
ZEBULON

NORTH CAROLINA

**BOARD OF COMMISSIONERS
SPECIAL CALLED MEETING AGENDA
MAY 12, 2026
6:00 PM**

1. APPROVAL OF AGENDA

2. NEW BUSINESS

A. East Wake Asphalt Plant Quasi-Judicial Hearing - Special Use Permit 2026-01

3. BOARD COMMENTS

4. ADJOURN

Special Use Permit – SUP 2026-01 – East Wake Asphalt Plant

Speaker: Matthew Lower, AICP, Planning Director
From: Matthew Lower, AICP, Planning Director
Prepared by: Catherine Farrell, CZO, Senior Planner
Approved by: Catherine Crosby, Town Manager

Executive Summary:

The Board of Commissioners will consider a Special Use Permit application for a proposed asphalt plant located at 1444 Old US 264 Highway (PIN 2715348186). This is a quasi-judicial matter, and undisclosed ex parte communications are prohibited in accordance with NCGS 160D-109(d).

Background:

Molly Stuart, attorney with Morning Star Law Group, submitted an application on behalf of East Wake LLC for a Special Land Use Permit to construct an asphalt plant at 1444 Old US 264 Highway.

The 17.62-acre parcel is zoned Light Industrial (LI). UDO Table 4.2.3 identifies “Asphalt or Concrete Plant” as a Special Land Use within the LI District. The parcels to the northwest and southeast are also zoned LI.

The future land use designation for this property is Industrial Light (IL).

Discussion:

UDO Section 2.2.19.F states a special use shall be approved upon determining the use:

- 1. Will not materially endanger the public health or safety if located where proposed;*
- 2. Complies with all required standards, conditions, and specifications of this Ordinance, including Article 4: Uses;*
- 3. Will not substantially injure the value of the abutting land, or the special use is a public necessity;*
- 4. Will be in harmony with the area in which it is to be located;*
- 5. Is in general conformity with the Town’s adopted policy guidance; and*
- 6. Includes a concept plan that accurately depicts the proposed use’s configuration.*

The applicant has provided responses to each of these standards. No additional conditions have been provided.

Policy Analysis:

Comprehensive Plan, Land Use:

The future land use classification for this parcel is IL Industrial Light. As noted on Page 20 of the Land Use and Development section of the Comprehensive Land Use Plan, Industrial Light:

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“The industrial designations accommodate uses that are intensive in terms of how “light” industrial and especially “heavy” industrial activities can affect other nearby properties. This can include factors such as noise, vibration, light/glare, odor, truck traffic, and hours of operation, as well as the sheer scale and intensity of some heavy industrial uses. Depending on the standards applied through development regulations, an industrial area can allow for a wide range of uses, from office/warehouse to wholesale, product assembly, and manufacturing (Land Use and Development, pg 20)”

Comprehensive Plan, Transportation:

The section of Old US 264 Highway fronting the property is designated for a four-lane divided widening in the Grow Zebulon: Comprehensive Transportation Plan. The developer will be responsible for constructing 50% of the required cross-section improvements along the property frontage at the time of development and has depicted the applicable roadway improvements in the proposed plans.

Unified Development Ordinance Requirements:

The proposed use is listed as a Special Land Use in Section 4.2.3 when locating within a Light Industrial Zoning classification. UDO Section 4.3.6.A provides additional site standards for the proposed use.

Financial Analysis:

The impact of the proposed use on municipal services will be minimal it is not expected to have a substantial impact on typical operations of Town of Zebulon departments.

Staff Recommendation/ Options:

Staff Recommends the Board accepts testimony and conducts a review of the standards in Section 2.2.19.F of the UDO as part of the consideration of this Special Use Permit request.

Decision:

If the Board determines that the applicant has demonstrated that all the standards of Section 2.2.19.F have been met, then the Board shall approve the request. If the Board finds that any of the standard of Section 2.2.19.F have not been met, then the Board shall deny the request.

More Information:

If the Board determines that there is not enough information presented to decide, Staff recommends not closing the Quasi-Judicial hearing and tabling the request to the next regularly scheduled meeting. All requests for additional information must be made during the Quasi-Judicial hearing to prevent an ex parte communication violation.

Additional Consideration:

If the Board determines that enough information has been presented but additional time is needed to consider the testimony and evidence presented at the Quasi-Judicial hearing, then the Board may close the hearing and table the request for the next regularly

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scheduled meeting. Please note that no additional information or documentation may be provided or taken into consideration after the hearing has been closed.

Attachments:

1. Application Packet and Neighborhood Meeting Packet
2. Memo of Discrepancies
3. Trip Generation Traffic Memorandum
4. Site Plan
5. Future Land Use Map
6. Aerial Map
7. Zoning Map
8. Site Photos
9. Public Hearing Notice Affidavit



APPLICATION FOR SPECIAL USE PERMIT

PART 1. DESCRIPTION OF REQUEST/PROPERTY		
Street Address of the Property: 1444 Old US 264 Hwy		Acreage: 17.62
Parcel Identification Number (NC PIN): 2715368922 out of and the lesser part of	Deed Book: 20086	Deed Page(s): 00684
Existing Zoning of the Property: LI	Proposed Zoning of the Property: LI	
Existing Use of the Property: Forestry	Proposed Use of the Property: Asphalt plant	
Details of the proposed Special Use: An asphalt plant is proposed to be located on the portion of the property located north of the existing railroad tracks. Proposed conditions are listed on Attachment A.		

PART 2. APPLICANT/AGENT INFORMATION		
Name of Applicant/Agent: East Wake LLC		
Street Address of Applicant/Agent: 200 Horizon Drive, Suite 100		
City: Raleigh	State: NC	Zip Code: 27615
Email of Applicant/Agent: mstuart@morningstarlawgroup.com	Telephone Number of Applicant/Agent: 919.890.3318	Fax Number of Applicant/Agent: n/a
Are you the owner of the property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Are you the owner's agent? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Note: If you are not the owner of the property, you <u>must</u> obtain the Owner's consent and signature giving you permission to submit this application.

PART 3. PROPERTY OWNER INFORMATION		
Name of Property Owner: East Wake LLC		
Street Address of Property Owner: 200 Horizon Drive, Suite 100		
City: Raleigh	State: NC	Zip Code: 27615
Email of Property Owner: mstuart@morningstarlawgroup.com	Telephone Number of Property Owner: 919.890.3318	Fax Number of Property Owner: n/a
I hereby state that the facts related in this application and any documents submitted herewith are complete, true, correct, and accurate to the best of my knowledge.		
Signature of Applicant: 	Print Name: MICHAEL NOLAN, PRESIDENT OF SUNROCK GROUP HOLDINGS CORPORATION, MANAGER	Date: 12/11/25
Signature of Owner: 	Print Name: MICHAEL NOLAN, PRESIDENT OF SUNROCK GROUP HOLDINGS CORPORATION, MANAGER	Date: 12/11/25



APPLICATION FOR SPECIAL USE PERMIT

REQUIRED FINDINGS OF FACT

All recommendations and decisions made by the Board of Commissioners regarding Special Use Permit applications shall be supported by findings of fact. **The applicant will bear the burden of presenting substantial, competent, and material evidence** sufficient to enable the Board of Commissioners to make the findings of fact required in Section 2.2.19.F of the Town of Zebulon Unified Development Ordinance, as set forth below. Please note that documentation may be required in addition to responding to applicable statements. Failure to adequately address the findings below may result in denial of the application. Please attach additional pages if necessary.

1) Please explain how the proposed Special Use will not materially endanger the public health or safety if located where proposed.
See Attachment A.
2) Please explain how the proposed Special Use complies with all required standards, conditions, and specifications of this Ordinance, including Article 4: Uses?
See Attachment A.
3) Please explain how the proposed Special Use will not substantially injure the value of the abutting land, or the special use is a public necessity
See Attachment A.
4) Please explain how the proposed Special Use will be in harmony with the area in which it is to be located
See Attachment A.



APPLICATION FOR SPECIAL USE PERMIT

5) Please explain how the proposed Special Use is in general conformity with the Town's adopted policy guidance


See Attachment A.

6) Please provide details regarding the required includes a concept plan that accurately depicts the proposed use's configuration and compliance with other applicable sections of the UDO

See Attachment A.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Board of Commissioners of the Town of Zebulon to approve the subject Special Use Permit. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Zebulon, North Carolina, and will not be returned.

	MICHAEL NOLAN, PRESIDENT OF SUNROCK GROUP HOLDINGS CORPORATION,	12/17/25
<hr/> <i>Signature of Applicant</i>	<hr/> <i>Print Name</i> MANAGER	<hr/> <i>Date</i>



APPLICATION FOR SPECIAL USE PERMIT

CONCEPT PLAN REQUIREMENTS

In accordance with Section Every applicant requesting a Special Use Permit shall submit **8 full size paper copies** and **1 PDF on USB flash drive** of a site plan drawing with the application for a Special Use Permit. The site plan shall contain sufficient information to adequately determine the type of development being proposed. The site plan drawing shall include, at a minimum, the following features unless otherwise specified by the Planning Department: **CHECK IF SUBMITTED**

ITEM

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



QUASI-JUDICIAL HEARINGS

Explanation of Quasi-Judicial Hearings

Quasi-judicial decisions arise in a variety of local government settings. In Zebulon, members of the Town's Board of Commissioners hold quasi-judicial hearings for special use permits as required by state law. During a quasi-judicial hearing, the Boards must hold an evidentiary hearing based solely on written and oral evidence presented by witnesses testifying under oath and subject to cross-examination. The quasi-judicial hearings do not involve setting new policies, but rather the application of previously adopted policies to the parties involved. Unlike legislative decisions (like rezonings), where the Board's actively seek the public's input and opinion concerning the advisability of the matter before the Boards, state law and constitutional considerations require that a quasi-judicial decision must be based solely on the evidence presented and cannot be based on the Board's or witnesses' unsubstantiated opinions. Put differently, a quasi-judicial decision is one that requires the Board members to find facts and apply the standards set forth in the Town's ordinance to a specific situation.

Evidence Required

There must be "substantial, competent, and material evidence" in the record to support each factual determination; the findings cannot be based on conjecture or assumptions. North Carolina General Statutes (NCGS) §160A-393 prohibits a person from giving opinions about scientific, technical or other specialized subjects unless the person, by knowledge, skill, experience, training or education, is in fact an expert on the subject. NCGS §160A-393 specially prohibits opinions that "the use of property in a particular way would affect the value of other properties" or opinions that "the increase in vehicular traffic resulting from a proposed development would pose a danger to the public safety" unless the witness is an expert on the subject.

Burden

The applicant will bear the burden of presenting evidence sufficient to enable the Board of Commissioners to make the findings of fact required the Zebulon Code of Ordinances. Those in opposition to the issuance of the special use permit bear the burden of presenting evidence that a required standard will not be met. The findings of fact required by the Zebulon Unified Development Ordinance are as follows:

1. Will not materially endanger the public health or safety if located where proposed;
2. Complies with all required standards, conditions, and specifications of this Ordinance, including Article 4: Uses;
3. Will not substantially injure the value of the abutting land, or the special use is a public necessity;
4. Will be in harmony with the area in which it is to be located;
5. Is in general conformity with the Town's adopted policy guidance; and
6. Includes a concept plan that accurately depicts the proposed use's configuration.

Ex-Parte Communication

In all quasi-judicial hearings, all rulings must be based only upon the evidence in the record. Any direct or indirect communication (verbal, written, electronic or graphic) between a Board member and a proponent, opponent, or other interested party received outside of the record is considered "ex-parte communication". Board members should not receive evidence or argument on a pending quasi-judicial matter outside of the official public hearing on the matter. Note that this is different from a legislative matter before the Board, in which case Board members are free to discuss legislative matters with citizens at any time. It is inappropriate for the Board member to discuss or read correspondence concerning the quasi-judicial matter outside of the public hearing. Please do not approach or attempt to communicate with a Board member about the pending special use permit outside the public hearing; doing so may provide legal grounds for a court to overturn the Board's decision.

Oaths

Those offering testimony are put under oath. If a witness has religious objections to taking an oath, he or she may affirm rather than swear an oath.

Questions about Quasi-Judicial Proceedings

If you have any questions about the applicable procedures, please contact the Planning Department at (919) 823-1810 or planning@townofzebulon.org.

Attachment A

Proposed Permit Conditions

1. The plan shall meet all requirements of the Unified Development Ordinance.
2. Material stockpiles will vary in height and shall be limited based on allowable slopes of each specific material; however, in no case shall a material stockpile be taller than 30 feet.
3. All vehicular access driveways shall be paved and maintained in a dust-free condition.
4. No Certificate of Occupancy shall be issued for the project until all required federal and state air quality permits have been obtained by the applicant.
5. Whereas Synthetic Minor Air Permits ordinarily require annual air emission inventory reporting, the applicant will conduct semi-annual air emission inventories for the first four years of operation and provide copies of the same to the Town. The methodologies used for the semi-annually air emission inventory reporting shall be done by the same practices and to the same standards as those required for the annual air emission inventory reporting under state and federal law.
6. Upon completion of operations as an asphalt plant, the owner will perform a Phase 1 environmental study, provide the report to the Town, and remedy any environmental issues identified by the Phase 1.

Responses to Required Findings of Fact

1) Please explain how the proposed Special Use will not materially endanger the public health or safety if located where proposed.

The proposed use will not materially endanger the public health or safety due to a combination of strict regulatory oversight, ideal location, and additional safety measures.

Operation of the proposed asphalt plant will be subject to regulation by the North Carolina Department of Environmental Quality's Division of Air Quality and will be required to obtain an air quality permit prior to commencement of operations. The U.S. Environmental Protection Agency further regulates asphalt plants according to standards set forth in 40 CFR 60, Subpart I – Standards of Performance for Hot Mix Asphalt Facilities. Additionally, National Ambient Air Quality Standards must be met at the property line, ensuring public health standards are met with respect to

particulates, ozone, lead, carbon monoxide, nitrogen dioxide, and sulfur dioxide. Dust will be controlled by providing paved surfaces for truck access.

With respect to public safety, the location of the site in an industrial zone, away from neighborhoods, and with two nearby locations for highway access, ensures that any interaction between residents and trucks utilizing the site will be minimized to the extent possible within the Zebulon area.

Site features, such as the central location of primary equipment, minimum 50-foot setbacks, and protective fencing will prevent any direct public interaction with the facility.

2) Please explain how the proposed Special Use complies with all required standards, conditions, and specifications of this Ordinance, including Article 4: Uses

The proposed asphalt plant is a special use in the Light Industrial district and therefore in line with Ordinance use requirements provided that the special use standards are met.

If the special use is approved, the site will be subject to all applicable Ordinance requirements as part of the detailed site plan review process. Key requirements will be met in the following ways:

Section 4.3.6: *This section sets out requirements specific to development of an asphalt plant, and all requirements must be met during site plan review – the request for a special use permit creates no exception to these standards. Compliance with many of the requirements is shown on the attached site plan, including:*

- *The asphalt plant location is greater than 50 feet from all property boundaries.*
- *A security fence at least 6 feet in height surrounds the use.*
- *Paved access drives are shown and are located more than 15 feet from the property lines.*

Other requirements of this section are to be met at later phases of the process, including provision of a plan showing truck routes. Each of these will be required prior to site plan approval. Within one year after cessation of use, all equipment and stockpiles will be removed from the site, and adequate drainage will prevent standing water on the site and limit any increase in silting, turbidity, or occlusion of any natural water course as a result of the development.

The project would additionally comply with each development ordinance requirement, including without limitation, landscaping, parking, lighting, driveways, and buffers, which will be confirmed through standard review and inspection procedures.

3)Please explain how the proposed Special Use will not substantially injure the value of the abutting land, or the special use is a public necessity

The proposed asphalt plant would be located on the portion of the parcel south of US Hwy 264, and that portion of the parcel is surrounded on three sides by industrially zoned property. The fourth side is bounded by US Hwy 264 itself, a right of way approximately 420 feet in width. Additionally, the portion of the parcel where the facility would be located is bounded to the south by a railroad right of way, and the adjacent parcels to the east and west are in use for warehouse and light industrial purposes. Given the heavy transportation and light industrial character of all areas surrounding the proposed facility, the proposed equipment will not substantially injure the value of surrounding uses.

4)Please explain how the proposed Special Use will be in harmony with the area in which it is to be located

The proposed use would be located within the Industrial Light district of the Future Land Use Map and in close proximity to an existing concrete plant two parcels to the southeast at 1524 Old US Hwy 264 and a future asphalt plant to the northwest at 1310, 1320, and 1324 Old US Hwy 264, keeping the proposal well within the character of the surrounding area, which also includes other industrial and warehouse uses, as well as highway access.

Harmony is further reinforced by the presence of two highway access points within a short distance of the property's frontage, reducing local truck traffic. Provided setbacks and buffers, as well as strict regulation and safety measures, including fencing, further reinforce harmony with the surrounding area.

Finally, the proposed asphalt plant is a special use within the Light Industrial zoning district, establishing that the use is compatible with the designated area unless the contrary is demonstrated. Given the surrounding existing and proposed uses, current surrounding zoning, lack of surrounding residential uses, and required and proposed safety and health measures, the use is in harmony with the surrounding area.

5)Please explain how the proposed Special Use is in general conformity with the Town's adopted policy guidance

The Grow Zebulon Comprehensive Land Use Plan supports the proposed location through its policies that:

- (i) "Heavy industrial development should not be directly adjacent to residential areas" (Policy I1). The proposed use is adjacent only to warehouse and industrial uses, as well as a highway and rail corridor, while another portion of the parcel in its current form abuts an agricultural use to the south.*

- (ii) *“Industrial uses should be located in dedicated industrial development areas” (Policy I2). The proposed use would be located within the Industrial Light district of the Future Land Use Map.*

- (iii) *“Industrial development should have good access to thoroughfares and freeways” (Policy I4). The industrial area within which the site is located is approximately 1/3 of a mile from the nearest highway interchange.*

6) Please provide details regarding the required includes a concept plan that accurately depicts the proposed use’s configuration and compliance with other applicable sections of the UDO.

The required concept plan has been submitted with this application and is in compliance with all of the use-specific standards described above as well as all UDO requirements that are shown on conceptual plans, including, without limitation, parking, buffer, streetscape, and setback requirements. The full site plan will include further detail illustrating full compliance with UDO requirements prior to approval.

Legal Description

BEGINNING AT AN EXISTING IRON PIPE ON THE SOUTHEASTERN RIGHT OF WAY OF OLD US HWY 264 (VARIABLE WIDTH PUBLIC RIGHT OF WAY), SAID PIPE HAVING NC GRID COORDINATES (NAD 83-2011) OF N=754,838.74, E=2,214,251.56, THENCE LEAVING THE SAID RIGHT OF WAY SOUTH 01°32'38" EAST 1,098.80 FEET TO AN EXISTING IRON PIPE LOCATED ON THE NORTHERN SIDE OF NORFOLK SOUTHERN RAILROAD RIGHT OF WAY, THENCE CONTINUING SOUTH 01°32'38" EAST 124.68 FEET TO A NEW IRON PIPE ON THE SOUTHERN SIDE OF NORFOLK SOUTHERN RAILROAD RIGHT OF WAY, THENCE CONTINUING SOUTH 01°32'38" EAST 398.70 FEET TO A REBAR FOUND, BEING THE SOUTHEASTERN PROPERTY CORNER, THENCE LEAVING FROM SAID SOUTHEASTERN PROPERTY CORNER, AND ALONG LITTLE CREEK THE FOLLOWING COURSES AND DISTANCES: NORTH 70°13'46" WEST 24.60 FEET TO A POINT, THENCE SOUTH 85°56'09" WEST 55.69 FEET TO A POINT, THENCE NORTH 28°48'48" WEST 23.22 FEET TO A POINT, THENCE N16°13'44" EAST 14.92 FEET TO A POINT, THENCE NORTH 09°48'25" WEST 15.60 FEET TO A POINT, THENCE NORTH 70°08'58" WEST 21.84 FEET TO A POINT, THENCE SOUTH 33°52'55" WEST 18.66 FEET TO A POINT, THENCE SOUTH 43°28'17" WEST 23.80 FEET TO A POINT, THENCE SOUTH 74°42'50" WEST 11.17 FEET TO A POINT, THENCE NORTH 77°03'05" WEST 13.15 FEET TO A POINT, THENCE NORTH 41°45'24" WEST 27.69 FEET TO A POINT, THENCE NORTH 76°36'47" WEST 35.54 FEET TO A POINT, THENCE SOUTH 61°17'31" WEST 22.84 FEET TO A POINT, THENCE SOUTH 34°46'55" WEST 9.25 FEET TO A POINT, THENCE SOUTH 17°04'11" WEST 43.68 FEET TO A POINT, THENCE SOUTH 02°54'43" WEST 34.53 FEET TO A POINT, THENCE SOUTH 58°44'23" WEST 100.35 FEET TO A POINT, THENCE SOUTH 72°59'10" WEST 18.61 FEET TO A POINT, THENCE SOUTH 88°28'02" WEST 17.96 FEET TO A POINT, THENCE NORTH 44°04'08" WEST 20.28 FEET TO A POINT, THENCE NORTH 26°56'55" WEST 22.01 FEET TO A POINT, THENCE NORTH 53°54'30" WEST 14.68 FEET TO A POINT, THENCE NORTH 64°09' 23" WEST 23.51 FEET TO A POINT, THENCE NORTH 10°56'41" WEST 14.35 FEET, THENCE NORTH 40°35'09" WEST 9.16 FEET TO A POINT, THENCE NORTH 88°47'43" WEST 15.23 FEET TO A POINT, THENCE NORTH 68°35'06" WEST 23.24 FEET TO A POINT, THENCE NORTH 49°30'13" WEST 13.07 FEET TO A POINT, THENCE NORTH 38°41'16" WEST 15.38 FEET TO A POINT, THENCE NORTH 49°08' 50" WEST 24.81 FEET TO A POINT, THENCE NORTH 40°27'17" WEST 28.41 FEET TO A POINT, THENCE NORTH 47°47'33" WEST 16.45 FEET TO A POINT, THENCE NORTH 67°40'06" WEST 11.99 FEET TO A POINT, THENCE NORTH 72°24'01" WEST 35.48 FEET TO A POINT, THENCE NORTH 23°59'03" WEST 17.35 FEET TO A POINT, THENCE NORTH 12°19'52" WEST 27.79 FEET TO A POINT, THENCE NORTH 02°38'06" WEST 55.78 FEET TO A POINT, THENCE NORTH 07°44'10" WEST 10.75 FEET TO A POINT, THENCE NORTH 16°40'54" WEST 26.24 FEET TO A POINT, THENCE NORTH 28°08'59" WEST 15.32 FEET TO A POINT, THENCE NORTH 39°49'53" WEST 34.05 FEET TO A POINT, THENCE NORTH 45°59'02" WEST 27.19 FEET TO A POINT, THENCE NORTH 29°46'12" WEST 19.37 FEET TO A POINT, THENCE NORTH 19°19'27" WEST 25.70 FEET TO A POINT, THENCE NORTH 11°21'33" WEST 35.85 FEET TO A POINT, THENCE NORTH 12°44'04" WEST 57.90 FEET TO A POINT, THENCE NORTH 21°37'13" WEST 21.21 FEET TO A POINT, THENCE NORTH 33°21'08" WEST 20.06 FEET TO A POINT, THENCE NORTH 68°46'37" WEST 38.15 FEET TO A POINT, THENCE NORTH 47°58'54" WEST 20.11 FEET TO A POINT, THENCE NORTH 32°28'03" WEST 29.30 FEET TO A POINT, THENCE NORTH 42°50'40" WEST 15.77 FEET TO A POINT, THENCE NORTH 11°19'15" WEST 12.25 FEET TO A POINT, THENCE NORTH 16°24'24" EAST 17.14 FEET TO A POINT, THENCE NORTH 46°32'54" WEST 7.73 FEET TO A NEW IRON PIPE, THENCE NORTH 00°32'03" EAST 418.98 FEET TO A NEW IRON PIPE ON THE SOUTHERN SIDE OF NORFOLK SOUTHERN RAILROAD RIGHT OF WAY, THENCE CONTINUING NORTH 00°32' 03" EAST 121.49 FEET TO A NEW IRON PIPE ON THE NORTHERN SIDE OF THE NORFOLK SOUTHERN RAILROAD RIGHT OF WAY, THENCE CONTINUING NORTH 00°32'03" EAST A TOTAL OF 928.63 FEET AND PASSING THROUGH AN EXISTING IRON PIPE AT 568.48 FEET

ALONG COURSE TO AN EXISTING PIPE ON THE SOUTHERN RIGHT OF WAY OF OLD US HIGHWAY 264 AND BEING THE NORTHWESTERN CORNER OF SUBJECT PROPERTY, THENCE CONTINUING ALONG THE SOUTHERN RIGHT OF WAY OF OLD US HIGHWAY SOUTH 62°55'28" EAST 834.26 FEET TO AN EXISTING IRON PIPE, SAID PIPE BEING THE POINT AND PLACE OF BEGINNING, CONTAINING 30.475 ACRES (1,327,491.4 SQ FT.);

LESS AND EXCEPT THE AREA LOCATED WITHIN THE NORFOLK SOUTHERN RAILROAD RIGHT OF WAY CONTAINING 2.199 ACRES (95,778.2 SQ. FT.).

TOTAL SUBJECT PROPERTY: 30.475 ACRES

NORTHERN PORTION OF SUBJECT PROPERTY: 17.616 ACRES

NORFOLK SOUTHERN RIGHT OF WAY PORTION: 2.199 ACRES

SOUTHERN PORTION OF SUBJECT PROPERTY: 10.659 ACRES



NOTICE OF NEIGHBORHOOD MEETING

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

Dear Neighbor:

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

2100 Old Bunn Road

2715368922

(Address)

(Pin Numbers)

in accordance with the Town of Zebulon Neighborhood Meeting procedures. This meeting is intended to be a way for the applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Town. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is officially submitted. Once an application has been submitted to the Town, it may be tracked using the Interactive Development Map located on the Town of Zebulon website at:

<https://www.townofzebulon.org/planning/interactive-development-map>

A Neighborhood Meeting is requested because this project will include:

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

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

The following is a description of the proposed (also see attached map(s) and/or plan sheet(s)):

Special Use Permit for an asphalt plant

Estimated Submittal Date: _____

MEETING INFORMATION:

Property Owner(s) Name(s) Lynn McNabb and Julia Foscue

Applicant(s) Sunrock Industries LLC

Contact Information (e-mail/phone) mstuart@morningstarlawgroup.com /919.890.3318

Meeting Address: Zebulon Community Center, Lounge, 301 S Arendell Avenue, Zebulon, NC 27597

Date of Meeting: October 27, 2025

Time of Meeting: 6 PM

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



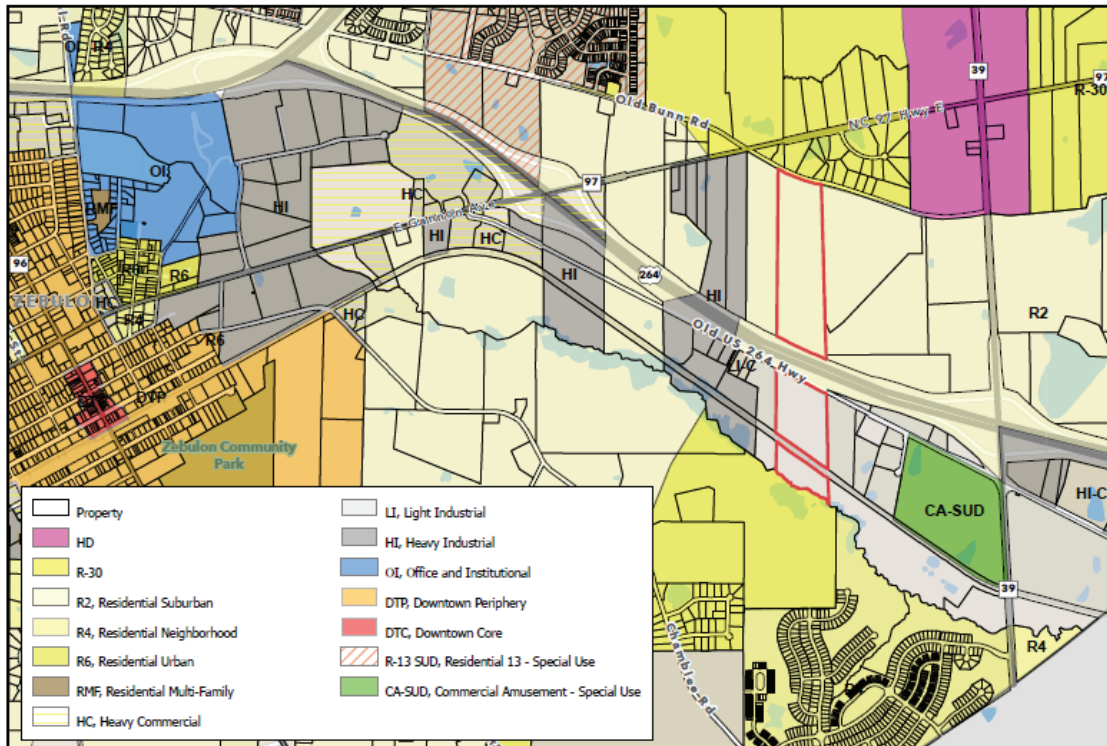
INFORMATION PACKET FOR NEIGHBORHOOD MEETINGS

PROJECT CONTACT INFORMATION

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

Development Contacts:		
Project Name: 2100 Old Bunn Road	Zoning: LI and R-2	
Location: 2100 Old Bunn Road		
Property PIN(s): 2715368922	Acreage/Square Feet: 68.26	
Property Owner: Lynn McNabb and Julia Foscue		
Address: 1900 Little Elm Trail, #70		
City: Cedar Park	State: TX	Zip: 78613
Phone: 919-890-3318	Email: mstuart@morningstarlawgroup.com	
Developer: Sunrock Industries LLC		
Address: 200 Horizon Drive, Suite 100		
City: Raleigh	State: NC	Zip: 27615
Phone: 919-890-3318	Fax: N/A	Email: mstuart@morningstarlawgroup.com
Engineer: Withers Ravenel		
Address: 137 South Wilmington Street, #200		
City: Raleigh	State: NC	Zip: 27601
Phone: 919-535-5200	Fax: N/A	Email: aculpepper@withersravenel.com
Builder (if known) Attorney: Morningstar Law Group		
Address: 434 Fayetteville Street, Suite 2200		
City: Raleigh	State: NC	Zip: 27601
Phone: 919-890-3318	Fax: N/A	Email: mstuart@morningstarlawgroup.com

Zoning



Vicinity



Owner	Mailing Address 1	Mailing Address 2	Mailing Address 3	ZIP
BROOKS, REGINALD G BROOKS, ANN S	PO BOX 65	ZEBULON NC 27597-0065		27597
BROWN, ANTHONY RAYMOND	PO BOX 340	ZEBULON NC 27597-0340		27597
BROWN, GERALDINE ONEAL BROWN, TIFFANY NICOLE	PO BOX 838	ZEBULON NC 27597-0838		27597
BUNN ROAD PROPERTIES LLC	1403 LAKE PARK BLVD S # 504	CAROLINA BEACH NC 28428-6513		27597
CITY OF RALEIGH	PO BOX 590	RALEIGH NC 27602-0590		27597
DRB GROUP NORTH CAROLINA LLC	1101 SLATER RD STE 300	DURHAM NC 27703-5427		27597
HIGH, GREGORY R.	2109 OLD BUNN RD	ZEBULON NC 27597-6991		27597
HOLDEN, ROBERT A HOLDEN, IVA C	2021 OLD BUNN RD	ZEBULON NC 27597-6301		27597
HORNE, DAVID S HORNE, KAREN	9616 DUKES LAKE RD	ZEBULON NC 27597-9148		27597
JOHNSON, PATRICK H	PO BOX 1334	ZEBULON NC 27597-1334		27597
KEENE, JUSTIN KEENE, JENNIFER	2101 OLD BUNN RD	ZEBULON NC 27597-6991		27597
MANN, ALVIN MANN, JUDITH	2117 OLD BUNN RD	ZEBULON NC 27597-6991		27597
MOCALLA, MICHAEL EMOCALLA, SHARVIN R	2121 OLD BUNN RD	ZEBULON NC 27597-6991		27597
MONABB, LYNN C FOSCUE, JULIA M	1900 LITTLE ELM TRL APT 70	CEDAR PARK TX 78613-2834		27597
MONABB, LYNN CASWELL FOSCUE, JULIA M	1900 LITTLE ELM TRL APT 70	CEDAR PARK TX 78613-2834		27597
NORFOLK & SOUTHERN RAILROAD	110 FRANKLIN RD SE	ROANOKE VA 24042-0002		27597
PINNACLE HOLDINGS OF EAST WAKE LLC	2420 DAVISTOWN RD	WENDELL NC 27591-8996		27597
RESIDENT OR TENANT	100 LAZY J RANCH LN	ZEBULON NC 27597-6991		27597
RESIDENT OR TENANT	1400 OLD US 264 HWY	ZEBULON NC 27597-6991		27597
RESIDENT OR TENANT	1419 NC 39 HWY	ZEBULON NC 27597-6991		27597
RESIDENT OR TENANT	1424 OLD US 264 HWY	ZEBULON NC 27597-6991		27597
RESIDENT OR TENANT	1518 OLD US 264 HWY	ZEBULON NC 27597-6991		27597
RESIDENT OR TENANT	2000 OLD BUNN RD	ZEBULON NC 27597-6991		27597
RESIDENT OR TENANT	2009 OLD BUNN RD	ZEBULON NC 27597-6991		27597
RESIDENT OR TENANT	2013 OLD BUNN RD	ZEBULON NC 27597-6991		27597
RESIDENT OR TENANT	2100 OLD BUNN RD	ZEBULON NC 27597-6991		27597
TOWN OF ZEBULON	1003 N ARENDELL AVE	ZEBULON NC 27597-2309		27597
WAKE COUNTY BOARD OF EDUCATION	WAKE COUNTY PUBLIC SCHOOL SYSTEM	111 CORNING RD STE 100	CARY NC 27518-9299	27597
WHEELER, JAMES CARLOS JR TRUSTEE ELEANOR J WHEELER IRREVOCBLE	LESLE MERRITT	1403 LAKE PARK BLVD S # 504	CAROLINA BEACH NC 28428-6513	27597
	300 Lazy J Ranch Ln	ZEBULON NC 27597-6991		27597



INFORMATION PACKET FOR NEIGHBORHOOD MEETINGS

NEIGHBORHOOD MEETING SIGN-IN SHEET:

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

Project Name: 2100 Old Bunn Rd - Special Use Permit
 Meeting Address: 301 S. Arendell Ave, Zebulon, NC 27597
 Date of Meeting: October 27, 2025 Time of Meeting: 6-7pm
 Property Owner(s) Names: Lynn McNeel & Julia Foscoe
 Applicants: Sunrock Industries LLC

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

	Name/ Organization	Address	Phone#	E-mail
1	Justin Keen	2101 Old Bunn	919-901-3073	JDK0819@gmail.com
2	Ryan High	2109 Old Bunn Rd	919-579-7514	gregoryrhigh02@gmail.com
3	Judy Mann	2117 Old Bunn Rd	908-720-1813	Judith.mann61@gmail.com
4	Alvin Mann	2117 Old Bunn Rd	908-425-5109	mannalvin7@gmail.com
5	Michael + Sharyn McCalk	2121 Old Bunn Rd	919-608-5582	shurikan2761@gmail.com
6	Robert + Ira Holden	2021 Old Bunn Rd	919-422-2952	Robertaholden@att.net
7				
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Attach Additional Sheets If Necessary.



SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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Project Name: 2100 Old Bunn Road – Special Use Permit

Meeting Address: 301 S Arendell Avenue, Zebulon, NC 27597

Date of Meeting: October 27, 2025 Time of Meeting: 6 -7 pm

Property Owner(s) Names: Lynn McNabb and Julia Foscue

Applicants: Sunrock Industries LLC

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

Question/ Concern #1 What exactly is going on the parcel?

Applicant Response: It will be a hot-mix asphalt plant.

Question/ Concern #2 What is it currently?

Applicant Response: A vacant lot.

Question/ Concern #3 Can you show us the traffic pattern?

Applicant Response: Yes. (The applicant demonstrated the traffic pattern on the screen).

Question/ Concern #4 What is the plan for the portion of the parcel north of US 264?

Applicant Response: The McNabb family will continue to own it. We will not own it. However, we will provide a sewer easement on our property to encourage residential use on that northern portion.



SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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Question/ Concern #1 Will you guarantee in writing that you will emit zero toxic air pollutants (TAPs)?

Applicant Response: We will apply for and not operate until we receive all necessary air quality permits from all required governmental bodies.

Question/ Concern #2 Has the Board of Education raised any concerns?

Applicant Response: We are very early in the process, and we have not heard any concerns yet.

Question/ Concern #3 What is the timeline until the facility is likely functional?

Applicant Response: Likely late 2026.

Question/ Concern #4 How many trucks will this plant be permitted for?

Applicant Response: Peak load at 30 trips is the estimate at this stage.



SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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Question/ Concern #1 What size trucks?

Applicant Response: 20 ton to 27 tons.

Question/ Concern #2 What are some potential benefits?

Applicant Response: The number 1 recycled product in the world is asphalt. This facility will provide a closer and more convenient source of high-quality construction materials to the community.

Question/ Concern #3 What will be the traffic impacts?

Applicant Response: We know there are currently 3500 average daily trips on US 264. We will work with our engineers to see if there needs to be roadway improvements associated with the proposed project.

Question/ Concern #4 What does “dispersed” mean?

Applicant Response: We could direct trucks both east and west.



SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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Question/ Concern #1 Where is the access?

Applicant Response: Only onto Old US 264.

Question/ Concern #2 Do you own the northern portion now?

Applicant Response: No, we are under contract, and we are subdividing as part of the contract, so we will only own the portion south of US 264.

Question/ Concern #3 How far in distance is the facility from Old Bunn Road?

Applicant Response: Well over half a mile.

Question/ Concern #4 What are the impacts on home values?

Applicant Response: Our appraisers’ analyses will evaluate impact on nearby property values, and this is an important element of the SUP process.



SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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Applicants: Sunrock Industries LLC

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

Question/ Concern #1 When will the trucks be on the road?

Applicant Response: We can operate 24/7. Usually, the first load of trucks is from 7am to 9am.

Question/ Concern #2 What about defacing the roads with asphalt?

Applicant Response: The regulations are very robust for ensuring trucks are clean. We will comply with all applicable regulations.

Question/ Concern #3 Will there be impacts on groundwater?

Applicant Response: We will have a well on the site to wash the plant and a stormwater permit. There will be no interaction with the water table.

Question/ Concern #4 Will there be restrooms and other facilities?

Applicant Response: Yes, there will be restrooms which use septic on the site. We will not be connected to sewer.



SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING

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Meeting Address: 301 S Arendell Avenue, Zebulon, NC 27597

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Applicants: Sunrock Industries LLC

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

Question/ Concern #1 What type of fencing will be around the project.

Applicant Response: Likely a 6-foot chain link fence possibly with slats. There will be a substantial vegetative buffer along Old US 264.

Question/ Concern #2 Are there any concerns with displacement of wildlife?

Applicant Response: No, there is a significant buffer on the blue line stream that crosses the site. Of the 25 acres we are purchasing, we are only disturbing about 8 acres.

Question/ Concern #3 What is the impact of the weight of the trucks on the road?

Applicant Response: Our transportation engineers will adequately address any concerns with NCDOT

Question/ Concern #4

Applicant Response:



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

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

I, Molly Stuart, do hereby declare as follows:
Print Name

1. I have conducted a Neighborhood Meeting for the proposed Rezoning, Major Site Plan, Master Subdivision Plan, or Special Use Permit.

2. The meeting invitations were mailed to the Zebulon Planning Department, all property owners within 300 feet of the subject property and any neighborhood association that represents citizens in the area via first class mail a minimum of 10 days in advance of the Neighborhood Meeting.

3. The meeting was conducted at 301 S. Arendell Ave. (location/address) on 10/27/25 (date) from 6 pm (start time) to 7:30pm (end time).

4. I have included the mailing list, meeting invitation, sign-in sheet, issue/response summary, and zoning map/reduced plans with the application.

5. I have prepared these materials in good faith and to the best of my ability.

10/31/25 Date By: [Signature]

STATE OF North Carolina
COUNTY OF Wake

Sworn and subscribed before me, Crystal D. Ford, a Notary Public for the above State and County, on this the 31st day of October, 2025.

SEAL Crystal D. Ford



Notary Public

Crystal D. Ford

Print Name

My Commission Expires: 08/15/28

2100 Old Bunn Road
Special Use Permit
Request

Neighborhood Meeting
October 27, 2025



**INFORMATION PACKET FOR
NEIGHBORHOOD MEETINGS**

PROJECT CONTACT INFORMATION

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

Development Contacts:		
Project Name: 2100 Old Bunn Road		Zoning: LI and R-2
Location: 2100 Old Bunn Road		
Property PIN(s): 2715368922		Acreage/Square Feet: 68.26
Property Owner: Lynn McNabb and Julia Foscue		
Address: 1900 Little Elm Trail, #70		
City: Cedar Park	State: TX	Zip: 78613
Phone: 919-890-3318		Email: mstuart@morningstarlawgroup.com
Developer: Sunrock Industries LLC		
Address: 200 Horizon Drive, Suite 100		
City: Raleigh	State: NC	Zip: 27615
Phone: 919-890-3318	Fax: N/A	Email: mstuart@morningstarlawgroup.com
Engineer: Withers Ravenel		
Address: 137 South Wilmington Street, #200		
City: Raleigh	State: NC	Zip: 27601
Phone: 919-535-5200	Fax: N/A	Email: aculpepper@withersravenel.com
Builder (if known): Attorney: Morningstar Law Group		
Address: 434 Fayetteville Street, Suite 2200		
City: Raleigh	State: NC	Zip: 27601
Phone: 919-890-3318	Fax: N/A	Email: mstuart@morningstarlawgroup.com

Neighborhood Meeting

Agenda

October 27, 2025

6 pm

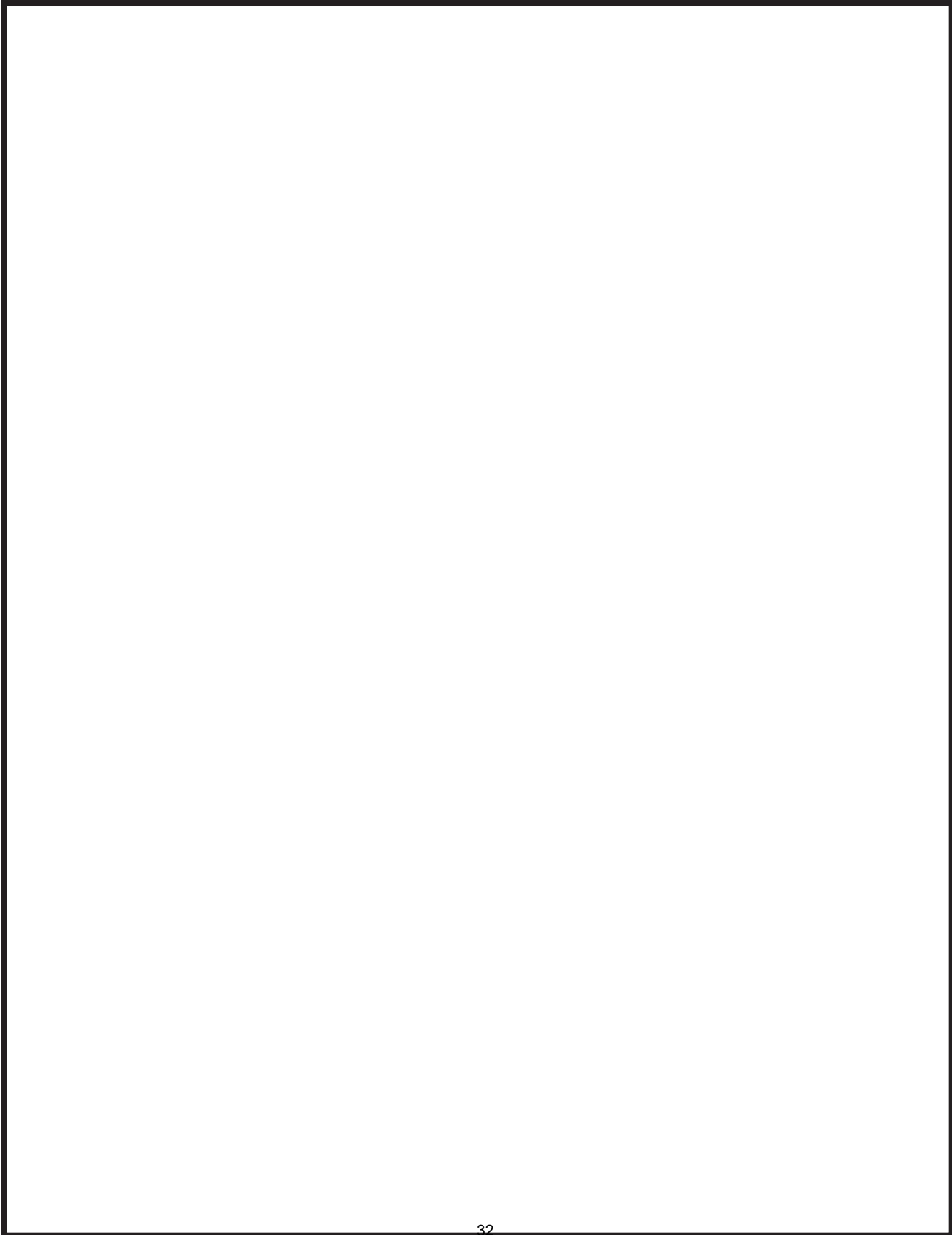
Zebulon Community Center

301 S. Arendell Avenue

Zebulon, NC 27597

- I. Welcome and introductions
- II. Site overview
- III. Special Use Permit Process
 - a. Timeline
 - b. Future meetings
- IV. Development proposal
- V. Discussion

Please use this page to provide any written comments or questions you'd like to share. Thank you.

A large, empty rectangular box with a black border, intended for the user to provide written comments or questions. The box occupies most of the page below the introductory text.

External Staff Memo: SUP Application Materials Discrepancy

February 18, 2026

Catherine Farrell, CZO

Senior Planner

When preparing the notices for the public hearing staff noticed the following discrepancies:

1. The PIN on IMaps didn't match what was on the application
2. IMaps still reflected the previous property owner

This discrepancy is because the sale of the property recently occurred. Staff reached out to the applicant and got the following information:

1. An updated signed survey reflecting the PIN listed on the application
2. The signed and dated Special Warranty Deed reflecting East Wake LLC as the Grantee

Both documents are included under this memo.

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$4,723.00

Tax Parcel Number: (out of and the lesser part of 2715368922)

This instrument was prepared by: C. Terrell Thomas, Jr., Attorney at Law

Return to: Grantee

Mail Tax Bill to: Grantee

THIS DEED made this 2nd day of December, 2025 by and between:

GRANTORS

LYNN C. MCNABB, unmarried

1900 Little Elm Trail #70
Cedar Park, TX 28613

**JULIA M. FOSCUE and MACON WAYNE
FOSCUE, III, husband and wife**

12761 Quarterhorse Lane
Lake Ridge, VA 22192

GRANTEE

EAST WAKE LLC,
a Delaware limited liability company

200 Horizon Drive, Suite 100
Raleigh, NC 27615

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

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

FOR PROPERTY DESCRIPTION, SEE EXHIBIT "A" attached hereto and incorporated herein by reference.

For back title reference, note that Grantors Lynn C. McNabb and Julia M. Foscue inherited the subject real property from their brother, William Rowland McNabb. The Estate of William Rowland McNabb was administered in file # 23E002125-910 (Wake County, North Carolina).

THIS IS NOT THE GRANTOR'S PRIMARY RESIDENCE.

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

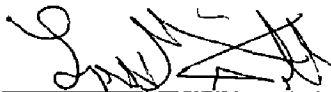
And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and that Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions hereinafter stated. Title to the property hereinabove described is hereby conveyed subject to all valid and existing restrictions, reservations, covenants, conditions, rights of ways and easements properly of record, if any, without re-imposing any that may have expired, and current year ad valorem taxes.

Mason Wayne Foscue, III, husband of Julia M. Foscue, hereby joins in this deed for the purposes of conveying any spousal interest he may have in the subject real property.

[Remainder of page intentionally left blank – signature pages follow]

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

GRANTOR:



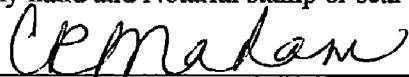
Lynn C. McNabb, unmarried

STATE OF TX

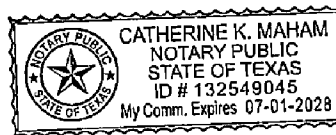
COUNTY OF Williamson

I, Catherine K. Maham, a Notary Public for the County of Williamson and State of TX, do hereby certify that Lynn C. McNabb, either being personally known to me or proven by satisfactory evidence (said evidence being DL), personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by them for the purposes therein stated.

Witness my hand and Notarial stamp or seal this 26 day of Nov., 2025.



Notary Public Williamson Catherine K. Maham
Print Name: Williamson
My Commission Expires: 7-1-28



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

GRANTORS:

Julia M. Foscue
Julia M. Foscue, married

Macon Wayne Foscue, III
Macon Wayne Foscue, III, spouse

STATE OF North Carolina

COUNTY OF Wake

I, Tawna Pizzi, a Notary Public for the County of Johnston and State of North Carolina, do hereby certify that Julia M. Foscue, either being personally known to me or proven by satisfactory evidence (said evidence being NCDL), personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by them for the purposes therein stated.

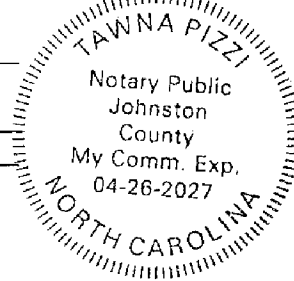
Witness my hand and Notarial stamp or seal this 2 day of December, 2025.

Tawna Pizzi

Notary Public

Print Name: Tawna Pizzi

My Commission Expires: 4/26/2027



STATE OF North Carolina

COUNTY OF Wake

I, Tawna Pizzi, a Notary Public for the County of Johnston and State of North Carolina, do hereby certify that Macon Wayne Foscue, III, either being personally known to me or proven by satisfactory evidence (said evidence being VADL), personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by them for the purposes therein stated.

Witness my hand and Notarial stamp or seal this 2 day of December, 2025.

Tawna Pizzi

Notary Public

Print Name: Tawna Pizzi

My Commission Expires: 4/26/2027

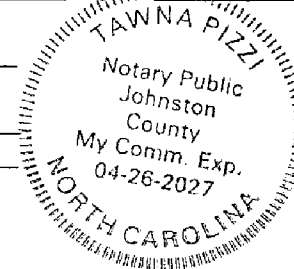


Exhibit A
[Legal Description]

BEING all of that 17.616 acres tract labeled as Lot 2-North and BEING all of that 10.660 acres tract labeled as Lot 2- South, said tracts being shown on that plat entitled "Exempt Subdivision Plat Old Bunn Road Industrial" drawn by Benjamin E. Dayton, Professional Land Surveyor with WithersRavenel, said plat being dated October 28, 2025, and recorded in Plat Book BM2025, Page 2299, Wake County Registry, reference to said plat being made for greater certainty of description..



February 9, 2026

Catherine Farrell
Town of Zebulon
1003 N. Arendell Avenue
Zebulon, NC 27597
E: cfarrell@townofzebulon.org

Reference: East Wake Asphalt Plant - Zebulon, NC
Subject: Trip Generation Technical Traffic Memorandum

Dear Ms. Farrell:

This letter provides a trip generation assessment for the proposed East Wake Asphalt Plant development, to be located at 144 Old US 264 Highway in Zebulon, North Carolina. The property would be developed as an asphalt plant with site access proposed on Old US 264. Refer to the attachments for a copy of the preliminary site plan. The purpose of this assessment is to estimate trip generation for the development to determine if a Traffic Impact Analysis (TIA) would be required based on Town UDO requirements.

Old US 264 is a two-lane roadway running in a northeast-southwest direction parallel to US 264 and has a speed limit of 45 miles per hour (mph). Old US 264 had an Average Annual Daily Traffic (AADT) volume of 3,500 vehicles per day in 2023 based on NCDOT. Old US 264 has sufficient capacity to accommodate the traffic from the proposed plant.

Land uses along Old US 264 in the vicinity are industrial with a concrete plant located just east of the proposed asphalt plant. The Five County Stadium baseball facility is located east of the site at Old US 264 and NC 39.

The proposed development includes an asphalt plant that operates with a few employees. The facility will produce and distribute 3 trip types: employees, delivery trucks, and customer trucks. On a typical day the facility would expect more customer trucks than deliver trucks. ITE *Trip Generation Manual* does not provide trip generation data for asphalt plants. Therefore, the daily and peak hour trip

generation was calculated based on the anticipated number of employees and trucks in coordination with the operator/owner.

The owner, Sunrock Industries, is experienced in operating these facilities and have projections for operations at the proposed asphalt plant. Sunrock operates the concrete plant located just east of the proposed asphalt plant. Based on coordination with the operator/owner, the asphalt plant is expected to operate with 3-4 employees working shifts from approximately 6 AM to 6 PM. The facility is anticipated to serve approximately 50 trucks per day including 35 customer trucks and 15 delivery trucks. The peak period for truck traffic is expected to be during the morning between 6:30 AM and 9:00 AM when more trucks receive the initial load and exit the facility. Truck traffic is anticipated to be less concentrated during other hours of the day.

Based on these projections, the site is estimated to generate approximately 108 total trips during a typical weekday. This includes 35 customer trucks and 15 delivery trucks entering the facility, 35 customer trucks and 15 delivery trucks exiting the facility, and 4 employees entering and exiting the facility. Of the daily traffic, a conservative assumption for AM peak hour trips would be 40 vehicles per hour. Conservatively, this would assume 4 employees, 3 customer trucks, and 1 delivery truck enter the facility and 24 customer trucks and 8 delivery trucks exit the facility during the peak one-hour period in the morning. Other hours of the day are expected to generate fewer trips as trucks arrive more randomly throughout the day. To be conservative, this study assumes a total of 15 customer trucks and 5 delivery trucks enter and exit the facility in the PM peak hour although these trucks are expected to be distributed across more hours of the day.

Table 1: Trip Generation Summary

Land Use	Trip Type	Daily Traffic (vpd)	Weekday AM Peak Hour Trips (vph)		Weekday PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
Asphalt Plant	Employees	8	4	0	0	4
Asphalt Plant	Delivery Trucks	30	1	8	5	5
Asphalt Plant	Customer Trucks	70	3	24	15	15
Total Trips		108	8	32	20	24

Table 1 provides a summary of the conservative trip generation for the development. Based on this information the trip generation for the proposed site is expected to be less than 50 peak hour trips during the weekday AM and PM peak hours.

Truck Route

The Town's UDO indicates the development should plan and designate truck routes to minimize impacts on surrounding land uses. The primary truck route for the asphalt plant will be to travel to/from the east on Old US 264 to access US 264 via NC 39 as shown in the attached exhibit. Land uses along this route are industrial or commercial with trucks using Old US 264 similarly to the proposed asphalt plant truck routes. As an alternative secondary route, trucks could travel to/from the west along Old US 264 to access US 264 via NC 97. This route would be limited to use to avoid events at Five County Stadium as needed.

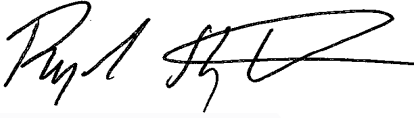
Summary

The Town of Zebulon Unified Development Ordinance (UDO), Section 6.13, indicates that a TIA would be required for developments that generate at least 50 peak hour trips or 150 daily trips. Based on the trip generation above, a Traffic Impact Analysis (TIA) would not be required per the Town's UDO. The proposed asphalt plant is a low trip generator, and the use is similar to other uses along Old US 264. The development will coordinate with NCDOT to obtain a driveway permit for access to Old US 264.

The primary truck route to/from the east on Old US 264 will minimize impacts on residential areas, schools, or other uses negatively impacted by truck traffic. The proposed primary truck route is currently being utilized by other trucks along Old US 264.

If you should have any questions or comments regarding this letter, please feel free to contact me at rstephenson@drmp.com.

Sincerely,

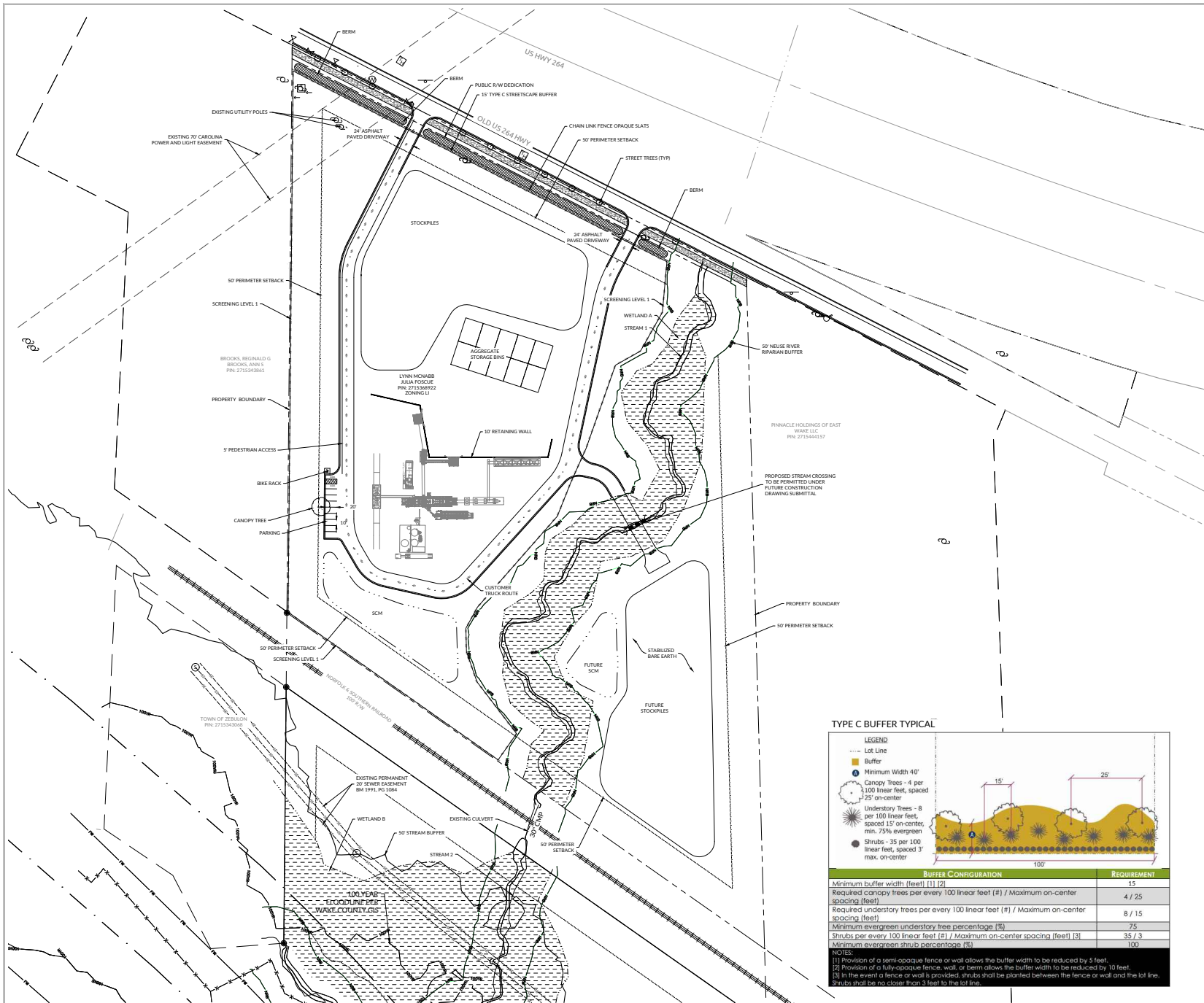


Rynal Stephenson, P.E.
Chief Traffic Analysis Engineer
DRMP, Inc.



Corporate License #F-1524

Attachments: Preliminary Site Plan
Primary Truck Routes

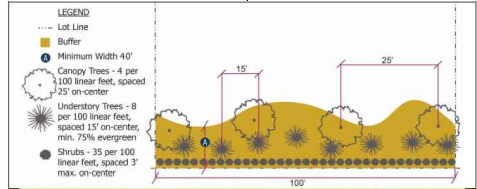


SITE DATA TABLE

OWNER	LYNN MCNABB, JULIA FOSCOE
PORTION OF PARCEL PIN NO.	2715368922
LOT SIZE (ACRES)	17.62
EXISTING ZONING & LAND USE	LI - LIGHT INDUSTRIAL
PROPOSED USE	INDUSTRIAL
SETBACKS:	
FRONT	50'
SIDE	50'
REAR	50'
PARKING PROVIDED	10 SPACES (INCLUDES 2 VAN ADA SPACES)

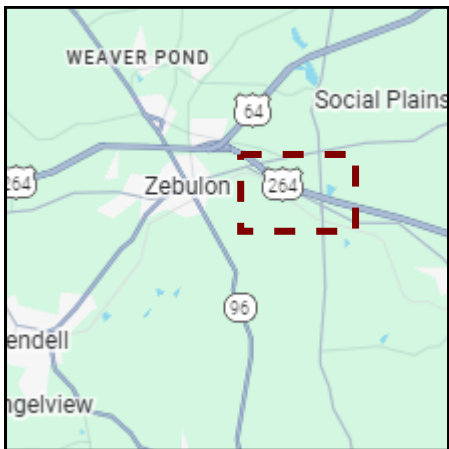
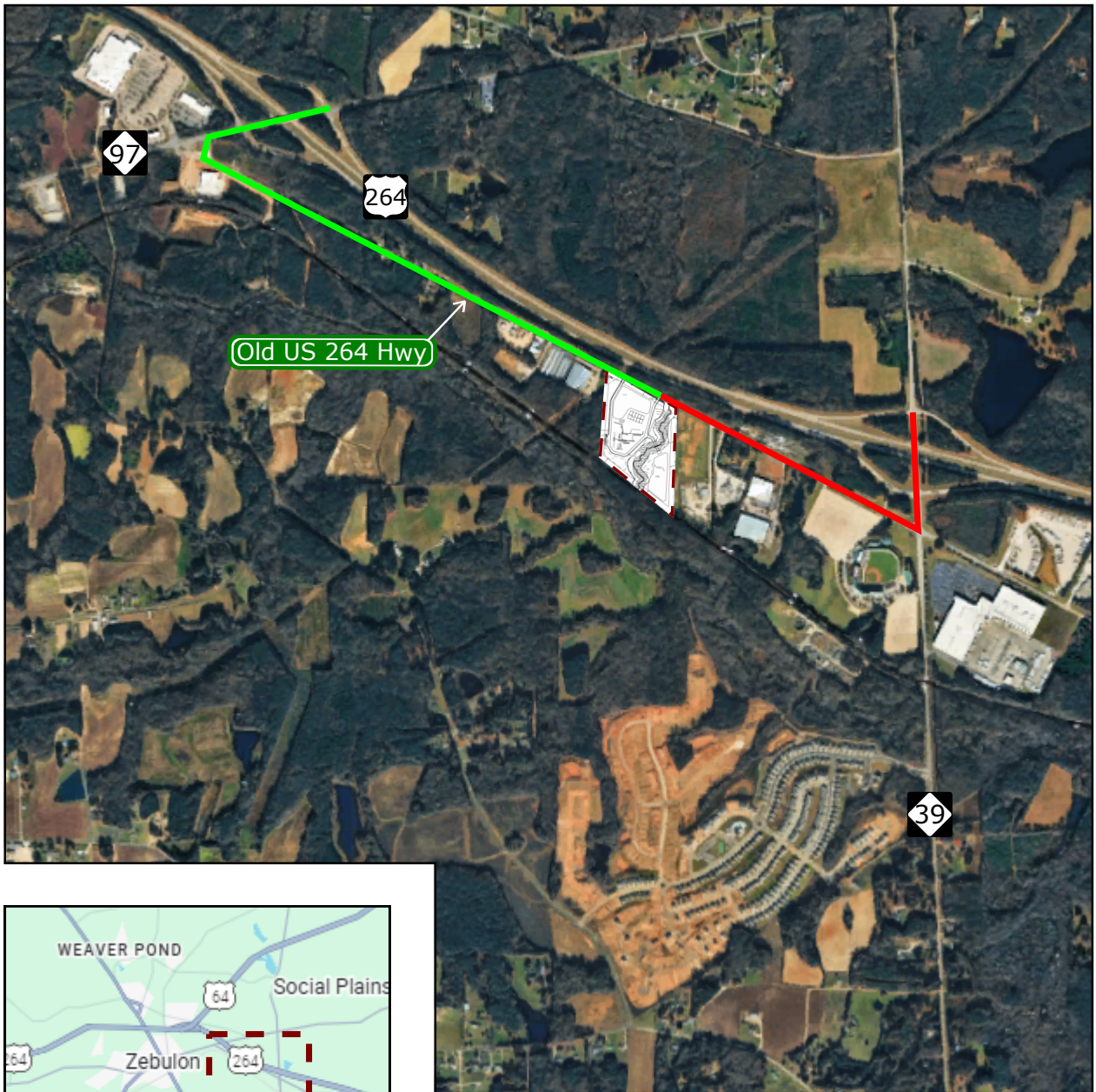
NOTES:
LIGHTING PLAN WILL BE PROVIDED DURING CONSTRUCTION DOCUMENT PHASE.

TYPE C BUFFER TYPICAL



BUFFER CONFIGURATION	REQUIREMENT
Minimum buffer width (feet) [1] [2]	15
Required canopy trees per every 100 linear feet (#) / Maximum on-center spacing (feet)	4 / 25
Required understory trees per every 100 linear feet (#) / Maximum on-center spacing (feet)	8 / 15
Minimum evergreen understory tree percentage (%)	75
Shrubs per every 100 linear feet (#) / Maximum on-center spacing (feet) [3]	35 / 3
Minimum evergreen shrub percentage (%)	100

NOTES:
[1] Provision of a semi-opaque fence or wall along the buffer width to be reduced by 5 feet.
[2] Provision of a fully-opaque fence, wall, or berm allows the buffer width to be reduced by 10 feet.
[3] In the event a fence or wall is provided, shrubs shall be planted between the fence or wall and the lot line. Shrubs shall be no closer than 3 feet to the lot line.



LEGEND

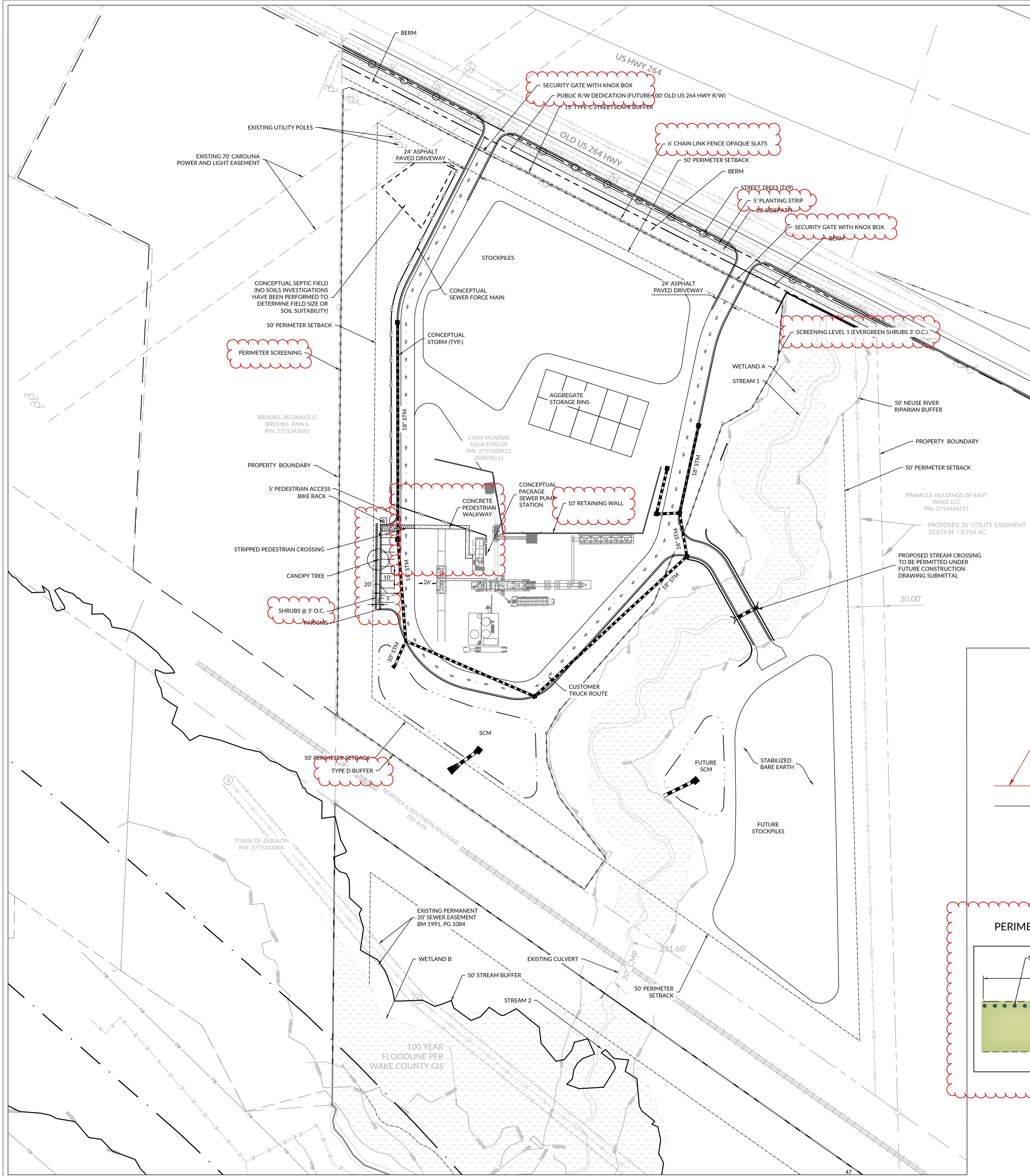
- Primary Route
- Secondary Route
- Study Area



East Wake Asphalt Plant
Zebulon, NC

Truck Route Map

Scale: Not to Scale



TYPE C BUFFER TYPICAL

LEGEND

- Lot Line
- Buffer
- Minimum Width 40'
- Canopy Trees - 4 per 100 linear feet, spaced 25' on-center
- Understory Trees - 8 per 100 linear feet, spaced 15' on-center, min. 75% evergreen
- Shrubs - 35 per 100 linear feet, spaced 3' max. on-center

BUFFER CONFIGURATION	REQUIREMENT
Minimum buffer width (feet) [1] [2]	15
Required canopy trees per every 100 linear feet (#) / Maximum on-center spacing (feet)	4 / 25
Required understory trees per every 100 linear feet (#) / Maximum on-center spacing (feet)	8 / 15
Minimum evergreen understory tree percentage (%)	75
Shrubs per every 100 linear feet (#) / Maximum on-center spacing (feet) [3]	35 / 3
Minimum evergreen shrub percentage (%)	100

NOTES:

- Provision of a semi-opaque fence or wall allows the buffer width to be reduced by 5 feet.
- Provision of a fully-opaque fence, wall, or berm allows the buffer width to be reduced by 10 feet.
- In the event a fence or wall is provided, shrubs shall be planted between the fence or wall and the lot line. Shrubs shall be no closer than 3 feet to the lot line.

TYPE D BUFFER TYPICAL

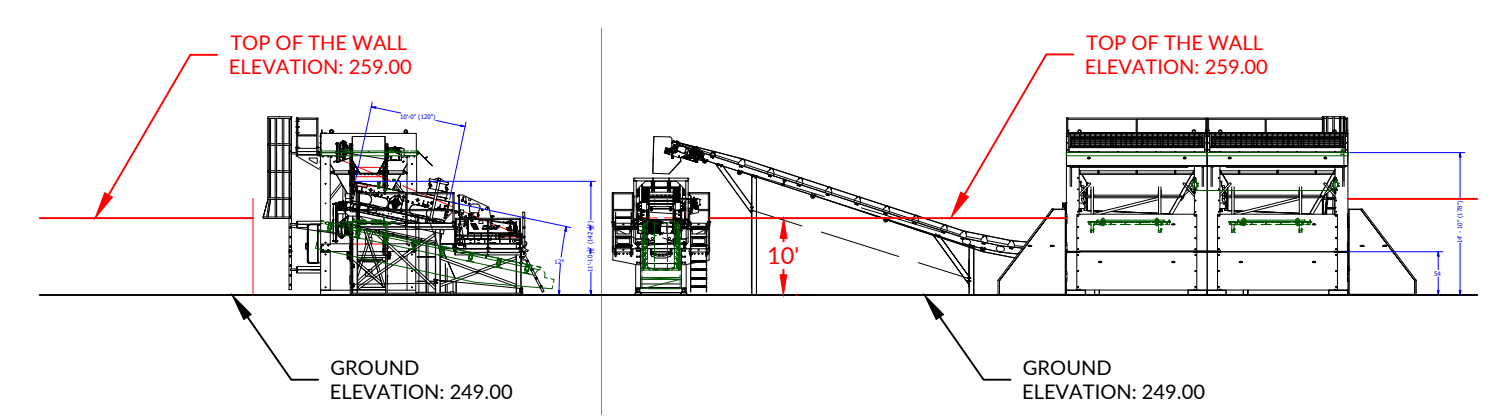
LEGEND

- Lot Line
- Buffer
- Minimum Width 40'
- Canopy Trees - 4 per 100 linear feet, spaced 25' on-center
- Understory Trees - 8 per 100 linear feet, spaced 15' on-center, min. 75% evergreen
- Shrubs - 35 per 100 linear feet, spaced 3' max. on-center

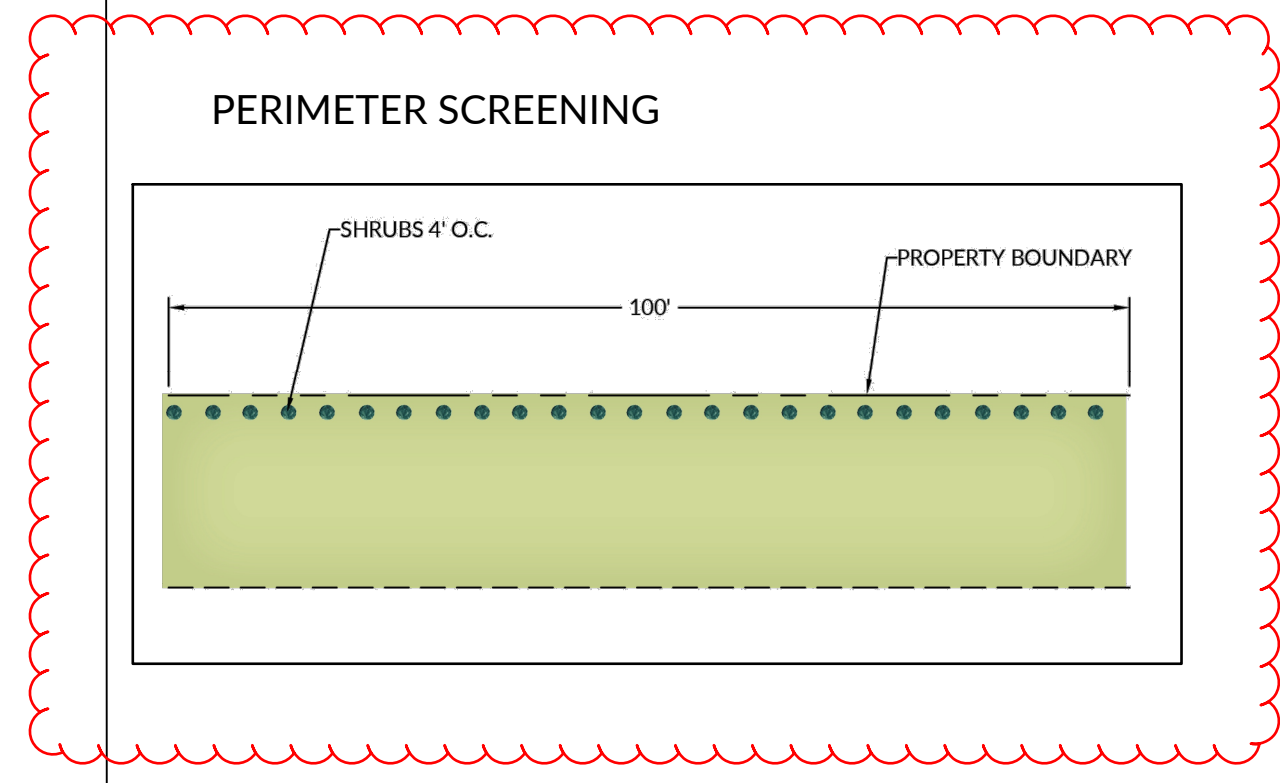
BUFFER CONFIGURATION	REQUIREMENT
Minimum buffer width (feet) [1] [2]	40
Required canopy trees per every 100 linear feet (#) / Maximum on-center spacing (feet)	4 / 25
Required understory trees per every 100 linear feet (#) / Maximum on-center spacing (feet)	8 / 15
Minimum evergreen understory tree percentage (%)	75
Shrubs per every 100 linear feet (#) / Maximum on-center spacing (feet) [3]	35 / 3
Minimum evergreen shrub percentage (%)	100

NOTES:

- Provision of a semi-opaque fence or wall allows the buffer width to be reduced by 5 feet.
- Provision of a fully-opaque fence, wall, or berm allows the buffer width to be reduced by 10 feet.
- In the event a fence or wall is provided, shrubs shall be planted between the fence or wall and the lot line. Shrubs shall be no closer than 3 feet to the lot line.



BUILDING (EQUIPMENT) ELEVATIONS
SCALE: 1" = 20'



PERIMETER SCREENING

NOTES

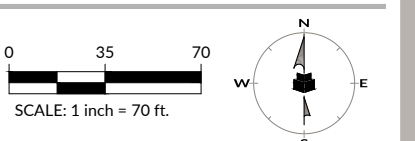
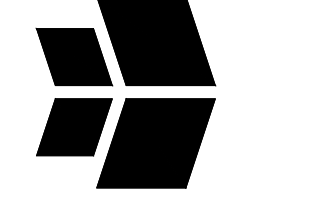
- SITE LIGHTING PLAN WILL BE PROVIDED DURING CONSTRUCTION DOCUMENT PHASE.
- PARKING SHOWN IS BASED ON THE EMPLOYEES ON SITE DURING MAJOR SHIFT (4 TO 6).
- POTABLE WATER AND WASTEWATER BEING PROVIDED BY WELL AND SEPTIC SYSTEM PERMITTED BY WAKE COUNTY ONSITE WATER PROTECTION DIVISION.

SITE DATA TABLE

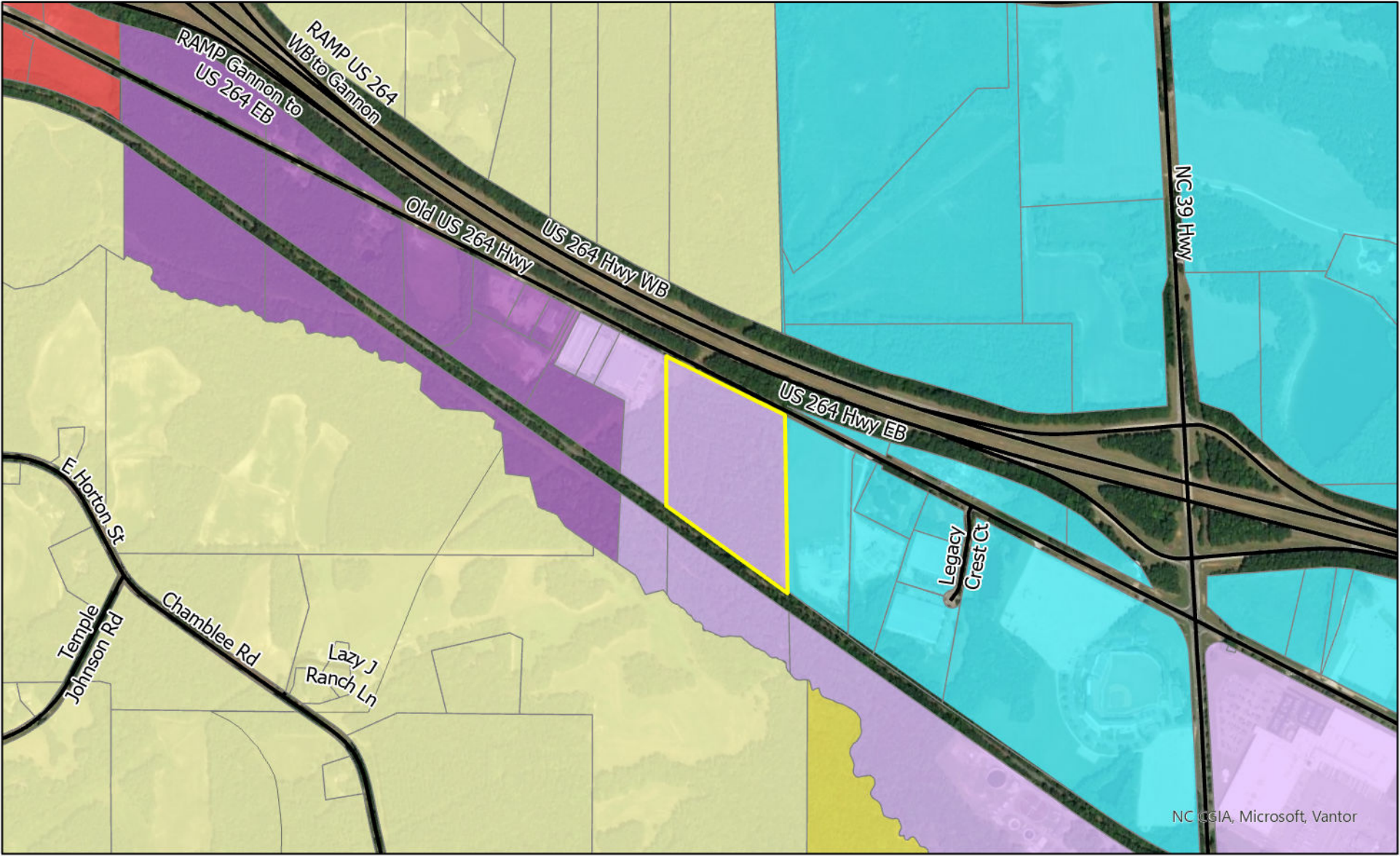
OWNER	EAST WAKE, LLC
PORTION OF PARCEL PIN NO.	2715368922
LOT SIZE (ACRES)	17.62
EXISTING ZONING & LAND USE	LI - LIGHT INDUSTRIAL
PROPOSED USE	INDUSTRIAL
SETBACKS:	
FRONT	50'
SIDE	50'
REAR	50'
PARKING PROVIDED	10 SPACES (INCLUDES 2 VAN ADA SPACES)

PARKING CALCULATIONS

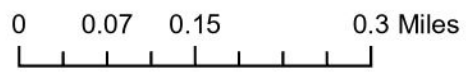
MINIMUM
2 SPACES PER 3 EMPLOYEES ON MAJOR SHIFT
6 EMPLOYEES: 4 REQUIRED
ADA: 1 REQUIRED



Future Land Use Map



NC CGIA, Microsoft, Vantor

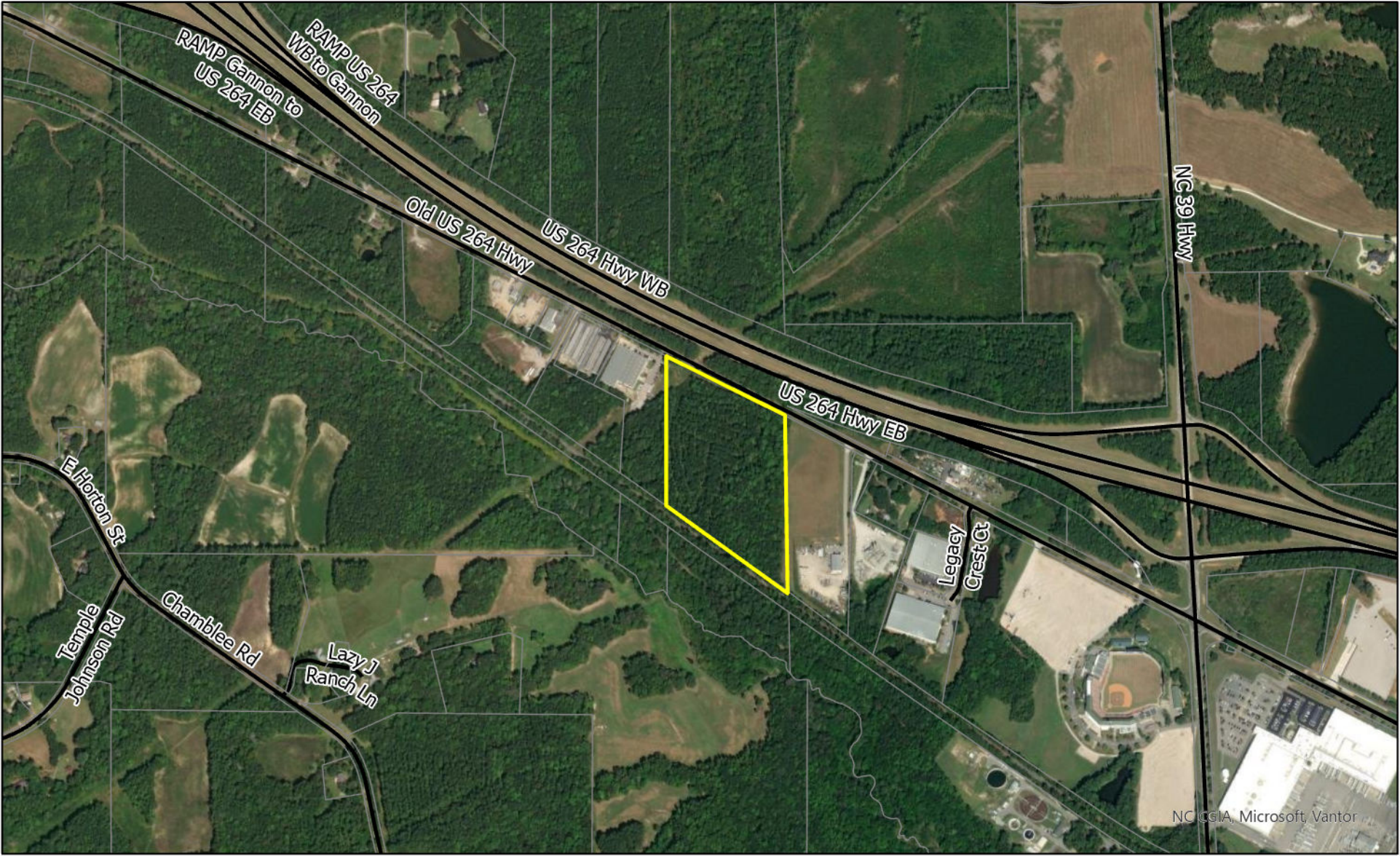


- 1444 Old US 264 HWY
- Streets
- Parcels

Legend

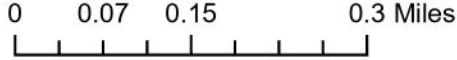
- | | |
|---------------------------|-------------------------|
| Suburban Residential (SR) | General Commercial (GC) |
| General Residential (GR) | Stadium Area Mixed Use |
| Industrial Light (IL) | Industrial Heavy (IH) |

Aerial Map



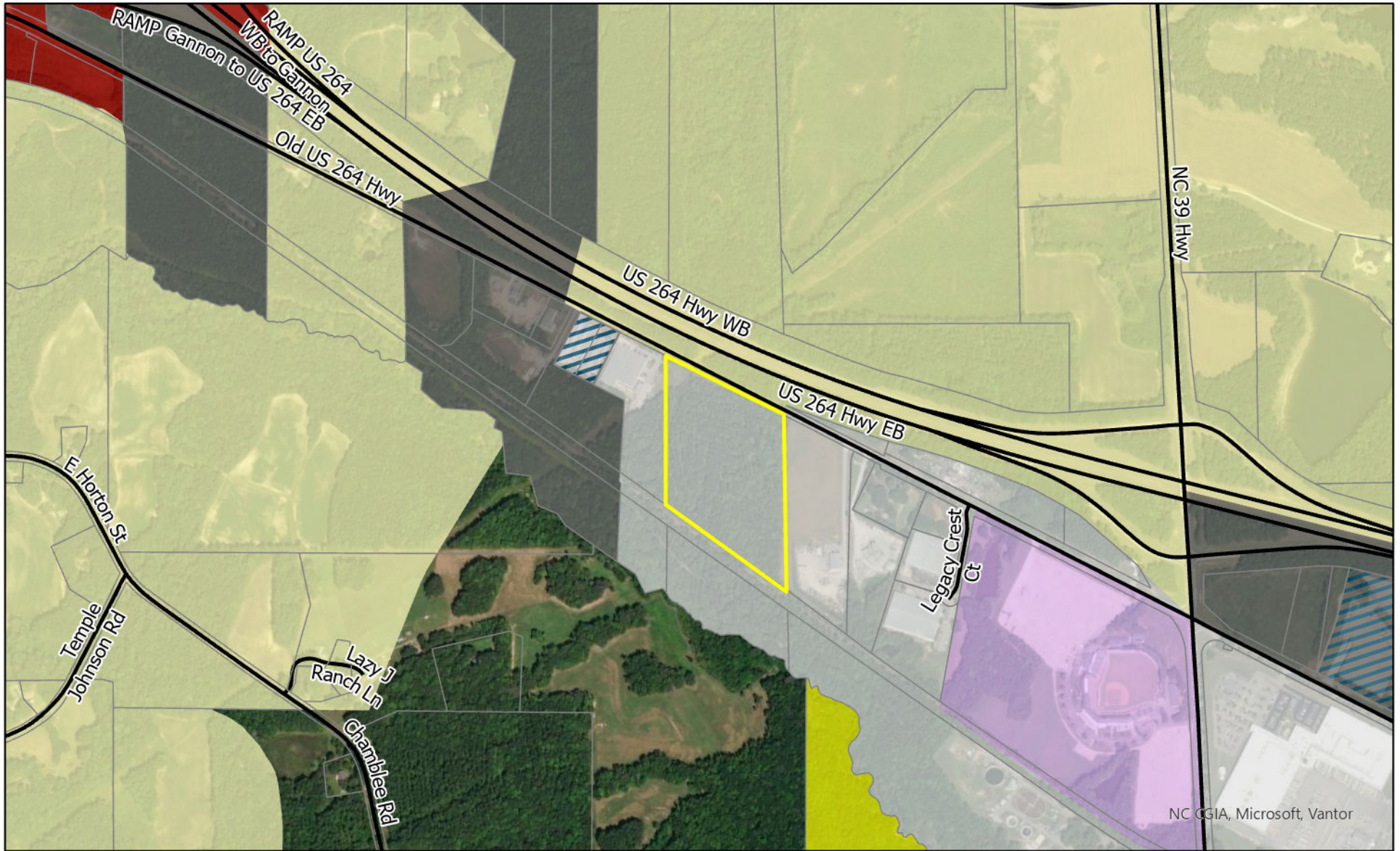
NC CGIA, Microsoft, Vantor

Legend

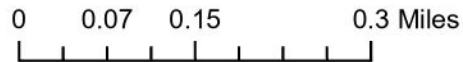


- 1444 Old US 264 HWY
- Streets
- Parcels

Zoning Map



NC CGIA, Microsoft, Vantor



- | | | |
|-----------------------------|------------------------------|--|
| 1444 Old US 264 HWY | R4, Residential Neighborhood | CA-SUD, Commercial Amusement - Special Use |
| Streets | HC, Heavy Commercial | CZ, Conditional Zoning |
| Parcels | LI, Light Industrial | |
| 50 R2, Residential Suburban | HI, Heavy Industrial | |









ZEBULON

NORTH CAROLINA

CASE # Special Use Permit 2026-01 – East Wake Asphalt Plant (1444 US 264 Hwy Old)

HEARING DATE: May 12, 2026

State of North Carolina

County of Wake

BEFORE ME, the undersigned Notary, E. McKinney Worner on this 7th day of May 2026, personally appeared Matthew Lower, known to me to be a credible person and of lawful age, who being by me first duly sworn, on his oath, deposes and says:

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

- Advertisement in a Paper of General Circulation sent on **04/27/2026** (Wake weekly, publication dates **05/01 & 05/08/2026**)
- Signs Posted on Site **03/20/2026**
- Mailed Notices sent out on **04/29/2026**

[Signature]
Matthew Lower

5/7/2026
Date

Subscribed and sworn to before me, this 7th day of May 2026.



[Signature]
[signature of Notary]
NOTARY PUBLIC

E. McKinney Worner
[printed name of Notary]

My commission expires: May 23, 2027.

Notice of Hearing

Notice is hereby given pursuant to the provisions of Article 2.3.6 of the Town of Zebulon Unified Development Ordinance that a quasi-judicial hearing will be held on **May 12th, 2026, at 6:00 PM** at the **Zebulon Municipal Complex, 1003 N. Arendell Avenue**, and will be conducted by the Board of Commissioners for the purpose of considering the following items:

***GeoCivix Project Number 1955236– Special Use Permit 2026-01 – East Wake
Asphalt Plant***

PIN #2715348186. A request by East Wake LLC for a special use permit to allow for an Asphalt Plant on a property zoned Light Industrial (LI).

For questions or additional information, please contact us at (919) 823-1808 or mlower@townofzebulon.org.

Aviso de audiencia

Por la presente se notifica, de conformidad con las disposiciones del Artículo 2.3.6 de la Ordenanza de Desarrollo Unificado del Municipio de Zebulon, que se celebrará una audiencia cuasi judicial el **12 de mayo de 2026, a las 6:00 p. m., en el Complejo Municipal de Zebulon, situado en 1003 N. Arendell Avenue**; dicha audiencia será dirigida por la Junta de Comisionados con el propósito de considerar los siguientes asuntos:

Número de proyecto GeoCivix 1955236 – Permiso de uso especial 2026-01 – Planta de asfalto de East Wake

PIN # 2715348186. Solicitud presentada por East Wake LLC para obtener un permiso de uso especial que autorice el establecimiento de una planta de asfalto en una propiedad zonificada como Industrial Ligera (LI).

Si tiene alguna pregunta o desea obtener información adicional, póngase en contacto con nosotros en el (919) 823-1808 o en mlower@townofzebulon.org.



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Showing 11 results

THE WAKE WEEKLY - (WAKE COUNTY) 2026-05-01

Other

Public Hearing Notice is hereby given pursuant to the provisions of Article 2.3.6 of the Town of Zebulon Unified Development Ordinance that a quasi-judicial hearing will be held on May 12th, 2026, at 6:00 PM at the Zebulon Municipal Complex, 1003 N. Arendell Avenue, and will be conducted by the Board of Commissioners for the purpose of considering the following items:

GeoCivix Project Number 1955236 Special Use Permit 2026-01 East Wake Asphalt Plant
PIN #2715348186-A request by East Wake LLC for a special use permit to allow for an Asphalt Plant on a property zoned Light Industrial (LI).

For questions or additional information, please contact us at (919) 823-1808 or mlower@townofzebulon.org.
The Wake Weekly
May 7, 8, 2026

THE WAKE WEEKLY - (WAKE COUNTY) 2026-05-01

Other

Public Hearing Notice is hereby given pursuant to the provisions of Article 2.3.6 of the Town of Zebulon Unified Development Ordinance that a quasi-judicial hearing will be held on May 11, 2026, at 6:00 PM at the Zebulon Municipal Complex, 1003 N. Arendell Avenue, and will be conducted by the Board of Commissioners and the

WAKE COUNTY, NORTH CAROLINA

THE WAKE WEEKLY - (WAKE COUNTY) 2026-04-24

Notice to Creditors (from Letters of Testamentary)

NOTICE TO CREDITORS ESTATE OF ROY LEE G.....the 17th day of April, 2026. MARJORIE GILL, EXECUTOR 108 NORTH WAKEFIELD STREET ZEBULON NC 27597 The Wake Weekly April 17, 24, May 1, 8, 2026

WAKE COUNTY, NORTH CAROLINA

THE WAKE WEEKLY - (WAKE COUNTY) 2026-05-01

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WAKE COUNTY, NORTH CAROLINA

THE WAKE WEEKLY - (WAKE COUNTY) 2026-04-24

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WAKE COUNTY, NORTH CAROLINA

THE WAKE WEEKLY - (WAKE COUNTY) 2026-04-24

Notice to Creditors (from Letters of Testamentary)

NOTICE TO CREDITORS ESTATE OF JOSEPH2026. Amanda Tys on Wolfe-Tariton, Executor C/O Gay & McNally, PLLC PO Box 10 Zebulon, NC 27597 The Wake Weekly April 24, May 1, 8, 15, 2026

WAKE COUNTY, NORTH CAROLINA

Other
Published in The Wake Weekly - (Wake County) on May 1, 2026

Location
Wake County, North Carolina

Notice Text
Notice is hereby given pursuant to the provisions of Article 2.3.6 of the Town of Zebulon Unified Development Ordinance that a quasi-judicial hearing will be held on May 12th, 2026, at 6:00 PM at the Zebulon Municipal Complex, 1003 N. Arendell Avenue, and will be conducted by the Board of Commissioners for the purpose of considering the following items:

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For questions or additional information, please contact us at (919) 823-1808 or mlower@townofzebulon.org.
The Wake Weekly
May 7, 8, 2026

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