE CODE OF ORDINANCES FOR THE TOWN OF WAKE FOREST, NORTH CAROLINA

WHEREAS, the Town concurs by resolution with the request of the NCDOT to enact the speed limit ordinance to reduce the posted speed limit on SR 2044 (Ligon Mill Rd.) from 45 mph to 35 mph between SR 4428 (Song Sparrow) and US 1 (S. Main St.) a section approximately 1.68 miles in length.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Wake Forest, to amend the Code of Ordinances as follows:

Add:

35 miles per hour:

Ligon Mill Road (SR2044) from the intersection of SR 4428 (Song Sparrow Drive) traveling northeast to the intersection of US 1 (S. Main Street) a length of approximately 1.68 miles.

Duly adopted this 19th day of July 2022.

TOWN OF WAKE FOREST



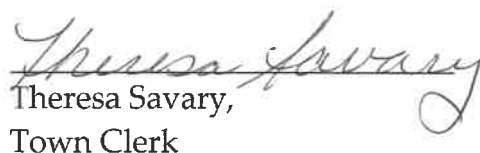
Vivian A. Jones,
Mayor

Approved as to form:



Hassan Kingsberry
Town Attorney

ATTEST:



Theresa Savary,
Town Clerk



ORDINANCE 2022-26

AN ORDINANCE REPEALING CHAPTER 4 OF THE CODE OF ORDINANCES OF THE TOWN OF WAKE FOREST

WHEREAS, after discussion, review and further consideration, the Board of Commissioners deems it acceptable and appropriate to repeal Chapter 4 of the Codified Ordinances of the Town of Wake Forest, North Carolina, in its entirety.

The Board of Commissioners of the Town of Wake Forest, North Carolina hereby ordains as follows:

SECTION 1: That the entire Chapter 4 of the Codified Ordinances of the Town of Wake Forest is hereby repealed.

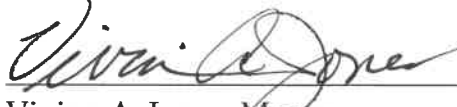
SECTION 2: REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3: WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication by law.

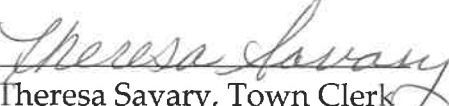
Adopted and effective this 18th day of October 2022.

APPROVED AS TO FORM:


Hassan Kingsberry, Town Attorney


Vivian A. Jones, Mayor

ATTEST:


Theresa Savary, Town Clerk



ORDINANCE 2022-29

ORDINANCE AMENDING CHAPTER 14, ARTICLE III, SECTION 14-66 THRU 14-75 – NOISE OF THE CODE OF ORDINANCES FOR THE TOWN OF WAKE FOREST, NORTH CAROLINA

WHEREAS, the current Noise Ordinance was last updated in 2010 through Ordinance No. 2010-03, adopted March 16, 2010; and

WHEREAS, previous adoption occurred in 2005 through Ordinance No. 2005-53 adopted November 15, 2005; and

WHEREAS, Updates to Chapter 14, Article 14-66 thru 14-75- Noise, of the Code of Ordinances for the Town of Wake Forest, North Carolina provide clarity, update quiet hours, simplify the permitting process, update enforcement and penalties, and terminate Resolution 2021-136 and which temporarily waived the noise ordinance permitting process in the downtown area.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Wake Forest, to amend the Code of Ordinances as follows:

Sec. 14-66. Purpose

Noise exceeding certain levels or durations and during specific times of day may negatively impact the health, safety, and welfare of people living in, working in, or visiting the Town, to the detriment of their peaceful and quiet enjoyment of daily life. The purpose of this article is to regulate noises that tend to annoy, disturb, or frighten people by prohibiting or restricting noise from certain sources or exceeding certain sound levels, pursuant to the authority granted to the Town under N.C.G.S. 160A-174 and 160A-184.

Sec. 14-67. Applicability

Unless exempted by section 14-72, all sound, vibration, and other noise originating within the corporate limits of the Town of Wake Forest shall be subject to this article. Nothing in this article shall be construed to limit or prevent the Town or any person from pursuing any other legal remedies for damages or the abatement of noise.

Sec. 14-68. Definitions

For the purposes of this article, the following words and phrases shall have the following meanings:

Amplified sound: Any sound using electronic amplifying equipment, whose source is outside or whose source is inside, and the sound propagates to the outside or to other dwellings or interior locations under separate ownership or occupancy. Televisions or radios operating with no amplification other than their internal speakers and background music systems operated at a low amplification and not intended for entertainment shall not be deemed amplified sound.

ANSI: The American National Standards Institute or its successor body.

Authorized emergency vehicle: Any vehicle used in an official capacity in the performance of emergency work. Emergency vehicles typically include bright coloring on their exteriors, flashing lights that may be turned on, official insignia, or similar distinguishing features.

A-weighted sound level: The sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated dB(A). A-weighted decibels are an expression of the relative loudness of sounds in air as perceived by the human ear. In the A-weighted system, the decibel values of sounds at low frequencies are reduced, compared with unweighted decibels, in which no correction is made for audio frequency.

dB(A): The sound level in decibels, determined by the "A" weighting scale of a standard sound level meter having characteristics defined by the ANSI, Publication ANSI, § 1.4-1983, for a Type 2 instrument.

Decibel (dB): The unit for describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micronewtons per square meter.

Disturbing noise: Noise which is perceived by a human being of ordinary sensibilities as interrupting the normal peace and calm of the area. Factors can include, but are not limited to, the following: volume of noise, intensity of noise, unusual noise, natural versus unnatural noise, duration of the noise, and the time of day/night that the noise occurs.

Dwelling: Any building or structure that contains one or more dwelling units used, intended, or designed to be built, used, rented, leased, let, or hired out to be occupied, or that are occupied for living purposes.

Emergency work: Any work performed for the purpose of preventing or alleviating physical trauma or property damage threatened or caused by an existing or imminent peril.

Golf Course Greens: A smooth grassy area on a golf course at the end of a golf fairway as well as the fairway itself.

Mixed Use, Residential: Any use of a parcel or activity where a nonresidential use is vertically or horizontally integrated in one building.

Motor vehicle or vehicle: Any vehicle propelled on land by a motor, such as, but not limited to, passenger cars, trucks, truck-trailers, semi-trailers, campers, go-carts, automobiles, motorcycles, or buses. It shall exclude trains and emergency response vehicles such as police, fire and rescue vehicles.

Noise control officer: The Chief of Police or their designee, Planning Director or their designee, or other person designated by the Town Manager.

Nonresidential use or activity: Any use of a parcel or activity where the principal use does not consist of a dwelling.

Person: Any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of the state, any other state or political subdivision or agency thereof, or any legal successor, representative, agent or agency of the foregoing.

Residential use or activity: Any use of a parcel where the principal use consists of a dwelling.

Responsible individual: For purposes of section 14-71, the individual who shall be in control of all sound producing or sound amplification equipment during activities subject to a permit issued in accordance with section 14-71.

Slow response: The measuring technique to obtain an average value when measuring a noise level that fluctuates over a range of four dB or more. By way of illustration only, a sound level meter set on "slow response" would record a sound level between two and six decibels less than the reading for a steady signal of the same frequency and amplitude when a tone of 1,000 Hz and for duration of 0.5 seconds is applied.

Sound: An oscillation in pressure, particle displacement, particle velocity or other physical parameter, in a medium with internal forces that causes compression, and rarefaction of that medium. The description of sound may include any characteristic of such sound, including duration, intensity, and frequency.

Sound level: The weighted sound pressure level obtained using a sound level meter and frequency weighting network, such as A, B, or C as specified in the ANSI Specifications for sound level meters (ANSI S1.41971 or the latest approved version thereof). If the frequency weighting employed is not indicated, the A-weighting shall apply.

Sound level meter: An instrument used to measure sound levels.

Sound pressure level: 20 times the logarithms to the base 10 of the ratio of the root mean squared (RMS) sound pressure to the reference pressure of 20 micronewtons per square meter.

Source of sound or noise: Any animal, device, operation, process, activity, or phenomenon which emits or causes sound.

Substantiated and verified complaint: The complaints of two or more persons, at least one of whom resides in a different home from the other complaining person or persons, or the complaint of one or more persons, when combined with complaint of a noise control officer. The complaint will be reviewed based on the considerations listed in section 14-71(d). If there is sufficient evidence to support a conclusion that there is a failure to comply with this article or with the terms of a permit issued in accordance with section 14-71, the complaint shall be considered substantiated and verified. Factors in determining a violation will include those listed in the “*Disturbing Noise*” definition and may include statements of any complaining witnesses, including any pictures or audio/video documentation produced by complaining witnesses. The designated Town staff (designee) does not have to use a sound level meter in order to take enforcement action under this section.

Unreasonably loud noise: Noise having a volume or intensity that is substantially incompatible with its time and location to the extent that it creates an actual interference with peace or good order. A noise may be unreasonably loud based on the time of day; its proximity to residential structures; whether it is recurrent, intermittent, or constant; its volume and intensity; whether it has been enhanced in volume or range by any type of electronic or mechanical means; the character and zoning (if applicable) of the area; whether it is related to the normal operation of a business or other labor activity; and whether it may be controlled at its point of origin without unreasonable effort or expense.

Sec. 14-69. Noise measurement.

- (a) For the purposes of this article, sound levels shall be measured by the noise control officer on the A-weighting scale on a sound level meter of standard design and

quality having characteristics established by ANSI, using the techniques set out in this section.

(b) Measurement techniques.

- (1) Noise measurements shall be made at the property line of the property where the noise to be measured is being generated. If measurement on private property is not possible or practical, noise measurements shall be made at the nearest property line of the complaining property. Such noise measurements shall be made at a height of at least four feet above the ground and at a point approximately ten feet away from walls, barriers, obstructions (trees, bushes, etc.) on a sound level meter operated on the A-weighted network. In the case of noises within multi-family or multi-tenanted structures, noise measurements shall be made in the unit occupied by the complainant at a height of at least four feet above the floor and at a point approximately equal-distant from all walls on a sound level meter operated on the A-weighted network.
- (2) No individual other than the meter operator(s) shall be within ten feet of the sound level meter during the sample period.
- (3) Sound measurements shall be conducted at a time of day when the source of the noise that gave rise to the complaint is emitting sound.
- (4) The meter operator(s) shall determine the sound level measurement as follows:
 - a. Calibrate the sound level meter before use.
 - b. Set the sound level meter on the A-weighted sound level scale at a slow response.
 - c. Set the omnidirectional microphone in an approximately seventy-degree position in a location which complies with subsections (b)(1) and (2) above. The operator of the sound level meter shall face the noise source and record the meter's instantaneous response (reading) observed at consecutive ten-second intervals until 100 readings are obtained.
- (5) It shall be unlawful for any person to interfere, through the use of sound or otherwise, with the taking of sound level measurements.

Sec. 14-70. Prohibited Acts and Activities

It shall be unlawful for any person to make, permit, or continue any unreasonably loud and disturbing noise in the Town. A person shall be deemed to make, permit, or continue noise if that person owns, manages, or operates any residence, business, or other location at which the noise is generated. The following acts and activities are

hereby declared to be unreasonably loud and disturbing noise in violation of this section, but shall not be construed as exhaustive of all activities or acts which violate this section:

- (1) Residential Use or Activity: Any noise exceeding 65 dB(A)
- (2) Mixed Use, Residential: Any noise exceeding 65 dB(A)
- (3) Non-Residential Use or Activity: Any noise exceeding 75 dB(A) except where a permit is issued for greater sound levels in accordance with section 14-71. Permits allow for dB(A) increases, but not a change in hours.

Use	Noise Limits	Permit Allowed to exceed dB(A)
Residential Use or Activity	Max 65dB(A)	No
Mixed Use, Residential	Max 65dB(A)	No
Non-Residential Use or Activity	Max 75dB(A)	Yes

- (4) The sounding of a railroad locomotive whistle or horn for the period of time exceeding that which is required by law beyond that which is reasonably necessary to warn or alert others at road crossings at grade level of real or potential danger.
- (5) The use of a gong, bell, or siren upon any motor vehicle, except for items listed in sections 14-72(2) and 14-72(3).
- (6) The keeping of a bird or other animal which makes frequent or long continued sounds, such that a reasonably prudent person would recognize as likely to unreasonably disturb the comfort or repose of persons in the vicinity.
- (7) The blowing of a steam whistle attached to a stationary boiler, except to give notice of the time to begin or stop work or as a warning of danger.
- (8) The discharge into the open air of the exhaust of a steam engine, stationary internal combustion engine, motor vehicle or motorboat engine, except through a muffler or other device which effectively prevents unreasonably loud and disturbing or explosive sounds there from.
- (9) The use of a mechanical device operated by compressed air unless the sounds created are effectively muffled and reduced.

- (10) The sounding of a chime, bell, or gong attached to a building or premises which disturbs the quiet or repose of any human being in its vicinity, except as otherwise provided in section 14-72.
- (11) The shouting and crying of peddlers, barkers, hawkers, or vendors which disturbs the quiet and peace.
- (12) The firing or discharging of firearms, gun powder, or other combustible substance in the streets or elsewhere for the purpose of making noise or disturbance.
- (13) Operating a front-end loader or other truck for trash or recycling collection on Sundays or outside the hours of 5:00 a.m. to 9:00 p.m. on any other day.
- (14) Operating a commercial garage, vehicle washing station, or service station in a manner that causes unreasonable loud, disturbing sound outside the hours of 7:00 a.m. to 9:00 p.m.
- (15) Operating a lawnmower or other motor-driven domestic tool creating a similar or greater sound level outside the hours of 7:00 a.m. to 9:00 p.m.
 - a. Mowing of golf course greens and town-maintained recreational playing fields are prohibited outside the hours of 6:00 a.m. and 9:00 p.m.
- (16) Operating or allowing the operation of a motor vehicle:
 - a. By engaging in fast starts, spinning tires, racing engines or other operations which create unreasonably loud and disturbing noises.
 - b. Off the boundaries of a public street for racing or other operations which create unreasonably loud and disturbing noises.
 - c. To amplify sound from within the motor vehicle so that the sound is plainly audible outside the vehicle, except when used for business or political purposes which, in the normal course of conducting business, use sound-making devices.
 - d. By using devices that increase the engine sounds of an automobile, truck, motorcycle or other motor vehicle or conveyance, or the absence of a working muffling device for such engine sounds.

Sec. 14-71. Permit to Exceed Maximum Sound Levels

- (a) An applicant may request, and the Planning Director or the Planning Director's designee may grant, a permit for a nonresidential use or activity to exceed the maximum sound levels set out in paragraph (1) of section 14-70, during the hours of 8:00 a.m. to 9:00 p.m. Sundays through Thursdays and 8:00 a.m. to 10:00 p.m.

Fridays and Saturdays only. No permit shall be issued for activities outside these time periods, no event to exceed 85 dba.

- (b) An application for a permit under this section shall be submitted to the Wake Forest Planning Department at least seven business days in advance of the commencement of the use or activity for which the permit is required. The application shall designate a responsible individual who shall be in control of the sound producing or sound amplification equipment. The responsible individual shall ensure that all sound during the event complies with the terms of the permit.
- (c) The period of validity of a permit issued under this section shall not exceed 365 days, provided such activity is of a temporary duration lasting no longer than six hours during any 24-hour period.
- (d) A single permit may be issued for multiple days of events, consecutive or otherwise.
- (e) The Planning Director or the Planning Director's designee shall issue a permit under this section on determining the proposed use or activity will not generate unreasonably loud and disturbing noise, based on the following considerations:
 - (1) The use and activities permitted by the zoning regulations in the surrounding area;
 - (2) The intensity of sound levels regularly produced by activities and devices in the surrounding area;
 - (3) The time and duration of any proposed sound amplification;
 - (4) The proximity of the requested activity to commercial buildings and dwellings, and the density and intensity of development in surrounding commercial and residential areas;
 - (5) The history of verified complaints generated by previous activities similar in nature and context;
 - (6) Whether the sounds produced by such devices and activities are plainly audible, recurrent, intermittent, impulsive, or constant;
 - (7) Failure to complete the application properly; and
 - (8) The necessity of any requested amplification.
- (f) An applicant that is denied a permit under this section may submit a copy of the denied permit application, together with a brief statement of the reasons the applicant believes the applicant is entitled to a permit, to the Town Manager, within a reasonable time after the permit is denied. The Town Manager shall have the discretion to grant an exception permit waiving location, time, and/or

maximum sound level requirements, if the Town Manager determines that the applicant has made a substantial showing of legal entitlement to the waiver. The Town Manager shall promptly report the granting of any such exception permit to the Board of Commissioners.

- (g) Any permit issued under this section may be revoked in accordance with Sec. 14-73.

Sec. 14-72. Exceptions

The following acts and activities are exempt from the provisions of this article:

- (1) Equipment being used for construction, provided that all equipment is operated with all standard equipment manufacturer's mufflers and noise-reducing equipment in use and in proper operating condition.
- (2) Noise of safety signals, warning devices, emergency pressure relief valves.
- (3) Noise resulting from an authorized emergency vehicle.
- (4) Chimes, bells, gongs, and other unamplified sounds generated by a religious institution, as defined in the Unified Development Ordinance.
- (5) Noise resulting from parades, lawful picketing or other public demonstrations protected by the U.S. Constitution or federal law. Regulation of noise emanating from activities for which a permit has been issued in accordance with section 14-71 shall be according to the conditions and limits stated in this article and according to any additional conditions stated on the permit.
- (6) Sporting events.
- (7) Unamplified and amplified sound at community concerts conducted, sponsored, or sanctioned by the Town.
- (8) Noise from noisemakers on holidays and fireworks on holidays or at times allowed under a pyrotechnics permit issued pursuant to N.C.G.S. 14-410 et seq.
- (9) All noises coming from the normal operations of properly equipped aircraft, but not including scale model aircraft.
- (10) Practice sessions or performances by marching bands.
- (11) Noise from trains and associated railroad rolling stock when operated in proper repair and manner.
- (12) Small motors. The running of a motor not exceeding one horsepower on a refrigeration truck for the purpose of keeping perishable fruits, vegetables and all other perishable meats and foods contained in such a truck from spoiling,

shall not constitute an unnecessary noise or disturbance within the meaning of this section.

- (13) Emergency work performed for the purpose of preventing or alleviating physical trauma or property damage threatened or caused by an existing or imminent peril. This emergency exception includes maintenance, backup or upkeep ("maintenance") strictly necessary to keep emergency equipment, such as generators, in operating order as prescribed by the manufacturer.
- (14) Noise created by the normal operations of the parks and recreation, police, public works and utilities departments of the town, including firearms training for police officers.
- (15) The use of lawnmowers and similar domestic tools for periodic and customary landscaping maintenance activities, during the hours of 7:00 a.m. to 9:00 p.m. only.

Sec. 14-73. Enforcement

- (a) The Town Manager, or their designees and noise control officer are authorized to enforce the provisions of this article.
- (b) When it is determined that there is reasonable cause to believe that a person is in violation any of the provisions of this article based on verified complaints, the Town shall immediately notify the person of the violation. The notice shall be delivered to the owner of record and to the property address on which the violation occurs. Notification will be served in any manner permitted by N.C.G.S. Chapter 1A-1 Rules of Civil Procedure.
- (c) Once a verified complaint is confirmed, violators shall be issued a written citation in accordance with paragraph (e) below, which must be paid within 30 days of the issuance. The Town Attorney, or designee, is authorized to file suit on behalf of the Town to collect any unpaid citations, and the noise control officer are authorized to verify and sign complaints on behalf of the Town in such suits.
- (d) It shall be a violation of this Article for any person to communicate a noise complaint to any Town staff or official, using the 911 system or otherwise, for the purpose of harassing the subject of the complaint, and knowing or having reason to know that no noise disturbance exists or existed.
- (e) Civil penalty. Violation of this article shall subject the offender(s) to a civil penalty in the amount of 250.00. If there is more than one violation within any six-month period, then the civil penalty shall be increased for each additional violation over one during such period, as follows. The date of the first violation shall establish the

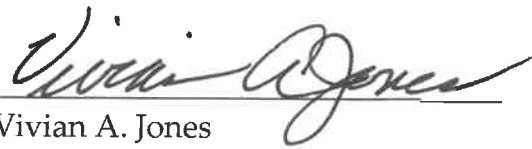
beginning date for the initial six-month period. The next violation within that six-month period shall be considered the second violation. Any violations that follow within that six-month period shall be numbered sequentially. The penalty shall be:

- (1) Second offense within same six-month period: \$500.00.
 - (2) Third offense within same six-month period: \$750.00.
 - (3) Fourth offense within same six-month period: \$1,000.00.
 - (4) Fifth and any subsequent offense(s) within same six-month period: \$2,000.00 per offense.
- (f) Once the six-month period has expired for a violation in accordance with paragraph (e) above, the next violation shall be a first violation for the purposes of establishing a new six-month period. In the event there are more than five violations within any 12-month period (two six-month cycles), then each violation after the fifth occurrence shall subject the violator(s) to a civil penalty of \$2,000.00, notwithstanding paragraph (e) above.
- (g) Revocation of permit. The Planning Director may revoke a permit issued in accordance with section 14-71 if the Planning Director determines the terms of the permit are not being met or if four or more substantiated and verified complaints related to the use or activity for which the permit was issued are received by the Town. If a permit is revoked under this section, no permit may be issued under section 14-71 to the same applicant or for the same property within 12 months of the date the permit is revoked.
- (h) No new permits. Any residential or nonresidential property that has outstanding civil or criminal penalties will not be issued any new permits until all penalties are paid in full.
- (i) Equitable remedies. This article may also be enforced through equitable remedies issued by a court of competent jurisdiction.
- (j) Criminal penalty. In addition to, or in lieu of, such civil penalties or other remedies, violation of this article shall constitute a Class 3 misdemeanor.

Sec. 14-74 Severability

If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

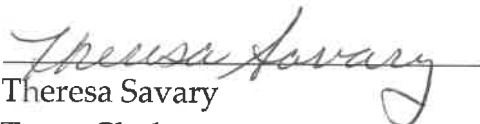
Adopted and effective this 1st day of November 2022.

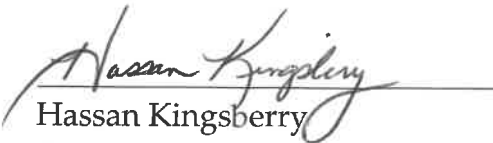


Vivian A. Jones
Mayor

ATTEST:

APPROVED AS TO FORM:


Theresa Savary
Town Clerk


Hassan Kingsberry
Town Attorney



ORDINANCE 2022-30

AN ORDINANCE AMENDING VARIOUS CHAPTERS OF THE CODE OF ORDINANCES OF THE TOWN OF WAKE FOREST DUE TO THE IMPLEMENTATION OF SESSION LAW 2021-138

WHEREAS, the General Assembly of North Carolina enacted Session Law 2021-138 (the “Act”) to, among other things, decriminalize certain local ordinances.

WHEREAS, the Act removed the presumption in N.C.G.S. § 160A-175(b) that any violation of a local ordinance is a misdemeanor under N.C.G.S. § 14-4, requiring instead that municipalities specify by ordinance if a violation is punishable as a misdemeanor or infraction under N.C.G.S. § 14-4.

WHEREAS, the Act also prohibits the imposition of criminal penalties for the violation of ordinances related to development regulations except those that pertain to building safety, the regulation and licensing of businesses and trades, stream-clearing programs, outdoor advertising, solar collectors, cisterns and rain barrels, building setbacks, curb cuts, and trees (collectively, the “**160A-175(b)(1) Regulations**”).

WHEREAS, the Town of Wake Forest (the “**Town**”) has identified certain ordinances within the Code of Ordinances of the Town of Wake Forest (the “**Code**”), which do not expressly declare that violations constitute misdemeanors under N.C.G.S. § 14-4 as required by the Act.

WHEREAS, the Town has further identified certain ordinances within the Code that attempt to criminalize the 160A-175(b)(1) Regulations, therefore, requiring that the Town remove language from said ordinances related to criminal penalties.

WHEREAS, in pursuit of amending the Code to comply with the Act, the Town has identified certain ordinances that are outdated and/or inconsistent with state statutes as they have been amended.

WHEREAS, Chapter 10 of the Code, “Businesses,” contains regulations pertaining to levying and collecting Privilege License Taxes (Article II) pursuant to N.C.G.S. 160A-211 *et seq.*, which state statute has been repealed.

WHEREAS, certain ordinances within the Code contain references to provisions of Chapter 160A of the North Carolina General Statutes that have been repealed and replaced by provisions of Chapter 160D of the North Carolina General Statutes.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Wake Forest, North Carolina that:

SECTION 1. Chapter 1, Section 1-12 of the Code of Ordinances of the Town of Wake Forest is hereby amended as follows, with underlined language added and strikethrough language deleted:

Sec. 1-12. - General penalty for violation of Code; continuing violations.

To the extent permitted by law, whenever~~Whenever~~ in this Code, or in any ordinance of the ~~Town~~Town, any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such Code or ordinance the doing of any act is required or the failure to do such act is declared to be unlawful, where no specific penalty is provided, the violation of any such provision of this Code or other ordinance shall be punished by a fine not exceeding \$500.00 or by imprisonment for a term not exceeding 30 days. Each day that any violation of this Code or any ordinance shall continue shall constitute a separate offense. Notwithstanding the foregoing or anything herein to the contrary, under no circumstances shall any person be subject to criminal penalties in violation of N.C.G.S. § 160A-175(b1).

SECTION 2. Chapter 8, Section 8-43 of the Code of Ordinances of the Town of Wake Forest is hereby amended by adding a new Subsection (i), to read as follows:

Sec. 8-43. - Responsibilities of occupants.

...

(i) **Penalty.** If any person shall violate the provisions of this Section, such person shall be guilty of a Class 3 misdemeanor as further set forth in Section 8-45, Enforcement.

SECTION 3. Chapter 8, Section 8-44 of the Code of Ordinances of the Town of Wake Forest is hereby amended by adding a new Subsection (h), to read as follows:

Sec. 8-44. - Responsibilities of owners.

...

(h) *Penalty.* If any owner shall violate the provisions of this Section, such owner shall be guilty of a Class 3 misdemeanor as further set forth in Section 8-45, Enforcement.

SECTION 4. Chapter 8, Section 8-45 of the Code of Ordinances of the Town of Wake Forest is hereby amended as follows, with underlined language added and strikethrough language deleted:

Sec. 8-45. - Enforcement.

...

(g) *Notice of lis pendens.* Any complaint and notice or order issued pursuant to this article may be filed in the notice of lis pendens, with a copy of the complaint and notice or order attached thereto, in the office of the clerk of superior court of the county. The notice of lis pendens and a copy of the complaint and notice or order shall be indexed and cross-indexed in accordance with the indexing procedures of G.S. 1-117. From the date and time of indexing, the complaint and notice or order shall be binding upon the successors and assigns of the owners of and parties in interest in the building or dwelling. A copy of the notice of lis pendens shall be served upon the owners and parties in interest in the building or dwelling at the time of filing in accordance with G.S. ~~160A-428~~ **160D-1121** and G.S. ~~160A-445~~ **160D-1206**. The clerk may cancel the notice of lis pendens upon a showing by the administrator that the action in which the complaint and notice or order was issued has been settled, discontinued, or abated.

(h) *Findings of facts; issuance of order to repair, demolish, etc.* If, after such notice and hearing as provided for in subsection (e) of this section, the administrator determines that the housing under consideration is unfit for human habitation under the terms of this article, he or she shall state in writing his or her findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof an order:

(1) If the repair, alteration or improvement of such house can be made at a cost not to exceed 50 percent of the value of the house, requiring the owner, within a time specified in the order by the administrator, to repair, alter or improve such house to render it fit for human habitation. In the alternative, the administrator may require the owner, within a time specified in the order, to vacate and close the house, but only upon determining that continued occupancy during the time for repair will

present a significant threat or bodily harm, taking into account the nature of the necessary repairs, alterations or improvements; the current state of the property and any additional risks due to the presence and capacity of minors under the age of 18 or occupants with physical or mental disabilities. The order shall state that the failure to make timely repairs as directed in the order shall make the dwelling subject to the issuance of an unfit order under 8-45.9.2.

(2) If the repair, alteration or improvement of such housing cannot be made at a cost not to exceed 50 percent of the value of the housing, requiring the owner, within the time specified in the order by the administrator to repair, alter or improve such housing to render it fit for human habitation or to demolish and remove such housing. However, notwithstanding any other provision of law, if the dwelling is located in a historic district of the town and the Historic District Commission determines, after a public hearing, that the dwelling is of particular significance or value toward maintaining the character of the district, and the dwelling has not been condemned as unsafe, the order may require that the dwelling be vacated and closed consistent with G.S. ~~160A-400.14(a)~~ 160D-940.

...

(k) *Petition to superior court.* Any person aggrieved by an order issued by the administrator or a decision rendered by the town board may petition the superior court for an injunction restraining the administrator from carrying out the order or decision. The petition shall be filed within 30 days after issuance of the order or rendering of the decision. Hearing on the petition shall be as provided in G.S. ~~160A-446(f)~~ 160D-1208.

(l) *In rem action by administrator; placarding.* Barring a petition having been filed under subsection 8-45.(l) after the failure of an owner of a dwelling, dwelling unit or rooming unit to comply with an order of the administrator issued pursuant to the provisions of this article, and upon adoption by the Town Board of an ordinance authorizing and directing him or her to do so, as provided by G.S. ~~160A-443~~ 160D-1203 and subsection 8-45(i), the administrator shall proceed to cause such dwelling, dwelling unit or rooming unit to be repaired, altered or improved to comply with the minimum standards of fitness established by this article, or to be vacated and closed and removed or demolished, as directed by the ordinance of the town board, and shall cause to be

posted on the main entrance of such dwelling, dwelling unit or rooming unit a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building is prohibited and unlawful." The occupation of a building so posted shall constitute a Class 1 3 misdemeanor.

...

(q) *Violations; penalty; fees.*

(1) It shall be unlawful for the owner of any dwelling, dwelling unit or rooming unit to fail, neglect or refuse to repair, alter or improve the same, or to vacate and close and remove or demolish the same, upon order of the administrator duly made and served as herein provided, within the time specified in such order, and each day that any such failure, neglect or refusal to comply with such order continues shall constitute a separate and distinct offense. **Any owner who violates the provisions of this section shall be guilty of a Class 3 misdemeanor.**

(2) It shall be unlawful for the owner or agent of the owner in charge of such dwelling, dwelling unit or rooming unit with respect to which an order has been issued pursuant to this article, to occupy or permit the occupancy of the same in a dilapidated or deteriorated condition found to be unfit for human habitation in violation of such order for its repair, alteration or improvement or its vacation, closing or demolition, and each day that such unlawful occupancy continues after the expiration of the time prescribed in the order to repair, alter, improve, vacate, close or demolish such dwelling, dwelling unit or rooming unit shall constitute a separate and distinct offense. **Any owner or agent of the owner who violates the provisions of this section shall be guilty of a Class 3 misdemeanor.**

(3) **In addition to criminal penalties, any**Any owner of a dwelling or dwelling unit, except an owner who occupies the dwelling as his or her principal place of residence, who fails to comply with any of the provisions of this article may be subject to a civil penalty in the amount (See Fee Schedule) for the first day of noncompliance and (See Fee Schedule) for each day thereafter. This penalty may be recovered by the town in a civil action in the nature of debt if the owner does not pay the same within 30 days after the initial day of noncompliance.

(4) The town manager may agree, in writing only, to release, in whole or in part, a subsequent owner from liability for a civil penalty imposed pursuant to **subsection (3)** if the civil penalty was imposed against the subsequent owner due to a previous owner's failure to bring the property into compliance. When this situation exists, a release in whole or part may occur if the subsequent owner voluntarily agrees, as consideration for the release, to bring the property into compliance within an agreed upon timeframe. However, if the subsequent owner fails to comply with the agreement then the civil penalty shall be imposed as if the agreement was never entered into and shall be computed from the first day of noncompliance.

(5) The owner of any dwelling, dwelling unit or rooming unit who fails to repair or vacate and close it, or demolish or remove it, upon order of the administrator duly made and served as herein provided, within the time specified in such order, shall be subject to an administrative fee set by the town board for noncompliance. This fee allows the town to recover some of its administrative costs incurred due to the owner's failure to comply with the administrator's order described herein.

(6) Any owner of a dwelling or dwelling unit, except an owner who uses the dwelling as his or her principal place of residence, who requests a re-inspection after failing an initial inspection may be subject to a re-inspection fee when the re-inspection shows that the owner's dwelling still fails to comply with the provisions of this article. The re-inspection fee shall not be imposed when the owner's dwelling passes the re-inspection. Re-inspection fees shall be (See Fee Schedule).

(7) If any occupant fails to comply with an order to vacate a dwelling, the administrator may file a civil action in the name of the town to remove such occupant. The action to vacate the dwelling shall be in the nature of summary ejectment and shall be commenced by filing a complaint naming as parties-defendant any person occupying such dwelling. The clerk of superior court shall issue a summons requiring the defendant to appear before a magistrate at a certain time, date and place not to exceed ten days from the issuance of the summons to answer the complaint. The summons and complaint shall be served as provided in G.S. 42-29. The summons shall be returned according to its tenor, and if on its return it appears to have been duly served, and if at the hearing the administrator produces a certified copy of an ordinance adopted by the town board of commissioners pursuant to subsection 8-45(j) authorizing the officer to proceed to vacate the occupied dwelling, the magistrate shall enter judgment

ordering that the premises be vacated and that all persons be removed. The judgment ordering that the dwelling be vacated shall be enforced in the same manner as the judgment for summary ejectment entered under G.S. 42-30. An appeal from any judgment entered hereunder by the magistrate may be taken as provided in G.S. 7A-228, and the execution of such judgment may be taken as provided in G.S. 7A-227. An action to remove an occupant of a dwelling who is a tenant of the owner may not be in the nature of a summary ejectment proceeding pursuant to this subsection unless such occupant was served with notice at least 30 days before the filing of the summary ejectment proceeding that the town board of commissioners has ordered the administrator to proceed to exercise his or her duties under 8-45(i) to vacate and close or remove and demolish the dwelling.

SECTION 5. Chapter 8, Article III of the Code of Ordinances of the Town of Wake Forest is hereby amended as follows, with underlined language added and strikethrough language deleted:

Sec. 8-151. - Purpose.

(a) The existence of unsafe buildings is dangerous and detrimental to the health, safety and morals, and otherwise inimical to the welfare of, the residents of the town.

(b) In order to protect the health, safety and welfare of the residents of the townTown as authorized by G.S. 160D-1101 et. seq. ~~G.S. Ch. 160A, Art 19, Pt. 5 (G.S. 160A-426 et seq.)~~, it is the purpose of this article to establish standards and procedures by which the town shall declare and correct any unsafe buildings.

...

Sec. 8-159. - Failure to comply with order.

(a) *Failure to comply.* It shall be unlawful for the owner of any building to fail, neglect, or refuse to repair, alter, or improve the same, or to fail, neglect or refuse to vacate and close or vacate and demolish and remove the same, upon order of the officer duly made and served as herein provided, within the time specified in such order. Each day that any such failure, neglect, or refusal to comply with such order continues past the time for compliance specified therein shall constitute a separate and distinct offense.

(b) *No occupancy upon order.* It shall be unlawful for the owner of any building, with respect to which an order has been issued pursuant to section 8-157 of this article, to occupy or permit the occupancy of the same after the time prescribed in such order for its vacation. Each day that such occupancy continues after such prescribed time shall constitute a separate and distinct offense. It shall also be unlawful for any person other than the owner to occupy a building to which an order has been issued pursuant to section 8-157 of this article. This shall constitute an offense charged against the occupant, separate and distinct from any offense by the owner. Each day that such occupancy by a non-owner continues after such prescribed time shall constitute a separate and distinct offense.

(c) *Civil offense.* In addition to criminal penalties ~~Unless specifically provided otherwise,~~ violation of this article shall be a civil offense. If an owner fails to comply with an order to repair, alter or improve or to vacate and close, or to vacate and demolish and remove any unsafe building, any one, all, or combination of the enforcement actions authorized by law may be taken, including those set forth herein.

(1) *Civil penalty for owner.* If the owner of any unsafe building shall fail to comply with an order of the officer to repair, alter, or improve or to vacate and close or vacate and demolish and remove the same within the time specified therein, or if any building is occupied in violation of this article or any valid order or decision of the officer or board of commissioners made pursuant to this article, the owner may be subject to a civil penalty (See Fee Schedule) for the first day following the expiration of such order or following a determination that an unsafe building has been reoccupied in violation of this section, as the case may be. In each instance, a penalty (See Fee Schedule) per day may be imposed for each subsequent day that the order remains unsatisfied or the unsafe building remains occupied in violation of an order. If an owner fails to pay the civil penalty within ten days after being notified of the amount due, the town may recover the civil penalty together with all costs by filing one or more civil actions in the general court of justice in the nature of a suit to collect a debt. The town attorney is hereby authorized to file suit on behalf of the town to collect any civil penalties, and the town manager is hereby authorized to verify and sign complaints on behalf of the town in such suits.

(2) *Civil penalty for non-owner occupant.* In addition to the owner's fines set forth in subsection 8-159(c)(1) above, if a non-owner occupant of any unsafe building shall fail to comply with an order of the officer to vacate the building within the time specified in the order, the occupant may be subject to a civil penalty (See Fee Schedule) for the first day following the expiration of such order or following a determination that an unsafe building has been reoccupied in violation of this section, as the case may be. In each instance, a penalty (See Fee Schedule) per day may be imposed for each subsequent day that the unsafe building remains occupied in violation of an order. If a non-owner occupant fails to pay the civil penalty within ten days after being notified of the amount due, the town may recover the civil penalty together with all costs by filing one or more civil actions in the general court of justice in the nature of a suit to collect a debt. The town attorney is hereby authorized to file suit on behalf of the town to collect any civil penalties, and the town manager is hereby authorized to verify and sign complaints on behalf of the town in such suits.

(d) *Administrative fees.* In addition to any other charge, any owner of a building located within the town and its extraterritorial jurisdiction may be subject to an administrative fee (See Fee Schedule) upon an inspection hearing disclosing the building to be unsafe. In addition to any other charge, any owner of a building located within the town and its extraterritorial jurisdiction may be subject to an administrative fee (See Fee Schedule) upon any additional inspection hearing disclosing the building to be unsafe within the same 12-month period. The property owner may also be assessed any costs incurred in obtaining service including legal publication of notice of complaint charges, hearing notice and findings of fact and orders related to the building.

(e) *Enforcement of order.* If the owner of any unsafe building shall fail to comply with an order of the officer to repair, alter, or improve or to vacate and close the same within the time specified therein, or if the owner of any unsafe building shall fail to comply with an order of the officer to demolish and remove the same within the time specified therein, or if any building is erected, constructed, altered, repaired, converted, maintained, or used in violation of this article or any valid order or decision of the officer or board of commissioners made pursuant to this article, and court ordered relief has not been sought or has not been granted as provided in section 8-160 of this article, the officer may institute any appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration or use of a building in violation of this

article or in any way inimical to the health and safety of the town's citizens; to correct or abate the violation; to prevent the occupancy of the building; or for any other purpose authorized by G.S. ~~160A-432~~ 160D-1125 and other law. Such action shall include repairing, altering, improving, vacating, closing or demolishing and removing the building, as required by the order. Before repairing, altering, improving, vacating, closing or demolishing and removing the building, the officer must take the following additional steps.

(1) *Enforcement action pursuant to ordinance.* The officer must submit to the board of commissioners for adoption a resolution describing the building and ordering the officer to proceed to effectuate the purpose of this article with respect to the particular building which the officer found to be unsafe. Such resolution shall be recorded in the office of the register of deeds of the county, and shall be indexed in the name of the property owner in the grantor index. The officer must affix a copy of the resolution on the unsafe building, and also a notice stating: "This building is unsafe and unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Notwithstanding any other provision of this article, in accordance with G.S. ~~160A-431~~ 160D-1124, occupation of a building so posted shall constitute a class 1 misdemeanor. If, after adoption of such resolution, any occupant fails to comply with an order to vacate the building, the officer may file a civil action in the name of the Town to remove such occupant without further notice regardless as to whether the occupant is also the owner of the building.

(2) *Additional resolution one year later.* If the officer shall have issued an order ordering a building to be repaired or vacated and closed, and such building has remained unrepaired or vacated and closed for a period of one year, either by action of the owner as provided in subsection 8-159(b) above or following the adoption of an resolution by the board of commissioners pursuant to section subsection 8-159(e)(1), then, if the board of commissioners shall find that the owner has abandoned the intent and purpose to repair, alter or improve the building in order to render it safe, and that the continuation of the building in its vacated and closed status would be inimical to the health, safety, morals and welfare of the Town in that the building would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, or would render unavailable property and housing which might otherwise

have been made available to ease the persistent shortage of decent and affordable housing, in such circumstances the board of commissioners may, after the expiration of such one-year period, enact a resolution and serve such resolution on the owner requiring the owner to either repair or demolish and remove the building within 90 days. The town may also serve such resolution on any parties of interest. Such resolution shall be recorded in the office of the county register of deeds and shall be indexed in the name of the property owner in the grantor index. If the owner fails to comply with this resolution within the time fixed by such resolution, then the officer shall effectuate the purpose of the resolution. The cost of such repairs, demolition or removal shall be a lien on the property pursuant to G.S. ~~160D-1125-160A-432(b) and (b1)~~.

(f) *Other enforcement action.* The failure of the owner to comply with an order issued by the officer may also be enforced through any equitable or other remedy deemed appropriate by the town and permitted by law.

(g) Criminal Penalties. If the owner of a building or structure fails to comply with an order issued pursuant to G.S. 160D-1122 from which no appeal has been taken or fails to comply with an order of the Board of Commissioners following an appeal, the owner is guilty of a Class 1 misdemeanor.

State Law Reference – G.S. 160D-1124

Sec. 8-160. - Appeals from orders of the officer; review by court.

...

(d) *Staying of action.* When an appeal is from a decision or order of the officer refusing to allow the person aggrieved thereby to do any act, the officer's decision or order shall remain in force until modified or reversed. When an appeal is from a decision or order of the officer requiring the person aggrieved to do any act, the appeal shall have the effect of suspending the requirement until the hearing by the board, unless the officer certifies to the board, after the notice of appeal is filed with the officer, that by reason of the facts stated in the certificate (a copy of which shall be furnished to the appellant), a suspension of the officer's requirement would cause imminent peril to life or property. In that case, the requirement shall not be suspended except for due cause shown upon not less than one day's written notice to the Officer, by the board of

commissioners, or by a court of record upon petition made pursuant to G.S. 160D-1127~~160A-434~~ and this section.

...

~~Sec. 8-163. - Failure to comply with order.~~

~~If the owner of a building or structure fails to comply with an order issued pursuant to G.S. 160A-429 from which no appeal has been taken, or fails to comply with an order of the board of commissioners following an appeal, he shall be guilty a Class 1 misdemeanor.~~

SECTION 6. Chapter 8, Article V of Ordinances of the Town of Wake Forest is hereby amended as follows, with underlined language added and strikethrough language deleted:

Sec. 8-252. - Purpose.

In order to protect the health, safety and welfare of the town and its residents and citizens including but not limited to owners and occupants of nonresidential buildings or structures, it is the purpose of this article to establish minimum standards of maintenance, sanitation, and safety relating to nonresidential buildings or structures, as expressly authorized by G.S. § ~~160A-439~~160D-1129. This article provides for the repair, closing or demolition of nonresidential buildings or structures as a result of a public necessity caused by conditions that are dangerous to the public health, safety and welfare.

...

Sec. 8-254. - Applicability and compliance.

(a) The provisions of this article shall apply to all nonresidential buildings or structures which are now in existence or which may be built within the corporate limits of the town.

(b) Every nonresidential building or structure and the premises on which it is situated shall comply with the provisions of this article, whether or not such building or structure shall have been constructed, altered, or repaired before or after the enactment of this article, and irrespective of any permits or licenses which have been issued for the use or occupancy of the building or structure or

for the installment or repair of equipment or facilities. This article establishes minimum standards for all nonresidential buildings or structures and does not replace or modify standards otherwise established for the construction, repair, alteration, or use of the building or structure contained therein. Any person who violates the provisions of this article may be subject to civil and/or criminal penalties as further set forth herein.

...

Sec. 8-259. - Procedure for enforcement.

(a) *Preliminary investigation.* Whenever it appears to the administrator that any nonresidential building or structure has not been properly maintained so that the safety or health of its occupants or members of the general public are jeopardized for failure of the property to meet the minimum standards established by this article, the administrator shall undertake a preliminary investigation.

(b) *Complaint and hearing.* If the preliminary investigation discloses evidence of a violation of the minimum standards established by this article, the administrator shall issue and cause to be served upon the owner of and parties in interest in the nonresidential building or structure a complaint. The complaint shall state the charges and contain a notice that a hearing will be held before the administrator at a place within the town, not less than ten days nor more than 30 days after the serving of the complaint; that the owner and parties in interest shall be given the right to answer the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint; and that the rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the administrator.

(c) *Procedure after hearing; issuance of order.*

(1) If, after notice and hearing, the administrator determines that the nonresidential building or structure has been maintained in that the property meets the minimum standards established by this article, the administrator shall state in writing findings of fact in support of that determination and shall issue and cause to be served upon the owner thereof a copy of said determination and the matter shall be closed.

(2) If, after notice and hearing, the administrator determines that the nonresidential building or structure has not been properly maintained so that the safety or health of its occupants or members of the general public is jeopardized for failure of the property to meet the minimum standards established by this article, the administrator shall state in writing findings of fact in support of that determination and shall issue and cause to be served upon the owner thereof an order in accordance with the provisions of either subsection_8-259(c)(3) or (4) and subject to the limitations set forth in this article.

(3) If the administrator determines that the cost of repair, alteration, or improvement of the nonresidential building or structure would not exceed 50 percent of its then current value, then the administrator shall state in writing the findings of fact in support of such determination and issue an order that requires the owner, within a reasonable time specified in the order, to either:

- a. Repair, alter, or improve the nonresidential building or structure in order to bring it into compliance with the minimum standards established by this article; or
- b. Vacate and close the nonresidential building or structure for any use.

(4) If the administrator determines that the cost of repair, alteration, or improvement of the nonresidential building or structure would exceed 50 percent of its then current value, then the administrator shall state in writing the findings of fact in support of such determination and issue an order that requires the owner, within a reasonable time specified in the order, to either:

- a. Remove or demolish the nonresidential building or structure; or
- b. Repair, alter or improve the nonresidential building or structure in order to bring it into compliance with the minimum standards established by this article.

(d) *Failure to comply with order; adoption of ordinance by town board.*

- (1) If the owner fails to comply with an order to either:
 - a. Repair, alter, or improve the nonresidential building or structure; or
 - b. Vacate and close the nonresidential building or structure,

then, the administrator may request that the town board adopt an ordinance ordering the administrator to proceed to effectuate the purpose of this article with respect to the particular property or properties that the administrator found to be jeopardizing the health or safety of its occupants or members of the general public. The property or properties shall be described in the ordinance. The ordinance shall be recorded in the office of the register of deeds and shall be indexed in the name of the property owner or owners in the grantor index. Following adoption of an ordinance, the administrator may cause the building or structure to be either repaired, altered or improved or to be vacated and closed for any use. The administrator may cause to be posted on the main entrance of any nonresidential building or structure so closed a placard with the following words: "This building is unfit for any use; the use or occupation of this building for any purpose is prohibited and unlawful." Any person who occupies or knowingly allows the occupancy of a building or structure so posted shall be guilty of a class 3 misdemeanor.

(2) If the owner fails to comply with an order to either: ~~a. Remove~~ remove or demolish the nonresidential building or structure, the administrator may request that the town board adopt an ordinance ordering the administrator to proceed to effectuate the purpose of this article with respect to the particular property or properties that the administrator found to be jeopardizing the health or safety of its occupants or members of the general public. No ordinance shall be adopted to require removal or demolition of a nonresidential building or structure until the owner has first been given a reasonable opportunity to bring it into conformity with this article. The property or properties shall be described in the ordinance. The ordinance shall be recorded in the office of the register of deeds and shall be indexed in the name of the property owner or owners in the grantor index. Following the town board's adoption of an ordinance, the administrator may cause the building or structure to be removed or demolished.

...

Sec. 8-271. - Violations; penalty; fee; remedies.

(a) It shall be unlawful for the owner of any nonresidential building or structure to fail, neglect or refuse to repair, alter or improve the same, or to vacate and close or remove or demolish the same, upon order of the administrator duly made and served as herein provided, within the time specified in such order, and each day that any such failure, neglect or refusal to comply with such order continues shall constitute a separate and distinct offense. **Any owner who violates the provisions of this section shall be guilty of a Class 3 misdemeanor.**

(b) It shall be unlawful for the owner or agent of the owner in charge of such nonresidential building or structure with respect to which an order has been issued pursuant to this article, to occupy or permit the occupancy of the same in a dilapidated or deteriorated condition found to be unfit for any use in violation of such order for its repair, alteration or improvement or its vacation, closing or demolition, and each day that such unlawful occupancy continues after the expiration of the time prescribed in the order to repair, alter, improve, vacate, close or demolish such nonresidential building or structure shall constitute a separate and distinct offense. **Any owner or agent of the owner who violates the provisions of this section shall be guilty of a Class 3 misdemeanor.**

(c) **In addition to criminal penalties, any**Any person that fails to comply with any of the provisions of this article may be subject to a civil penalty in the amount (See Fee Schedule) for the first day of noncompliance and a civil penalty (See Fee Schedule) for each day thereafter. This penalty may be recovered by the town in a civil action in the nature of debt if the person does not pay the same within 30 days after the initial day of noncompliance.

(d) **In addition to criminal penalties, the**The owner of any nonresidential building or structure who fails to repair or vacate and close it, or demolish or remove it, upon order of the administrator duly made and served as herein provided, within the time specified in such order, shall be subject to an administrative fee in an amount set by the town board for noncompliance. This fee allows the town to recover some of its administrative costs incurred due to the owner's failure to comply with the administrator's order described herein.

(e) A violation may be corrected by any appropriate equitable remedy, a mandatory or prohibitory injunction, or an order of abatement as authorized by G.S. 160A-175. The town shall have a lien on the property for the cost of executing an order of abatement in the nature of a mechanic's and materialman's lien

SECTION 7. Chapter 10, Article I of the Code of Ordinances of the Town of Wake Forest is hereby amended as follows, with underlined language added and strikethrough language deleted:

Sec. 10-1. - Sunday morning sales of alcoholic beverages.

Pursuant to the authority contained in G.S. 160A-205.3, the sale of malt beverages, unfortified wine, fortified wine, and mixed beverages is allowed within the corporate limits of the Town of Wake Forest beginning at 10 a.m. on Sunday pursuant to the licensed premises permit issued under G.S. 18B-1001. Any person who sells malt beverages, unfortified wine, fortified wine, and/or mixed beverages within the corporate limits of the Town of Wake Forest prior to 10 a.m. on Sunday shall be guilty of a Class 3 misdemeanor.

SECTION 8. Chapter 10, Article II, Sections 10-31 through 10-39 of the Code of Ordinances of the Town of Wake Forest are hereby repealed in their entirety.

SECTION 9. Chapter 10, Article III of the Code of Ordinances of the Town of Wake Forest is hereby amended as follows, with underlined language added and strikethrough language deleted:

Sec. 10-71. - Purpose.

The purpose of this article is to protect the public health, safety and welfare by regulating the solicitation and business activities of itinerant merchants, salesmen, promoters, drummers, peddlers, and hawkers within the town. Any person who violates this article shall be guilty of a Class 3 misdemeanor.

...

Sec. 10-73. - Permit.

- (a) No itinerant merchant shall operate in the town without a permit from the town. Any itinerant merchant who operates in the town without a permit shall be guilty of a Class 3 misdemeanor.

SECTION 10. Chapter 14, Article II of the Code of Ordinances of the Town of Wake Forest is hereby amended as follows, with underlined language added and strikethrough language deleted:

Sec. 14-32. - Accumulations constituting fire hazard.

It shall be unlawful for any person to permit or allow rubbish, refuse or articles of a combustible or inflammable nature to accumulate or remain on any lot or premises. Any person who violates this section shall be guilty of a Class 3 misdemeanor.

Sec. 14-33. - Trash, etc.; procedure for removal.

(a) It shall be the duty of the town to make periodic inspections of all vacant and improved premises within the town limits to determine whether they are free from trash, refuse, noxious weeds, rubbish, inoperable appliances and equipment or undue growth, etc. If the town shall find the existence of trash, refuse, noxious weeds, rubbish, inoperable appliances and equipment or undue growth on any such vacant lot or improved premises in the town limits, due notice shall be given by the town to the owner of such property. Due notice shall be sent by first class mail to the address of the owner if the owner is living within the county, and by certified mail to the last known address if the owner is residing out of the county. The notice shall direct such owner to remove such trash, refuse, noxious weeds, rubbish, inoperable appliances and equipment or undue growth within 15 days of the receipt of such letter.

(b) If the owner shall refuse to comply with the terms of the notice within the time specified in such notice, the owner shall be guilty of a Class 3 misdemeanor.

(c) If the owner shall fail or refuse to comply with the terms of the notice, the town shall cause such trash, refuse, noxious weeds, rubbish, inoperable appliances and equipment or undue growth to be removed and the cost of such removal shall be charged by the town to the owner, and shall constitute a lien upon the premises and shall be collected in the same manner as taxes upon real estate.

Sec. 14-34. - Human waste on streets, etc.

No person shall urinate or deposit any human waste of any kind on any street, lot or premises except in approved sanitary facilities. Any person who violates this section shall be guilty of a Class 3 misdemeanor.

SECTION 11. Chapter 20, Article I of the Code of Ordinances of the Town of Wake Forest is hereby amended as follows, with underlined language added and strikethrough language deleted:

Sec. 20-2. - Public consumption, possession, etc., of alcohol.

(a) Except as provided in subsections (b), (c), or (d) of this section, no person shall consume malt beverages, unfortified wine, fortified wine, spirituous beverages or mixed beverages ("alcoholic beverages") on property owned or occupied by the town, including, but not limited to, public streets, boulevards, alleys, rights-of-way, sidewalks and parks. Any person who consumes alcoholic beverages in violation of this section shall be guilty of a Class 3 misdemeanor.

(b) The consumption of alcoholic beverages shall be lawful upon securing the necessary authorization from the town manager, or his/her designee, and the necessary permits from the North Carolina Alcoholic Beverage Control Commission ("ABC Permit") in the town event center located at 405, 407 and 409 Brooks Street, Wake Forest, North Carolina, known as the Wake Forest Renaissance Centre.

(c) Any person ("applicant") desiring to provide alcoholic beverages in the Wake Forest Renaissance Centre shall submit the appropriate forms and obtain an authorization from the Town Manager, or his/her designee. The provision of alcoholic beverages in the Wake Forest Renaissance Centre shall, at all times, comply with the requirements of the applicant's ABC Permit.

(d) The consumption of alcoholic beverages shall be lawful upon securing the necessary authorization from the town manager, or his/her designee, and the necessary permits from the North Carolina Alcoholic Beverage Control Commission ("ABC Permit") for outdoor seating areas, as permitted and defined by the Wake Forest Unified Development Ordinance, on public sidewalks located in downtown Wake Forest, known as the Renaissance Area. All such areas must comply with all North Carolina Alcoholic Beverage Control Commission rules and regulations.

(e) As used in this section, the terms "malt beverages," "unfortified wine," "fortified wine," "spirituous beverages" and "mixed beverages" have the meanings provided by G.S. 18B-101.

SECTION 12. Chapter 20, Article III of the Code of Ordinances of the Town of Wake Forest is hereby amended as follows, with underlined language added and strikethrough language deleted:

Sec. 20-66. - Discharge of firearms.

It shall be unlawful for any person to discharge any firearm or other weapon of any type within the town or to shoot with a bow and arrow or any other weapon or device which impels or discharges with force arrows with metallic tips or sharp tips of any nature designated to penetrate and propel a bow or spring device except as a peace officer in the performance of his/her duty, or for persons lawfully defending their home or person, or discharging firearms at lawful firing ranges, or for members of the U.S. Armed Forces including the National Guard or Reserve while performing their duties. Any person who violates this section shall be guilty of a Class 3 misdemeanor.

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Sec. 20-67. - Discharge of pellet guns.

It shall be unlawful for any person to discharge any pellet gun or any mechanism or device designed or used to project a missile by compressed air or mechanical action with less than deadly force. Any person who violates this section shall be guilty of a Class 3 misdemeanor.

Sec. 20-68. - Explosives.

(a) *Use in compliance with chapter.* It shall be unlawful to explode or otherwise use a blasting agent and any dangerous explosive within the corporate limits of the town except as provided in this chapter and G.S. 160A-183. Any person who violates this chapter shall be guilty of a Class 3 misdemeanor.

...

Sec. 20-69. - Carrying a concealed weapon.

It shall be unlawful for any person to carry a concealed weapon in local government buildings and their appurtenant premises. Any person who violates this section shall be guilty of a Class 3 misdemeanor.

SECTION 13. Chapter 20, Article IV of the Code of Ordinances of the Town of Wake Forest is hereby amended as follows, with underlined language added and strikethrough language deleted:

Sec. 20-101. - Loitering for the purpose of engaging in drug related activity.

(a) For the purpose of this section, "public place" means any street, sidewalk, bridge, alley or alleyway, plaza, park, driveway, parking lot or transportation facility, or the doorways and entrance ways to any building that fronts on any of these places, or a motor vehicle in or on any of these places, or any property owned by the Town of Wake Forest.

(b) It shall be unlawful for a person to remain or wander about in a public place and

(1) Repeatedly beckon to stop, or attempt to stop passers-by, or repeatedly attempt to engage passers-by in conversation; or

(2) Repeatedly stop or attempt to stop motor vehicles; or

(3) Repeatedly interfere with the free passage of other persons; or

(4) Repeatedly pass to or receive from passers-by, whether on foot or in a vehicle, money or objects;

Any person who violates this section shall be guilty of a Class 3 misdemeanor.
~~For the purpose of violating any provision of Article 5 Chapter 90 of the General Statutes.~~

...

Sec. 20-103. - Picketing.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) Picket or picketing means to make a public display or demonstration of sentiment for or against a person or cause, including protesting which may include the distribution of leaflets or handbills, the display of signs and any oral communication or speech, which may involve an effort to persuade or influence, including all expressive and symbolic conduct, whether active or passive.

(2) Sidewalk means that portion of the street right-of-way which is designated for the use of pedestrians and may be paved or unpaved and shall include easements and rights-of-way.

(3) Street means the entire width between property or right-of-way lines of every way or place of whatever nature, when any part thereof is open to the use of the public as a matter of right, for the purposes of vehicular traffic, including that portion that is known as the shoulder of the roadway and the curb. The terms "highway" and "street" and their cognates are synonymous as used herein.

(b) *Notice of intent to picket.* Notification is required. The organizer of a picket that the organizer knows, or should reasonably know will be by a group of five or more individuals shall give notice of intent to picket to the chief of police or designee, in writing, at least 48 hours before the beginning of the picket. The notice of intent to picket shall include the following information:

(1) The name, address and contact telephone number for the organizer of the picket;

(2) The name, address and contact telephone number of the person giving notice of intent to picket if different from the organizer;

(3) The name of the organization or group sponsoring the picket;

(4) The location where the picket is to take place;

(5) The date and time the picket will begin and end; and

(6) The anticipated number of participants, and the basis on which this estimate is made.

(c) *Receipt of notification.* Upon notice of intent to picket given in accordance with this section, the chief of police or designee shall immediately issue a receipt of notice. The receipt shall contain all information stated in the notice. The organizer of a picket shall be responsible for maintaining the receipt, and shall present it when so requested by a law enforcement officer or other town official.

(d) **Penalties.** It shall be unlawful for any person to violate any provision of this section. **Any person who violates this section shall be guilty of a Class 3 misdemeanor.**

Sec. 20-104. - Picketing regulations.

(a) Picketing may be conducted on public sidewalks, at Town Hall Centennial Plaza, at any town-owned park, or other town-owned areas normally used or reserved for pedestrian movement, and shall not be conducted on the portion of the public roadways used primarily for vehicular traffic.

(b) Notwithstanding section (a), picketing may not be conducted:

(1) At any town-owned property or park during a special event that has been permitted at that particular property or when that property has been otherwise reserved for private use;

(2) On a median strip; and

(3) At a location directed, focused, or targeted at a particular private residence.

(c) Picketing shall not disrupt, block, obstruct or interfere with pedestrian or vehicular traffic or the free passage of pedestrian or vehicular traffic into any driveway, pedestrian entrance, or other access to buildings, which abut the public sidewalk.

(d) Written or printed placards or signs, flags, or banners carried by individuals engaged in picketing shall be of such a size and/or carried on the sidewalks or other city-owned areas, as to allow safe and unobstructed passage of pedestrian or vehicular traffic. The staff or pole on which a sign, flag, or

banner may be carried shall be made of corrugated material, plastic, or wood, and shall not exceed 40 inches in length and shall not be made of metal or metal alloy. If made of wood, the staff or pole shall be no greater than three-fourths inch in diameter at any point. A staff or pole must be blunt at both ends.

(e) If more than one group of picketers desire to picket at the same time at or near the same location, law enforcement officers may, without regard to the purpose or content of the message, assign each group a place to picket in order to preserve the public peace.

(f) Spectators of pickets shall not physically interfere with individuals engaged in picketing. Picketers and spectators of pickets shall not speak fighting words or threats that would tend to provoke a reasonable person to a breach of the peace.

(g) Picketers and picketing shall be subject to all applicable local, state, and federal laws.

(h) Nothing in this section prohibits a law enforcement officer from issuing a command to disperse in accordance with North Carolina General Statute 14-288.5 in the event of a riot or disorderly conduct by an assemblage of three or more persons.

(i) It shall be unlawful for any person to violate any provision of this section. Any person who violates this section shall be guilty of a Class 3 misdemeanor.

SECTION 14. Chapter 22, Article I of the Code of Ordinances of the Town of Wake Forest is hereby amended as follows, with underlined language added and strikethrough language deleted:

Sec. 22-4. - Vehicles.

(a) No person shall ride or drive any motor vehicle, motorcycle, motor-driven cycle, or any other form of off-highway, motor-driven vehicle upon any park land except upon the roads or on areas which are designed and provided for such purposes. This shall not include the operation of motor vehicles engaged in property maintenance or in other services authorized by the town. All ordinances regarding operation of a motor vehicle upon public streets or highways apply to operation upon streets with park land. Speed limits within all

park lands shall be 15 miles per hour unless otherwise posted. There shall be no parking at any time except in designated areas.

(b) No bicycles, skateboards, or rollerblades are to be ridden in areas that have been posted by signs that expressly prohibit such.

(c) Any person who violates this section shall be guilty of a Class 3 misdemeanor.

Sec. 22-5. - Signs, etc.

It shall be unlawful for any person to place or erect any structure, sign, bulletin board, post, pole or advertising device of any kind in any park, or to attach any notice, bill, poster, sign, wire or cord to any tree, shrub, fence, railing, post or structure with any park except as authorized by the director of parks and recreation. **Any person who violates this section shall be guilty of a Class 3 misdemeanor.**

Sec. 22-6. - Destruction of park property.

It shall be unlawful for any person to remove, destroy, mutilate or deface any structure, monument, statue, planter, fountain, wall, fence, railing, vehicle, bench tree, plant or any other property in any park. **Any person who violates this section shall be guilty of a Class 3 misdemeanor.**

Sec. 22-7. - Weapons prohibited.

(a) It is unlawful for any person to openly carry or possess on or about his person, use, discharge, or cause to be used or discharged any deadly weapon including, but not limited to, any: bomb, bowie knife, dirk, dagger, sling-shot, loaded cane, metal knuckles, razor, stun gun, pistol, revolver, gun, rifle, spear, or nightstick at any town park, athletic facility, swimming pool, or greenway. Archery equipment or other similar devices may be shot or discharged only in those areas within parks specifically designated and posted for such purposes by the town parks and recreation department.

(b) Pursuant to N.C. Gen. Stat. § 14-415.23, it is unlawful for any person to possess or carry a legally permitted concealed handgun on or at any town recreational facility specifically designated by the town parks and recreation department and where such prohibition is posted by the town parks and

recreation department. For purposes of this section a "recreational facility" is defined as:

- (1) An athletic field, including any appurtenant facilities such as restrooms, during an organized athletic event if the field had been scheduled for use with the town office responsible for operation of the park or recreational area.
 - (2) A swimming pool, including any appurtenant facilities used for dressing, storage of personal items, or other uses relating to the swimming pool.
 - (3) A facility used for athletic events, including, but not limited to, a gymnasium.
- (c) For the purposes of this section, the term "recreational facility" does not include any greenway, designated biking or walking path, an area that is customarily used as a walkway or bike path although not specifically designated for such use, open areas or fields where athletic events may occur unless the area qualifies as an "athletic field" pursuant to subdivision (1) of subsection (b) of this section, and any other area that is not specifically described in subsection (b) of this section.
- (d) This section does not apply to law enforcement or other government personnel acting within the scope of their employment.
- (e) Any person who violates this section shall be guilty of a Class 3 misdemeanor.**

Sec. 22-8. - Animals.

It shall be unlawful for any person to trap, catch, wound or kill or cause to be injured, treated cruelly or teased, or attempt to trap, catch, wound, kill, injure or tease any bird or animal, or rob any nest of any bird or any lair, den or burrow of any animal in or upon any land owned, leased or operated by the town. Fishing in ponds in parks is permitted for catch and release purposes. **Any person who violates this section shall be guilty of a Class 3 misdemeanor.**

Sec. 22-9. - Selling, peddling, etc.

It shall be unlawful for any person to engage in soliciting, peddling, begging or selling goods or merchandise, or to sell, hawk or vend food or drinks within the parks unless written authority is given by the director of parks and recreation, and unless such selling, peddling, soliciting or begging is in accordance with other applicable provisions of this Code and state and local laws and regulations. **Any person who violates this section shall be guilty of a Class 3 misdemeanor.**

Sec. 22-10. - Gambling.

It shall be unlawful for any person to conduct or carry on any game of chance at which money, property or other thing of value is bet, whether such money, property or other thing of value is in stake or not, in any park. **Any person who violates this section shall be guilty of a Class 3 misdemeanor.**

Sec. 22-11. - Disorderly conduct.

It shall be unlawful for any person to make indecent motions or do any indecent acts whatsoever, or exhibit any indecent or lewd articles in view of any person within any park. **Any person who violates this section shall be guilty of a Class 3 misdemeanor.**

Sec. 22-12. - Alcoholic beverages.

It shall be unlawful for any person to consume or to display publicly any alcoholic beverage in any park. It shall be unlawful for any person under the influence of alcoholic beverages to enter or remain in any park. **Any person who violates this section shall be guilty of a Class 3 misdemeanor.**

Sec. 22-13. - Games and sports.

It shall be unlawful for any person to play or practice horseshoes, archery, discus, football, golf, baseball or other games of similar character in any area in any park that is not designated for such games unless written permission is given by the director of parks and recreation.

Sec. 22-14. - Excavations.

It shall be unlawful for any person to make an excavation in any park for any purpose without written permission from the director of parks and recreation. **Any person who violates this section shall be guilty of a Class 3 misdemeanor.**

Sec. 22-15. - Fires.

It shall be unlawful for any person to make or kindle a fire in any park except in a regularly constructed or appropriate portable fireplace or grill. It shall be unlawful for any person to leave any fire unattended or to fail to completely extinguish a fire and all the embers thereof before leaving such fire. Any person who violates this section shall be guilty of a Class 3 misdemeanor.

Sec. 22-16. - Dumping.

It shall be unlawful for any person shall deposit, dump, throw, cast, lay or place or cause to be deposited, dumped, thrown, cast, laid or place any ashes, trash, rubbish, soil or earth, paper, garbage, refuse, debris, plant clippings, limbs or leaves in or upon any park. Any person who violates this section shall be guilty of a Class 3 misdemeanor.

Sec. 22-17. - Plant material.

It shall be unlawful for any person to dig, cut, bruise, mutilate or cause to be transplanted, cut, bruised, debarked or mutilated any plant material of any description within any park.

Sec. 22-18. - Swimming.

Swimming is prohibited in all parks except in facilities expressly designed for that purpose. Personal bathing is prohibited.

...

Sec. 22-20. - Smoking in prohibited areas.

No smoking of any type shall be allowed in any town park facilities or greenway systems except in specifically designated areas. Any person who violates this section shall be guilty of a Class 3 misdemeanor.

SECTION 15. Chapter 22, Article V of the Code of Ordinances of the Town of Wake Forest is hereby amended as follows, with underlined language added and strikethrough language deleted:

Sec. 22-106. - Scope.

This article shall apply only to the Wake Forest Reservoir.

Sec. 22-107. - Violation.

It shall be unlawful for any person to violate any of the provisions of this article or the rules and regulations promulgated under this article.

Sec. 22-108. - Denial of admission.

The town shall deny admission to the reservoir to any person known to have violated the rules or regulations of the board of commissioners or to any person having intoxicating drinks or narcotics in his possession or who shows evidence of being under the influence of alcohol or narcotics. Any person who enters the reservoir after being denied admission pursuant to this Section 22-108 shall be guilty of a Class 3 misdemeanor.

Sec. 22-109. - Hours of operation.

The Wake Forest Reservoir and surrounding grounds owned or leased by the town shall be closed to the public between dusk and dawn. Violators of this section shall be guilty of a Class 3 misdemeanor and the prima facie rule of evidence set forth in G.S. 20-162.1 shall apply.

Sec. 22-110. - Pollution of the reservoir.

It shall be unlawful for any person to contribute to the pollution of the reservoir. This includes littering or releasing of any bodily fluids into the water body. Any person who violates this section shall be guilty of a Class 3 misdemeanor.

Sec. 22-111. - Discharge of firearms or fireworks.

No person shall fire a gun, pistol or fireworks of any kind on the reservoir property. Any person who violates this section shall be guilty of a Class 3 misdemeanor.

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Secs. 22-118. - Restricted access.

Access is prohibited near the pumping station, gate valves, lagoon and former lagoon areas, and along the dam spillway. Violators will be prosecuted under no trespassing and shall be guilty of a Class 3 misdemeanor.

SECTION 16. Chapter 26, Article II of the Code of Ordinances of the Town of Wake Forest is hereby amended as follows, with underlined language added and strikethrough language deleted:

Sec. 26-13. - Littering.

It shall be unlawful for any person to throw, drop or deposit or cause to be thrown, dropped or deposited any waste on any street, public right-of-way, public place, catch basin, manhole or other public structure. This section also applies to depositing waste from a vehicle. Any person who violates this section shall be guilty of a Class 3 misdemeanor.

Sec. 26-14. - Dumping on private land.

It shall be unlawful for any person to throw, drop or deposit or cause to be thrown, dropped or deposited any waste on any vacant or occupied land in the town. This section does not apply to properly permitted landfills or permitted filling and grading operations. Any person who violates this section shall be guilty of a Class 3 misdemeanor.

...

Sec. 26-16. - Building debris.

Building debris shall be collected, removed and disposed of by the builder or, in the event of failure by the builder to dispose of such building debris, the owner of the property shall dispose of such building debris in accordance with applicable provisions of this Code. Any builder and/or owner who violates this section shall be guilty of a Class 3 misdemeanor.

...

Sec. 26-18. - Unlawful disposal.

It shall be unlawful for any person to deposit any and all refuse originating, transported or collected from locations outside of the corporate limits of the town in or near waste containers for the purpose of disposal, except when approved by the public works director. Any person who violates this section shall be guilty of a Class 3 misdemeanor.

SECTION 17. Chapter 26, Article IV of the Code of Ordinances of the Town of Wake Forest is hereby amended as follows, with underlined language added and strikethrough language deleted:

Sec. 26-26. - Restrictions.

(a) No person shall engage in business as a solid waste collector except under a license issued by the county pursuant to this section.

(b) Dumpsters shall be used only for the collection and disposal of refuse defined as garbage or trash. It shall be unlawful for anyone to place restricted materials in a dumpster. The following materials shall not be placed in a dumpster:

- (1) All refuse originating, transported or collected from locations outside of the corporate limits of the town.
- (2) Yard waste.
- (3) Dead animals.
- (4) Bulky items.
- (5) All waste not collected by the town, including, but not limited to, hazardous waste, industrial waste and building debris.

(c) Any person who violates this section shall be guilty of a Class 3 misdemeanor.

...

Sec. 26-29. - Commercial collection.

All office, institutional, educational, commercial and industrial uses shall have recyclable collection as mandated by state or local requirements. The town may provide such service when the public works director determines that it is the most efficient and effective means for such collection, and shall determine the method of service.

- (1) *Container.* Each user required to provide containers shall:
 - a. Keep the container maintained in a good operating condition;
 - b. Keep the exterior of the container painted and free from rust and graffiti;

- c. Ensure that the area around the container is kept free from refuse and litter; and
- d. Provide adequate access to the container for collection equipment.

(2) *Shared container.* With the approval of the public works director, containers may be shared when users are in close proximity to each other, the volume of recyclables generated allows sharing, or availability of space for placement of containers is restricted.

(3) *Restrictions.* Containers shall be designated for the collection and disposal of recyclable materials only. It shall be unlawful for anyone to place any other refuse or material in such containers. **Any user who violates this section shall be guilty of a Class 3 misdemeanor.**

SECTION 18. Chapter 28, Article I of the Code of Ordinances of the Town of Wake Forest is hereby amended as follows, with underlined language added and strikethrough language deleted:

Sec. 28-5. - Same — Signs, etc.

No person shall injure, tamper with, remove or paint upon or deface any sign, sign post, streetlight, traffic signal, bulletin board or other municipal property upon the streets and sidewalks, other than employees of the town in the proper performance of their duties. **Any person who violates this section shall be guilty of a Class 3 misdemeanor.**

SECTION 19. Chapter 28, Article IV of the Code of Ordinances of the Town of Wake Forest is hereby amended as follows, with underlined language added and strikethrough language deleted:

Sec. 28-112. - Safety precautions.

It shall be unlawful for any person making any hole, ditch or excavation in any of the streets, public alleys or sidewalks of the town to fail to securely cover such openings with plank or place ropes around such excavation three feet from the ground, or fail to place a sufficient number of red lights around such excavation before dark, and to keep such lights burning all night every night such excavation shall be open. **Any person who violates this section shall be guilty of a Class 3 misdemeanor.**

Sec. 28-113. - Restoration.

It shall be the duty of any person who shall open or dig a ditch, trench or hole in any street, public alley or sidewalk of the town, to put the street, public alley or sidewalk in as good condition, in all respects, as it was before such excavation.

Any person who violates this section shall be guilty of a Class 3 misdemeanor.

SECTION 20. Chapter 32, Article I of the Code of Ordinances of the Town of Wake Forest is hereby amended as follows, with underlined language added and strikethrough language deleted:

Sec. 32-5. - Tampering with or obstructing system paraphernalia.

No person shall tamper with or harm, in any manner, any electricity distribution system equipment. **Any person who violates this section shall be guilty of a Class 3 misdemeanor.**

Sec. 32-6. - Separate meters required; exception.

Each house must be metered separately for electricity. In no case shall two parties or houses be supplied through one meter, except in extraordinary cases, by special permission from the town. **Any person who violates this section shall be guilty of a Class 3 misdemeanor.**

SECTION 21. Chapter 32, Article II of the Code of Ordinances of the Town of Wake Forest is hereby amended as follows, with underlined language added and strikethrough language deleted:

Sec. 32-57. - Regulation of private water supply.

(a) It shall be unlawful for any person to furnish, supply or provide, for gain or profit, any water from a private well or pump in or to any dwelling house, boardinghouse, inn, hotel, café or other commercial establishment, or any room in such establishments, when the dwelling house or any room therein is rented, or offered for rent to the public, or when the boardinghouse, inn, hotel, café or other commercial establishment is open to, or used by, the public, unless and until an analysis of the water from such private well or pump shall have first been submitted to and approved by the town.

(b) The water analysis required in subsection (a) of this section shall be made by or under the direction of the county board of health or the state department of public health.

(c) If the water analysis bears the approval of either the county board of health or the state department of health, the authorized agent of the town shall approve the water analysis by endorsing thereon the word "approved" and affixing his signature to such analysis. If, however, the analysis shows that the water is contaminated and unfit for human consumption, the town shall not approve the analysis, but shall deliver the analysis to the mayor and board of commissioners, which board may disapprove the analysis and return it to its owner.

(d) Any person who violates this section shall be guilty of a Class 3 misdemeanor.

SECTION 22. Chapter 32, Article V of the Code of Ordinances of the Town of Wake Forest is hereby amended as follows, with underlined language added and strikethrough language deleted:

Sec. 32-425. - Electric tampering.

...

(c) *Enforcement procedure.* Any responsible person who violates any provision of this section, or any regulation, standard, rule or order duly adopted in furtherance of this section, shall be subject to a civil penalty of \$250.00 for the first instance non-compliance or violation, and a further civil penalty of \$500.00 for any subsequent violation. In addition, immediately upon discovery of the initial or any subsequent violation, the electric service to the property where the violation occurred will be terminated. A notice of violation will be sent within one business day to the owner of the property by certified mail, return receipt requested, or hand delivery. For all other persons responsible for such violation, a notice shall be sent by certified mail, return receipt requested or hand delivery. The notice shall describe the violation and a demand for payment of \$250.00 or \$500.00 as appropriate. If payment is not received after 20 days, the matter shall be referred to the town attorney for the initiation of collection proceedings. The town shall be entitled to recover from any responsible person all costs of collection of the civil penalties, including reasonable attorneys fees.

(d) *Criminal penalties.* In addition to civil penalties, any responsible person who violates this section shall be guilty of a Class 3 misdemeanor. The
town reserves the right to prosecute any responsible person for a criminal violation for each separate instance of electric meter tampering.

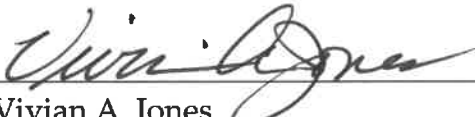
SECTION 23. All laws and clauses of laws in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 24. If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance that can be given separate effect and to this end the provisions of this ordinance are declared to be severable.

SECTION 25. The provisions of this ordinance shall not affect any act heretofore done, any liability incurred, or any suit or prosecution begun, or cause of action accrued prior to the effective date of this ordinance.

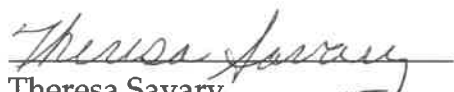
SECTION 26. Pursuant to N.C.G.S. § 160A-175(b), this ordinance shall not be enacted at the meeting in which it is first introduced. This ordinance shall become effective immediately upon its adoption.

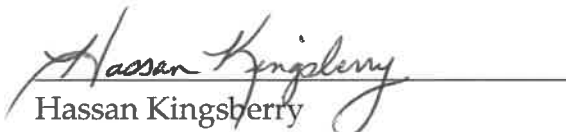
Adopted and effective this the 15th day of November 2022.


Vivian A. Jones
Mayor

ATTEST:

APPROVED AS TO FORM:


Theresa Savary
Town Clerk


Hassan Kingsberry
Town Attorney



ORDINANCE 2023-05

Chapter 20 Article III. Section 20-65. POSSESSION OF WEAPONS ON TOWN PROPERTY; SIGNAGE.

(A) AUTHORITY. This subchapter is enacted pursuant to N.C.G.S. §§ 14-415.11 (c), 14-415.23, and 160A-189.

(B) CARRYING OF FIREARM OR DEADLY WEAPON PROHIBITED.

(1) Display or carrying of any firearm or deadly weapon, including concealed handguns carried in accordance with the scope of a concealed handgun permit issued in accordance with G.S. Article 54B of Chapter 14, is prohibited in each building owned, leased as lessee, operated, occupied, managed, or controlled by the town as well as the appurtenant premises to such building. However, firearms may be secured in a locked vehicle within the trunk, glove box, or other enclosed compartment or area within or on the motor vehicle in the parking lot of the town owned property.

(2) It shall be unlawful for any person to display, openly carry or possess on or about his person any deadly weapon, including, but not limited to any bomb, bowie knife, dirk, dagger, sling-shot, loaded cane, metal knuckles, razor, stun gun, pistol, revolver, gun, rifle, spear, or nightstick at any meeting, assemblage, parade, or picketing on any public property, street, alley or other public way.

(3) This section shall not apply to law enforcement or other government personnel acting within the scope of their employment or to the possession of a firearm or other weapon on residential property leased by the Town by the resident of said property. This section shall also not apply to weapons used solely for instructional classes or officially sanctioned ceremonial purposes.

(C) SIGNS.

(1) Posting of signs required. The town manager is hereby authorized and instructed to post conspicuous signage at appropriate locations on or within each town building or portion of a building owned, leased as lessee, operated, occupied, managed, or controlled by the town, as well as the appurtenant premises to such buildings, indicating that carrying a concealed handgun or deadly weapon is prohibited therein.

- (2) Location of signs. Signs on buildings shall be visibly posted on the exterior of each entrance by which the general public can access the building. The town manager shall exercise discretion in determining the number and appropriate location of signs to be placed on or within appurtenant premises.

(D) VIOLATIONS.

- (1) Violation. The carrying of concealed handguns or the possession or display of any firearm or other weapon as defined in this section, in or upon any of the locations specified by this section, shall constitute a misdemeanor and subject any violator(s) so convicted to such penalties as may be imposed by the court. In addition to said punishment, any person convicted under this section will be prohibited from entering town property for up to one year.

This ordinance shall take effect on February 21, 2023.

APPROVED AS TO FORM:



Hassan Kingsberry, Town Attorney



Vivian A. Jones, Mayor

ATTEST:



Theresa Savary, Town Clerk



ORDINANCE 2023-06

**AN ORDINANCE REPEALING CHAPTER 36 OF THE CODE OF ORDINANCES OF
THE TOWN OF WAKE FOREST**

WHEREAS, after discussion, review and further consideration, the Board of Commissioners deems it acceptable and appropriate to repeal Chapter 36 of the Codified Ordinances of the Town of Wake Forest, North Carolina, in its entirety.

The Board of Commissioners of the Town of Wake Forest, North Carolina hereby ordains as follows:

SECTION 1: That the entire Chapter 36 of the Codified Ordinances of the Town of Wake Forest is hereby repealed.

SECTION 2: REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3: WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication by law.

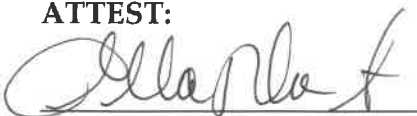
This ordinance shall take effect on March 7, 2023.

APPROVED AS TO FORM:


Hassan Kingsberry, Town Attorney


Vivian A. Jones, Mayor

ATTEST:


Ella Dowtin, Deputy Town Clerk



ORDINANCE 2023 – 07

**ORDINANCE AMENDING CHAPTER 30; ARTICLE VI. TRAFFIC SCHEDULES;
SEC. 30-241. - SCHEDULE 1, PARKING PROHIBITED AT ALL TIMES
OF THE CODE OF ORDINANCES FOR THE TOWN OF WAKE FOREST, NORTH
CAROLINA**

WHEREAS, the Engineering Department received requests from the Richland Hills Subdivision HOA for No Parking on one side of six streets due to narrow width, and solid waste trucks and emergency vehicles being unable to navigate the narrow streets due to vehicles parked on both sides of the road; and

WHEREAS, the HOA polled the neighborhood and received overwhelming support for the request (93% of respondents), and

WHEREAS, the staff held a neighborhood information session to discuss the potential impacts of creating “No Parking” on streets and received feedback overwhelmingly in support for the request.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Wake Forest, to amend the Code of Ordinances Chapter 30 Traffic & Vehicles Article VI Traffic Schedules 241 – Schedule I; parking prohibited at all times be amended as follows:

Add:

The following shall be schedule 1 and may be cited as such:

Chamberwell Avenue south side, from Wall Rd to end;

Edgeware Way north side from Marbank St to cul-de-sac;

Lowenstein Street west side, from Fulworth Avenue to Edgeware Way;

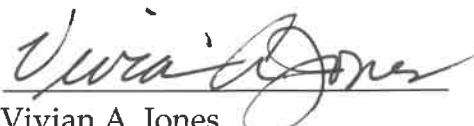
Marbank Street east side from traffic circle to cul-de-sac;

Stackhurst Way south side, from traffic circle to Stackhurst Way;

Stackhurst Way west side, from Stackhurst Way to Marbank Street;

Tannerwell Avenue south side, from Fulworth Avenue to Lowenstein St;

Adopted and effective this 7th day of March 2023.


Vivian A. Jones
Mayor

ATTEST:

APPROVED AS TO FORM:


Ella Dowtin
Deputy Town Clerk




Hassan Kingsberry
Town Attorney

ORDINANCE 2023 – 08

ORDINANCE AMENDING CHAPTER 30; ARTICLE VI. TRAFFIC SCHEDULES;
SEC. 30-241. - SCHEDULE 1, PARKING PROHIBITED AT ALL TIMES
OF THE CODE OF ORDINANCES FOR THE TOWN OF WAKE FOREST, NORTH
CAROLINA

WHEREAS, the Engineering Department received a request to remove No Parking signs on North Brooks Street between Spring Street and East Pine Avenue,

WHEREAS, the conditions that warranted that this area be designated as a parking prohibited area are no longer present;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Wake Forest, to amend the Code of Ordinances Chapter 30 Traffic & Vehicles Article VI Traffic Schedules; Sect 30-241. Schedule I to:

Remove:

The following shall be schedule 1 and may be cited as such:
North Brooks Street between Spring Street and East Pine Avenue

Adopted and effective this 7th day of March 2023.



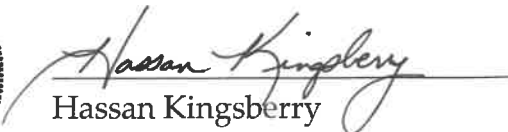
Vivian A. Jones
Mayor

ATTEST:

APPROVED AS TO FORM:



Ella Dowtin
Deputy Town Clerk



Hassan Kingsberry
Town Attorney

ORDINANCE 2023-14

**ORDINANCE UPDATE AMENDING TOWN OF WAKE FOREST CODE OF
ORDINANCES
CHAPTER 32 - UTILITIES**

WHEREAS, the Board of Commissioners adopted the Code of Ordinances Chapter 32 in 1985 and adopted updates in 2007 and;

WHEREAS, the current ordinance is outdated and has been updated to better align with current practices, outline procedures and regulations regarding meter reading, deposits, removal of water and sewer related material, developer contributions, and service expansion;

WHEREAS, the Board of Commissioners have reviewed the updated Chapter 32 of the Code of Ordinances; and

NOW THEREFORE, BE IT ORDAINED by the Wake Forest Board of Commissioners that the updates to Chapter 32 of the Code of Ordinances are approved and adopted and the changes will be effective May 16, 2023.

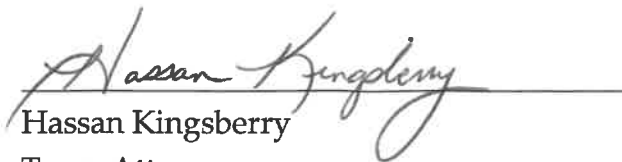
Duly adopted this 16th day of May 2023.


Vivian A. Jones
Mayor

ATTEST:

APPROVED AS TO FORM:


Theresa Savary
Town Clerk


Hassan Kingsberry
Town Attorney



Chapter 32 Utilities

ARTICLE I. IN GENERAL

Sec. 32-1. Control of systems.

The electric light and power system owned by the town shall be under the control of the board of commissioners, and the duty of enforcing full compliance with all rules and regulations, governing all connections and other regulations shall be vested in the board and the town. From July 1, 2005, the water and sewer system formerly owned by the town will be owned and operated by the City of Raleigh.

(Code 1985, § 19-1; Ord. No. 2007-10, 2-20-2007)

Sec. 32-2. Application for connection.

Any person desiring connection with the town electric system shall make application in writing to the town for a permit, stating for what purpose the electricity is to be used.

(Code 1985, § 19-2; Ord. No. 2007-10, 2-20-2007)

Sec. 32-3. Refusing service.

The board of commissioners reserves the right to refuse the extension of electric service to any person, when deemed not in the best interest of the town.

(Code 1985, § 19-3; Ord. No. 2007-10, 2-20-2007)

Sec. 32-4 Nonliability of Town for interrupted service.

The town does not guarantee continuous service, but shall use reasonable diligence to provide uninterrupted service, and having used reasonable diligence shall not be liable to the customer for failure in, interruptions or suspension of same. The Town reserves the right to suspend service without liability on its part at such times, for such periods and in such manner as may in its judgment be required for the purpose of making necessary repairs on the lines or other parts of the system.

Sec. 32-5. Rate schedules on file.

The board of commissioners shall establish rate schedules for electric service, from time to time, as it deems best.

(Code 1985, § 19-4; Ord. No. 2007-10, 2-20-2007)

State law reference(s)—Municipal rate-making authority, G.S. 160A-314.

Sec. 32-6. Tampering with or obstructing system paraphernalia.

No person shall tamper with or harm, in any manner, any electricity distribution system equipment. Any attempt to cause an electric meter owned by the town to fail to register the correct values will be determined

detrimental to the operation of the meter. Supply side connections, including but not limited to solar installations are not lawful attachments.

(Code 1985, § 19-5; Ord. No. 2007-10, 2-20-2007)

Sec. 32-7. Separate meters required; exception.

Each house must be metered separately for electricity. In no case shall two parties or houses be supplied through one meter, except in extraordinary cases, by special permission from the town.

(Code 1985, § 19-6; Ord. No. 2007-10, 2-20-2007)

Sec. 32-8. Separate classes of services.

Customers applying for more than one class of service on the same premises shall so arrange their wiring that each class of service can be metered separately (unless the town has a schedule on file covering such combination of services), and customers purchasing any particular class of service shall confine the use of current supplied thereunder to the purpose set forth in the rate schedule for such class. Separate meters shall be required for each building on the same premises except for each separate class in the same building; except, that when a commercial lighting customer occupies the same building for residential purposes, the town may supply both the commercial and residential lighting through one meter at the commercial lighting rate or on a rural line at the rural rate.

(G.S. 160A-314)

Sec. 32-9. Meters- Used for measuring service, testing.

The electric service rendered shall be measured by an integrating watt-hour meter or such other meter as may be necessary, the registration of which shall be prima facie evidence of the electric energy receiving, subject in all cases to verification by testing in case of dispute. Testing, when necessary, will be done by the Town at such costs as may be established by the fee schedule from time to time. If the customer requests a test within six months after the date of the installation or of the last previous test, the cost of test shall be borne by the customer unless the meter shall be shown to be more than two percent fast, in which case the cost shall be borne by the town.

Sec. 32-10. Deposits.

- (a) The town may require satisfactory security for the payment of customer's accounts. Amounts as are fixed by the Customer Care Policy and are adjusted as needed.

Sec. 32-11. Termination of service.

- (a) In order to assure discontinuance of service at a time requested by the customer, notice to the town in advance of the proposed time of discontinuance shall be required. When a customer desires to discontinue service, he shall give notice to the town at least 24 hours in advance and the customer will be responsible for all service consumed within the 24 hours following the time of notice of discontinuation of service to the city.
- (b) The following shall apply to involuntary discontinuance of service:
 - (1) The town sometimes finds it necessary to discontinue utility service to customers because of the following reasons:
 - a. Failure of a customer to pay any bill for utility service within the time allowed by this section; however, the town may continue to accept checks from those who missed payment if the customer has previously been in good standing on his/her account;

- b. Failure of a customer to make a deposit to guarantee payment or charges for utility service or to increase this/her deposit when required.
 - c. Refusal of legitimate access to premises or damage to or less of property of the town on the customer(s) premises for which the customer is liable;
 - d. When a customer has had two or more of his/her checks given in payment of a bill dishonored.
- (2) When it becomes necessary for the town to discontinue utility service to a customer for any of the reasons set forth in subsections (b)(1)a.—d. of this section, service will be reinstated only after all bills for service then due have been paid, any deposit required has been made and a reconnection fee as set by the board of commissioners has been paid for reimbursement of expenses involved in disconnecting and reconnecting the utility service. If discontinuance of service is made because the customer(s) check given in payment of the bill has been dishonored, such customer will be required to pay an additional charge for processing the check as set by the board.
- (3) If a customer is receiving service at more than one location, service any or all locations may be discontinued if bills for service at any one or more locations are not paid within the time specified by this section; provided, however, that residential utility service shall be not discontinued for nonpayment of bills for other classes of service.
- (4) It is the policy of the town to discontinue utility service to customers by reason of nonpayment of disputed bills only after notice and a meaningful opportunity to be heard on disputed bills. The town(s) application form for utility service and all bills shall contain clearly visible and easily readable provisions stating:
- a. The billing month is defined as the month when a bill is rendered for payment. Bills are due when rendered for payment. Late fees and other provisions are fixed by the Customer Care Policy and adjusted as needed.
 - b. The town's Customer Care Policy outlines provisions and parameters for customers to dispute the correctness of his/her bill.

Requests for delays or waiver of payment will not be heard; only questions or proper or correct billing will be considered. In the absence of payment of the bill rendered or resort to the hearing procedure provided in this section, service will be discontinued at the time specified. When staff members turn off electricity for nonpayment, the customer should be notified of the impending cutoff as a courtesy.

(Code 1985, § 19-8; Ord. No. 2007-10, 2-20-2007)

Secs. 32-12—32-40. Reserved.

ARTICLE II. WATER SERVICE

Recall and repeal.

ARTICLE III. SEWER SERVICE

Recall and repeal.

ARTICLE V. ELECTRIC SERVICE

Sec. 32-421. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Construction cost means the estimated installed cost of constructing the town's facilities to the point of delivery, including the cost of materials, labor, transportation, stores, tax, engineering and general expenses. When applied to temporary service and to construction service, the construction cost shall also include the removal costs minus the salvage value of the facilities. The customer shall contribute to the town, for any construction service facilities in excess of one point of delivery per construction site, an amount equal to the installed cost plus removal cost minus salvage value of the company's facilities installed solely for the construction service.

Construction service means a customer whose needs are normally for less than a 12-month continuous period and whose need is for use in the construction of buildings or other establishments which will receive, upon completion, permanent electric service from the town.

Normal point of delivery means, for overhead service to residential customers, delivery to the outside wall of the end of the building nearest to the source of the company's facilities entering the customer's premises. For underground electric service to residential customers, the normal point of delivery will be on the outside wall of the end of the building or the nearest convenient point on the outside of the front or back wall adjacent to the end of the building nearest the source of the town's facilities entering the customer's premises. The normal point of delivery for other customers will be at a location designated by the town.

Residential real estate development means a residential subdivision where permanent electric service will be provided to customers.

Temporary service means a customer whose electric service needs are for less than a 12-month continuous period and the town's facilities installed to serve the customer will not be needed to serve other customers in the near future.

(Code 1985, § 19-261)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 32-422. Extension of service.

(a) Charges and limits for extension of service

- (1) The town will construct, own, operate and maintain overhead service and/or underground service for single-phase up to three-phase as needed for development at no cost to the Town. The developer will cover the construction costs including, the cost of materials (which include but not limited to, pipe, wire, junction boxes and transformer) engineering and general expenses. As well as costs associated with road crossings and boring. This cost will be divided evenly between the number of lots/units in the development and will be collected with building permit fees.
- (2) The company may limit the extent of the installation in a real estate development to that area which, in the company's judgment, is likely to be occupied within a reasonable period of time in order to avoid excess investment in idle facilities. The developer may obtain installation in the additional area by paying a deposit, or, at the town's option, a letter of credit or surety bond in lieu of a deposit, equal to the total installed cost of the facilities to serve the additional area. Deposits are reviewed annually and are subject to a refund based on the prorate portion of the town's idle facilities needed to serve customers during the preceding 12 months. Each individual customer within a development will be served in accordance with subsection (b) or (c) of this section, including any customer contribution.

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(Supp. No. 16)

(b) *Single-phase service to individual customers.*

(1) *Extensions only involving secondary service.* The town will construct, own, operate and maintain an overhead service or underground service lateral to the normal point of delivery at its expense, except when more than one secondary service pole is necessary, the customer shall pay a fee established by the board of commissioners for each additional service pole. For points of delivery located beyond the normal point of delivery requiring an investment in excess of that needed to serve the normal point of delivery, the customer will pay a fee established by the board of commissioners per foot of additional underground or overhead service lateral plus a fee established by the board of commissioners for each secondary service pole. When it is necessary to relocate the secondary service for the customer's convenience, the customer's contribution, will be done at no cost to the Town.

(2) *Extensions involving primary distribution facilities.* The town will construct, own, operate and maintain all distribution facilities to extend single-phase electric service to the normal point of delivery. The town will provide the secondary service portion of the line extension, if any, in accordance with subsection (b)(1) of this section. For the primary portion, whether overhead or underground, of the single-phase line extension to serve a permanently-occupied residential customer, the town will provide the least cost overhead or underground service which is compatible with the customer's service requirements and the town's engineering standards. For points of delivery beyond the normal point of delivery requiring an investment in primary facilities in excess of that needed to serve the normal point of delivery, the customer will contribute such excess investment. When it is necessary to relocate the primary distribution facilities for the customer's convenience, the customer's contribution, will be done at no cost to the Town.

(c) *Three-phase service to individual customers.* The town will construct, own, operate and maintain all overhead and underground distribution facilities necessary to extend three-phase electric service to the normal point of delivery. The customer contribution, if any, will be the construction cost. For points of delivery beyond the normal point of delivery requiring an investment in excess of that needed to serve the normal point of delivery, the customer will contribute such excess investment.

(Code 1985, § 19-262)

Sec. 32-423. General provisions.

(a) *Rights-of-way.* The customer will furnish, without cost to the town, necessary easements and satisfactory conveyance of rights-of-way for the supply of electric service. The right-of-way should be sufficient for installation and incidental to the furnishing of service. The customer shall be responsible for the initial clearing to final grade, free of stumps and other obstructions, for any right-of-way necessary to provide underground electric service. In lieu thereof, the town will provide such service, provided the customer will contribute to the town the additional clearing costs. The customer shall also furnish shelter satisfactory to the town for meters or other apparatus of the town installed on the customer's side of the point of delivery.

(1) The location of the right-of-way or terminal point shall be changed by the Town at the expense of the customer on receipt of written request of the customer stating a reasonable cause. All privileges incident to the original location shall apply to the new location.

(b) *Contributions.* The town reserves the right to collect any line extension contributions under this plan before installation of the facilities begin. When contributions are required from a party who will also be the

customer, the contribution may, at the sole option of the town, be included in the first electric service bill rendered after such installation.

Sec. 32-424. Taxes.

Any applicable taxes for contributions in aid of construction will be added to the charges established by the board of commissioners from time to time.

(Code 1985, § 19-264)

Sec. 32-425. Electric tampering.

(a) *Definitions:* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the content clearly indicates a different meaning:

(1) Responsible person means and includes all of the following:

- a. The owner of the property on which a violation of this section occurs.
- b. The general contractor for a building/construction project in connection with which a violation occurs.
- c. Any subcontractor responsible for work done which actually involves a violation; and/or
- d. Any individual who violates this section.

(2) Electric system/electric lines mean and includes primary and secondary electric lines, and shall include all overhead and underground conductor, meters, meter bases, transformers, transformer cabinets, switch cabinets, trans closures, meter seals, breakaway locks, poles and other fixtures, equipment and apparatus connected to and formerly a part of the electric system, and all appliances necessary and convenient thereto. The electric system owned by the town shall include all of the above up to and including the electricity metering point.

(b) *Injury to system; breaking or damaging.* It shall be unlawful for any person to remove, damage or interfere with any overhead or underground electric conductors, meters, meter bases, transformers, transformer cabinets, trans closures, switch cabinets, meter seals, breakaway locks, poles or other fixtures.

(c) *Enforcement procedure.* Any responsible person who violates any provision of this section, or any regulation, standard, rule or order duly adopted in furtherance of this section, shall be subject to a civil penalty of \$250.00 for the first instance non-compliance or violation, and a further civil penalty of \$500.00 for any subsequent violation. In addition, immediately upon discovery of the initial or any subsequent violation, the electric service to the property where the violation occurred will be terminated. A notice of violation will be sent within one business day to the owner of the property by certified mail, return receipt requested, or hand delivery. For all other persons responsible for such violation, a notice shall be sent by certified mail, return receipt requested or hand delivery. The notice shall describe the violation and a demand for payment of \$250.00 or \$500.00 as appropriate. If payment is not received after 20 days, the matter shall be referred to the town attorney for the initiation of collection proceedings. The town shall be entitled to recover from any responsible person all costs of collection of the civil penalties, including reasonable attorneys fees.

In addition, the town reserves the right to prosecute any responsible person for a criminal violation for each separate instance of electric meter tampering.

(Ord. No. 2002-34, 7-16-02)

Secs. 32-426—32-429. Reserved.

Chapter 32 Utilities

ARTICLE I. IN GENERAL

Sec. 32-1. Control of systems.

The electric light and power system owned by the Town shall be under the control of the board of commissioners, and the duty of enforcing full compliance with all rules and regulations, governing all connections and other regulations shall be vested in the board and the town. From July 1, 2005 the water and sewer system formerly owned by the town will be owned and operated by the City of Raleigh.

(Code 1985, § 19-1; Ord. No. 2007-10, 2-20-2007)

Sec. 32-2. Application for connection.

Any person desiring connection with the town electric system shall make application in writing to the town for a permit, stating for what purpose the electricity is to be used.

(Code 1985, § 19-2; Ord. No. 2007-10, 2-20-2007)

Sec. 32-3. Refusing service.

The board of commissioners reserves the right to refuse the extension of electric service to any person ~~outside the town~~, when deemed not in the best interest of the town.

(Code 1985, § 19-3; Ord. No. 2007-10, 2-20-2007)

Sec. 32-4 Nonliability of Town for interrupted service.

The town does not guarantee continuous service, but shall use reasonable diligence to provide uninterrupted service, and having used reasonable diligence shall not be liable to the customer for failure in, interrupts or suspension of same. The Town reserves the right to suspend service without liability on its part at such times, for such periods and in such manner as may in its judgment be required for the purpose of making necessary repairs on the lines or other parts of the system.

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Sec. 32-54. Rate schedules on file.

The board of commissioners shall establish rate schedules for electric service, from time to time, as it deems best. ~~Current rate schedules are on file in town hall.~~

(Code 1985, § 19-4; Ord. No. 2007-10, 2-20-2007)

State law reference(s)—Municipal rate-making authority, G.S. 160A-314.

Sec. 32-55. Tampering with or obstructing system paraphernalia.

No person shall tamper with or harm, in any manner, any electricity distribution system equipment. Any attempt to cause an electric meter owned by the Town to fail to register the correct values will be determined detrimental to the operation of the meter. Supply side connections, including but not limited to solar installations are not lawful attachments.

(Code 1985, § 19-5; Ord. No. 2007-10, 2-20-2007)

Sec. 32-76. Separate meters required; exception.

Each house must be metered separately for electricity. In no case shall two parties or houses be supplied through one meter, except in extraordinary cases, by special permission from the town.

(Code 1985, § 19-6; Ord. No. 2007-10, 2-20-2007)

Sec. 32-8. Separate classes of services.

Customers applying for more than one class of service on the same premises shall so arrange their wiring that each class of service can be metered separately (unless the town has a schedule on file covering such combination of services), and customers purchasing any particular class of service shall confine the use of current supplied thereunder to the purpose set forth in the rate schedule for such class. Separate meters shall be required for each building on the same premises except for each separate class in the same building; except, that when a commercial lighting customer occupies the same building for residential purposes, the town may supply both the commercial and residential lighting through one meter at the commercial lighting rate or on a rural line at the rural rate.

(G.S. 160A-314)

Sec. 32-9. Meters- Used for measuring service, testing.

The electric service rendered shall be measured by an integrating watt-hour meter or such other meter as may be necessary, the registration of which shall be prima facie evidence of the electric energy receiving, subject in all cases to verification by testing in case of dispute. Testing, when necessary, will be done by the Town at such costs as may be established by the fee schedule from time to time. If the customer requests a test within six months after the date of the installation or of the last previous test, the cost of test shall be borne by the customer unless the meter shall be shown to be more than two percent fast, in which case the cost shall be borne by the town.

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Sec. 32-107. Deposits.

- (a) ~~Residential. Applicants for service (electric) for any residential use will be required to make a deposit to guarantee payment of utility charges. The town may require satisfactory security for the payment of customer's accounts. Amounts as are fixed by the Customer Care Policy and are adjusted as needed.~~
- (b) ~~Nonresidential (business, commercial and industrial). Applicants for electricity supply for any nonresidential use will be required to make a deposit to guarantee payment of utility charges.~~
- (c) ~~Amount of deposit.~~
 - (1) ~~The amount of the deposit for electricity supply service for residential customers will be a fixed rate set by the board of commissioners.~~
 - (2) ~~The amount of deposit for electricity supply for nonresidential customers will be equivalent to the cost of two months' utility service. The amount of the deposit shall be based on previous billing history and/or projected consumption. The town reserves the right to adjust the amount of the deposit to more accurately reflect consumption after the customer has established a billing history.~~
 - (3) ~~Deposits held by the town shall accrue no interest.~~
- (d) ~~Refund of deposit.~~
 - (1) ~~The town will require residential deposits to be maintained for a minimum of 12 months. Residential customers in good standing may request a refund of a deposit at the conclusion of the 12-month~~

period. The town may require deposits to be maintained after 12 months for poor credit history, including:

- a. ~~Disconnection of service for nonpayment;~~
- b. ~~Late payments in excess of two per 12-month period; and~~
- c. ~~Returned checks.~~

~~If it is determined that the deposit cannot be refunded after 12 months, then the deposit will be automatically retained for additional 12-month periods, as necessary.~~

- (2) ~~The town will require nonresidential deposits to be maintained for a minimum of 24 months. Nonresidential customers in good standing may request a refund of a deposit at the conclusion of the 24-month period. The town may require deposits to be maintained after 24 months for poor credit history, including:~~

- a. ~~Disconnection of service for nonpayment;~~
- b. ~~Late payments in excess of two per 12-month period; and~~
- c. ~~Returned checks.~~

~~If it is determined that the deposit cannot be refunded after 24 months, then the deposit will be automatically retained for additional 12-month periods, as necessary.~~

~~(e) Method of deposit:~~

- (1) ~~Residential customers shall meet the deposit requirements set forth in this section in one of the following ways:~~

- a. ~~Cash deposit;~~
- b. ~~Provision of two (2) credit references, one of which is the customer's previous utility supplier.~~
- c. ~~Cosigner who is currently a customer of the town and who has no more than two late payments in the last 12 months; has not been disconnected for nonpayment; and has not had a returned check;~~
- d. ~~Applicant was a previous customer of the town within the past two years and meets the same criteria as the cosigner in subsection (e)(1)c. of this section.~~

- (2) ~~Nonresidential customers shall meet the deposit requirements set forth in this section in one of the following ways:~~

- a. ~~The amount of the deposit for electric service for business, commercial and industrial customers will be the cost of two (2) month's utility service. The amount of deposit shall be based on previous billing history and/or consumption. (Note: Deposit refundable upon good payment history for twenty-four (24) months.)~~
- b. ~~Two (2) letters of credit, one (1) of which must be concerning applicant's record of payment from supplier for a period of at least one (1) year or;~~
- c. ~~The applicant was a previous customer of the town within the past three (3) years and during the had not been disconnected for non-payment nor had more than two (2) late payments, or;~~
- d. ~~Letter of guarantee from a Town of Wake Forest customer with good credit.~~

~~(f) Exemptions. Exemptions from deposit requirements set forth in this section are permitted for the following customers:~~

- (1) ~~Public schools;~~
- (2) ~~Churches;~~

- (3) ~~Hospitals;~~
- (4) ~~Realty firms for property listed for sale only.~~
- (5) ~~Contractors for temporary construction service;~~
- (6) ~~Homeowners;~~
- (7) ~~Owners of rental property if service remains in the owner's name.~~

The town reserves the right to impose deposit requirements on the classes of customers set forth in subsections (1-7) of this subsection in the case of poor credit history, including:

- a. ~~Disconnection of service for nonpayment;~~
- b. ~~Late payments in excess of two per 12 month period; and~~
- c. ~~Returned checks.~~

(g) ~~Reinstatement of deposit requirements. Any customer, residential or nonresidential, who has previously fulfilled deposit requirements as set forth in this section, will be required to meet deposit requirements again in the case of poor credit history, including;~~

- (1) ~~Disconnection of service for nonpayment;~~
- (2) ~~Late payments in excess of two per 12 month period; or~~
- (3) ~~Returned checks.~~

~~This will be a requirement for continuation or reconnection of service.~~

(h) ~~Final disposition. At the time of termination of utility service, any deposit being held by the town will be applied to the final billing of the customer and any balance due the customer will be refunded.~~

~~(Code 1985, § 19-7; Ord. No. 2007-10, 2-20-2007)~~

Sec. 32-118. Termination of service.

- (a) In order to assure discontinuance of service at a time requested by the customer, notice to the town in advance of the proposed time of discontinuance shall be required. When a customer desires to discontinue service, he shall give notice to the town at least 24 hours in advance and the customer will be responsible for all service consumed within the 24 hours following the time of notice of discontinuation of service to the city.
- (b) The following shall apply to involuntary discontinuance of service:
 - (1) The town sometimes finds it necessary to discontinue utility service to customers because of the following reasons:
 - a. Failure of a customer to pay any bill for utility service within the time allowed by this section; however, the town may continue to accept checks from those who missed payment if the customer has previously been in good standing on his/her account;
 - b. Failure of a customer to make a deposit to guarantee payment or charges for utility service or to increase this/her deposit when required; ~~by this section or section 32-7;~~
 - c. Refusal of legitimate access to premises or damage to or less of property of the town on the customer's premises for which the customer is liable;
 - d. When a customer has had two or more of his/her checks given in payment of a bill dishonored.
 - (2) When it becomes necessary for the town to discontinue utility service to a customer for any of the reasons set forth in subsections (b)(1)a.—d. of this section, service will be reinstated only after all bills for service then due have been paid, any deposit required has been made and a reconnection fee as set

by the board of commissioners has been paid for reimbursement of expenses involved in disconnecting and reconnecting the utility service. If discontinuance of service is made because the customer's check given in payment of the bill has been dishonored, such customer will be required to pay an additional charge for processing the check as set by the board.

- (3) If a customer is receiving service at more than one location, service any or all locations may be discontinued if bills for service at any one or more locations are not paid within the time specified by this section; provided, however, that residential utility service shall be not discontinued for nonpayment of bills for other classes of service.
- (4) It is the policy of the town to discontinue utility service to customers by reason of nonpayment of disputed bills only after notice and a meaningful opportunity to be heard on disputed bills. The town's application form for utility service and all bills shall contain clearly visible and easily readable provisions stating:
 - a. The billing month is defined as the month when a bill is rendered for payment. Bills are due when rendered for payment. ~~All bills not paid within 22 days from date of bill shall be subject to a late payment charge of \$5.00 or two percent of the outstanding bill, whichever is higher. Late fees and other provisions are fixed by the Customer Care Policy and adjusted as needed.~~
 - b. ~~Any customer disputing the correctness of his/her bill shall have a right to a hearing at which time he/she may be represented in person and by counsel, or any other person of his choosing, and may present orally or in writing his complaint and contentions to the official in charge of utility billing and shall have authority to make a final determination of the customer's complaint. The town's Customer Care Policy outlines provisions and parameters for customers to dispute the correctness of his/her bill.~~

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Requests for delays or waiver of payment will not be heard; only questions of proper or correct billing will be considered. In the absence of payment of the bill rendered or resort to the hearing procedure provided in this section, service will be discontinued at the time specified. When staff members turn off electricity for nonpayment, the customer should be notified of the impending cutoff as a courtesy.

(Code 1985, § 19-8; Ord. No. 2007-10, 2-20-2007)

Secs. 32-912—32-40. Reserved.

ARTICLE II. WATER SERVICE

DIVISION 1. GENERALLY

Secs. 32-41—32-52. Reserved.

Editor's note(s)—Ord. No. 2007-10, adopted Feb. 20, 2008, repealed former §§ 32-41—32-52 in their entirety. These former sections are described as follows:

Section	Subject	Legislative History
32-41.	Definitions.	Code 1985, § 19-8
32-42.	Continuing conservation measures.	Code 1985, § 19-281
32-43.	Stages of conservation measures in response to water shortage.	Code 1985, § 19-282
32-44.	Violation; penalties.	Code 1985, § 19-283

32-45.	Tapping; extension to curb; meters.	Code 1985, § 19-21
32-46.	Connection fee.	Code 1985, § 19-22
32-47.	Inspection before connection.	Code 1985, § 19-23
32-48.	Separate connections required; exception.	Code 1985, § 19-24
32-49.	Pipes and fixtures to be kept in good repair; unnecessary waste of water.	Code 1985, § 19-25
32-50.	Cut-off of water to make repairs, etc.	Code 1985, § 19-26
32-51.	Liability for interrupted service.	Code 1985, § 19-27
32-52.	Stop and waste cocks required.	Code 1985, § 19-28

Sec. 32-53. Service outside town.

Any owner of property outside the corporate limits of the town who desires a connection or use of water from the municipal water supply shall apply to the town in writing for extension of service for such building or construction to be served by the owners thereof.

(Code 1985, § 19-29; Ord. No. 2007-10, 2-20-2007)

Secs. 32-54—32-56. Reserved.

Editor's note(s)—Ord. No. 2007-10, adopted Feb. 20, 2008, repealed former §§ 32-54—32-56 in their entirety.

These former sections are described as follows:

Section	Subject	Legislative History
32-54.	Turn-on permit.	Code 1985, § 19-31
32-55.	Taking of water from fire hydrant.	Code 1985, § 19-32
32-56.	Selling water by consumer.	Code 1985, § 19-35

Sec. 32-57. Regulation of private water supply.

- (a) It shall be unlawful for any person to furnish, supply or provide, for gain or profit, any water from a private well or pump in or to any dwelling house, boardinghouse, inn, hotel, café or other commercial establishment, or any room in such establishments, when the dwelling house or any room therein is rented, or offered for rent to the public, or when the boardinghouse, inn, hotel, café or other commercial establishment is open to, or used by, the public, unless and until an analysis of the water from such private well or pump shall have first been submitted to and approved by the town.
- (b) The water analysis required in subsection (a) of this section shall be made by or under the direction of the county board of health or the state department of public health.
- (c) If the water analysis bears the approval of either the county board of health or the state department of health, the authorized agent of the town shall approve the water analysis by endorsing thereon the word "approved" and affixing his signature to such analysis. If, however, the analysis shows that the water is contaminated and unfit for human consumption, the town shall not approve the analysis, but shall deliver the analysis to the mayor and board of commissioners, which board may disapprove the analysis and return it to its owner.

(Code 1985, § 19-36; Ord. No. 2007-10, 2-20-2007)

~~Secs. 32-58—32-90. Reserved.~~

Editor's note(s)—Ord. No. 2007-10, adopted Feb. 20, 2007, repealed former § 32-58 in its entirety which pertained to water/sewer tampering and derived from the Code of 1985, § 19-37.

DIVISION 2. RESERVED¹

~~Secs. 32-91—32-115. Reserved.~~

DIVISION 3. RESERVED²

~~Secs. 32-116—32-160. Reserved.~~

ARTICLE III. SEWER SERVICE

~~Sec. 32-161. Connection.~~

- (a) All property owners having occupied property in the town located within 300 feet of a sewer shall put in sanitary toilets and make sewer connections within 30 days after notice.
- (b) Every house or building to be connected with the public sewer shall be separately connected unless, in extraordinary cases, a special use permit is granted to combine connections.

{Code 1985, § 19-33; Ord. No. 2007-10, 2-20-2007}

State law reference(s)—Authority to require connections to sewer service, G.S. 160A-317.

~~Secs. 32-162—32-200. Reserved.~~

Editor's note(s)—Ord. No. 2007-10, adopted Feb. 20, 2008, repealed former §§ 32-162—32-171 in their entirety. These former sections are described as follows:

Section	Subject	Legislative History
32-162.	Disconnecting for illegal discharge.	Code 1985, § 19-34
32-163.	Definitions.	Code 1985, § 19-51
32-164.	Prohibited discharges.	Code 1985, § 19-52
32-165.	Control manhole.	Code 1985, § 19-53
32-166.	Permit.	Code 1985, § 19-54
32-167.	Powers and authority for inspection.	Code 1985, § 19-55
32-168.	Measurement of flow.	Code 1985, § 19-56

¹Editor's note(s)—Ord. No. 2007-10, adopted Feb. 20, 2007, repealed former Div. 2, §§ 32-91—32-95, in its entirety which pertained to fire hydrants and derived from the Code of 1985.

²Editor's note(s)—Ord. No. 2007-10, adopted Feb. 20, 2007, repealed former Div. 3, §§ 32-116—32-131, in its entirety which pertained to cross-connection control and derived from the Code of 1985.

PART II - CODE OF ORDINANCES
Chapter 32 - UTILITIES
ARTICLE V. ELECTRIC SERVICE

32-169.	Determining of character and concentration of wastes.	Code 1985, § 19-57
32-170.	Charge for treatment of industrial wastes.	Code 1985, § 19-58
32-171.	Protection from damages.	Code 1985, § 19-59

ARTICLE V. ELECTRIC SERVICE

Sec. 32-421. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Construction cost means the estimated installed cost of constructing the town's facilities to the point of delivery, including the cost of materials, labor, transportation, stores, tax, engineering and general expenses. When applied to temporary service and to construction service, the construction cost shall also include the removal costs minus the salvage value of the facilities. The customer shall contribute to the town, for any construction service facilities in excess of one point of delivery per construction site, an amount equal to the installed cost plus removal cost minus salvage value of the company's facilities installed solely for the construction service.

Construction service means a customer whose needs are normally for less than a 12-month continuous period and whose need is for use in the construction of buildings or other establishments which will receive, upon completion, permanent electric service from the town.

Normal point of delivery means, for overhead service to residential customers, delivery to the outside wall of the end of the building nearest to the source of the company's facilities entering the customer's premises. For underground electric service to residential customers, the normal point of delivery will be on the outside wall of the end of the building or the nearest convenient point on the outside of the front or back wall adjacent to the end of the building nearest the source of the town's facilities entering the customer's premises. The normal point of delivery for other customers will be at a location designated by the town.

Residential real estate development means a residential subdivision where permanent electric service will be provided to customers.

Revenue credit means the amount equal to the number of years in the initial term of the service agreement, up to, but not more than, two years, times the estimated annual revenue, minus the estimated annual kilowatt-hours multiplied by 2.031 centers per kilowatt-hour. The estimated annual revenue shall be determined by the town for the new or additional load and shall be based upon the charges set forth in the applicable rate schedule.

Temporary service means a customer whose electric service needs are for less than a 12-month continuous period and the town's facilities installed to serve the customer will not be needed to serve other customers in the near future.

(Code 1985, § 19-261)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 32-422. Extension of service.

~~(a)(b)~~ *Single-phase service to individual customers.*

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- (1) *Extensions only involving secondary service.* The town will construct, own, operate and maintain an overhead service or underground service lateral to the normal point of delivery at its expense, except when more than one secondary service pole is necessary, the customer shall pay a fee established by the board of commissioners for each additional service pole. For points of delivery located beyond the normal point of delivery requiring an investment in excess of that needed to serve the normal point of delivery, the customer will pay a fee established by the board of commissioners per foot of additional underground or overhead service lateral plus a fee established by the board of commissioners for each secondary service pole. When it is necessary to relocate the secondary service for the customer's convenience, the customer's contribution, will be done at no cost to the Town. if any, will be the construction cost minus the revenue credit.

- (2) *Extensions involving primary distribution facilities.* The town will construct, own, operate and maintain all distribution facilities to extend single-phase electric service to the normal point of delivery. The town will provide the secondary service portion of the line extension, if any, in accordance with subsection (a)(b)(1) of this section. ~~For the primary portion, whether overhead or underground, of the single-phase line extension to other than permanently-occupied residential customers, the customer contribution, if any, will be the construction cost minus the revenue credit.~~ For the primary portion, whether overhead or underground, of the single-phase line extension to serve a permanently-occupied residential customer, the town will provide, ~~at no cost, the least cost~~ overhead or underground service which is compatible with the customer's service requirements and the town's engineering standards. ~~If the customer requests other than the least cost overhead or underground service to the normal point of delivery, the customer contribution, if any, will be the construction cost, minus the revenue credit, but not more than the difference in the construction cost between the customer's request and the least cost service to the normal point of delivery.~~ For points of delivery beyond the normal point of delivery requiring an investment in primary facilities in excess of that needed to serve the normal point of delivery, the customer will contribute such excess investment. When it is necessary to relocate the primary distribution facilities for the customer's convenience, the customer's contribution, will be done at no cost to the Town. if any, will be the construction cost minus the revenue credit.

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- (b) *Three-phase service to individual customers.* The town will construct, own, operate and maintain all overhead and underground distribution facilities necessary to extend three-phase electric service to the normal point of delivery. The customer contribution, if any, will be the construction cost, minus the revenue credit. For points of delivery beyond the normal point of delivery requiring an investment in excess of that needed to serve the normal point of delivery, the customer will contribute such excess investment.

(c) (a)

~~(c)(a) *New residential real estate developments: Charges and limits for extension of service*~~

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- (1) ~~The town will construct, own, operate and maintain overhead and/or underground distribution facilities to provide a basic distribution system, normally 120/240-volt single-phase service or as determined by the town within the real estate development in which it is contemplated that individual lots will be sold or leased. The developer requesting the basic distribution system will make a contribution, if any, to the town based on the construction cost minus the revenue credit from the development.~~

The town will construct, own, operate and maintain overhead service and/or underground service for single-phase up to three-phase as needed for development at no cost to the Town. The developer will cover the construction costs including, the cost of materials (which include but not limited to, pipe,

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wire, junction boxes and transformer) engineering and general expenses. As well as costs associated with road crossings and boring. This cost will be divided evenly between the number of lots/units in the development and will be collected with building permit fees.

- (2) The company may limit the extent of the installation in a real estate development to that area which, in the company's judgment, is likely to be occupied within a reasonable period of time in order to avoid excess investment in idle facilities. The developer may obtain installation in the additional area by paying a deposit, or, at the town's option, a letter of credit or surety bond in lieu of a deposit, equal to the total installed cost of the facilities to serve the additional area. Deposits are reviewed annually and are subject to a refund based on the prorata portion of the town's idle facilities needed to serve customers during the preceding 12 months. Any deposit held by the town for five years will no longer be subject to a refund. Each individual customer within a development will be served in accordance with subsection (a) or (b) of this section, including any customer contribution.

(Code 1985, § 19-262)

Sec. 32-423. General provisions.

- (a) ~~(a)~~ Rights-of-way. The customer will furnish, without cost to the town, necessary easements and satisfactory conveyance of rights-of-way for the supply of electric service. The right-of-way should be sufficient for installation and incidental to the furnishing of service. The customer shall be responsible for the initial clearing to final grade, free of stumps and other obstructions, for any right-of-way necessary to provide underground electric service. In lieu thereof, the town will provide such service, provided the customer will contribute to the town the additional clearing costs. The customer shall also furnish shelter satisfactory to the Town for meters or other apparatus of the town installed on the customer's side of the point of delivery.

(1) The location of the right-of-way or terminal point shall be changed by the Town at the expense of the customer on receipt of written request of the customer stating a reasonable cause. All privileges incident to the original location shall apply to the new location.

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- (b) Contributions. The town reserves the right to collect any line extension contributions under this plan before installation of the facilities begin. When contributions are required from a party who will also be the customer, the contribution may, at the sole option of the town, be included in the first electric service bill rendered after such installation. When contributions are required from a residential customer, the contribution can be paid in up to six equal installments included as a part of the first six electric service bills. If there is a disagreement between the customer and the town regarding the revenue credit, the town's calculations will be used; however, the amount of the customer contribution in question will be declared a deposit. The revenue credit will be recalculated two years following the date the deposit was received by the town using the actual usage for the past 12 months from the customer. The customer will receive a refund, not to exceed the deposit amount, should the recalculated revenue credit exceed the original revenue credit. Deposits held by the town beyond the two-year review period will no longer be subject to refund.

- (c) Type of facilities.

- (1) The town shall have the right to install an overhead or underground distribution system at its option.
(2) The company will not install overhead facilities or replace underground facilities with overhead facilities in an area served by an underground electric distribution system.

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(Supp. No. 16)

~~(2) The town will provide either overhead or underground electric service at a single point of delivery at one of the town's standard voltages. The type and location of these facilities will be in accordance with sound engineering practices as determined by the town's engineers.~~

~~(Code 1985, § 19-263)~~

Sec. 32-424. Taxes.

Any applicable taxes for contributions in aid of construction will be added to the charges established by the board of commissioners from time to time.

(Code 1985, § 19-264)

Sec. 32-425. Electric tampering.

(a) *Definitions:* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the content clearly indicates a different meaning:

(1) Responsible person means and includes all of the following:

- a. The owner of the property on which a violation of this section occurs.
- b. The general contractor for a building/construction project in connection with which a violation occurs.
- c. Any subcontractor responsible for work done which actually involves a violation; and/or
- d. Any individual who violates this section.

(2) Electric system/electric lines mean and includes primary and secondary electric lines, and shall include all overhead and underground conductor, meters, meter bases, transformers, transformer cabinets, switch cabinets, translosures, meter seals, breakaway locks, poles and other fixtures, equipment and apparatus connected to and formerly a part of the electric system, and all appliances necessary and convenient thereto. The electric system owned by the town shall include all of the above up to and including the electricity metering point.

(b) *Injury to system; breaking or damaging.* It shall be unlawful for any person to remove, damage or interfere with any overhead or underground electric conductors, meters, meter bases, transformers, transformer cabinets, translosures, switch cabinets, meter seals, breakaway locks, poles or other fixtures.

(c) *Enforcement procedure.* Any responsible person who violates any provision of this section, or any regulation, standard, rule or order duly adopted in furtherance of this section, shall be subject to a civil penalty of \$250.00 for the first instance non-compliance or violation, and a further civil penalty of \$500.00 for any subsequent violation. In addition, immediately upon discovery of the initial or any subsequent violation, the electric service to the property where the violation occurred will be terminated. A notice of violation will be sent within one business day to the owner of the property by certified mail, return receipt requested, or hand delivery. For all other persons responsible for such violation, a notice shall be sent by certified mail, return receipt requested or hand delivery. The notice shall describe the violation and a demand for payment of \$250.00 or \$500.00 as appropriate. If payment is not received after 20 days, the matter shall be referred to the town attorney for the initiation of collection proceedings. The town shall be entitled to recover from any responsible person all costs of collection of the civil penalties, including reasonable attorneys fees.

In addition, the town reserves the right to prosecute any responsible person for a criminal violation for each separate instance of electric meter tampering.

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(Ord. No. 2002-34, 7-16-02)

Secs. 32-426—32-429. Reserved.

(Supp. No. 16)

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Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-360-
Submitted by: Patrick Reidy
Submitting Department: Planning
Meeting Date: March 19, 2024

SUBJECT

Consideration of LEGISLATIVE CASE RZ-23-06, Star Road Tech Center, a rezoning filed by St. John Properties to rezone 30.35 acres located at 0 Star Road, being Wake County Tax PINs 1739-65-3709, 1739-55-8441, and 1739-65-4232 from Highway Business (HB) and Special Highway Overlay (SH1-O) to Highway Business Conditional District (HB-CD) and Special Highway Overlay (SH1-O).

Recommendation:

Item Summary:

ATTACHMENTS

-



Board of Commissioners Agenda Item Report

Agenda Item No.: 2024-93-

Submitted by: Ruben Wall

Submitting Department: Parks & Recreation

Meeting Date: March 19, 2024

SUBJECT

Update on the Renovation of Flaherty Park Field Park Field #2

Recommendation:

Update and Discussion

Item Summary:

ATTACHMENTS

- [Summary Sheet - Update on Flaherty Park Field #2.docx](#)
- [WFFUNGO Lease Justification Contribution.docx](#)

Update on the Renovation of Flaherty Park Field Park Field #2

Summary

Agenda Item: Update on the Renovation of Flaherty Park Field Park Field #2

Summary: In 2022, NCABC, Inc (DBA FUNGO) baseball approached the Town about a potential partnership to offer a collegiate summer baseball league to provide enjoyment and entertainment for the citizens of Wake Forest

On February 6, 2024, the BOC authorizes the Town Manager to execute on behalf of the Town of Wake Forest a construction contract with Berry Building Group, Inc. for the upgrade and renovation of Flaherty Park Field #2 in the amount of \$944,000. Construction was started on March 4, 2024 with a 12-16 week estimated completion. Construction fencing has been installed, the dugouts have been removed and the infield fencing has been removed.

Staff has been working with FUNGO on a potential lease for the fields. An item staff seeks direction on is the lease amount. FUNGO is requesting a 10-year lease for \$1 per year. FUNGO has attached documentation for their request and will be at your meeting to answer any questions.

Title: Justifying Wake Forest FUNGO's 10-Year Lease at \$1 Per Year to the Board of Commissioners

Introduction:

Good evening, esteemed members of the Board of Commissioners of the Town of Wake Forest. Please find the following compelling case for why our non-profit organization, Wake Forest FUNGO, should be granted a 10-year lease at the nominal rate of one dollar per year. Wake Forest FUNGO is not just a collegiate baseball summer team; it is an integral part of the community, contributing in various significant ways that benefit the town and its residents.

Contributions to Youth Development:

One of the primary ways in which Wake Forest FUNGO contributes to the town is through its youth development programs. The Off-Season Development Program (ODP) serves athletes aged 8-15, providing a valuable winter option focused on skill development. This program not only benefits approximately 100 children annually but also allows college team players to return during the winter to coach, fostering a sense of community and mentorship. The registration partnership provides the town approximately \$10,000 each year.

Community Engagement through American Legion Baseball:

Wake Forest FUNGO also administers the town's only American Legion baseball team, with a rich 100-year history. This team brings together athletes from rival high schools in the community, showcasing local talent with the potential to provide national exposure for players. Upon the completion of Flaherty Park, the possibility to host regional playoffs could bring hundreds of baseball families to Wake Forest, boosting local businesses and tourism.

Supporting Local Programs:

In addition to youth and high school programs, Wake Forest FUNGO has taken on the leadership of the Men's League of Wake Forest, ensuring its continuity and serving approximately 150 players. The families involved in these programs contribute to the local economy by patronizing restaurants and shops in the area, enhancing community vibrancy and economic growth.

Advocacy and Financial Impact:

The team and program have consistently pushed out information about the project through year-round social media and has focused on bringing awareness to the region via its radio segment, FUNGO Friday on Next Door Radio. Wake Forest FUNGO's owners played a pivotal role in securing a \$500,000 grant from the state budget by leveraging their network and advocating to the General Assembly. This financial support has been crucial in advancing the renovation project at Flaherty Park and enhancing facilities for the community and baseball programs.

Conclusion:

In conclusion, Wake Forest FUNGO's multifaceted contributions to youth development, community engagement, economic growth, advocacy for park renovations, and financial impact demonstrate its significant value to the town of Wake Forest and the Flaherty Park Field 2 project. By granting a 10-year lease at one dollar per year, the Board would not only be supporting a valuable community asset but also investing in the future success and prosperity of Wake Forest. Thank you.



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-364-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: March 19, 2024

SUBJECT

Department Monthly Report

Recommendation:

Item Summary:

ATTACHMENTS

- [February 2024 Monthly Report.pdf](#)

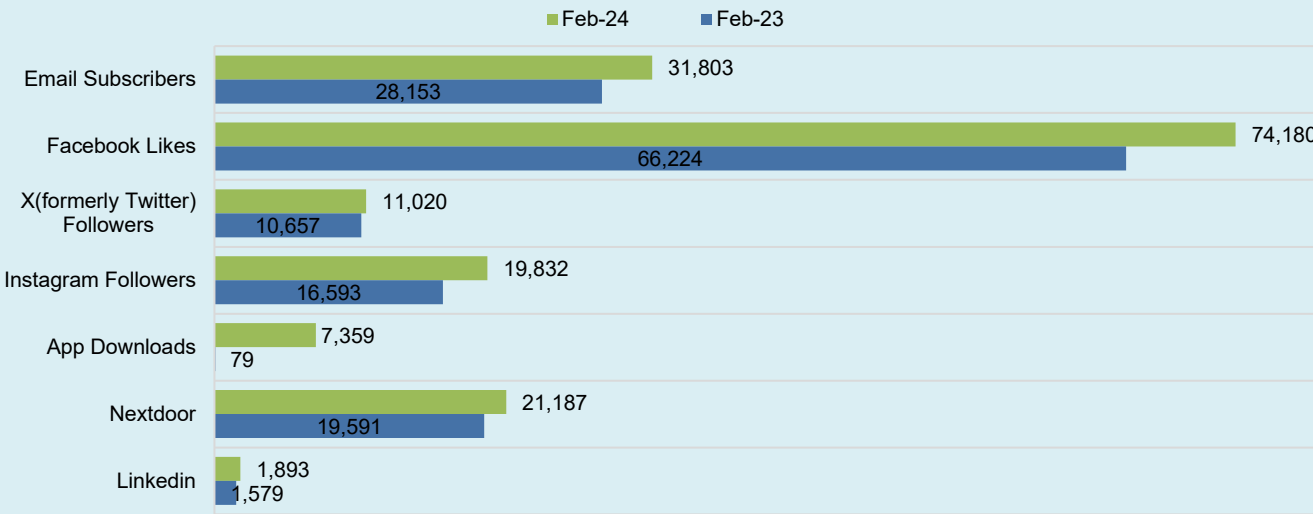


Communications

ANNOUNCEMENTS	
Media Releases	43
Email Announcements	16
Town-to-Resident Phone Calls/Texts	17

TOP 5 VIEWED PAGES ON WEBSITE		
RANK	PAGE	VIEWS
1	Customer Service Forms & Applications	14,738
2	Home	7,916
3	Utility Bill Payment Options	3,259
4	Jobs	2,354
5	Joyner Park Community Center	2,785

SUBSCRIBERS



Downtown Development

OCCUPANCY		
	JAN- MAR 2024	JAN - MAR 2023
Occupancy Rate in Percentage	93%	90%

EVENTS			UPDATES PROVIDED
THIRD QUARTER EVENTS (JAN-MAR)	ATTENDANCE IN 2023	ATTENDANCE IN 2024	
No events held in February 2024	0	0	

QUARTERLY

NEW BUSINESSES		
	February 2024	FISCAL YEAR-TO-DATE
Number of New Businesses	0	4
Number of Businesses Closed	0	2

Wake Forest Downtown, Inc. (WFD) held a Volunteer Meet & Greet on February 27. This was an opportunity to share more about WFD and specific volunteer opportunities available, including committee positions. The goal of the board is to establish a clear leadership pipeline with volunteers serving on committees before being nominated to serve on the board of directors, as this creates buy-in and a better understanding of the overall mission.

Planning for the third annual Forest Fest is in progress and WFD received over 39 applications from local vendors and nonprofits wanting to be a part of this event.

The Downtown Development Director provided updates to Leadership Wake Forest (Chamber) participants and led them on a tour of downtown to showcase pertinent updates.

Economic Development

WFBIP MONTHLY NEWSLETTER [VIEW](#)

The Wake Forest Business & Industry Partnership's Quarterly Report is updated at the end of each quarter.

Use Chrome, Firefox, Safari, or Edge to view the newsletter and/or the report.

BUSINESS RETENTION & EXPANSION	
NAMES OF BUSINESSES VISITED THIS MONTH	
Jimmy Poole, Medalist Capital	

REQUESTS FOR INFORMATION (RFIs)		
	FEBRUARY 2024	FEBRUARY 2023
Number of Responses to RFIs	1	0

Engineering

Stormwater Infrastructure The utility fee is still under development.

Resurfacing Project: Ongoing

Finance

FINANCIAL TASKS COMPLETED

TAX RETURNS & REPORTS	COMPLETION DATE
NC Sales and Use Tax Form E500 and payment	2/7/24
ORBIT/LGERS Report – NC State Treasurer	2/1/24
Utility Sales Tax Return – E500 E	2/13/24
BLS Department of Labor Report	2/20/24
TR-2 Report	2/1/24
Food & Beverage Tax Report	2/7/24
ACCOUNTING/FINANCE	AMOUNT
Total \$ Accounts Payable Disbursement	\$3,281,736
Total ePayables & Payroll Disbursement	\$4,481,435
Total Number of Invoices Paid	387
Total \$ Invoices Paid with credit card	\$768,964

PURCHASING / WAREHOUSE

Purchase Orders Processed	70
New Vendors Set Up	19
Informal Quotes	16
\$ Received Surplus Items Sold	\$28,500
HUBSCO reports	0

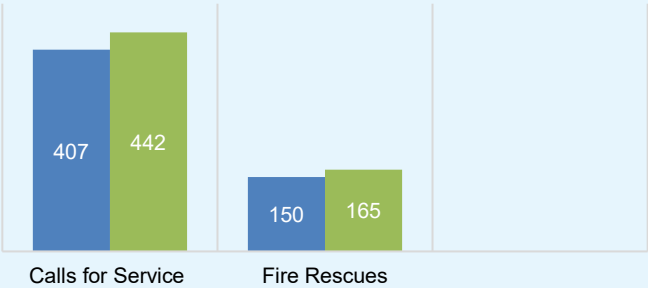
Fire

KEY STATS		
	FEBRUARY 2024	FEBRUARY 2023
Calls for Service	407	442
Average Response Time	04m:24s	6:13

TYPES OF CALLS		
	FEBRUARY 2024	FEBRUARY 2023
Fire	150	165
Medical	232	254
Motor Vehicle Accidents (MVA)	25	23

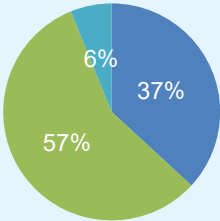
FIRE-KEY STATS

■ Feb-24 ■ Feb-23



TYPES OF CALLS

■ Fire ■ Medical ■ MVAs



Human Resources

EMPLOYMENT		
As of FEBRUARY 29, 2024	FEBRUARY 2024	FEBRUARY 2023
Positions Filled	429	381
Vacancies	11	31
Total Authorized Positions FY 2023-2024	440	412

EMPLOYEE NAME (PROMOTIONS)	DEPARTMENT	POSITION	DATE
Richard Green	WF Power	Electric Meter Technician	2.05.24
Chris Chappell	PW – Streets	Streets Crew Leader	2.05.24
Aaron Bitting	Police	Lieutenant	2.04.24
Alexander Urdaneta	Police	Sergeant	2.04.24
Ryan Montgomery	Police	Corporal	2.04.24

Information Technology

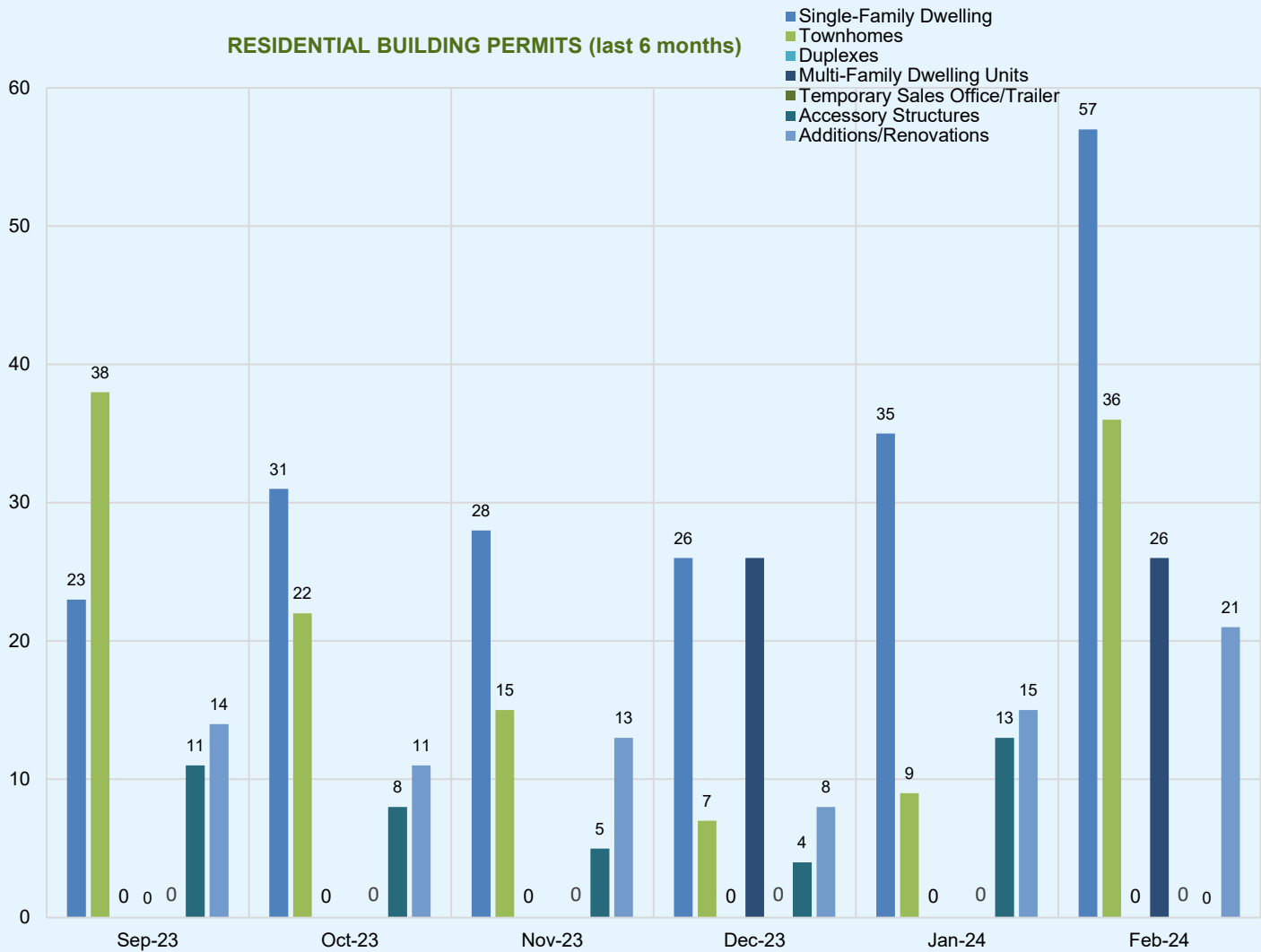
SERVICE STATS		
	FEBRUARY 2024	FEBRUARY 2023
Service Requests Completed	558	436
Network Uptime Percentage	100%	90%

Inspections & Public Facilities

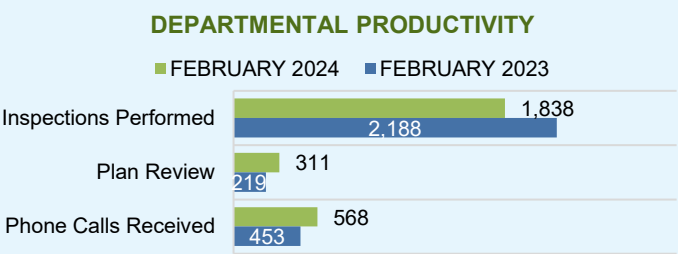
RESIDENTIAL PERMITS		
	FEBRUARY 2024	FEBRUARY 2023
Single-Family Dwelling	57	22
Townhomes	36	28
Duplexes	0	0
Multi-Family Dwelling Units	26	1
Other	119	91
Total	212	142

NON-RESIDENTIAL PERMITS		
	FEBRUARY 2024	FEBRUARY 2023
New Commercial	0	0
Fit-Ups	0	2
Other	31	9
Total	31	11

RESIDENTIAL BUILDING PERMITS (last 6 months)



PUBLIC FACILITIES		
	FEBRUARY 2024	FEBRUARY 2023
Preventative Maintenance Completed	643	558
Reactive Work Orders	116	124



BUSINESSES	
NEW COMMERCIAL BUSINESSES	ADDRESS
PRE-OCCUPANCIES	
PROFORCE PEST CONTROL RALEIGH LLC	744 MERRITT CAPITAL DR 102
MATTRESS NOW	12267 CAPITAL BLVD
REVOLUTION HEARING	2006 S MAIN ST 202
BIG BLUE MARBLE ACADEMY	1941 HERITAGE BRANCH RD
MONARCH MENTAL HEALTH COUNSELING PLLC	1780 HERITAGE CENTER DR 204

Organizational Performance

NORTHERN WAKE FOOD SECURITY TEAM

Staff Hours	Avg. 10 hrs./week
Updates	NCFST Mobile Market, Holiday Hams & Food Drive

GUEST SERVICES VOLUNTEER (GSV) PROGRAM

Updates	18 in the program – 2 new applicants (1 onboarding)
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Parks, Recreation & Cultural Resources

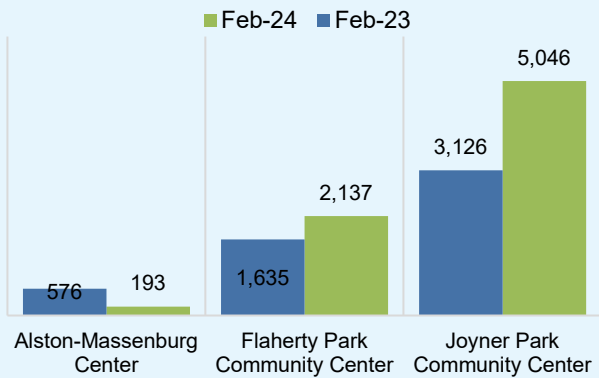
ATHLETICS

	FEBRUARY 2024	FEBRUARY 2023
Registrations Received – Youth	870	876
Registrations Received – Adult	20 TEAMS	25 TEAMS
Games Held	72	29
Revenue	\$69,675	\$73,155

PROGRAMS

	FEBRUARY 2024	FEBRUARY 2023
Registrations Received – Youth	227	105
Registrations Received – Adult	130	143
Classes/Programs Held	35	34
Revenue	\$7,029	\$5,213

VISITORS TO COMMUNITY CENTERS



RECONNECT PROGRAM GUIDE

[VIEW](#)

The program guide is updated twice per year in January and July.

PARK MAINTENANCE

TYPE OF MAINTENANCE	QUANTITY
Vandalism	1
Reactive Maintenance	0
PM Inspections and services	73
Evening and Weekend Park Services	4

FACILITY RENTALS		
	FEBRUARY 2024	FEBRUARY 2023
Athletic Fields	2	17
Joyner Park Outdoor / Open Space	1	2
General Outdoor / Open Space	0	1
Picnic Shelters	0	0
Wake Forest Community House	9	5
Joyner Park Community Center	3	2
Flaherty Park Community Center	0	0
Alston-Massenburg Community Center	1	2

VISITORS TO AQUATIC CENTER & SPRAYGROUND		
	FEBRUARY 2024	FEBRUARY 2023
Aquatic Center	CLOSED	CLOSED
Taylor Street Sprayground	CLOSED	CLOSED

Planning

DEVELOPMENT SERVICES MONTHLY REPORT [VIEW](#)

ZONING VIOLATIONS DASHBOARD [VIEW](#)

Use Chrome, Firefox, Safari, or Edge when viewing the dashboard.

CERTIFICATES OF APPROPRIATENESS		
	FEBRUARY 2024	FEBRUARY 2023
COAs Received	0	0
COAs Approved	0	0

Police

KEY STATS		
	FEBRUARY 2024	FEBRUARY 2023
Calls for Service	5,261	3,753
Vehicle Crashes	151	155

Public Works

Streets: Picked up 2700 lbs. of litter in various locations around town, Holding Park/Seminary parking lot-regrade & stone parking area, cemetery maintenance spread topsoil in low areas, seeded & strawed, 12 asphalt patches with a tonnage of 129, swept 156 miles and collected 17 loads of debris, repaired 6 stormwater outfalls, replaced 309 feet of sidewalks

Solid Waste: new employee, Joshua Holloman started 2/5/24 as a SW Equipment Operator; 98 Cleanup-Jeanette Johnson organized the quarterly HWY 98 cleanup that went very well on 2/21/24; Loose leaf pickup is waning while yard waste debris has begun to steadily increase weekly as we work toward spring; Budget prep has begun.

Urban Forestry: Planted 44 trees, removed 12 trees, applied for NC Forest Service Grant

RECYCLING		
	FEBRUARY 2024	FEBRUARY 2023
Volunteer Collected Litter	0	712.5
Volunteer Collected Recycling	0	150
Volunteer Hours	0	67.5
Volunteer Miles of Streets	0	3
Sections of Roads Cleaned (not miles)	0	3
Number of Creeks Cleaned	0	0
Number of Litter Kits Issued/Returned	0	29
SOLID WASTE		
	FEBRUARY 2024	FEBRUARY 2023
New Construction Homes Added	79	37
New Cart Sets	79	37
CEMETERY		
	FEBRUARY 2024	FEBRUARY 2023
Number of Plots Sold	0	0
Number of Niches Sold	0	1
Total Plots Available	0	0

Renaissance Centre for the Arts

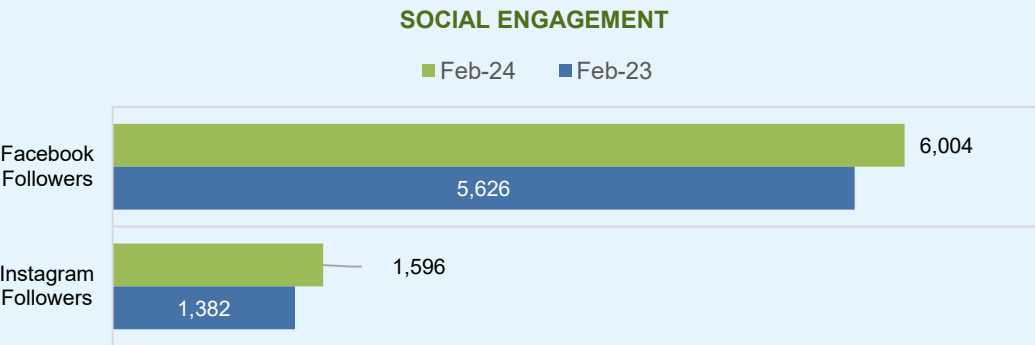
EVENT & PROGRAM ATTENDANCE		
	FEBRUARY 2024	FEBRUARY 2023
Monthly In-Person Attendance	1445	853
Virtual Views	0	466
Ticketed Events Held	0	1
Free Events Held	2	1

RENAISSANCE CENTRE PROGRAM GUIDE [VIEW](#)

The Renaissance Centre hosted the State of the Town Address and Dinner on February 19 and was a table sponsor for the Economic Development Summit held on February 7. Both events were standing room only.

A Game Apart: the Jackie Robinson story resonated with our diverse audiences. The show was presented at the Alston-Massenburg Center and the Renaissance Centre on Saturday, February 24. The show was FREE to ensure that everyone in our community has access to the arts.

The Arts in Education team hosted the North Wake College and Career Academy for tours, arts training, and round table discussions on potential careers in the arts field on February 20. There were forty students and educators in attendance.



Wake Forest Power

CUSTOMER SUMMARY		
	FEBRUARY 2024	FEBRUARY 2023
Electric Meters/Customers	7,739	7,046
Pre-Pay Power Customers	471	471
H.O.P.E. Participants	44	47
N.C. GreenPower Participants	16	17

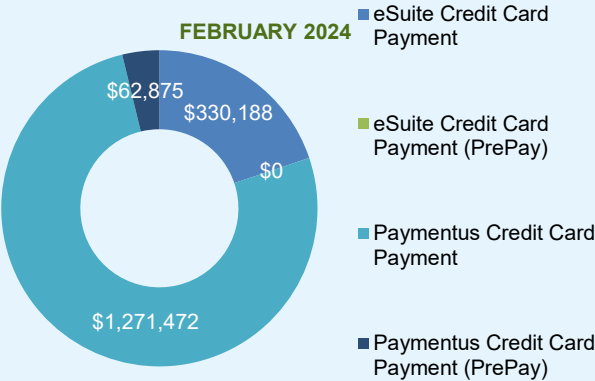
PAYMENTS RECEIVED		
	FEBRUARY 2024	FEBRUARY 2023
eSuite Credit Card Payments	\$330,188	\$247,611
eSuite Credit Card Payments (Pre-Pay)	0	\$100
Paymentus CC Payments	\$1,271,472	\$820,321
Paymentus CC Payments (Pre-Pay)	\$62,875	\$46,346

POWER OUTAGES		
	FEBRUARY 2024	FEBRUARY 2023
Total Number of Customers Affected by Outages this Month	357	1,022
Average Number of Customers Affected per Outage	89.25	511

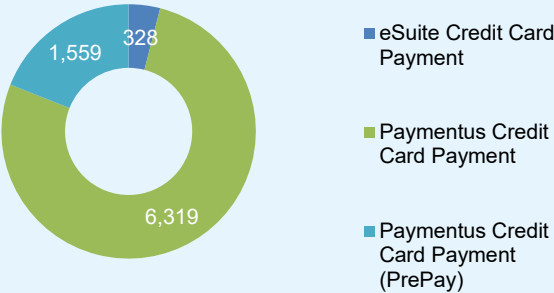
NUMBER OF TRANSACTIONS		
	FEBRUARY 2024	FEBRUARY 2023
eSuite Credit Card Payments	328	417
Paymentus CC Payments	6,319	4,851
Paymentus CC Payments (Pre-Pay)	1,559	1,305

PAYMENTS RECEIVED

FEBRUARY 2024



PAYMENTS RECEIVED
FEBRUARY 2024



Advisory Boards

Historic Preservation Commission

MEETINGS		The Historic Preservation Commission elected new officers at the February meeting. Elizabeth Miller was elected as Chairperson for a two-year term. Nancy Ginger was elected as Vice Chairperson for a one-year term. Attorney Kingsberry provided Quasi-Judicial training for the group. The remainder of the meeting was spent working on the Strategic Plan for 2024.
Most recent meeting held	02/27/2024	
Number of members in attendance	6 out of 9	

Human Relations Council

MEETINGS		Solidified plans for the upcoming Minority / Women-Owned Business Expo to be held on Saturday, March 16, 2024 Women-Owned Business Expo to be held on Saturday, March 16, 2024, 24 from 1:00 PM to 4:00 PM at Joyner Park 701 Harris Road, Wake Forest, NC 27587. A free event for business owners and residents to learn more about business offerings in the Wake Forest Community.
Most recent meeting held	02/22/2024	
Number of members in attendance	10 out of 12	

Public Art Commission

MEETINGS		Bill Crabtree was our guest this month and shared the impact the Commission has had on the Town's social media and shared ideas on how the Commission can continue to share their message with constituents. Members received a worksheet on initiatives to focus on in the current year and assigned initiatives to task groups and staff. Pre-qualified artist registry is LIVE; awaiting a press release for call for artists for the project. Members were encouraged to share the pre-qualified artist registry with their networks. Ms. Horton met with Finance and reported the Commission's current budget.
Most recent meeting held	02/22/2024	
Number of members in attendance	9 out of 11	

Parks, Recreation & Cultural Resources Advisory Board

MEETINGS		The PRCR Advisory Board held two meetings this month. The annual planning meeting was held on February 10 th at 9 am at Town Hall; 11 of 12 members attended. The regular monthly meeting was held on February 26 th at 6:30 pm at Town Hall; 9 of 12 members attended.
Most recent meeting held	02/26/2024	
Number of members in attendance	9 out of 12	

Work Groups:
Board Structure – Work Group/Events Signups & Team Leads
Greenways – National Trails Day – June 1st
Cultural Arts – Art in the Park Postponed until 2025 due to event restructuring and making it more user-friendly to the community
Programs & Parks – Wake Forest Unplugged – September 1st.

Technology Advisory Board

MEETINGS		TAB is still organizing STEM Saturday for April 27, 2024. Blake Burns, a student at Wake Forest High School, has expressed interest in joining the TAB board. If accepted, Blake's inclusion would complete the board, filling all vacant positions.
Most recent meeting held	02/26/2024	
Number of members in attendance	11 out of 13	

Urban Forestry Board

MEETINGS		The board discussed the upcoming Forest Fest seedling giveaway
Most recent meeting held	02/27/2024	
Number of members in attendance	5 out of 7	



Board of Commissioners Agenda Item Report

Agenda Item No.: 2024-94-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: March 19, 2024

SUBJECT

Wake County Tax Release

Recommendation:

Item Summary:

ATTACHMENTS

- [WF-TXREP-MAR-2024-BOC-MTG.pdf](#)



Board of Commissioners
P.O. Box 550 • Raleigh, NC 27602

TEL 919 856 6180
FAX 919 856 5699

SHINICA THOMAS, CHAIR
SUSAN EVANS, VICE-CHAIR
VICKIE ADAMSON
MATT CALABRIA
DON MIAL
CHERYL STALLINGS
TARA WATERS

March 5, 2024

Mr. Kip Padgett
Town Manager;
Town of Wake Forest
301 S. Brooks Street
Wake Forest, North Carolina 27587

Dear Mr. Padgett:

The Wake County Board of Commissioners, in regular session on March 4, 2024, approved and accepted the enclosed tax report for the Town of Wake Forest.

The attached adopted actions are submitted for your review; no local board action is required.

Sincerely,

A handwritten signature in cursive script, appearing to read "Yvonne Gilyard".

Yvonne Gilyard
Clerk to the Board
Wake County Board of Commissioners



WAKE COUNTY TAX ADMINISTRATION

Rebate details
1/1/2024 - 1/31/2024

DATE 02/04/2024

TIME 11:18:47 PM

PAGE 1

WAKE FOREST

REBATE NUMBER	PROPERTY	SPEC DIST	CITY TAG	LATE LIST	BILLED INT	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	FOR YEAR	BILLING TYPE	OWNER
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WAKE FOREST (Not In District)

BUSINESS ACCOUNTS

869118	0.00	0.00	0.00	4.16	0.00	4.16	01/19/2024	0006138200	2023	2023	007000	MUZAK
868322	0.00	0.00	0.00	10.92	0.00	10.92	01/10/2024	0006804406	2023	2023	000000	ONEMAIN FINANCIAL GROUP LLC #1930
869130	0.00	0.00	0.00	27.02	0.00	27.02	01/19/2024	0006570304	2023	2023	007000	ASCENTIUM CAPITAL LLC

Subtotal for

BUSINESS ACCOUNTS	0.00	0.00	0.00	42.10	0.00	42.10	3 Properties Rebated
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INDIVIDUAL PROPERTY ACCOUNTS

869137	3.69	0.00	30.00	0.00	0.00	33.69	01/19/2024	0007003045	2023	2023	000000	WILLIAMS, MARVIN L
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Subtotal for

INDIVIDUAL PROPERTY ACCOUNTS	3.69	0.00	30.00	0.00	0.00	33.69	1 Properties Rebated
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TOTAL WAKE FOREST (Not In District)	3.69	0.00	30.00	42.10	0.00	75.79	4 Properties Rebated for the District/City
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TOTAL FOR

CITY WAKE FOREST	3.69	0.00	30.00	42.10	0.00	75.79	4 Properties Rebated for the City
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WAKE COUNTY TAX ADMINISTRATION

Rebate details
1/1/2024 - 1/31/2024

WAKE FOREST

PAGE

TIME

DATE

11:18:47 PM

02/04/2024

1

REBATE NUMBER	PROPERTY	SPEC DIST	CITY TAG	LATE LIST	BILLED INT	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
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Grand Total: 90,069.61 7.06 330.00 8,964.15 0.00 99,370.82 113 Properties Rebated for All Cities



Board of Commissioners Agenda Item Report

Agenda Item No.: 2024-59-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: March 19, 2024

SUBJECT

Commissioner Reports

Recommendation:

Item Summary:

ATTACHMENTS

-



Board of Commissioners Agenda Item Report

Agenda Item No.: 2024-95-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: March 19, 2024

SUBJECT

Closed Session: To prevent the disclosure of information that is privileged or confidential or is not of public record, N.C.G.S. § 143-318.11(a)(1)

Recommendation:

Item Summary:

ATTACHMENTS

-



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

September 13, 2023

Vivian Jones
Mayor, Town of Wake Forest
301 S. Brooks Street
Wake Forest, North Carolina 27587

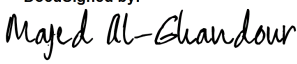
Dear Mayor Jones,

This letter is to acknowledge that the Town of Wake Forest was approved for the requested change in the State Highway System within the corporate limits. This resolution was forwarded to us by Division Engineer Wright Archer, III, PE.

On September 7, 2023, the Board of Transportation approved the requested addition/deletion from the State Highway System, please see the attached Item P agenda.

Please also share this information with all appropriate staff members so that the mileage will be accurately reflected on the next Powell Bill Certified Statement, Streets Listing, Add/Delete sheet and new Powell Bill map that will be submitted on July 1, 2024.

Sincerely,

DocuSigned by:

8361D48F05E84F2
Dr. Majed Al-Ghandour, Ph.D., PE, CPM, M.ASCE
Director, Project Management & Powell Bill
Assistant Director, Division of Planning and Programming
North Carolina Department of Transportation

Attachment

CC: Kip Padgett, Town of Wake Forest, Town Manager
Tim Bailey, Town of Wake Forest, Public Works Director
Wright Archer, III, PE, Division Division 7, NCDOT
C. N. (Chuck) Edwards, PE, District office, NCDOT
File

Mailing Address:

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF PLANNING AND PROGRAMMING
POWELL BILL UNIT
1534 MAIL SERVICE CENTER
RALEIGH, NC 27699-1534

Email: NCDOT_PowellBill@ncdot.gov

Website: <https://connect.ncdot.gov/municipalities/State-Street-Aid>

Location:

1 SOUTH WILMINGTON STREET
RALEIGH, NC 27601

919-707-4586

NCDOT September 2023 Board of Transportation Agenda Municipal Street System Changes for the Powell Bill Program

Deletions from the State Highway System

Division	County	Municipality	Road	Termini	Length
13	Rutherford	Spindale	SR 1593; Steward Street	From SR 1546 (Spindale Street) to US-74 Business (East Main Street)	0.12

File Name: RUTHERFORD_2023_09_M001

5	Wake	Raleigh	SR 3566, Otters Run Court	From 0.09 miles north east of Atlantic Avenue to end of cul-de-sac (This section is currently maintained by the city of Raleigh this is a formal transfer from NCDOT to the city of Raleigh)	0.05
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File Name: WAKE_2023_09_M001

5	Wake	Wake Forest	SR 5163; South Franklin Street	From SR 2052 (Rogers Road) to Artisan Park Drive	0.66
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File Name: WAKE_2023_09_M002

Total Miles = 0.83

Addition to the State Highway System

Division	County	Municipality	Road	Termini	Length
2	Greene	Snow Hill	Pine Shoal Drive	From US 13 (Kingold Boulevard) for 0.08 miles	0.08

File Name: GREENE_2023_09_M001

Total Miles = 0.08

Thursday September 7, 2023

Correction to the State Highway System

Division	County	Municipality	Road	Termini	Corrected Length
7	Guilford	High Point	SR 1193; Triangle Lake Road	"(Correction to the original abandonment length of 1.00)	1.01

File Name: GUILFORD_2023_07_M001

Total Miles = 1.01

Thursday September 7, 2023