



Wake Forest Board of Commissioners
Meeting Agenda
November 15, 2022 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 the office of ADA Coordinator [Mickey Rochelle](#) at 919-435-9455 or Town Clerk [Terry Savary](#) at 919-435-9432 as soon as possible, but no later than 48 hours before the scheduled event.

Cable & Online Broadcast of Board of Commissioners Meetings

All Board of Commissioners meetings are broadcast live on [WFTV 10](#) beginning at 7 p.m. Meetings are also aired 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 [Board of Commissioners](#) 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 Deputy 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 Board of Commissioners regarding the item under consideration with those speaking in favor first and those against speaking second. Proponents and opponents shall each be given five 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 five minutes each to express his/her comments, ideas, concerns, expressions, and desires. No comments will be allowed on agenda items.

Public Comment

During the Public Comment period, anyone wishing to address the Board of Commissioners concerning an issue or topic that is not a public hearing item or an agenda item should complete and submit the Board of Commissioner Public Comment Form on the [Town website](#) or email Town Clerk [Terry Savary](#) by 9 a.m. the day of the meeting. 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 3-5 minutes to speak. Thank you for your cooperation.

Call to Order

Pledge of Allegiance

1.Approval of Agenda

2.Approval of Minutes

- 2.A. October 4, 2022 Work Session
October 4, 2022 Joint Public Hearing
October 18, 2022 Regular Meeting
[DraftBOCWSEMinutesOct202204.pdf](#)
[DraftJPHMinutesOct202204.pdf](#)
[DraftBOCMinutesOct202218.pdf](#)

3.Presentations

- 3.A. Proclamation recognizing November 25, 2022 as "Plaid Friday" and November 26, 2022 as "Small Business Saturday"
[ProclamationSBSandPlaidFridayNov202215.docx](#)
- 3.B. Resolution Recognizing Jimmie A. Kearney, Jr. on his Retirement
[Resolution2022-50AppreciationForTheServicesOfJimmieKearneyNov202215.doc](#)
- 3.C. Joyner Park Community Center (AIA) Merit Award Presentation

4.Public hearings / Public Comment

- 4.A. Public Hearing on LEGISLATIVE CASE RZ-22-02; Morris Subdivision; Consideration of a rezoning filed by FLM Engineering to rezone 22.95± acres located at 0 (portion), 1159, 1161, 1163, and 1164 (portion) N. Main Street, being Wake County Tax PINs 1841984646 (portion), 1851084059 (portion), 1841886835, 1841883996, 1841890142, and 1841987225 (portion) from Rural Holding District (RD) and General Residential 3 (GR3) to General Residential 10 Conditional District (GR10-CD).
[BOC Agenda Summary RZ-22-02.pdf](#)
[RZ-22-02 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](#)
[Ordinance RZ-22-02 Morris Subdivision.docx](#)

[Exhibit 1 - Legal Description.pdf](#)

[Exhibit 2 Consistency Statement RZ-22-02.pdf](#)

[Exhibit 3 - Morris Subdivision Master Plan.pdf](#)

- 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 5 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.)

6.Legislative Items

- 6.A. Criminal Justice Reform Ordinance Amendments (2nd Reading)
[Summary-criminal_justice_reform_ordinance_amendments \(3\).docx](#)
[Ordinance_Amendments_NEW_Strike_Through \(5\).docx](#)

7.Planning Items

- 7.A. Consideration of LEGISLATIVE CASE RZ-22-02; Morris Subdivision; Consideration of a rezoning filed by FLM Engineering to rezone 22.95± acres located at 0 (portion), 1159, 1161, 1163, and 1164 (portion) N. Main Street, being Wake County Tax PINs 1841984646 (portion), 1851084059 (portion), 1841886835, 1841883996, 1841890142, and 1841987225 (portion) from Rural Holding District (RD) and General Residential 3 (GR3) to General Residential 10 Conditional District (GR10-CD).
- 7.B. Consideration of QUASIJUDICIAL CASE SD-21-06 for a Major Subdivision and Site Master Plan for South White Street Townhomes filed by The Nau Company on behalf of the property owner, to subdivide ±7.98 acres located at 136 E. Holding Avenue and 720 E. Holding Avenue, being Wake County Tax PINs 1840388718 and 1840386367
[Case Summary SD-21-06 - South White Street Townhomes Major Subdivision and](#)

[Site Plan.pdf](#)

[Attachment A - Application and Statement of Justification.pdf](#)

[Attachment B - Subdivision & Site Master Plan.pdf](#)

[Attachment C - Maps.pdf](#)

[Attachment D - Neighborhood Meeting Information.pdf](#)

[Attachment E - Traffic Impact Analysis Executive Summary and NCDOT Review Report.pdf](#)

[Attachment F – Staff Report 10-4-2022.pdf](#)

[Attachment G – Staff Presentation 10-4-2022.pdf](#)

[Attachment H - 1st Request by Applicant to Delay Action.pdf](#)

[Attachment I - 2nd Request by Applicant to Delay Action.pdf](#)

8.Administration and Financial Items

9.Public Services Items

10.Parks and Recreation Items

11.Public Safety Items

12.Other Business

12.A. Department Monthly Report

[Oct 2022 Monthly Report .pdf](#)

12.B. Wake County Tax Release

[TSAVARY-KP-WF-TXREP-NOV-2022MTG.pdf](#)

12.C. Commissioner Reports

13.Adjournment



Board of Commissioners Agenda Item Report

Agenda Item No.: 2022-2-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: November 15, 2022

SUBJECT

October 4, 2022 Work Session

October 4, 2022 Joint Public Hearing

October 18, 2022 Regular Meeting

Recommendation:

Item Summary:

ATTACHMENTS

- [DraftBOCWSEMinutesOct202204.pdf](#)
- [DraftJPHMinutesOct202204.pdf](#)
- [DraftBOCMinutesOct202218.pdf](#)



Wake Forest Board of Commissioners Work Session Meeting Minutes

The Wake Forest Board of Commissioners met on **Tuesday, October 4, 2022**, 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 Jim Dyer, Commissioner Chad Sary, Commissioner Keith Shackleford, Commissioner Nick Sliwinski, and Commissioner Adam Wright

Commissioners Absent: None.

Staff Members Present:

Town Manager Kip Padgett
Town Attorney Hassan Kingsberry
Paralegal Shiekell Richardson
Assistant Town Manager Candace Davis
Assistant Town Manager Allison Snyder
Town Clerk Theresa Savary
Chief Financial Officer Aileen Staples
Planning Director Courtney Tanner
Assistant Planning Director Jennifer Currin
Parks, Recreation & Cultural Resources
Director Ruben Wall

Long Range Planning Manager Brad West
Senior Planner Patrick Reidy
Senior Planner Kari Grace
Planner I - Development Services Emma Linn
Police Captain Brian Mote
Captain Julius Jefferson
Fire Chief Ron Early

1. Presentations

- 1.1 Unified Development Ordinance (UDO) Comprehensive Update - Work Session #2 with Consultants

Senior Planner Kari Grace stated Jackie Wells with Houseal Lavigne would provide a presentation on the current stage they're on and the UDO Update process.

Jackie Wells provided a brief project overview and a high-level overview of the existing UDO and the preliminary recommendations.

Commissioner Sary asked if they are looking at three new zoning districts. Ms. Wells replied there will be four new zoning districts: Northeast Neighborhood, Downtown Edge, Downtown Neighborhoods, and the Civic Institutional.

Commissioner Sary asked Ms. Wells if she anticipates the map changes to go along with the text changes and would it be part of one package or does she anticipate them being separate processes. Ms. Wells responded that is still to be determined.

Mayor Jones believes the change in the layout will make it easier to find things.

Mayor Jones asked for an example of an accessory commercial unit (ACU). Ms. Wells replied, artisan workshops and hair salons are examples of ACUs.

A hardcopy of the Wake Forest UDO Comprehensive Update (*Existing UDO Analysis and Preliminary Recommendations Memo Overview Presentation*) is filed in the Clerk's Office with the October 4, 2022 minutes.

1.2. Wake Forest Public Transit Plan: Toole Design Group LLC (Consultant Team) Introduction and Project Kick-Off Presentation

Planning Director Courtney Tanner introduced Project Manager Jared Draper with Toole Design Group, LLC.

Mr. Draper provided a high-level overview of different transit types and where they're going with this project.

Commissioner Shackleford is excited about learning more about the different forms of transportation mentioned during the presentation.

Mayor Jones is excited to hear the results and what Mr. Draper thinks is best for the Wake Forest Community.

A hardcopy of the Wake Forest Wake Forest Public Transit Plan is filed in the Clerk's Office with the October 4, 2022 minutes.

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. Closed Session - NCGS 142-318.11(a)(5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

Closed Session - Consultation with the Town Attorney, N.C.G.S. § 143.318.11(a)(3): Town of Wake Forest v. Ailey Young Heirs (21-CVS-13894).

ACTION:

Mover: Commissioner Adam Wright made a motion to go into closed session at 6:37 p.m. for the following items:

***Closed Session** - NCGS 142-318.11(a)(5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.*

***Closed Session** - Consultation with the Town Attorney, N.C.G.S. § 143.318.11(a)(3): Town of Wake Forest v. Ailey Young Heirs (21-CVS-13894).*

Seconded: Commissioner Jim Dyer.

Vote: Motion approved 5-0.

The Board of Commissioners reconvened from closed session at 6:55 p.m.

5. Commissioner Reports

Commissioner Sary had no updates.

Commissioner Shackleford had no updates.

Commissioner Sliwinski thanked the Police Department and first responders for National Night Out held on Monday, October 3, 2022, pickleball tournament scheduled on October 7–9, 2022, Joyner Park mural unveiling on Sunday, October 9, 2022.

Commissioner Dyer attended the Human Relations Council meeting, attended the last Memorial Flag-Raising Ceremony of the season, thanked town staff for all the support they've put into the Flag-Raising Ceremony.

Mayor Jones said the Federal Communications Commission (FCC) had a panel discussion concerning the training aspect of broadband connections, attended the Junior Reserve Officers' Training Corps (JROTC) Activation Ceremony, attended Mr. Baker's civic classes at the high school.

Commissioner Wright had no updates.

Town Manager Kip Padgett thanked Public Works, Wake Forest Power, and the Police and Fire Departments for doing a great job during the storm (Hurricane Ian).

6. Adjournment

The Board of Commissioners adjourned the meeting at 6:58 p.m.

Duly approved in open session this 18th day of November 2022.

(ATTEST)

Vivian A. Jones, Mayor

Theresa Savary, Town Clerk



Joint Public Hearing Meeting Minutes October 4, 2022 at 7:00 p.m.

Council Members Present: Mayor Vivian A. Jones, Commissioner Jim Dyer, Commissioner Chad Sary, Commissioner Keith Shackleford, Commissioner Nick Sliwinski, and Commissioner Adam Wright

Council Members Absent: None.

Planning Board Members Present: Joe Kimray, Karin Kuropas, Thomas Ballman, Christopher Joyner, Michael Hickey, Michael Siderio, and Sheila Bishop

Planning Board Members Absent: None.

Town Staff Present: Town Manager Kip Padgett, Assistant Town Manager Candace Davis, Assistant Town Manager Allison Snyder, Town Clerk Theresa Savary, Town Attorney Hassan Kingsberry, Paralegal Shiekell Richardson, Planning Director Courtney Tanner, Assistant Planning Director Jennifer Currin, Senior Planner Patrick Reidy.

7:00 P.M. – Joint Public Hearing Begins (Planning Board & Board of Commissioners)

Mayor Jones turned the meeting over to Chair Kimray.

1. Joint Public Hearing

- 1.A. Public Hearing on QUASIJUDICIAL CASE SD-21-06 for a Major Subdivision and Site Master Plan for South White Street Townhomes filed by The Nau Company on behalf of the property owner, to subdivide ±7.98 acres located at 136 E. Holding Avenue and 720 E. Holding Avenue, being Wake County Tax PINs 1840388718 and 1840386367

Chair Kimray turned the meeting over to Town Attorney Hassan Kingsberry. Attorney Kingsberry stated this is an evidentiary joint public hearing on quasi-judicial Case SD-

21-06 for a Major Subdivision and Site Master Plan for South White Street Townhomes filed by The Nau Company on behalf of the property owner, to subdivide ±7.98 acres located at 136 E. Holding Avenue and 720 E. Holding Avenue, being Wake County Tax PINs 1840388718 and 1840386367.

Attorney Kingsberry asked the Board of Commissioners and Planning Board members if anyone had any conflict of interest that would be financial, or any improper bias, or relationships with any parties in this action, or that any member of either Board has any undisclosed ex-parte communications regarding this matter.

Chair Kimray stated people had approached him asking if he knew what was going on near the post office. Mr. Kimray would explain it's a quasi-judicial case and is not allowed to talk about it. Attorney Kingsberry asked Chair Kimray if those communications render his ability to be impartial in the decision at tonight's hearing. Mr. Kimray replied, no.

Mayor Jones stated she spoke to Jim Adams about the said property a couple times. Mr. Adams showed her a copy of the proposed layout and she didn't understand at that point it would be a quasi-judicial hearing. She never got the impression Mr. Adams was trying to persuade her on either side of the issue. She said it was an informational type of meeting. Attorney Kingsberry asked Mayor Jones if those communications impacted her ability to render an impartial decision based on the evidence presented at tonight's hearing. Mayor Jones replied, no.

Commissioner Shackleford received a phone call, and he quickly informed the caller he could not talk about the case. Attorney Kingsberry asked Commissioner Shackleford if those communications impacted his ability to be impartial with the decision rendered at tonight's hearing. Commissioner Shackleford replied, no.

Attorney Kingsberry provided background and instruction on how the meeting would proceed. Attorney Kingsberry also addressed standing. He stated only parties with standing may participate as a party in this case. Everyone interested in the outcome will have an opportunity to present competent materials and substantial evidence that is not repetitive. Only a person with standing may participate as a party in this hearing; relatively, few have legal standing to participate in a quasi-judicial evidentiary hearing.

Andrew Gillingham at 803 S. Main St., Wake Forest, NC was sworn in. He stated he has standing in this matter because he's a resident of Wake Forest and the property in question backs up to his property.

Attorney Kingsberry asked if there are any rebuttal questions for Mr. Gillingham. Chad Essick with Poyner Spruill LLP, 301 Fayetteville St., Raleigh, NC stated he is in attendance on behalf of the applicant. Mr. Essick was seeking clarification on where Mr. Gillingham resides. Mr. Gillingham replied, 803 S. Main St. Mr. Essick asked if that was across the railroad tracks from this project. Mr. Gillingham replied, yes.

Chad Essick was sworn in. Mr. Essick asked Mr. Gillingham if he's identified any special damages that would be caused as a result to this project. Mr. Gillingham replied, not to his property. He said his concerns are general compliances with the Unified Development Ordinance (UDO). Mr. Gillingham stated he does not have any specific damages related to his property. No further questions asked by Mr. Essick.

Ben Kuhn with Ragsdale Liggett PLLC, 2840 Plaza Pl., Raleigh, NC was sworn in. He was in attendance on behalf of Jim Adams.

Jim Adams at 909 S. Main St., Wake Forest, NC was sworn in.

Mr. Kuhn's stated Mr. Adams owns the property to the south of the proposed project at 818 S. White St.

Attorney Kingsberry asked if counsel for the applicant had any questions. No questions were asked.

Attorney Kingsberry asked what's the pleasure of the Board related to the questions of standing. Mayor Jones believes it's appropriate for them to have standing.

ACTION:

Mover: Commissioner Wright moved to approve that Andrew Gillingham had standing.

Seconder: Commissioner Sliwinski.

Vote: Motion carried 5-0.

ACTION:

Mover: Commissioner Dyer moved to approve that Jim Adams had standing.

Seconded: Commissioner Wright.
Vote: Motion carried 5-0.

Planning Director Courtney Tanner and Senior Planner Patrick Reidy were sworn in. Senior Planner Patrick Reidy presented the staff report and all associated documents into the record as evidence. Mr. Reidy stated before them is Case SD-21-06. The applicant is The Nau Company, and the owner is ITAC 356. The property is 136 E. Holding Ave. and 720 E. Holding Ave. on approximately 7.98+ acres and is zoned Residential Mixed-Use (RMX). There is one duplex on site and what they're proposing is a combination of 92 multifamily units (2 over 2 condominiums) and 24 townhome units with a total of 116 units.

The Applicable Plans and Ordinances based on when this project was applied for in June 2021:

The plans that staff reviewed against:

- 2009 Community Plan
- April 20, 2021 Comprehensive Transportation Plan
- 2017 Renaissance Plan
- January 19, 2021 Unified Development Ordinance

Mr. Reidy shared the aerial site map, growth strategy map, existing conditions of the site, proposed master plan, landscape plan, open space plan, master plan analysis, rail alignment, Holding Ave. realignment, and the Traffic Impact Analysis (TIA) Improvements.

In order to approve a **Major Site Master Plan**, required findings of fact contained in Section **15.8.2.J** of the Wake Forest Unified Development Ordinance are required to be met. Those findings of fact are:

Finding 1: The plan is consistent with the adopted plans and policies of the Town.

The 2009 Community Plan identifies these parcels within the Town Center Zone and Historic Town Core Zone. The policy emphasis for both zones is to retain the urban, pedestrian-oriented character as large-scale commercial development and parking lots would detract from the small-town character of the area. New residential development should be at an urban density with dwellings pulled up to the street, placing them within walking distance of the downtown commercial district.

In accordance with the 2017 Renaissance Plan policies, the proposed development provides sidewalks on E Holding Avenue and S White Street that connect the core and improve the pedestrian network.

The 2019 Comprehensive Transportation Plan, version adopted April 20, 2021, identifies E Holding Avenue and S White Street as 2A, Two Lane Undivided cross sections, which require a minimum 55' right-of-way. While the S-line is discussed within the Plan, the approximate right-of-way needed is not shown or listed for dedication.

Finding 2: The plan complies with all applicable requirements of the Wake Forest Unified Development Ordinance.

See Master Plan Analysis in staff report.

Finding 3: There exists adequate infrastructure (transportation & utilities) to support the plans as proposed.

See Master Plan Analysis in staff report.

Finding 4: The application will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

The RMX district is intended to support a variety of housing types in relatively high-density neighborhoods within walking or biking distance from mixed-use centers, as well as some limited commercial uses in pedestrian-scaled, residential-style structures.

The parcels to the north, east, and west are separated from the proposed development by road or railroad right-of-way. The parcels to the north are zoned Urban Mixed Use (UMX) and contain nonresidential uses. The parcels to the east and south are zoned RMX and would be permitted to develop with similar uses per the Unified Development Ordinance. The master plan proposes open space along the majority of the southern property line except for the southwestern corner near proposed Lot 116 and Alley "E".

A Transportation Impact Analysis was performed to evaluate the impact traffic from the proposed use could have on this area and no additional improvements were identified as necessary to mitigate the development.

In order to approve a **Major Subdivision**, required findings of fact contained in Section **15.9.2.J** of the Wake Forest Unified Development Ordinance are required to be met. Those findings of fact are:

Finding 1: The plan is consistent with the adopted plans and policies of the Town.

The 2009 Community Plan identifies these parcels within the Town Center Zone and Historic Town Core Zone. The policy emphasis for both zones is to retain the urban, pedestrian-oriented character as large-scale commercial development and parking lots would detract from the small-town character of the area. New residential development should be at an urban density with dwellings pulled up to the street, placing them within walking distance of the downtown commercial district.

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A Transportation Impact Analysis was performed to evaluate the impact traffic from the proposed use could have on this area and no additional improvements were identified as necessary to mitigate the development.

Chad Essick had no questions for staff.

Ben Kuhn asked if the Community Plan and the April 2021 Transportation Plan would be applicable. Mr. Reidy replied, yes. Mr. Kuhn asked if it was correct that Mr. Reidy's suggestion was that the Transportation Plan developed in December 2021 would not be applicable. Mr. Reidy replied, correct. Mr. Kuhn asked, why. Mr. Reidy replied, staff recognizes the plan in place when submitted. Ms. Tanner added, if you look at the UDO that was in effect at the time the application was accepted for review, the 1st finding states the plan is consistent with the adopted plans and policies of the Town. And if you look at Section 1.5 of the UDO it talks about consistency with all adopted plans and policies and 1.5.1 specifically references the 2009 plan. She said the UDO that was in effect at the time of adoption specifically references the 2009 plan and is why it was used by staff. Mr. Kuhn asked if there's some rule, law, or ordinance staff are relying on to discount the most recent Transportation Plan. Ms. Tanner stated it's the sections she just quoted. Mr. Kuhn stated he does not see where it says the most recent policies in the Transportation Plan would not be applicable to the subdivision plan. Ms. Tanner said there's consistency through the process and they're all working from the same rule books and that has been their interpretation. Mr. Kuhn said but it doesn't say that in the UDO. Ms. Tanner respectfully disagreed in the referencing. Mr. Kuhn had no further questions.

Mr. Essick asked Mr. Reidy if Section 1.7.2 (B) (1) of the UDO is consistent with what the town has done in Case SD-21-06. Mr. Reidy replied, yes.

Mr. Kuhn asked Mr. Reidy if he's familiar with the permit choice rule. Mr. Reidy replied, he doesn't know every avenue but if the UDO was changed after they applied, they could voluntarily choose to go with those new standards. Mr. Reidy stated, in this case, they have not chosen to go with any new standards. Mr. Kuhn asked Mr. Reidy if he was talking about the UDO and not the Comprehensive Plan and Transportation Plan. Mr. Reidy replied, it's his understanding those don't apply to permit choice.

Mr. Essick commented the UDO incorporates the comprehensive transportation policies and would then require you to be consistent with those policies, correct. Mr. Reidy replied, correct. Mr. Essick said in incorporating the comprehensive transportation

policies into the UDO isn't it a rule or regulation that you'd have to comply with. Mr. Reidy replied, yes.

Commissioner Sary asked if the duplexes currently there would be torn down. Mr. Reidy replied, yes.

Commissioner Sary asked why the old Community Plan and process. Mr. Reidy deferred the question to the applicant.

Commissioner Sary asked, if the request were to come under the new Community Plan and the current UDO, what would that process look like. Mr. Reidy replied, with the new regulations put in place July 1, 2021, based on 160D, there would be no public hearing, it would be a staff level review to see if it complied against the UDO. Mr. Reidy stated there wouldn't be a Community Plan review, there would be a Comprehensive Transportation Plan review. Commissioner Sary said to clarify, this process would be purely administrative and no Board review if it was submitted under the current update of the Community Plan and the associated updated ordinances based on 160D, correct. Mr. Reidy replied, correct.

Commissioner Sliwinski thought he heard the active recreation was a percentage of the proposed park space. Mr. Reidy replied, it's what is required of the park space which is 25 percent of the required open space.

Commissioner Wright asked what would happen if there were overpasses in that general vicinity. Mr. Reidy stated the current Comprehensive Transportation Plan does show a realignment of Holding Avenue. One would think it would have some impact on this community.

Commissioner Wright asked, if the highspeed rail is granted who has the right-of-way. Ms. Tanner responded the public entity that would be constructing the railway realignment would go through the acquisition process.

Brian O'Kane with the Nau Company, Caroline Cheeves with Ramey Kemp & Associates, and Steven Peden with Avison Young were sworn in. Chad Essick was in attendance on behalf of the proposed developer Madison Holding LLC. Mr. Essick believes under the permit choice laws they're entitled to choose which portions of the ordinance apply to the application whether that's the new UDO or the old UDO.

Mr. Essick provided a summary of the site and the proposal. Mr. Essick stated the plan achieves the density for this area under the existing RMX zoning as well as the goals of creating urban density placing a greater number of households within walking distance of the downtown commercial district. He said the plan exceeds all the UDO requirements and, in some circumstances, significantly exceeds the requirement of the UDO. The master plan as proposed contemplates 116 dwelling units including 24 townhomes and 92 – 2 over 2 condominiums resulting in the density of 20.75 units per acres. Stanley Martin will be the sole builder for this project.

Mr. Essick stated public art easements are dedicated along E. Holding Ave. and S. White St. Active recreation is at 28.8 percent which is in excess of the 25 percent that is required. The landscape plan calls for 84 specimen trees to be planted in replacement of the 21 specimen trees to be removed and an additional 22 canopy trees will be planted as shown on the Landscape Plan. Frontage improvements are proposed along S. White St. and E. Holding Ave. They're providing 316 parking spaces and proposing 33 bicycle spaces which exceeds the 209 parking spaces and 31 bicycle spaces which would otherwise be required under the UDO.

As part of the record, Mr. Essick submitted certified copies of the following documents to the Town Clerk: The January 19, 2021 Unified Development Ordinance, 2009 Community Plan, 2017 Renaissance Plan, and the April 20, 2021 Comprehensive Transportation Plan. Mr. Essick also requested the following materials be made part of the record: the date of when the application was submitted, Mr. Essick's correspondence with Mr. Kingsberry concerning issues related to permit choice and their position that this could be approved administratively without the need for a quasi-judicial hearing. He also confirmed the staff report and supporting materials are made part of the record.

Mr. Essick believes the plan they presented is in compliance with the Town's UDO and the plans in effect when they submitted the application. Mr. Essick stated they would request a favorable recommendation and approval of the project.

Attorney Kingsberry asked Mr. Kuhn if he had any questions for Mr. Essick or his team. Mr. Kuhn replied, not at this time.

Thomas Ballman stated the minimum 1.8 parking space per unit appears to be at 2.72 parking spaces per unit. Brian O'Kane with the Nau Company stated they are counting parking in the garages as parking spaces. He said with on street parking and garage

parking they've exceeded the minimum to have a better project and less vehicular conflicts with residents.

Commissioner Sliwinski had questions about traffic analysis with the 2.7 parking spaces per unit and 38 vehicles leaving in the morning. Caroline Cheeves with Ramey Kemp & Associates said that involves the trip generation which is based on the Institute of Transportation Engineers Manual.

Joe Kimray asked about peak hours used for this development. Ms. Cheeves replied, at the intersection of NC 98 and Main St. Highway 98 the peak hours are 7:15 a.m. – 8:15 a.m. and 4:45 p.m. to 5:45 p.m. At the intersection of NC 98 and Franklin St. the peak hours are 7:15 a.m. – 4:30 p.m. The intersection of Franklin St. and E. Holding Ave. peak hours are 7:15 a.m. – 8:15 a.m. and 4:00 p.m. to 5:00 p.m. The intersection of E. Holding Ave. and White St. peak hours are 7:30 a.m. – 8:30 a.m. and 4:00 p.m. to 5:00 p.m. The intersection of E. Holding Ave. and Main St. peak hours are 7:30 a.m. – 8:30 a.m. and 4:00 p.m. to 5:00 p.m.

Michael Hickey asked if there's a reason the peak hours cutoff at 5:00 p.m. Ms. Cheeves stated they cut off their data collection at 6:00 p.m. Mr. Hickey asked if the data is from 2016. Ms. Cheeves believes it's 2022 data.

Mr. Hickey said coming from Holding Ave. to Main St. is not the best intersection to begin with. He asked why there wouldn't be any recommendations to upgrade that intersection. Ms. Cheeves stated Holding Ave. has multiple directions to get to NC 98. Ms. Cheeves stated it's highly unlikely that intersection would meet NCDOT's warrants for a traffic signal. NCDOT concluded they did not want a signal there.

Mr. Kimray said in the TIA for future traffic conditions it states, "with coordination through the town and NCDOT it was determined an annual growth rate of 3 percent would be used to generate the projected weekly am and pm traffic hour volume". Mr. Kimray asked where that number came from. Ms. Cheeves stated NCDOT, and the Town collect traffic counts to keep tabs on how specific intersections are growing. She said the 3 percent is based on historic data and is an annual compounded growth rate.

Mr. Kimray asked if the full TIA was in his packet. Mr. Essick stated the full TIA was provided to the Town Clerk.

Mr. Hickey asked about traffic flowing through the neighborhood to the south at S. White St. and Sugar Maple Ave. to get to NC 98. He asked if that was taken into account in the TIA. Ms. Cheeves stated they did consider some traffic might go in that direction, but the goal of the TIAs is to try and come up with improvements. If we distribute the traffic significantly throughout the roadway network, it won't show a significant impact.

Commissioner Wright asked for clarification on the collection of data. Ms. Cheeves said they cut off collection data at 6:00 p.m. Ms. Cheeves said none of the peak hours they found started at 5:00 p.m.

Mr. Kimray asked why the decision was made on the four story 2 over 2s on the corner of White St. and Holding Ave. Mr. O'Kane stated as far as the location of where each unit type went, the topography played a good role in it. Mr. Kimray thinks it'll tower over everything else in that region of the downtown area.

Mr. Kimray asked if there'll only be the existing vegetative buffer along Mr. Adams property or will fencing be proposed along the pond. Mr. O'Kane stated they're not proposing any fencing or opaque buffering and the existing vegetation will remain. Mr. Essick stated if there's concern of needing a fence along there it's something they'd be amenable to consider.

Commissioner Sliwinski asked how the underwater stormwater control system works. Mr. O'Kane said it's an underground stormwater system in a vault chamber. He said they're basically retaining the volume of water underground. Commissioner Sliwinski asked how the water gets into the vault. Mr. O'Kane stated through a pipe network that'll be conveying the stormwater throughout the site. Commissioner Sliwinski asked if it's all contained underground. Mr. O'Kane replied yes, there are access portals and a pretreatment chamber where you can clean it. Commissioner Sliwinski asked if the manholes will be placed within the active open space. Mr. O'Kane commented the stormwater design is preliminary and the exact configuration and location of the manhole ports has yet to be determined.

Mr. Kimray asked what the active open space would entail. Mr. O'Kane replied, they left it open-ended and will be defined later.

Mr. Joyner asked if the stormwater control will be installed by the pond. Mr. O'Kane replied this is a unique situation where you have a pond that's bisected by two property

owners. Mr. O'Kane said the intention is to leave vegetation up against the pond and leave it in its natural state.

Mr. Joyner asked what is going to be done to prevent people from going to the pond. Mr. O'Kane replied, currently there are no plans to put up a fence around the pond. He stated, as Mr. Essick mentioned, it's something they could consider.

Commissioner Dyer stated per Findings of Fact "not detrimental to surrounding property" the picture looks very inviting for people on the north side to walk around the open space to the south. Commissioner Dyer expressed concern about that. Mr. Essick stated, as a condition of approval, they'd be happy to install a fence along the property line to ensure that doesn't occur.

Mr. Kimray asked what kind of stipulations are going to be given to the realtors who will eventually market those properties. He asked if there'll be information provided to the people buying those homes that there's a possibility their home could be knocked down to expand and put the grade separation on Holding Ave. Mr. Essick stated they'd be happy to provide full disclosure.

Mr. Kuhn asked Mr. O'Kane if you went in 100' east, into the site, would you impact and come across any interior roads. Mr. O'Kane replied, certainly. Mr. Kuhn asked would you come across any building sites with townhomes on them. Mr. O'Kane replied, yes. Mr. Kuhn asked when a subdivision plan is approved, one of the next steps is to record it, correct. Mr. O'Kane responded, correct. Mr. Kuhn asked if the subdivision plan would have a line identifying the area to be impacted by a realigned corridor for the southeast high-speed rail. Mr. O'Kane stated he doesn't believe so.

Mr. Essick asked Mr. O'Kane, in his experience, do recorded plats have future comprehensive planning documents shown on the plat. Mr. O'Kane replied, no. Mr. Essick asked, is the realignment of the high-speed rail speculative at this point. Mr. O'Kane stated he believes so. Mr. Essick asked if there's been any funding granted to construct any high-speed rail for the project. Mr. O'Kane replied, not to his knowledge. Mr. Essick asked, are you aware there will be a multi-billion-dollar project to do high-speed rail. Mr. O'Kane replied, yes.

Commissioner Dyer remarked, didn't they receive a multi-million-dollar grant from the federal government to do the study to make that happen. Mr. Essick responded it was his understanding there was a grant made to do a study but there's never been any

indication that it's been or will be funded in the future for that project. Mr. Essick stated it's his understanding the grant fund that was provided was for the entire corridor.

Mr. Reidy stated, if it's the Board's desire to have a condition on a fence, staff requests they be clear on the height, location, and material of fence. Mr. Essick stated they'd be open to whatever suggestions the Board has regarding fencing and would commit to a 6' wood fence along the property line to prevent anyone from crossing across to the other side of the pond. Ms. Tanner asked if the fence could be opaque. Mr. Essick replied yes, opaque and wood. Mr. Siderio asked who would maintain the fence on both sides. Mr. Essick responded they'd commit to the HOA maintaining the fence on both sides. Commissioner Dyer suggested it be on the north side so the property owner to the south doesn't have to maintain it. Mr. Essick replied yes, it's their property on the north side. Commissioner Dyer stated instead of having it on the property line have it inside the line so the HOA can maintain without going on the south side's property.

Commissioner Wright stated Lot 116 looks like a tight area. He asked how much area is between the road and the property line. Mr. O'Kane stated there's a 5' offset and the fence can be placed 4' off the property line. Ms. Tanner stated standard practice is to dedicate the public right-of-way up to the property line. She said the road is built as far to the extent you can build without having to go into the adjacent property.

Commissioner Wright asked if the fence is going to impact the road. Planning Director Tanner stated the fence would be installed across the public right-of-way. Ms. Tanner stated a point of clarification of design is needed for the fence. Mayor Jones believes Mr. Adams should have an opportunity to weigh in on that. Ms. Tanner stated her recommendation was not to work it out this evening. Mr. Kimray asked if it would be possible to notate what they've offered and then let it be worked out with Mr. Adams. Ms. Tanner replied, if you have a condition stating the applicant has offered a fence that's opaque and wood and the location is to be determined they can bring back the information and work the details out. Ms. Tanner asked Mr. Adams if that would be amenable to him. Mr. Adams replied, yes.

Mr. Adams said he finds himself in a unique position and is a concerned citizen regarding this project. Mr. Adams stated, in his opinion, the family that currently owns the property has a right to develop it but at the same time we need to make sure it's the right project. He stated back in 2008 he spoke to the then Planning Director who told him approximately 1 to 1.5 acres of the property was developable, and the rest of the property would need to be set aside for the high-speed rail. Mr. Adams said with that

knowledge and the recession of 2008/2009 he decided to let the property go back to the bank. He said most of the runoff that comes off S. Main St. runs down his property line under the railroad tracks into a culvert into the pond. He's concerned about stormwater runoff from the property, the recreation use that new neighbors might bring to the pond, and the buffering. Mr. Adams said the subdivision plan does not provide for appropriate building sites. Sites located closest to the shared pond would be located within the footprint of the realigned right-of-way for the high-speed railway corridor. Allowing building lots to be subdivided within the boundaries of the realigned right-of-way for the high-speed rail is not great conditions for the essential health and safety of the citizens. Mr. Adams asked the Board to look at the request closely and take those things into consideration since it's not consistent with the Town's plans, it does not provide adequate infrastructure for roads and building sites and will be detrimental to adjacent property owners and the neighborhood.

Mr. Kuhn spoke about the impact of building sites and roads if the Southeast High-Speed Rail line comes along, and the impact of families not seeing it on the subdivision plat. He stated perhaps there be a condition they show the line on the plat. He said it would protect the public.

Mr. Kuhn spoke about Policy RT-1 in the Community Plan: *The Town should continue to anticipate and plan for the impacts of new HIGH SPEED RAIL SERVICE as it passes through Wake Forest en route to major urban centers north and south along the east coast.* He doesn't understand why this isn't in the staff report as an inconsistent policy.

Mr. Kuhn also mentioned in the same Community Plan it says: *Recent plans (February 2008) of the Southeast High Speed Rail Corridor (<http://www.sehsr.org/>) call for high speed rail service to pass through the town of Wake Forest without stopping. Trains originating in Washington, DC would travel through northern Wake County headed for Raleigh, Charlotte, and points south. Corridor maps for the high speed rail line through the town of Wake Forest show a general alignment with the existing rail line with only a few minor changes. Significantly, those portions of the line through downtown Wake Forest follow the existing tracks with only one minor deviation. Near the intersection of the existing rail line with Holding Avenue, the proposed corridor would shift eastward some 100 feet to straighten out a curve considered too great for high speed use.*

Mr. Kuhn stated the Board has the policy to support it and that's the decision before you. Mr. Kuhn stated the only condition the Board can make is to deny the application because this shouldn't be allowed to happen.

Attorney Kingsberry asked Mr. Essick if he had any questions. Mr. Essick stated he had no questions for Mr. Kuhn.

Mr. Essick pointed out the Comprehensive Transportation Plan in effect when they submitted their application did not show any rail realignment on the controlling map for what they were determining needed to occur.

Mr. Essick stated NCDOT reviewed their plan and the TIA and if they thought they couldn't work around it, or it was imminent, or the acquisition was coming, they certainly would've flagged that during their review of the project.

Mr. Essick said if they're interested in acquiring this before there's development, they certainly can but the point is there is no plan and it's currently being studied. He stated you could still have high-speed rail through the existing corridor without additional right-of-way, which doesn't necessarily have to be realigned. Mr. Essick stated essentially what they're doing is speculating on what the future of this project would be when they submitted an application and a plan under a transportation plan that did not show any additional right-of-way required for that project. Mr. Essick stated they've been in review for over a year in which staff has agreed with them that it does not have to be shown as part of the plan in order to be consistent with the Comprehensive Transportation Plan that was in effect when they submitted.

Chair Kimray doesn't disagree with Mr. Essick that their plan was not submitted under the updated Comprehensive Transportation Plan but asked Mr. Essick if he stands on the fact his plan is submitted under the 2009 Community Plan. Mr. Essick replied, correct.

Chair Kimray referred to Policy RT-1 that stated, back in 2009, they were to take into account the high-speed rail corridor that was planned as far back as February 2008. Mr. Kimray stated, if this policy existed back in 2009 and it's the policy under which your project was submitted, shouldn't that be considered. Mr. Essick stated in 2017 the Comprehensive Transportation Plan was amended to remove any reference to there needing to be any additional right-of-way dedication for the southeast rail line. Mr. Essick said when looking at policies and what applies to this project, they're looking at the Comprehensive Transportation Plan and that's the policy they're following.

Commissioner Wright requested clarification on the plans Mr. Essick was referring to. Mr. Essick stated the Comprehensive Transportation Plan in effect when they submitted their application did not reflect any need for rail realignment as a part of that plan.

Commissioner Wright asked Mr. Essick if he's going by the 2009 Community Plan. Mr. Essick replied, correct. Mr. Kimray suggested Mr. Essick is bouncing back and forth between multiple plans. Commissioner Wright asked what Comprehensive Transportation Plan they are going by. Mr. Essick replied, the April 2021 Plan.

The Board of Commissioners, Planning Board and Mr. Essick continued to discuss the policies in effect upon submission.

Attorney Kingsberry asked if there were any further questions for Mr. Kuhn or Mr. Adams. No further questions asked.

Public Comment

Andrew Gillingham, 803 S. Main St., Wake Forest, NC is concerned about maintaining Wake Forest as the historic town they know and love. His concern revolves around Chapter 8 of the UDO, Tree Protection, Buffers & Landscaping. He questions if the plan attempts to comply with the UDO's guidance in Chapter 8 on tree and landscape protection. Mr. Gillingham read a small snippet from Chapter 8 of the UDO. He stated the regulations in this Chapter seek to maintain an overall coverage of mature trees and existing landscaping for the community. He said it goes on to list the positives of preservation of landscape. Mr. Gillingham would like to see some of the larger specimen trees be preserved. He presented pictures of trees along Holding Ave.

Ben Kuhn, 2840 Plaza Place, Suite 400, Raleigh, NC presented slides 1-23 of his presentation and provided the Town Clerk with a copy of slides 1-23 to be entered into the record as evidence. Mr. Kuhn stated he does not see this consistent with the adopted plans. There won't be adequate infrastructure and the roads and building sites are going to be impacted. It's going to be detrimental to the adjacent properties and other neighborhood uses including the people who would live in those homes.

Mr. Essick stated he has nothing further to discuss and asks for a favorable recommendation and would be happy to address the condition regarding fencing.

Attorney Kingsberry turned the meeting back to Chair Kimray.

Chair Kimray asked the Planning Board if they had any further questions. No further questions were asked.

Chair Kimray turned the meeting back to Mayor Jones.

Mayor Jones asked the Board of Commissioners if they have any further questions. No further questions were asked. Mayor Jones declared the public hearing closed at 10:10 p.m.

Duly approved in open session this 15th day of November 2022.

Theresa Savary
Town Clerk

Joe Kimray
Planning Board Chair

DRAFT



Wake Forest Board of Commissioners Meeting Minutes

The Wake Forest Board of Commissioners met on **Tuesday, October 18, 2022** 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 Jim Dyer, Commissioner Chad Sary, Commissioner Keith Shackleford, Commissioner Adam Wright, and Commissioner Nick Sliwinski

Commissioner Members Absent: None.

Staff Members Present:

Town Manager Kip Padgett
Town Attorney Hassan Kingsberry
Assistant Town Manager Candace Davis
Assistant Town Manager Allison Snyder
Town Clerk Theresa Savary
Strategic Performance Manager Lisa Hayes
Strategic Performance Coordinator Shana Shallenberg
Planning Director Courtney Tanner
Assistant Planning Director Jennifer Currin
Long Range Planning Manager Brad West
Chief Financial Officer Aileen Staples

Downtown Development Manager
Jennifer Herbert
Downtown Development Specialist
Camryn Gutierrez
Benjamin Blevins Senior Budget Analyst
Engineering Director Joe Guckavan
Long Range Planning Manager Brad West
Senior Planner Patrick Reidy
Planner I Long Range Planning Antione Jordan
Police Captain Matthew May
Police Captain Brian Mote
Fire Chief Ron Early

1. Approval of Agenda

1.A. Approval of Agenda

ACTION:

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

Second: Commissioner Wright.

Vote: Motion carried 5-0.

2. Approval of Minutes

2.A. Approval of Minutes:

- September 6, 2022 Work Session
- September 20, 2022 Regular Meeting

Commissioner Wright requested the September 20, 2022 minutes reflect that he voted “Nay” and not “Aye” on Case RZ-21-09, Hawthorne Wake Forest, Phase 2.

ACTION:

Mover: Commissioner Sliwinski moved to approve the minutes as corrected.

Second: Commissioner Wright.

Vote: Motion carried 5-0.

3. Presentations

Mayor Jones introduced new Deputy Town Clerk Ella Downtin.

3.A. Proclamation Recognizing November 2022 as Family Court Awareness Month

PROCLAMATION

FAMILY COURT AWARENESS MONTH 2022

WHEREAS, the mission of the Family Court Awareness Month Committee (FCAMC) is to increase awareness on the importance of a family court system that prioritizes child safety and acts in the best interest of children, and;

WHEREAS, the mission at the FCAMC is fueled by the desire to create awareness and change in the family court system for the conservatively estimated, 58,000 children a year ordered into unsupervised contact with abusive parents, while honoring the hundreds of children who have been reported as murdered during visitation with a dangerous parent; to increase the awareness on the importance of empirically-based education and training on domestic violence and child abuse; to increase awareness on the importance of using scientifically valid, evidence-based, treatment programs and services that are proven in terms of safety, effectiveness, and therapeutic value, and;

WHEREAS, the mission at the FCAMC is to educate judges and other family court professionals on evidence-based, peer-reviewed research. Such research is a critical component to making decisions that are truly in the best interest of children. This research includes The Adverse Childhood Experiences (ACEs) Study (co-principal investigator: Vincent Felitti, Kaiser Permanente-CDC): Child Custody Evaluators' Beliefs About Domestic Abuse Allegations (principal investigator: Daniel Saunders, University of Michigan, sponsored by the National Institute of Justice); and Child Custody Outcomes in Cases Involving Parental Alienation and Abuse Allegations (principal investigator: Joan S. Meier, GW Law School, sponsored by the National Institute of Justice), and; NOW, THEREFORE, I, Vivian A. Jones, Mayor of the Town of Wake Forest do hereby declare the month of November 2022 as "Family Court Awareness Month". I encourage all residents to support efforts to prevent the harm of children in the hands of family members and to honor and value the lives of children.

Mayor Jones recognized Family Court Awareness Month.

3.B. Proclamation Recognizing November 2022 as Native American Heritage Month

**PROCLAMATION
RECOGNIZING NOVEMBER 2022 AS
"NATIVE AMERICAN HERITAGE MONTH"**

*WHEREAS, the history and culture of our great nation have been significantly influenced by American Indians and indigenous peoples; and
WHEREAS, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today, and
WHEREAS, their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States; and
WHEREAS, Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November as National American Indian Heritage Month; and
WHEREAS, in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educational, and historical activities have been planned.*

*NOW, THEREFORE, I, Vivian A. Jones, by virtue of the authority vested in me as Mayor of the Town of Wake Forest, North Carolina do hereby proclaim November 2022 as
"Native American Heritage Month"
in the Town of Wake Forest and urge all our citizens to observe this month with appropriate programs, ceremonies, and activities.*

Mayor Jones recognized Native American Heritage Month.

3.C. Introduction of Candidates for the Board of Adjustment and Planning Board

Mayor Jones recognized the Board of Adjustment applicants:

- William Hedrick (requesting a waiver)
- Rick Porter
- Mark Williams (ETJ)

Mayor Jones stated William Hedrick's is a returning candidate and is requesting a waiver to serve another term.

William Hedrick introduced himself to the Board of Commissioners and expressed his interest in service to the Board of Adjustment.

Mayor Jones recognized the Planning Board applicants:

- Michael Almquist
- Thomas Ballman
- Laurie Barrett
- Lindsey Humphreys
- Carla Payne
- Joseph Zimmerman

Thomas Ballman introduced himself to the Board of Commissioners and expressed his interest in service to the Planning Board.

Lindsey Humphreys introduced herself to the Board of Commissioners and expressed her interest in service to the Planning Board.

Carla Payne introduced herself to the Board of Commissioners and expressed her interest in service to the Planning Board.

Joseph Zimmerman introduced himself to the Board of Commissioners and expressed his interest in service to the Planning Board.

3.D. Presentation of Annual Reports from the Town's Advisory Boards

Vice-Chair David Bennett provided the annual report for the Historic Preservation Commission.

4. Public hearings / Public Comment

4.A. Presentation of and Public Hearing on CPA-22-03, Draft Town of Wake Forest Historic Preservation Plan Update

Senior Planner for Historic Preservation Michelle Michael presented the Historic Preservation Plan with a brief introduction and a review of the draft plan as well as the schedule and where they are in the process.

Commissioner Dyer commented he was excited to see the historical markers.

Commissioner Sary thanked Ms. Michael for all the hard work put into the plan. Commissioner Sary asked Ms. Michael if she could talk a little bit about the relationship between the revised Community Plan and the Historic Preservation Plan. Ms. Michael stated she was involved with the Community Plan as a staff person. She stated the Community Plan has several aspects that are related to historic preservation or heritage and character preservation.

Mayor Jones opened the public hearing and asked if anyone wished to speak on this item. No one spoke. Mayor Jones closed the public hearing.

A hardcopy of the draft Town of Wake Forest Historic Preservation Plan Update is filed in the Clerk's Office with the October 18, 2022 minutes.

4.B. Presentation of and Public Hearing on a Request by Dean Verhoeven to Designate his Building and Lot, known as the Tommy and Sue Byrne House, 442 Pineview Drive, Wake Forest, NC, as a Wake Forest Local Historic Landmark, HPC Case Number LL 22-01
Senior Planner for Historic Preservation Michelle Michael presented a Local Historic Landmark Designation application for the Tommy and Sue Byrne House located at 442 Pineview Drive, Wake Forest. She also provided a brief presentation on the Tommy and Sue Byrne House. Ms. Michael said the application was brought forward by Dean Verhoeven who is the property owner.

Ms. Michael stated the Historic Preservation Commission unanimously recommended approval at their September 14, 2022 meeting.

Mayor Jones thanked Ms. Michael and Mr. Verhoeven for bringing this before the Board.

Mayor Jones opened the public hearing and asked if anyone wished to speak on this item. No one spoke. Mayor Jones closed the public hearing.

4.C. Public Hearing to receive public input on capital needs for inclusion in the five year Capital Improvements Plan (CIP) update for 2023 - 2028

Mayor Jones asked if anyone wished to speak on this item. No one spoke. Mayor Jones closed the public hearing.

4.D. 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 5 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 public comments:

- Dino Radosta is the owner and founder of White Street Brewing Company at 218 S. White St., Wake Forest. Mr. Radosta took a moment to talk about the proposed Social District and is against it at this point.
- Mike Visgauss, resides in Wake Forest and spoke about the need of residents supporting the local businesses and how local government could help.
- Brad Wynn with Norse Brewing Company of Wake Forest is in favor of a Social District in downtown Wake Forest.
- Bob Johnson stated he's representing 40-50 separate businesses at the Cotton Company and Los Margaritas in downtown Wake Forest. Mr. Johnson asked the Board to please consider the people they represent. They want to further the development of downtown Wake Forest, and this is a way to do it.
- Dave Lucey co-owner of page 158 Books of Wake Forest is in favor of the Social District.
- Margaret Watkins, 407 Belmellen Ct., of Wake Forest, spoke about the citizens academy and the importance of education. She encouraged the Town to hire someone to educate the citizens.
- Andrew Petesch, 127 W. Hargett St. of Raleigh, was in attendance to represent Eric and Kari Rush of 409 College St. and own a rental property located on E. Jones St. of

Wake Forest. Mr. Petesch spoke about the noise ordinance. Mr. Petesch provided the Town Clerk with copies of the of the memorandum of analysis. He hopes the Board does take time to review the analysis and find something that works.

- Dana Lucero, 315 E. Jones Ave. of Wake Forest, said the one problem she's experienced is the amplified music at Norse Brewing. She said the amplified music shakes the walls and windows.
- Joe Gosselin a partner at Norse Brewing Company of Wake Forest said they want to be a place where they're all about beer, food, and family. He stated their sales are higher when they have music.
- Chuck Cargill of Wake Forest said he doesn't understand the noise ordinance at all. He loves hearing the music and it makes him feel Wake Forest is alive and thriving. He said you need to expect noise if you live downtown.
- Bob Johnson provided a historical perspective on the sound ordinance.
- Craig Johnson, 111 Abercrombie Rd., of Wake Forest enjoys the noise of the football games and the music at Joyner Park and loves the noise because it gives life and the option to grow.
- Mike Visgauss, 1521 Gracie Girl Way of Wake Forest, said when a business opens it should reflect some respect for the local community and the local residences.

Mayor Jones asked if anyone else had any public comments. No one came forward to speak. Mayor Jones closed the public comment.

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

5.B. Approval of Appointments to Citizen Advisory Boards

ACTION:

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

Seconded: Commissioner Sliwinski.

Vote: Motion carried 5-0.

6. Legislative Items

6.A. Consideration of an Ordinance Amending the Code of Ordinances Chapter 14, Article III, Section 14-66 thru 14-75 – Noise

Strategic Performance Manager Lisa Hayes stated staff came before the Board in August with a preliminary presentation on proposed changes to the noise ordinance. At the Board of Commissioners request staff went back and reviewed the ordinance due to concerns with the decibel limits for residential use.

Ms. Hayes provided an updated presentation highlighting the proposed changes to the noise ordinance.

Commissioner Dyer asked what the decibel levels at Friday Night on White are. Ms. Hayes replied, it's around the 85-decibel range. The town has purchased additional noise measurement equipment and will be utilized during future events.

Commissioner Dyer asked how many noise complaints the town receives annually. Ms. Hayes replied, the town received 400 complaints and only three of those had to do with permitted events the rest were residential complaints.

Commissioner Sliwinski commented there are different experiences depending on your proximity to the noise. He said there are many variables and it's about weighing what is good across the board. How do we address those individuals in those one-off situations while not hindering everything else that's positive. Ms. Hayes replied, she doesn't have an answer to that with so many variables playing into it. Ms. Hayes stated if the police officers respond to a call and believe the noise is a nuisance and receiving substantiated complaints, they would have the ability to shut it down without taking a sound measurement. Commissioner Sliwinski asked would the town play a role to mediate between the two parties. Attorney Kingsberry replied, when the police respond and ask the citizens to comply, most do comply, but if not, a citation would be issued. Attorney Kingsberry stated there will be a 2nd reading on the noise ordinance because there's a criminal penalty involved.

Mayor Jones asked what the previous decibel levels were for residential Ms. Hayes stated it was 60 dBA Monday – Sunday to 9:00 p.m., and between 9:00 p.m. and 9:00 a.m. it was 50 dBA. Mayor Jones asked if it's now 65 dBA. Ms. Hayes replied, correct. Mayor Jones asked if that is 24-hours a day. Ms. Hayes replied, correct. Mayor Jones asked if it's 75 dBA with

business but with a permit it's up to 85 dBA. Ms. Hayes replied, that is correct and would be until 10:00 p.m. on a weekend.

Commissioner Dyer said they can still play music after 10:00 p.m. but not as loud. Ms. Hayes replied, it would have to be under 75 decibels.

Commissioner Sary stated there needs to be a more current and enforceable baseline. He believes the one they're currently working off is approximately 15 years old. Once this becomes adopted there's an educational period and if it's not working it can come back and be amended. He believes they need to look at updating it and making it more of a modern ordinance.

Commissioner Wright commented how he enjoys hearing all the festivities and events going on in downtown. He stated the ordinance needs to be amended and he's in favor of the proposed changes.

Mayor Jones commented she's not opposed to the ordinance but pointed out there are different types of noises that occur, and some are prolonged noises versus only minutes.

ACTION:

Mover: Commissioner Wright moved to approve the Ordinance Amending the Code of Ordinances Chapter 14, Article III, Section 14-66 thru 14-75 – Noise as presented.

Secunder: Commissioner Dyer.

Vote: Motion carried 5-0.

6.B. Appointment of Candidates for the Board of Adjustment and Planning Board

Town Clerk Savary stated the following applicants were selected for the Board of Adjustment:

- William Hedrick (requesting a waiver)
- Rick Porter
- Mark Williams (ETJ)

Town Clerk Savary stated the following applicants were selected for the Planning Board:

- Michael Almquist
- Lindsey Humphreys

ACTION:

Mover: Commissioner Wright moved to approve as read into the record.

Second: Commissioner Dyer.

Vote: Motion carried 5-0.

7. Planning Items

7.A. Consideration of a Request by Dean Verhoeven to Designate his Building and Lot, known as the Tommy and Sue Byrne House, 442 Pineview Drive, Wake Forest, NC, as a Wake Forest Local Historic Landmark, HPC Case Number LL 22-01

ACTION:

Mover: Commissioner Sary moved to approve a Request by Dean Verhoeven to Designate his Building and Lot, known as the Tommy and Sue Byrne House, 442 Pineview Drive, Wake Forest as presented.

Second: Commissioner Wright.

Vote: Motion carried 5-0.

7.B. Consideration of CPA-22-03, Draft Town of Wake Forest Historic Preservation Plan Update

ACTION:

Mover: Commissioner Wright moved to approve the CPA-22-02, Draft Town of Wake Forest Housing Affordability Plan as presented.

Second: Commissioner Sary.

Vote: Motion carried 5-0.

7.C. QUASIJUDICIAL CASE SD-21-06 for a Major Subdivision and Site Master Plan for South White Street Townhomes filed by The Nau Company on behalf of the property owner, to subdivide ±7.98 acres located at 136 E. Holding Avenue and 720 E. Holding Avenue, being Wake County Tax PINs 1840388718 and 1840386367 moved to November 15, 2022 at request of applicant

Mayor Jones stated Case SD-21-06 has been moved to the November 15, 2022 Board of Commissioners meeting.

8. Administration and Financial Items

8.A. Consideration for Approval to amend the Town of Wake Forest Code of Ordinances Chapter 4, Article II

Town Manager Padgett stated that staff, police department staff, Attorney Kingsberry, and himself reviewed the ordinance and decided the ordinance should be repealed in its entirety.

ACTION:

Mover: Commissioner Sliwinski moved to approve to repeal the Town of Wake Forest Code of Ordinances Chapter 4, Article II in its entirety.

Seconder: Commissioner Wright.

Vote: Motion carried 5-0.

8.B. Social District Update for Wake Forest Downtown

Downtown Development Manager Jennifer Herbert provided an update on the Social District Update for Wake Forest Downtown. She provided an update on business owner support for the social district.

Mayor Jones asked if The Wake Forest Downtown was a unanimous vote. Ms. Herbert replied, no it was not, it was a 12-2 vote. Mayor Jones asked if the Chamber's Board of Directors voted. Ms. Herbert was not sure if the Chamber's Board of Directors took a vote. Town Manager Padgett stated he was at the last Chamber Board meeting and the Board took no action.

Commissioner Wright said many area towns/cities are already participating in social districts and has received positive press so far. Commissioner Wright said Wake Forest is growing and will become even a more vibrant downtown. He's willing to look at having a social district possibly on a Thursday, Friday, and Saturday. Commissioner Wright believes it would be a step in the right direction for the future of their town.

Commissioner Sary agreed with Commissioner Wright's comments. Commissioner Sary has experienced social districts in larger cities. He believes there's a lot of unknowns out there that we can learn from the good and bad. It's hard to compare Wake Forest with Raleigh, Durham, and Charlotte. He's not opposed to it but doesn't know if he's ready for it now.

Commissioner Sliwinski stated he's not opposed to this but we're going into that time of year where people aren't going to want to walk around outside with a drink in their hand. Is it a possibility to approve a social district and utilize it in special situations such as town events.

Commissioner Wright asked Commissioner Sliwinski if he'd be amenable to doing something on the weekends. Commissioner Wright wants to make sure they get it right. Commissioner Sliwinski said he's for it and as things come to downtown, he thinks it's a phenomenal idea. He doesn't know if they're at this point but he's not opposed to a social district.

Mayor Jones stated she doesn't see the purpose or advantage of it at this point.

Commissioner Shackleford stated he supports it. He doesn't think he'd vote against it because it may fail and not get used. He said with anything you have to give it a start, let it grow and develop. He said they can always come back and tweak it.

Commissioner Wright suggested a timeframe of a start date spring 2023.

Commissioner Sary stated he's uneasy about the size of the social district being proposed. He thinks they could make it about half the size and see how things go. Commissioner Sary said with some of those concessions (*smaller area, specific time, start in the spring, and a probation period where they get updates to see how it's working*) he could potentially get behind that.

Commissioner Wright asked if they could cutoff S. Brooks St. and extend it to include the Food Hall. Commissioner Sary is looking at it from a safety standpoint having to cross a heavily traveled road.

Commissioner Shackleford asked if they have to do the entire street. Ms. Herbert replied, no. She said they'll need signage on the district boundaries.

Town Manager Padgett said if it's the consensus of the Board is to continue exploring this Ms. Herbert can come back with a revised map for the Board's consideration.

Mayor Jones stated she agrees with Commissioner Sary and believes it's too large of an area for a social district. Mayor Jones is concerned about family-oriented events in downtown and people not respecting the boundary limits.

Commissioner Sliwinski asked if this would be policed on a regular basis. Ms. Herbert replied that will have to be a discussion with the police department.

Ms. Herbert will come back to the Board by the end of year.

9. Public Services Items

No Public Service Items presented.

10. Parks and Recreation Items

No Public Service Items presented.

11. Public Safety Items

No Public Safety Items presented.

12. Other Business

Mayor Jones asked the Board if they're interested in pursuing discussion regarding the road connection in Richland Hill Subdivision. The consensus of the Board was to pursue discussion with Richland Hills. Mayor Jones asked staff to provide the Board with a report about the history of the situation.

12.A. Department Monthly Report

Received.

12.B. CIP Project Tracker

Received.

12.C. Strategic Plan

Received.

12.D. Wake County Tax Release
Received.

12.E. Commissioner Reports

Commissioner Sary has a follow-up meeting concerning the wayfinding sign projects, attending the TJCOG Board Delegates meeting and the Public Arts Commission meeting next week, and will attend the B.W. Wells meeting.
Commissioner Shackelford attended the Wake Forest Community Table and attended the State of the County Address.

Commissioner Sliwinski attended a couple sessions of the Citizens Academy and attended the Mural Unveiling.

Commissioner Wright attended the Technology Advisory Board, he reminded everyone early voting starts on Thursday.

Commissioner Dyer attended the Historic Preservation Commission, attended the Wake Forest Community Table, will attend the B.W. Wells meeting, reminded everyone on the first Monday and the third Thursday evening there's a Veterans Coffee at the American Legion, on November 5, 2022 the local VFW Post 8466 will be reading the names at the Vietnam Memorial at the Capital Building, the Senior Center is hosting an event to honor veterans on November 10, 2022 at the Renaissance Centre, Veterans Day is on November 11, 2022, the Garden Club is having their autumn festival this Saturday.

Mayor Jones attended the Wake Forest Community Table, State of the County Address, attended the Home and Garden Show at the Renaissance Centre, attended walk to school day at Wake Forest Elementary school, met with a cub scout group, met with Congressman Price, attended roundtable discussion at the Chambers, I-40 partnership meeting, B.W. Wells meeting, she informed the Board about the Tri-area ministry Stop Hunger Feed Hope Auction Benefit is scheduled on Friday, October 28, 2022 at the Sutherlands.

Town Manager Padgett forwarded an email to the Board regarding Richland hills.

13. Adjournment

With no further business to discuss, the meeting was adjourned at 9:18 p.m.

Wake Forest Board of Commissioners
Tuesday, October 18, 2022
Page 15 of 15

Duly approved in open session this 15th day of November 2022.

(ATTEST)

Vivian A. Jones, Mayor

Theresa Savary, Town Clerk

DRAFT



Board of Commissioners Agenda Item Report

Agenda Item No.: 2022-1-
Submitted by: Terry Savary
Submitting Department: Administration
Meeting Date: November 15, 2022

SUBJECT

Proclamation recognizing November 25, 2022 as "Plaid Friday" and November 26, 2022 as "Small Business Saturday"

Recommendation:

Item Summary:

ATTACHMENTS

- [ProclamationSBSandPlaidFridayNov202215.docx](#)

Proclaiming Friday, November 25, 2022, as Plaid Friday
And Saturday, November 26, 2022, as Small Business Saturday

WHEREAS, purchasing holiday gifts and shopping year-round with locally owned and independent businesses supports the economic health and resilience of the community; and

WHEREAS, shopping locally supports our neighbors, friends, and family members employed by local businesses; and

WHEREAS, when we support small business, jobs are created, and local communities preserve their unique culture; and

WHEREAS, just like the individual, the individual threads are weak on their own but are strong together, so is our community. Together supporting one another while celebrating our uniqueness we are interwoven and strong; and

WHEREAS, Plaid Friday is a fun and enjoyable alternative to the big box store “Black Friday” consumer frenzy where everyone is encouraged to wear plaid and shop local and independent; and

WHEREAS, Small Business Saturday is a nationwide campaign to cultivate business for small merchants on the Saturday after Thanksgiving; and

WHEREAS, Plaid Friday and Small Business Saturday celebrate and support small businesses and all they do for Wake Forest.

WHEREAS, we encourage citizens to consider shopping our small merchants on Plaid Friday and Small Business Saturday as a way to boost the local economy and strengthen our small business community.

WHEREAS, the Town of Wake Forest, North Carolina supports and joins in this national effort to help America’s small businesses do what they do best – grow their business, create jobs, and ensure that our communities remain as vibrant tomorrow as they are today.

NOW THEREFORE, I, Vivian Jones, Mayor of the Town of Wake Forest, in the State of North Carolina, do hereby proclaim

November 25, 2022, as Plaid Friday and November 26, 2022, as Small Business Saturday and encourage our residents to recognize and support small businesses within our community by shopping these establishments on the Friday and Saturday following Thanksgiving.



Vivian A. Jones, Mayor



Board of Commissioners Agenda Item Report

Agenda Item No.: 2022-10-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: November 15, 2022

SUBJECT

Resolution Recognizing Jimmie A. Kearney, Jr. on his Retirement

Recommendation:

Item Summary:

ATTACHMENTS

- [Resolution2022-50AppreciationForTheServicesOfJimmieKearneyNov202215.doc](#)

RESOLUTION 2022-50

RESOLUTION OF APPRECIATION FOR
THE SERVICES OF

Jimmie A. Kearney, Jr.

WHEREAS, Jimmie A. Kearney, Jr was hired as a Tree Trimming Technician II for the Town of Wake Forest Power effective April 19, 2011; and

WHEREAS, Jimmie A. Kearney, Jr was promoted to the position of Tree Trimming Supervisor effective August 21, 2012; and

WHEREAS, Jimmie A. Kearney, Jr exemplified excellent performance in tree removal, line and right of way clearance and is one of the reasons Wake Forest Power maintains a Diamond level in reliable public power rating and a 99.9 % reliability average; and

WHEREAS, with over 11 years of service to the Town, Jimmie served unselfishly in his capacity for the good of the Town of Wake Forest, making sacrifices in personal and family ties; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that Jimmie A. Kearney, Jr 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 in his official capacity as a Tree Trimming Supervisor.

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 Jimmie A. Kearney, Jr

This the 15th day of November 2022.

ATTEST:

Vivian A. Jones
Mayor

Theresa Savary
Town Clerk



Board of Commissioners Agenda Item Report

Agenda Item No.: 2022-11-

Submitted by: Ruben Wall

Submitting Department: Parks & Recreation

Meeting Date: November 15, 2022

SUBJECT

Joyner Park Community Center (AIA) Merit Award Presentation

Recommendation:

No Action Required

Item Summary:

ATTACHMENTS

-



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-669-
Submitted by: Patrick Reidy
Submitting Department: Planning
Meeting Date: November 15, 2022

SUBJECT

Public Hearing on LEGISLATIVE CASE RZ-22-02; Morris Subdivision; Consideration of a rezoning filed by FLM Engineering to rezone 22.95± acres located at 0 (portion), 1159, 1161, 1163, and 1164 (portion) N. Main Street, being Wake County Tax PINs 1841984646 (portion), 1851084059 (portion), 1841886835, 1841883996, 1841890142, and 1841987225 (portion) from Rural Holding District (RD) and General Residential 3 (GR3) to General Residential 10 Conditional District (GR10-CD).

Recommendation:

Item Summary:

ATTACHMENTS

- [BOC Agenda Summary RZ-22-02.pdf](#)
- [RZ-22-02 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](#)
- [Ordinance RZ-22-02 Morris Subdivision.docx](#)
- [Exhibit 1 - Legal Description.pdf](#)
- [Exhibit 2 Consistency Statement RZ-22-02.pdf](#)
- [Exhibit 3 - Morris Subdivision Master Plan.pdf](#)

Agenda Item: Public Hearing on LEGISLATIVE CASE RZ-22-02, Morris Subdivision; rezoning filed by FLM Engineering to rezone 22.95± acres located at 0 (portion), 1159, 1161, 1163, and 1164 (portion) N. Main Street, being Wake County Tax PINs 1841984646 (portion), 1851084059 (portion), 1841886835, 1841883996, 1841890142, and 1841987225 (portion) from Rural Holding District (RD) and General Residential 3 (GR3) to General Residential 10 Conditional District (GR10-CD).

Summary: A public comment session was held at the October 11, 2022 Planning Board meeting. The Planning Board voted 7-0 to find the request consistent with the Community Plan and recommended approval of the zoning map amendment (rezoning) request with the proposed considerations:

- Add a buffer and/or fencing on the adjacent Flores Property.
- Add a 6'-8' fence to the adjacent Bowman property.
- Add a 6' fence for any other adjacent properties that request a fence.

Following the Planning Board meeting, the applicant submitted revised conditions which include:

- Applicant to install a fence and/or buffer to the Flores property.
- Applicant to install a fence to the Bowman and Bakker properties.
- Construct a sidewalk through the sewer easement to connect residents from the east and west sides of the project.
- Width of front-loaded garage doors are limited to no more than 50% of the house width.
- Clarifying previously proposed condition language.

Attachment B has been updated to reflect these changed conditions.

Attachments: See Staff Report



Staff Report

Case RZ-22-02: Morris Subdivision Conditional District

Meeting Date	November 15, 2022
Requested Actions	Consideration of the following items related to the Conditional Zoning request for 0 (portion), 1159, 1161, 1163, and 1164 (portion) N. Main Street: 1. Act on Plan Consistency Statement 2. Rezone 22.95 acres on the Town of Wake Forest Zoning Map from Rural Holding District (RD) and General Residential 3 (GR3) to General Residential 10 Conditional District (GR10-CD).
Case Manager	Patrick Reidy, Senior Planner – Development Services
Planning Board Recommendation	Recommended approval by a vote of 7-0 of the zoning map amendment request with the proposed considerations: add a buffer and/or fencing on the adjacent Flores Property; add a fence for any other adjacent properties that request one; and add a 6'-8' fence to the adjacent Bowman property. <i>See Attachment D for the Planning Board Recommendation and Plan Consistency Analysis.</i>

PUBLIC MEETINGS

Neighborhood Meeting	Public Comment Session	Public Hearing
May 10, 2022 <i>(See Attachment A)</i>	October 11, 2022	November 15, 2022

CASE INFORMATION

Applicant	FLM Engineering, Inc C/O Jon Frazier PO Box 91727 Raleigh, NC 27675
Developer	Blue Heel Development, LLC C/O Julie Gavaghan 3633 Harden Rd, Suite 102 Raleigh, NC 27607
Property Owners	Julius and Janest Morris 1164 N. Main Street Wake Forest, NC 27587

	Edward and Louise Smith 15 Cannady Way Franklinton, NC 27525
Location	Near the intersection of N. Main Street and Kullana Lane
Addresses	0 (portion), 1159, 1161, 1163, and 1164 (portion) N. Main Street
Wake County Tax PIN(s)	1841984646 (portion), 1851084059 (portion), 1841886835, 1841883996, 1841890142, and 1841987225 (portion)
Acreage	22.95 acres (includes right-of-way)
Zoning	Existing: Rural Holding District (RD) and General Residential 3 (GR3) Proposed: General Residential 10 Conditional District (GR10-CD)
Land Use	Existing: Vacant and Manufactured Housing Proposed: Dwelling – Single Family (72 lots)
Community Plan (2009)	Existing: General Urban Zone, Neighborhood Planning Areas #3, 7, and 8
Corporate Limits	This application is in the Town’s extra-territorial jurisdiction.

See Attachment B for a copy of the application and Attachment C for Aerial, Zoning, and Community Plan Maps. See pages 35-122 and 269 for descriptions of Town Areas and General Urban Zone in the [2009 Community Plan](#).

SURROUNDING LAND USES AND ZONING

	Land Use	Zoning
North	Dwelling – Single Family (Kinsley (under construction) and non-subdivision parcels)	Rural Holding District (RD) and PUD
South	Dwelling – Single Family (Heather Grove and non-subdivision parcels)	Rural Holding District (RD) and General Residential 3 (GR3)
East	Railroad right-of-way	Light Industrial (LI)
West	Dwelling – Single Family (The Meadows and non-subdivision parcels)	Rural Holding District (RD) and Conditional Use General Residential 3 (CU GR3)
The proposed land use is generally compatible with surrounding land uses. The proposed zoning is generally compatible with surrounding zoning. See Attachment C for associated maps.		

MASTER PLAN ANALYSIS

Open Space	Required: Proposed: Summary:	10% or 2.2 acres 18% or 4.09 acres <i>The proposed Master Plan complies with the minimum open space percentage requirement in the UDO.</i>
Park Space	Required: Proposed: Summary:	2.5% or 0.55 acres 3.5% or 0.75 acres The proposed active recreation uses are outline in Attachment B, Condition #8. The proposed Master Plan complies with the minimum park space percentage requirement in the UDO.
Roads	Required: Proposed: Summary:	The Comprehensive Transportation Plan requires a 4A road cross-section for N. Main Street. Based on the number of lots proposed, a TIA is not required for this project. The proposed Master Plan (Exhibit 1, Sheet C-4) is complying with the 4A cross section for N. Main Street. The proposed Master Plan complies with the minimum roadway infrastructure requirements in the UDO.
Parking	Required: Proposed: Summary:	Per UDO Chapter 9.4, the parking requirement for dwelling-single family is 2 spaces per unit if parking is provided in an enclosed garage or 144 parking spaces. There are no bike parking requirements for Dwelling – Single Family. The applicant is proposing to provide 288 parking spaces through off-street parking spaces. The proposed Master Plan complies with the minimum parking requirements in the UDO.
Public Utilities	Required: Proposed: Summary:	The UDO requires that public water and sewer mains are extended to serve the site. This property is served by an 8" water line located along N. Main Street. It is also served by an 8" sewer line located at the end of Burdock Lane that will be extended through the project. The proposed Master Plan complies with the public utility requirements in the UDO.

PROPOSED MODIFICATIONS OF BASE GENERAL RESIDENTIAL 10 ZONING DISTRICT STANDARDS

Article 2.2.5 Suburban District Development Standard

- | | |
|-----------|--|
| Required: | <ul style="list-style-type: none"> • Minimum Front Setback: 20' • Minimum Street Side/Secondary Front Setback: 20' • Minimum Side Setback: 8' • Minimum Rear Setback: 25' |
| Proposed: | <ul style="list-style-type: none"> • Minimum Front Setback: 10' (18' garage setback) • Minimum Street Side/Secondary Front Setback: 10' • Minimum Side Setback: 3' • Minimum Rear Setback: 15' |

Article 6.5 Connectivity

- | | |
|-----------|--|
| Required: | Maximum block lengths shall be 800' |
| Proposed: | Road 1 shall have a Maximum block length of 1,200' |

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

COMPREHENSIVE PLAN CONSISTENCY

Community Plan (2009)	The proposed zoning map amendment request is generally consistent with the adopted 2009 Community Plan.
Comprehensive Transportation Plan (2019)	The proposed zoning map amendment request is generally consistent with the Comprehensive Transportation Plan.
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.

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.

PROPOSED ZONING CONDITIONS

Based upon the Planning Board's recommended conditions, the applicant has submitted revised Conditions to help satisfy the concerns that were mentioned during the Planning Board meeting.

1. The subdivision 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 subdivision master plan.
2. The following setbacks shall apply:
 - Minimum principal front setback: 10' (18' garage setback)
 - Minimum street side/secondary front setback: 10'
 - Minimum side setback: 3'
 - Minimum rear setback: 15'
3. Road 1 shall have a maximum block length of 1,200'
4. All lots shall be planted with a minimum of one (1) canopy tree and one (1) understory tree within an 8' HOA landscaping easement. Each lot must have trees planted prior to the Certificate of Occupancy being released.
5. The subdivision covenants shall prohibit the removal of required trees on individual property unless the Town finds that there is a risk to property damage, or the health of the tree is in decline and the tree must be replaced.
6. Active recreation uses shall include, but shall not be limited to, two (2) gaming tables, two (2) permanent sets of cornhole courts, and a bocce ball court. Other similar active recreation alternatives could be provided as approved by the Administrator. Active recreation components shall be installed prior to the 50th percentile building permit.
7. Prior to the issuance of the first building permit, a 6' tan or brown wood or composite material opaque fence shall be placed on/or near the property boundary, as specified by each property owner, along the following adjacent properties: Bakker (PIN 1841985060), Bowman (1841882891), Firment (PIN 1841978941), and Snyder (PIN 1851070539).
8. Prior to the issuance of the first building permit, the Developer shall provide a 6' tan or brown wood or composite material opaque fence and/or screening vegetation along the Flores (PIN 1841994194) property boundary in areas not occupied by public right-of-way, stream buffer, or easements.
9. Prior to the issuance of the first building permit, the Developer shall assess the feasibility of keeping the 30+/- Leland Cypress Trees along the Firment (PIN 1841978941) boundary. If the trees cannot be kept, developer shall replace them with similar vegetation on the Firment property.
10. Water and sewer connections and road access shall be provided to the Firment (PIN 1841978941) property.
11. Work with Duke Power and Pike to relocate the existing overhead power lines and the power pole and transformer on the edge the Firment (PIN 1841978941) driveway. Any pad mounted transformer shall not hinder use of the driveway or future access to the subdivision road and water and sewer. The developer shall be responsible for any costs associated with the relocation of power for the Flores (PIN 1841994194) property.

12. A minimum 5'-wide public sidewalk connection shall be made from Road 1 through the proposed sewer easement to N Main Street to facilitate pedestrian connectivity from the west side to the east side of the subdivision.
13. Garages shall not protrude further than two (2) feet from the front porch or front wall of the house, whichever is closest to the front property line.
14. Section 5.5.2.A, B, and C shall be applicable to the site.
15. Section 5.5.3.A shall be applicable to the site.
16. Section 5.5.5 shall be applicable to the site.
17. Section 5.5.4.D shall be applicable to the site.
18. An exterior wall that fronts on a right-of-way including a secondary street side shall contain at least three decorative elements such as, but not limited to, the following elements:
 - Bay window
 - Recessed window
 - Decorative window
 - Wrap around porch or side porch
 - Two or more building materials
 - Decorative brick or stone
 - Decorative trim (not otherwise included around windows per condition #20 below)
 - Decorative shake
 - Decorative air vents on gable
 - Decorative gable
 - Decorative cornice
 - Column
 - Portico
 - Balcony
 - Dormer
19. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color. Where varied siding and trim, shutter, and accent colors are not provided on an individual dwelling, a minimum of three varied materials shall be provided.
20. All elevations of the units that that front on a right-of-way including a secondary street side shall have trim around the windows.
21. The Architectural and Review Guidelines for the community shall include the following language regarding parking:
 - Homeowners are expected to park vehicles in their garage or driveway, not on the street.
 - Street parking is only for short-term situations (e.g. guest parking overflow or maintenance vehicles), should allow for safe and efficient movement of traffic, and not block or hinder a neighbor's access to their driveway.

- Street parking within 25' of a stop sign or within 15' of a fire hydrant is prohibited.
- Parking of commercial vehicles or vehicles in disrepair is not permitted except within an enclosed garage.
- Parking is prohibited on the grass or the medians.
- Garage doors should be kept in the closed position unless they are in use

22. Prior to the approval of Construction Drawings, the applicant shall receive written permission from the Kinsley property owner that the current stub connection of Road 2 is acceptable as depicted in the Morris Subdivision Master Plan. If permission is not granted, the Morris Subdivision Master Plan shall be revised to realign the road connection so that it does not require any additional right-of-way dedication by the Kinsley development.

See Attachment B for signed, proposed conditions.

STAFF RECOMMENDATION

The zoning map amendment request is generally **Consistent** with the relevant policies in the Comprehensive Plan, and **Approval** 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

EXHIBITS

- Exhibit 1: Legal Description
- Exhibit 2: Consistency Statement
- Exhibit 3: Morris Subdivision Master Plan

Morris Subdivision Neighborhood Meeting Summary

On Tuesday, May 10, 2022, a neighborhood meeting was held to inform neighbors of the proposed rezoning and master plans for the Morris Subdivision and to gain their feedback for consideration in development of the zoning conditions and master plans. The notification sent to the neighbors is attached along with the list of neighbors notified. The neighbors that attended the meeting are shown on the attached sign-in sheet. The attendees that represented the development team included Jon Frazier, FLM Engineering, and Julie Gavaghan and Ryan Suman, Blue Heel Development. Below is a summarized list of the questions raised at the meeting along with answers provided by the development team.

Q1: What does age-targeted mean?

A: Age targeted means that the homes and overall development are targeted toward seniors, 55-and-older with first floor master bedrooms, all exterior maintenance by the HOA, etc.

Q2: Will there be road widening of N Main Street?

A: Yes, the Town of Wake Forest requires widening according to their Comprehensive Transportation Plan (CTP), and NCDOT will require a left-turn lane into each entrance.

Q3: Is there a way to slow traffic down on N Main Street?

A: Traffic calming measures on N Main Street would have to be approved by both the Town of Wake Forest and NCDOT. We will discuss the concern with them and will confirm if any calming measures can be implemented.

Q4: Will the N Main Street widening be to four lanes?

A: The town's CTP calls for a four-lane divided roadway in this area, but generally widening as a result of this project will primarily be to three lanes to add a left turn lane at each entrance.

Q5: Will the N Main Street widening extend to Kuilana Lane?

A: The left turn lane taper may extend to Kuilana Lane but should not extend past the driveway.

Q6: Will existing homes be accessible along N Main Street during construction?

A: Yes, we will be required to maintain all access points during construction.

Q7: Is sanitary sewer available to the site?

A: Yes, sanitary sewer sewer will be extended from Burdock Ln in the Meadows subdivision to serve the project.

Q8: Will the N Main Street widening impact the properties along N Main Street?

A: Work associated with the widening is anticipated to take place within the public right-of-way. Any encroachments out of the right-of-way would have to be agreed upon by the subject property owner. Any impacted mail boxes, driveways, etc. will be restored as part of the project.

Q: What is the price point for the homes in the development?

A: Homes are anticipated to be in the \$400,000s but may vary based on market fluctuations.

Q: Will the homes be the same on both sides?

A: Generally, yes, but the lots on the west side of N Main Street are narrower (40'-wide versus 50'-wide), so some of the wider products will not fit on those lots. All homes will be single-family detached.

Q: Has a traffic study been performed?

A: The project is exempt from traffic study requirements. The neighboring Kinsley development performed a traffic study that will address transportation corridor improvements in this area.

Q: Will there be a privacy fence along the Snyder, Firment, and Bakker properties?

A: We will look at options for fencing or landscaping.

Q: Can you request that the town initiate the Harris Road major thoroughfare project per the CTP?

A: We will make the town aware of the request.

Q: How long will site construction last?

A: Site construction will take approximately eight months.

Q: Will there be common open space?

A: Yes, we plan to have a gazebo, dog park and community garden.

Q: When will construction start?

A: We anticipate construction starting around the first of the year (2023).

April 29, 2022

**Reference: Morris Subdivision – Rezoning and Master Plans
Neighborhood Meeting Notification**

Dear Neighbor:

We are writing to notify you of a neighborhood meeting to present and discuss the proposed rezoning and master plans for the Morris Subdivision.

The proposed subdivision is comprised of several properties along North Main Street in Wake Forest (shown on the map below). The properties are being requested for rezoning to allow for an age-targeted community. The proposed site plan is on the reverse side for your reference.

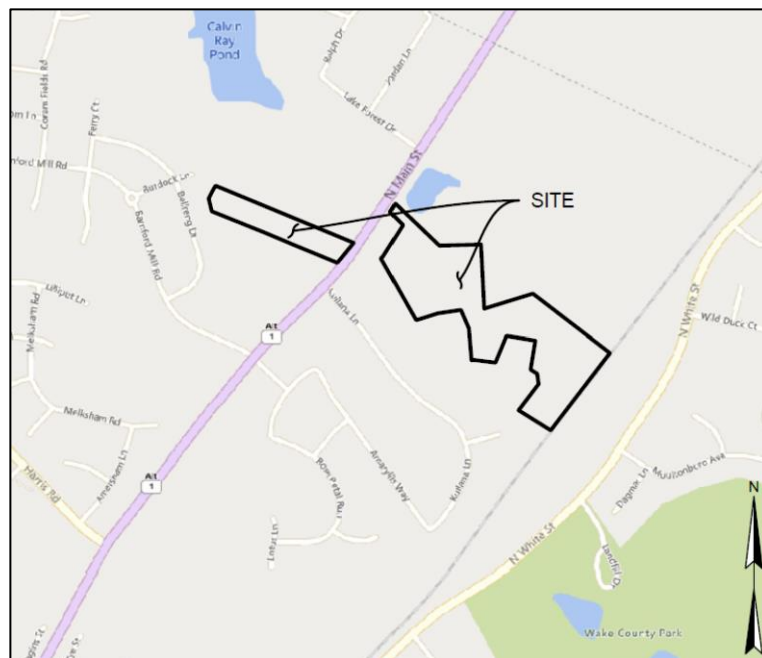
The neighborhood meeting will be held on Tuesday, May 10, 2022, at 5:30 PM in the Walker Room of the Joyner Park Community Center, which is located at the E. Carroll Joyner Park, 701 Harris Road in Wake Forest.

We look forward to seeing you there.

Sincerely,



Jon D. Frazier, PE, LEED AP
Principal
919.610.1051
jfrazier@flmengineering.com



SHEET 4 OF 9

Morris Subdivision
Neighborhood Meeting Notification List (Adjacent Owners within 500')

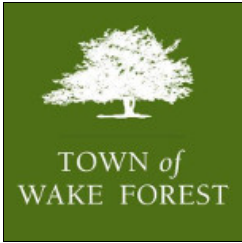
PIN	Owner	Mail Address 1	Mail Address 2	Mail Address 3
1841889548	ALLEN, JIMMY ALLEN, JUDY D	107 KULLANA LN	WAKE FOREST NC 27587-7195	
1841797139	AMADI, FRANKLYN MAVUTSE	1205 BELLRENG DR	WAKE FOREST NC 27587-4015	
1841985060	BAKKER, GEORGE W JOSEPHSON, JENNIFER	1162 N MAIN ST	WAKE FOREST NC 27587-8238	
1841977740	BALLENTINE, STEPHEN A BALLENTINE, EVELYN	1902 FENLEY FOREST TRL	CULLOWHEE NC 28723-1770	
1841786779	BELLFLOWER, BENNIE M BELLFLOWER, EMILY L	1228 BELLRENG DR	WAKE FOREST NC 27587-4016	
1841882891	BOWMAN, FRANCIS JOSEPH III BOWMAN, ELIZABETH LAUREN	547 S MAIN ST	WAKE FOREST NC 27587-2803	
1841991062	CHALKS PROPERTIES LLC	4641 PARAGON PARK RD	RALEIGH NC 27616-3406	
1841797163	CHAUDHARY, RAJESH VERMA, JYOTI	3244 TRAFALGAR RD	FREMONT CA 94555-1460	
1841796002	COTRUFO, STACEY BETH COTRUFO, FRANK JOHN	1212 BELLRENG DR	WAKE FOREST NC 27587-4016	
1841882503	DAVIS, JOYCE A	617 N MAIN ST	WAKE FOREST NC 27587-2127	
1841897005	DEROO LLC	9108 KIRKHILL DR	RALEIGH NC 27615-1959	
1841990209	DILLARD, THOMAS R DILLARD, KAREN F	1193 N MAIN ST	WAKE FOREST NC 27587-8239	
1841976863	EDWARDS, MICHAEL R EDWARDS, ELIZABETH W	219 KULLANA LN	WAKE FOREST NC 27587-7196	
1841978941	FIRMMENT, JOHN A FIRMMENT, KAREN M	1160 N MAIN ST	WAKE FOREST NC 27587-8238	
1841994194	FLORES, CYNTHIA G	1188 N MAIN ST	WAKE FOREST NC 27587-8238	
1841798002	GLUTH, RICHARD C GLUTH, STACIA A	1217 BELLRENG DR	WAKE FOREST NC 27587-4015	
1841895302	HARDMAN, DEVIN W HARDMAN, BRANDI	2641 PENFOLD LN	WAKE FOREST NC 27587-5462	
1841897275	HARDMAN, DEVIN W HARDMAN, BRANDI	2641 PENFOLD LN	WAKE FOREST NC 27587-5462	
1841891370	KUZNIAR, GREGORY R KUZNIAR, LINDA J	1171 N MAIN ST	WAKE FOREST NC 27587-8239	
1851075309	L&W SUPPLY CORPORATION	REAL ESTATE LEASING MANAGER	1 ABC PKWY	BELOIT WI 53511-4466
1841788931	LANSDOWN, ANTHONY LEON	1225 BELLRENG DR	WAKE FOREST NC 27587-4015	
1841975839	MCCALL, JEFFREY D MCCALL, LAURA L	213 KULLANA LN	WAKE FOREST NC 27587-7196	
1841893260	MCCOIG, EDITA V. TRUSTEE MCCOIG, RALPH J. JR TRUSTEE	1037 PATHFINDER WAY STE 140	ROCKLEDGE FL 32955-3242	
1841788926	MDV REALTY LLC	1411 CARPENTER TOWN LN	CARY NC 27519-9356	
1841792839	MEADOWS HOMEOWNERS ASSN OF WAKE FOREST INC THE	PPM	11010 RAVEN RIDGE RD	RALEIGH NC 27614-8837
1841798228	MEADOWS HOMEOWNERS ASSN OF WAKE FOREST INC THE	PPM	11010 RAVEN RIDGE RD	RALEIGH NC 27614-8837
1841974939	MERKLE, MARIAN M MERKLE, BENJAMIN L	205 KULLANA LN	WAKE FOREST NC 27587-7196	
1841979401	MESSINA, LOYE	304 BRIERROOT CT	WAKE FOREST NC 27587-7190	
1841984646	MORRIS, JULIUS O MORRIS, JANEST D	1164 N MAIN ST	WAKE FOREST NC 27587-8238	
1841987225	MORRIS, JULIUS O MORRIS, JANEST D	1164 N MAIN ST	WAKE FOREST NC 27587-8238	
1851084059	MORRIS, JULIUS O MORRIS, JANEST D	1164 N MAIN ST	WAKE FOREST NC 27587-8238	
1841788855	NGUYEN, MYLAN T NGUYEN, HUY TUONG	1229 BELLRENG DR	WAKE FOREST NC 27587-4015	
1841797088	PASCALE, ROBERT H PASCALE, JOAN E	1213 BELLRENG DR	WAKE FOREST NC 27587-4015	
1841886365	PEARSON, PAULA B	106 KULLANA LN	WAKE FOREST NC 27587-7192	
1841982233	PERRY, BOBBIE D PERRY, LINDA G	123 KULLANA LN	WAKE FOREST NC 27587-7195	
1841789626	PHIPPS, NATHANIEL ALLEN PHIPPS, CATHERINE ROSE	1241 BELLRENG DR	WAKE FOREST NC 27587-4015	
1842705407	RAY, CALVIN A JR HUGHES, MARY ANN	9205 BUD SMITH RD	WAKE FOREST NC 27587-8059	
1842803120	RAY, CALVIN A JR HUGHES, MARY ANN	9205 BUD SMITH RD	WAKE FOREST NC 27587-8059	
1851089042	RITCHIE FAMILY PROPERTIES	1017 BEARGLADES LN	RALEIGH NC 27615-1684	
1841979701	ROSCHE, MARK ROSCHE, SHERRY	305 BRIERROOT CT	WAKE FOREST NC 27587-7191	
1841786855	ROSS, KIMBERLY	1224 BELLRENG DR	WAKE FOREST NC 27587-4016	
1841786931	SAVILLE, EDWARD P SAVILLE, STEPHANIE B	1220 BELLRENG DR	WAKE FOREST NC 27587-4016	
1841789703	SCHWAB, JULIANO CUNICO RAMPAZZO, MARINA PASTORE	1237 BELLRENG DR	WAKE FOREST NC 27587-4015	
1851094149	SITE INVESTMENTS LLC	933 OLD KNIGHT RD	KNIGHTDALE NC 27545-9065	
1841883996	SMITH, EDWARD B SMITH, LOUISE T	15 CANNADY WAY	FRANKLINTON NC 27525-8939	
1841886835	SMITH, EDWARD B SMITH, LOUISE T	15 CANNADY WAY	FRANKLINTON NC 27525-8939	
1841890142	SMITH, EDWARD B SMITH, LOUISE T	15 CANNADY WAY	FRANKLINTON NC 27525-8939	
1851070485	SMITH, GREGORY A SMITH, WENDY L	308 BRIERROOT CT	WAKE FOREST NC 27587-7190	
1851070539	SNYDER, ANDREW J SNYDER, CAROL A	309 BRIERROOT CT	WAKE FOREST NC 27587-7191	
1841796369	SWANSON, MICHAEL SWANSON, MELISSA	1133 BELLRENG DR	WAKE FOREST NC 27587-4017	
1841786916	VOSSBURG, CHARLES	1216 BELLRENG DR	WAKE FOREST NC 27587-4016	
1841885157	WAKE ELECTRIC MEMBERSHIP CORP	PO BOX 1060	HILLSBOROUGH NC 27278-1060	
1841795163	WARFIELD, DAPHNE M	1204 BELLRENG DR	WAKE FOREST NC 27587-4016	
1841795088	WENTWORTH, GAIL B	1208 BELLRENG DR	WAKE FOREST NC 27587-4016	
1841981339	WEPPELMAN, WILLIAM E WEPPELMAN, JEWEL S	117 KULLANA LN	WAKE FOREST NC 27587-7195	
1841788779	WHITTED, SHARVIN WILLIAM WHITTED, ANGELA	1233 BELLRENG DR	WAKE FOREST NC 27587-4015	
1841797207	WILSON, MATTHEW A WILSON, DEANNA M	1201 BELLRENG DR	WAKE FOREST NC 27587-4015	
1841797617	YARLEY, DAVID H YARLEY, VANESSA M	PO BOX 725	YOUNGSVILLE NC 27596-0725	

Sign-in Sheet
Morris Subdivision Neighborhood Meeting

Name	Address	Phone Number	E-mail Address
Jeff & Laura McCall	213 Kullana Ln	919 671-3936	obxlm1@yahoo.com
Rick Gluth	1217 Bellreng Dr	619 813-4156	rickgluth@gmail.com
Michael Edwards	219 Kullana Ln.	919-219-1318	m.ke.edwards101@yahoo.com
Jennifer Barker	1162 N. Main Street	919-909-2406	jenjo260@yahoo.com
John Firmant	1160 N MAIN ST	919 931 0319	JAFIRMANT59@Comcast.com
KAREN FIRMANT	"	"	"
David Yarley	1169 W. Main St	919-880-9713	vjyarley@nc.rr.com
Adam Redler	131 Kullana Ln	516 645 9416	Adam.Redler@gmail.com
Janest Morris	1164 N. MAIN	919-971-2918	jdorris04@gmail.com
Julius Morris	1164 N. MAIN	"	
Kelly Horsley	120 Kullana Ln WF	919-618-7788	thehorsleyfamily@gmail.com
Edward & Louise Smith	15 Cannady Way Franklinton, NC	919-494-7799	marionasmith44@yahoo.com
Devin & Brandi Hardman	1183, 1185, 1181, 1179 W main st.	(919) 600 1069	BrandiHardman@gmail.com
James Northrup	216 Kullana Ln.	516-242-3876	3northrups@twc.com
Joe Sendelback	1113 Kullana Lane	919 671 6859	joe.Sendelback@gmail.com

Sign-in Sheet
Morris Subdivision Neighborhood Meeting

[illegible]



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

#717894

Project Title: Morris Subdivision 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 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

This type of project requires a pre-application conference be completed prior to official submittal. 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:

Staff Member Met With: Patrick Reidy

Project ID: RZ-22-02

Project Information

Development/Subdivision (optional - for reference only):

Morris Subdivision

Project Address or PIN:

- 0 N MAIN ST (1841984646)
- 0 N MAIN ST (1851084059)
- 1164 N MAIN ST (1841987225)
- 1163 N MAIN ST (1841890142)
- 1161 N MAIN ST (1841883996)
- 1159 N MAIN ST (1841886835)

Tax PIN:

Zoning: Zoning

- 1841984646
- 1851084059
- 1841987225
- 1841890142
- 1841883996
- 1841886835

- 0 N MAIN ST: RD
- 0 N MAIN ST: RD
- 1164 N MAIN ST: GR3
- 1163 N MAIN ST: RD
- 1161 N MAIN ST: RD
- 1159 N MAIN ST: RD

Current Zoning Overlay: NA, Not Applicable to this Project

Town Limits: In ETJ

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

Land Use: Land Use Development

Acreage: 22.79

- 0 N MAIN ST: Residential
- 0 N MAIN ST: Residential
- 1164 N MAIN ST: Residential
- 1163 N MAIN ST: Residential
- 1161 N MAIN ST: Residential
- 1159 N MAIN ST: Residential

GIS Acreage: Parcel

- 0 N MAIN ST: 8.11
- 0 N MAIN ST: 7.47
- 1164 N MAIN ST: 5.89
- 1163 N MAIN ST: 2.23
- 1161 N MAIN ST: 1.24
- 1159 N MAIN ST: 0.95

Zoning Information

Currently a Conditional District?: No

Currently a Conditional Use?: No

Is there an existing Special Use Permit for the Property?: No **Related Town of Wake Forest Case Numbers:** RZ-22-02

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

Jon Frazier
FLM Engineering, Inc
PO Box 91727
Raleigh, NC 27675
P:9196101051
jfrazier@flmengineering.com

Project Contact - Developer

Julie Gavaghan
Blue Heel Development, LLC
3633 Harden Rd, Suite 102
RALEIGH, NC 27607
P:9192916364
JULIE@BLUEHEELDEVELOPMENT.COM

Project Contact - Property Owner

Julie Gavaghan
Blue Heel Development, LLC
3633 Harden Rd, Suite 102
RALEIGH, NC 27607
P:9192916364
JULIE@BLUEHEELDEVELOPMENT.COM

Project Contact - Engineer

Jon Frazier
FLM Engineering, Inc
PO Box 91727
Raleigh, NC 27675
P:9196101051
jfrazier@flmengineering.com

Traffic Impact Analysis

As per Section 6.11.1 of the UDO is the project required to provide a Traffic Impact Analysis (TIA)?: No

Was the TIA reviewed in a separate permit prior to this application?:

Project Number:

The applicant is required to upload the TIA document, including appendix, approved MOU and any synchro files.

TIA review fees will be added to this permit.

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: GR10-CD, General Residential 10

Proposed Land Use:
Single-family residential subdivision

Proposed Number of Lots: 76

Number of Buildings: 0

Number of Single-Family Lots: 76

Number of Townhome Lots: 0

Number of Multi-Family Units: 0

Number of Stories: 0

Square Footage of All Buildings (non-residential): 0

Plan Information - Conditional Rezoning

Description of Request:

Development of 76 single-family age-targeted lots with associated site improvements.

Initial Proposed Conditions Offered by Applicant:

1. 5' side setbacks
 2. Minimum 42'-wide, front-load lots (with garages in the front)
 3. Minimum 4,600 SF lots
- (No other deviations from GR10 standards)

Justification of Consistency with Comprehensive Plan:

Consistent with 2009 Community Plan in that it is within the General Urban Zone which includes the development of single-family residential neighborhoods.

TOWN OF WAKE FOREST

AGENT AUTHORIZATION FORM:

Application #: _____

Submittal Date: _____

Julius and Janest Morris is the owner of the property for which the attached application is being submitted:

- | | |
|-------------------------------------|---|
| ☒ | General Use Rezoning or Conditional District Rezoning |
| ☐ | Site Master Plan |
| ☒ | Subdivision Master Plan |
| ☐ | Construction Drawings |
| ☐ | Variance |
| ☐ | Major Architectural Review |

The property is located at: 1164 N Main St (Wake County PINs 1841984646, 1851084059, and 1841987225)

The agent for this project is: Jon Frazier, PE / Principal, FLM Engineering, Inc.

☐ I am the owner of the property and will be acting as my own agent.

Name: _____

Address: _____

Telephone Number: _____ Fax: _____

Email Address: _____

Signature(s) of Owner(s):

Janest Morris
Julius Morris

Print or type name(s):

Janest MORRIS
Julius MORRIS

Attach additional sheets if there are additional owners.

***Owner of record as shown on the latest equalized assessment rolls of Wake County. (An option to purchase does not constitute ownership). If ownership has been recently transferred, a copy of the deed must accompany this authorization.**

TOWN OF WAKE FOREST

AGENT AUTHORIZATION FORM:

Application #: _____

Submittal Date: _____

Edward and Louise Smith is the owner of the property for which the attached application is being submitted:

- ☒ General Use Rezoning or Conditional District Rezoning
☐ Site Master Plan
☒ Subdivision Master Plan
☐ Construction Drawings
☐ Variance
☐ Major Architectural Review

The property is located at: 1163, 1161, and 1159 N Main St (Wake County PINs 1841890142, 1841883996, and 1841886835)

The agent for this project is: Jon Frazier, PE / Principal, FLM Engineering, Inc.

☐ I am the owner of the property and will be acting as my own agent.

Name: _____

Address: _____

Telephone Number: _____ Fax: _____

Email Address: _____

Signature(s) of Owner(s):

Edward Smith 3-2-22
EDWARD SMITH

Print or type name(s):

Louise Smith 3-2-22
LOUISE SMITH

Attach additional sheets if there are additional owners.

***Owner of record as shown on the latest equalized assessment rolls of Wake County. (An option to purchase does not constitute ownership). If ownership has been recently transferred, a copy of the deed must accompany this authorization.**

Last update: August 2018

April 29, 2022

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

**Reference: Morris Subdivision (RZ-22-02)
Proposed Zoning Conditions**

Dear Mr. Reidy:

The proposed zoning conditions for the Morris Subdivision project, Town of Wake Forest Case No. RZ-22-02, are listed below:

1. Minimum principal front setback: 10' (18' garage setback)
2. Minimum street side/secondary front setback: 10'
3. Minimum side setback: 3'
4. Minimum rear setback: 15'
5. Road 1 shall have a maximum block length of 1,200'
6. All lots shall be planted with a minimum of one (1) canopy tree and one (1) understory tree within an 8' street tree easement.
7. The subdivision covenants shall prohibit the removal of trees on individual property.
8. Active recreation uses shall include two (2) gaming tables, two (2) permanent sets of cornhole courts, and a bocce ball court. Active recreation components shall be installed prior to the 50th percentile building permit.
9. A 6' tan or brown wood or composite material opaque fence shall be placed on the property boundary along the Firment (PIN 1841978941) and Snyder (PIN 1851070539) properties.
10. Developer shall assess the feasibility of keeping the 30+/- Leland Cypress Trees along the Firment (PIN 1841978941) boundary. If the trees cannot be kept, developer shall replace them with similar vegetation on the Firment property.
11. Water, sewer and road access shall be provided to the Firment (PIN 1841978941) property.

12. Work with Duke Power and Pike to relocate the existing overhead power lines and the power pole and transformer on the edge the Firment (PIN 1841978941) driveway. Any pad mounted transformer shall not hinder use of the driveway or future access to the subdivision road and water and sewer.
13. Garages shall not protrude further than two (2) feet from the front porch or front wall of the house, whichever is closest to the front property line.
14. Section 5.5.2.A, B, and C shall be applicable to the site.
15. Section 5.5.3.A shall be applicable to the site.
16. Section 5.5.5 shall be applicable to the site.
17. An exterior wall that fronts on a right-of-way including a secondary street side shall contain at least three decorative elements such as, but not limited to, the following elements:
 - Bay window
 - Recessed window
 - Decorative window
 - Wrap around porch or side porch
 - Two or more building materials
 - Decorative brick or stone
 - Decorative trim
 - Decorative shake
 - Decorative air vents on gable
 - Decorative gable
 - Decorative cornice
 - Column
 - Portico
 - Balcony
 - Dormer
18. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three color families for siding and shall include varied trim, shutter, and accent colors complementing the siding color. Where varied siding and trim, shutter, and accent colors are not provided on an individual dwelling, a minimum of three varied materials shall be provided.
19. All elevations of the units that that front on a right-of-way including a secondary street side shall have trim around the windows.

20. The Architectural and Review Guidelines for the community shall include the following language regarding parking:

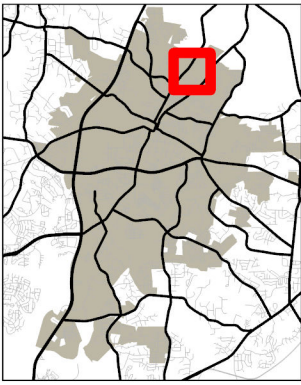
- Homeowners are expected to park vehicles in their garage or driveway, not on the street.
- Street parking is only for short-term situations (e.g. guest parking overflow or maintenance vehicles), should allow for safe and efficient movement of traffic, and not block or hinder a neighbor's access to their driveway.
- Street parking within 25' of a stop sign or within 15' of a fire hydrant is prohibited.
- Parking of commercial vehicles or vehicles in disrepair is not permitted except within an enclosed garage.
- Parking is prohibited on the grass or the medians.
- Garage doors should be kept in the closed position unless they are in use

21. Prior to the approval of Construction Drawings, the applicant shall receive written permission from the Kinsley property owner that the current stub connection of Road 2 is acceptable as depicted in the Morris Subdivision Master Plan. If permission is not granted, the Morris Subdivision Master Plan shall be revised to realign the road connection so that it does not require any additional right-of-way dedication by the Kinsley development.

Sincerely,



Jon D. Frazier, PE, LEED AP
Principal
919.610.1051
jffrazier@flmengineering.com

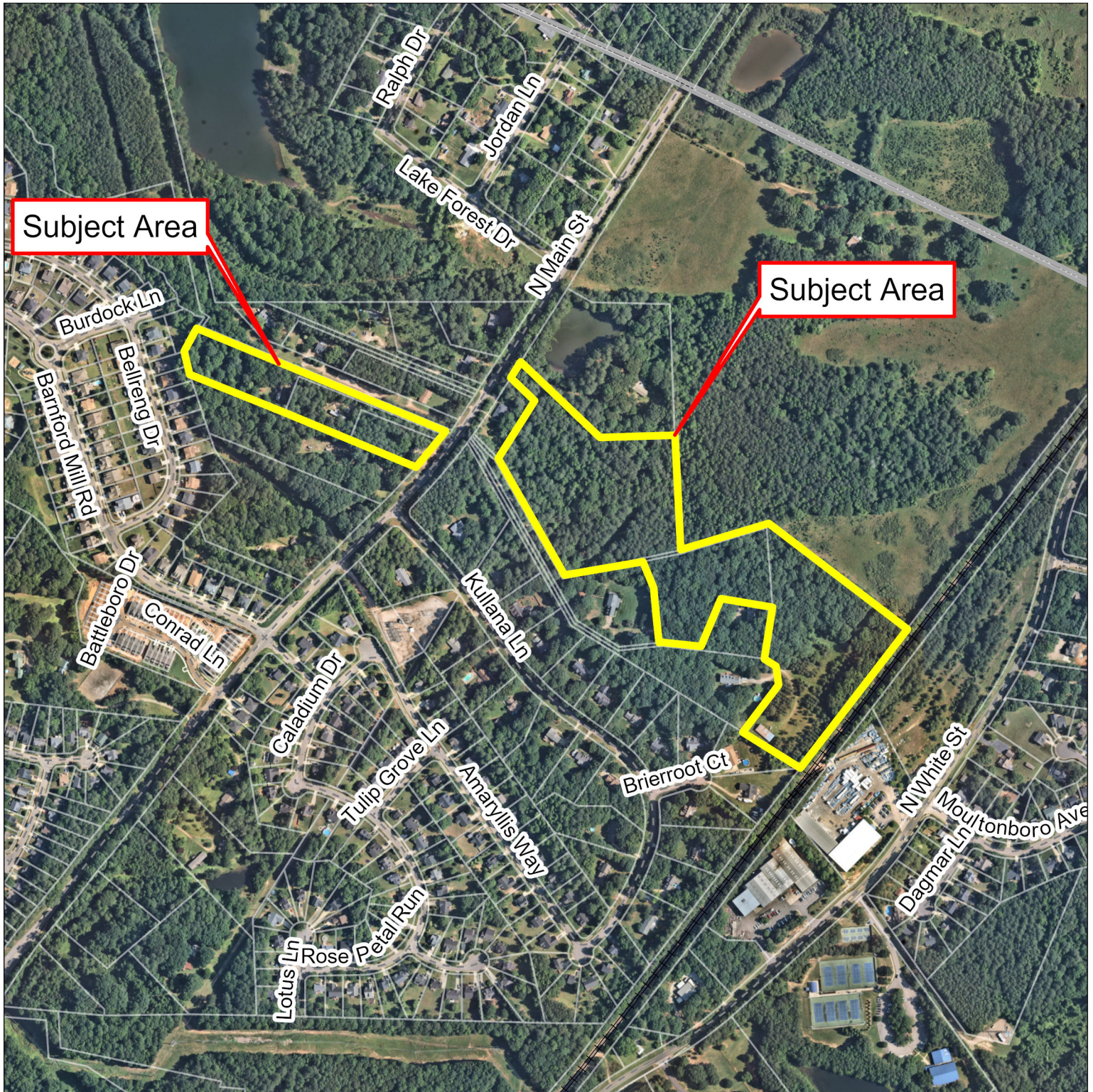


9/27/2022



TOWN of
WAKE FOREST

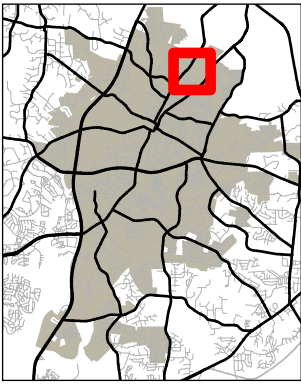
RZ-22-02 Morris Subdivision Conditional District Rezoning



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.

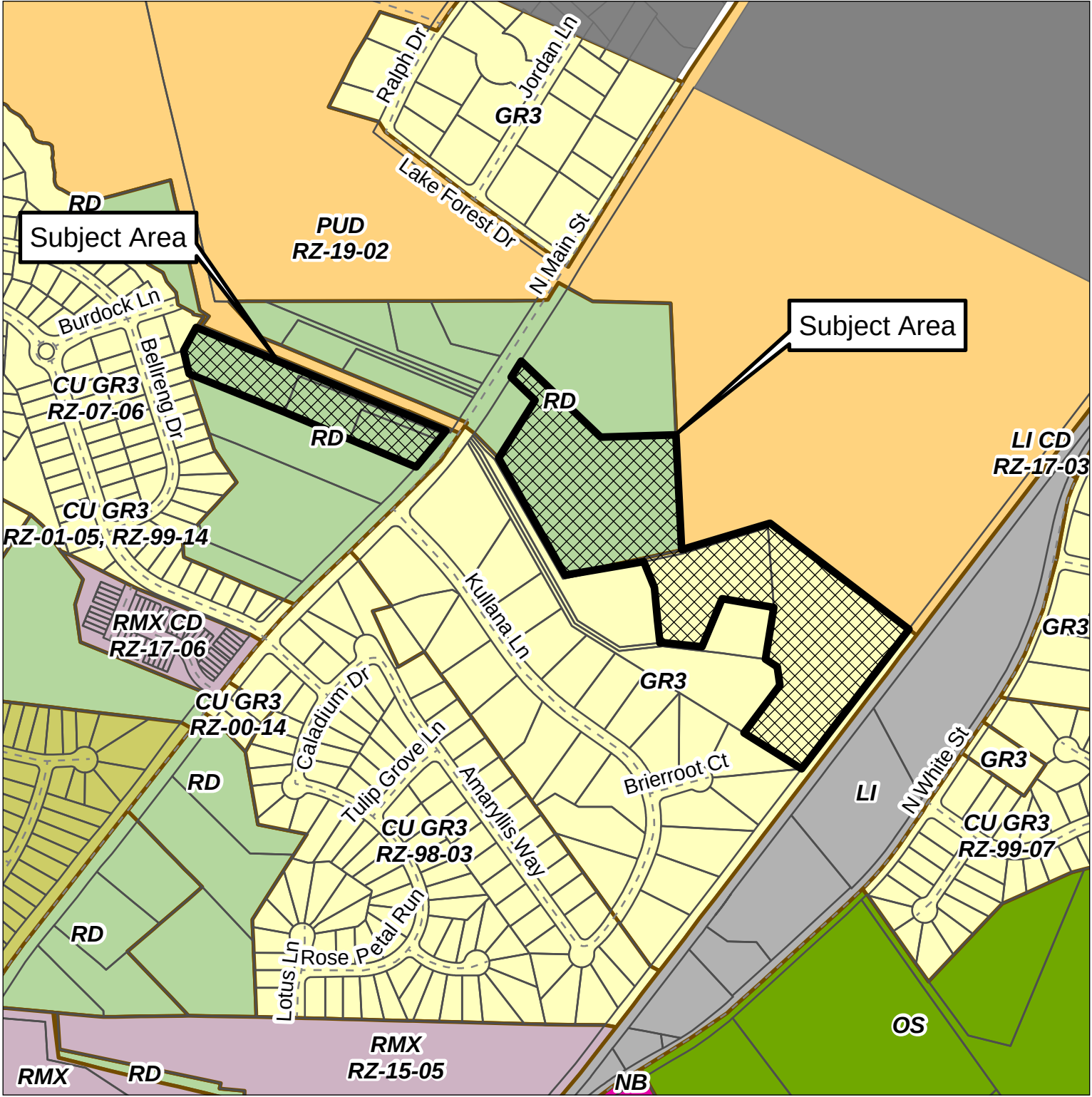
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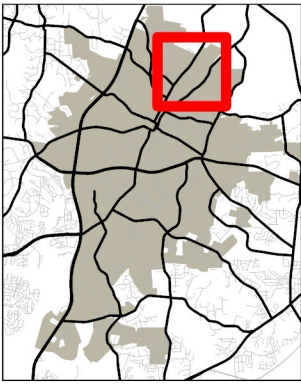


RZ-22-02
Morris Subdivision
Conditional District Rezoning

9/26/2022



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.



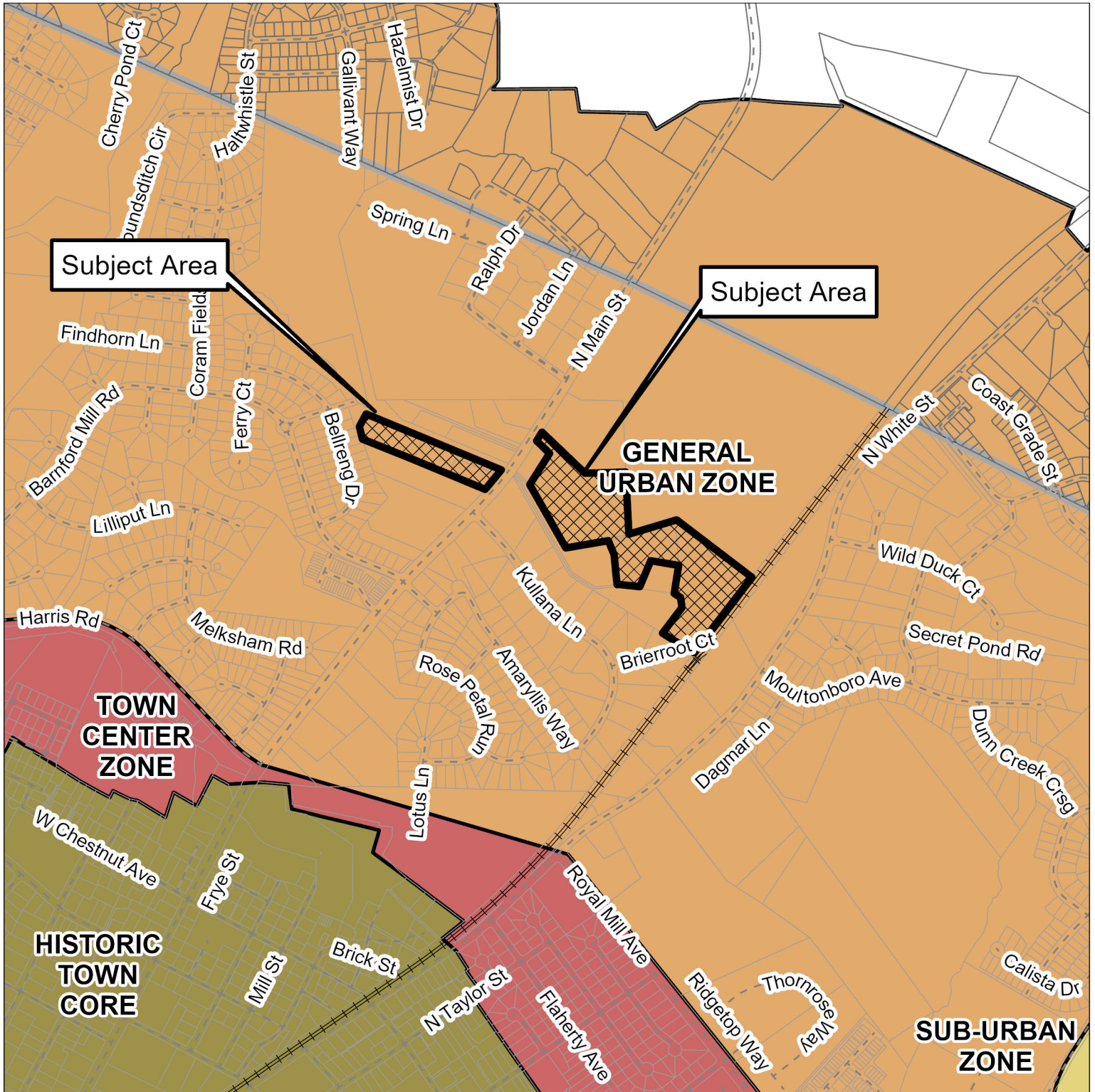
Community Plan Zones



TOWN of
WAKE FOREST

RZ-22-02 Morris Subdivision Conditional District Rezoning

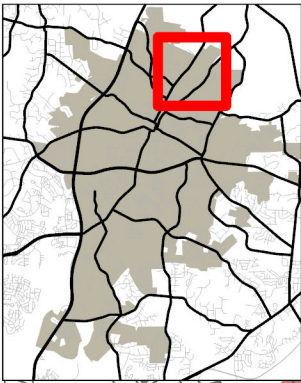
9/27/2022



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.

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Miles





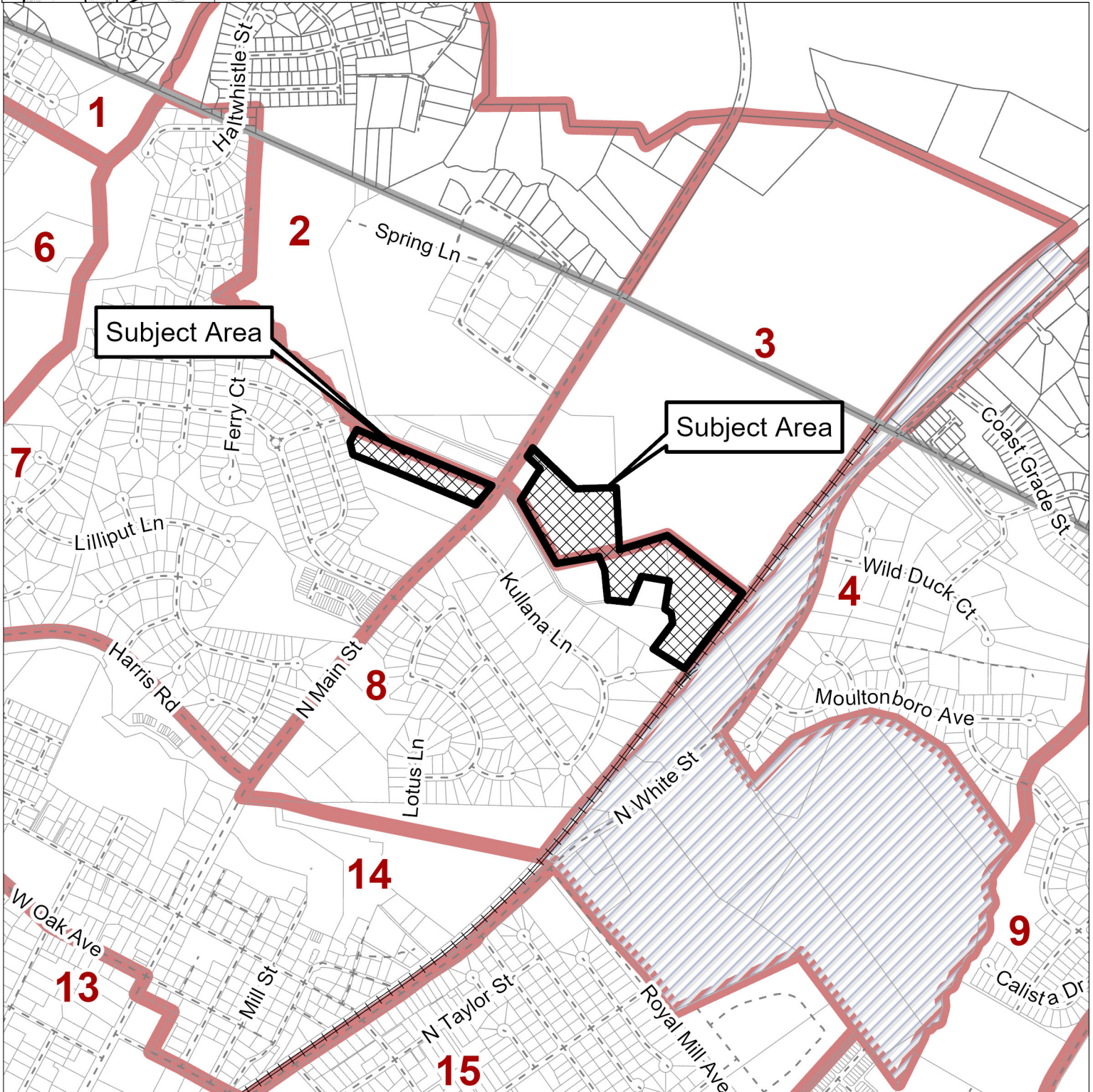
Neighborhood Planning Areas



TOWN of
WAKE FOREST

RZ-22-02 Morris Subdivision Conditional District Rezoning

9/27/2022



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.

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Miles





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: FLM Engineering, Inc

Owner: Julius and Janest Morris; Edward and Louise Smith

Requested Action: Rezone 22.95 acres on the Town of Wake Forest Zoning Map to General Residential 10 Conditional District (GR10-CD)

Existing Zoning: Rural Holding District (RD) and General Residential 3 (GR3)

Location: 0 (portion), 1159, 1161, 1163, and 1164 (portion) N. Main Street

Size: 22.95 acres

Tax PINs: 1841984646 (portion), 1851084059 (portion), 1841886835, 1841883996, 1841890142, and 1841987225 (portion)

Existing Land Use: Vacant and Manufactured Housing

Applicable Officially Adopted Plans:

The request is generally Consistent with the relevant policies in the Comprehensive Plan, and Approval 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 11th day of October 2022.

Introduced by Planning Board member: Board Member Hickey

Seconded by Planning Board member: Board Member Joyner

Attest:


Joe Kimray, Planning Board Chair


Courtney Tanner, Planning Director

Community Plan Consistency Grid				
GENERAL POLICY RECOMMENDATIONS		YES	NO	NA
GPR-1	Develop complete neighborhoods built around gathering spaces with a mix of housing types, lot sizes, and integrated commercial uses versus monolithic subdivisions			
GPR-2	Appropriately transition large-scale commercial, institutional, and industrial uses into surrounding neighborhoods			
GPR-3	Integrate alternative modes of transportation, such as transit and biking, into development			
GPR-4	Carefully configure street patterns to allow for multiple outlets from neighborhoods, and to continue the policy of providing for connections between neighborhoods, without encouraging through traffic			
GPR-5	Require sidewalks, bikeways and greenways as part of the necessary infrastructure for new development			
GPR-6	Require regularly spaced street trees, selected and planted in accordance with a street tree master plan, in new developments, whether commercial, office or residential			
GPR-7	Place new public and private buildings of architectural significance in locations of prominence and visual importance			
GPR-8	Ensure neighborhoods have adequate open space areas designed into the development			
GPR-9	Ensure residential architecture respects the value of the street upon which it faces with houses pulled up to the street, porches in the front, garages to the rear or setback from the rest of the home's front facade, and front walkways to the sidewalk			
POLICIES FOR OLDER NEIGHBORHOODS		YES	NO	NA
ON-1	Concentrate police protection, preferably in the form of foot and bicycle patrols, as part of a comprehensive strategy for neighborhood revitalization and crime prevention			
ON-2	Encourage pedestrian-level streetlights and appropriately designed private property lights , particularly in the town's older walkable neighborhoods			
ON-3	Implement housing programs, code enforcement activities, and public improvements in partnership with residents in targeted neighborhood areas and include restoration and rehabilitation activities			
ON-4	Ensure new infill development is architecturally compatible with existing structures, site layout and the streetscape within its vicinity			
ON-5	Continually reinvest in the infrastructure of older urban neighborhoods, including but not limited to: park improvements, sidewalks, street paving and maintenance, street trees, street lights, water and sewer lines, and drainage			
ON-6	Encourage pedestrian-oriented, designed and scaled stores and services providing basic necessities to residents of the town's older neighborhoods			
ON-7	Facilitate mass transit services through recognition of planned transit routes, development mix and density, and accommodation for future transit stop locations in redevelopment and infill projects in older neighborhoods			
POLICIES FOR NEWER NEIGHBORHOODS		YES	NO	NA
NN-1	Encourage architecturally compatible accessory housing on developed lots within existing neighborhood areas, especially for the elderly			
NN-2	Working in cooperation with neighborhood residents, support the provision of greenways, bikeways and walkways within existing neighborhoods			
NN-3	Architecturally compatible, residentially scaled office and institutional development may be permitted along major streets forming a boundary of a neighborhood planning area			
NN-4	Existing, less intensive development (i.e. residential or office uses) located at the intersection of two or more major streets may be allowed to undergo an orderly transition to appropriate commercial use, provided that original use is no longer viable and that careful site design will allow for compatibility with adjoining areas			

Community Plan Consistency Grid				
POLICIES FOR FUTURE NEIGHBORHOODS		YES	NO	NA
FN-1	Promote a walkable community to minimize sprawl, as most new neighborhoods should be compact in form			
FN-2	Ensure new neighborhood streets are no wider than necessary to serve their intended purpose			
FN-3	Consider future transit service corridors and reinforce these corridors with development mixtures and densities appropriate for transit services			
FN-4	Include at least one neighborhood center or focal point in neighborhood planning areas			
FN-5	Encourage neighborhood serving businesses in neighborhood design			
FN-6	Encourage centrally located amenity centers and discourage them on the periphery of neighborhoods			
FN-7	Encourage a mixture of housing types, sizes, and prices for each neighborhood planning area			
FN-8	Encourage higher density housing that is served by transit and located close to adjoining work and shopping areas			
FN-9	Ensure new neighborhoods are connected to other neighborhoods, shopping, and work areas within the neighborhood planning area			
FN-10	Ensure street design gives equal priority to pedestrians and automobiles			
FN-11	Recognize bike routes and greenways in neighborhoods at the time of development			
POLICIES FOR EXISTING COMMERCIAL AREAS		YES	NO	NA
EC-1	Encourage appropriate landscaping and reconfiguration of large, existing unlandscaped parking areas.			
EC-2	Encourage the provision of convenience clusters for pedestrians, bicyclists and future transit services at strategic locations in existing commercial areas			
EC-3	Encourage the consolidation of commercial driveways onto major streets and the connection of adjacent parking lots			
EC-4	Encourage businesses to replace existing, non-conforming signage with more attractive, conforming signage.			
EC-5	Encourage new infill development across the front street face of existing, over-designed parking lots			
EC-6	Continue to prohibit billboards within the planning jurisdiction of Wake Forest			
EC-7	Ensure bicycle and pedestrian access to existing commercial areas			
POLICIES FOR FUTURE LARGE-SCALE COMMERCIAL AREAS		YES	NO	NA
LSC-1	Encourage large-scale commercial developments where appropriate, to contain a diverse mixture of retail, office, restaurant and service uses			
LSC-2	Locate large-scale commercial uses on the corners of neighborhood planning areas, that is, at the intersection of two or more major streets			
LSC-3	Allow planned mixed-use developments which allow for a compatible mixture of residential and non-residential uses with a pedestrian scale and design should be encouraged			
LSC-4	In planning for a new large scale development, buffer large-scale uses from adjacent residential areas by smaller scale buildings or by buffer strips			
LSC-5	Except for limited access highways, pull up new commercial buildings to the street; parking should be placed to the rear or side of the structure			
LSC-6	When appropriate, require the use of all around architecture (high quality facades on all sides of a building)			
LSC-7	Plan ahead for new large-scale commercial development in regards to future public transit stops and convenience clusters			
LSC-8	Limit driveway access for new large-scale commercial development to major thoroughfares and connect all adjacent parking lots			
LSC-9	Cluster together auto dealerships, large equipment sales and other businesses primarily dependent upon expansive outdoor sales lots for both functional and economic reasons			
LSC-10	Strongly discourage the abandonment of "big box" retail stores, for the purpose of relocating to another "bigger box" location in the community			

Community Plan Consistency Grid				
POLICIES FOR SMALL SCALE NEIGHBORHOOD BUSINESSES		YES	NO	NA
SSB-1	Encourage small scale, pedestrian-oriented shopping and work places in the design of new neighborhoods			
SSB-2	Locate neighborhood businesses at center of planning area rather than major thoroughfares			
SSB-3	Ensure neighborhood businesses are designed at a residential scale and character			
SSB-4	Coordinate the location of neighborhood serving businesses with bikeways and, where appropriate, future transit stops			
SSB-5	Employ on-street parking in coordination with a limited amount of off-street parking for neighborhood serving businesses			
SSB-6	Ensure neighborhood businesses have residential scale signage and lighting			
SSB-7	Ensure neighborhood businesses encouraged as upfront infrastructure cost of new development			
SSB-8	Ensure neighborhood businesses locate near public amenities if opportunity allows			
SSB-9	Encourage living quarters over small retail shops and offices			
POLICIES FOR FIRST GENERATION BUSINESS AND INDUSTRIAL AREAS		YES	NO	NA
FGI-1	Actively participate, facilitate and partner in the adaptive reuse and conversion of former production, warehousing and manufacturing buildings into uses compatible with their design and location			
FGI-2	If the demolition of an old industrial building or complex becomes necessary, any new structure(s) and site redevelopment should be compatible with the neighborhood context; such redevelopment should serve to improve the quality, character and livability of the surrounding area			
POLICIES FOR SECOND GENERATION BUSINESS AND INDUSTRIAL AREAS		YES	NO	NA
SIG-1	Encourage and support the rehabilitation, improvement, and re-occupancy of viable business and industrial properties that have become vacant.			
SIG-2	The Town of Wake Forest acknowledges and supports the work of state and federal agencies, as well as its own town building inspectors, concerning the enforcement of environmental regulations and building standards, particularly concerning the redevelopment or adaptive reuse of manufacturing sites and buildings			
POLICIES FOR THIRD GENERATION BUSINESS AND INDUSTRIAL AREAS		YES	NO	NA
TGI-1	Periodically examine zoning ordinance and other development regulations to maintain or update appropriate standards and locations for manufacturing, warehouse and distribution opportunities within the Town's planning jurisdiction			
TGI-2	Employ industrial development performance standards to promote the establishment or expansion of industries that are compatible with the public health, safety, and welfare of area residents, and that are supportive of the long term economic prosperity and environmental quality of the community			
TGI-3	Provide and maintain adequate screening and buffering between residential areas and newly developed industrial sites			
TGI-4	Ensure industrial and warehouse sites located within view of a public right-of-way or nearby property provide landscaping that enhances the property and is consistent with a quality image			

Community Plan Consistency Grid				
POLICIES FOR DOWNTOWN		YES	NO	NA
D-1	Encourage a compatible, diverse mixture of retail, office, institutional, residential, dining, services, entertainment, and public open space in the downtown area			
D-2	Recognize the advantages of clustering similar activities and development forms in appropriate parts of the downtown			
D-3	Expand pedestrian oriented streetscape improvements, including wider sidewalks, street trees, decorative street lights, street furniture, and landscaping			
D-4	Direct new and expanding businesses to compatible buildings and sites in or near the downtown area			
D-5	Reserve ground floor space for retail uses with office and other uses on upper floors			
D-6	Maintain a tangible presence and commitment to the downtown through the location of the Town's major municipal offices there and encourage other local, state and federal government agencies to maintain similar commitments to the downtown			
D-7	Continue to support the Wake Forest farmers market at the municipal parking lot in downtown Wake Forest			
D-8	Continue to utilize the Renaissance Area Urban Code to ensure that development and redevelopment will be supportive of the architectural and historic context that is vital to the economic success of downtown Wake Forest			
D-9	Encourage efforts to restore missing or underutilized street frontages, particularly on lots where previous buildings have been demolished and replaced with (oftentimes) surface parking			
D-10	Locate parking lots to the side or behind buildings or in the interior of the block with off-street parking spaces for multi-family buildings being in the rear yard			
POLICIES FOR PARKS, OPEN SPACE AND RECREATION		YES	NO	NA
PR-1	In cooperation with private sector interests, develop a system of open space greenways and walking trails to connect to residential areas with, especially, schools and park facilities			
PR-2	Include mini-parks in existing and proposed developments to meet the needs of small children and the elderly, and to encourage social interaction and mutual support among area families			
PR-3	Locate parks in full view of residential/non-residential activity for security			
PR-4	Provide funding to help demand for open space and recreation created by development			
PR-5	Co-locate parks & recreation facilities with schools, utility companies, and federal, state and local government agencies			
PR-6	Continue to seek efficiencies, cost savings, and quality services for park maintenance as the Town grows			
PR-7	Continue to explore new opportunities for providing recreation programs with all available partners			
POLICIES FOR MAJOR STREETS		YES	NO	NA
S-1	Space major streets no more than 1 mile apart			
S-2	Ensure access to undeveloped sections of major streets are from intersecting minor streets, rather than private driveways			
S-3	Ensure minor streets intersect major streets regularly at approximately every 400 to 600 feet			
S-4	Incorporate central medians into the design of new or improved major streets			
S-5	Plant landscaping, and where possible, street trees in central medians of major streets			
S-6	Plant and retain streetyard vegetation along major streets to soften and unify the streetscape			
S-7	Ensure contrasting streetyards along major streets for change in visual character			
S-8	Preserve and enhance natural, cultural and historic features along major streets			
S-9	Ensure parking areas are screened from view within major street corridors			
S-10	Employ special roadway overlay zoning to help implement corridor plans			
S-11	Ensure road widenings and/or one-way pairs are avoided for streets where the original design intent and relationship to adjoining land uses was otherwise			

Community Plan Consistency Grid				
POLICIES FOR MINOR STREETS		YES	NO	NA
S-12	Encourage street patterns that respond to site topography, accentuate focal points and interesting vistas, create interesting public spaces and intersections, and that are coordinated with the placement of significant structures or open spaces			
S-13	Consider incorporation of medians in neighborhood axial streets			
S-14	Create short blocks of 300-500 feet in length to allow for many alternative routes for walking and biking, as well as a beneficial network of local streets			
S-15	Design street widths to fit the intended use of the street, corresponding to the traffic load and planned development types			
S-16	Employ a fully-connected honeycomb of streets to promote convenient circulation within the neighborhood and provide for multiple, alternative outlets from the area to adjoining neighborhoods and major streets			
S-17	Encourage on-street parking in compact neighborhoods			
S-18	Utilize grass swales to capture runoff in conservation subdivisions			
S-19	Ensure turning radius of corners at intersections are as small as possible to shorten the street crossing distance for pedestrians at intersections			
S-20	Install traffic calming methods as necessary to enhance livability			
POLICIES FOR SIDEWALKS		YES	NO	NA
SW-1	Where no sidewalks are present, provide sidewalks in existing developed areas to connect residential areas to walkable pedestrian destinations			
SW-2	Ensure sidewalks are required on both sides of the street in new developments when along thoroughfares and collectors, in multi-family developments, in "front porch" developments, and along local streets within walking distance of a major pedestrian trip attractor			
SW-3	Ensure sidewalk widths correspond with anticipated pedestrian traffic volumes, adjoining land uses, and sidewalk activities with minimum sidewalk widths at 5 feet, or 6 feet if along the verge of a street			
SW-4	Continue curb stamp installation and retrofit curb ramps in existing sidewalks			
SW-5	Ensure crosswalks are plainly marked and well lit, especially where significant pedestrian activity is observed or expected			
POLICIES FOR BIKEWAYS		YES	NO	NA
B-1	The bicycle facility selection guide, as used by the Federal Highway Administration, shall be employed for determining the most suitable type of bicycle facility for any new or upgraded roads in Wake Forest			
B-2	Facilitate bicycle and pedestrian way connections between neighborhoods, either by street or connecting path, to enable the effective use of local, minor streets for pedestrian and bicycle travel			
B-3	Install striped bicycle lanes and appropriate signage along existing streets where called for in the Bicycle Plan			
B-4	Install striped bicycle lanes and appropriate signage along new collector streets			
B-5	Install bicycle-responsive signals at intersections where appropriate			
B-6	Ensure all new public and private developments have bike parking and bicycle access			
B-7	Examine all future road construction and improvements for bikeway feasibility and conformity with the Town of Wake Forest Bicycle Plan			
B-8	Examine all future developments and site plans for bicycle compatibility and conformity with the town Bicycle Plan			
B-9	Include bicycle facilities and their impacts in traffic impact analyses for new private developments			
B-10	Establish and implement pedestrian and bicycle friendly schools zones around all schools			
B-11	Ensure bicycle-related improvements are an integral component of the Town's annual budget for public infrastructure investment			

Community Plan Consistency Grid				
POLICIES FOR GREENWAY TRAILS		YES	NO	NA
GT-1	Continue to pursue a greenway trails system that connects residential areas with schools and park facilities			
GT-2	Develop greenway trails in accordance with the environmental conditions of its corridor, its intended use for travel versus recreation, and the anticipated traffic volume of pedestrians and bicyclists			
GT-3	Ensure greenway construction is treated as a normal element of infrastructure necessary to support new development			
GT-4	Ensure greenway maintenance and safety in Town control after transfer from private control			
POLICIES FOR PUBLIC TRANSPORTATION		YES	NO	NA
PT-1	Support the successful operation and expansion of transit with compact, transit-compatible development patterns			
PT-2	Require site planning that incorporates transit stops and convenience clusters			
POLICIES FOR STREET TREES		YES	NO	NA
ST-1	Prepare and maintain an official Street Tree Planting Master Plan			
ST-2	Ensure consistent street tree species occur along certain sections of streets			
ST-3	Ensure a diversity of street tree species Town wide with no single species comprising more than 10-15% of total trees			
ST-4	Install regularly spaced street trees in central medians and frontage street medians			
ST-5	Continue to require The planting or preservation of street trees of appropriate size and species			
ST-6	Maximize available budget dollars for street tree master plan implementation			
POLICIES FOR STREETLIGHTS		YES	NO	NA
SL-1	Ensure streetlights are installed according to the design speed and/or intended use of the street or area they serve			
SL-2	Periodically evaluate emerging lighting technologies for best color, brightness and energy efficiency			
SL-3	Continue to develop and implement joint policies and standards for street light selection, installation, operation and maintenance in cooperation with Wake Electric and Duke/Progress Energy			
SL-4	Ensure streetlights are installed on both sides of streets unless a newly approved street is planned from the outset to have a sidewalk on only one side			
POLICIES FOR UTILITY POLES AND WIRES		YES	NO	NA
UPW-1	Maintain a master plan for the undergrounding of utilities, with priority given to pre-determined areas			
UPW-2	Ensure major town entrances and gateway corridors receive first priority for the undergrounding of overhead utilities			
UPW-3	Ensure high visibility, pedestrian-oriented areas receive second priority for the undergrounding of overhead utilities			
UPW-4	Ensure overhead utilities in other priority areas are placed underground or relocated as opportunities arise			
POLICIES FOR WIRELESS TELECOMMUNICATION FACILITIES		YES	NO	na
WTF-1	Facilitate the development of wireless service technology as an economic development asset and significant benefit to the town and its residents			
WTF-2	Ensure the impacts of wireless telecommunication facilities should not be permitted to compromise the health, safety and public welfare of area residents; nor should such facilities be allowed to diminish the character of the community and visual quality of its environment			
WTF-3	Ensure that in residential areas, historic districts and the Renaissance districts, cell towers are only considered when there is no alternative for serving those areas and no other alternative wireless telecommunication structure can be utilized			
WTF-4	Initiate updates to standards for wireless telecommunication facilities as new technologies and structural requirements for wireless capabilities emerge over time			

Community Plan Consistency Grid				
POLICIES FOR TOWN AND SPECIAL AREA ENTRANCES		YES	NO	NA
TSE-1	Employ noticeable streetscape improvements to clearly announce a town entrance and to enhance gateway corridors			
TSE-2	Extend streetscape improvements as the Town limits expand			
TSE-3	Employ special "gateway" treatment where where a bridge, underpass, overpass or other roadway feature is located at an entry point to the town or some portion of it			
POLICIES FOR COMMUNITY CHARACTER		YES	NO	NA
CC-1	Employ architectural standards consistent with Wake Forest's architectural character for new, expanding, or improved businesses			
CC-2	Exceptional locations, views and vistas in the town should receive exceptional treatment and/or protection in design and development			
CC-3	Place noteworthy buildings, important outdoor spaces, objects of historic merit, important monuments, and significant works of art in positions of visibility and prominence			
CC-4	Incorporate significant natural and existing man-made elements into the thematic design of new developments			
CC-5	Save large trees, ponds, creeks, or other natural features of the landscape when locating new streets, buildings, parking lots, etc			
CC-6	Support community character by ensuring development is compatible with surrounding area			
CC-7	Ensure exterior lighting is attractive, functional and safety conscious, while also avoiding negative impacts on the night sky visibility of Wake Forest			
POLICIES FOR REGIONAL TRANSPORTATION		YES	NO	NA
RT-1	Continue to anticipate and plan for the impacts of new high speed rail service as it passes through Wake Forest en route to major urban centers north and south along the east coast			
RT-2	Continue to anticipate and plan for the transformation of US 1 Capital Blvd into a limited access freeway and multi-modal transportation corridor as per the plans of the US 1 Corridor Study			
RT-3	Support the express bus service between downtown Wake Forest and downtown Raleigh			
POLICIES FOR WATER AND SEWER		YES	NO	NA
WS-1	Work proactively with other local governments, utility service providers, and the State of North Carolina on regional, long term solutions for water supplies and sewage treatment			
WS-2	Place water and sewer utilities in areas where growth is desired			
WS-3	Avoid placing sewer utilities in environmentally sensitive areas or in areas where open space is desired			
WS-4	Encourage the development of sewer services that employ water reuse technologies			
POLICIES FOR WATER CONSERVATION		YES	NO	NA
WC-1	Conserve, to the fullest extent possible, potable water and waste water treatment capacity			
WC-2	Employ other types of non-municipal water supplies such as wells, rainwater catching systems, rain barrels and in-ground cisterns			
WC-3	Eliminate or reduce usage of the municipal water supply for outside irrigation			
WC-4	Encourage new development to plant drought tolerant grasses on lawns			
WC-5	Encourage construction of new rainwater retainage systems			
WC-6	Encourage new development to include traditional plants native to the area			
WC-7	Encourage the installation of water saving devices in new and existing development			

Community Plan Consistency Grid				
POLICIES FOR COMMUNITY ORIENTED SCHOOLS		YES	NO	NA
S-1	Plan for new school locations in advance through joint collaboration between the Town and School Board — with emphasis on steering facilities to desirable growth areas and avoiding sprawl			
S-2	Encourage offering land for new school facilities, particularly in conjunction with related neighborhood development			
S-3	Design safe campuses with pedestrian access to adjoining neighborhoods			
S-4	Prioritize traffic management and safety in the vicinity of public schools			
S-5	Co-locate school facilities with other community facilities and services			
S-6	Ensure costs for new schools should be borne largely by new growth and development creating the demand			
S-7	Foster diversity in community-oriented public schools by encouraging diversity in nearby neighborhoods feeding each school			
POLICIES FOR PAYING FOR GROWTH		YES	NO	NA
PFG-1	Ensure the costs of infrastructure, facilities and services related to new growth and development should be borne primarily by those creating the demand			
PFG-2	Continually seek to balance residential and non-residential development to foster a favorable service-cost to revenue-generated tax base			
PFG-3	Fees charged by the Town for development reviews and inspections should approximate the actual costs to the Town of conducting such work			
PFG-4	Explore cost recovery fees for new "greenfield" development			
PFG-5	Undertake annual planning and budgeting for capital facilities			
POLICIES FOR A HEALTHY SUSTAINABLE ENVIRONMENT		YES	NO	NA
HSE-1	Ensure development policies work to make Wake Forest more walkable and pedestrian-friendly, and less dependent on the single-occupant automobile			
HSE-2	Encourage compact, transit-oriented, mixed-use developments to facilitate walking, biking and transit options			
HSE-3	Locate new higher density residential development within walking distance of jobs and services and design it to be transit compatible with current and future transit services			
HSE-4	Recognize and facilitate low impact development			
HSE-5	Ensure runoff and drainage from development is of a quality and quantity as near to natural conditions as possible			
HSE-6	Require vegetative riparian buffers along all creeks, rivers, lakes and other water bodies in Wake Forest			
HSE-7	Encourage conservation subdivisions where site conditions call for minimizing environmental disturbance and protecting adjoining natural resources			
HSE-8	Ensure large parking lots have landscaped planting islands and perimeter buffer strips and may use other design technologies to intercept and absorb runoff			
HSE-9	Carefully control development activities in the special flood hazard areas			
HSE-10	Encourage the construction of energy efficient structures, including the use of "green" building design			
HSE-11	Ensure site plans for new development work sympathetically with the natural features of the land, including existing topography and significant existing vegetation			
HSE-12	Explore a combination of incentives and disincentives to protect existing trees and/or require the replacement of trees removed for development			
HSE-13	Encourage green infrastructure (grassed swales, rain gardens, bio-retention strips, cisterns, rain barrels, permeable pavements, etc.)			
HSE-14	Offer a variety of solid waste reduction strategies and services including educational programs on waste prevention, recycling and reuse			
HSE-15	Facilitate proper disposal of household hazardous waste materials			
HSE-16	Encourage on-site residential composting			
HSE-17	Continue off-site mulching and redistribution of landscape yard waste			
HSE-18	Continue to support education and activities that reduce litter and illegal dumping			
HSE-19	Continue to plan in advance for area requirements concerning solid waste collection and disposal			

Community Plan Consistency Grid				
POLICIES FOR ECONOMIC DEVELOPMENT		YES	NO	NA
ED-1	Encourage new and expanding industries and businesses that are compatible with the long-term quality of the area's natural and cultural resources, match up well with the area's infrastructure and services, employ and develop the skills of area workers, and diversify the local economy			
ED-2	Retain quality businesses and to attract new ones continue to invest in infrastructure and services that sustain and enhance the area's already high quality of life, image and cultural identity			
ED-3	Pursue economic and business development partnerships between the Town, other local jurisdictions, other economic development organizations, and private companies			
ED-4	Strive for a financial and regulatory environment that supports the establishment and growth of small business			
ED-5	Develop real estate "product" suitable for business placement that focuses on the identification, enhancement and certification of buildings and sites readily available for construction and/or occupancy			
POLICIES FOR ARTS CULTURE AND HISTORIC PRESERVATION		YES	NO	NA
ACH-1	Encourage efforts and actively participate in the provision of indoor and outdoor public and private spaces to showcase the work of visual and performing artists in Wake Forest			
ACH-2	Encourage new private sector developments to include art as an integral element of privately owned common areas and semi-public spaces			
ACH-3	Ensure budgets for new construction and renovations of town buildings include a line item for the purchase and display of art			
ACH-4	Continue to have cultural arts be enhanced as a permanent function of the Town's recreation program offerings			
ACH-5	Employ design standards that ensure development and redevelopment is consistent with the architectural context, community character, economic attractiveness and livability of Wake Forest			
ACH-6	Encourage the identification, restoration, and active use of structures, buildings, monuments, landmarks, sites and neighborhoods of historic or architectural significance			
ACH-7	Strongly discourage the destruction of architectural, historic, and archeological resources of Wake Forest			
POLICIES FOR PUBLIC SAFETY		YES	NO	NA
PS-1	Employ community education, school, and public involvement programs to enhance community awareness of public safety issues			
PS-2	Periodically review the need for additional paid personnel, capital improvements and equipment needs to meet or exceed public safety standards, insurance ratings and other measures of public safety			
PS-3	Strategically locate additional public safety substations, provided that sufficient resources can be made available to properly staff and equip them			
PS-4	Proactively support legislative efforts to strengthen local law enforcement tools			
PS-5	Employ a holistic approach to public safety involving residents, businesses, and institutions in the preparation of neighborhood improvement plans, with priority given to public safety concerns			
PS-6	Encourage excellence in law enforcement, fire protection, and emergency services through on-going education, training and participation in national accreditation programs			
PS-7	Support the establishment of an east-west through street (or loop road) on the north side of town to improve emergency access to locations in that area			
POLICIES FOR LEADERSHIP AND COMMUNITY INVOLVEMENT		YES	NO	NA
LCI-1	Continue to emphasize the importance of advisory boards & committees in conducting the Town's business			
LCI-2	Ensure boards and committees of the Town are representative of the population and geography of the planning area or subject matter being addressed			
LCI-3	Encourage public involvement in decisions on land use and development by making the public aware of proposed developments at the earliest lawful opportunity, as well as fostering communication between developers and the general public			
LCI-4	Encourage neighborhood and special area planning			
LCI-5	Continue to ensure maintenance and enhancements to the Town's internet and multi-media news dissemination capabilities			

Community Plan Consistency Grid				
LCI-6	Participate proactively in the cooperation of efforts among civic and volunteer organizations for maximum impact in the community			

ORDINANCE 2022-XX

ORDINANCE AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE TOWN OF WAKE FOREST TO CHANGE THE ZONING OF APPROXIMATELY 22.95 ACRES LOCATED AT 0 (PORTION), 1159, 1161, 1163, AND 1164 (PORTION) N. MAIN STREET, BEING WAKE COUNTY TAX PINS 1841984646 (PORTION), 1851084059 (PORTION), 1841886835, 1841883996, 1841890142, AND 1841987225 (PORTION), FROM RURAL HOLDING DISTRICT (RD) AND GENERAL RESIDENTIAL 3 (GR3) TO GENERAL RESIDENTIAL 10 CONDITIONAL DISTRICT (GR10-CD)

RZ-22-02, MORRIS SUBDIVISION

WHEREAS, the application submitted by FLM Engineering, Inc 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 October 11, 2022 and the Board of Commissioners held a public hearing on November 15, 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 Numbers 1841984646 (portion), 1851084059 (portion), 1841886835, 1841883996, 1841890142, and 1841987225 (portion), and adjacent right-of-way to centerlines, and described in Exhibit 1, are located within the Town’s Extraterritorial Jurisdiction.

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 Rural Holding District (RD) and General Residential 3 (GR3) 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 – Morris Subdivision 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 inconsistent with the Community Plan, but is reasonable and is in the interest of the public 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. The subdivision 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 subdivision master plan.
2. The following setbacks shall apply:
 - Minimum principal front setback: 10’ (18’ garage setback)
 - Minimum street side/secondary front setback: 10’
 - Minimum side setback: 3’
 - Minimum rear setback: 15’
3. Road 1 shall have a maximum block length of 1,200’.
4. All lots shall be planted with a minimum of one (1) canopy tree and one (1) understory tree within an 8’ HOA landscaping easement. Each lot must have trees planted prior to the Certificate of Occupancy being released.
5. The subdivision covenants shall prohibit the removal of required trees on individual property unless the Town finds that there is a risk to property damage, or the health of the tree is in decline and the tree must be replaced.
6. Active recreation uses shall include, but shall not be limited to, two (2) gaming tables, two (2) permanent sets of cornhole courts, and a bocce ball court. Other similar active recreation alternatives could be provided as approved by the Administrator. Active recreation components shall be installed prior to the 50th percentile building permit.
7. Prior to the issuance of the first building permit, a 6’ tan or brown wood or composite material opaque fence shall be placed on/or near the property boundary, as specified by each property owner, along the following adjacent properties: Bakker (PIN 1841985060), Bowman (1841882891), Firment (PIN 1841978941), and Snyder (PIN 1851070539).
8. Prior to the issuance of the first building permit, the Developer shall provide a 6’ tan or brown wood or composite material opaque fence and/or screening vegetation along the Flores (PIN 1841994194) property boundary in areas not occupied by public right-of-way, stream buffer, or easements.
9. Prior to the issuance of the first building permit, the Developer shall assess the feasibility of keeping the 30+/- Leland Cypress Trees along the Firment (PIN

1841978941) boundary. If the trees cannot be kept, developer shall replace them with similar vegetation on the Firment property.

10. Water and sewer connections and road access shall be provided to the Firment (PIN 1841978941) property.
11. Work with Duke Power and Pike to relocate the existing overhead power lines and the power pole and transformer on the edge the Firment (PIN 1841978941) driveway. Any pad mounted transformer shall not hinder use of the driveway or future access to the subdivision road and water and sewer. The developer shall be responsible for any costs associated with the relocation of power for the Flores (PIN 1841994194) property.
12. A minimum 5'-wide public sidewalk connection shall be made from Road 1 through the proposed sewer easement to N Main Street to facilitate pedestrian connectivity from the west side to the east side of the subdivision.
13. Garages shall not protrude further than two (2) feet from the front porch or front wall of the house, whichever is closest to the front property line.
14. Section 5.5.2.A, B, and C shall be applicable to the site.
15. Section 5.5.3.A shall be applicable to the site.
16. Section 5.5.5 shall be applicable to the site.
17. Section 5.5.4.D shall be applicable to the site.
18. An exterior wall that fronts on a right-of-way including a secondary street side shall contain at least three decorative elements such as, but not limited to, the following elements:
 - Bay window
 - Recessed window
 - Decorative window
 - Wrap around porch or side porch
 - Two or more building materials
 - Decorative brick or stone
 - Decorative trim (not otherwise included around windows per condition #20 below)
 - Decorative shake
 - Decorative air vents on gable
 - Decorative gable
 - Decorative cornice
 - Column
 - Portico
 - Balcony
 - Dormer
19. A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three color families for siding and shall include varied trim,

shutter, and accent colors complementing the siding color. Where varied siding and trim, shutter, and accent colors are not provided on an individual dwelling, a minimum of three varied materials shall be provided.

20. All elevations of the units that front on a right-of-way including a secondary street side shall have trim around the windows.
21. The Architectural and Review Guidelines for the community shall include the following language regarding parking:
- Homeowners are expected to park vehicles in their garage or driveway, not on the street.
 - Street parking is only for short-term situations (e.g. guest parking overflow or maintenance vehicles), should allow for safe and efficient movement of traffic, and not block or hinder a neighbor's access to their driveway.
 - Street parking within 25' of a stop sign or within 15' of a fire hydrant is prohibited.
 - Parking of commercial vehicles or vehicles in disrepair is not permitted except within an enclosed garage.
 - Parking is prohibited on the grass or the medians.
 - Garage doors should be kept in the closed position unless they are in use.
22. Prior to the approval of Construction Drawings, the applicant shall receive written permission from the Kinsley property owner that the current stub connection of Road 2 is acceptable as depicted in the Morris Subdivision Master Plan. If permission is not granted, the Morris Subdivision Master Plan shall be revised to realign the road connection so that it does not require any additional right-of-way dedication by the Kinsley development.

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.

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

CMP Professional Land Surveyors

Michael A. Moss, PLS L-3794

Telephone (919) 556-3148

Jason L. Panciera, PLS L-3835, CFSNC-140

L. Jordan Parker Jr., PLS L-4685

333 South White Street, Post Office Box 1253

Wake Forest, NC 27588-1253

LEGAL DESCRIPTION

BEGINNING AT A NEW IRON PIPE LOCATED ON THE EASTERN RIGHT-OF-WAY OF N. MAIN STREET (U.S. 1-A), SAID NEW IRON PIPE BEING THE COMMON CORNER OF PARCEL PIN# 1841.08-99-4194 AND SUBJECT PARCEL; THENCE LEAVING RIGHT-OF-WAY S 46°14'13" E A DISTANCE OF 434.62' TO A BENT EXISTING IRON PIPE; THENCE N 88°23'41" E A DISTANCE OF 298.10' TO AN EXISTING IRON PIPE; THENCE S 02°52'48" E A DISTANCE OF 459.80' TO AN EXISTING IRON PIPE; THENCE N 72°49'01" E A DISTANCE OF 364.73' TO AN EXISTING IRON PIPE, SAID EXISTING IRON PIPE HAVING NC GRID NAD 83/2011 COORDINATE N(y): 818,508.97' E(x): 2,150,147.11'; THENCE S 52°29'59" E A DISTANCE OF 693.84' TO AN EXISTING IRON PIPE; THENCE S 37°26'42" W A DISTANCE OF 207.89' TO A NEW IRON PIPE; THENCE S 37°26'42" W A DISTANCE OF 488.53' TO AN EXISTING IRON PIPE; THENCE N 57°59'27" W A DISTANCE OF 270.84' TO A NEW IRON PIPE; THENCE N 37°20'42" E A DISTANCE OF 236.23' TO A NEW IRON PIPE; THENCE N 07°42'24" W A DISTANCE OF 74.28' TO AN EXISTING IRON PIPE; THENCE N 58°14'39" W A DISTANCE OF 56.31' TO AN EXISTING IRON PIPE; THENCE N 09°22'29" E A DISTANCE OF 208.66' TO AN EXISTING IRON PIPE; THENCE N 80°39'14" W A DISTANCE OF 208.71' TO AN EXISTING IRON PIPE; THENCE S 22°43'39" W A DISTANCE OF 206.12' TO AN EXISTING IRON PIPE; THENCE N 82°57'02" W A DISTANCE OF 154.22' TO AN EXISTING IRON PIPE; THENCE S 83°46'54" W A DISTANCE OF 4.21' TO A NEW IRON PIPE; THENCE N 10°48'29" W A DISTANCE OF 366.13' TO A NEW IRON PIPE; THENCE S 83°16'21" W A DISTANCE OF 189.00' TO A NEW IRON PIPE; THENCE S 65°30'28" W A DISTANCE OF 160.90' TO A NEW IRON PIPE; THENCE N 29°31'43" W A DISTANCE OF 521.70' TO A NEW IRON PIPE; THENCE N 52°58'54" E A DISTANCE OF 15.13' TO A BENT EXISTING IRON PIPE; THENCE N 32°23'14" E A DISTANCE OF 271.16' TO A NEW IRON PIPE; THENCE N 45°10'03" W A DISTANCE OF 131.85' TO AN EXISTING IRON PIPE, SAID EXISTING IRON PIPE BEING LOCATED ON THE EASTERN RIGHT-OF-WAY OF N. MAIN STREET (U.S. 1-A), SAID EXISTING IRON PIPE BEING THE COMMON CORNER OF PARCEL PIN# 1841.08-99-1062 AND SUBJECT LOT; THENCE N 45°10'03" W A DISTANCE OF 50.23' TO A POINT AT THE CENTER OF N. MAIN STREET (U.S. 1-A); THENCE ALONG CENTERLINE N 32°14'24" E A DISTANCE OF 70.94' TO A POINT; THENCE LEAVING CENTERLINE S 46°14'13" E A DISTANCE OF 50.45' TO A NEW IRON PIPE; WHICH IS THE POINT OF BEGINNING, CONTAINING AN AREA OF 810,561 SQUARE FEET, 18.608 ACRES.

CMP Professional Land Surveyors

Michael A. Moss, PLS L-3794

Telephone (919) 556-3148

Jason L. Panciera, PLS L-3835, CFSNC-140

L. Jordan Parker Jr., PLS L-4685

333 South White Street, Post Office Box 1253

Wake Forest, NC 27588-1253

LEGAL DESCRIPTION

BEGINNING AT A NEW IRON PIPE LOCATED ON THE WESTERN RIGHT-OF-WAY OF N. MAIN STREET (U.S. 1-A), SAID NEW IRON PIPE BEING THE COMMON CORNER OF PARCEL PIN#1841.08-88-2891 AND SUBJECT LOT; SAID NEW IRON PIPE BEING LOCATED FROM N.C.G.S MONUMENT "OLD DEPOT" N 27°54'33" E A DISTANCE OF 8,039.44'; THENCE LEAVING RIGHT-OF-WAY N 66°48'10" W A DISTANCE OF 973.55' TO AN EXISTING IRON PIPE, SAID EXISTING IRON PIPE HAVING NC GRID NAD 83/2011 COORDINATE N(y): 819,098.11' E(x): 2,147,848.57'; THENCE N 13°24'42" W A DISTANCE OF 100.00' TO AN EXISTING IRON BAR; THENCE N 34°05'18" E A DISTANCE OF 99.03' TO AN EXISTING IRON PIPE; THENCE S 67°36'00" E A DISTANCE OF 1,066.00' TO A NEW IRON PIPE, SAID NEW IRON PIPE LOCATED ON N. MAIN STREET (U.S. 1-A) RIGHT-OF-WAY, SAID NEW IRON PIPE BEING THE COMMON CORNER OF PARCEL PIN# 1841.08-79-7617 AND SUBJECT PARCEL; THENCE S 67°36'00" E A DISTANCE OF 47.92' TO A POINT AT THE CENTERLINE OF N. MAIN STREET (U.S. 1-A); THENCE ALONG CENTERLINE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 199.99', WITH A RADIUS OF 1,544.53', WITH A CHORD BEARING OF S 38°13'09" W, WITH A CHORD LENGTH OF 199.85'; TO A POINT; THENCE N 66°48'10" W A DISTANCE OF 47.54' TO A NEW IRON PIPE; WHICH IS THE POINT OF BEGINNING, CONTAINING AN AREA OF 201,807 SQUARE FEET, 4.633 ACRES.

I, MICHAEL A. MOSS CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY PERFORMED UNDER MY SUPERVISION FROM REFERENCES AS NOTED HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION SHOWN IN THE REFERENCES. THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS GREATER THAN 1:10000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL

THIS _____ DAY OF _____ A.D. 2022.

PROFESSIONAL LAND SURVEYOR LICENSE NUMBER L-3794

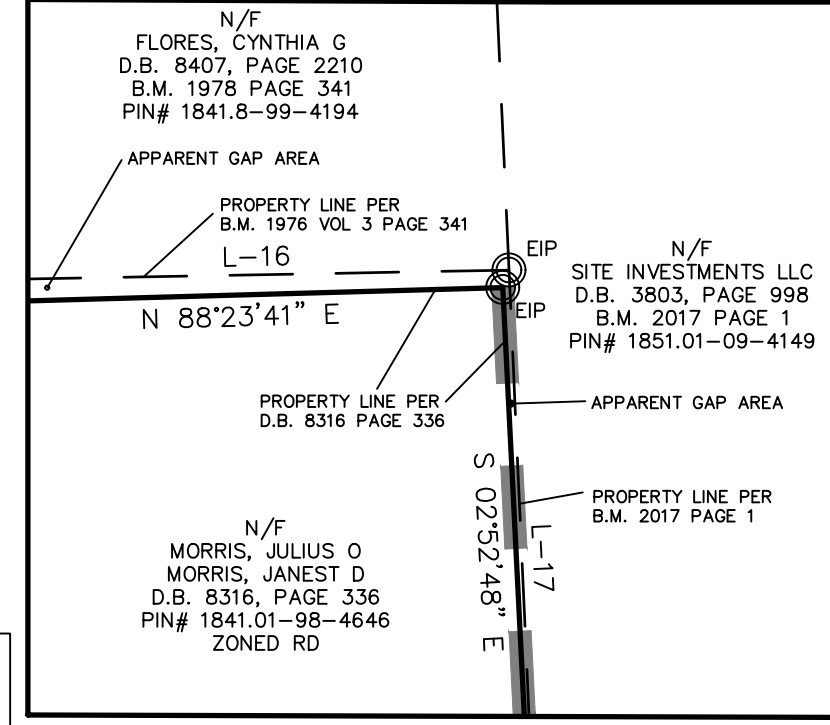
THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET. FOR THE PURPOSE OF THIS SUBSECTION, AN "EXISTING PARCEL OR EXISTING EASEMENT" IS AN AREA OF LAND DESCRIBED IN A SINGLE LEGAL DESCRIPTION OR LEGALLY RECORDED SUBDIVISION THAT HAS BEEN OR MAY BE LEGALLY CONVEYED TO A NEW OWNER BY DEED IN ITS EXISTING CONFIGURATION.

PROFESSIONAL LAND SURVEYOR LICENSE NUMBER L-3794

LAND SURVEYOR/CONTACT

CMP, PC
MICHAEL A. MOSS, PLS
333 S. WHITE STREET
WAKE FOREST, NC 27587
(919) 556-3148
MIKE@CMPPLS.COM

INSET (NOT TO SCALE)



LEGEND:

- EIP - EXISTING IRON PIPE
- EIB - EXISTING IRON BAR
- BEIP - BENT IRON PIPE
- BEIB - BENT IRON BAR
- CM - CONCRETE MONUMENT
- EPK - EXISTING PK NAIL
- SPK - SET PK NAIL
- NIP - NEW IRON PIPE SET
- R/W - RIGHT OF WAY
- CATV - CABLE TV BOX
- EB - ELECTRIC BOX
- TEL - TELEPHONE PEDESTAL
- PP - POWER POLE
- OHL - OVERHEAD LINE
- LP - LIGHT POLE
- WM - WATER METER
- WV - WATER VALVE
- CO - SEWER CLEAN-OUT

REFERENCE TABLE:

- B.M. 1978 PAGE 341
- B.M. 1985 PAGE 566
- B.M. 1992 PAGE 925
- B.M. 2011 PAGE 1173
- B.M. 2017 PAGE 1

VICINITY MAP

LINE TABLE		
LINE	BEARING	DISTANCE
L-1	N 38°19'48" W	65.63'
L-2	N 32°59'16" E	11.20'
L-3	N 32°59'16" E	10.06'
L-4	S 41°04'07" E	67.79'
L-5	S 44°30'30" E	62.18'
L-6	S 44°58'58" E	134.00'
L-7	N 32°33'56" E	71.81'
L-8	N 07°42'24" W	74.28'
L-9	N 58°14'39" W	56.31'
L-10	N 82°57'02" W	154.22'
L-11	S 83°46'54" W	170.93'
L-12	N 57°59'27" W	198.68'
L-13	N 29°26'04" W	771.67'
L-14	N 29°31'43" W	542.28'
L-15	S 47°26'54" E	432.79'
L-16	N 88°56'11" E	294.73'
L-17	S 02°33'53" E	466.03'
L-18	N 28°50'56" E	8262.24'
L-19	N 52°58'54" E	15.13'
L-20	N 32°14'24" E	70.94'
L-21	S 46°14'13" E	50.45'

REZONING MAP FOR MORRIS SUBDIVISION

0 & 1164 NORTH MAIN STREET
OWNERS: JULIUS O. MORRIS
& JANEST D. MORRIS
REF: D.B. 8316, PAGE 336
REF: D.B. 5338, PAGE 270
REF: D.B. 6215, PAGE 851
REF: B.M. 1992, PAGE 925
REF: B.M. 2011, PAGE 1173
REF: B.M. 2022, PAGE _____

TOWN OF WAKE FOREST
WAKE COUNTY, NORTH CAROLINA



SCALE 1"=120'

JULY 26, 2022

ZONED RD & GR3

PIN # 1841.08-98-4646

PIN # 1841.08-98-7225 (PORTION)

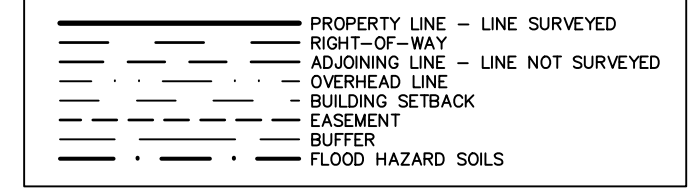
PIN # 1851.01-08-4059 (PORTION)

TOTAL AREA TO BE REZONED
810,560 S.F./18.608 AC.

NOTES:

- 1) AREA COMPUTED BY COORDINATE METHOD.

LINE TYPE LEGEND



I, MICHAEL A. MOSS CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY PERFORMED UNDER MY SUPERVISION FROM REFERENCES AS NOTED HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION SHOWN IN THE REFERENCES, THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS GREATER THAN 1:10000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL

THIS _____ DAY OF _____ A.D. 2022.

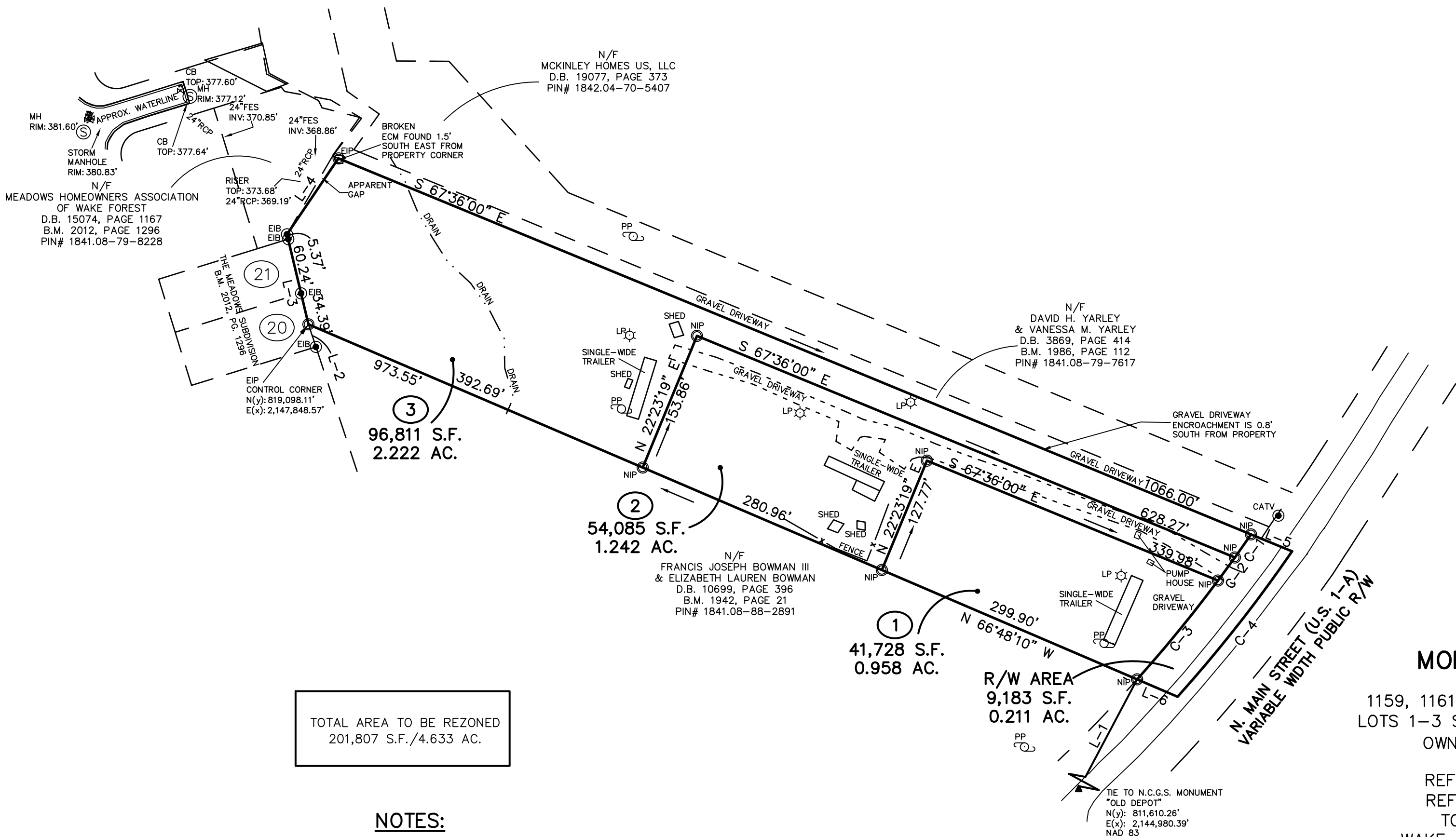
PROFESSIONAL LAND SURVEYOR L-3794
LICENSE NUMBER

THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET. FOR THE PURPOSE OF THIS SUBSECTION, AN "EXISTING PARCEL OR EXISTING EASEMENT" IS AN AREA OF LAND DESCRIBED IN A SINGLE LEGAL DESCRIPTION OR LEGALLY RECORDED SUBDIVISION THAT HAS BEEN OR MAY BE LEGALLY CONVEYED TO A NEW OWNER BY DEED IN ITS EXISTING CONFIGURATION

PROFESSIONAL LAND SURVEYOR L-3794
LICENSE NUMBER

LAND SURVEYOR/CONTACT

CMP, PC
MICHAEL A. MOSS, PLS
333 S. WHITE STREET
WAKE FOREST, NC 27587
(919) 556-3148
MIKE@CMPPLS.COM



NOTES:

1) AREA COMPUTED BY COORDINATE METHOD.

LINE TYPE LEGEND

	PROPERTY LINE - LINE SURVEYED
	RIGHT-OF-WAY
	ADJOINING LINE - LINE NOT SURVEYED
	OVERHEAD LINE
	BUILDING SETBACK
	EASEMENT
	BUFFER
	FLOOD HAZARD SOILS

LINE TABLE		
LINE	BEARING	DISTANCE
L-1	N 27°54'33" E	8039.44'
L-2	N 18°16'53" W	25.59'
L-3	S 13°24'42" E	100.00'
L-4	N 34°05'18" E	99.03'
L-5	S 67°36'00" E	47.92'
L-6	N 66°48'10" W	47.54'

CURVE TABLE				
CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C-1	30.42'	1544.53'	30.41'	S 35°01'59" W
C-2	30.89'	1544.53'	30.89'	S 36°10'12" W
C-3	137.95'	1544.53'	137.90'	S 39°18'06" W
C-4	199.99'	1544.53'	199.85'	S 38°13'09" W



VICINITY MAP

LEGEND:

- EIP - EXISTING IRON PIPE
- EIB - EXISTING IRON BAR
- BEIP - BENT IRON PIPE
- BEIB - BENT IRON BAR
- CM - CONCRETE MONUMENT
- EPK - EXISTING PK NAIL
- SPK - SET PK NAIL
- NIP - NEW IRON PIPE SET
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- CATV - CABLE TV BOX
- EB - ELECTRIC BOX
- TEL - TELEPHONE PEDESTAL
- PP - POWER POLE
- OHL - OVERHEAD LINE
- LP - LIGHT POLE
- WM - WATER METER
- WV - WATER VALVE
- CO - SEWER CLEAN-OUT

REZONING MAP FOR
MORRIS SUBDIVISION

1159, 1161 & 1163 NORTH MAIN STREET
LOTS 1-3 SUBDIVISION FOR ALICE TAYLOR
OWNERS: EDWARD B. SMITH
& LOUISE T. SMITH
REF: D.B. 11542, PAGE 761
REF: B.M. 1985, PAGE 296
TOWN OF WAKE FOREST
WAKE COUNTY, NORTH CAROLINA



SCALE 1"=120'

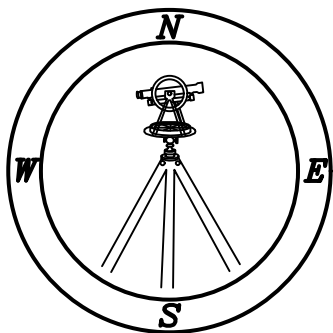
JULY 26, 2022

ZONED RD

PIN # 1841.08-88-6835

PIN # 1841.08-88-3996

PIN # 1841.08-89-0142



CMP

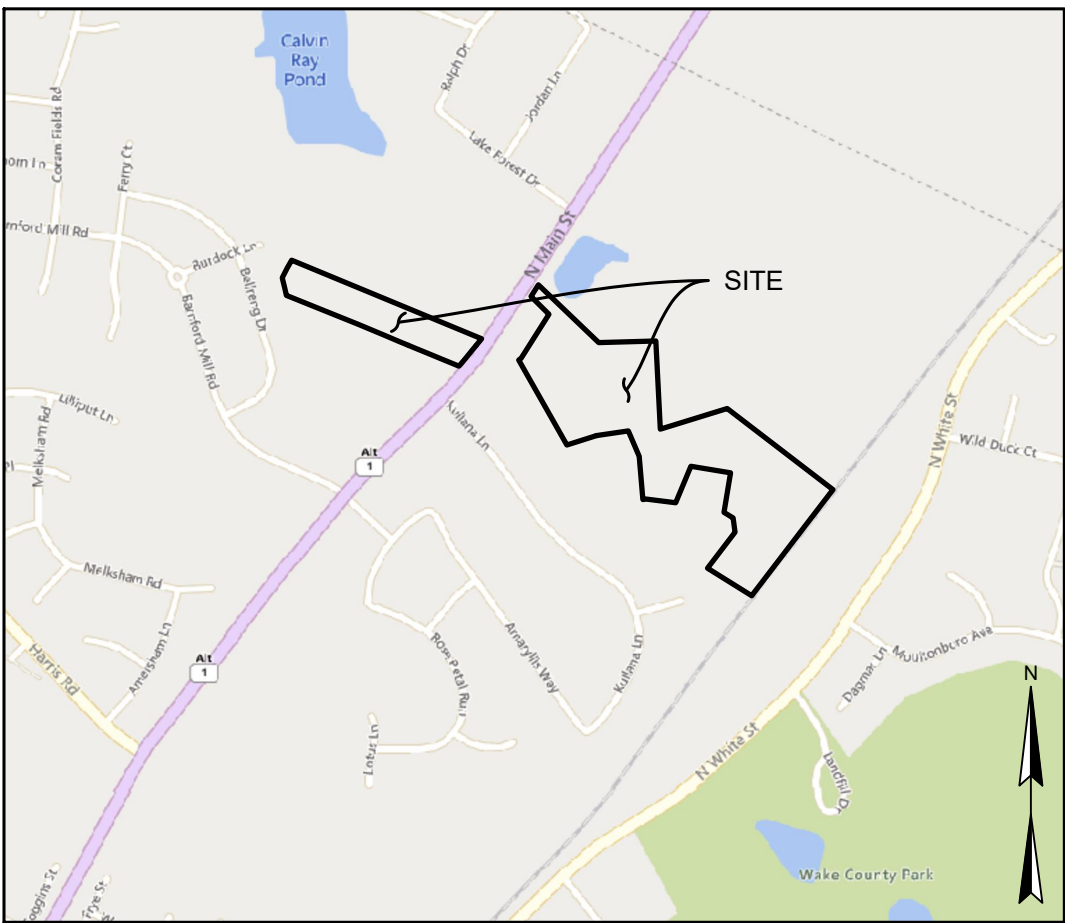
PROFESSIONAL LAND SURVEYORS, C-1525, 333 S. WHITE STREET, P.O. BOX 1253, WAKE FOREST N.C., 27588, (919) 556-3148

(X) \SUBS\MORRIS-BLUE HEEL BOUNDARY - JC)

Consistency Statement of the Wake Forest Board of Commissioners Pursuant to G.S. 160D-605 Addressing Action on Zoning Map Amendment RZ-22-02: Morris Subdivision Conditional District

The Wake Forest Board of Commissioners finds that RZ-22-02 is consistent with the 2009 Wake Forest Community Plan. The Wake Forest Board of Commissioners finds that the approval of the rezoning request is reasonable and in the public interest for the following reasons:

1. The proposed zoning district is consistent with the zoning district of adjacent and nearby properties.
2. The proposed zoning district is consistent with the General Urban Zone land use designation in the Community Plan.
3. The proposed development provides a walkable community and is compact in form.
4. The proposed development provides a connection to the Kinsley Subdivision.



VICINITY MAP
1" = 1,000'

PROPOSED ZONING CONDITIONS:

- MINIMUM PRINCIPAL FRONT SETBACK: 10' (18' GARAGE SETBACK)
- MINIMUM STREET SIDE/SECONDARY FRONT SETBACK: 10'
- MINIMUM SIDE SETBACK: 3'
- MINIMUM REAR SETBACK: 15'
- ROAD 1 SHALL HAVE A MAXIMUM BLOCK LENGTH OF 1,200'.
- ALL LOTS SHALL BE PLANTED WITH A MINIMUM OF ONE (1) CANOPY TREE AND ONE (1) UNDERSTORY TREE WITHIN AN 8' STREET TREE EASEMENT.
- THE SUBDIVISION COVENANTS SHALL PROHIBIT THE REMOVAL OF TREES ON INDIVIDUAL PROPERTY.
- ACTIVE RECREATION USES SHALL INCLUDE TWO (2) GAMING TABLES, TWO (2) PERMANENT SETS OF CORNHOLE COURTS, AND A BOOCE BALL COURT. ACTIVE RECREATION COMPONENTS SHALL BE INSTALLED PRIOR TO THE 50TH PERCENTILE BUILDING PERMIT.
- A 6" TAN OR BROWN WOOD OR COMPOSITE MATERIAL OPAQUE FENCE SHALL BE PLACED ON THE PROPERTY BOUNDARY ALONG THE FIRMENT (PIN 1841978941) AND SNYDER (PIN 1851070539) PROPERTIES.
- DEVELOPER SHALL ASSESS THE FEASIBILITY OF KEEPING THE 30+/- LELAND CYPRESS TREES ALONG THE FIRMENT (PIN 1841978941) BOUNDARY. IF THE TREES CANNOT BE KEPT, DEVELOPER SHALL REPLACE THEM WITH SIMILAR VEGETATION ON THE FIRMENT PROPERTY.
- WATER, SEWER AND ROAD ACCESS SHALL BE PROVIDED TO THE FIRMENT (PIN 1841978941) PROPERTY.
- WORK WITH DUKE POWER AND PIKE TO RELOCATE THE EXISTING OVERHEAD POWER LINES AND THE POWER POLE AND TRANSFORMER ON THE EDGE THE FIRMENT (PIN 1841978941) DRIVEWAY. ANY PAD MOUNTED TRANSFORMER SHALL NOT HINDER USE OF THE DRIVEWAY OR FUTURE ACCESS TO THE SUBDIVISION ROAD AND WATER AND SEWER.
- GARAGES SHALL NOT PROTRUDE FURTHER THAN TWO (2) FEET FROM THE FRONT PORCH OR FRONT WALL OF THE HOUSE, WHICHEVER IS CLOSEST TO THE FRONT PROPERTY LINE.
- SECTION 5.5.2 A, B, AND C SHALL BE APPLICABLE TO THE SITE.
- SECTION 5.5.3 A SHALL BE APPLICABLE TO THE SITE.
- SECTION 5.5.5 SHALL BE APPLICABLE TO THE SITE.
- ANY EXTERIOR WALL OF A HOME THAT FRONTS ON A RIGHT-OF-WAY INCLUDING A SECONDARY STREET SIDE SHALL CONTAIN AT LEAST THREE DECORATIVE ELEMENTS SUCH AS, BUT NOT LIMITED TO, THE FOLLOWING ELEMENTS:
 - BAY WINDOW
 - RECESSED WINDOW
 - DECORATIVE WINDOW
 - WRAP AROUND PORCH OR SIDE PORCH
 - TWO OR MORE BUILDING MATERIALS
 - DECORATIVE BRICK OR STONE
 - DECORATIVE TRIM
 - DECORATIVE SHAKE
 - DECORATIVE AIR VENTS ON GABLE
 - DECORATIVE GABLE
 - DECORATIVE CORNICE
 - COLUMN
 - PORTICO
 - BALCONY
 - DORMER
- A VARIED COLOR PALETTE SHALL BE UTILIZED ON HOMES THROUGHOUT THE SUBDIVISION TO INCLUDE A MINIMUM OF THREE COLOR FAMILIES FOR SIDING AND SHALL INCLUDE VARIED TRIM, SHUTTER, AND ACCENT COLORS COMPLEMENTING THE SIDING COLOR. WHERE VARIED SIDING AND TRIM, SHUTTER, AND ACCENT COLORS ARE NOT PROVIDED ON AN INDIVIDUAL DWELLING, A MINIMUM OF THREE VARIED MATERIALS SHALL BE PROVIDED.
- ALL ELEVATIONS OF THE UNITS THAT THAT FRONT ON A RIGHT-OF-WAY INCLUDING A SECONDARY STREET SIDE SHALL HAVE TRIM AROUND THE WINDOWS.
- THE ARCHITECTURAL AND REVIEW GUIDELINES FOR THE COMMUNITY SHALL INCLUDE THE FOLLOWING LANGUAGE REGARDING PARKING:
 - HOMEOWNERS ARE EXPECTED TO PARK VEHICLES IN THEIR GARAGE OR DRIVEWAY, NOT ON THE STREET.
 - STREET PARKING IS ONLY FOR SHORT-TERM SITUATIONS (E.G. GUEST PARKING OVERFLOW OR MAINTENANCE VEHICLES), SHOULD ALLOW FOR SAFE AND EFFICIENT MOVEMENT OF TRAFFIC, AND NOT BLOCK OR HINDER A NEIGHBOR'S ACCESS TO THEIR DRIVEWAY.
 - STREET PARKING WITHIN 25' OF A STOP SIGN OR WITHIN 15' OF A FIRE HYDRANT IS PROHIBITED.
 - PARKING OF COMMERCIAL VEHICLES OR VEHICLES IN DISREPAIR IS NOT PERMITTED EXCEPT WITHIN AN ENCLOSED GARAGE.
 - PARKING IS PROHIBITED ON THE GRASS OR THE MEDIANS.
 - GARAGE DOORS SHOULD BE KEPT IN THE CLOSED POSITION UNLESS THEY ARE IN USE.

MASTER PLANS FOR MORRIS SUBDIVISION RZ-22-02 SD-22-03

N MAIN ST
WAKE FOREST, NORTH CAROLINA
PINS: 1841-98-4646, 1851-08-4059,
1841-98-7225, 1841-89-0142,
1841-88-3996, AND 1841-88-6835

DEVELOPER:

BLUE HEEL DEVELOPMENT
CONTACT: JULIE GAVAGHAN
3633 HARDEN RD, SUITE 102
RALEIGH, NC 27607
919.291.6364
JULIE@BLUEHEELDEVELOPMENT.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: MORRIS SUBDIVISION
SITE ADDRESS: N MAIN ST, WAKE FOREST, NC
PIN NUMBER(S): 1841-98-4646, 1851-08-4059, 1841-98-7225, 1841-89-0142, 1841-88-3996, AND 1841-88-6835
TOTAL AREA: 22.95 AC RAILROAD R/W DEDICATION AREA: 0.92 AC N MAIN ST R/W DEDICATION AREA: 0.04 AC NET AREA: 21.99 AC
EXISTING USE: DWELLING SINGLE-FAMILY PROPOSED USE: SINGLE-FAMILY SUBDIVISION
JURISDICTION: TOWN OF WAKE FOREST CURRENT ZONING DISTRICT: RD AND GR3 PROPOSED ZONING DISTRICT: GR10 CD 2009 COMMUNITY PLAN GROWTH STRATEGIES MAP DESIGNATION: GENERAL URBAN ZONE
PROPOSED SINGLE-FAMILY UNITS: 72 GR10 MAX. DENSITY: 10 UNITS/AC PROPOSED DENSITY: 3.27 UNITS/AC
PROPOSED MIN. LOT AREA: 5,000 SF PROPOSED MIN. LOT WIDTH AT FRONT SETBACK: 50'
PROPOSED SETBACKS: PRINCIPAL FRONT: 10' (18' GARAGE) STREET SIDE/SECONDARY FRONT: 10' SIDE: 3' REAR: 15'
GR10 REQUIRED OPEN SPACE: 10% (2.2 AC) PROPOSED OPEN SPACE: 18.6% (4.09 AC); 1.94 AC (47.4%) OUTSIDE OF BUFFER AND SCM AREAS
GR10 REQUIRED PARK SPACE: 2.5% (0.55 AC) PROPOSED PARK SPACE: 3.5 % (0.78 AC); 0.20 AC (25%) SHALL BE ACTIVE RECREATION
PARKING CALCULATIONS: REQUIRED PARKING: DWELLING SINGLE-FAMILY, 2 PER UNIT IF PARKING IS PROVIDED IN AN ENCLOSED GARAGE = 72 X 2 = 144 SPACES PROPOSED PARKING: 4 SPACES PER UNIT (2 DRIVEWAY AND 2 GARAGE) = 72 X 4 = 288 SPACES CLUSTER MAILBOX UNIT REQUIRED PARKING: 2 SPACES PER LOCATION, 1 ADA CLUSTER MAILBOX UNIT PROPOSED PARKING: 2 SPACES, 1 ADA (PER LOCATION)
EXISTING IMPERVIOUS SURFACE AREA: 0.35 AC (1.5%) PROPOSED IMPERVIOUS SURFACE AREA: 8.95 AC (40.6%)

NOTES

- UNDER NCGS 70 29-33, THE UNMARKED HUMAN BURIAL AND HUMAN SKELETAL REMAINS PROTECTION ACT, ANY INADVERTENT DISCOVERY OF HUMAN BURIAL OR SKELETAL REMAINS REQUIRES THAT WORK STOP IMMEDIATELY AND THE PROCEDURE OUTLINED UNDER THE GENERAL STATUTE BE FOLLOWED.

SHEET	TITLE
C-1	COVER
C-2	EXISTING CONDITIONS & DEMOLITION PLAN
C-3	SPECIMEN TREE TABLE
C-4	SITE PLAN
C-5	UTILITY PLAN
C-6	GRADING & DRAINAGE PLAN
C-7	LANDSCAPE PLAN
C-8	LIGHTING PLAN
C-9	OPEN SPACE 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	5/18/2022	FLM
2	TOWF COMMENTS	7/22/2022	FLM
3	TOWF COMMENTS	8/26/2022	FLM
4	TOWF COMMENTS	9/23/2022	FLM

ORIGINAL PLAN SIZE: 24" X 36"

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 PLANS
RZ-22-02
SD-22-03

MORRIS SUBDIVISION
N MAIN ST
WAKE FOREST, NC



DATE:	02-15-2022
SCALE:	AS SHOWN
DESIGNED BY:	FLM
APPROVED BY:	FLM
PROJECT NO.:	22001

COVER

C-1

SHEET 1 OF 9

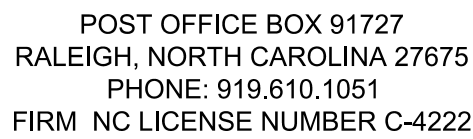
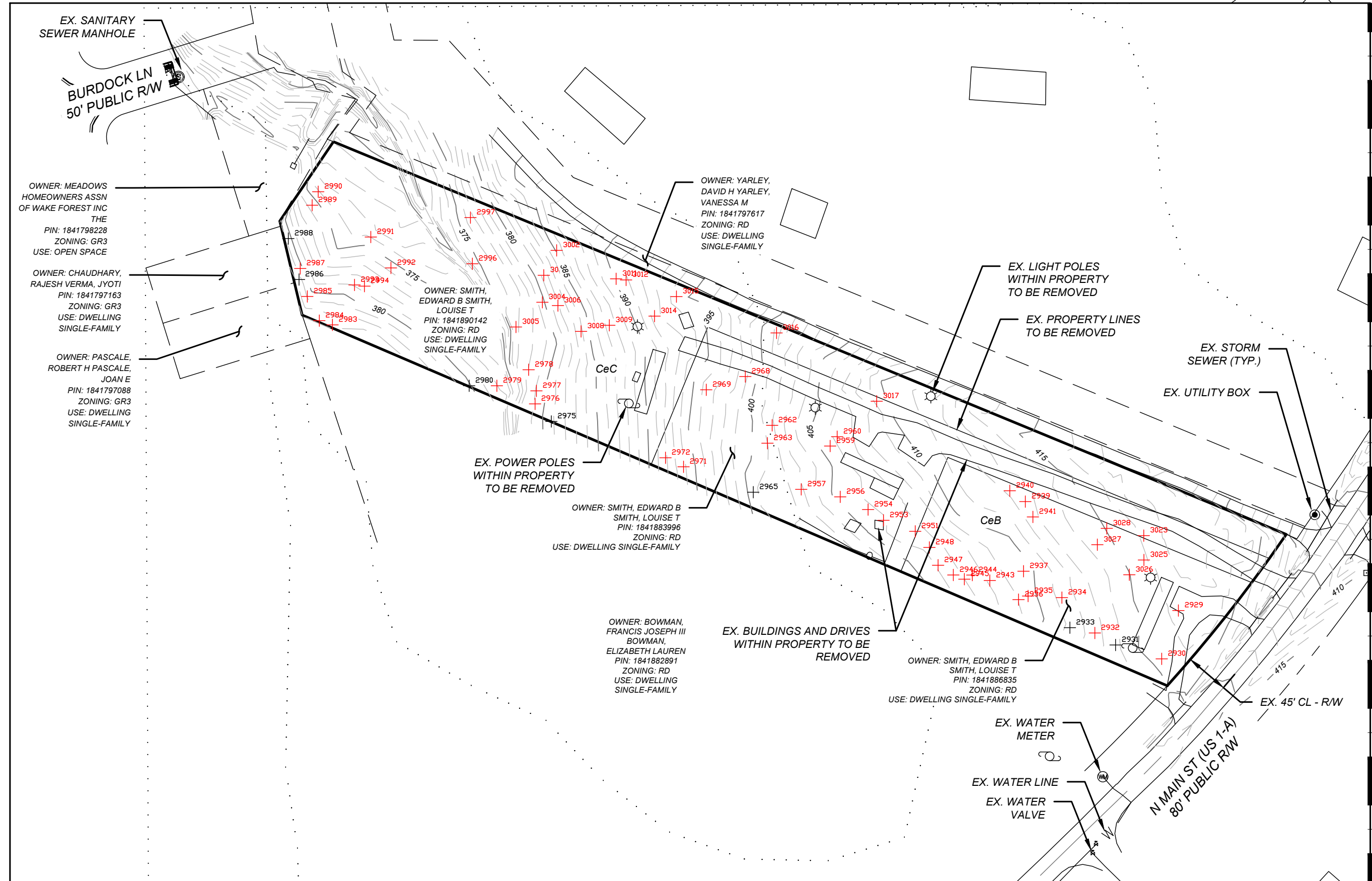
1. BOUNDARY, TOPOGRAPHIC, AND SPECIMEN TREE SURVEY DATA PROVIDED BY CAWTHORNE, MOSS & PANCIERA, PC.
2. SEE SHEET C-3 FOR THE SPECIMEN TREE LIST.
3. THE SITE LIES IN THE RICHLAND CREEK WATER SUPPLY WATERSHED.
4. WETLANDS AND STREAMS SHOWN DELINEATED BY SOIL & ENVIRONMENTAL CONSULTANTS, PA (S&EC). JURISDICTIONAL DETERMINATION PENDING.
5. THERE ARE NO FLOOD PRONE AREAS PRESENT PER FEMA FIRM PANEL NOS. 37201815100K, EFFECTIVE APRIL 16, 2013, AND 3720184100J, EFFECTIVE MAY 2, 2006.
6. THE UTILITIES SHOWN ARE NOT GUARANTEED TO BE A REPRESENTATION OF ALL UTILITIES WITHIN THE PROJECT EXTENT.

CeB - CECIL SANDY LOAM, 2 TO 6 PERCENT SLOPES

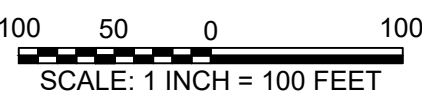
CeC - CECIL SANDY LOAM, 6 TO 10 PERCENT SLOPES

CfC - CECIL-URBAN LAND COMPLEX, 2 TO 10 PERCENT SLOPES

	EX. PROPERTY LINE
	EX. RIGHT-OF-WAY
	EX. SUBDIVISION LINE
	EX. ADJACENT OWNERS
	EX. ROAD CENTERLINE
	EX. CHANNEL/STREAM
	EX. CHANNEL/STREAM BUFFER
	EX. OVERHEAD ELECTRIC LINE
	EX. WATER LINE
	EX. CHAIN LINK FENCE
	EX. SOIL LINE
	EX. MAJOR CONTOUR (5')
	EX. MINOR CONTOUR (1')
	EX. SPECIMEN TREE TO REMAIN
	EX. SPECIMEN TREE TO BE REMOVED

[illegible]

ORIGINAL PLAN SIZE: 24" X 36"



SCALE ADJUSTMENT

THIS BAR IS 1 INCH IN LENGTH
ON ORIGINAL DRAWING



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

MASTER PLANS
RZ-22-02
SD-22-03

MORRIS SUBDIVISION
N MAIN ST
WAKE FOREST, NC



DATE:	02-15-2022
SCALE:	AS SHOWN
DESIGNED BY:	FLM
APPROVED BY:	FLM
PROJECT NO.:	22001

EXISTING CONDITIONS & DEMOLITION PLAN

C-2

SHEET 2 OF 9

TREE TABLE			
Point	Northing	Easting	SIZE/TYPE
2597	819079.047	2149144.282	21"MAPLE
2598	819091.642	2149163.502	22"REDOAK
2599	819099.345	2149169.255	24"SWEETGUM
2601	819046.614	2149176.344	24"PINE
2602	819034.332	2149208.986	25"PINE
2603	819039.560	2149221.854	19"PINE
2606*	818966.611	2149232.438	20"PINE
2607*	818975.256	2149237.618	24"PINE
2611	818927.307	2149263.868	20"PINE
2613	818953.954	2149297.338	24"SWEETGUM
2615*	818915.544	2149336.967	20"PINE
2618	818876.790	2149385.638	21"PINE
2619	818863.686	2149396.979	22"PINE
2620	818854.658	2149396.859	21"SWEETGUM
2621	818782.224	2149426.556	21"PINE
2622	818770.045	2149424.022	24"PINE
2623	818760.682	2149417.435	21"PINE
2624	818750.609	2149395.340	25"SWEETGUM
2625	818828.934	2149331.027	24"PINE
2626	818830.417	2149315.195	20"SWEETGUM
2627	818863.613	2149295.214	23"PINE
2628	818874.268	2149287.796	20"PINE
2630	818875.138	2149268.429	21"PINE
2632	818911.494	2149240.511	21"PINE
2634	818929.007	2149230.653	22"PINE
2635	818827.837	2149249.615	26"PINE
2636	818732.675	2149351.994	20"PINE
2637	818724.077	2149337.865	20"PINE
2638	818682.304	2149333.645	22"SWEETGUM
2639	818698.639	2149321.959	20"PINE
2640	818697.261	2149315.283	22"SWEETGUM
2643	818810.281	2149210.804	22"SWEETGUM
2645	818826.364	2149189.494	21"POPLAR
2646	818844.181	2149182.572	22"PINE
2647	818848.232	2149179.592	20"PINE
2648	818852.426	2149182.134	20"PINE
2649	818860.781	2149166.165	24"PINE
2650	818824.011	2149139.731	20"PINE
2652	818801.967	2149129.035	22"PINE
2653	818764.489	2149150.293	22"PINE
2654	818771.750	2149187.445	23"PINE
2655	818762.604	2149189.249	26"PINE
2656	818752.826	2149208.596	21"PINE
2657	818691.244	2149243.812	20"PINE
2658	818682.125	2149254.291	24"PINE
2659	818667.937	2149274.439	21"PINE
2660	818654.451	2149288.297	21"PINE
2663	818615.266	2149294.852	20"ELM
2664	818629.684	2149266.367	24"POPLAR
2665	818609.048	2149237.686	24"SYCAMORE
2666	818621.635	2149206.355	28"PINE
2667	818612.741	2149205.078	20"PINE
2669	818626.983	2149165.990	21"PINE
2670	818637.368	2149153.998	20"PINE
2673	818695.704	2149144.172	22"PINE
2675	818742.180	2149100.778	26"PINE
2676	818746.041	2149095.801	23"POPLAR
2677	818762.858	2149114.456	20"PINE
2679	818777.903	2149110.834	23"PINE
2680	818644.334	2149315.119	20"PINE
2682	818832.063	2149453.646	22"PINE
2683	818834.397	2149475.237	20"POPLAR
2684	818822.072	2149497.356	38"MAPLE
2687*	818821.741	2149540.249	21"MAPLE
2688*	818848.880	2149546.223	21"PINE
2689*	818819.239	2149609.501	28"SYCAMORE
2691	818776.980	2149581.538	20"PINE
2692	818767.561	2149582.243	20"PINE
2693	818750.857	2149602.862	25"PINE
2694*	818774.340	2149638.393	24"POPLAR
2695*	818832.453	2149697.315	20"PINE
2696*	818839.670	2149766.685	29"PINE
2697*	818807.844	2149759.638	20"MAPLE

* DENOTES SPECIMEN TREE TO REMAIN

SPECIMEN TREE NOTES

297 TOTAL SPECIMEN TREES

44 SPECIMEN TREES TO REMAIN

253 SPECIMEN TREES ARE PROPOSED TO BE REMOVED FOR A REPLACEMENT VALUE OF 1,012 TREES. (VALUE IS \$1,000 OR 4 REPLACEMENT TREES PER SPECIMEN TREE REMOVED.)

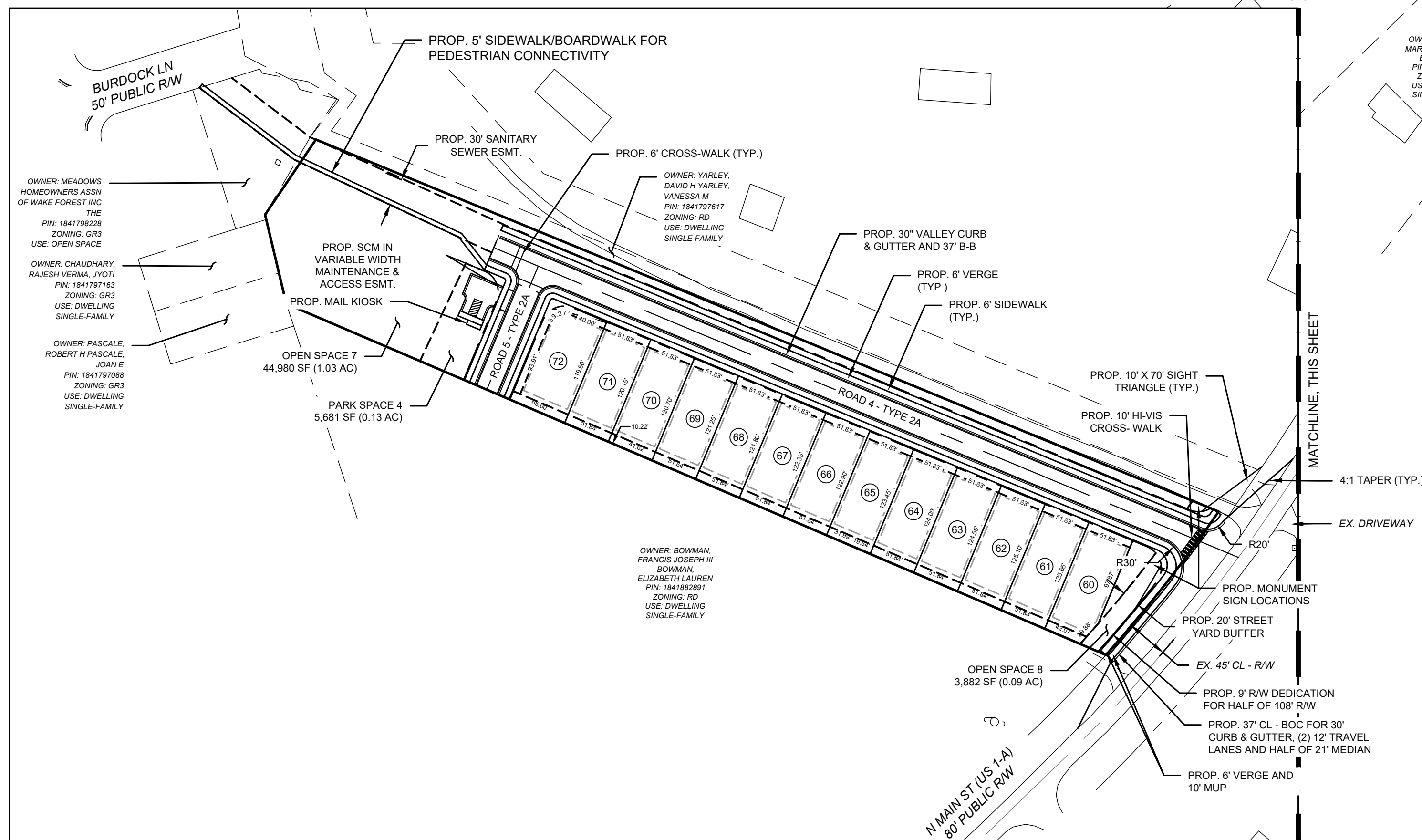
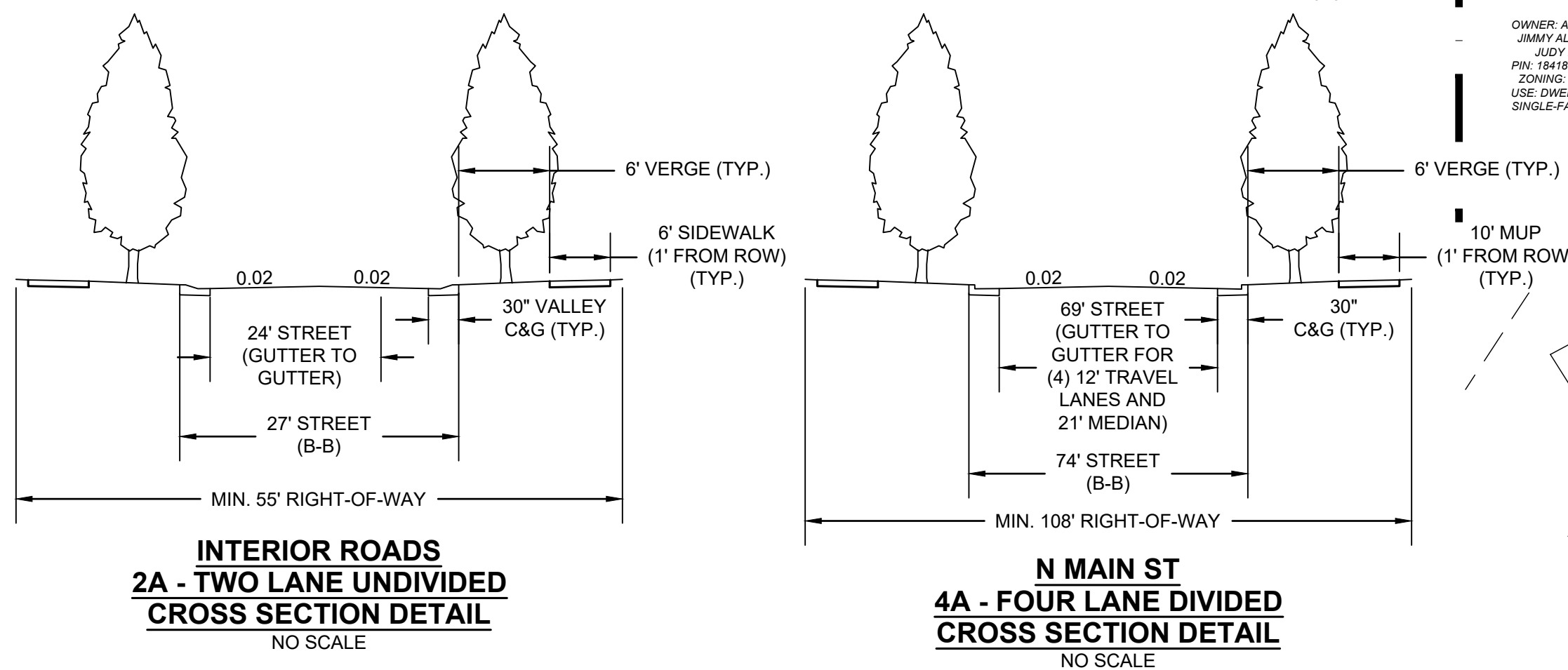
TREE TABLE			
Point	Northing	Easting	SIZE/TYPE
2698*	818776.528	2149772.980	20"PINE
2699*	818773.330	2149766.951	20"SWEETGUM
2701	818740.613	2149710.551	20"PINE
2703	818676.719	2149675.394	20"POPLAR
2705	818688.250	2149612.859	26"PINE
2706	818695.414	2149605.596	21"PINE
2709	818667.529	2149593.158	21"PINE
2710	818736.250	2149460.051	23"PINE
2711	818660.996	2149449.362	30"POPLAR
2712	818650.042	2149495.978	28"MAPLE
2713	818644.649	2149523.043	23"MAPLE
2715	818630.268	2149575.591	24"MAPLE
2716	818603.073	2149502.869	20"PINE
2717	818607.394	2149452.792	28"POPLAR
2718	818660.097	2149386.159	21"SWEETGUM
2720	818580.914	2149384.494	20"MAPLE
2721	818575.446	2149407.952	36"POPLAR
2723	818571.251	2149440.984	36"MAPLE
2725	818567.900	2149501.865	44"POPLAR
2727	818522.527	2149550.164	24"PINE
2728	818505.550	2149524.324	23"PINE
2729	818516.824	2149516.057	20"PINE
2730	818524.698	2149482.716	20"SWEETGUM
2732	818533.825	2149420.750	21"SWEETGUM
2735	818525.280	2149325.320	22"PINE
2736	818532.974	2149289.236	23"PINE
2737	818537.984	2149263.212	20"PINE
2739	818573.627	2149234.258	22"PINE
2740	818569.754	2149217.198	21"PINE
2741	818466.700	2149249.855	22"PINE
2742	818478.799	2149275.508	23"PINE
2743	818436.634	2149256.233	21"PINE
2744	818424.868	2149277.685	20"PINE
2745	818434.913	2149331.326	20"PINE
2747	818446.025	2149362.682	21"PINE
2748	818451.689	2149377.148	22"PINE
2749	818486.396	2149411.182	20"PINE
2750	818504.172	2149430.133	22"PINE
2753	818460.046	2149454.324	24"POPLAR
2754	818426.964	2149424.629	23"PINE
2759	818451.971	2149502.418	23"PINE
2760	818423.316	2149522.190	27"PINE
2761	818408.176	2149515.211	20"PINE
2763*	818401.034	2149571.216	20"PINE
2764*	818404.884	2149621.731	20"PINE
2765	818406.171	2149708.680	21"REDOAK
2767	818534.441	2149690.382	22"PINE
2770	818568.405	2149790.167	26"CEDAR
2771	818599.926	2149739.477	31"SWEETGUM
2773	818584.044	2149694.674	22"PINE
2774	818565.766	2149667.466	23"PINE
2776	818604.006	2149639.707	20"PINE
2777	818612.358	2149686.605	40"MAPLE
2780*	817802.309	2150402.632	26"PINOAK
2784*	817870.437	2150460.172	20"SWEETGUM
2785*	817896.619	2150497.691	21"SWEETGUM
2787*	817924.668	2150556.854	27"MAPLE
2788*	817986.354	2150607.064	37"WHITEOAK
2789*	818025.393	2150575.267	20"WHITEOAK
2791*	818053.253	2150618.999	24"WHITEOAK
2793*	818090.414	2150630.293	21"WHITEOAK
2794*	818110.566	2150625.744	23"WHITEOAK
2795*	818124.227	2150595.167	28"WHITEOAK
2796*	818131.021	2150583.507	25"WHITEOAK
2797*	818124.103	2150562.857	20"WHITEOAK
2798*	818061.485	2150527.432	23"WHITEOAK
2799*	818039.935	2150536.376	23"WHITEOAK
2800*	818041.023	2150519.355	26"REDOAK
2803	818068.833	2150459.809	25"WHITEOAK
2804	818067.823	2150449.692	27"SWEETGUM
2805	818076.781	2150454.006	24"POPLAR
2806	818083.174	2150427.050	24"SWEETGUM
2807	818111.816	2150430.649	23"WHITEOAK

* DENOTES SPECIMEN TREE TO REMAIN

TREE TABLE			
Point	Northing	Easting	SIZE/TYPE
2808	818119.811	2150439.456	20"WHITEOAK
2809	818148.946	2150466.186	29"WHITEOAK
2810	818190.405	2150518.890	31"WHITEOAK
2811	818201.404	2150520.814	20"REDOAK
2812	818201.607	2150503.504	20"REDOAK
2813	818216.440	2150493.587	24"WHITEOAK
2814	818227.310	2150471.096	23"REDOAK
2816	818259.923	2150460.735	28"WHITEOAK
2818	818204.651	2150403.688	29"WHITEOAK
2819	818160.955	2150403.015	21"CHESTNUTOAK
2820	818158.756	2150397.015	22"CHESTNUTOAK
2822	818138.167	2150398.073	20"WHITEOAK
2824	818231.120	2150320.555	24"WHITEOAK
2827	818334.804	2150357.798	30"REDOAK
2830	818370.100	2150309.409	22"WHITEOAK
2831	818375.332	2150283.092	20"WHITEOAK
2832	818387.305	2150281.980	20"WHITEOAK
2833*	818433.106	2150233.381	20"POPLAR
2834	818461.434	2150155.253	21"WHITEOAK
2837	818416.614	2150091.986	20"WHITEOAK
2838	818422.371	2150064.343	22"POPLAR
2839	818430.413	2150029.497	20"PINE
2840	818431.520	2150021.523	25"POPLAR
2841	818403.845	2150037.704	30"POPLAR
2842	818449.932	2149996.989	22"WHITEOAK
2843	818444.135	2149982.759	26"POPLAR
2844*	818439.128	2149962.173	22"WHITEOAK
2845*	818429.663	2149914.021	23"POPLAR
2847	818370.326	2149883.522	21"CHESTNUTOAK
2848*	818405.768	2149852.039	25"POPLAR
2850	818361.197	2149824.472	29"WHITEOAK
2852	818392.970	2149719.494	21"WHITEOAK
2853	818312.281	2149698.022	27"ASH
2854	818188.191	2149718.521	22"WHITEOAK
2856	818167.925	2149729.587	20"WHITEOAK
2857	818167.547	2149706.962	20"WHITEOAK
2859	818103.355	2149765.632	22"REDOAK
2861	818058.975	2149735.135	23"WHITEOAK
2863*	818065.120	2149852.875	34"POPLAR
2865	818089.852	2149838.160	23"REDOAK
2866	818130.964	2149812.871	28"WHITEOAK
2867	818155.758	2149803.467	20"POPLAR
2868	818123.855	2149857.073	20"WHITEOAK
2869*	818111.238	2149881.252	21"WHITEOAK
2873	818195.877	2149874.163	20"WHITEOAK
2874	818274.337	2149801.399	37"WHITEOAK
2877	818317.800	2149876.308	25"WHITEOAK
2879	818353.581	2149897.120	21"WHITEOAK
2881	818342.177	2149933.899	29"WHITEOAK
2882	818301.925	2149911.337	24"WHITEOAK
2883	818279.803	2149899.249	20"POPLAR
2884	818218.423	2149962.023	35"WHITEOAK
2888	818308.156	2149967.078	22"WHITEOAK
2889	818357.497	2150013.382	25"WHITEOAK
2891	818385.228	2150077.028	25"WHITEOAK
2892	818350.650	2150096.366	24"WHITEOAK
2894	818319.405	2150050.022	20"WHITEOAK
2896	818233.728	2150065.055	20"WHITEOAK
2897	818215.190	2150083.589	22"WHITEOAK
2898	818212.039	2150091.122	20"WHITEOAK
2899	818196.795	2150104.954	22"WHITEOAK
2903	818318.485	2150180.561	24"WHITEOAK
2904	818307.327	2150178.647	28"WHITEOAK
2905	818316.252	2150235.396	20"WHITEOAK
2906	818251.036	2150223.365	43"WHITEOAK
2907	818238.389	2150191.144	20"WHITEOAK
2909	818231.426	2150155.805	21"WHITEOAK
2911	818196.985	2150182.236	31"WHITEOAK
2912	818136.435	2150290.901	22"REDOAK
2913	818137.822	2150306.462	25"WHITE

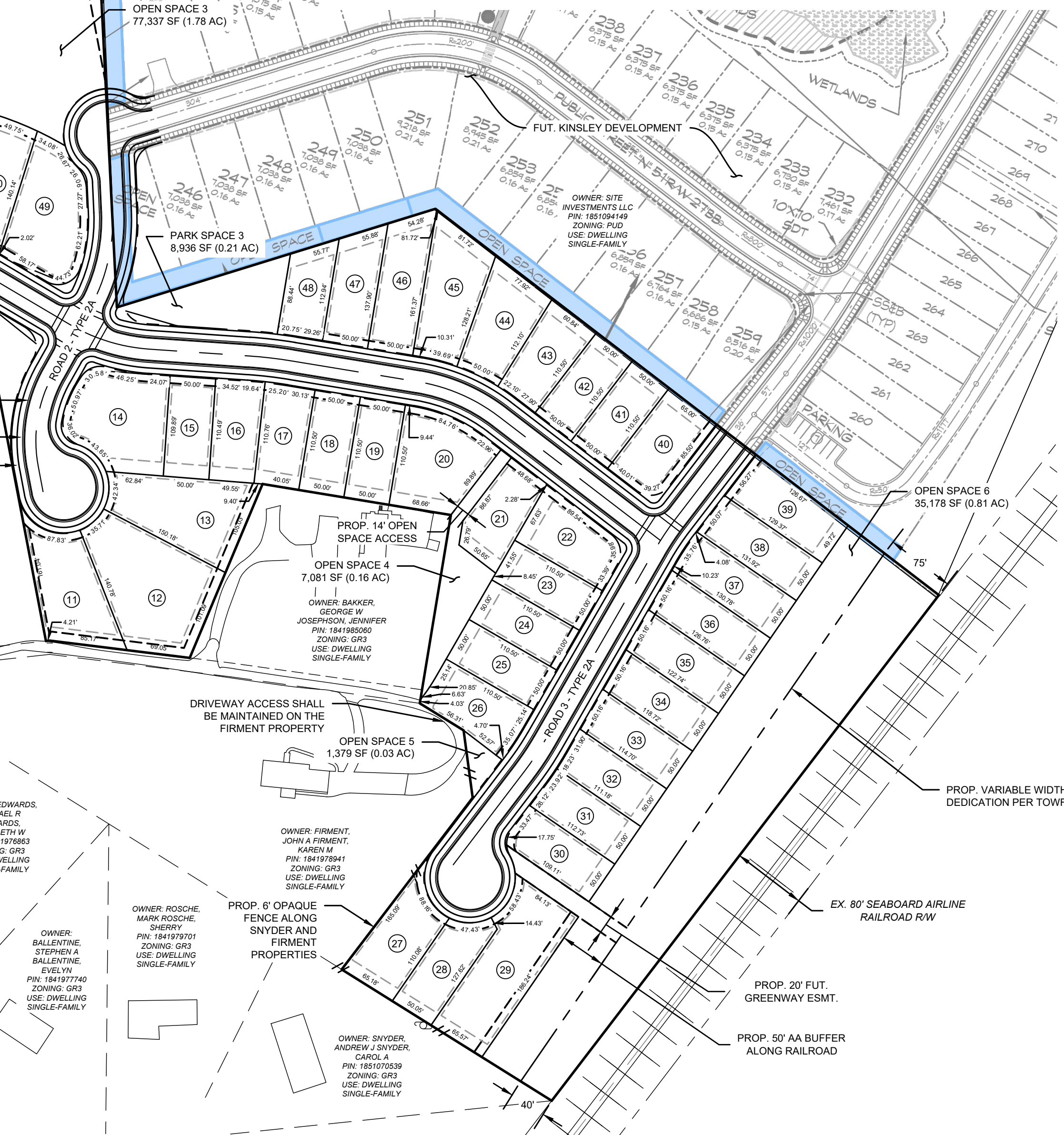
=====	EX. PROPERTY LINE
-----	EX. RIGHT-OF-WAY
-----	EX. ADJACENT OWNERS
-----	EX. ROAD CENTERLINE
- - - - -	EX. CHANNEL/STREAM
- - - - -	EX. CHANNEL/STREAM BUFFER
----- OHW ----- OHW -----	EX. OVERHEAD ELECTRIC LINE
=====	PROP. RIGHT-OF-WAY
=====	PROP. LOT LINES
-----	PROP. SETBACK LINE
-----	PROP. EASEMENT/BUFFER
===== //	PROP. 6' OPAQUE FENCE

1. ALL ROADWAYS ARE TYPE 2A (55' PUBLIC RW) AND SHALL BE CONSTRUCTED IN ACCORDANCE WITH TOWN OF WAKE FOREST STANDARDS AND SPECIFICATIONS.
2. ALL LOTS SHALL HAVE CITY OF RALEIGH WATER AND SEWER SERVICES.



INSET
SCALE: 1" = 100'

LOT NO.	AREA (SQ. FT.)	AREA (AC)	LOT NO.	AREA (SQ. FT.)	AREA (AC)	LOT NO.	AREA (SQ. FT.)	AREA (AC)
1	7307	0.17	25	5525	0.13	49	10848	0.25
2	10534	0.24	26	6161	0.14	50	6879	0.16
3	10013	0.23	27	7524	0.17	51	7389	0.17
4	7091	0.16	28	6066	0.14	52	6900	0.16
5	5584	0.13	29	12889	0.30	53	6900	0.16
6	6657	0.15	30	5665	0.13	54	7974	0.18
7	7972	0.18	31	5583	0.13	55	9680	0.22
8	10732	0.25	32	5637	0.13	56	6900	0.16
9	10882	0.25	33	5835	0.13	57	10106	0.23
10	9522	0.22	34	6036	0.14	58	7340	0.17
11	9316	0.21	35	6237	0.14	59	8614	0.20
12	14976	0.34	36	6439	0.15	60	6389	0.15
13	11264	0.26	37	6601	0.15	61	6499	0.15
14	10918	0.25	38	6532	0.15	62	6470	0.15
15	5509	0.13	39	6780	0.16	63	6442	0.15
16	5743	0.13	40	7049	0.16	64	6413	0.15
17	5789	0.13	41	5525	0.13	65	6385	0.15
18	5525	0.13	42	5525	0.13	66	6356	0.15
19	5525	0.13	43	6136	0.14	67	6328	0.15
20	9530	0.22	44	7481	0.17	68	6299	0.14
21	6037	0.14	45	8956	0.21	69	6271	0.14
22	6820	0.16	46	7518	0.17	70	6242	0.14
23	5525	0.13	47	6271	0.14	71	6214	0.14
24	5525	0.13	48	5021	0.12	72	7617	0.17



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

REV #	DESCRIPTION	DATE	BY
1	TOWF COMMENTS	5/18/2022	FLM
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ORIGINAL PLAN SIZE: 24" X 36"



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SHEET, ADJUST YOUR SCALE
ACCORDINGLY

MASTER PLANS
RZ-22-02
SD-22-03

MORRIS SUBDIVISION
N MAIN ST
WAKE FOREST, NC



DATE:	02-15-2022
SCALE:	AS SHOWN
DESIGNED BY:	FLM
APPROVED BY:	FLM
PROJECT NO.:	22001

SITE PLAN

C-4

SHEET 4 OF 9

RECOMMENDATION FOR APPROVAL
BY THE WAKE FOREST
PLANNING BOARD

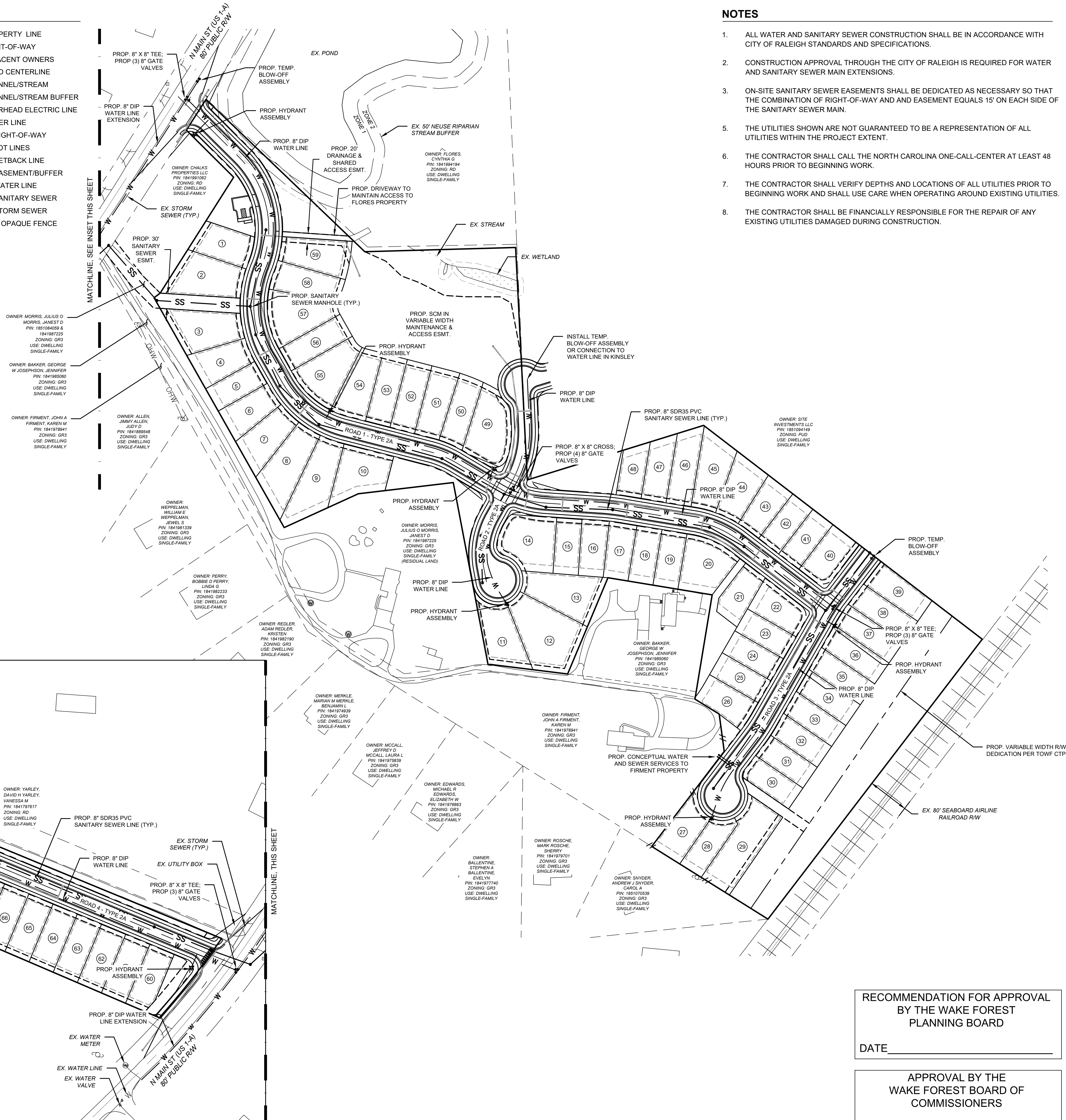
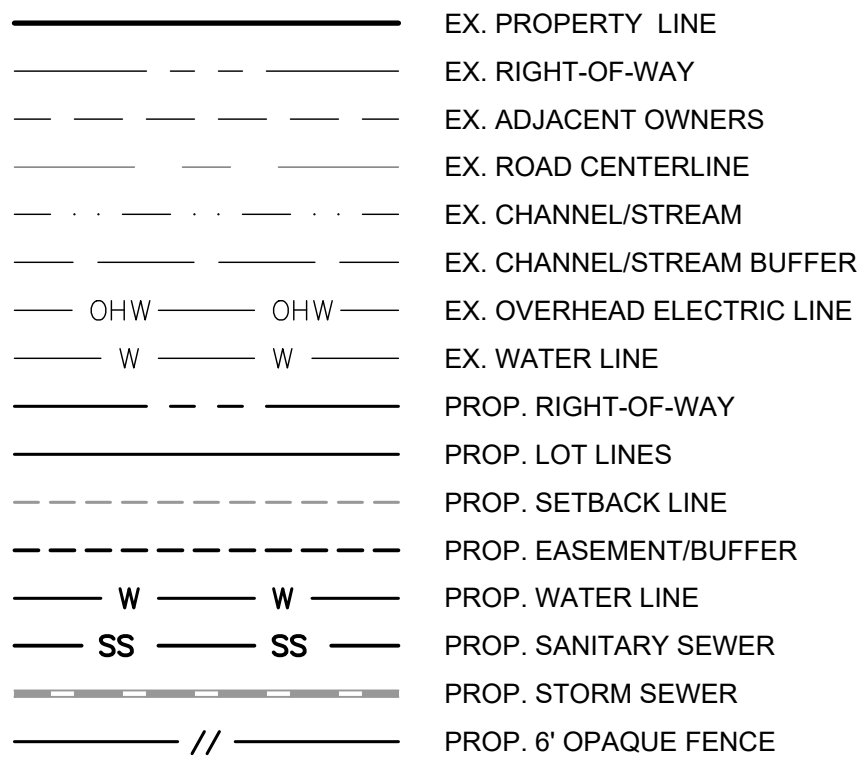
DATE _____

APPROVAL BY THE
WAKE FOREST BOARD OF
COMMISSIONERS

DATE _____

- 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 NEGLIGIBLE 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. MAINTAINING WATER & RCP STORM SEWER, 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 CITY PUBLIC UTILITY 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 OR UNDER A WATER MAIN, THE WATER MAIN SHALL BE ENCASED IN 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 & RCP SEWER SERVICES UTILITIES. UNLESS DIP MATERIAL IS SPECIFIED FOR SANITARY SEWER.
 - e. MAINTAIN 18" MIN. VERTICAL SEPARATION AT ALL WATERMAIN & RCP STORM DRAIN CROSSINGS; MAINTAIN 24" MIN. VERTICAL SEPARATION AT ALL SANITARY SEWER & RCP STORM DRAIN CROSSINGS. WHERE ADEQUATE SEPARATIONS CANNOT BE ACHIEVED, ENCASE DIP MATERIALS & RCP IN CONCRETE CRADLE HAVING 6" MIN. CLEARANCE (PER CORPUD DETAILS W-41 & S-49).
 - 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 & RCP PROFILE BY THE CITY OF RALEIGH PUBLIC UTILITIES DEPARTMENT PRIOR TO CONSTRUCTION.
4. CONTRACTOR SHALL MAINTAIN CONTINUOUS WATER & SEWER SERVICE TO EXISTING RESIDENCES & BUSINESSES THROUGHOUT CONSTRUCTION OF PROJECT. ANY NECESSARY SERVICE INTERRUPTIONS SHALL BE PRECEDED BY AT LEAST 24 HOUR ADVANCE NOTICE TO THE CITY OF RALEIGH PUBLIC UTILITIES DEPARTMENT.
5. 3.0" MINIMUM COVER IS REQUIRED ON ALL WATER MAINS & SEWER FORCEMAINS. 4.0' MINIMUM COVER IS REQUIRED ON ALL REUSE MAINS.
6. 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.
7. INSTALL 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.
8. INSTALL SEWER SERVICES WITH A 1.0% MINIMUM GRADE WITH CLEANOUTS LOCATED AT ROW OR EASEMENT LINE & SPACED EVERY 75 LINEAR FEET MAXIMUM.
9. PRESSURE REDUCING VALVES ARE REQUIRED ON ALL WATER SERVICES EXCEEDING 80 PSI. PRESSURE REDUCING VALVES ARE ALSO REQUIRED ON ALL SANITARY SEWER SERVICES HAVING BUILDING DRAINS LOWER THAN 10' ABOVE THE NEXT UPSTREAM MANHOLE.
10. ALL ENVIRONMENTAL PERMITS APPLICABLE TO THE PROJECT MUST BE OBTAINED FROM NCWQS, USACE &/OR FEMA FOR ANY RIVER, LAKE, WETLAND, AND/OR FLOODPLAIN IMPACTS RESPECTIVELY PRIOR TO CONSTRUCTION.
11. NCOTD / ROAD/ENCROACHMENT AGREEMENTS ARE REQUIRED FOR ANY UTILITY WORK INCLUDING MAIN EXTENSIONS & SERVICE TAPS) WITHIN STATE OR ROAD/ROW PRIOR TO CONSTRUCTION.
12. GREASE INTERCEPTOR / OIL WATER SEPARATOR SIZING CALCULATIONS & INSTALLATION SPECIFICATIONS SHALL BE APPROVED BY THE CITY OF RALEIGH FOG PROGRAM COORDINATOR PRIOR TO ISSUANCE OF A BUILDING PERMIT. CONTACT TIM BEASLEY AT (919) 986-2334 OR timothy.beasley@raleighnc.gov FOR MORE INFORMATION.
13. 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 A QUALITY CERTIFIED EQUIPMENT MANUFACTURER. 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. CONTACT JOANNE HARTLEY AT (919) 986-5923 OR joanne.hartley@raleighnc.gov FOR MORE INFORMATION.

LEGEND



NOTES

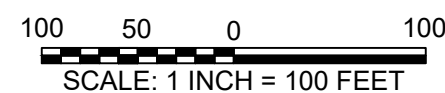
1. ALL WATER AND SANITARY SEWER CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY OF RALEIGH STANDARDS AND SPECIFICATIONS.
2. CONSTRUCTION APPROVAL THROUGH THE CITY OF RALEIGH IS REQUIRED FOR WATER AND SANITARY SEWER MAIN EXTENSIONS.
3. ON-SITE SANITARY SEWER EASEMENTS SHALL BE DEDICATED AS NECESSARY SO THAT THE COMBINATION OF RIGHT-OF-WAY AND 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.

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RALEIGH, NORTH CAROLINA 27675
PHONE: 919.610.1051
FIRM NC LICENSE NUMBER C-4222

REVISION HISTORY

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SCALE ADJUSTMENT

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WAKE FOREST, NC



DATE:	02-15-2022
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PROJECT NO.:	22001

UTILITY PLAN

C-5

SHEET 5 OF 9

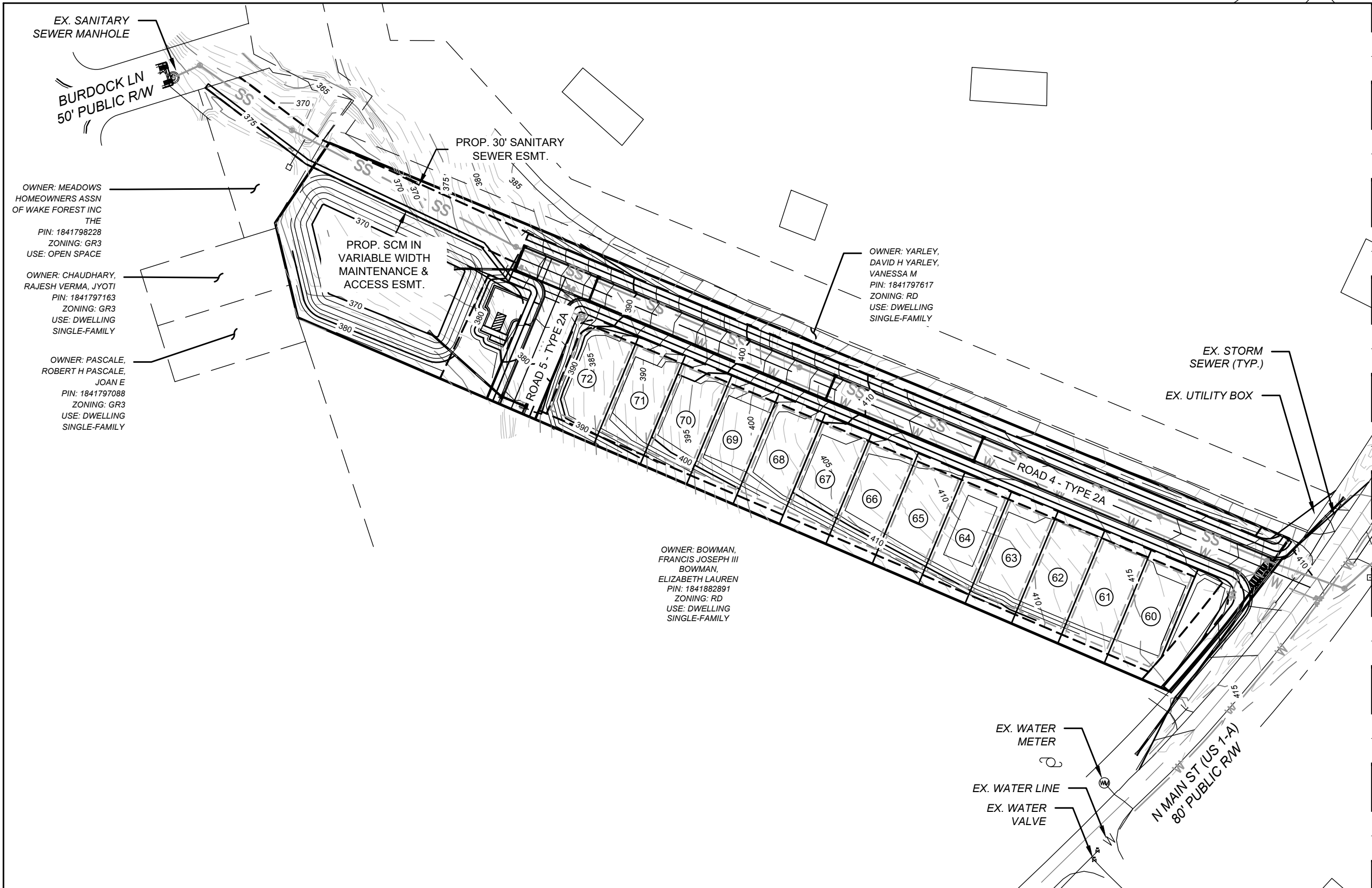
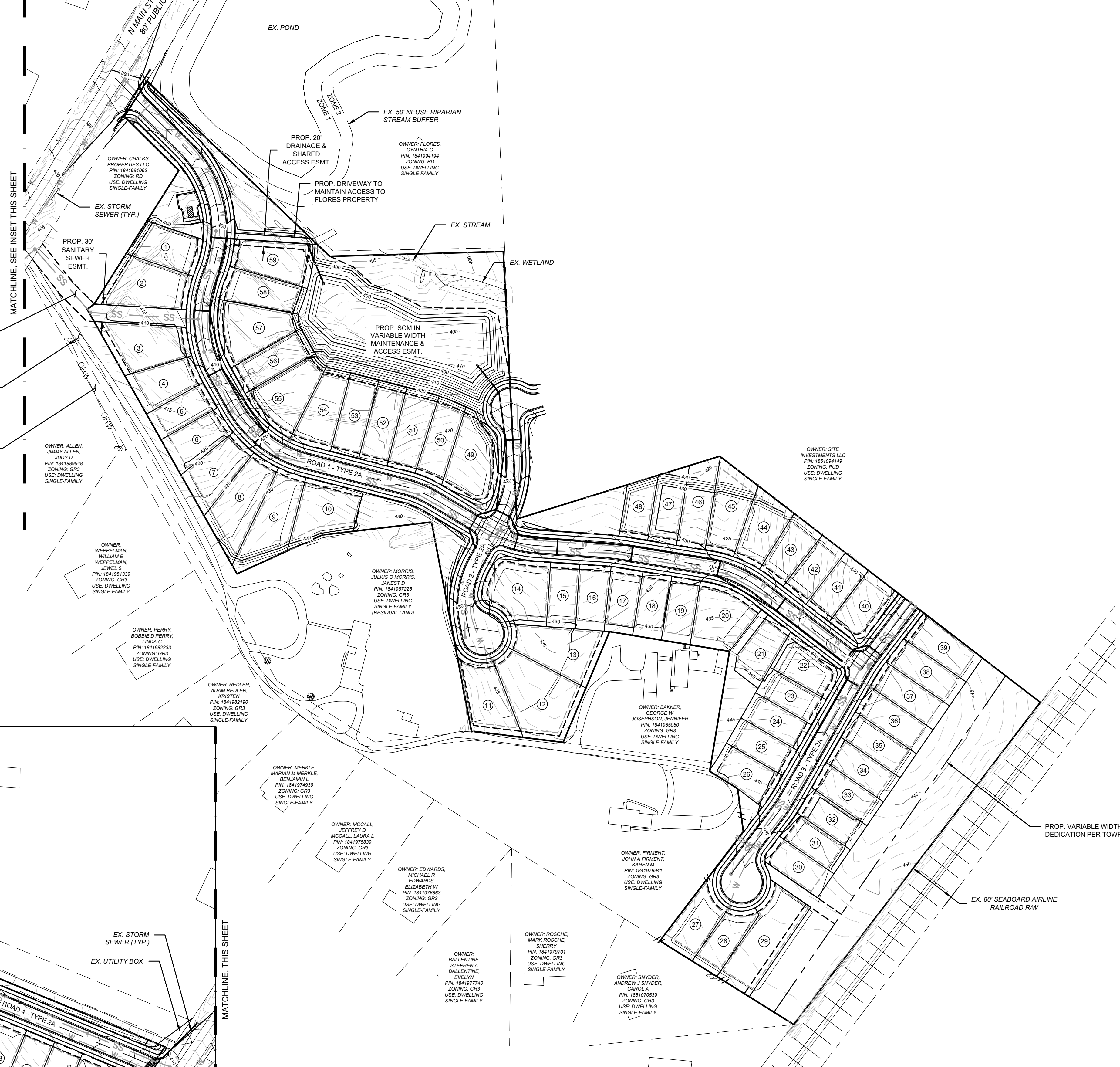
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NOTES

- PRELIMINARY GRADES SHOWN REPRESENT FINISHED GRADES.
- CUT/FILL SLOPES ARE 2H:1V EXCEPT FOR SCM SLOPES, WHICH ARE 3H:1V.
- SCMS SHALL BE PRIVATE AND MAINTAINED BY THE HOME OWNERS' ASSOCIATION.
- 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. ROAD CENTERLINE
EX. CHANNEL/STREAM
EX. CHANNEL/STREAM BUFFER
EX. OVERHEAD ELECTRIC LINE
EX. WATER LINE
EX. MAJOR CONTOUR (5')
EX. MINOR CONTOUR (1')
PROP. RIGHT-OF-WAY
PROP. LOT LINES
PROP. SETBACK LINE
PROP. EASEMENT/BUFFER
PROP. WATER LINE
PROP. SANITARY SEWER
PROP. STORM SEWER
PROP. MAJOR CONTOUR (10')
PROP. MINOR CONTOUR (2')
PROP. 6' OPAQUE FENCE



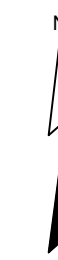
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ORIGINAL PLAN SIZE: 24" X 36"

100 50 0 100
SCALE: 1 INCH = 100 FEET



SCALE ADJUSTMENT
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GRADING & DRAINAGE PLAN

C-6

SHEET 6 OF 9

RECOMMENDATION FOR APPROVAL
BY THE WAKE FOREST
PLANNING BOARD

DATE _____

APPROVAL BY THE
WAKE FOREST BOARD OF
COMMISSIONERS

DATE _____

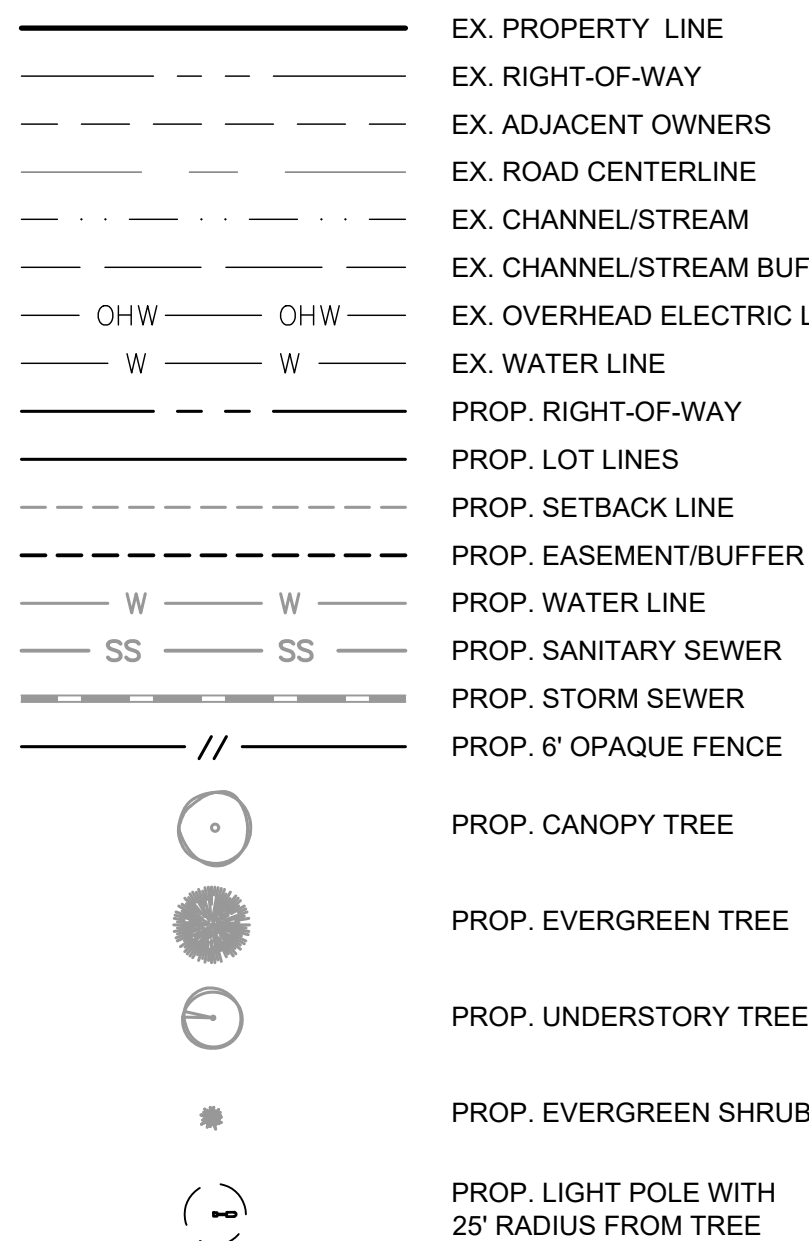
SCALE: 1" = 30'

SHEET 7 OF 9

LIGHTING NOTES

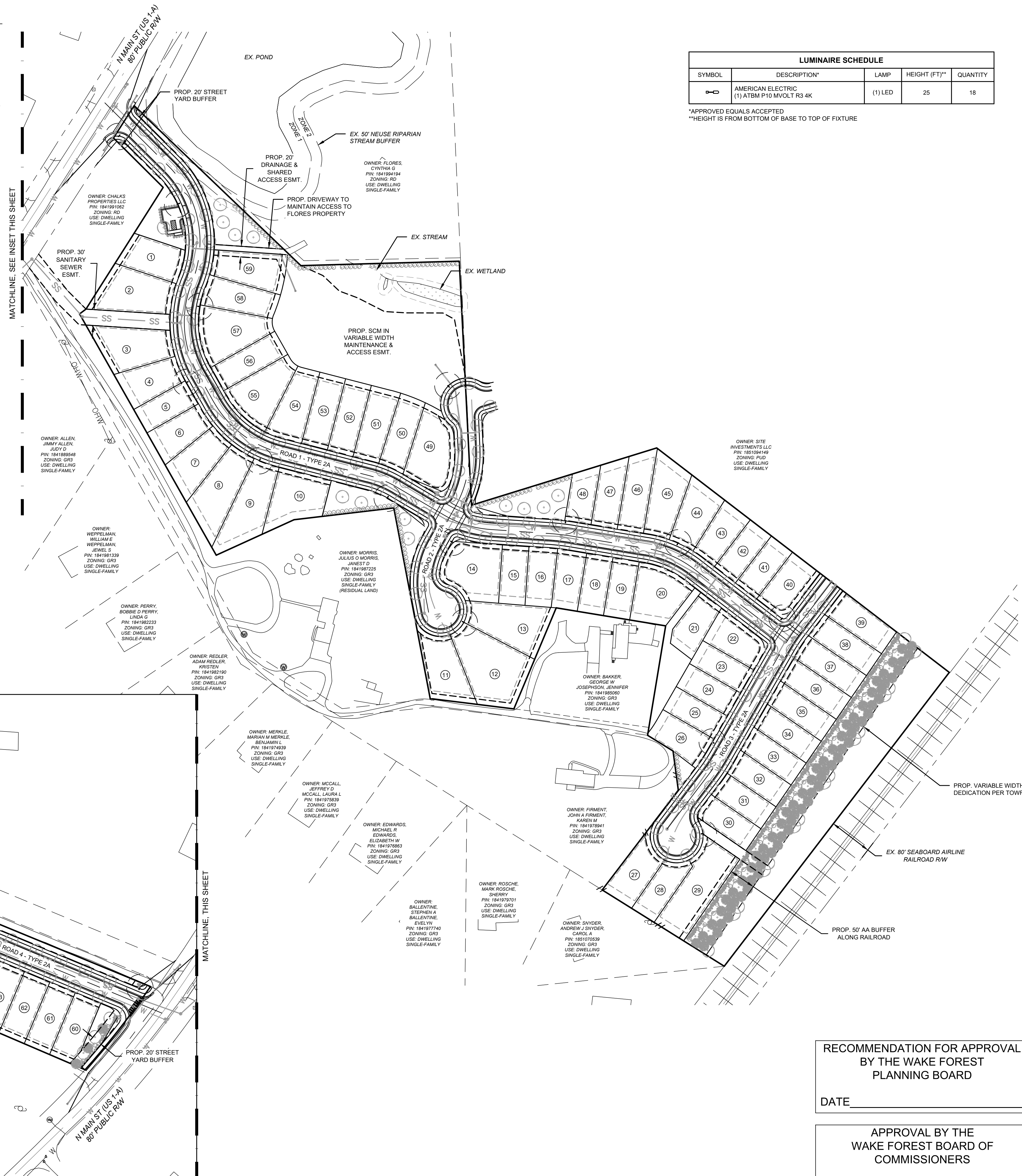
1. BACKGROUND SPACES SUCH AS PARKING LOTS AND DRIVEWAYS SHALL BE ILLUMINATED AS UNOBTUSIVELY AS POSSIBLE TO MEET THE FUNCTIONAL NEEDS OF SAFE CIRCULATION AND OF PROTECTING PEOPLE AND PROPERTY.
2. FOREGROUND SPACES, SUCH AS BUILDING ENTRANCES AND PLAZA SEATING AREAS, SHALL UTILIZE LIGHTING THAT DEFINES, HIGHLIGHTS, OR ENHANCES THE SPACE WITHOUT GLARE.
3. THE STYLE OF LIGHT STANDARDS AND FIXTURES SHALL BE CONSISTENT WITH THE STYLE AND CHARACTER OF ARCHITECTURE PROPOSED ON THE SITE.
4. LIGHT POLES AND FIXTURES SHALL BE OF A MATTE OR LOW-GLOSS GREY, BLACK, DARK EARTHEN, OR BRONZE FINISH, UNLESS PERMISSION IS GRANTED BY THE ADMINISTRATOR FOR A SPECIAL COLOR SCHEME OR THEME.
5. NO OUTDOOR POLE LIGHTING FIXTURE SHALL BE LOCATED WITHIN ANY REQUIRED LANDSCAPE BUFFER YARD OR STREET YARD, EXCEPT FOR THOSE LIGHTING ENCROACHMENTS PERMITTED BY UDO SECTION 4.3.4.
6. LIGHT SOURCES MUST BE COMPATIBLE WITH THE LIGHT PRODUCED BY SURROUNDING USES AND MUST PRODUCE AN UNOBTUSIVE DEGREE OF BRIGHTNESS IN BOTH ILLUMINATION LEVELS AND COLOR TEMPERATURE.
7. NATURAL AREAS AND NATURAL FEATURES SHALL BE PROTECTED FROM LIGHT SPILLAGE FROM OFF-SITE SOURCES.
8. MINIMUM AVERAGE STREET LIGHT SPACING SHALL BE ADEQUATE TO PROTECT THE PUBLIC SAFETY IN THE DISTRICT IN WHICH THE DEVELOPMENT IS LOCATED ACCORDING TO THE STANDARDS OF THE WAKE FOREST PUBLIC WORKS DEPARTMENT.
9. MINIMUM AVERAGE MAINTAINED ILLUMINANCE SHALL BE 0.3 FOOTCANDLES, AND THE UNIFORMITY RATIO SHALL NOT EXCEED 6 TO 1.
10. LIGHTING SHALL BE PLACED AT ALL STREET INTERSECTIONS AND IS PREFERRED AT STREET CURVES.
11. ALL STREET LIGHTS SHALL UTILIZE A CUTOFF FIXTURE. WHERE BUILDINGS ARE CLOSE TO THE STREET (LESS THAN 15 FEET FROM THE RIGHT-OF-WAY), FULL CUTOFF FIXTURES ARE REQUIRED TO LIMIT GLARE AND LIGHT SPILLAGE ON UPPER LEVELS.
12. STREET LIGHTS SHALL BE PLACED A MINIMUM OF 25' FROM CANOPY TREES.

LEGEND



LUMINAIRE SCHEDULE				
SYMBOL	DESCRIPTION*	LAMP	HEIGHT (FT)**	QUANTITY
	AMERICAN ELECTRIC (1) ATBM P10 MVOLT R3 4K	(1) LED	25	18

*APPROVED EQUALS ACCEPTED
**HEIGHT IS FROM BOTTOM OF BASE TO TOP OF FIXTURE

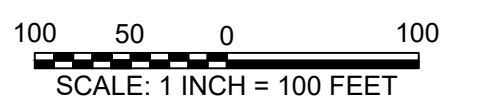


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REVISION HISTORY

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ORIGINAL PLAN SIZE: 24" X 36"



SCALE ADJUSTMENT

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N MAIN ST
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PROJECT NO.:	22001

LIGHTING PLAN

C-8

SHEET 8 OF 9

NOTES

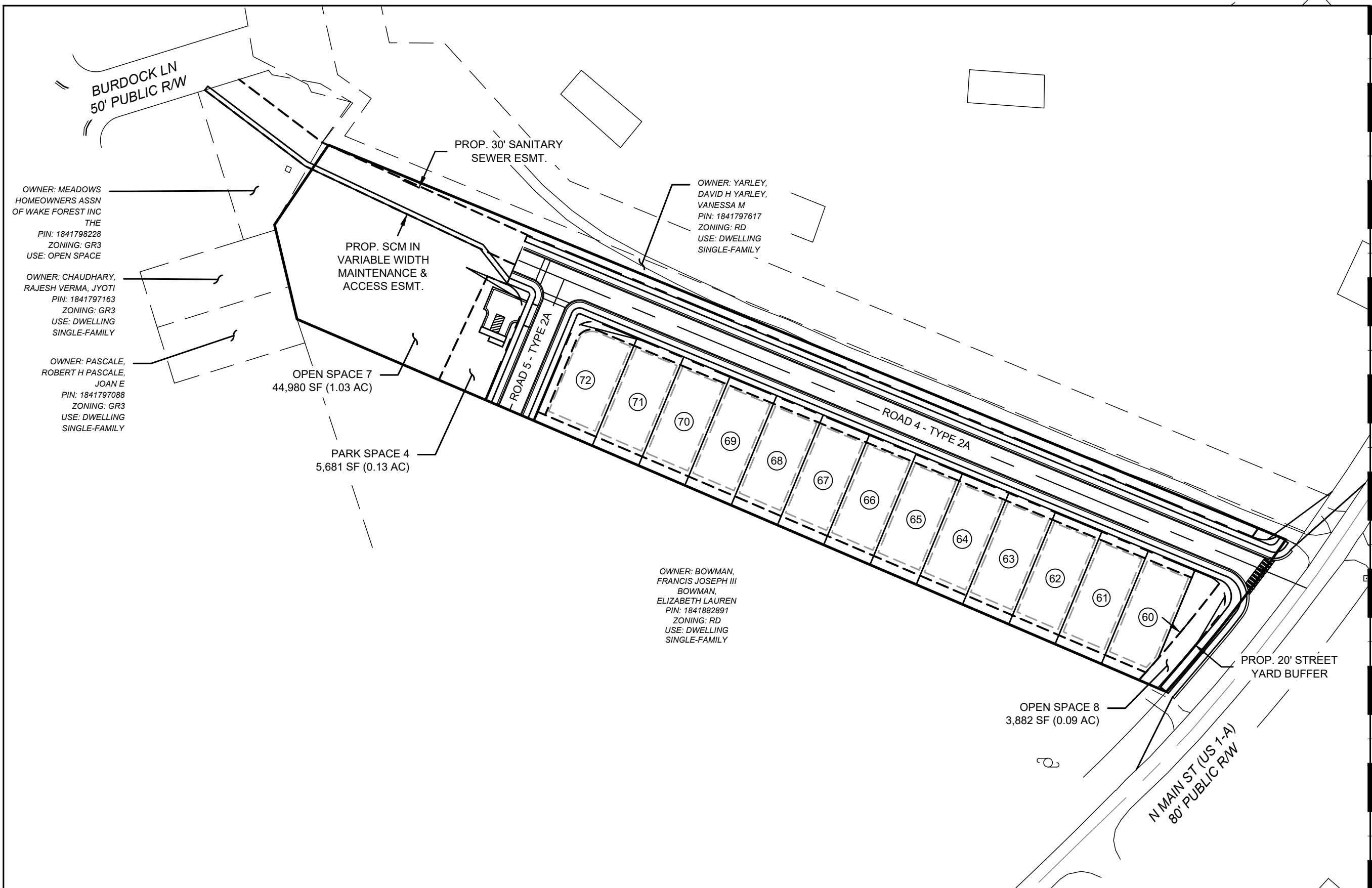
- OPEN AND PARK SPACE AREAS:
GR10 REQUIRED DEDICATED OPEN AND PARK SPACE: 2.75 AC (12.5%)
PROPOSED DEDICATED OPEN AND PARK SPACE: 4.88 AC (22.2%)

GR10 REQUIRED PARK SPACE: 0.55 AC (2.5%)
PROPOSED PARK SPACE: 0.78 AC (3.5%); 0.20 AC (25%) SHALL BE ACTIVE RECREATION

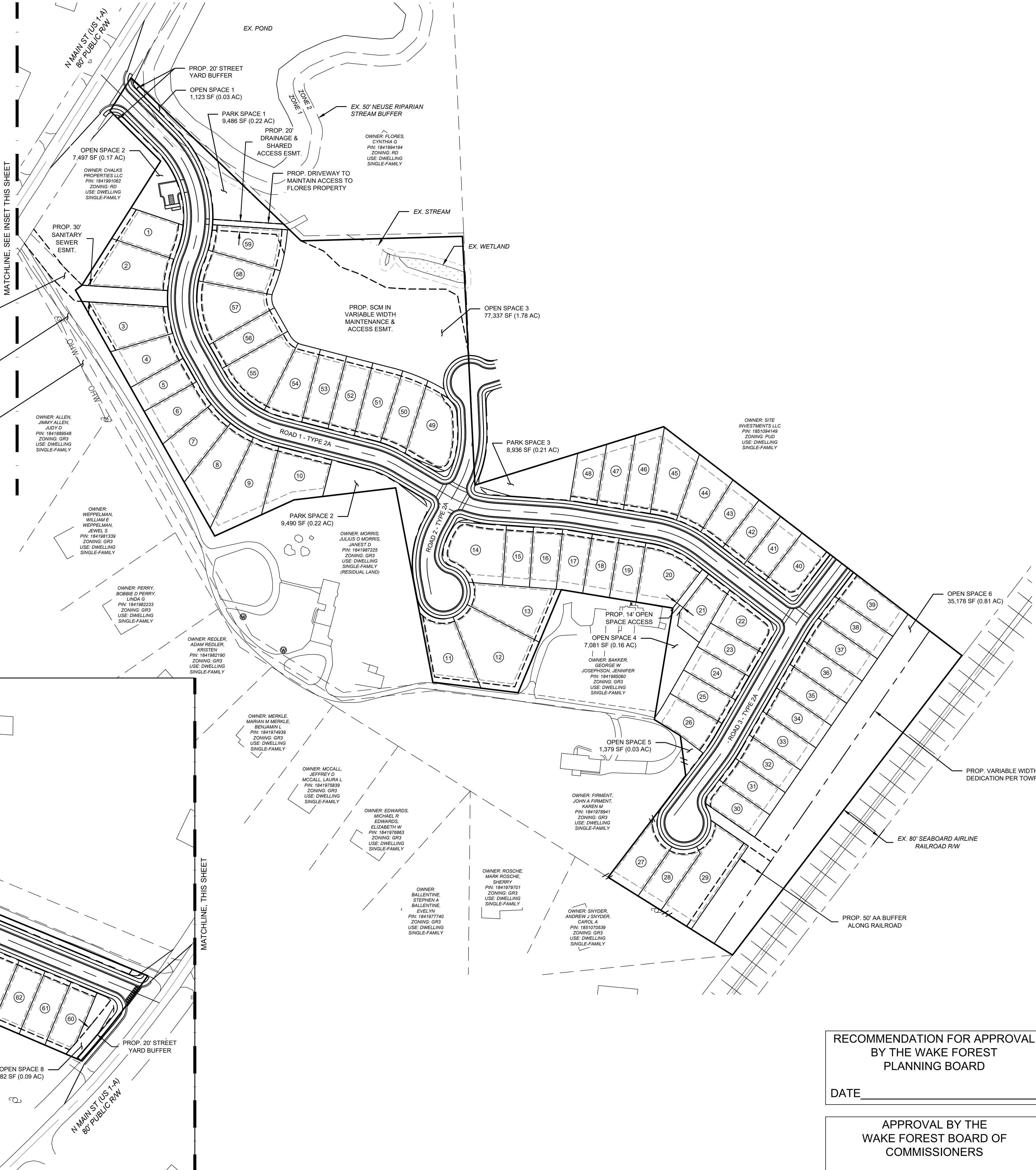
GR10 REQUIRED OPEN SPACE: 2.20 AC (10%)
PROPOSED OPEN SPACE: 4.10 AC (18.6%); 1.95 AC (47.6%) OUTSIDE OF BUFFER AND SCM AREAS
- PER ZONING CONDITION #8, ACTIVE RECREATION USES SHALL INCLUDE TWO (2) GAMING TABLES, TWO (2) PERMANENT SETS OF CORNHOLE COURTS, AND A BOCCIE BALL COURT. ACTIVE RECREATION COMPONENTS SHALL BE INSTALLED PRIOR TO THE 50TH PERCENTILE BUILDING PERMIT.
- ADDITIONAL COMMUNITY AMENITIES SHALL INCLUDE A FIRE PIT, COMMUNITY GARDEN, AND/OR A DOG PARK.
- PARK SPACE SHALL BE PARK, GREEN, OR PLAYGROUND PER SECTION 7.5.1 OF THE UDO.
- A SEPARATE PARK SPACE SITE PLAN SHALL BE PROVIDED FOR TOWN OF WAKE FOREST APPROVAL PRIOR TO FINAL PLAT APPROVAL.
- PUBLIC SEATING SHALL BE PROVIDED PER SECTION 7.5.5.A.2 OF THE UDO.
- 14 SUPPLEMENTAL TREE PLANTINGS ARE PROPOSED WITHIN THE PARK SPACE PER SECTION 7.5.5.A.3 OF THE UDO (ONE (1) TREE PER EVERY 2,500 SQUARE FEET OF REQUIRED PARK SPACE). SEE LANDSCAPING PLAN, SHEET C-7.
- GARBAGE AND RECYCLE RECEPTACLES SHALL BE PROVIDED PER SECTION 7.5.5.A.4 OF THE UDO.
- 12 CLASS III BICYCLE PARKING SPACES SHALL BE PROVIDED PER SECTION 7.5.5.A.5 OF THE UDO (FOUR (4) SPACES PER EVERY ONE-QUARTER ACRE OF PARK SPACE = 0.79 AC / 0.25 AC X 4 BICYCLE SPACES = 12 SPACES REQUIRED).

LEGEND

- | | |
|---------------|----------------------------|
| ————— | EX. PROPERTY LINE |
| ————— | EX. RIGHT-OF-WAY |
| ————— | EX. ADJACENT OWNERS |
| ————— | EX. ROAD CENTERLINE |
| ————— | EX. CHANNEL/STREAM |
| ————— | EX. CHANNEL/STREAM BUFFER |
| — OHW — OHW — | EX. OVERHEAD ELECTRIC LINE |
| ————— | PROP. RIGHT-OF-WAY |
| ————— | PROP. LOT LINES |
| ————— | PROP. SETBACK LINE |
| ————— | PROP. EASEMENT/BUFFER |
| ———//——— | PROP. 6" OPAQUE FENCE |



INSET
SCALE: 1" = 100'



RECOMMENDATION FOR APPROVAL
BY THE WAKE FOREST
PLANNING BOARD

DATE _____

APPROVAL BY THE
WAKE FOREST BOARD OF
COMMISSIONERS

DATE _____



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OPEN SPACE PLAN

C-9

SHEET 9 OF 9



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-421-

Submitted by:

Submitting Department: Administration

Meeting Date: November 15, 2022

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 5 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.: 2022-12-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: November 15, 2022

SUBJECT

Criminal Justice Reform Ordinance Amendments (2nd Reading)

Recommendation:

Item Summary:

ATTACHMENTS

- [Summary-criminal_justice_reform_ordinance_amendments \(3\).docx](#)
- [Ordinance_Amendments_NEW_Strike_Through \(5\).docx](#)

Agenda Item: Recommendation of Criminal Justice Reform Ordinance Amendments

Summary:

On September 2, 2021, Governor Roy Cooper signed into law, legislation that decriminalizes certain local government ordinances. A few provisions in Senate Bill 300 (S.L. 2021-138), titled Decriminalization of Certain Ordinances, remove the current presumption that all local ordinances may be enforced criminally (G.S. 160A-175) and states that ordinances may be enforced criminally as provided in G.S. 14-4 “only if the city specifies such in the ordinance.”

Staff has reviewed each ordinance and provided recommendations regarding criminal enforcement of the Town of Wake Forest ordinances. A draft of the recommended changes to our ordinances is included.

The ordinance provisions have been amended to include criminal penalties for:

Chapter 8- Buildings and Building Regulations

1. Section 8-43 Responsibilities of Occupants.
2. Section 8-44 Responsibilities of Owners.
3. Section 8-159 Failure to comply with an order.
4. Section 8-254 Applicability and compliance.
5. Section 8-271 Violations; penalty; fee; remedies.

Chapter 10- Businesses

1. Section 10-1 Sunday morning sales of alcoholic beverages.
2. Section 10-71 Purpose.
3. Section 10-73 Permit.

Chapter 14- Environment

1. Section 14-32 Accumulations constituting fire hazard.
2. Section 14-33 Trash, etc; procedure for removal.
3. Section 14-34 Human waste on streets, etc.

Chapter 20-Offenses and Miscellaneous Provisions

1. Section 20-2 Public consumption, possession, etc., of alcohol.
2. Section 20-66 Discharge of firearms.
3. Section 20-67 Discharge of pellet guns.
4. Section 20-68 Explosives.
5. Section 20-69 Carrying a concealed weapon.
6. Section 20-101 Loitering for the purpose of engaging in drug related activity.
7. Section 20-103 Picketing.
8. Section 20-104 Picketing regulations.

Chapter 22- Parks and Recreation

1. Section 22-4 Vehicles.
2. Section 22-5 Signs.
3. Section 22-6 Destruction of park property.
4. Section 22-7 Weapons prohibited.

5. Section 22-8 Animals.
6. Section 22-9 Selling, peddling, etc.
7. Section 22-10 Gambling.
8. Section 22-11 Disorderly conduct.
9. Section 22-12 Alcoholic Beverages.
10. Section 22-13 Games and sports.
11. Section 22-14 Excavations.
12. Section 22-15 Fires.
13. Section 22-16 Dumping.
14. Section 22-20 Smoking in prohibited areas.
15. Section 22-108 Denial of admission.
16. Section 22-109 Hours of operation.
17. Section 22-110 Pollution of the reservoir.
18. Section 22-111 Discharge of firearms or fireworks.
19. Section 22-118 Restricted access.

Chapter 26- Solid Waste

1. Section 26-13 Littering.
2. Section 26-14 Dumping on private land.
3. Section 26-16 Building debris.
4. Section 26-18 Unlawful disposal.
5. Section 26-26 Restrictions.
6. Section 26-29 Commercial collection.

Chapter 28-Streets and Sidewalks

1. Section 28-5 Same-Signs, etc.
2. Section 28-112 Safety precautions.
3. Section 28-113 Restoration.

Chapter 32- Utilities

1. Section 32-5 Tampering with or obstructing system paraphernalia.
2. Section 32-6 Separate meters required; exception.
3. Section 32-57 Regulation of private water supply.
4. Section 32-425 Electric tampering

Requested Action: Review and Approve the Ordinance Amendments

Attachments:

1. Ordinance Amendments

ORDINANCE 2022-XX

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 ~~4~~ 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 town ~~Town~~ 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.

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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.

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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.

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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.

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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.

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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.

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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.

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(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~~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 18th day of October 2022.

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.: 2021-669-
Submitted by: Patrick Reidy
Submitting Department: Planning
Meeting Date: November 15, 2022

SUBJECT

Consideration of LEGISLATIVE CASE RZ-22-02; Morris Subdivision; Consideration of a rezoning filed by FLM Engineering to rezone 22.95± acres located at 0 (portion), 1159, 1161, 1163, and 1164 (portion) N. Main Street, being Wake County Tax PINs 1841984646 (portion), 1851084059 (portion), 1841886835, 1841883996, 1841890142, and 1841987225 (portion) from Rural Holding District (RD) and General Residential 3 (GR3) to General Residential 10 Conditional District (GR10-CD).

Recommendation:

Item Summary:

ATTACHMENTS

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Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-666-
Submitted by: Patrick Reidy
Submitting Department: Planning
Meeting Date: November 15, 2022

SUBJECT

Consideration of QUASIJUDICIAL CASE SD-21-06 for a Major Subdivision and Site Master Plan for South White Street Townhomes filed by The Nau Company on behalf of the property owner, to subdivide ± 7.98 acres located at 136 E. Holding Avenue and 720 E. Holding Avenue, being Wake County Tax PINs 1840388718 and 1840386367

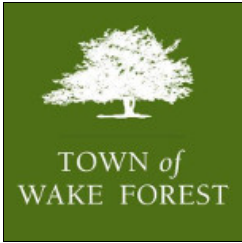
Recommendation:

Item Summary:

ATTACHMENTS

- [Case Summary SD-21-06 - South White Street Townhomes Major Subdivision and Site Plan.pdf](#)
- [Attachment A - Application and Statement of Justification.pdf](#)
- [Attachment B - Subdivision & Site Master Plan.pdf](#)
- [Attachment C - Maps.pdf](#)
- [Attachment D - Neighborhood Meeting Information.pdf](#)
- [Attachment E - Traffic Impact Analysis Executive Summary and NCDOT Review Report.pdf](#)
- [Attachment F – Staff Report 10-4-2022.pdf](#)
- [Attachment G – Staff Presentation 10-4-2022.pdf](#)
- [Attachment H - 1st Request by Applicant to Delay Action.pdf](#)
- [Attachment I - 2nd Request by Applicant to Delay Action.pdf](#)

Agenda Item:	Consideration of QUASIJUDICIAL ITEM SD-21-06 for a Major Subdivision and Site Master plan for South White Street Townhomes filed by The Nau Company on behalf of the property owner, to subdivide ±7.98 acres located at 136 E. Holding Avenue and 720 E. Holding Avenue, being Wake County Tax PINs 1840388718 and 1840386367
Summary:	The joint public hearing was hold on October 4, 2022. The Planning Board, at their October 4, 2022 meeting, voted 7-0 to recommend denial of the Major Subdivision and Site Master Plan. On October 11, 2022, the applicant submitted a request to delay action to the November 15, 2022 Board of Commissioners Meeting. At their October 18, 2022 meeting, the Board of Commissioners honored the request to delay action to their November 15, 2022 meeting. On November 9, 2022, the applicant submitted a request to delay action to the December 6, 2022 Board of Commissioners Work Session Meeting.
Findings of Fact:	Per UDO Section, 15.8.2.J (Major Site Master Plan) and 15.9.2.J (Major Subdivision Master Plan), the Board of Commissioners must find that the request complies with the following Findings of Fact in order to approve or approve with conditions: Finding 1: The plan is consistent with the adopted plans and policies of the Town. Finding 2: The plan complies with all applicable requirements of the Wake Forest Unified Development Ordinance. Finding 3: There exists adequate infrastructure (transportation & utilities) to supports the plans as proposed. Finding 4: The application will not be detrimental to the use or development of adjacent properties or other neighborhood uses.
Attachments:	Attachment A – Application and Statement of Justification Attachment B –Subdivision and Site Master Plan Attachment C – Maps Attachment D – Neighborhood Meeting Information Attachment E – Traffic Impact Analysis Executive Summary & NCDOT Review Attachment F – Staff Report 10-4-2022 Attachment G – Staff Presentation 10-4-2022 Attachment H – 1st Request by Applicant to Delay Action Attachment I – 2nd Request by Applicant to Delay Action



2.20) Subdivision Master Plan (Prior to July 1, 2021)

Application

(Master Plan Major Subdivision 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

#564715

Project Title: White Street Townhomes Master Plan

Jurisdiction: Town of Wake Forest (Wake County)

Application Type: 2.20) Subdivision Master Plan (Prior to July 1, 2021)

State: NC

Workflow: Master Plan Major Subdivision

County: Wake

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 SUBDIVISION MASTER PLAN 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 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:

Pre-Application Meeting

Has a pre-application conference been held?: Yes

This type of project requires a pre-application conference be completed prior to official submittal. 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:

Staff Member Met With: Patrick Reidy and others

Project ID: SD-21-06

Project Location

Project Address or PIN:

- 136 E HOLDING AVE (1840388718)
- 720 E HOLDING AVE (1840386367)

Tax PIN:

- 1840388718
- 1840386367

GIS Verified Fields

Corporate Limits:

Zoning: Zoning

- 136 E HOLDING AVE: RMX
- 720 E HOLDING AVE: RMX

GIS Acreage: Parcel

Land Use: Land Use Development

- 136 E HOLDING AVE: 4.2300000000000004
- 720 E HOLDING AVE: 3.75

- 136 E HOLDING AVE: Residential

Floodplain (WAKE):

Floodplain (FRANKLIN):

Zoning Information

Currently a Conditional District?: No

Currently a Conditional Use?: No

Is there an existing Special Use Permit for the Property?: No

Related Town of Wake Forest Case Numbers: SD-21-06

Current Zoning Overlay: NA, Not Applicable to this Project

Project Information

Percent Impervious Surface (Total Proposed): 66

Square Footage of All Buildings (non-residential): 0

Proposed Number of Lots: 79

Number of Single-Family Lots: 0

Number of Townhome Lots: 79

Number of Lots (non-residential): 0

Number of Floors: 3

Number of Buildings (non-residential): 0

Number of Multi-Family Units: 0

Building Height: 36

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

Brian O'Kane
The Nau Company
PO Box 810
Rolesville, NC 27571
P:919-435-6395
bokane@thenauco.com

Project Contact - Developer

David Smoot, IV
Madison Holding LLC
1415 Hillsborough Street
Raleigh, NC 27605
P:9173552122
david.smoot@madisonholding.com

Project Contact - Property Owner

David Smoot
ITAC 356
531 S Main Street
Wake Forest, NC 27587
P:9196695151
smoot.david@gmail.com

Project Contact - Engineer

Brian O'Kane
The Nau Company
PO Box 810
Rolesville, NC 27571
P:919-435-6395
bokane@thenauco.com

Master Plan Compliance 1

Is the project part of a proposed conditional district rezoning under review?: No

The Plan is consistent with the adopted plans & policies of the Town.:

This property is subject to the following plans of record: 2009 Wake Forest Community Plan for the Town Center Zone (Community Plan), 2017 Renaissance Plan for Downtown Wake Forest (Renaissance Plan) and Wake Forest Comprehensive Transportation Plan (April 2021 Update) (CTP). The proposed development is consistent with the adopted plans and policies of

the town.

The policy emphasis of the Community Plan for the Town Center Zone is to retain its urban, pedestrian-oriented character. New residential development should be at a truly urban density, with the objective of placing a greater number of households within walking distance of the downtown commercial district (Wake Forest Community Plan 2009, p 269). The proposed development would add 79 households within walking distance of downtown. The proposed site plan reflects the highest density of any of the townhouse projects that the Town of Wake Forest has approved in the Renaissance Area in recent years: Retreat at Renaissance, Franklin Street Townhomes, and Forest on Franklin. It should be noted that Retreat at Renaissance and Forest on Franklin are zoned UMX which has no density cap. Nevertheless, Retreat achieved only 7.7 units per acre, while Forest on Franklin has proposed 5.7. Franklin Street Townhomes is zoned RMX which allows for 24 units per acre; nevertheless, the development has a density of 9.2 units per acre. We did consider apartments for this site but concluded that we could not yield a sufficient number of units to support an apartment development with club house and necessary amenities. Townhomes were therefore the logical choice in keeping with the Community Plan.

This site is considered ripe for development in the Renaissance Plan. Ripe is defined as a vacant parcel at the edge of the downtown historic core well-suited for a variety of significant development opportunities (Renaissance Plan p33). The Renaissance Plan specifically highlights this site as appropriate for "housing opportunities" (p52). Walkability, open space and greenways are major themes in the Renaissance Plan and are provided for in the proposed development. The proposed site plan offers excellent opportunities to walk downtown, to the post office, library, or senior center, or throughout the open space and along the greenway system beginning at the trailhead on the property.

The site is located just outside of the Southern Area Master Plan which is a component of the Renaissance Plan (Section 5.3.1 (p74-75)). The property is referred to indirectly in the last paragraph of the Southern Area Master Plan: "Ultimately the goal for future growth is to extend the core southward towards East Holding Avenue, with its civic and community uses. Of the two north-south corridors that extend in that direction, Brooks Street, will likely become the more promising for retail, due to the more direct connection to South Franklin Street and the NC 98 Bypass as well as the planned greenway (via the Downtown Connector). South White Street, on the other hand, effectively dead-ends in Heath Ridge Village." The map of the Southern Area on p75 of the Renaissance Plan reflects especially this paragraph; E Holding Avenue represents the southern boundary of the "Southern Area". Lands south of E Holding Ave, including the site, are of course part of the larger Renaissance Area (see map pg 3) but are not included in the Southern Area Master Plan of the Renaissance Area Plan (p75).

The CTP contemplates no changes to the existing street network of E Holding Ave between S Main St and S White St and S White St south of E Holding Ave other than the future addition of bike lanes (CTP p. 46). This development will not interfere with the proposed bike lanes. E Holding Ave between S Main St and S White St is designated a collector with roadway recommendation type 2A standard ROW width of 55 feet with alternate dimensions including two undivided travel lanes of 10-14 feet and bike lane of 5-6 feet (CTP pp 67, 73)

The project includes a proposed greenway addition at the trailhead to the Kiwanis Greenway which would connect this development to the wider Wake Forest greenway network (CTP p 46).

The proposed development does not interfere with the Proposed Commuter Rail between Wake Forest and Raleigh (no realignment of existing railroad ROW required) (CTP p 56). S-Line realignment is illustrated on CTP p57; however, there is no pending or proposed railroad ROW realignment that has been funded or approved by any of CSX Corporation, USDOT Federal Railroad Administration, NCDOT, Wake County or Town of Wake Forest. An Environmental Impact Study (EIS) was completed in 2017 for a possible Southeast High Speed Rail (SHSR) from Richmond to Raleigh (see Appendix R Map 136 of the EIS) showing a possible ROW realignment impacting the site including a proposed separated grade crossing with a rerouting of Holding Ave to align with Dunn Ave (which currently dead ends to the west of the CSX ROW). The EIS is not a valid basis for restricting this proposed development. The SHSR, which was first proposed in 1992, was only funded to completion of the EIS in 2017. To date, no additional funding for the project has been approved. We note also that the 2021 Town of Wake Forest Comprehensive Transportation Plan Text Amendments, as well as the 2019 Comprehensive Transportation Plan, both show E Holding Ave as a collector street unchanged from its existing path between S Main St and S Franklin St. This stands in contrast to the predecessor 2010 Wake Forest Transportation Plan which as of that time in contemplation of a possible SHSR did show a relocation of E Holding Ave and a new separated grade crossing connecting E Holding and Dunn Rd. This is a significant change to the Comprehensive Transportation Plan of record and demonstrates that the Town no longer and does not now contemplate a realignment of the railroad ROW within any planning horizon. With regards to a possible light rail commuter line between Wake Forest and Raleigh, the Wake Transit Plan (2016) shows the county's priority for light rail is linking Garner-Raleigh-Cary-Durham with an "option for future expansion to Wake Forest" (p8). With respect to the Wake Forest-Raleigh corridor, the Wake Transit Plan contemplates express bus service for the planning horizon-- specifically an all-day 60-minute bus service between Wake Forest and Raleigh (p9); however, GoRaleigh is currently operating only four daily round trips servicing an average of 10-50 passengers per day, depending on

the season. At the current time, therefore, light rail is not identified as a priority by the Wake Transit Plan.

The plan complies with all applicable requirements of the Wake Forest Unified Development Ordinance:

The plan complies with all applicable requirements of the Wake Forest UDO. The property is zoned RMX which is intended to accommodate a variety of housing types in a neighborhood setting. The regulations of this district are intended to provide areas of the community for those persons desiring small residences and multifamily structures in relatively high density neighborhoods within walking or biking distance from mixed-use centers. The proposed use for townhomes is consistent with this intent.

From a technical standpoint, the development complies with applicable setback regulations (Ch 4), building design standards (Ch 5), subdivision and infrastructure standards (Ch 6), parks and open space standards (Ch 7), tree protection and landscaping requirements (Ch 8), auto and bicycle parking standards (Ch 9), lighting requirements (Ch 10), and erosion and storm control regulations (Ch 12). In addition, to the extent that the UDO incorporates by reference the Town of Wake Forest Manual of Specifications, Standards and Design in UDO 6.2.2 (MSSD), the proposed development will comply with and conform to all requirements and related standard details in connection with water and sewer design, stormwater management, street design, erosion and sedimentation control, and landscape design and installation (chapters 1-6, respectively).

The application will not be detrimental to the use or development of adjacent properties or other neighboring uses.:

The proposed development will have no detrimental impact to the use or development of adjacent properties or other neighborhood uses. The plan is harmonious with the Town of Wake Forest's plans and policies of record which contemplate a smart, urban residential development in this location within walking distance of downtown and nearby shops, service businesses, restaurants, civic buildings, places of worship and schools. The creation of significant open space and dedication of greenway at the trailhead to the existing Kiwanis Greenway will benefit the neighborhood and wider Wake Forest community. The only immediate adjacent neighbor is not affected by the proposed development.

There exists adequate infrastructure (transportation and utilities) to support the plans as proposed.:

There exists adequate infrastructure to support the proposed development. The project will front on E Holding Ave and connect to S White St with two new public streets and three new public alleys. Public water and sewer are available adjacent to the site.

Special Use Permit

Is there an existing Special Use Permit for the Property?:	No	Existing or proposed land uses on all adjoining properties (including properties across street)::
Property Size:		Special Use Request (Proposed Land Use & Description):
Number of Buildings:		Proposed Number of Lots: 79
Number of Units:		Building Square Footage:
Proposed Conditions Offered by Applicant:		The proposed special use conforms to the character of the

The proposed use will not cause undue traffic congestion or create a traffic hazard:

The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas:

The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety or general welfare:

The proposed use is consistent with the officially adopted plans and policies of the town:

Project Contact - Property Owner

David Smoot
ITAC 356
531 S Main Street
Wake Forest, NC 27587
P:9196695151
smoot.david@gmail.com

neighborhood, considering the location, type and height of buildings or structures and the type and extent of landscaping on the site:

Adequate utilities (water, sewer, drainage, electric, etc.) are available for the proposed use:

The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property:

The application will not substantially injure the value of adjoining or abutting property:

Project Contact - Applicant

Brian O'Kane
The Nau Company
PO Box 810
Rolesville, NC 27571
P:919-435-6395
bokane@thenauco.com

TOWN OF WAKE FOREST

AGENT AUTHORIZATION FORM:

Application #: _____

Submittal Date: 6/7/2021

ITAC 356 LLC is the owner of the property for which the attached application is being submitted:

- ☐ General Use Rezoning or Conditional District Rezoning
☐ Site Master Plan
☒ Subdivision Master Plan
☐ Construction Drawings
☐ Variance
☐ Major Architectural Review

The property is located at: 136 E. Holding Avenue (PINs 1840388718 & 1840386367)The agent for this project is: Brian O'Kane, PE | The Nau Company, PLLC☒ I am the owner of the property and will be acting as my own agent.Name: ITAC 356 LLCAddress: 531 S. Main Street, Wake Forest, NC 27587Telephone Number: 919-669-5151

Fax: _____

Email Address: smoot.david@gmail.com

Signature(s) of Owner(s):



Print or type name(s):

David M. SmootMember-Manager

Attach additional sheets if there are additional owners.

***Owner of record as shown on the latest equalized assessment rolls of Wake County. (An option to purchase does not constitute ownership). If ownership has been recently transferred, a copy of the deed must accompany this authorization.**

Last update: August 2018

WHITE STREET TOWNHOMES

MAJOR SUBDIVISION MASTER PLAN SP-21-60

136 E HOLDING AVENUE
WAKE FOREST, NC

~~JUNE 7, 2021~~
~~DECEMBER 27, 2021~~
MAY 9, 2022
~~JUNE 27, 2022~~
AUGUST 4, 2022

DEVELOPER

MADISON HOLDING LLC
CONTACT: DAVID SMOOT, IV
1415 HILLSBOROUGH STREET
RALEIGH, NC 27605
david.smoot@madisonholding.com

LAND OWNER

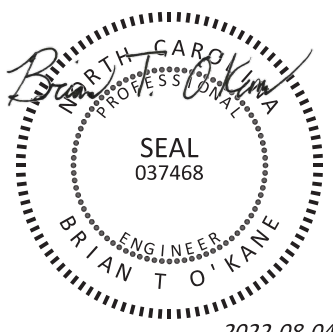
ITAC 356 LLC
CONTACT: DAVID SMOOT
531 S. MAIN STREET
WAKE FOREST, NC 27587

SHEET INDEX		
SHEET NO.	SHEET NAME	MOST CURRENT REVISION DATE
C1.0	EXISTING CONDITIONS PLAN	08/04/2022
C2.0	DEMOLITION PLAN	08/04/2022
C3.0	SITE PLAN	08/04/2022
C3.1	ROAD SECTION PLAN	08/04/2022
C3.2	OPEN SPACE PLAN	08/04/2022
C4.0	UTILITY PLAN	08/04/2022
C5.0	LANDSCAPE & LIGHTING PLAN	08/04/2022

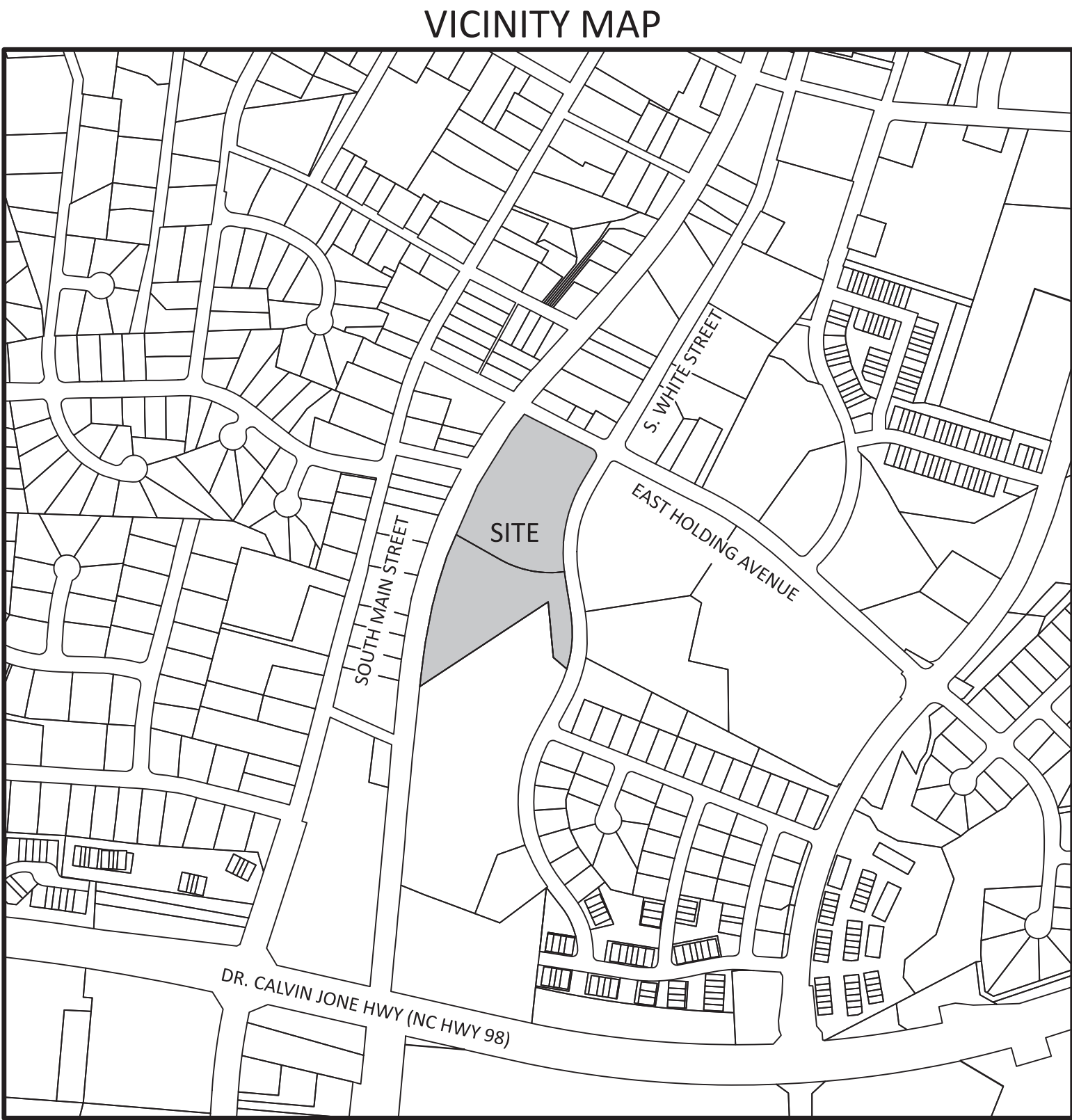
EXISTING SITE DATA	
PARCEL PIN(S)	1840-38-8718 & 1840-38-6367
ZONING	RMX
PARCEL AREA	7.98 ACRES
EXISTING USE	VACANT*
RIVER BASIN	NEUSE
COMMUNITY PLAN AREA DESIGNATION	TOWN CENTER ZONE

* EXISTING DUPLEX AT INTERSECTION OF WHITE STREET AND EAST HOLDING TO BE REMOVED.

PROPOSED SITE DATA	
ZONING	RMX
EXISTING SITE AREA	7.98 ACRES
PROPOSED PUBLIC ROW	2.39 ACRES
PROPOSED NET SITE AREA	5.59 ACRES
PROPOSED USE	24 DWELLING - TOWNHOMES 92 DWELLING - MULTI-FAMILY (2 OVER 2 CONDOMINIUMS)
TOWNHOME UNITS	116 UNITS
FRONT SETBACK	18 FEET (MAX)
SIDE CORNER SETBACK	5 FEET (MIN)
SIDE SETBACK	0 FEET (MIN)
REAR SETBACK	5 FEET (MIN)
FRONTAGE BUILDOUT	N/A
MAXIMUM DENSITY	24 DUA
PROPOSED DENSITY	20.75 DUA
IN WATER SUPPLY	NO
WATERSHED PROTECTION OVERLAY DISTRICT?	NO
HAS SPECIAL FLOOD HAZARD AREAS?	NO
OPEN SPACE REQUIRED	5% - 17,380 SF (0.40 ACRES)
OPEN SPACE PROVIDED	31.05% - 108,009 SF (2.48 ACRES)
PARK SPACE REQUIRED	2% - 6,952 SF (0.16 ACRES)
PARK SPACE PROVIDED	11.5% - 39,930 SF (0.92 ACRES) 26,739 SF (0.61 ACRES) OUTSIDE OF EX POND (67% OF PARK SPACE PROVIDED) PARK SPACE REQUIREMENT MET WITHOUT UTILIZING AREA OF EXISTING POND
ACTIVE PARK SPACE REQUIRED	25% OF 0.16 ACRES = 1,738 SF (0.04 ACRES)
ACTIVE PARK SPACE PROVIDED	2,000 SF (0.05 ACRES) 28.8% OF REQUIRED PARK SPACE
PARKING SPACES REQUIRED	1.8 SPACES PER UNIT UNITS 1-116 = 209 SPACES CLUSTER MAILBOX = 2 SPACES
PARKING SPACES PROVIDED	TOTAL SPACES REQUIRED = 211 SPACES CONDOS: 1 SPACE IN EACH GARAGE 1 SPACE IN EACH DRIVEWAY TOTAL CONDO SPACES: 184 TOWNHOMES: 2 SPACES IN EACH GARAGE 2 SPACES IN EACH DRIVEWAY TOTAL TOWNHOME SPACES: 96 33 ADDITIONAL STREET PARKING SPACES (INTERNAL TO THE SITE) 3 MAIL KIOSK PARKING SPACES (INCLUDING 1 ADA VAN SPACE) TOTAL ON-SITE SPACES = 316 SPACES
BICYCLE PARKING REQUIRED	2 BIKE PARKING SPACES PER 40 SPACES 16 BIKE PARKING SPACES 4 BIKE SPACES PER 1/4 ACRE OF PARK SPACE 0.92 AC = 15 BIKE PARKING SPACES 31 BIKE SPACES REQUIRED
BICYCLE PARKING PROVIDED	33 BIKE SPACES
MINIMUM HEIGHT	6 STORIES
MAXIMUM HEIGHT	NONE
PROPOSED HEIGHT	4 STORIES (APPROXIMATELY 50')



2022-08-04



SCALE: 1" = 500'

REVIEW ENGINEER DISCLAIMER
EXECUTION OF THIS CONSTRUCTION PLAT BY THE REVIEW ENGINEER FOR THE TOWN OF WAKE FOREST IN NO WAY LIMITS THE RESPONSIBILITY OF THE OWNER AND ENGINEER OF RECORD WITH REGARD TO COMPLIANCE WITH ALL FEDERAL, STATE, AND LOCAL STANDARDS AND/OR CONDITIONS.

ALL PUBLIC FACILITIES, INCLUDING UTILITIES, SIDEWALKS, AND HANDICAP RAMPS ARE TO BE CONSTRUCTED ON ALL STREETS AS SPECIFIED BY TOWN STANDARDS. THESE FACILITIES HAVE BEEN APPROVED BY THE TOWN OF WAKE FOREST AND SHALL BE SO INSTALLED UNLESS A CHANGE IS APPROVED BY THE TOWN OF WAKE FOREST.

OWNER CERTIFICATE
OWNER HEREBY CERTIFIES AND AGREES TO TAKE SUCH ACTION AS MAY BE REQUIRED BY THE TOWN OF WAKE FOREST TO CORRECT ANY ERRORS, OMISSIONS OR NON-COMPLIANCE WITH TOWN STANDARDS AND/OR CONDITIONS DESCRIBED IN THE CONSTRUCTION PLAT, INCLUDING RESUBMISSION OR RE-EXECUTION OF THIS CONSTRUCTION PLAT WITH WITH THE APPROPRIATE CORRECTIONS AND/OR REVISIONS.
David Smoot
OWNER
August 4, 2022
DATE

RECOMMENDATION FOR APPROVAL
BY THE WAKE FOREST
PLANNING BOARD

DATE _____

APPROVAL BY THE
WAKE FOREST BOARD
OF COMMISSIONERS

DATE _____

The Nau Company
Consulting Civil Engineers

PO Box 810 Rolesville, NC 27571
919-435-6395
NCBELS License P-0751

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

EXISTING PROPERTY TABLE	
①	N/F WAKE FOREST AREA CRISIS MINISTRY INC DB 8140 PG 242 REID: 73260 ZONED: UNK USE: FOOD PANTRY
②	N/F WAKE FOREST AREA CRISIS MINISTRY INC DB 8140 PG 242 REID: 82316 ZONED: UNK USE: FOOD PANTRY
③	N/F CHARLES ALBERT MARSHALL & WANDA JONES MARSHALL DB 13900 PG 1130 REID: 32546 ZONED: UNK USE: OFFICE / SERVICE

CURVE TABLE					
CURVE	CHORD BRG	CHORD	RADIUS	ARC	DELTA
C1	S16°10'51"E	43.78'	30.00'	49.08	093°43'47"
C2	S11°37'38"W	349.79'	531.34'	356.43	038°28'07"
C3	S08°07'47"E	10.00'	531.34'	10.00	001°04'42"
C4	N03°58'54"E	208.63'	478.08'	210.33	025°12'24"

EXISTING CONDITIONS LEGEND

EXISTING PROPERTY BOUNDARY	---
EXISTING PROPERTY LINE	---
EXISTING EASEMENT	---
EXISTING SETBACK	---
EXISTING ROAD CENTERLINE	---
EXISTING CONCRETE	---
EXISTING GRAVEL	---
EXISTING MAJOR (5') CONTOUR	---
EXISTING MINOR (1') CONTOUR	---
STREAM CENTERLINE	---
STREAM TOP OF BANK	---
STREAM TOE OF BANK	---
STREAM BUFFER	---
ZONE 1 STREAM BUFFER	---
ZONE 2 STREAM BUFFER	---
TREELINE	---
GIS PROPERTY LINE	---
EXISTING GIS CONTOUR	---
OVERHEAD UTILITY LINE	OH OH
OVERHEAD POWER LINE	---
UNDERGROUND UTILITY LINE	UG UG
UNDERGROUND CABLE TV LINE	CATV CATV
UNDERGROUND FIBER OPTIC LINE	FO FO
UNDERGROUND GAS LINE	GAS GAS
UNDERGROUND ELECTRIC LINE	UE UE
UNDERGROUND TELEPHONE LINE	T T
EX. STORM SEWER PIPE	---
EX. SANITARY SEWER PIPE	SS SS
EX. SANITARY SEWER FORCE MAIN	FM FM
EX. SANITARY SEWER MANHOLE	---
EX. SANITARY SEWER CLEANOUT	---
EX. WATER PIPE	W W
EX. WATER METER	---
EX. WATER HYDRANT	---
EX. WATER VALVES	---

EXISTING CONDITIONS NOTES

- BOUNDARY INFORMATION SHOWN ON THIS PLAN WAS TAKEN FROM A CAD FILE PREPARED BY ROBERT MURPHY PLLC, PROFESSIONAL LAND SURVEYING, TITLED RECOMBINATION PLAT FOR ITAC 356 LLC AND JAMES M. ADAMS, SR & WIFE GAYLE W. ADAMS.
- ALL EXISTING FEATURES SHOWN ON THIS PLAN WERE TAKEN FROM A CAD FILE PREPARED BY ROBERT MURPHY PLLC, PROFESSIONAL LAND SURVEYING, TITLED: TOPOGRAPHIC SURVEY PREPARED FOR DAVID SMOOT.
- INDIVIDUAL TREE LOCATIONS SHOWN ON THIS PLAN WERE TAKEN FROM TREE SURVEY PREPARED BY ENGINEERING & ENVIRONMENTAL SCIENCE COMPANY, TITLED: HOLDING CORNERS EXISTING CONDITIONS; DATED 10-14-2016.
- TOPOGRAPHIC INFORMATION SHOWN OUTSIDE OF THE PROPERTY BOUNDARY TAKEN FROM WAKE COUNTY GIS.
- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
- LOCATE EXISTING WATERLINE ON-SITE PRIOR TO CONSTRUCTION. REPORT FINDINGS TO OWNER AND ENGINEER.
- ACCORDING TO THE TREE SURVEY, THERE ARE 21 SPECIMEN TREES THAT ARE CANOPY TREES WITH DIAMETER AT BREAST HEIGHT (DBH) GREATER THAN 20". REFER TO LANDSCAPE PLAN FOR SPECIMEN TREE CALCULATIONS.

EXISTING DEVELOPED FEATURES

- THERE ARE EXISTING STRUCTURES ONSITE TO BE REMOVED.
- THERE ARE NO KNOWN EXISTING CEMETERIES ONSITE.
- THERE ARE NO KNOWN EXISTING BRIDGES ONSITE. THERE ARE TWO 12" CULVERTS ON SITE THAT WILL BE REMOVED DURING CONSTRUCTION.
- THE EXISTING PUBLIC WATERLINE IN SHOWN ON THIS PLAN WAS DIGITIZED FROM AERIAL MAPS. THE LOCATION OF THE EXISTING SANITARY SEWER MAIN THAT TRAVERSES THE SITE WAS TAKEN FROM A CAD FILE PREPARED BY ROBERT MURPHY PLLC.
- THERE IS AN EXISTING DRIVEWAY CUT ON THE SITE THAT WILL BE CLOSED WITH THE CONSTRUCTION OF THE PROJECT.
- EXISTING SIDEWALKS ALONG EAST HOLDING AVENUE AND SOUTH WHITE STREET ARE SHOWN FROM SURVEY DATA PREPARED BY ROBERT MURPHY PLLC.
- THERE ARE NO EXISTING ONSITE PUBLIC OR PRIVATE STREETS.
- THERE ARE NO KNOWN CONTAMINATED SOILS OR HAZARDOUS MATERIALS ONSITE.
- THERE IS AN EXISTING SANITARY SEWER EASEMENT ONSITE.

EXISTING NATURAL FEATURES

- THERE ARE NO KNOWN PREVIOUSLY DOCUMENTED RARE OR PROTECTED SPECIES HABITATS ON SITE.
- THERE ARE WETLANDS OR WATERCOURSES ON SITE. RIPARIAN BUFFERS, WETLANDS OR WATERCOURSES ARE SHOWN AS TAKEN FROM THE SURVEY PROVIDED BY ROBERT MURPHY PLLC.
- THIS SITE IS NOT LOCATED IN A WATERSHED MANAGEMENT AREA.
- THERE ARE NO SPECIAL FLOOD HAZARD AREAS ON SITE. THE SITE IS LOCATED IN ZONE X ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NUMBER 37201840001 DATED MAY 2, 2006 AND PRELIMINARY MAP 3720184000K REVISED 03/31/2015.

SOILS INFORMATION

- SOILS INFORMATION FOR THIS PROJECT WAS TAKEN FROM WAKE COUNTY GIS.
- THE SOIL BOUNDARY SHOWN IS FROM GIS DATA AND IS APPROXIMATE.
- THE SOIL TYPES ON THIS SITE ARE:
CIC - CECIL-URBAN LAND COMPLEX (2-10 PERCENT SLOPES)
Ur - URBAN LAND



PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

PREPARED BY:
The Nau Company
Consulting Civil Engineers
PO Box 810 | Rolesville, NC 27571
919-435-6395
NCBELS License P-0751

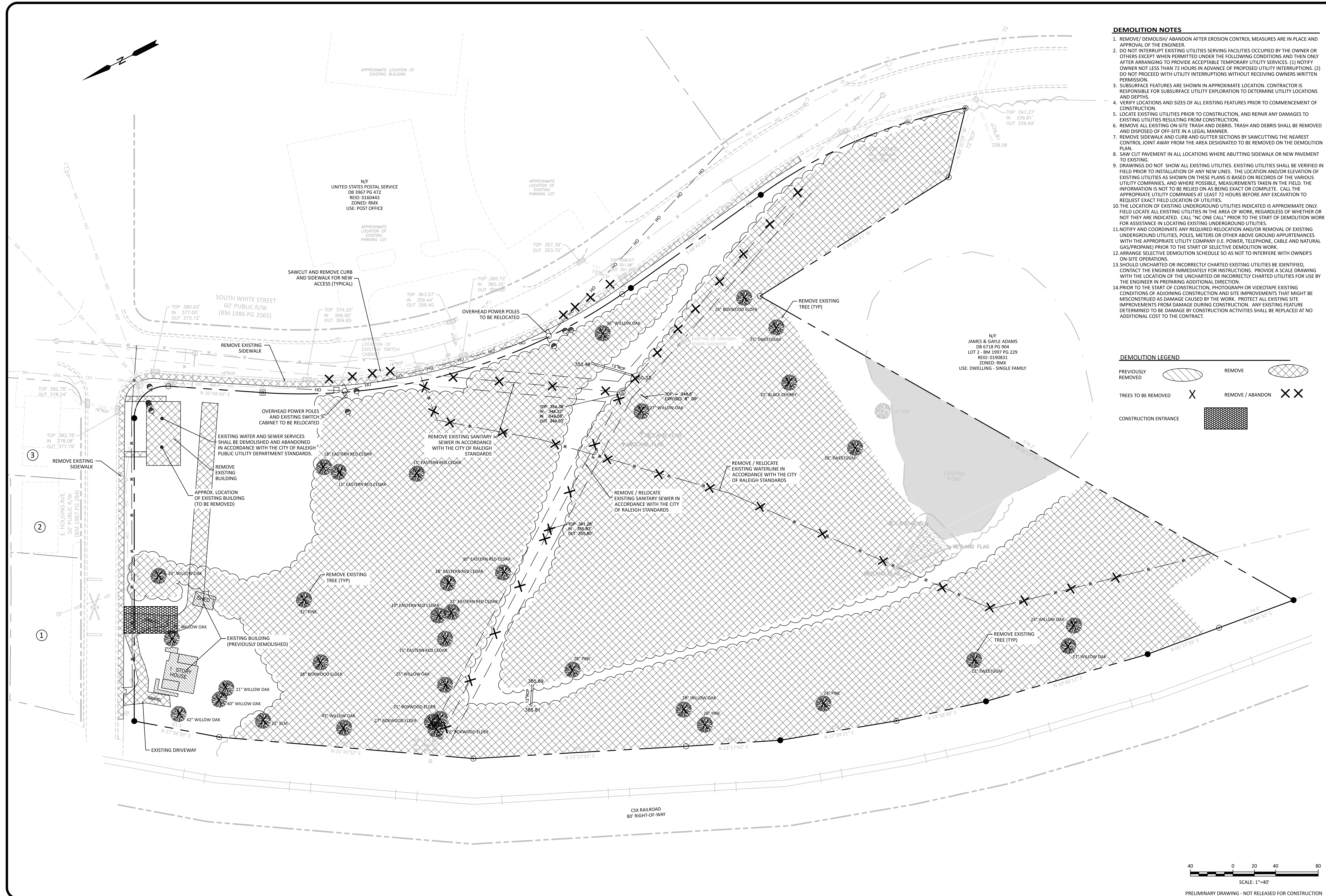
CLIENT:
MADISON HOLDING LLC
ATTN: DAVID SMOOT IV
1415 HILLSBOROUGH STREET
RALEIGH, NC 27605

REVISIONS	
NO.	DESCRIPTION
1	2021-12-27
2	2022-05-10
3	2022-06-27
4	2022-08-04

WHITE STREET TOWNHOMES
MAJOR SUBDIVISION MASTER PLAN
136 E HOLDING AVENUE
WAKE FOREST, NC
EXISTING CONDITIONS PLAN

SEAL
037468
BRYAN T. KANE
ENGINEER
2022-08-04

PROJECT NO:	---
DESIGN BY:	BTO
DRAWN BY:	BTO
SCALE:	1"=40'
DATE:	2021-12-27
SHEET NO:	C1.0



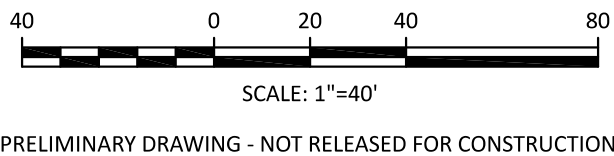
- DEMOLITION NOTES**
1. REMOVE/ DEMOLISH/ ABANDON AFTER EROSION CONTROL MEASURES ARE IN PLACE AND APPROVAL OF THE ENGINEER.
 2. DO NOT INTERRUPT EXISTING UTILITIES SERVING FACILITIES OCCUPIED BY THE OWNER OR OTHERS EXCEPT WHEN PERMITTED UNDER THE FOLLOWING CONDITIONS AND THEN ONLY AFTER ARRANGING TO PROVIDE ACCEPTABLE TEMPORARY UTILITY SERVICES. (1) NOTIFY OWNER NOT LESS THAN 72 HOURS IN ADVANCE OF PROPOSED UTILITY INTERRUPTIONS. (2) DO NOT PROCEED WITH UTILITY INTERRUPTIONS WITHOUT RECEIVING OWNERS WRITTEN PERMISSION.
 3. SUBSURFACE FEATURES ARE SHOWN IN APPROXIMATE LOCATION. CONTRACTOR IS RESPONSIBLE FOR SUBSURFACE UTILITY EXPLORATION TO DETERMINE UTILITY LOCATIONS AND DEPTHS.
 4. VERIFY LOCATIONS AND SIZES OF ALL EXISTING FEATURES PRIOR TO COMMENCEMENT OF CONSTRUCTION.
 5. LOCATE EXISTING UTILITIES PRIOR TO CONSTRUCTION, AND REPAIR ANY DAMAGES TO EXISTING UTILITIES RESULTING FROM CONSTRUCTION.
 6. REMOVE ALL EXISTING ON-SITE TRASH AND DEBRIS. TRASH AND DEBRIS SHALL BE REMOVED AND DISPOSED OF OFF-SITE IN A LEGAL MANNER.
 7. REMOVE SIDEWALK AND CURB AND GUTTER SECTIONS BY SAWCUTTING THE NEAREST CONTROL JOINT AWAY FROM THE AREA DESIGNATED TO BE REMOVED ON THE DEMOLITION PLAN.
 8. SAW CUT PAVEMENT IN ALL LOCATIONS WHERE ABUTTING SIDEWALK OR NEW PAVEMENT TO EXISTING.
 9. DRAWINGS DO NOT SHOW ALL EXISTING UTILITIES. EXISTING UTILITIES SHALL BE VERIFIED IN FIELD PRIOR TO INSTALLATION OF ANY NEW LINES. THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. CALL THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES.
 10. THE LOCATION OF EXISTING UNDERGROUND UTILITIES INDICATED IS APPROXIMATE ONLY. FIELD LOCATE ALL EXISTING UTILITIES IN THE AREA OF WORK, REGARDLESS OF WHETHER OR NOT THEY ARE INDICATED. CALL "NC ONE CALL" PRIOR TO THE START OF DEMOLITION WORK FOR ASSISTANCE IN LOCATING EXISTING UNDERGROUND UTILITIES.
 11. NOTIFY AND COORDINATE ANY REQUIRED RELOCATION AND/OR REMOVAL OF EXISTING UNDERGROUND UTILITIES, POLES, METERS OR OTHER ABOVE GROUND APPURTENANCES WITH THE APPROPRIATE UTILITY COMPANY (I.E. POWER, TELEPHONE, CABLE AND NATURAL GAS/PROPANE) PRIOR TO THE START OF SELECTIVE DEMOLITION WORK.
 12. ARRANGE SELECTIVE DEMOLITION SCHEDULE SO AS NOT TO INTERFERE WITH OWNER'S ON-SITE OPERATIONS.
 13. SHOULD UNCHARTED OR INCORRECTLY CHARTED EXISTING UTILITIES BE IDENTIFIED, CONTACT THE ENGINEER IMMEDIATELY FOR INSTRUCTIONS. PROVIDE A SCALE DRAWING WITH THE LOCATION OF THE UNCHARTED OR INCORRECTLY CHARTED UTILITIES FOR USE BY THE ENGINEER IN PREPARING ADDITIONAL DIRECTION.
 14. PRIOR TO THE START OF CONSTRUCTION, PHOTOGRAPH OR VIDEOTAPE EXISTING CONDITIONS OF ADJOINING CONSTRUCTION AND SITE IMPROVEMENTS THAT MIGHT BE MISCONSTRUED AS DAMAGE CAUSED BY THE WORK. PROTECT ALL EXISTING SITE IMPROVEMENTS FROM DAMAGE DURING CONSTRUCTION. ANY EXISTING FEATURE DETERMINED TO BE DAMAGE BY CONSTRUCTION ACTIVITIES SHALL BE REPLACED AT NO ADDITIONAL COST TO THE CONTRACT.

DEMOLITION LEGEND

PREVIOUSLY REMOVED REMOVE

TREES TO BE REMOVED REMOVE / ABANDON

CONSTRUCTION ENTRANCE



PREPARED BY:

The Nau Company
Consulting Civil Engineers

PO Box 810 | Rolesville, NC 27571
919-435-6395
NCBELS License P-0751

CLIENT:

MADISON HOLDING LLC
ATTN: DAVID SMOOT IV
1415 HILLSBOROUGH STREET
RALEIGH, NC 27605

REVISIONS	
NO.	DATE
1	2021-12-27
2	2022-05-10
3	2022-06-27
4	2022-08-04

WHITE STREET TOWNHOMES
MAJOR SUBDIVISION MASTER PLAN

136 E HOLDING AVENUE
WAKE FOREST, NC

DEMOLITION PLAN

SEAL
037468
ENGINEER
BRIAN T O KANE
2022-08-04

PROJECT NO: ---

DESIGN BY: BTO

DRAWN BY: BTO

SCALE: 1"=40'

DATE: 2021-12-27

SHEET NO: **C2.0**

LAND COVER TABULATION			
LAND COVER	AREA (SF)	AREA (AC)	% OF TOTAL
DRIVE/PARKING	75,962 SF	1.74 AC	21.8%
SIDEWALK	21,741 SF	0.50 AC	6.25%
BUILDING	77,040 SF	1.77 AC	22.16%
GREENWAY	0 SF	0.00 AC	0.00%
DRIVEWAY	24,721 SF	0.57 AC	7.11%
TOTAL IMPERVIOUS AREA	199,364 SF	4.58 AC	57.4%
PERVIOUS (GRASS/WOODS)	148,244 SF	3.40 AC	42.6%
TOTAL AREA	347,608 SF	7.98 AC	100%

SITE LEGEND

PROPERTY BOUNDARY	---
RIGHT-OF-WAY	---
PROPERTY LINE	---
EASEMENT	---
SETBACK	---
PROPERTY/LANDSCAPE BUFFER	---
ROAD CENTERLINE	---
CURB & GUTTER (ROAD)	---
CURB & GUTTER (PARKING)	---
SIDEWALK	---
CONCRETE DRIVEWAY	---
ASPHALT	---
GRAVEL	---
OPEN SPACE	---

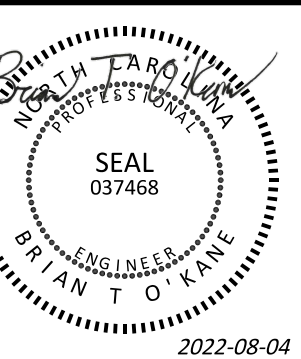
PROPOSED SITE DATA	
ZONING	RMX
EXISTING SITE AREA	7.98 ACRES
PROPOSED PUBLIC ROW	2.39 ACRES
PROPOSED NET SITE AREA	5.59 ACRES
PROPOSED USE	24 DWELLING - TOWNHOMES (2 OVER 2 CONDOMINIUMS)
TOWNHOME UNITS	116 UNITS
FRONT SETBACK	18 FEET (MAX)
SIDE CORNER SETBACK	5 FEET (MIN)
SIDE SETBACK	0 FEET (MIN)
REAR SETBACK	5 FEET (MIN)
FRONTAGE BUILDOUT	N/A
MAXIMUM DENSITY	24 DUA
PROPOSED DENSITY	20.75 DUA
IN WATER SUPPLY	NO
WATERSHED PROTECTION	NO
OVERLAY DISTRICT?	NO
HAS SPECIAL FLOOD	NO
HAZARD AREAS?	NO
OPEN SPACE REQUIRED	5% - 17,380 SF (0.40 ACRES)
OPEN SPACE PROVIDED	31.05% - 108,009 SF (2.48 ACRES)
PARK SPACE REQUIRED	2% - 6,952 SF (0.16 ACRES)
PARK SPACE PROVIDED	11.5% - 39,930 SF (0.92 ACRES)
ACTIVE PARK SPACE REQUIRED	25% OF 0.16 ACRES = 1,738 SF (0.04 ACRES)
ACTIVE PARK SPACE PROVIDED	2,000 SF (0.05 ACRES)
PARKING SPACES REQUIRED	28.8% OF REQUIRED PARK SPACE
PARKING SPACES PROVIDED	1.8 SPACES PER UNIT
TOTAL SPACES REQUIRED = 211 SPACES	
PARKING SPACES PROVIDED	CONDO: 1 SPACE IN EACH GARAGE 1 SPACE IN EACH DRIVEWAY TOWNHOMES: 2 SPACES IN EACH GARAGE 2 SPACES IN EACH DRIVEWAY TOTAL TOWNHOME SPACES: 96 33 ADDITIONAL STREET PARKING SPACES (INTERNAL TO THE SITE) 3 MAIL KIOSK PARKING SPACES (INCLUDING 1 ADA VAN SPACE) TOTAL ON-SITE SPACES = 316 SPACES
BICYCLE PARKING REQUIRED	2 BIKE PARKING SPACES PER 40 SPACES 16 BIKE PARKING SPACES 4 BIKE SPACES PER 1/4 ACRE OF PARK SPACE 0.92 AC = 15 BIKE PARKING SPACES
BICYCLE PARKING PROVIDED	31 BIKE SPACES REQUIRED
MINIMUM HEIGHT	33 BIKE SPACES
MAXIMUM HEIGHT	6 STORIES
PROPOSED HEIGHT	4 STORIES (APPROXIMATELY 50')

PREPARED BY:
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CLIENT:
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ATTN: DAVID SMOOT IV
1415 HILLSBOROUGH STREET
RALEIGH, NC 27605

REVISIONS	
1	2021-12-27
2	2022-05-10
3	2022-06-27
4	2022-08-04

WHITE STREET TOWNHOMES
MAJOR SUBDIVISION MASTER PLAN
136 E HOLDING AVENUE
WAKE FOREST, NC
SITE PLAN



PROJECT NO:	---
DESIGN BY:	BTO
DRAWN BY:	BTO
SCALE:	1"=40'
DATE:	2021-12-27
SHEET NO:	C3.0

PROJECT NOTES

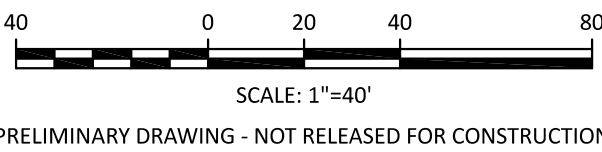
- ALL WATER MAINS WITHIN PUBLIC EASEMENTS AND RIGHTS-OF-WAY SHALL BE OWNED, OPERATED AND MAINTAINED BY THE CITY OF RALEIGH.
- ALL SEWER MAINS WITHIN PUBLIC EASEMENTS AND RIGHTS-OF-WAY SHALL BE OWNED, OPERATED AND MAINTAINED BY THE CITY OF RALEIGH.
- ROAD WIDENING IS NOT REQUIRED FOR THIS PROJECT.
- THIS PROJECT INCLUDES PROPOSED PUBLIC STREETS.
- ALL SIDEWALKS ALONG ACCESSIBLE ROUTE FROM THE ADA PARKING SPACE TO THE CLUSTER MAILBOX MUST BE ADA COMPLIANT.
- ALL RAMPAS SHALL BE INSTALLED IN ACCORDANCE WITH THE TOWN OF WAKE FOREST MSSD STANDARD 9.13.
- IMPROVED PARK SPACE SHALL HAVE AT LEAST TWO OF THE FOLLOWING FEATURES: LANDSCAPING; WALLS OR PATHWAYS; FENCES, WALKS, LIGHTING AND ELECTRICITY; FOUNTAINS AND/OR PLAYGROUND EQUIPMENT WITH 25% OF THAT SPACE AN ACTIVE AMENITY.
- REFER TO ROAD SECTION PLAN, SHEET C3.1 FOR ROAD CROSS SECTIONS.
- REFER TO OPEN SPACE PLAN, SHEET C3.2 FOR OPEN SPACE CALCULATIONS.
- HOA TO HAVE A MAINTENANCE AGREEMENT AND SHALL BE RESPONSIBLE FOR ALL DRIVEWAY MAINTENANCE, INCLUDING AREAS OF THE DRIVEWAYS WITHIN ALLEY PUBLIC RIGHT-OF-WAY.

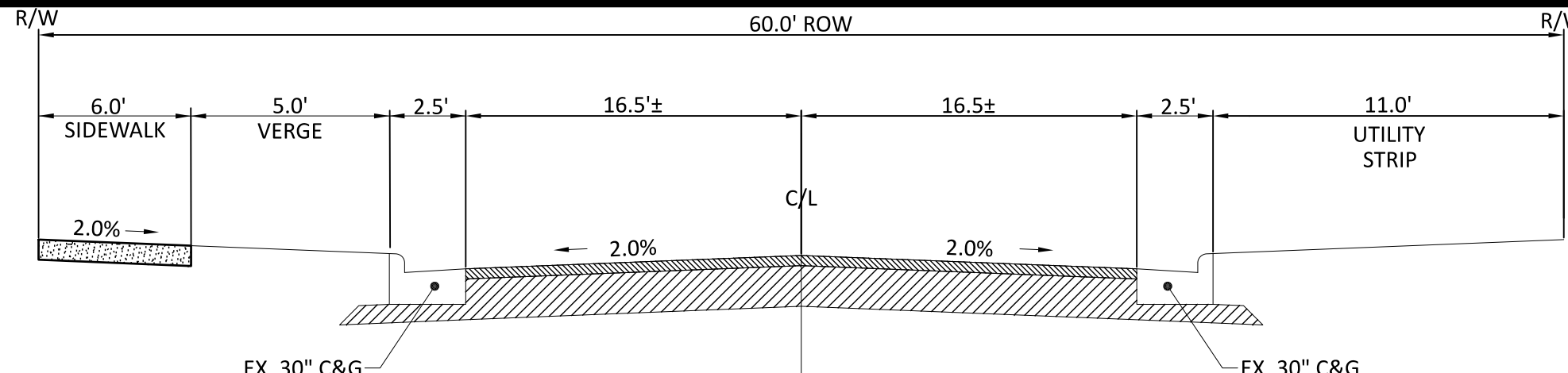
STORMWATER NOTES

- THIS PROJECT IS SUBJECT TO THE TOWN OF WAKE FOREST STORMWATER REQUIREMENTS.
- THIS PROJECT WILL UTILIZE BELOW GROUND STORMWATER CONTROL MEASURES TO MEET TOWN STORMWATER REQUIREMENTS.

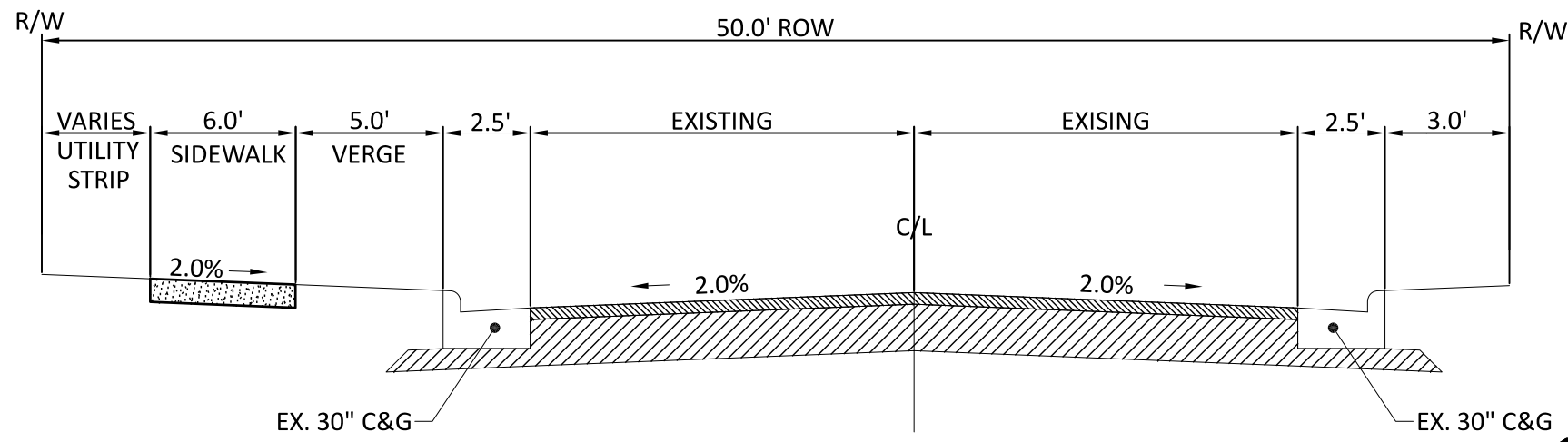
TRASH COLLECTION NOTES

THIS PROJECT WILL BE SERVED BY ROLL-OUT TRASH COLLECTION BINS IN THE ALLEY AT THE REAR OF EACH UNIT

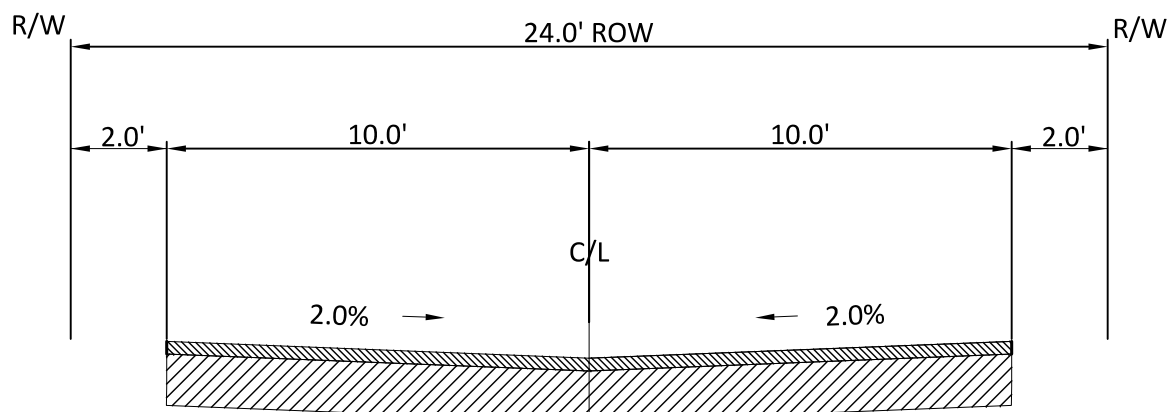




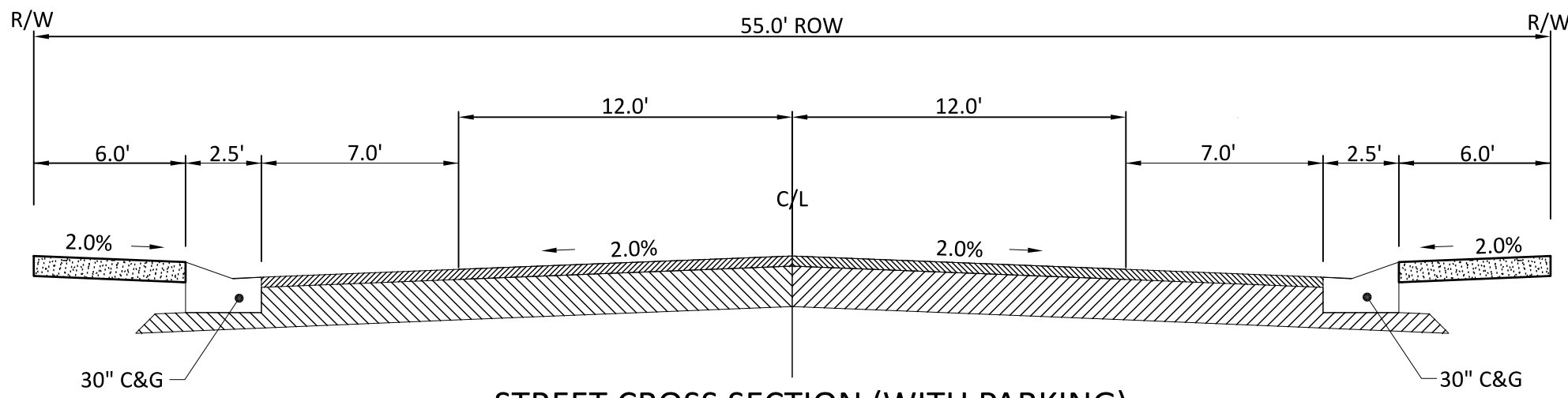
SOUTH WHITE STREET CROSS SECTION
60' RIGHT OF WAY
38'± BACK TO BACK (EXISTING)



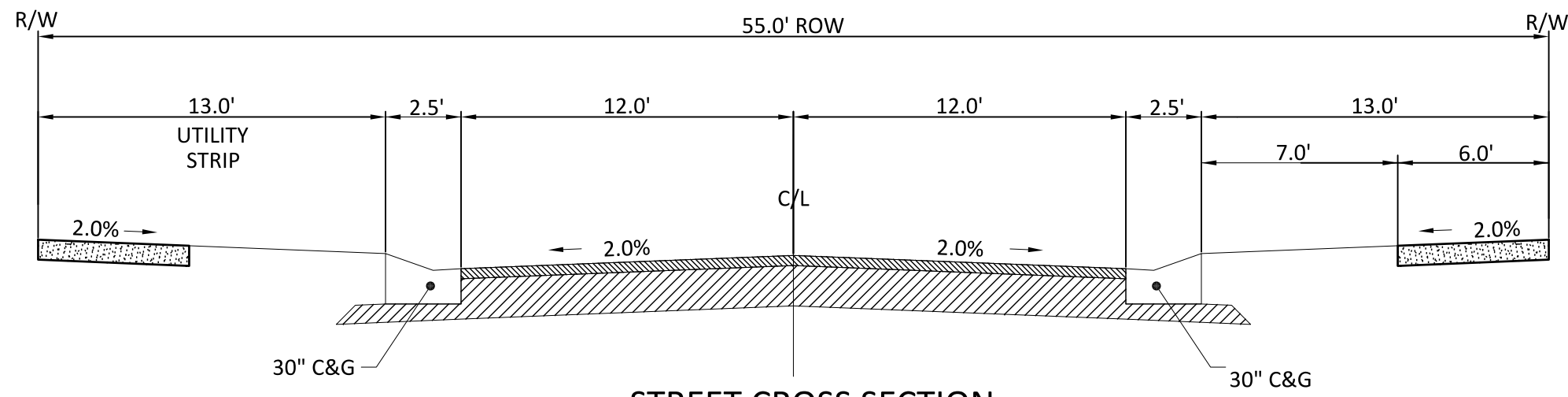
E. HOLDING AVE. CROSS SECTION
50' RIGHT OF WAY
32'± BACK TO BACK (EXISTING)



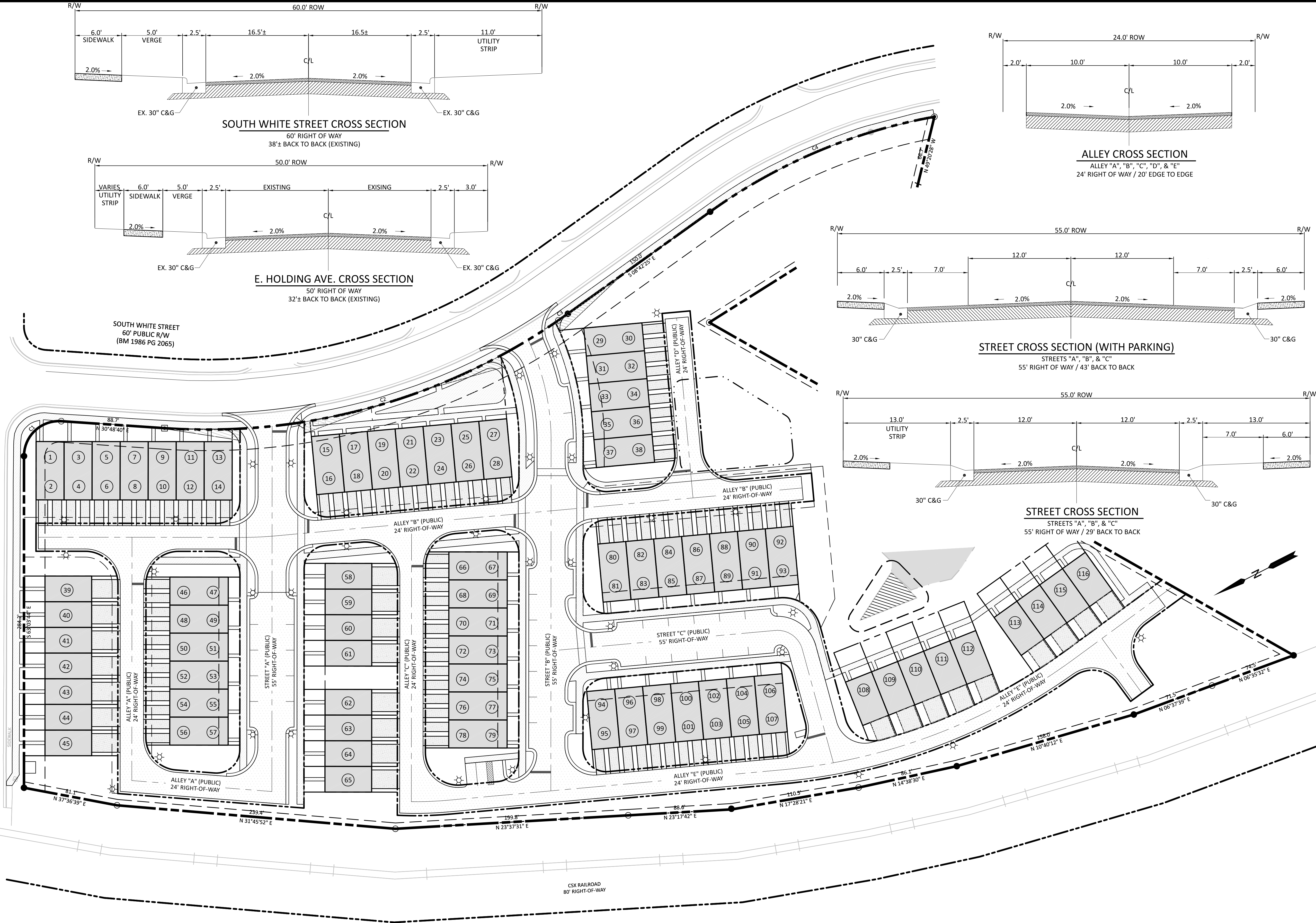
ALLEY CROSS SECTION
ALLEY "A", "B", "C", "D", & "E"
24' RIGHT OF WAY / 20' EDGE TO EDGE



STREET CROSS SECTION (WITH PARKING)
STREETS "A", "B", & "C"
55' RIGHT OF WAY / 43' BACK TO BACK



STREET CROSS SECTION
STREETS "A", "B", & "C"
55' RIGHT OF WAY / 29' BACK TO BACK



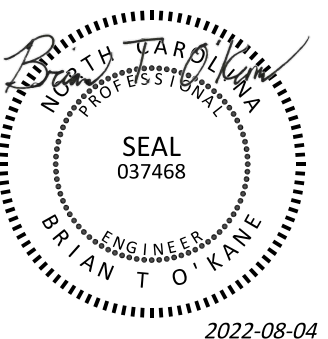
PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

PREPARED BY:
The Nau Company
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PO Box 810 | Rolesville, NC 27571
919-435-6395
NCBELS License P-0751

CLIENT:
MADISON HOLDING LLC
ATTN: DAVID SMOOT, IV
1415 HILLSBOROUGH STREET
RALEIGH, NC 27605

REVISIONS		REVISIONS
1	2021-12-27	REVISED MASTER PLAN PER TOWN OF WAKE FOREST COMMENTS
2	2022-05-10	REVISED MASTER PLAN PER TOWN OF WAKE FOREST COMMENTS
3	2022-06-27	REVISED MASTER PLAN PER TOWN OF WAKE FOREST COMMENTS
4	2022-08-04	REVISED MASTER PLAN PER TOWN OF WAKE FOREST COMMENTS

WHITE STREET TOWNHOMES
MAJOR SUBDIVISION MASTER PLAN
136 E HOLDING AVENUE
WAKE FOREST, NC
ROAD SECTION PLAN



PROJECT NO:	---
DESIGN BY:	BTO
DRAWN BY:	BTO
SCALE:	
DATE:	2021-12-27
SHEET NO:	C3.1

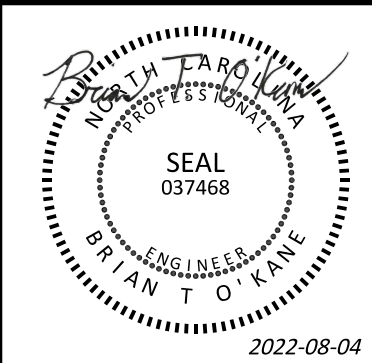
OPEN SPACE TABULATION		
NAME	AREA (SF)	TYPE
OPEN SPACE 1	2,545	OPEN SPACE
OPEN SPACE 2	1,516	OPEN SPACE
OPEN SPACE 3	1,117	OPEN SPACE
OPEN SPACE 4	1,600	OPEN SPACE
OPEN SPACE 5	1,029	OPEN SPACE
OPEN SPACE 6	984	OPEN SPACE
OPEN SPACE 7	915	OPEN SPACE
OPEN SPACE 8	21,592	OPEN SPACE
OPEN SPACE 9	640	OPEN SPACE
OPEN SPACE 10	1,645	OPEN SPACE
OPEN SPACE 11	1,393	OPEN SPACE
OPEN SPACE 12	26,225	OPEN SPACE
OPEN SPACE 13	908	OPEN SPACE
OPEN SPACE 14	1,210	OPEN SPACE
OPEN SPACE 15	1,560	OPEN SPACE
OPEN SPACE P-1	37,930	PARK SPACE
OPEN SPACE P-2	3,200	PARK SPACE
OPEN SPACE AP-1	2,000	ACTIVE PARK SPACE
TOTAL OPEN SPACE	108,009	

PROJECT NOTES

OPEN SPACE	
PARK OPEN SPACE	
ACTIVE RECREATION OPEN SPACE	

REVISIONS	
1	2021-12-27
2	2022-05-10
3	2022-06-27
4	2022-08-04

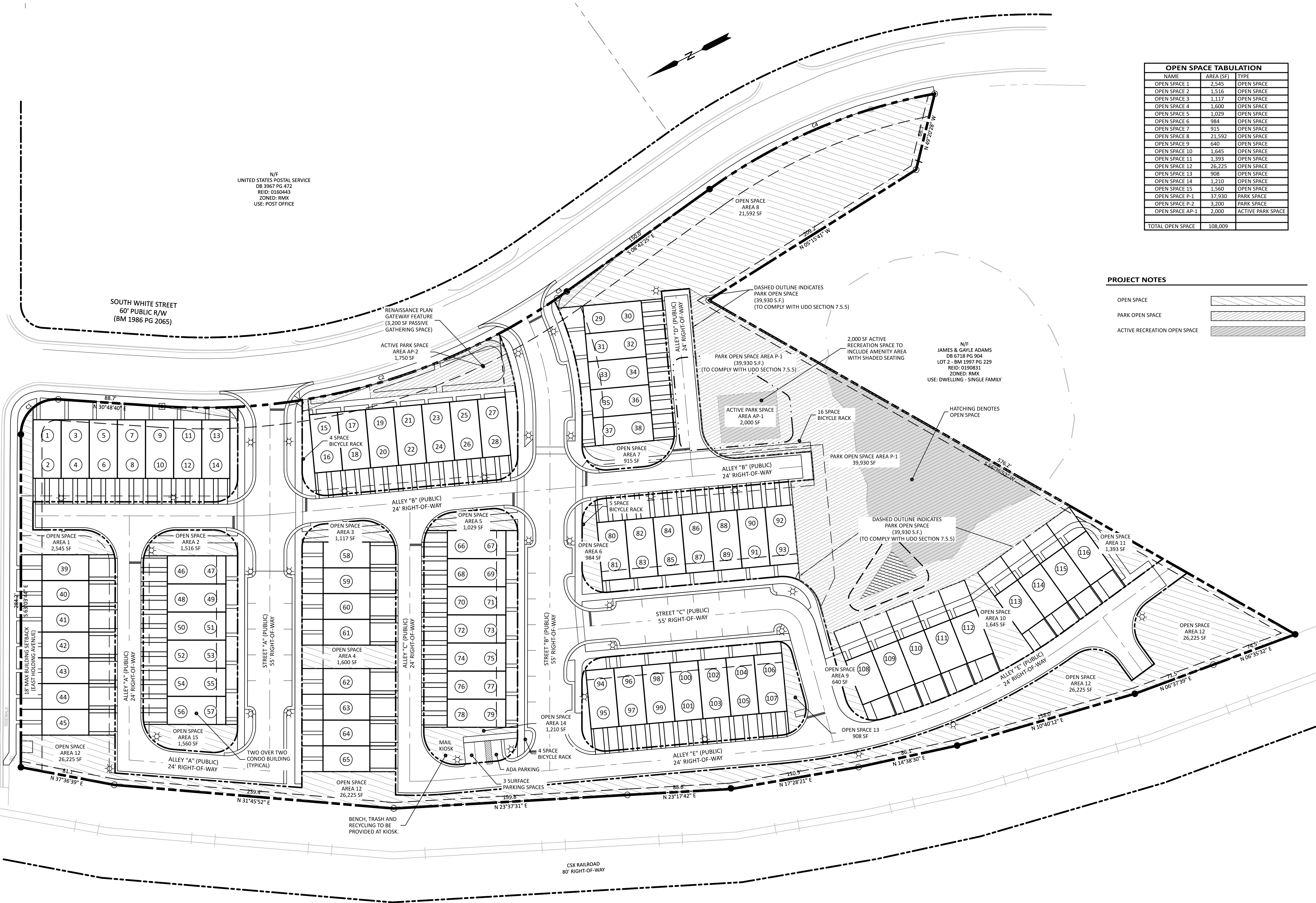
WHITE STREET TOWNHOMES
MAJOR SUBDIVISION MASTER PLAN
136 E HOLDING AVENUE
WAKE FOREST, NC
OPEN SPACE PLAN



PROJECT NO:	---
DESIGN BY:	BTO
DRAWN BY:	BTO
SCALE:	1"=40'
DATE:	2021-12-27
SHEET NO:	C3.2



PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION



N/F
UNITED STATES POSTAL SERVICE
DB 3967 PG 472
REID: 0160443
ZONED: RMX
USE: POST OFFICE

SOUTH WHITE STREET
60' PUBLIC R/W
(BM 1986 PG 2065)

RENAISSANCE PLAN
GATEWAY FEATURE
(3,200 SF PASSIVE
GATHERING SPACE)

ACTIVE PARK SPACE
AREA AP-2
1,750 SF

OPEN SPACE
AREA 8
21,592 SF

DASHED OUTLINE INDICATES
PARK OPEN SPACE
(39,930 S.F.)
(TO COMPLY WITH UDO SECTION 7.5.5)

2,000 SF ACTIVE
RECREATION SPACE TO
INCLUDE AMENITY AREA
WITH SHADED SEATING

N/F
JAMES & GAYLE ADAMS
DB 6718 PG 904
LOT 2 - BM 1997 PG 229
REID: 0190831
ZONED: RMX
USE: DWELLING - SINGLE FAMILY

ACTIVE PARK SPACE
AREA AP-1
2,000 SF

16 SPACE
BICYCLE RACK

HATCHING DENOTES
OPEN SPACE

PARK OPEN SPACE AREA P-1
39,930 SF

DASHED OUTLINE INDICATES
PARK OPEN SPACE
(39,930 S.F.)
(TO COMPLY WITH UDO SECTION 7.5.5)

OPEN SPACE
AREA 11
1,393 SF

OPEN SPACE
AREA 12
26,225 SF

OPEN SPACE
AREA 12
26,225 SF

OPEN SPACE
AREA 9
640 SF

OPEN SPACE
AREA 13
908 SF

OPEN SPACE
AREA 14
1,210 SF

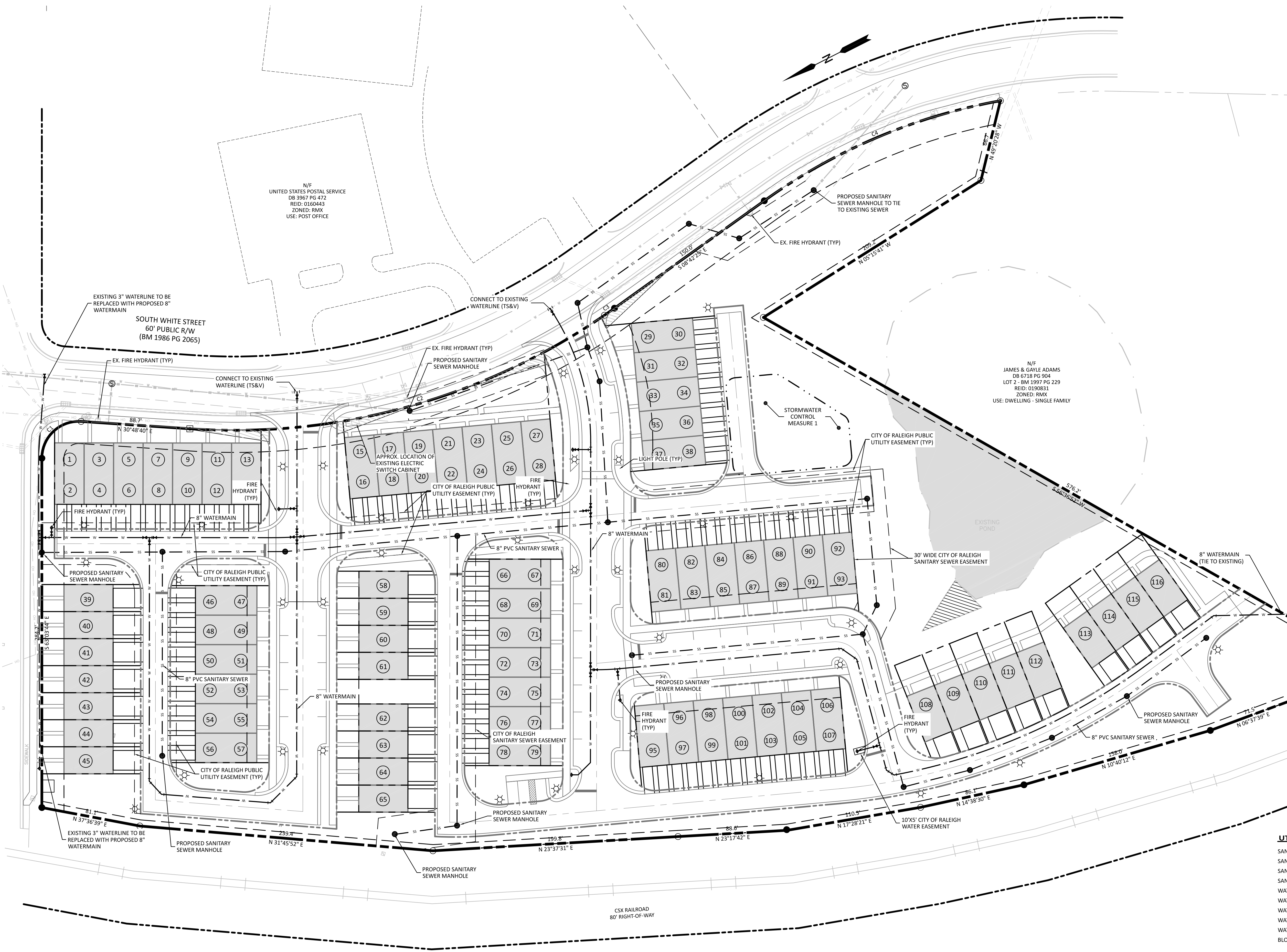
4 SPACE
BICYCLE RACK

3 SURFACE
PARKING SPACES

BENCH, TRASH AND
RECYCLING TO BE
PROVIDED AT KIOSK.

CSX RAILROAD
80' RIGHT-OF-WAY

E. HOLDING AVE.
50' PUBLIC R/W
(BM 1987 PG 284)



UTILITY NOTES

- 1. ALL WATER MAINS WITHIN PUBLIC EASEMENTS AND RIGHTS-OF-WAY SHALL BE OWNED, OPERATED AND MAINTAINED BY THE CITY OF RALEIGH.
- 2. ALL SEWER MAINS WITHIN PUBLIC EASEMENTS AND RIGHTS-OF-WAY SHALL BE OWNED, OPERATED AND MAINTAINED BY THE CITY OF RALEIGH.
- 3. WATER AND SEWER SERVICES SHALL NOT CROSS MULTIPLE LOT LINES.
- 4. CONDO UNITS WILL BE SERVICED BY A STANDARD GANG METER SEE CITY OF RALEIGH UTILITY DETAIL W-26

SEWER RELOCATION NOTES

THE EXISTING 8" VCP SANITARY SEWER PIPE THAT RUNS THROUGH THIS SITE WILL BE RELOCATED FOR THIS PROJECT.

WATERLINE RELOCATION NOTES

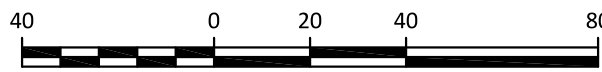
THE EXISTING 8" WATERLINE THAT RUNS THROUGH THIS SITE WILL BE RELOCATED FOR THIS PROJECT.

CITY OF RALEIGH STANDARD UTILITY NOTES

- 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 24" 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-49)
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. 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
- 5. 3.0' MINIMUM COVER IS REQUIRED ON ALL WATER MAINS & SEWER FORCEMAINS. 4.0' MINIMUM COVER IS REQUIRED ON ALL REUSE MAINS
- 6. 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
- 7. 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
- 8. INSTALL 4" PVC* SEWER SERVICES @ 1.0% MINIMUM GRADE WITH CLEANOUTS LOCATED AT ROW OR EASEMENT LINE & SPACED EVERY 75 LINEAR FEET MAXIMUM
- 9. 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
- 10. ALL ENVIRONMENTAL PERMITS APPLICABLE TO THE PROJECT MUST BE OBTAINED FROM NCDWQ, USACE &/OR FEMA FOR ANY RIPARIAN BUFFER, WETLAND &/OR FLOODPLAIN IMPACTS (RESPECTIVELY) PRIOR TO CONSTRUCTION
- 11. NCDOT / RAILROAD ENCROACHMENT AGREEMENTS ARE REQUIRED FOR ANY UTILITY WORK (INCLUDING MAIN EXTENSIONS & SERVICE TAPS) WITHIN STATE OR RAILROAD ROW PRIOR TO CONSTRUCTION
- 12. 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 TIM BEASLEY AT (919) 996-2334 OR TIMOTHY.BEASLEY@RALEIGHNC.GOV FOR MORE INFORMATION
- 13. 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. CONTACT JOANIE HARTLEY AT (919) 996-5923 OR JOANIE.HARTLEY@RALEIGHNC.GOV FOR MORE INFORMATION

UTILITY PLAN LEGEND

- SANITARY SEWER PIPE
- SANITARY SEWER FORCE MAIN
- SANITARY SEWER MANHOLE
- SANITARY SEWER CLEANOUT
- WATER PIPE
- WATER METER
- WATER HYDRANT
- WATER VALVES
- WATER FITTINGS
- BLOW-OFF ASSEMBLY



PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

PREPARED BY:
The Nau Company
Consulting Civil Engineers
PO Box 810 | Rolesville, NC 27571
919-435-6395
NCBELS License P-0751

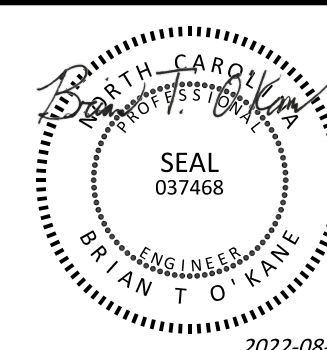
CLIENT:
MADISON HOLDING LLC
ATTN: DAVID SMOOT IV
1415 HILLSBOROUGH STREET
RALEIGH, NC 27605

REVISIONS		REVISED MASTER PLAN PER TOWN OF WAKE FOREST COMMENTS	REVISED MASTER PLAN PER TOWN OF WAKE FOREST COMMENTS	REVISED MASTER PLAN PER TOWN OF WAKE FOREST COMMENTS	REVISED MASTER PLAN PER TOWN OF WAKE FOREST COMMENTS
1	2021-12-27				
2	2022-05-10				
3	2022-06-27				
4	2022-08-04				

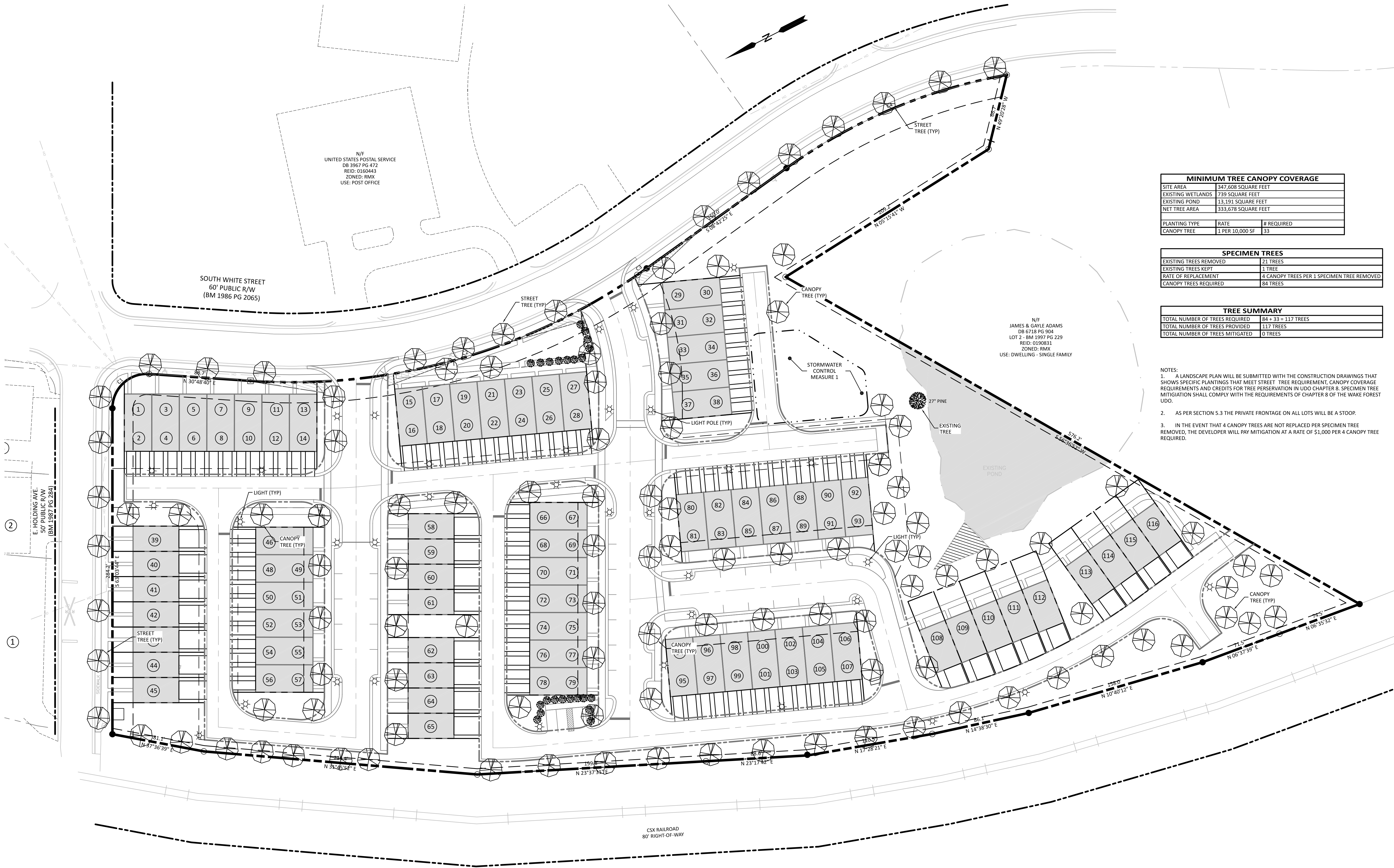
WHITE STREET TOWNHOMES
MAJOR SUBDIVISION MASTER PLAN

136 E HOLDING AVENUE
WAKE FOREST, NC

UTILITY PLAN



PROJECT NO:	---
DESIGN BY:	BTO
DRAWN BY:	BTO
SCALE:	1"=40'
DATE:	2021-12-27
SHEET NO:	C4.0



MINIMUM TREE CANOPY COVERAGE		
SITE AREA	347,608 SQUARE FEET	
EXISTING WETLANDS	739 SQUARE FEET	
EXISTING POND	13,191 SQUARE FEET	
NET TREE AREA	333,678 SQUARE FEET	
PLANTING TYPE	RATE	# REQUIRED
CANOPY TREE	1 PER 10,000 SF	33

SPECIMEN TREES	
EXISTING TREES REMOVED	21 TREES
EXISTING TREES KEPT	1 TREE
RATE OF REPLACEMENT	4 CANOPY TREES PER 1 SPECIMEN TREE REMOVED
CANOPY TREES REQUIRED	84 TREES

TREE SUMMARY	
TOTAL NUMBER OF TREES REQUIRED	84 + 33 = 117 TREES
TOTAL NUMBER OF TREES PROVIDED	117 TREES
TOTAL NUMBER OF TREES MITIGATED	0 TREES

- NOTES:
- A LANDSCAPE PLAN WILL BE SUBMITTED WITH THE CONSTRUCTION DRAWINGS THAT SHOWS SPECIFIC PLANTINGS THAT MEET STREET TREE REQUIREMENT, CANOPY COVERAGE REQUIREMENTS AND CREDITS FOR TREE PRESERVATION IN UDO CHAPTER 8. SPECIMEN TREE MITIGATION SHALL COMPLY WITH THE REQUIREMENTS OF CHAPTER 8 OF THE WAKE FOREST UDO.
 - AS PER SECTION 5.3 THE PRIVATE FRONTAGE ON ALL LOTS WILL BE A STOOP.
 - IN THE EVENT THAT 4 CANOPY TREES ARE NOT REPLACED PER SPECIMEN TREE REMOVED, THE DEVELOPER WILL PAY MITIGATION AT A RATE OF \$1,000 PER 4 CANOPY TREE REQUIRED.

PREPARED BY:

The Nau Company

Consulting Civil Engineers

PO Box 810 | Rolesville, NC 27571
919-435-6395
NCBELS License P-0751

CLIENT:

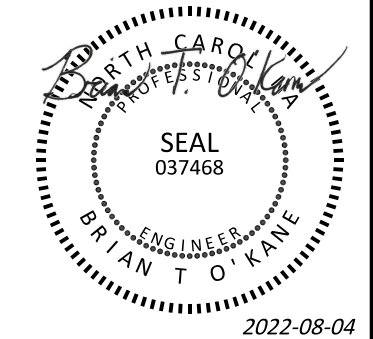
MADISON HOLDING LLC
ATTN: DAVID SMOOT, IV
1415 HILLSBOROUGH STREET
RALEIGH, NC 27605

REVISIONS		
1	2021-12-27	REVISED MASTER PLAN PER TOWN OF WAKE FOREST COMMENTS
2	2022-05-10	REVISED MASTER PLAN PER TOWN OF WAKE FOREST COMMENTS
3	2022-06-27	REVISED MASTER PLAN PER TOWN OF WAKE FOREST COMMENTS
4	2022-08-04	REVISED MASTER PLAN PER TOWN OF WAKE FOREST COMMENTS

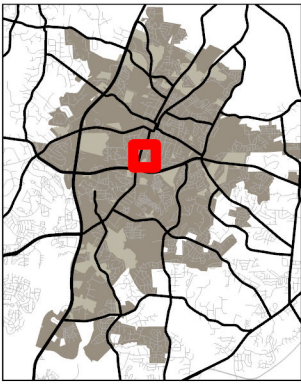
WHITE STREET TOWNHOMES
MAJOR SUBDIVISION MASTER PLAN

136 E HOLDING AVENUE
WAKE FOREST, NC

LANDSCAPE & LIGHTING PLAN



PROJECT NO:	---
DESIGN BY:	BTO
DRAWN BY:	BTO
SCALE:	1"=40'
DATE:	2021-12-27
SHEET NO:	C5.0



TOWN of
WAKE FOREST

SD-21-06

136 E. Holding Ave. & 720 E. Holding Ave.

PINs: 1840388718 & 1840386367

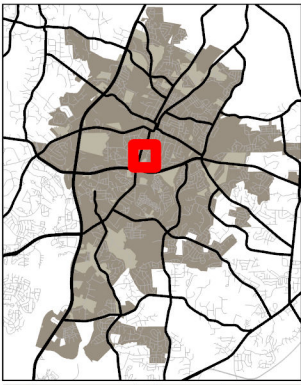
9/30/2022



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
Feet





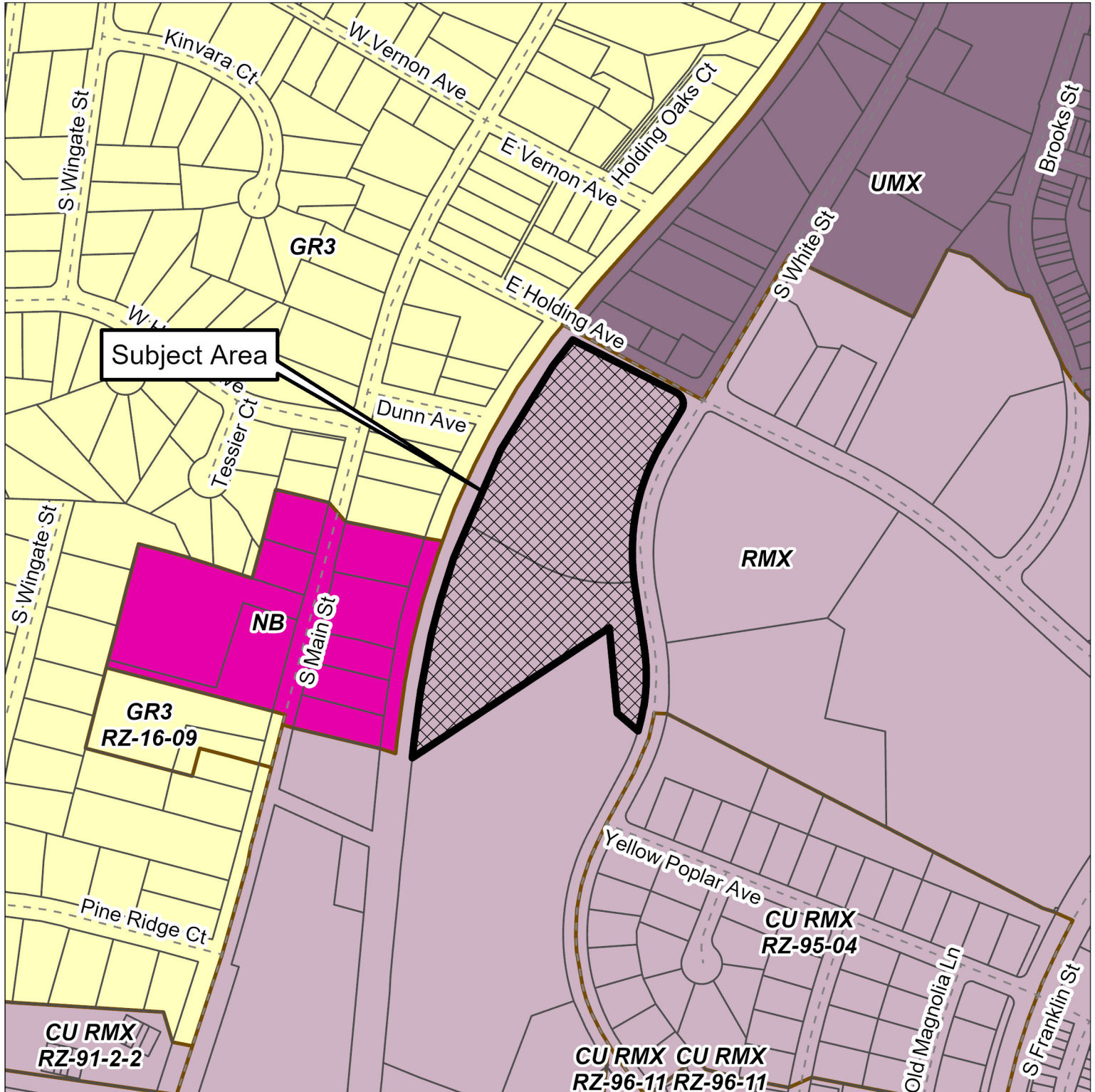
TOWN of
WAKE FOREST

SD-21-06

136 E. Holding Ave. & 720 E. Holding Ave.

PINs: 1840388718 & 1840386367

9/30/2022

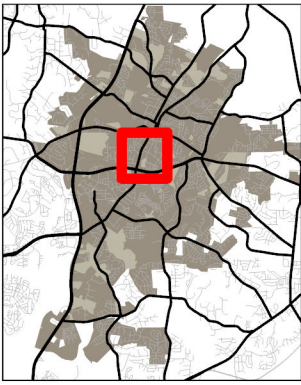


Please note that this map is intended for illustrative purposes only.
For specific inquiries regarding zoning boundaries, contact the
Town Wake Forest Planning Department at 919-435-9510.

0 500 1,000 Feet



162



Community Plan Zones



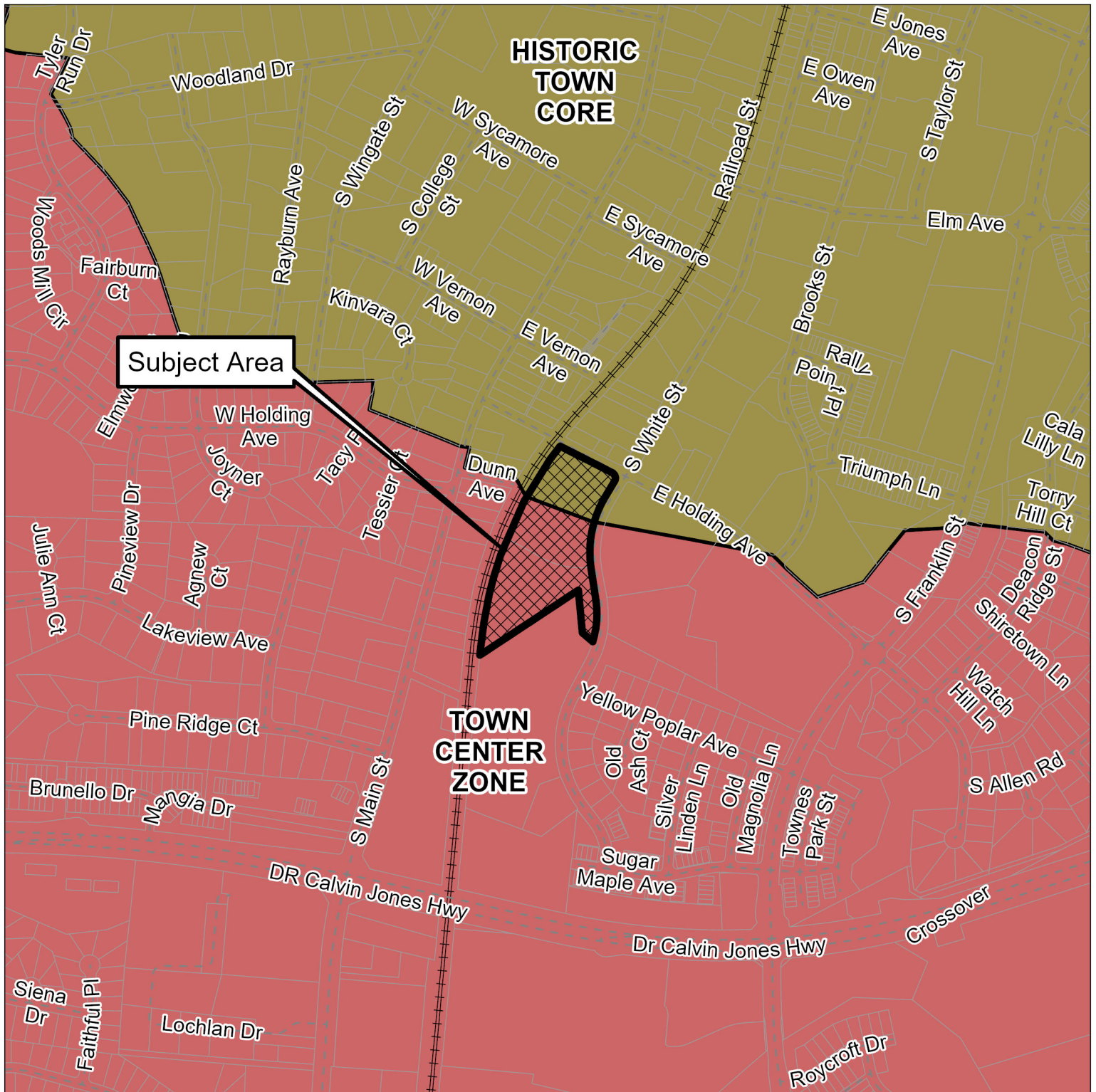
TOWN of
WAKE FOREST

SD-21-06

136 E. Holding Ave. & 720 E. Holding Ave.

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9/30/2022



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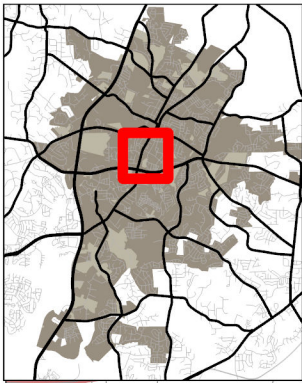
0.25

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Miles



163



Neighborhood Planning Areas



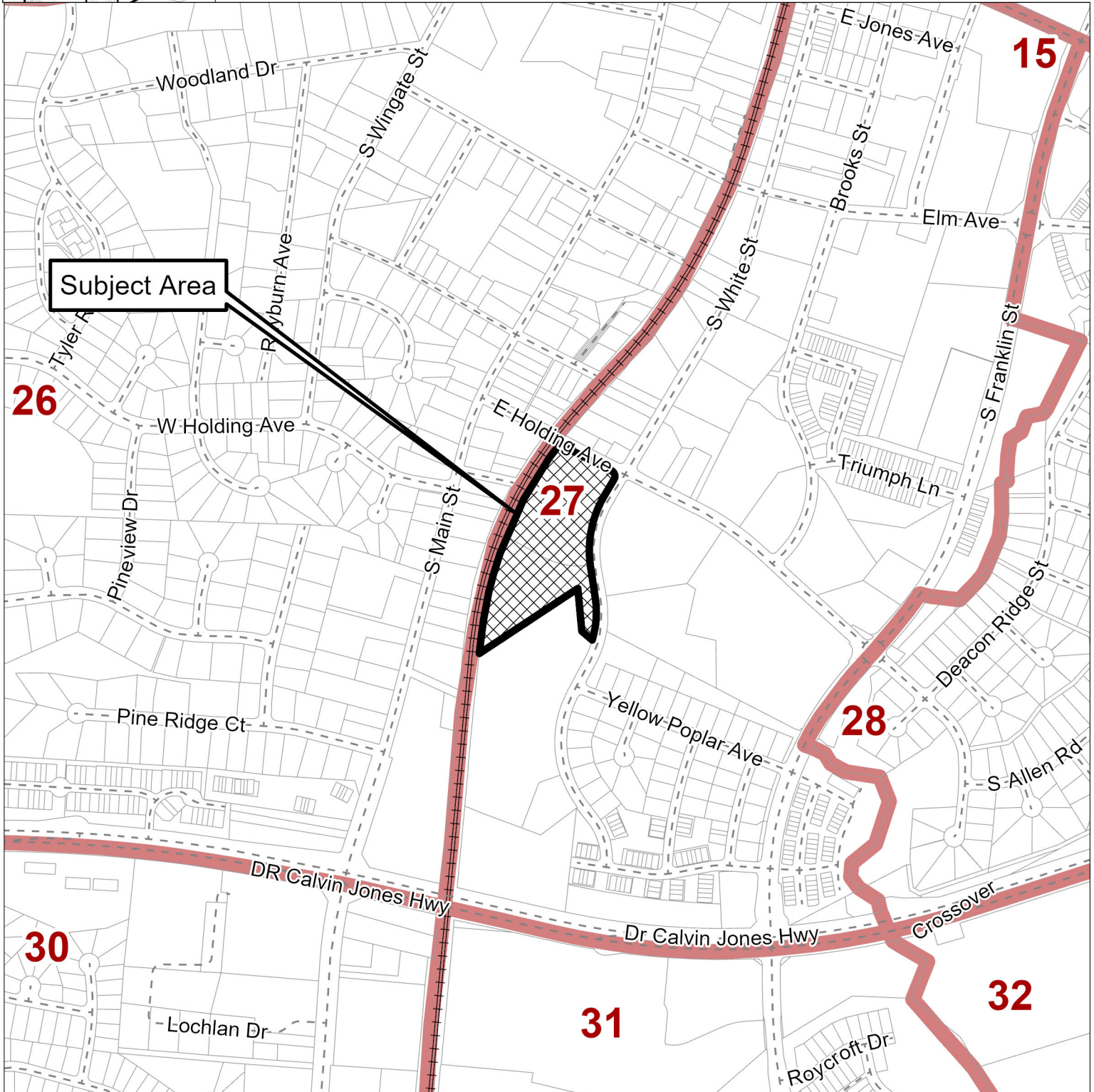
TOWN of
WAKE FOREST

SD-21-06

136 E. Holding Ave. & 720 E. Holding Ave.

PINs: 1840388718 & 1840386367

9/30/2022



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

0.25

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Miles

164



March 15, 2022

Town of Wake Forest Planning Department

RE: White Street Townhomes Master Subdivision Plan
March 10, 2022 Neighborhood Meeting Minutes

A neighborhood meeting was in person at the Family Life Center of the Wake Forest First United Methodist Church on March 10, 2022 to discuss the proposed master subdivision and site plan for the White Street Townhome Project. Notices were sent to property owners within 100' of the subject property. A list of recipients is attached, as well as a copy of the notification materials.

Members of the project team in attendance included Brian O'Kane of the Nau Company, PLLC, Daniel Smoot of Madison Holding, who is the developer of the project, and Alex Capps with Stanley Martin Homes, representing the home builder of the project. The meeting opened at 5:15 and began at 5:30.

Brian O'Kane introduced the team members and gave a brief overview of the project, and then opened the meeting to questions from those in attendance. Below is a summary of the questions raised at the meeting and the responses given.

Question

How much parking is proposed for the project?

Answer

The project is proposing 322 parking spaces which exceeds the required 204 parking space by code. All parking is proposed within the development and not along South White Start or East Holding Avenue.

Other Questions / Discussion:

- What is the expected price point? – \$340-\$450K
- What is the expected schedule? – Depending on governmental approvals, construction might start as early as the end of the year. Total construction period for the horizontal improvements should be about 8 months.
- A resident of Cary asked how will the high speed rail / grade separation at East Holding Avenue affect the proposed development? – Those changes to the Comprehensive Transportation Plan were made after the plans for this development were filed and will not affect the layout. The CTP did not show a grade separation at East Holding Ave (one was proposed at Elm Ave). The CTP

- did not show any additional right-of-way required to accommodate a proposed high speed rail line. Representatives of Tri-Area Ministries Food Pantry and Hair by Marshall opposed the idea of a grade separation of Holding Ave because it would make their frontage a dead-end.
- Representatives of Tri-Area Ministries Food Pantry asked if there would be any on-street parking on Holding Avenue? Clients use a drive-thru system to get groceries and on-street parking would create safety concerns. The owners of Hair by Marshall asked if the alley connection to Holding Avenue directly across from their business could be disconnected to help with traffic flow? – We will respond to these comments and work with the Town on solutions. 1) We can provide ample parking interior to the development without any on-street parking on Holding Avenue. 2) We can disconnect the alley from Holding Avenue while still providing appropriate access for fire safety and trash service.
 - Representatives of Tri-Area Ministries Food Pantry discussed changes to the northern intersection of NC98 Bypass and Franklin Street to make the bypass a “Super Street.”
 - Tri-Area Ministries Food Pantry comments:
 - Would love to see development of the property
 - Higher degree of security compared to current wooded state
 - Hair by Marshall & Company comments:
 - Supportive of the development
 - Feels like proposed development will help their property and business

At approximately 6:15 PM there were no additional questions from those in attendance, so the meeting was concluded at that time.

Sincerely
The Nau Company, PLLC

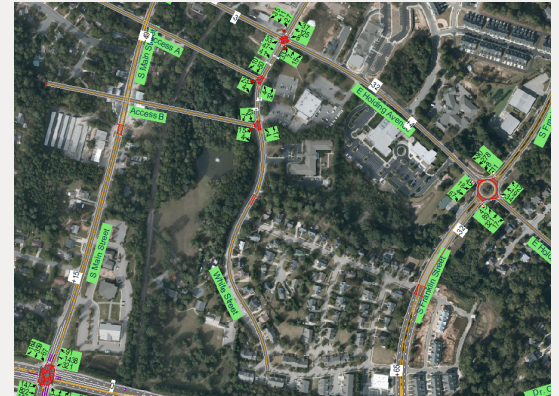


Brian O’Kane, PE
bokane@thenauco.com
919-465-6395 x6

Attachments:
Neighborhood Meeting Notice
List of owners within 100’ of site with attendees highlighted

PIN	Real Estate ID	Owner	Mail Address 1	Mail Address 2	Site Address
1840381093	42914	ADAMS, GAYLE W	909 S MAIN ST	WAKE FOREST NC 27587-9277	851 S MAIN ST
1840376719	32022	ADAMS, JAMES M ADAMS, GAYLE W	909 S MAIN ST	WAKE FOREST NC 27587-9277	909 S MAIN ST
1840383787	4270	BARHAM, DANNY K	813 S MAIN ST	WAKE FOREST NC 27587-2807	813 S MAIN ST
1840383892	22989	BARHAM, DANNY K BARHAM, DIANE L	813 S MAIN ST	WAKE FOREST NC 27587-2807	809 S MAIN ST
1840382125	65434	BERRY, VICKI S	3069 WESTMINSTER RD	LUMBERTON NC 28360-9079	845 S MAIN ST
1840384817	73621	GILLINGHAM, ANDREW DAVID GILLINGHAM, SARAH OLIVIA MERRILL	803 S MAIN ST	WAKE FOREST NC 27587-2807	803 S MAIN ST
1840384997	106092	GILLINGHAM, ANDREW DAVID MERRILL GILLINGHAM, SARAH OLIVIA	109 DUNN AVE	WAKE FOREST NC 27587-2860	109 DUNN AVE
1840388718	189937	ITAC 356 LLC	531 S MAIN ST	WAKE FOREST NC 27587-2803	136 E HOLDING AVE
1840386367	190832	ITAC 356 LLC	531 S MAIN ST	WAKE FOREST NC 27587-2803	720 E HOLDING AVE
1840383658	47383	KHANNA, CHRISTINA	4005 MARDELA SPRING DR	RALEIGH NC 27616-7830	819 S MAIN ST
1840383567	32564	LUND, KURT ALAN LUND, SUSAN RAYNOR	227 WHITE LEVEL RD	LOUISBURG NC 27549-8175	821 S MAIN ST
1840490073	32546	MARSHALL, WANDA JONES MARSHALL, CHARLES ALBERT JR	PO BOX 1295	WAKE FOREST NC 27588-1295	157 E HOLDING AVE
1840382362	43440	MOORE, SUSANNE MAYR	837 S MAIN ST	WAKE FOREST NC 27587-2807	837 S MAIN ST
1840383413	47257	NGUYEN, TAM THI THU LIM, SEA KHIEN	9005 DANSFORESHIRE WAY	WAKE FOREST NC 27587-4875	829 S MAIN ST
1840382234	24275	PACIFIC MANAGEMENT GROUP LLC	1697 MAIN DIVIDE DR	WAKE FOREST NC 27587-6196	839 S MAIN ST
1840395012	222634	PHIFER, JAMES LARRY	105 DUNN AVE	WAKE FOREST NC 27587-2860	105 DUNN AVE
1840395341	45132	STRICKLAND, GREGORY B. STRICKLAND, ANNE WARD	623 S MAIN ST	WAKE FOREST NC 27587-2804	623 S MAIN ST
1840482652	160443	UNITED STATES POSTAL SERVICE	PO BOX 8601	PHILADELPHIA PA 19197-0001	224 E HOLDING AVE
1840399112	62316	WAKE FOREST AREA CRISIS MINISTRY INC	PO BOX 1394	WAKE FOREST NC 27588-1394	0 E HOLDING AVE
1840490007	73260	WAKE FOREST AREA CRISIS MINISTRY INC	PO BOX 1394	WAKE FOREST NC 27588-1394	149 E HOLDING AVE
1840396154	89066	WAKE FOREST CHRISTIAN CHURCH INC CHRISTIAN CHURCH (DISCIPLES OF CHRIST)	702 S MAIN ST	WAKE FOREST NC 27587-2806	702 S MAIN ST
1840481014	218691	WAKE FOREST TOWN OF	301 BROOKS ST	WAKE FOREST NC 27587-2901	0 S WHITE ST
1840482244	234347	WFEH INCORPORATED	755 S WHITE ST	WAKE FOREST NC 27587-2980	755 S WHITE ST
Additional attendee not within mailing notice area: Tom Anhut, Anhut Properties			610 Presidents Walk Ln	Cary, NC	

Yellow highlight represents attendees.



White Street Townhomes
Traffic Impact Analysis
Wake Forest, North Carolina

**TRAFFIC IMPACT
ANALYSIS**

FOR

WHITE STREET TOWNHOMES

LOCATED

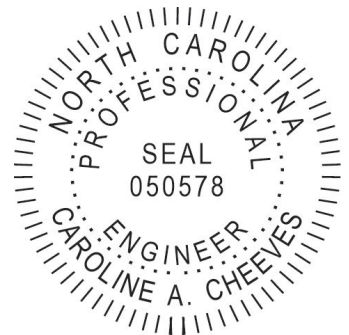
IN

WAKE FOREST, NORTH CAROLINA

Prepared For:
Madison Holding LLC
1415 Hillsborough Street
Raleigh, NC 27605

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

September 2022



Caroline Cheeves
9-12-2022

RKA Project No. 21772

Prepared By: AP

Reviewed By: CC

**TRAFFIC IMPACT ANALYSIS
WHITE STREET TOWNHOMES
WAKE FOREST, NORTH CAROLINA**

EXECUTIVE SUMMARY

1. Development Overview

A Traffic Impact Analysis (TIA) was conducted for the proposed White Street Townhomes 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 in the southwestern quadrant of the intersection of South White Street and East Holding Avenue in Wake Forest, North Carolina. The proposed development is expected to be a maximum of 116 single-family attached housing development and estimated to be built out in 2024. Site access is proposed via two full movement intersections on South White Street.

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

- 2022 Existing Traffic Conditions
- 2024 No-Build Traffic Conditions
- 2024 Build Traffic Conditions

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:

- East Holding Avenue and S White Street
- East Holding Avenue and S Main Street
- East Holding Avenue and S Franklin Street
- S Main Street and Dr Calvin Jones Highway
- S Franklin Street and Dr Calvin Jones Highway

Existing peak hour traffic volumes were determined based on traffic counts conducted at the study intersection listed above, in February of 2022 by RKA during a typical weekday AM (7:00 AM – 9:00 AM) and PM (4:00 PM – 6:00 PM) peak periods, while schools were in session.

Traffic volumes were balanced between study intersections, where appropriate.

3. Site Trip Generation

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 provides a summary of the trip generation potential for the site.

Table E-1: Site Trip Generation

LAND USE (ITE Code)	INTENSITY	DAILY TRIPS (VPD)	WEEKDAY AM PEAK HOUR (VPH)		WEEKDAY PM PEAK HOUR (VPH)	
			Enter	Exit	Enter	Exit
Single Family Detached Housing (215)	116 dwellings	834	17	38	37	29

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 2022 projected weekday AM and PM peak hour traffic volumes.

The following adjacent developments were identified to be considered under future conditions:

- Holding Village
- Wait Avenue Condos
- Powerhouse Phase 2
- Grove 98 (Forbes Property)
- Legacy Apartments

5. Capacity Analysis Summary

The analysis considered weekday AM and PM peak hour traffic for 2022 existing, 2024 no-build, and 2024 build conditions. Refer to Section 7 of the TIA for the capacity analysis summary performed at each study intersection.

6. Recommendations

Based on the findings of this study, no specific geometric and traffic control improvements have been identified at study intersections. The recommended lane configurations are summarized below and are illustrated in Figure E-1.

It should be noted that, per the Town's UDO, improvements were identified at certain intersections which would allow them to operate at acceptable levels of service (D or better), and an analysis of the scenario was considered based on these requirements.

Improvements by Holding Village

Dr Calvin Jones Highway and S Franklin Street

- Convert intersection to superstreet configuration.
- Provide two southbound right-turn lanes.
- Provide northbound right-turn lane.
- Signal timing modifications.

Dr Calvin Jones Highway and S Franklin Street

- Signal timing modifications.

Improvements by Forbes Property

Dr Calvin Jones Highway and S Franklin Street

- Increase the southbound right turn lane to accommodate 225' of storage.

Improvements to Meet UDO Requirements

Dr Calvin Jones Highway and S Main Street

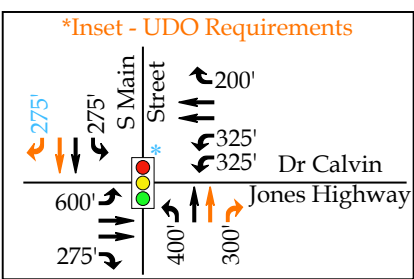
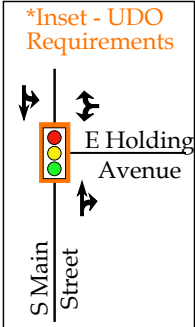
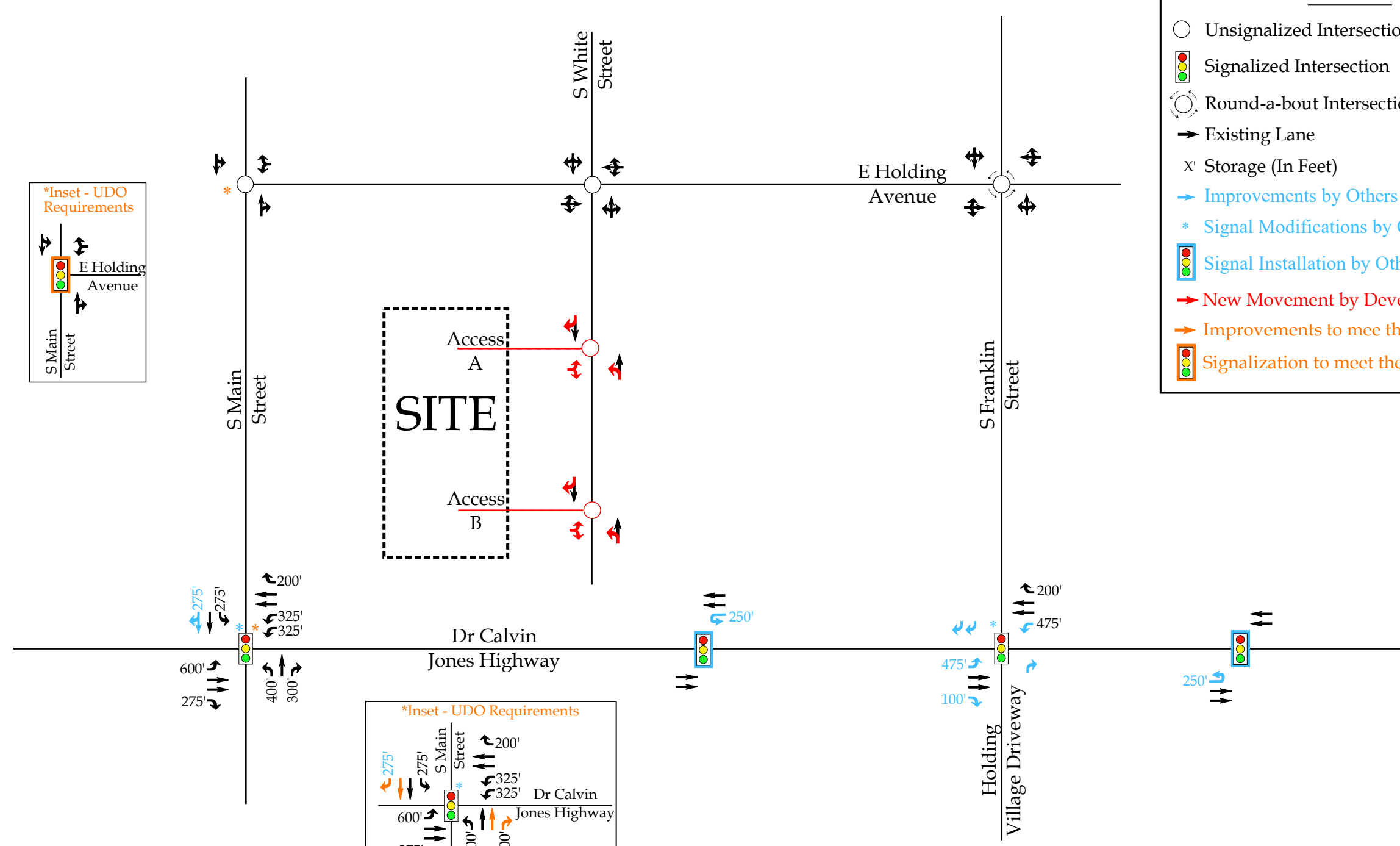
- Provide two (2) exclusive through lanes and one (1) right turn lane for both the northbound and southbound approaches.

S Main Street and E Holding Avenue

- Signalized intersection.

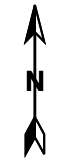
Recommended Lane Configuration by Developer**S White Street and Accesses A and B**

- Construct the eastbound approaches with one ingress and one egress striped as a shared left-right.
- Provide stop-control for eastbound approaches.



LEGEND

- Unsignalized Intersection
- ⬆️⬆️⬆️ Signalized Intersection
- ⦿ Round-a-bout Intersection
- ➡ Existing Lane
- x' Storage (In Feet)
- ➡ Improvements by Others
- * Signal Modifications by Others
- ⬆️⬆️⬆️ Signal Installation by Others
- ➡ New Movement by Developer
- ➡ Improvements to meet the Town's UDO.
- ⬆️⬆️⬆️ Signalization to meet the Town's UDO.



	White Street Townhomes 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

July 26, 2022

White Street Townhomes

Traffic Impact Analysis Review Report Congestion Management Section

TIA Project: SC-2022-239
Division: 5
County: Wake



Doumit Y. Ishak, Regional Engineer
Clarence B. Bunting, IV, P.E. Project Engineer
Daniel W. Collins, Design Engineer

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
TRANSPORTATION MOBILITY & SAFETY DIVISION
1561 MAIL SERVICE CENTER
RALEIGH, NC 27699-1561

Telephone: (919) 814-5000
Fax: (919) 771-2745
Customer Service: 1-877-368-4968

Website: www.ncdot.gov

Location:
750 N. GREENFIELD PARKWAY
GARNER, NC 27529

White Street Townhomes

SC-2022-239

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	06/28/22	Date of Site Plan	06/27/22
Date of Complete Information	06/28/22	Date of Sealed TIA	06/28/22

Proposed Development

The TIA assumes the development is completed by 2024 and consists of the following:

Land Use	Land Use Code	Size
Single Family Detached Housing	215	116 d.u

Trip Generation - Unadjusted Volumes During a Typical Weekday

	IN	OUT	TOTAL
AM Peak Hour	17	38	55
PM Peak Hour	37	29	66
Daily Trips			834

General Reference

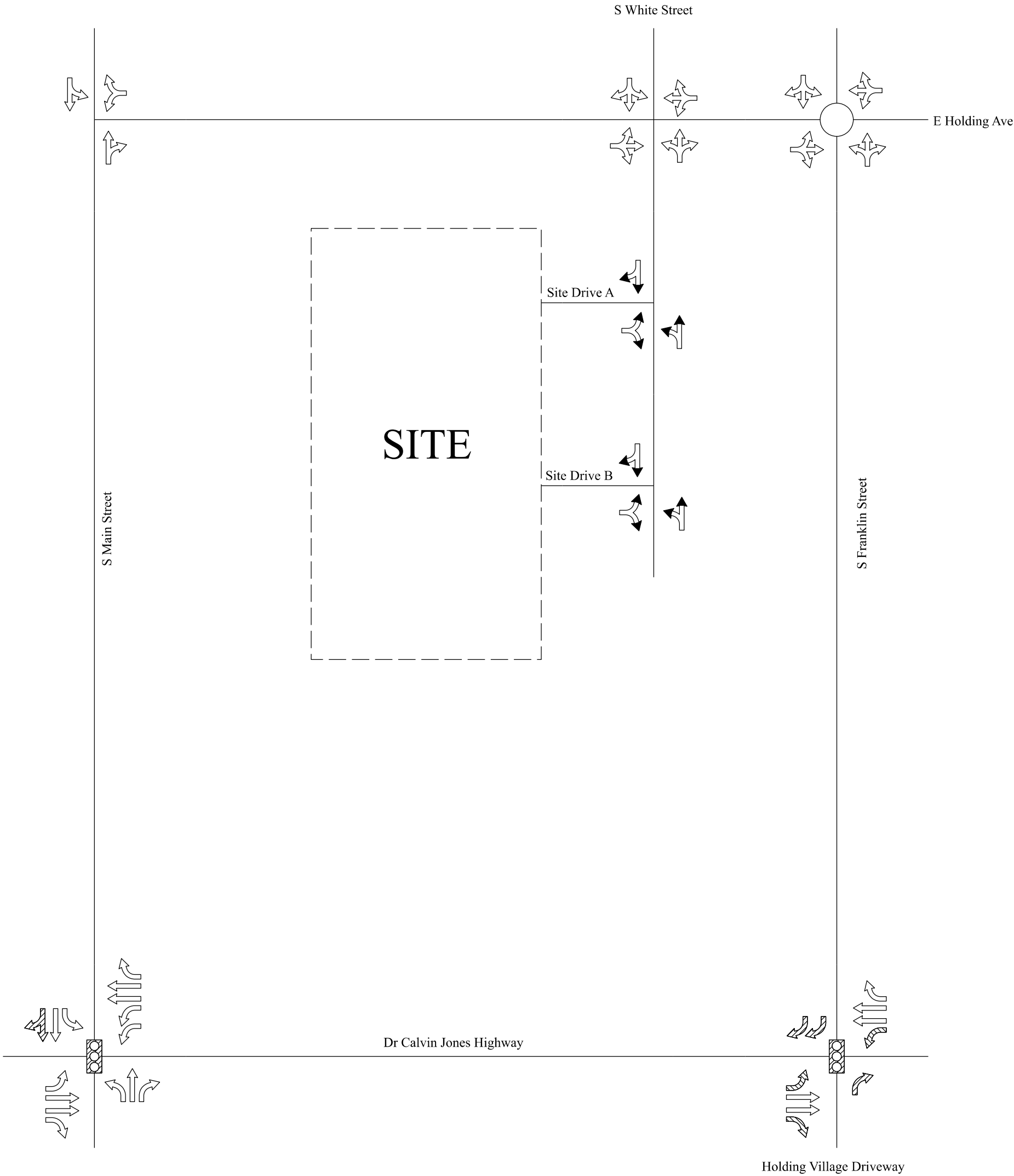
For reference to various documents applicable to this review please reference the following link: <https://connect.ncdot.gov/resources/safety/Pages/Congestion-Management.aspx> Once the driveway permit has been approved and issued, a copy of the final driveway permit requirements should be forwarded to this office. If we can provide further assistance, please contact the Congestion Management Section.

Improvements By Others

The analysis includes background improvements by others. If these improvements are not in place at the time of construction, the site should provide these improvements or analysis demonstrating mitigation is not necessary.

Signalization

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



White Street Townhomes
SC-2022-239

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





Staff Report

Case SD-21-06: South White Street Townhomes Subdivision and Site Master Plan

Meeting Date	October 4, 2022
Requested Actions	Consideration of a quasi-judicial subdivision and site master plan for South White Street Townhomes on approximately 7.98± acres located at 136 E. Holding Avenue and 720 E. Holding Avenue.
Case Manager	Patrick Reidy, Senior Planner

PUBLIC MEETINGS

Neighborhood Meeting	Joint Public Hearing
March 10, 2022 (See Attachment D)	October 4, 2022

CASE INFORMATION

Applicant	The Nau Company C/O Brian O’Kane P.O. Box 810 Rolesville, NC 27571
Developer	Madison Holding LLC C/O David Smoot, IV 1415 Hillsborough Street Raleigh, NC 27605
Property Owner	ITAC 356 C/O David Smoot 531 S. Main Street Wake Forest, NC 27587
Location	The southwest corner of the S White Street and E Holding Avenue intersection
Address	136 E. Holding Avenue and 720 E. Holding Avenue
Wake County Tax PIN(s)	1840388718 and 1840386367
Acreage	7.98 acres (includes right-of-way)

Zoning	Existing: Residential Mixed-Use (RMX)
Land Use	Existing: Dwelling-Duplex Proposed: Dwelling - Multifamily (92 units) Dwelling - Townhome (24 units)
Community Plan (2009)	Existing: Historic Town Core and Town Center, Neighborhood Planning Area #37
Corporate Limits	This application is in the Town's corporate limits.
See Attachment A for a copy of the application and Attachment C for Aerial, Zoning, and Community Plan Maps. See pages 35-122 and 268 for descriptions of Town Areas, Historic Town Core and Town Center Zone in the 2009 Community Plan	

SURROUNDING LAND USES AND ZONING

	Land Use	Zoning
North	Civic and Personal Services (Tri-Area Ministry and Hair Care Center)	Urban Mixed-Use (UMX)
South	Single-Family Dwelling	Residential Mixed-Use (RMX)
East	Office/Service and Dwelling-Multifamily (Post Office and Turnberry Apartments)	Residential Mixed-Use (RMX)
West	Railroad ROW, Religious Institution, Single-Family Dwellings, General Commercial, and Professional Services (Wake Forest Christian Church, Aquarium Outfitters, Barrett's Produce, Figaro, Giving Tree Foundation, and Senior Plan Advisors)	General Residential 3 (GR3) and Neighborhood Business (NB)
The proposed land use is generally compatible with surrounding land uses. See Attachment C for associated maps.		

MASTER PLAN ANALYSIS

Open Space	Required: 5% of residential areas or 0.4 acres Proposed: 31.05% or 2.48 acres Summary: The proposed Master Plan complies with the minimum open space percentage requirement in the UDO. See Attachment B, Sheet C3.0.
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Density	Required: 24 dwelling units per acre (maximum) Proposed: 20.75 dwelling units per acre Summary: The proposed Master Plan complies with the maximum density requirement in the UDO. See Attachment B, Sheet 3.0.
Park Space	Required: 2% or 0.16 acres Proposed: 11.5% or 0.92 acres Summary: The proposed Master Plan complies with the minimum park space percentage requirement in the UDO. See Attachment B, Sheet C3.0.
Active Recreation	Required: 25% of park space or 0.04 acres Proposed: 28.8% of park space or 0.05 acres Summary: The proposed Master Plan complies with the minimum open space percentage requirement in the UDO. See Attachment B, Sheet C3.0.
Roads	Required: The 2021 Comprehensive Transportation Plan, version adopted April 20, 2021, requires the 2A cross-section for E Holding Avenue and S White Street. The UDO required that a TIA be submitted for review for this project. Proposed: The proposed Master Plan (Attachment B, Sheet C3.1) proposes frontage improvements along E Holding Avenue and S White Street. The required TIA, reviewed by both NCDOT and the Town, did not require any additional improvements. Summary: The proposed Master Plan complies with the minimum roadway infrastructure requirements in the UDO. See Attachment E for TIA Executive Summary.
Parking	Required: Per UDO Chapter 9.4, the parking requirements are: • Vehicular: 1.8 spaces per unit or 209 parking spaces • Bicycle: 2 spaces per 40 automobile spaces provided and 1 space per 1/4 acre of park space or 31 bike spaces Proposed: The Master Plan proposes: • Vehicular: 316 parking spaces are proposed • Bicycle: 33 bike spaces are proposed Summary: The proposed Master Plan complies with the minimum parking requirements in the UDO. See Attachment B, Sheet C3.0.

Public Utilities	Required: The UDO requires that public water and sewer mains are extended to serve the site.
	Proposed: This project is served by a 3" water line located along S White Street and proposes to replace the water line with an 8" water line. This project is served by an 8" sewer line located along S White Street and runs through the subject property, which would be relocated to be within the proposed rights-of-way.
	Summary: The proposed Master Plan complies with the public utility requirements in the UDO.

COMPREHENSIVE PLAN CONSISTENCY

Community Plan (2009)	The proposed subdivision and site master plan request is generally consistent with the adopted Community Plan.
Comprehensive Transportation Plan (2019)	The proposed subdivision and site master plan request is generally consistent with the adopted Comprehensive Transportation Plan.
Historic Preservation Plan (2012)	The Historic Preservation Plan is not applicable to the subdivision and site master plan request.
Northeast Neighborhood Plan (2007)	The Northeast Neighborhood Plan is not applicable to subdivision and site master plan request.
Park, Recreation, and Cultural Resources Master Plan (2015)	The Parks, Recreation, and Cultural Recourses Master Plan is not applicable to the subdivision and site master plan request.
Public Art Vision Plan (2009)	The Public Art Vision Plan is generally consistent with the subdivision and site master plan request.
Renaissance Plan (2017)	The Renaissance Plan is generally consistent to the subdivision and site master plan request.

FINDINGS REQUIRED TO APPROVE SUBDIVISION AND SITE MASTER PLAN

In approving a Subdivision and Site Master Plan, the Board of Commissioners must have a concurring vote of a majority of its members in accordance with N.C.G.S. §160D-406. The Board shall not approve a subdivision and site master plan unless and until written findings are made based on all the following conclusions and findings of fact in Sections 15.8.2.J and 15.9.2.J of the UDO, version adopted January 19, 2021.

STAFF ANALYSIS

15.8.2.J.1	Finding of Fact: The plan is consistent with the adopted plans and policies of the town. Staff Analysis: The 2009 Community Plan identifies these parcels within the Town Center Zone and Historic Town Core Zone. The policy emphasis for both zones is to retain the urban, pedestrian-oriented character as large-scale commercial development and parking lots would detract from the small-town character of the area. New residential development should be at an urban density with dwellings pulled up to the street, placing them within walking distance of the downtown commercial district. In accordance with the 2017 Renaissance Plan policies, the proposed development provides sidewalks on E Holding Avenue and S White Street that connect the core and improve the pedestrian network. The 2019 Comprehensive Transportation Plan, version adopted April 20, 2021, identifies E Holding Avenue and S White Street as 2A, Two Lane Undivided cross-sections, which require a minimum 55' right-of-way. While the S-line is discussed within the Plan, the approximate right-of-way needed is not shown or listed for dedication.
15.8.2.J.2	Finding of Fact: The plan complies with all applicable requirements of this ordinance. Staff Analysis: See Master Plan Analysis
15.8.2.J.3	Finding of Fact: There exists adequate infrastructure (transportation and utilities) to support the plan as proposed. Staff Analysis: See Master Plan Analysis
15.8.2.J.4	Finding of Fact: The plan will not be detrimental to the use or development of adjacent property or other neighborhood uses. Staff Analysis: The RMX district is intended to support a variety of housing types in relatively high-density neighborhoods within walking or biking distance from mixed-use centers, as well as some limited commercial uses in pedestrian-scaled, residential-style structures. The parcels to the north, east, and west are separated from the proposed development by road or railroad right-of-way. The parcels to the north are zoned Urban Mixed Use (UMX) and contain nonresidential uses. The parcels to the east and south are zoned RMX and would be permitted to develop with similar uses per the Unified Development Ordinance. The master plan proposes open

	space along the majority of the southern property line except for the southwestern corner near proposed Lot 116 and Alley “E”. A Transportation Impact Analysis was performed to evaluate the impact traffic from the proposed use could have on this area and no additional improvements were identified as necessary to mitigate the development.
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15.9.2.J.1	Finding of Fact: The plan is consistent with the adopted plans and policies of the town. Staff Analysis: The 2009 Community Plan identifies these parcels within the Town Center Zone and Historic Town Core Zone. The policy emphasis for both zones is to retain the urban, pedestrian-oriented character as large-scale commercial development and parking lots would detract from the small-town character of the area. New residential development should be at an urban density with dwellings pulled up to the street, placing them within walking distance of the downtown commercial district. In accordance with the 2017 Renaissance Plan policies, the proposed development provides sidewalks on E Holding Avenue and S White Street that connect the core and improve the pedestrian network. The 2019 Comprehensive Transportation Plan, version adopted April 20, 2021, identifies E Holding Avenue and S White Street as 2A, Two Lane Undivided cross-sections, which require a minimum 55’ right-of-way. While the S-line is discussed within the Plan, the approximate right-of-way needed is not shown or listed for dedication.
15.9.2.J.2	Finding of Fact: The plan complies with all applicable requirements of this ordinance. Staff Analysis: See Master Plan Analysis
15.9.2.J.3	Finding of Fact: There exists adequate infrastructure (transportation and utilities) to support the plan as proposed. Staff Analysis: See Master Plan Analysis
15.9.2.J.4	Finding of Fact: The plan will not be detrimental to the use or development of adjacent property or other neighborhood uses. Staff Analysis: The RMX district is intended to support a variety of housing types in relatively high-density neighborhoods within walking or biking

	distance from mixed-use centers, as well as some limited commercial uses in pedestrian-scaled, residential-style structures. The parcels to the north, east, and west are separated from the proposed development by road or railroad right-of-way. The parcels to the north are zoned Urban Mixed Use (UMX) and contain nonresidential uses. The parcels to the east and south are zoned RMX and would be permitted to develop with similar uses per the Unified Development Ordinance. The master plan proposes open space along the majority of the southern property line except for the southwestern corner near proposed Lot 116 and Alley “E”. A Transportation Impact Analysis was performed to evaluate the impact traffic from the proposed use could have on this area and no additional improvements were identified as necessary to mitigate the development.
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STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners conduct an evidentiary hearing in accordance with UDO Sections 15.8.2 and 15.9.2, adopted January 19, 2021, and approve, approve with conditions, or deny the subdivision and site master plan in accordance with the standards of review in Sections 15.8.2 and 15.9.2 (see required findings above).

ATTACHMENTS

- Attachment A: Application and Statement of Justification
- Attachment B: Subdivision and Site Master Plan
- Attachment C: Maps
- Attachment D: Neighborhood Meeting Information
- Attachment E: Traffic Impact Analysis Executive Summary and NCDOT Review Report



TOWN *of*
WAKE FOREST

**Joint Public Hearing &
Planning Board Meeting**

Case SD-21-06: South White Street Townhomes

Applicant:	The Nau Company
Owner:	ITAC 356
Location:	136 E. Holding Avenue and 720 E. Holding Avenue
PIN:	1840388718 and 1840386367
Size:	7.98± acres (includes right-of-way)
Zoning:	Residential Mixed-Use (RMX)
Corporate Limits:	Yes
Existing Use:	Dwelling-Duplex
Proposed Use:	Dwelling - Multifamily (92 units) (2 over 2 Condominiums) Dwelling – Townhome (24 units)
Requested Action:	Consideration of a QJ Subdivision and Site Master Plan

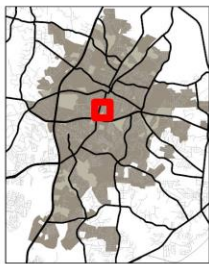


Case SD-21-06: South White Street Townhomes

Applicable Plans and Ordinances:

- 2009 Community Plan
- April 20, 2021 Comprehensive Transportation Plan
- 2017 Renaissance Plan
- January 19, 2021 Unified Development Ordinance





TOWN of
WAKE FOREST

SD-21-06

136 E. Holding Ave. & 720 E. Holding Ave.

PINs: 1840388718 & 1840386367

9/30/2022

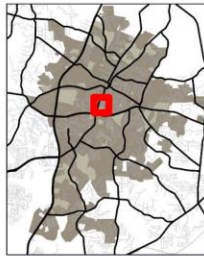


Please note that this map is intended for illustrative purposes only.
For specific inquiries regarding zoning boundaries, contact the
Town Wake Forest Planning Department at 919-435-9510.

0 500 1,000
Feet



	Land Use
North	Civic and Personal Services (Tri-Area Ministry and Hair Care Center)
South	Single-Family Dwelling
East	Office/Service and Dwelling-Multifamily (Post Office and Turnberry Apartments)
West	Railroad ROW, Religious Institution, Single-Family Dwellings, General Commercial, and Professional Services (Wake Forest Christian Church, Aquarium Outfitters, Barrett's Produce, Figaro, Giving Tree Foundation, and Senior Plan Advisors)

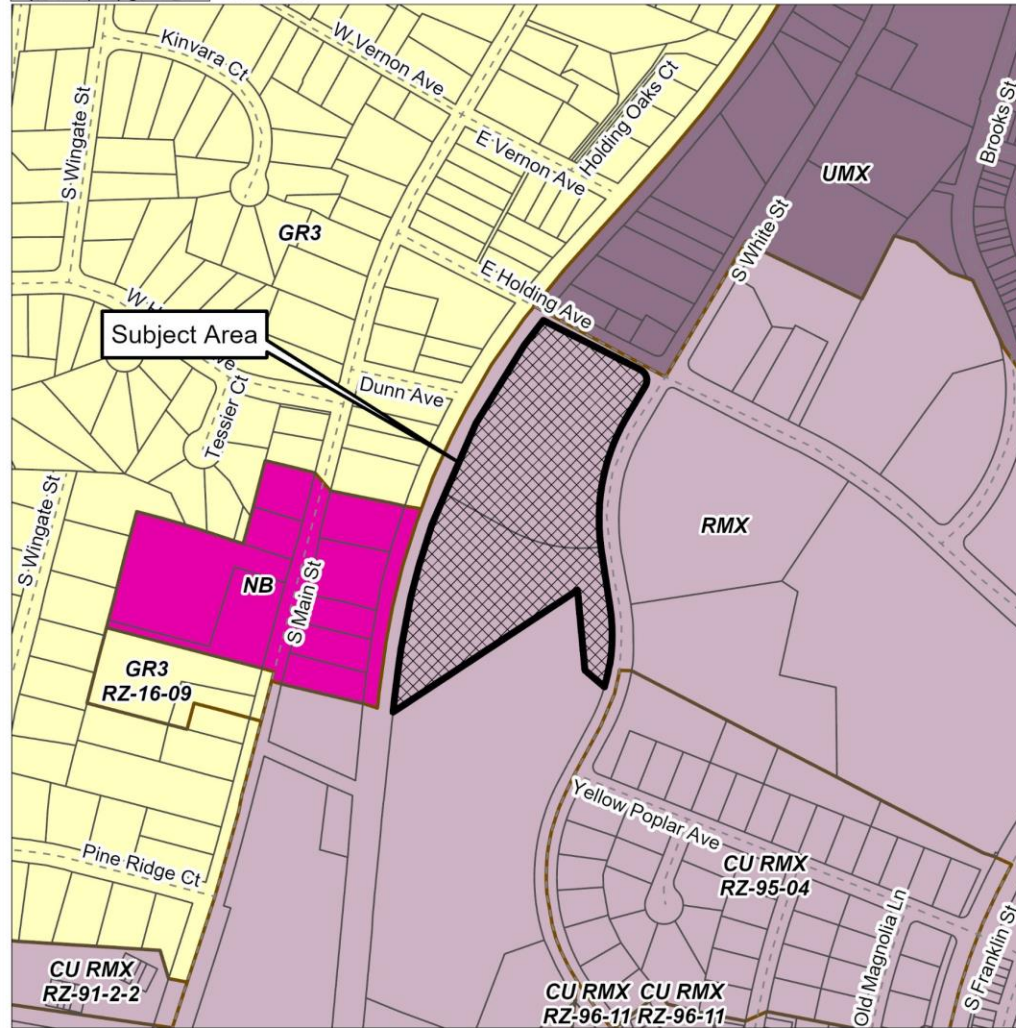


TOWN of
WAKE FOREST

SD-21-06

**136 E. Holding Ave. & 720 E. Holding Ave.
PINs: 1840388718 & 1840386367**

9/30/2022

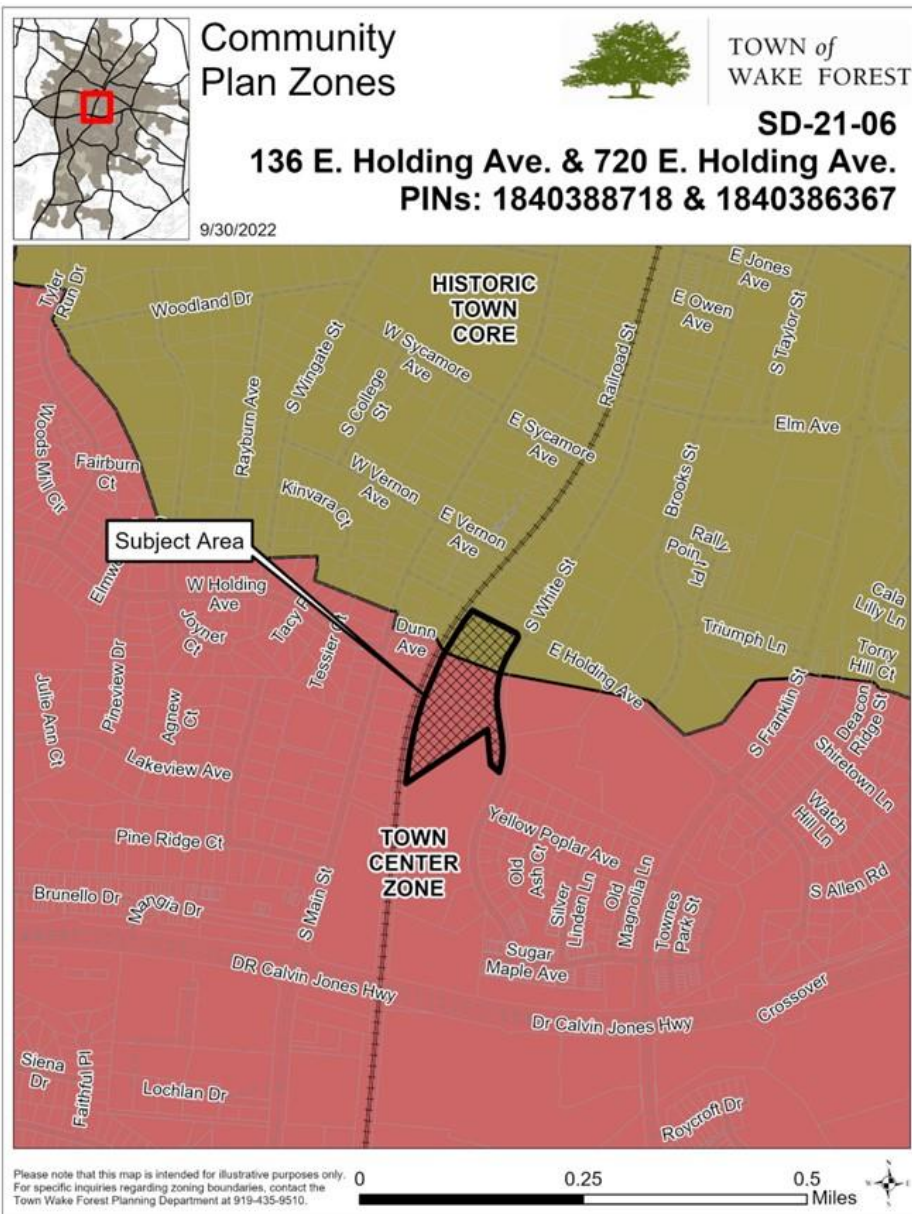


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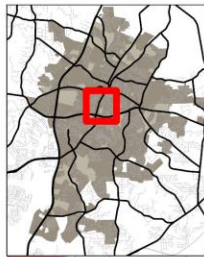
Case SD-21-06 Growth Strategy Map



2009 Community Plan

Historic Town Core/Town Center Zone

- Includes properties that were once developed and are now vacant or have never been developed
- Retain urban, pedestrian-oriented character of zone
- New residential development to be at a truly urban density
- Dwellings pulled up to the street, placing them within walking distance of the downtown commercial district.



Neighborhood Planning Areas

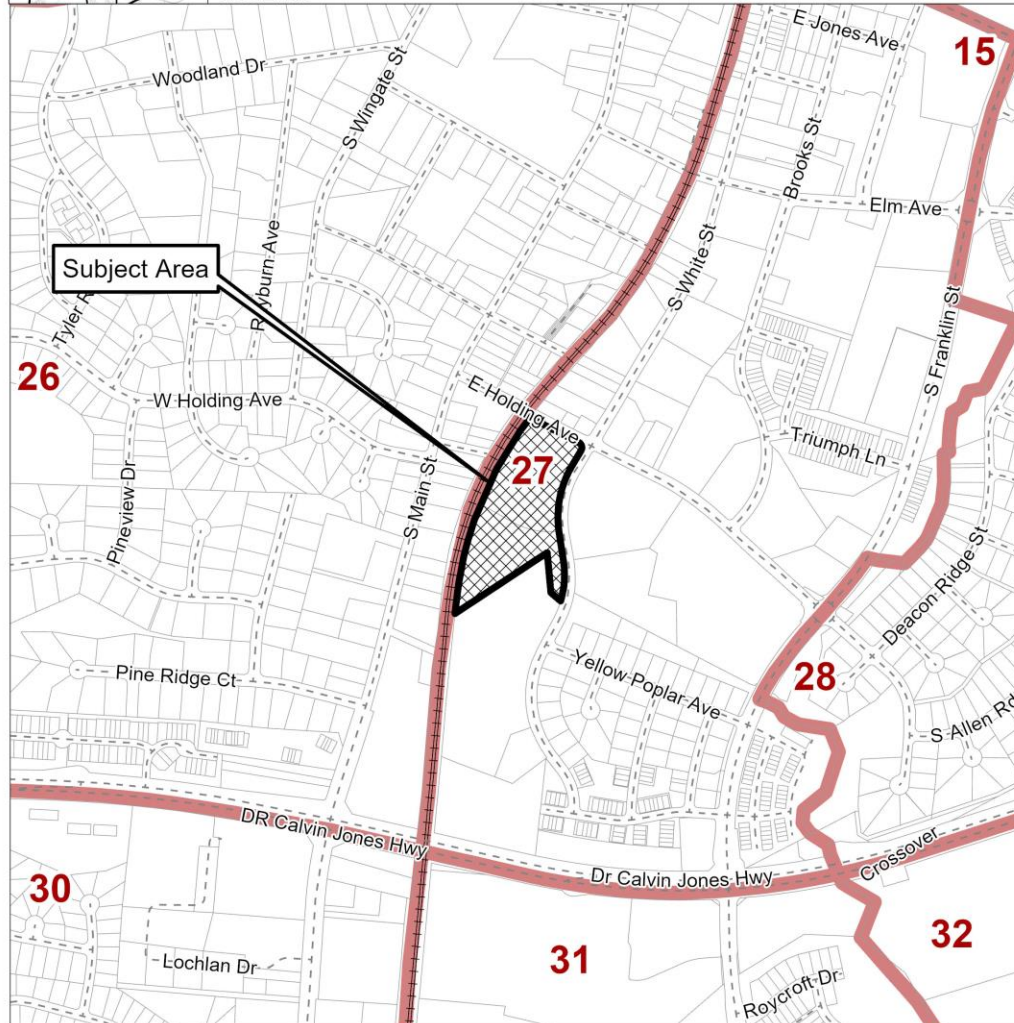


TOWN of
WAKE FOREST

SD-21-06

**136 E. Holding Ave. & 720 E. Holding Ave.
PINs: 1840388718 & 1840386367**

9/30/2022

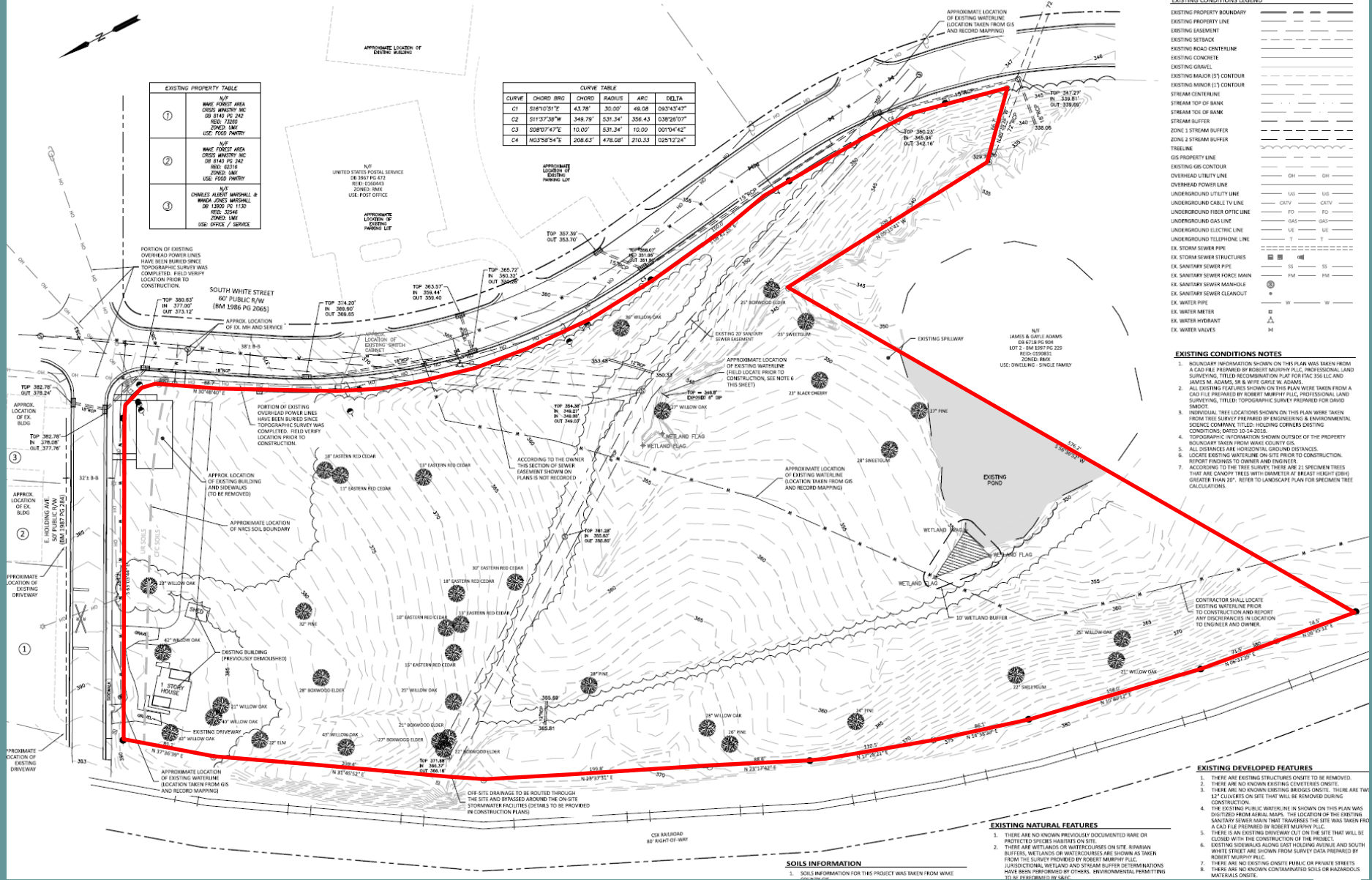


Please note that this map is intended for illustrative purposes only.
For specific inquiries regarding zoning boundaries, contact the
Town Wake Forest Planning Department at 919-435-9510.

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Case SD-21-06 Existing Conditions



Case SD-21-06 Master Plan

DRIVE/PARKING	75,962 SF	1.74 AC	21.8%
BIKEWAY	12,741 SF	0.29 AC	4.3%
BUILDING	77,040 SF	1.77 AC	23.56%
GREENWAY	0 SF	0.00 AC	0.00%
DRIVEWAY	14,721 SF	0.37 AC	7.13%
TOTAL IMPERVIOUS AREA	189,364 SF	4.38 AC	17.4%
PERVIOUS (GRASS/WOODS)	148,344 SF	3.40 AC	45.8%
TOTAL AREA	347,608 SF	7.98 AC	100%

SITE LEGEND

PROPERTY BOUNDARY	---
RIGHT-OF-WAY	---
PROPERTY LINE	---
EASEMENT	---
SETBACK	---
PROPERTY/LANDSCAPE BUFFER	---
ROAD CENTERLINE	---
CURB & GUTTER (ROAD)	---
CURB & GUTTER (PARKING)	---
BIKEWAY	---
CONCRETE DRIVEWAY	---
ASPHALT	---
GRAVEL	---
OPEN SPACE	---

N/P
UNITED STATES POSTAL SERVICE
DR 3807 PG 471
RFD: 03804S
ZONED: RMK
USE: POST OFFICE

SOUTH WHITE STREET
60' PUBLIC R/W
(BM 1386 PG 2055)

CONNECT SIDEWALK TO NEWLY INSTALLED
RAMPS AT INTERSECTION OF WHITE
STREET AND EAST HOLDING AVENUE

19'x17' SIGHT TRIANGLE
(TYPICAL)

HOA PATIO SPACE TO INCLUDE
LANDSCAPING, SEATING WALLS AND
HARD SURFACE PAVEMENT WITH AREA FOR
PUBLIC ART INSTALLATION.

RENAISSANCE PLAZA
GATEWAY FEATURE
13,000 SF PASSIVE
GATHERING SPACE

18' MAX BUILDING SETBACK
(WHITE STREET)

18' MAX BUILDING SETBACK
(WHITE STREET)

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(WHITE STREET)

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18' MAX BUILDING SETBACK
(WHITE STREET)

CON. ROADWAY
60' RIGHT-OF-WAY

STORMWATER NOTES

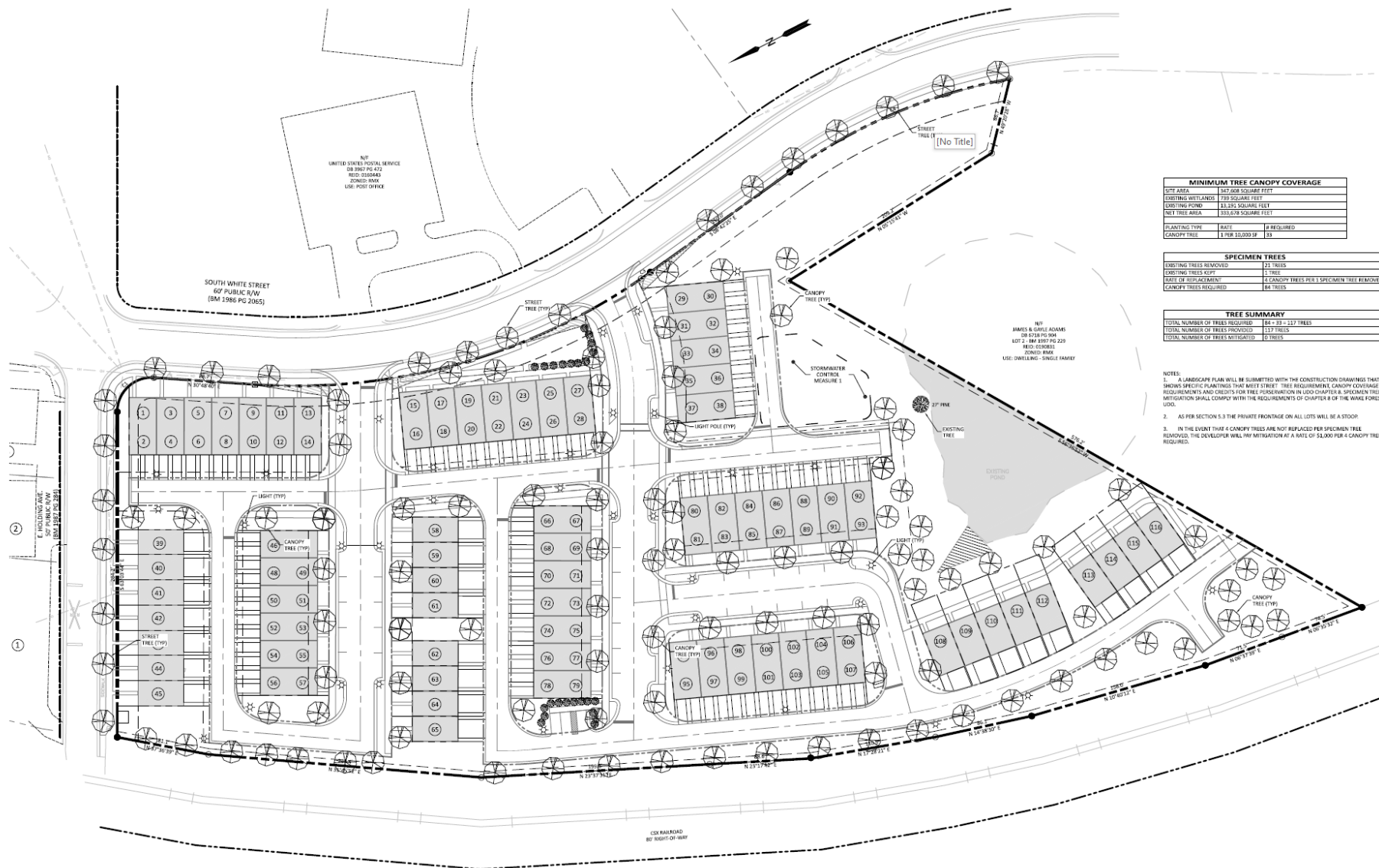
1. THIS PROJECT IS SUBJECT TO THE TOWN OF WAKE FOREST
STORMWATER REQUIREMENTS.

PROJECT NOTES

1. ALL WATER MAINS WITHIN PUBLIC EASEMENTS AND RIGHTS-OF-WAY SHALL BE OWNED, OPERATED AND MAINTAINED BY THE CITY OF RALEIGH.
2. ALL SEWER MAINS WITHIN PUBLIC EASEMENTS AND RIGHTS-OF-WAY SHALL BE OWNED, OPERATED AND MAINTAINED BY THE CITY OF RALEIGH.
3. ROAD WIDENING IS NOT REQUIRED FOR THIS PROJECT.
4. THIS PROJECT INCLUDES PROPOSED PUBLIC STREETS.
5. ALL SIDEWALKS SHALL BE ACCESSIBLE ROUTE FROM THE ADA PARKING SPACE TO THE CLUSTER MAILBOX MUST BE ADA COMPLIANT.
6. ALL RAMPS SHALL BE INSTALLED IN ACCORDANCE WITH THE TOWN OF WAKE FOREST STANDARD S.D.1.
7. IMPROVED PARK SPACE SHALL HAVE AT LEAST TWO OF THE FOLLOWING FEATURES: LANDSCAPING, WALLS OR PERIMETERS, FENCES, WALLS, LIGHTING AND ELECTRICITY FOUNDATION, AND/OR BIKEWAY, AND/OR SIGNAGE, AND/OR ADA COMPLIANT ACCESS.

PROPOSED SITE AREA	3.57 ACRES
PROPOSED USE	24 DWELLING - TOWNHOMES 50 DWELLING - MULTI-FAMILY (OVER 2 CONDOS/MINIMUMS)
TOWNHOME UNITS	138 UNITS
FRONT SETBACK	28 FEET (MIN)
SIDE CORNER SETBACK	5 FEET (MIN)
REAR SETBACK	0 FEET (MIN)
REAR SETBACK	5 FEET (MIN)
FRONTAGE BUILDOUT	N/A
MAXIMUM DENSITY	24 DUA
PROPOSED DENSITY	20.75 DUA
75' WATER SUPPLY	NO
WATERSHED PROTECTION	NO
OVERLAY DISTRICT	NO
HAZARD AREAS	NO
OPEN SPACE REQUIRED	5% - 17,380 SF (0.40 ACRES)
OPEN SPACE PROVIDED	11.05% - 388,000 SF (8.48 ACRES)
PARK SPACE REQUIRED	2% - 6,952 SF (0.16 ACRES)
PARK SPACE PROVIDED	11.5% - 393,300 SF (9.03 ACRES)
PARK SPACE PROVIDED	26,789 SF (0.61 ACRES) OUTSIDE OF EX-POND (67% OF PARK SPACE PROVIDED)
PARK SPACE PROVIDED	PARK SPACE REQUIREMENT MET WITHOUT UTILIZING AREA OF EXISTING POND
ACTIVE PARK SPACE REQUIRED	25% OF 0.16 ACRES = 1,738 SF (0.04 ACRES)
ACTIVE PARK SPACE PROVIDED	2,000 SF (0.05 ACRES)
PARKING SPACES REQUIRED	28.8% OF REQUIRED PARK SPACE
PARKING SPACES PROVIDED	1.8 SPACES PER UNIT UNITS 1-138 = 209 SPACES CLUSTER MAILBOX = 2 SPACES
TOTAL SPACES REQUIRED = 211 SPACES	
PARKING SPACES PROVIDED	CONCORD 1: 1 SPACE IN EACH GARAGE TOTAL CONDO SPACES: 184 TOWNHOMES: 2 SPACES IN EACH GARAGE 2 SPACES IN EACH DRIVEWAY TOTAL TOWNHOME SPACES: 96 23 ADDITIONAL STREET PARKING SPACES (INTERNAL TO THE SITE) 3 MAIL BOX PARKING SPACES (INCLUDING 1 ADA VAN SPACE) TOTAL ON-SITE SPACES = 318 SPACES
BICYCLE PARKING REQUIRED	2 BIKES PARKING SPACES PER 40 SPACES 16 BIKE PARKING SPACES 4 BIKE SPACES PER 1/4 ACRE OF PARK SPACE (0.25 AC = 15 BIKE PARKING SPACES)
BICYCLE PARKING PROVIDED	81 BIKE SPACES REQUIRED
BICYCLE PARKING PROVIDED	81 BIKE SPACES
MINIMUM HEIGHT	8 STORIES
MAXIMUM HEIGHT	8 STORIES
PROPOSED HEIGHT	4 STORIES (APPROXIMATELY 50')

Case SD-21-06 Landscape Plan

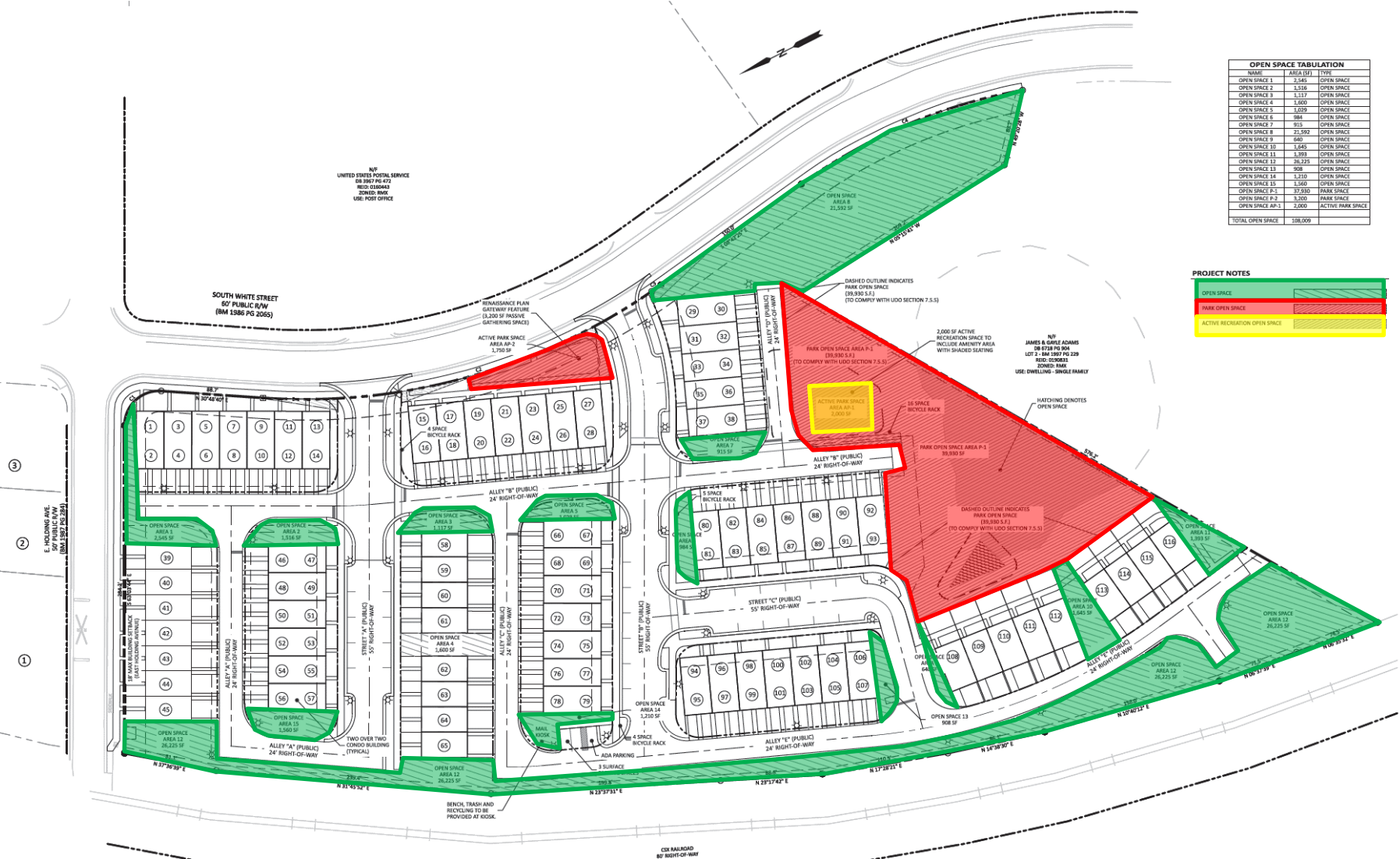


MINIMUM TREE CANOPY COVERAGE			
SITE AREA	157,700 SQUARE FEET		
EXISTING WETLANDS	780 SQUARE FEET		
EXISTING POND	33,120 SQUARE FEET		
NET TREE AREA	105,670 SQUARE FEET		
PLANTING TYPE	RATE	# REQUIRED	
CANOPY TREE	\$1 PER 10,000 SF	33	

SPECIMEN TREES			
EXISTING TREES REMOVED	12	TREES	
EXISTING TREES KEPT	1	TREE	
RATE OF REPLACEMENT	4	CANOPY TREES PER 1 SPECIMEN TREE REMOVED	
CANOPY TREES REQUIRED	48	TREES	

TREE SUMMARY			
TOTAL NUMBER OF TREES REQUIRED	84	33 + 117 TREES	
TOTAL NUMBER OF TREES PROVIDED	117	TREES	
TOTAL NUMBER OF TREES MITIGATED	10	TREES	

Case SD-21-06 Open Space Plan



OPEN SPACE TABULATION		
NAME	AREA (SF)	TYPE
OPEN SPACE 1	3,545	OPEN SPACE
OPEN SPACE 2	1,516	OPEN SPACE
OPEN SPACE 3	1,517	OPEN SPACE
OPEN SPACE 4	1,600	OPEN SPACE
OPEN SPACE 5	1,029	OPEN SPACE
OPEN SPACE 6	984	OPEN SPACE
OPEN SPACE 7	915	OPEN SPACE
OPEN SPACE 8	21,592	OPEN SPACE
OPEN SPACE 9	648	OPEN SPACE
OPEN SPACE 10	1,545	OPEN SPACE
OPEN SPACE 11	1,393	OPEN SPACE
OPEN SPACE 12	26,225	OPEN SPACE
OPEN SPACE 13	908	OPEN SPACE
OPEN SPACE 14	1,210	OPEN SPACE
OPEN SPACE 15	1,560	OPEN SPACE
OPEN SPACE P-1	37,300	PARK SPACE
OPEN SPACE P-2	37,930	PARK SPACE
OPEN SPACE AP-3	2,000	ACTIVE PARK SPACE
TOTAL OPEN SPACE	108,000	

PROJECT NOTES



Master Plan Analysis

- **Density**
 - Required – 24 dwelling units per acre (max)
 - Provided – 20.75 dwelling units per acre
- **Open Space**
 - Required – 5% or 0.4 acres
 - Provided – 31.05% or 2.48 acres
- **Park Space**
 - Required – 2% or 0.16 acres
 - Provided – 11.5% or 0.92 acres



Master Plan Analysis

- **Active Recreation**

- Required – 25% of park space or 0.04 acres
- Provided – 28.8% of park space or 0.05 acres

- **Roads (April 20, 2021 CTP)**

- Required – 2A cross-section for E. Holding Ave and S. White St and a TIA be required
- Provided – Frontage improvements along E. Holding Ave and S. White St in compliance with the 2A cross-section and a TIA was submitted and reviewed by both NCDOT and the Town, but did not require any additional improvements



Master Plan Analysis

- **Parking**

- Required – Vehicular: 1.8 spaces per unit or 209 parking spaces
Bicycle: 2 spaces per 40 parking spaces provided and 1 space per $\frac{1}{4}$ acre of parking space or 31 bike spaces
- Provided – Vehicular: 316 parking spaces
Bicycle: 33 bike spaces

- **Public Utilities**

- Required – Public Water and Sewer Mains are extended to serve the site
- Provided – Public Water: served by 3" water line along S. White St and will be replaced with an 8" water line

Public Sewer: served by 8" sewer line along S. White St and runs through property, which would be relocated within proposed rights-of-way



Rail Alignment

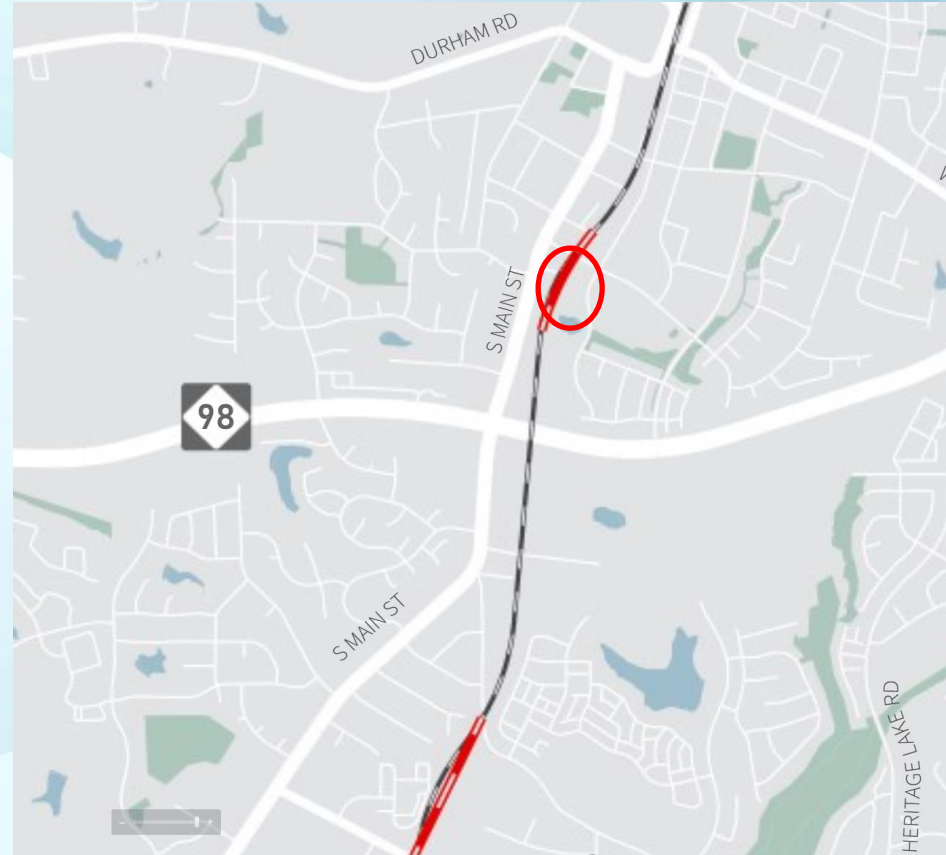
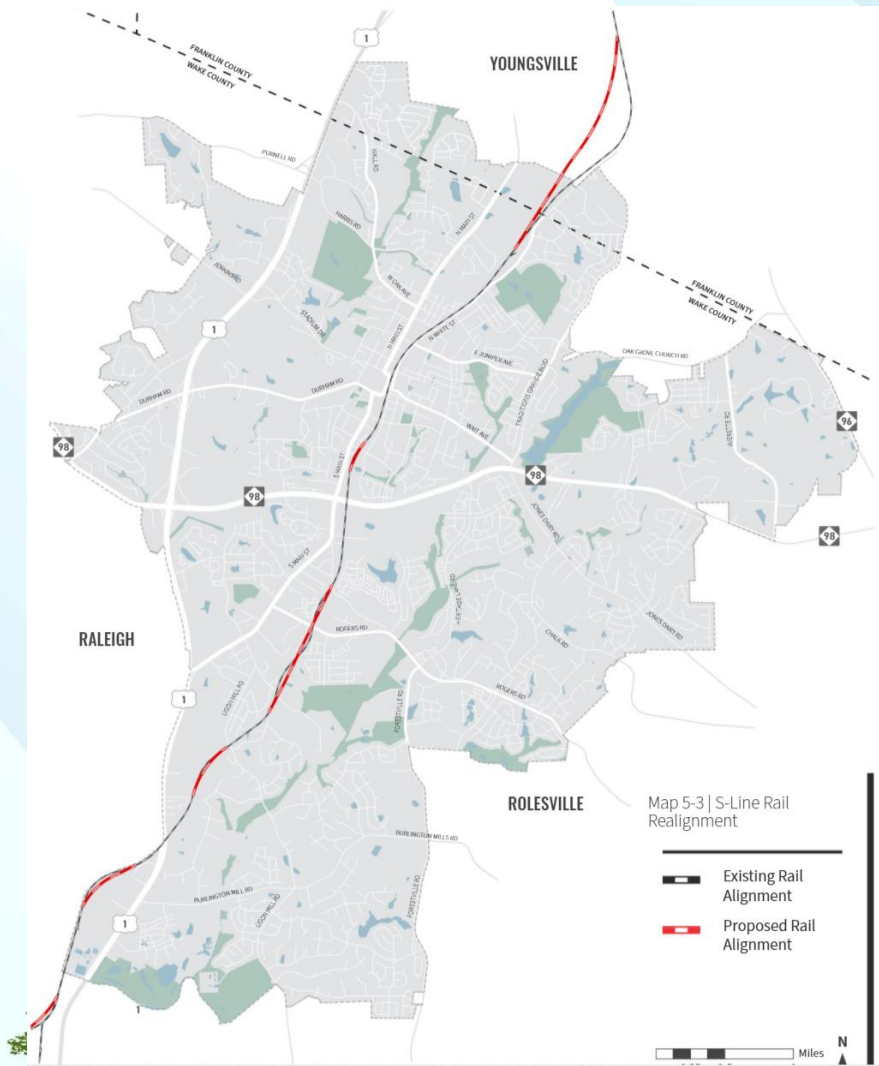
- **2009 Community Plan**

- Policy RT-1: The Town should continue to anticipate and plan for the impacts of new HIGH SPEED RAIL SERVICE as it passes through Wake Forest en route to major urban centers north and south along the east coast.

Corridor maps for the high speed rail line through the town of Wake Forest show a general alignment with the existing rail line with only a few minor changes. Significantly, those portions of the line through downtown Wake Forest follow the existing tracks with only one minor deviation. Near the intersection of the existing rail line with Holding Avenue, the proposed corridor would shift eastward some 100 feet to straighten out a curve considered too great for high speed use.



Rail Alignment (April 2021 CTP)



Case SD-21-06 TIA Improvements

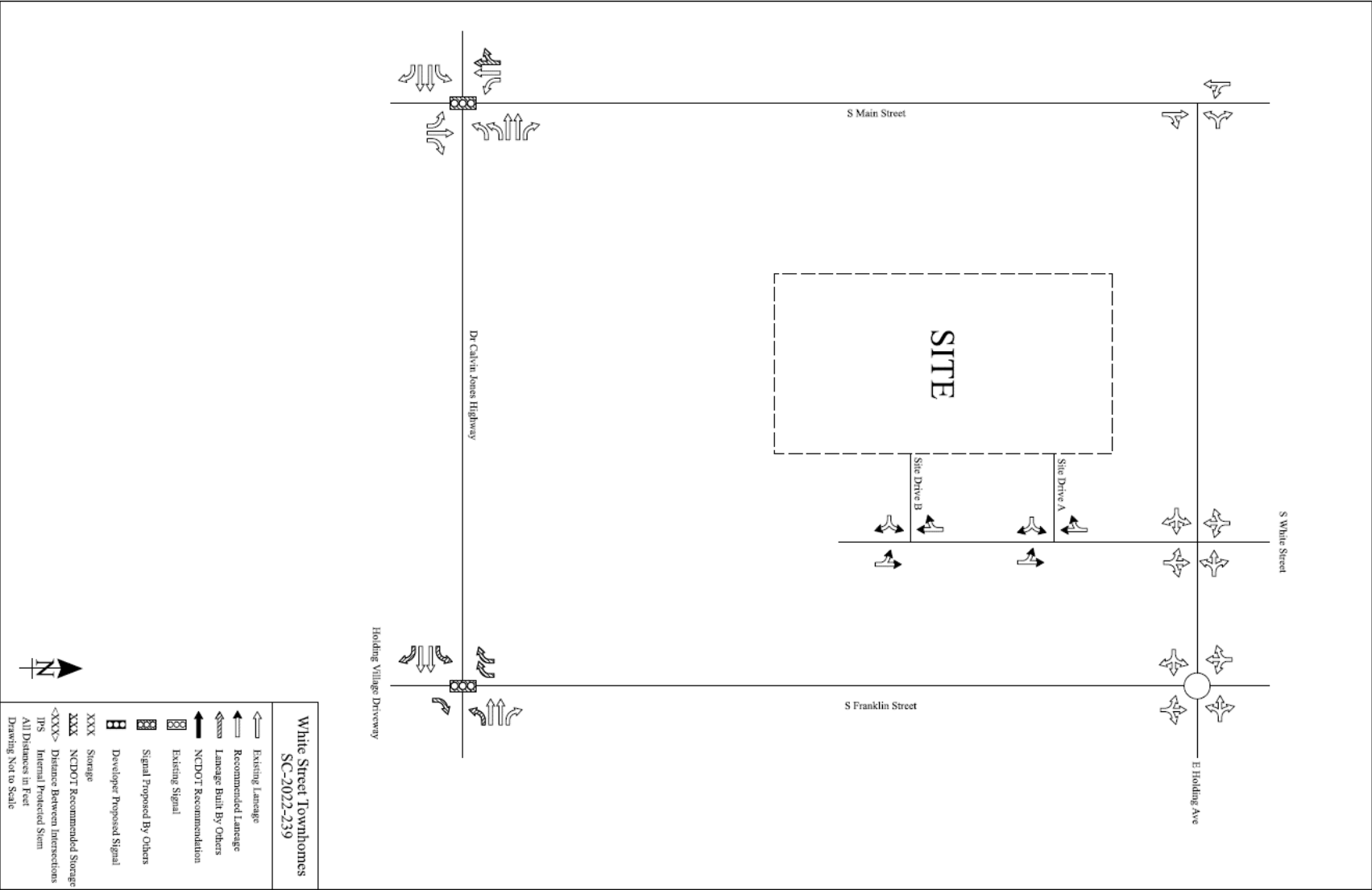
The improvements required to mitigate the impact of the development are:

S. White Street and Accesses A and B

- Construct the eastbound approach with one ingress and one egress striped as a shared left-right
- Provide stop-control for eastbound approaches



Case SD-21-06 TIA Improvements



Findings of Fact:

In order to approve a Major Site Master Plan, required findings of fact contained in Section **15.8.2.J** of the Wake Forest Unified Development Ordinance are required to be met. Those findings of fact are:

Finding 1: The plan is consistent with the adopted plans and policies of the Town.

The 2009 Community Plan identifies these parcels within the Town Center Zone and Historic Town Core Zone. The policy emphasis for both zones is to retain the urban, pedestrian-oriented character as large-scale commercial development and parking lots would detract from the small-town character of the area. New residential development should be at an urban density with dwellings pulled up to the street, placing them within walking distance of the downtown commercial district.

In accordance with the 2017 Renaissance Plan policies, the proposed development provides sidewalks on E Holding Avenue and S White Street that connect the core and improve the pedestrian network.

The 2019 Comprehensive Transportation Plan, version adopted April 20, 2021, identifies E Holding Avenue and S White Street as 2A, Two Lane Undivided cross-sections, which require a minimum 55' right-of-way. While the S-line is discussed within the Plan, the approximate right-of-way needed is not shown or listed for dedication.



Findings of Fact:

Finding 2: The plan complies with all applicable requirements of the Wake Forest Unified Development Ordinance.

See Master Plan Analysis in staff report.

Finding 3: There exists adequate infrastructure (transportation & utilities) to support the plans as proposed.

See Master Plan Analysis in staff report.



Findings of Fact:

Finding 4: The application will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

The RMX district is intended to support a variety of housing types in relatively high-density neighborhoods within walking or biking distance from mixed-use centers, as well as some limited commercial uses in pedestrian-scaled, residential-style structures.

The parcels to the north, east, and west are separated from the proposed development by road or railroad right-of-way. The parcels to the north are zoned Urban Mixed Use (UMX) and contain nonresidential uses. The parcels to the east and south are zoned RMX and would be permitted to develop with similar uses per the Unified Development Ordinance. The master plan proposes open space along the majority of the southern property line except for the southwestern corner near proposed Lot 116 and Alley “E”.

A Transportation Impact Analysis was performed to evaluate the impact traffic from the proposed use could have on this area and no additional improvements were identified as necessary to mitigate the development.



Findings of Fact:

In order to approve a Major Subdivision, required findings of fact contained in Section 15.9.2.J of the Wake Forest Unified Development Ordinance are required to be met. Those findings of fact are:

Finding 1: The plan is consistent with the adopted plans and policies of the Town.

The 2009 Community Plan identifies these parcels within the Town Center Zone and Historic Town Core Zone. The policy emphasis for both zones is to retain the urban, pedestrian-oriented character as large-scale commercial development and parking lots would detract from the small-town character of the area. New residential development should be at an urban density with dwellings pulled up to the street, placing them within walking distance of the downtown commercial district.

In accordance with the 2017 Renaissance Plan policies, the proposed development provides sidewalks on E Holding Avenue and S White Street that connect the core and improve the pedestrian network.

The 2019 Comprehensive Transportation Plan, version adopted April 20, 2021, identifies E Holding Avenue and S White Street as 2A, Two Lane Undivided cross-sections, which require a minimum 55' right-of-way. While the S-line is discussed within the Plan, the approximate right-of-way needed is not shown or listed for dedication.



Findings of Fact:

Finding 2: The plan complies with all applicable requirements of the Wake Forest Unified Development Ordinance.

See Master Plan Analysis in staff report.

Finding 3: There exists adequate infrastructure (transportation & utilities) to support the plans as proposed.

See Master Plan Analysis in staff report.



Findings of Fact:

Finding 4: The application will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

The RMX district is intended to support a variety of housing types in relatively high-density neighborhoods within walking or biking distance from mixed-use centers, as well as some limited commercial uses in pedestrian-scaled, residential-style structures.

The parcels to the north, east, and west are separated from the proposed development by road or railroad right-of-way. The parcels to the north are zoned Urban Mixed Use (UMX) and contain nonresidential uses. The parcels to the east and south are zoned RMX and would be permitted to develop with similar uses per the Unified Development Ordinance. The master plan proposes open space along the majority of the southern property line except for the southwestern corner near proposed Lot 116 and Alley “E”.

A Transportation Impact Analysis was performed to evaluate the impact traffic from the proposed use could have on this area and no additional improvements were identified as necessary to mitigate the development.



MADISON HOLDING

VIA E-MAIL

October 11, 2022

Ms. Courtney Tanner
Planning Director
Town of Wake Forest
Wake Forest Town Hall—Third Floor
301 S. Brooks St.
Wake Forest, NC 27587

Re: White Street Townhomes, SP-21-60

Dear Courtney,

Thank you for meeting with us today together with Jennifer Currin and Patrick Reidy. As discussed, we respectfully request that our pending Site Master Plan and Subdivision Master Plan applications not be placed on the Board of Commissioners' Agenda on Tuesday, October 18, 2022. Further, we request that the Planning Board's recommendation not be delivered in accordance with UDO (Jan 2021) sections 15.8.2.K and 15.9.2.K. to the Board for their consideration until the Board's November 15, 2022, meeting. In the meantime, we would like to continue discussions with town staff regarding potential alternatives for the future development of this site.

Sincerely,


David M. Smoot, IV


Daniel H. Smoot

David M. Smoot, IV
Principal
T +1917.355.2122
david.smoot@madisonholding.com

Daniel H. Smoot
Principal
T +1919.789.1864
daniel.smoot@madisonholding.com

Madison Holding LLC
1415 Hillsborough Street
Raleigh, NC 27605-1828

MADISON HOLDING

VIA E-MAIL

November 9, 2022

Ms. Courtney Tanner, Planning Director
Ms. Jennifer Currin, Assistant Planning Director
Mr. Patrick Reidy, Senior Planner
Town of Wake Forest
Wake Forest Town Hall—Third Floor
301 S. Brooks St.
Wake Forest, NC 27587

Re: White Street Townhomes, SP-21-06

Dear All,

As we are continuing our discussions with town staff regarding potential alternatives, could we kindly request a postponement of consideration of SP-21-06 until the next Board of Commissioners meeting on December 6, 2022?

Sincerely,



David M. Smoot, IV



Daniel H. Smoot

cc: Chad Essick, Esq.

David M. Smoot, IV
Principal
T +1917.355.2122
david.smoot@madisonholding.com

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Madison Holding LLC
1415 Hillsborough Street
Raleigh, NC 27605-1828



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-445-

Submitted by:

Submitting Department: Administration

Meeting Date: November 15, 2022

SUBJECT

Department Monthly Report

Recommendation:

Item Summary:

ATTACHMENTS

- [Oct 2022 Monthly Report .pdf](#)

October 2022 | Department Monthly Report



Administration

- Our inaugural Citizens Academy concluded on Oct. 27th with a graduation dinner at the Wake Forest Community House
- Our second quarter employee newsletter, "[Powering Performance](#)" was sent out the last week of October.
- Our Fall Employee Appreciation Food Truck and Costume Contest was held on October 28th.

Communications

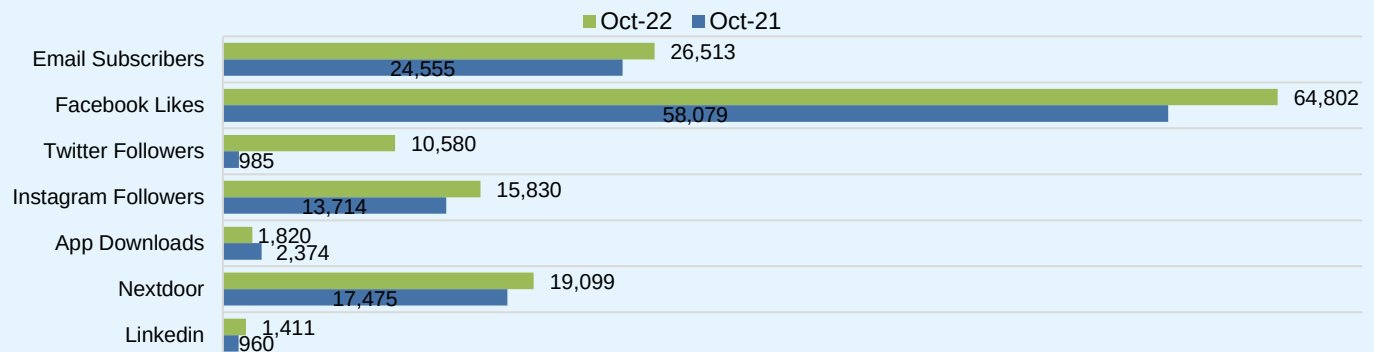
ANNOUNCEMENTS

Media Releases	37
Email Announcements	16
Town-to-Resident Phone Calls/Texts	0

TOP 5 VIEWED PAGES ON WEBSITE

RANK	PAGE	IEWS
1	Home	9,943
2	Halloween Boo Bash	4,913
3	Utility Bill Payment Options	2,818
4	Jobs	2,217
5	PRCR	1,731

SUBSCRIBERS



Downtown Development

UPDATES PROVIDED QUARTERLY

OCCUPANCY

	JUL - SEPT 2022	OCT - DEC 2022
Occupancy Rate in Percentage	89%	90%

NEW BUSINESSES

	OCT 2022	FISCAL YEAR-TO-DATE
Number of New Businesses	2	4
Number of Businesses Closed	0	3

UPDATES PROVIDED QUARTERLY

EVENTS

SECOND QUARTER EVENTS OCT - DEC)	ATTENDANCE IN 2022	ATTENDANCE IN 2021
Spirits of Wake Forest	800	700

- Spirits of Wake Forest has been a huge success. Hurricane Ian resulted in two dates being cancelled, but we were able to add additional tours to get patrons rescheduled. Forest Moon Theater partners with Wake Forest Downtown, Inc. to provide wonderful storytellers and WFHS students volunteered as “lurkers” to provide that extra spooky effect.
- Wake Forest High School theater tech students constructed and painted benches that were placed throughout downtown in late September and early October. This project was supported by the Public Art Commission and has been a great implementation of public art and community engagement.
- Goodies for Goblins was hosted by the downtown merchants for Trick or Treating in downtown on 10.29.22 and over 1000 kids and their families participated.
- Downtown Development participated in Citizen’s Academy and enjoyed sharing about our department and engaging participants in an activity in event planning.

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.

REQUESTS FOR INFORMATION (RFIs)

	OCT 2022	SEPT 2022
Number of responses to RFIs	0	1

BUSINESS RETENTION & EXPANSION (BRE)

NAMES OF BUSINESSES VISITED THIS MONTH

St. John Properties

SixFour3

The Loading Dock

Engineering

PROJECT

UPDATE

Stormwater Infrastructure Assessment

Freese and Nichols is on hold until CIP scoping is complete. (Project Manager – Monica Sarna)

Finance

FINANCIAL TASKS COMPLETED

TAX RETURNS & REPORTS

COMPLETION DATE

NC Sales and Use Tax Form E500

October 14

941/NC-5Q Quarterly Payroll Tax Returns

October 24

PURCHASING / WAREHOUSE

New Vendors Set Up

3

Purchase Orders Processed

36

Informal Quotes

11

ORBIT/LGERS Report – NC State Treasurer	October 3
Utility Sales Tax Return – E500 E	October 14
Wake County Prepared Food and Beverage	October 14
ACCOUNTING/FINANCE	AMOUNT
Total Accounts Payable Disbursement	\$2,666,343
Total ePayables Disbursement	524,097
Total Number of Invoices Paid	307
Total Amount of Invoices Paid with credit card	595,841
GENERAL TASKS AND OTHER ITEMS	COMPLETION DATE
Capital Improvements Plan (CIP) Update underway – initial public hearing Quarterly ARPA Report Submitted	October 18 October 28
FY 2021–2022 Audit	COMPLETION DATE
Year end and audit and financial statement preparation - working with auditors to get submitted prior to December 1	Ongoing

Surplus Items	Sold 3 items - \$61,700
HUBSCO	Submitted 1 HUBSCO report

NORTHERN WAKE FOOD SECURITY TEAM	
Staff Hours	18 hours per week (Corey – 14/Drew - 4)
Updates	Expanded partnership with Backpack Buddies Weekly delivery to Hope House - Thursdays

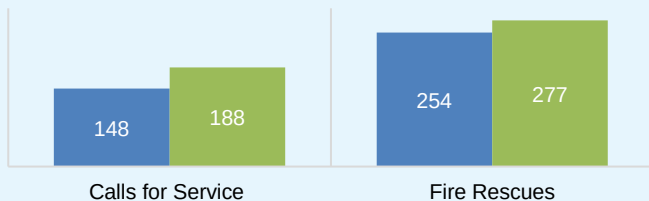
Fire

KEY STATS		
	OCT 2022	SEPT 2022
Calls for Service	491	429
Average Response Time	4:24	4:07

TYPES OF CALLS		
	OCT 2022	SEPT 2022
Fire	188	148
Medical	277	254
Motor Vehicle Accidents (MVA)	26	27

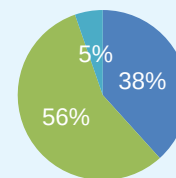
FIRE-KEY STATS

■ Sep-22 ■ Oct-22



TYPES OF CALLS

■ Fire ■ Medical ■ MVAs



Human Resources

PROMOTIONS / TRANSFERS

EMPLOYEE NAME	DEPARTMENT	POSITION	DATE
Brandon Cribb	Police Department	Sergeant – C-Squad	10.16.22
Joseph Simmons	Police Department	Corporal – CEU B	10.16.22
Thomas Everett	Police Department	Corporal – Recruiting	10.16.22
Reginald Forte	Public Works – Streets	Construction Worker II	10.31.22
Seth Huntsinger	Public Works – Streets	Senior Street Maintenance Worker	10.03.22
Mario Mayes	Police Department	Transfer from Patrol to CEU – B Squad	10.31.22
Brian Harris	Police Department	Transfer from Patrol to CEU – A Squad	10.31.22
Logan Williams	Police Department	Transfer from Patrol to CID (509)	10.31.22
Joseph Pistone	Police Department	Transfer from Patrol to CEU – A Squad	10.31.22

EMPLOYMENT

As of October 31, 2022	September	October
Positions Filled	377.00	377.00
Vacancies	34.00	34.00
Total Authorized Positions FY 2022-2023	411.00	411.00

Information Technology

SERVICE STATS

	Oct 2022	SEPT 2022
Service Requests Completed	358	445
Network Uptime Percentage	100%	100%

Inspections & Public Facilities

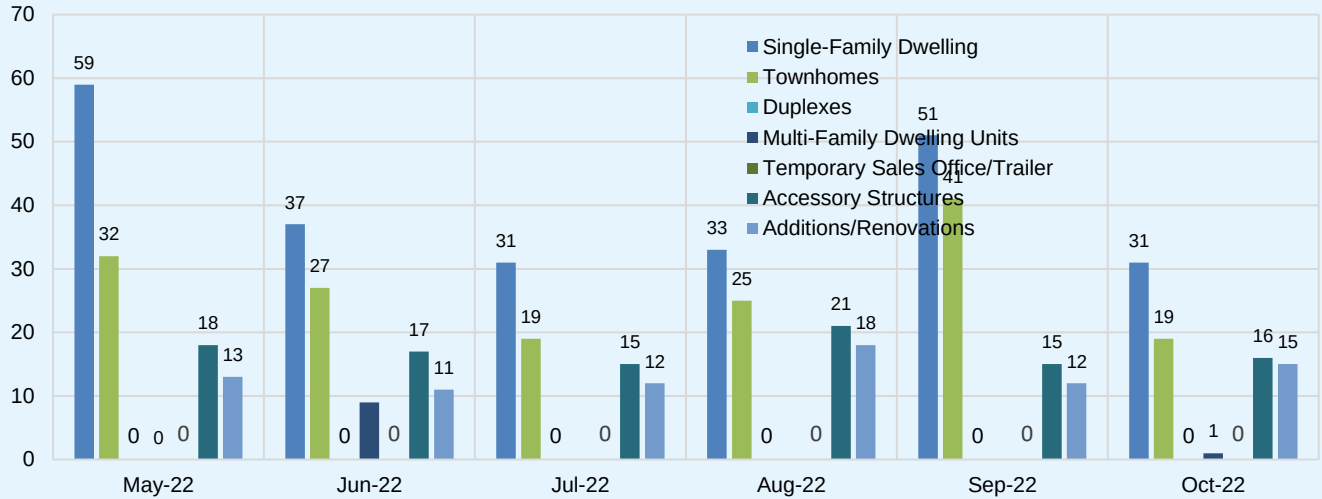
RESIDENTIAL PERMITS

	OCT 2022	OCT 2021
Single-Family Dwelling	031	029
Townhomes	019	007
Duplexes	000	000
Multi-Family Dwelling Units	001 / 12	000
Other	109	108
Total	160	144

NON-RESIDENTIAL PERMITS

	OCT 2022	SEPT 2021
New Commercial	01	05
Fit-Ups	04	03
Other	40	37
Total	45	45

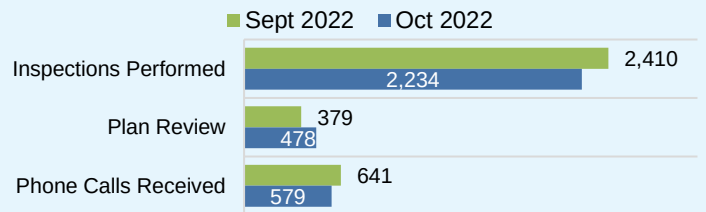
RESIDENTIAL BUILDING PERMITS (last 6 months)



PUBLIC FACILITIES

	October 2022	AUGUST 2022
Preventative Maintenance Completed	1341	491
Reactive Work Orders	347	121

DEPARTMENTAL PRODUCTIVITY



BUSINESSES

NEW COMMERCIAL BUSINESSES

ADDRESS
Devon Square Amenity Center

764 Cormiche Ln

FIT-UPS

Chaudhary Dental Office	3604 Rogers Branch Rd 102
El Chapin III Restaurant	109 Capcom Ave 10
ISI Elite Training	3612 Rogers Branch Rd 104
Daikin Applied Americas	740 Merritt Capital Dr 117

PRE-OCCUPANCIES

The Journey & The Process	851 Durham Rd B
Grey The Brand	145 Wait Ave
Blueberry Entertainment Inc	833 Wake Forest Business Park A

Parks, Recreation & Cultural Resources

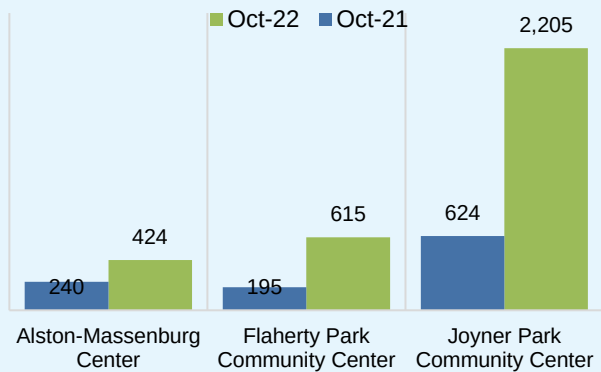
ATHLETICS

	OCT 2022	SEPT 2021
Registrations Received – Youth	39	626
Registrations Received – Adult	0	0
Games Held	106	262
Revenue	\$25,740	\$36,330

PROGRAMS

	OCT 2022	SEPT 2021
Registrations Received – Youth	86	118
Registrations Received – Adult	127	1,216
Classes/Programs Held	26	59
Revenue	4,730	\$8,347.85

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	1
PM Inspections and services	73
Evening and Weekend Park Services	4

FACILITY RENTALS

	OCT 2022	SEPT 2021
Athletic Fields	33	42
Joyner Park Outdoor / Open Space	7	11
General Outdoor / Open Space	2	0
Picnic Shelters	1	1
Wake Forest Community House	6	2
Joyner Park Community Center	5	0
Flaherty Park Community Center	0	0
Alston-Massenburg Community Center	2	1

VISITORS TO AQUATIC CENTER & SPRAYGROUND

	OCT 2022	SEPT 2021
Aquatic Center	CLOSED	1158
Taylor Street Sprayground	CLOSED	370

Planning

DEVELOPMENT SERVICES MONTHLY REPORT

[VIEW](#)

ZONING VIOLATIONS DASHBOARD

[VIEW](#)

Use Chrome, Firefox, Safari or Edge when viewing the dashboard.

CERTIFICATES OF APPROPRIATENESS

	OCT 2022	OCT 2021
COAs Received	0	0
COAs Approved	0	0

Police

KEY STATS

	OCT 2022	SEPT 2021
Calls for Service	4908	4598
Vehicle Crashes	189	180

Public Works

- Solid Waste- Prototype sorting trash can from MyMatR was installed under the shelter in Flaherty Park; Thanks to the pointed effort from Allison Luvisi, the SW department became fully staffed at the end of October; Most employees in SW received the first step in the pay class study to be completed in the next few months; RFP has been released for new contracts.
- Streets-Helped SW due to being short staffed; 55 tons of asphalt repairs; 200 feet of sidewalk repairs; Hauled 63 loads of dirt to dump site; snow equipment check & training; Most employees in Streets received the first step in the pay class study to be completed in the next few months
- Urban Forestry-Removal & replacement season 124 trees, Joyner Park Pecan grove restoration project, Storm work Oct 1
- Fleet- Completed 193 work orders October, Combined shop productivity average of 80% of billable hours, 3 mechanics completed 17.25 combined hours of training. 3 interviews completed for vacant mechanic position-Person selected will start on 11/14/2022
- Admin – Evaluations in full swing.

SOLID WASTE

	OCT 2022	OCT 2021
New Construction Homes Added	84	47
New Cart Sets	84	47

RECYCLING

	OCT 2022	OCT 2021
Volunteer Collected Litter	0	200
Volunteer Collected Recycling	0	0
Volunteer Hours	0	8
Volunteer Miles of Streets	0	2
Sections of Roads Cleaned (not miles)	0	0
Number of Creeks Cleaned	0	1
Number of Litter Kits Issued/Returned	0	2

CEMETERY

	OCT 2022	OCT 2021
Number of Plots Sold	4	10
Number of Niches Sold	0	0

Total Plots Available	37	98
-----------------------	----	----

Renaissance Centre for the Arts

EVENT & PROGRAM ATTENDANCE

	OCT 2022	SEPT 2021
Monthly In-Person Attendance	2173	1035
Virtual Views	459	0
Ticketed Events Held	1	1
Free Events Held	2	1

RENAISSANCE CENTRE PROGRAM GUIDE

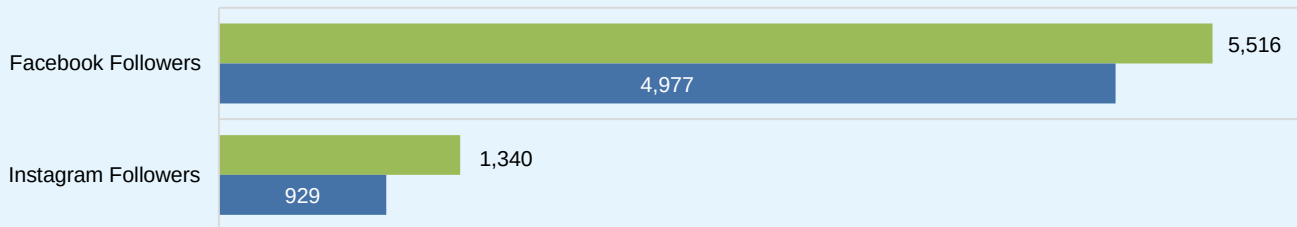
[VIEW](#)

The program guide is updated twice per year in January and July.

- The Renaissance Centre sponsored storyteller Donna Washington as a part of the Arts For All series at Alston-Massenburg. This free show provided an arts experience for the Northeast community. The packed house enjoyed Donna's performance immensely.
- The Murder Mystery Dinner Theater was the 3rd SOLD OUT performance of the season.
- The Wake Forest Public Art Commission is thrilled to announce a 1-year extension on the lease of Vandorn Hinnant's FREEDOM: An Homage to Dr. Martin Luther King Jr., located in Smith Creek Soccer Park (690 Heritage Lake Rd.) as part of its temporary sculpture program. To explore the Town's complete catalog of public art, please visit our Virtual Public Art Tour: <https://www.wakeforestnc.gov/publication/public-art-virtual-tour>

SOCIAL ENGAGEMENT

■ Oct-22 ■ Oct-21



Wake Forest Power

CUSTOMER SUMMARY

	OCT 2022	SEPT 2022
Electric Meters/Customers	6,764	6,769
Pre-Pay Power Customers	465	459
H.O.P.E. Participants	46	46
N.C. GreenPower Participants	17	17

POWER OUTAGES

	OCT 2022	SEPT 2022
Total Number of Customers Affected by Outages this Month	143	20
Average Number of Customers Affected per Outage	23.83333	20

PAYMENTS RECEIVED

	OCT 2022	SEPT 2022
eSuite Credit Card Payments	\$250,412	\$430,804
eSuite Credit Card Payments (Pre-Pay)	1,380	2,200

NUMBER OF TRANSACTIONS

	OCT 2022	SEPT 2022
eSuite Credit Card Payments	569	561
eSuite Credit Card Payments (Pre-Pay)	37	51

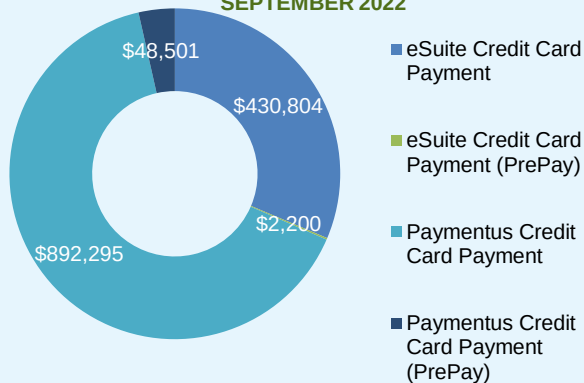
Paymentus CC Payments	772,181	892,295
Paymentus CC Payments (Pre-Pay)	42,431	48,501

Paymentus CC Payments	4,494	4,575
Paymentus CC Payments (Pre-Pay)	1,157	1,280

Note: Transitioning to Paymentus

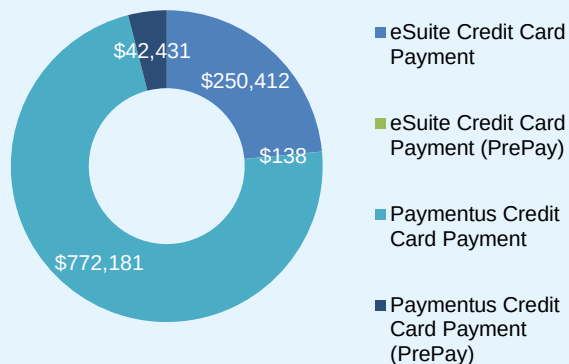
PAYMENTS RECEIVED

SEPTEMBER 2022



PAYMENTS RECEIVED

AUGUST 2022



Advisory Boards

Historic Preservation Commission

MEETINGS

Most recent meeting held 10/12/2022

Number of members in attendance 7 out of 9

The Historic Preservation Commission met at 5:30 with the Woman's Club to discuss home tour logistics for this year's tour planned for December 3rd. The regular meeting of the HPC included a training on the Demolition of Historic Structures Ordinance and updates on the Historic Preservation Plan Update and Byrne House Local Landmark Designation. Two members of the Historic Preservation Commission joined Staff in Winston-Salem for the Annual Preservation North Carolina Conference

Human Relations Council

MEETINGS

Most recent meeting held 10/27/2022

Number of members in attendance 9 out of 12

Multicultural day and black history was updated.

Public Art Commission

MEETINGS

Most recent meeting held	10/27/2022
Number of members in attendance	8 out of 10

The Art Plan Committee made a motion to approve the updated mission statement at the stated Public Art Commission meeting. Motion approved. The work will continue to the updates for the 2016 Art Plan. Members reviewed the financial statement for the municipal art fund provided by the CFO.

Parks, Recreation & Cultural Resources Advisory Board

MEETINGS

Most recent meeting held	10/24/2022
Number of members in attendance	11 out of 12

Work Group Reports

All work group events have been completed until next summer.

Other Items Discussed

The board interviewed candidates for three vacancies

Members volunteering for Boo Bash Oct. 28th

Discussed the upcoming Advisory Board Luncheon for staff Nov. 18th

Technology Advisory Board

MEETINGS

Most recent meeting held	10/17/2022
Number of members in attendance	6 out of 8

TAB voted on two new TAB members to start in January. Commissioner Adam Wright and Adam Oates update the TAB on the traffic light project that NCDOT will be starting in February 2023.

Urban Forestry Board

MEETINGS

Most recent meeting held	10/25/2022
Number of members in attendance	9 out of 11

Updates: Board discussed the chestnut seedlings, and the final pathways project update.



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-456-

Submitted by:

Submitting Department: Administration

Meeting Date: November 15, 2022

SUBJECT

Wake County Tax Release

Recommendation:

Item Summary:

ATTACHMENTS

- [TSAVARY-KP-WF-TXREP-NOV-2022MTG.pdf](#)



Board of Commissioners

P.O. Box 550 • Raleigh, NC 27602

TEL 919 856 6180
FAX 919 856 5699

SIG HUTCHINSON, CHAIR
SHINICA THOMAS, VICE-CHAIR
VICKIE ADAMSON
MATT CALABRIA
MARIA CERVANIA
SUSAN EVANS
JAMES WEST

November 10, 2022

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 November 9, 2022, 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 dark ink, appearing to read "Yvonne Gilyard", written over the printed name.

Yvonne Gilyard
Deputy Clerk to the Board
Wake County Board of Commissioners

Board Report

Return

Date : 11/09/2022

Approved By : W. Pat F

TO : WAKE COUNTY BOARD OF COMMISSIONERS
RE: CONSIDERATION OF REFUND FOR TAXES, INTEREST AND PENALTIES FOR WAKE FOREST

No.	Name of Tax Payer	Account Number	Tax and Penalties	Total Rebate	Total Refund	Request Status
1	BYRD, MARY DANIELLE 9619 STABLE POINT CIR WAKE FOREST NC, 27587	0006947108- 2022- 2021- 000000	City 231.88 County 250.77	482.65	482.65	Refund

Marcus D. Kinrade
Wake County Tax Administrator

Marcus Kinrade

CC:

*Refund amount may differ from rebated total due to released interest or application of payment to any balance due on the account.

Print

Lock



WAKE COUNTY TAX ADMINISTRATION

Rebate details
9/1/2022 - 9/30/2022

DATE 10/09/2022 TIME 09:32:58 PM PAGE 1

WAKE FOREST

REBATE NUMBER	PROPERTY	SPEC DIST	CITY TAG	LATELIST	BILLED INT	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
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WAKE FOREST (Not In District)

BUSINESS ACCOUNTS

826639	88.10	0.00	0.00	8.81	0.00	96.91	09/15/2022	0006688724	2018	2018	000000	CROSSFIT WAKE FOREST LLC
826640	72.17	0.00	0.00	7.22	0.00	79.39	09/15/2022	0006688724	2019	2019	000000	CROSSFIT WAKE FOREST LLC
826641	56.61	0.00	0.00	5.66	0.00	62.27	09/15/2022	0006688724	2020	2020	000000	CROSSFIT WAKE FOREST LLC
826642	49.23	0.00	0.00	4.92	0.00	54.15	09/15/2022	0006688724	2021	2021	000000	CROSSFIT WAKE FOREST LLC
826644	158.20	0.00	0.00	15.82	0.00	174.02	09/15/2022	0006688724	2017	2017	000000	CROSSFIT WAKE FOREST LLC
825886	0.00	0.00	0.00	28.79	0.00	28.79	09/07/2022	0006722644	2022	2022	000000	GENERAL PARTS DISTRIBUTION LLC

Subtotal for
BUSINESS
ACCOUNTS 424.31 0.00 0.00 71.22 0.00 495.53 6 Properties Rebated

BUSINESS REAL ESTATE ACCOUNTS

825497	1,475.84	0.00	0.00	0.00	0.00	1,475.84	09/06/2022	0000018046	2022	2022	000000	ROBINHOUSE LLC
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Subtotal for
BUSINESS
REAL
ESTATE
ACCOUNTS 1,475.84 0.00 0.00 0.00 0.00 1,475.84 1 Properties Rebated

INDIVIDUAL PROPERTY ACCOUNTS

825617	48.27	0.00	25.00	0.00	0.00	73.27	09/06/2022	0006963803	2022	2021	000000	BATES, DANIEL ALLEN
827810	2,334.84	0.00	180.00	0.00	0.00	2,514.84	09/29/2022	0006795057	2022	2022	000000	PENSKE TRUCK LEASING LP
826510	233.01	0.00	30.00	0.00	0.00	263.01	09/14/2022	0006795057	2022	2022	000000	PENSKE TRUCK LEASING LP
827681	206.88	0.00	25.00	0.00	0.00	231.88	09/27/2022	0006947108	2022	2021	000000	BYRD, MARY DANIELLE
826897	810.90	0.00	60.00	0.00	0.00	870.90	09/19/2022	0006795057	2022	2022	000000	PENSKE TRUCK LEASING LP



WAKE COUNTY TAX ADMINISTRATION

Rebate details
9/1/2022 - 9/30/2022

WAKE FOREST

DATE 10/09/2022 TIME 09:32:58 PM PAGE 2

REBATE NUMBER	PROPERTY	SPEC DIST	CITY TAG	LATE LIST	BILLED INT	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
Subtotal for												
INDIVIDUAL	3,633.90	0.00	320.00	0.00	0.00	3,953.90		5	Properties Rebated			
PROPERTY ACCOUNTS												
INDIVIDUAL REAL ESTATE ACCOUNTS												
827163	222.75	0.00	0.00	0.00	0.00	222.75	09/22/2022	0000468008	2022	2022	000000	MARTINEZ, ERIC JAVIER
827420	574.36	0.00	0.00	0.00	0.00	574.36	09/23/2022	0000231445	2022	2022	000000	ALLEN, MARILYN
Subtotal for												
INDIVIDUAL	797.11	0.00	0.00	0.00	0.00	797.11		2	Properties Rebated			
REAL ESTATE ACCOUNTS												
WILDLIFE BOAT ACCOUNTS												
826378	86.57	0.00	0.00	8.66	0.00	95.23	09/13/2022	0004209214	2022	2022	000000	PIA, ROBERT MICHAEL
Subtotal for												
WILDLIFE	86.57	0.00	0.00	8.66	0.00	95.23		1	Properties Rebated			
BOAT ACCOUNTS												
TOTAL												
WAKE	6,417.73	0.00	320.00	79.88	0.00	6,817.61		15	Properties Rebated for the District/City			
FOREST (Not In District)												
TOTAL FOR CITY												
WAKE	6,417.73	0.00	320.00	79.88	0.00	6,817.61		15	Properties Rebated for the City			
FOREST												



WAKE COUNTY TAX ADMINISTRATION
Rebate details
9/1/2022 - 9/30/2022
WAKE FOREST

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REBATE NUMBER	PROPERTY	SPEC DIST	CITY TAG	LATELIST	BILLED INT	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	FOR	BILLING TYPE	OWNER
Grand Total:	127,522.76	71.63	9,500.00	2,291.55	0.00	139,385.94	122	Properties Rebated for All Cities				



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-471-

Submitted by:

Submitting Department: Administration

Meeting Date: November 15, 2022

SUBJECT

Commissioner Reports

Recommendation:

Item Summary:

ATTACHMENTS

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