

**TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
November 26, 2018**

The Wendell Town Board of Commissioners held their regularly scheduled meeting on Tuesday, November 26, 2018, in the Town Board Room, Wendell Town Hall, 15 East Fourth Street.

PRESENT: Mayor Virginia Gray; Mayor Pro Tem Lutz; Commissioners: John Boyette, Ben Carroll, Jason Joyner and David Myrick.

STAFF PRESENT: Town Manger Marc Collins, Special Assistant to the Manger-Town Clerk Sherry Scoggins, Finance Director Butch Kay, Planning Director David Bergmark, Public Works Director Brian Bray, and Police Chief Bill Carter.

CALL TO ORDER:

Mayor Gray called the meeting to order at 7:00 p.m. and welcomed attendees.

PLEDGE OF ALLEGIANCE:

Quentin Sese, student at Lake Myra Elementary School led the Pledge of Allegiance.

INVOCATION:

Brother Emmanuel Mondona of St. Eugene Catholic Church provided the invocation.




1. ADJUSTMENT AND APPROVAL OF THE AGENDA:

ACTION

Mover: Mayor Pro Tem Lutz moved to adjust the agenda and hear items 6a and 6b after item 9.
Vote: Unanimous

2. PUBLIC COMMENT PERIOD (*one hour time limit in total*):

The following person(s) spoke during Public Comment Period:

-  Judy Arnold, 1429 S Hollybrook Road
-  David Arnold, 1429 S Hollybrook Road
-  Anne Stewart of S Hollybrook Road

3. CONSENT AGENDA

The Board of Commissioners uses a Consent Agenda to act on non-controversial and routine items quickly. The Consent Agenda is acted upon by one motion and vote of the Board. Items may be removed from the Consent Agenda and placed on the Regular Agenda at the request of the Mayor or a Commissioner. The Consent Agenda contains the following items:

No items for the consent agenda were presented to the Town Board of Commissioners for action.

4. RECOGNITION OF LAKE MYRA ELEMENTARY SCHOOL TEACHER: JILL BURTIS.

SPEAKER: Mayor Virginia Gray

ACTION: Presentation.

[Staff Report]

Item Summary

Jill Burtis is a 4th-grade teacher (Quentin's teacher) at Lake Myra Elementary. She has taught at Lake Myra for the last 6 years as a 4th and 5th-grade teacher. Prior to that, she worked at Lockhart Elementary for 5 years, taught 3 years in Utah and 3 years in Maryland.

Jill works diligently to create and maintain positive relationships with her students and families. She meets the individual needs of all students by differentiating her instruction. She has been a team leader among her colleagues and demonstrates what it means to go the "extra mile" for kids.

Mayor Virginia Gray recognized Lake Myra Elementary School teacher Jill Burtis; staff report above in italics.

5. RECOGNITION OF THE EASTERN WAKE SENIOR CENTER.

SPEAKER: Commissioner David Myrick

ACTION: Recognition.

[Staff Report]

On Thursday, November 15, 2018, the Eastern Wake Senior Center was the recipient of the 2018 North Carolina Senior Center Alliance's Ann Johnson Senior Center of the Year Award!

The Ann Johnson Senior Center of the Year Award is an opportunity for member organizations to share how they are excelling in the field of aging by meeting or exceeding in five criteria:

- Creating innovative approaches to enhance and expanding direct services to older adults in the community,*
- Delivering high-quality programs and dedicated staff,*
- Providing strong leadership and organizational management to their organization and the aging network,*
- Making significant contributions that address and elevate issues important to the field of aging, and*
- Being champions for senior causes through advocacy or other methods that make a positive impact to the seniors of their community.*

A hearty round of applause to the Eastern Wake Senior Center for the prestigious recognition!! Ms. Norma Ferrell of the Eastern Wake Senior Center will share how the Eastern Wake Senior Center achieved this award and upcoming activities for the EWSC.

Commissioner David Myrick recognized Ms. Miranda Strider-Allen and Ms. Norma Ferrell of the Eastern Wake Senior Center; staff report above in italics.

**6a. CONDITIONAL DISTRICT 18-01: TRAFFIC IMPACT ANALYSIS [TIA]
INFORMATION REQUESTED BY THE TOWN BOARD OF COMMISSIONERS**

AT ITS NOVEMBER 13, 2018 FOR REQUEST SUBMITTED BY SMITH-EDWARDS LLC TO REZONE 116.19 ACRES OF PROPERTY LOCATED ALONG S. HOLLYBROOK ROAD TO A RESIDENTIAL-4 (R4) CONDITIONAL DISTRICT. PUBLIC HEARING CLOSED AT THE NOVEMBER 13, 2018 MEETING; DISCUSSION AND ACTION CONTINUED TO THE NOVEMBER 26, 2018 MEETING.

SPEAKER: Planning Director David Bergmark

ACTION: Board may take action.

[Staff Report]

Applicant:

Smith-Edwards LLC

Petition:

The applicant has requested to create a R4 conditional district for approximately 116.19 acres of property within the parcels identified by PIN #s 1783921299, 1793020954, 1783947008 (partial), and 1783837560. The proposed conditional district consists of 339 single family development lots, an amenity site with a clubhouse and pool, as well as a proposed pump station. A link to view the submitted Master Plan is included as Attachment A.

The applicant has proposed to break the Master Plan into 5 phases, which would allow for separate Final Development Plan submittals.

Purpose of a Conditional District:

The purpose of the Conditional Districts (CD) is to provide an alternative means of land development and an alternative zoning procedure that may be used to establish residential, commercial, and industrial Conditional Districts at appropriate locations and in accordance with the planning and development objectives of the Town.

A CD may depart from the strict application of the requirements of the town's general zoning districts.

The CD alternative may allow uses which are not specifically allowed in standard zoning districts. A primary purpose of this section is to provide standards by which such flexibility may be achieved while maintaining and protecting the public health, safety and welfare of the citizens. In this case, no alternative uses or lot dimensional standards have been proposed by the applicant.

A second purpose of the conditional district is to establish a more complete living and working environment through the application of enlightened and imaginative approaches to community planning and property design. A CD should provide a variety of natural features and scenic areas, efficient and economical land use, improved amenities, orderly and economical development, and the protection of existing and future adjacent development.

The provisions of the CD Master Plan shall replace all conflicting development regulations set forth in this Ordinance which would otherwise apply to the development site. The Planning Board may recommend and the Board of Commissioners may attach reasonable and appropriate conditions including, but not limited to, the location, nature, hours of operation, and extent of the proposed use(s). Conditions and site-specific standards shall be limited to those that address conformance of the development and use of the site to this Ordinance and officially adopted plans and those standards and conditions that address the impacts reasonably expected to be generated by the development and use of the site.

Location and History:

This majority of this property is currently located within Wendell's Extra Territorial Jurisdiction (ETJ) and is zoned Residential Agricultural (RA). The RA zone often serves as a holding zone until development is proposed. Approximately 8 acres of land within the parcel identified by PIN # 1783921299 falls within Wake County's jurisdiction and is zoned Residential-30 (R30). Annexation must be approved by the Wendell Board of Commissioners prior to the approval of the conditional district for the applicant to pursue the proposed project. 3.81 acres of the northern tract which has frontage along Selma Road has been excluded from the Conditional District and Annexation request.

To review the complete set of plans, please download the file at:

<http://www.townofwendell.com/files/hollybrook-rd-conditional-district>

Project Profile:

PROPERTY # 1 LOCATION:	1320 S. Hollybrook Rd
WAKE COUNTY PIN:	1783921299
CURRENT ZONING DISTRICT:	RA (Wendell) and R-30 (WC)
CROSS REFERENCES:	N/A
PROPERTY OWNER:	Smith Edwards LLC
APPLICANT:	Smith Edwards LLC 2505 Wendell Blvd Wendell, NC 27591
PROPERTY SIZE:	48.38 acres
CURRENT LAND USE:	Vacant
PROPOSED LAND USE:	Single Family Residential & pump station
PROPERTY # 2 LOCATION:	0 S. Hollybrook Rd
WAKE COUNTY PIN:	1783947008
CURRENT ZONING DISTRICT:	RA
CROSS REFERENCES:	N/A
PROPERTY OWNER:	Smith Edwards LLC
APPLICANT:	Smith Edwards LLC 2505 Wendell Blvd Wendell, NC 27591
PROPERTY SIZE:	60.5 acres of the 64.3 acre tract
CURRENT LAND USE:	Vacant
PROPOSED LAND USE:	Single Family Residential
PROPERTY # 3 LOCATION:	1217 S. Hollybrook Rd
WAKE COUNTY PIN:	1783837560
CURRENT ZONING DISTRICT:	RA
CROSS REFERENCES:	N/A
PROPERTY OWNER:	Smith Edwards LLC
APPLICANT:	Smith Edwards LLC 2505 Wendell Blvd Wendell, NC 27591
PROPERTY SIZE:	0.47 acres
CURRENT LAND USE:	Single Family Residential
PROPOSED LAND USE:	Single Family Residential
PROPERTY # 4 LOCATION:	0 S. Hollybrook Rd
WAKE COUNTY PIN:	1793020954
CURRENT ZONING DISTRICT:	RA
CROSS REFERENCES:	N/A
PROPERTY OWNER:	Smith Edwards LLC
APPLICANT:	Smith Edwards LLC

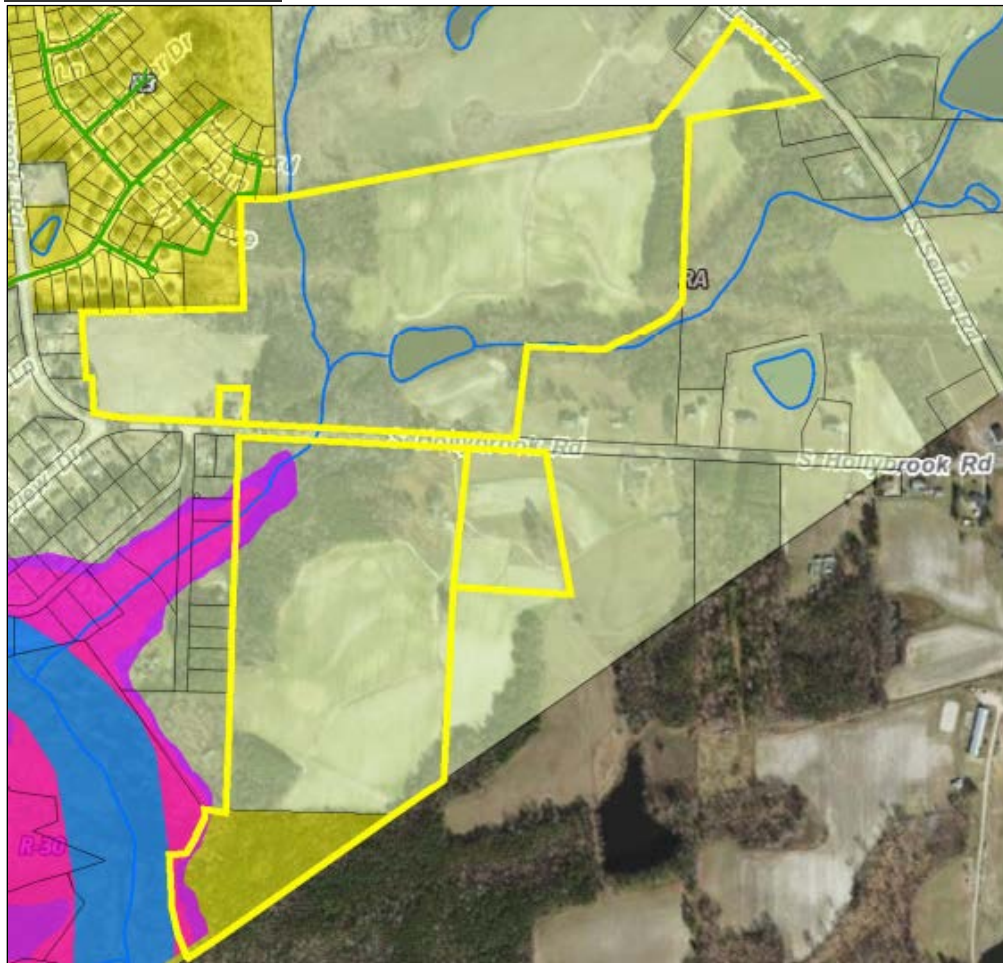
2505 Wendell Blvd
Wendell, NC 27591
6.83 acres
Vacant
Single Family Residential

PROPERTY SIZE:
CURRENT LAND USE:
PROPOSED LAND USE:

Project Setting – Surrounding Districts and Land uses:

<u>DIRECTION</u>	<u>LANDUSE</u>	<u>ZONING</u>
North	Residential	RA & R3
South	Agricultural	JC
East	Residential/Ag	RA
West	Residential	RA/R3

Current Zoning Map:



Proposed Conditional District Conditions:

The applicant's submission requires 6 conditions as proposed, as described below (2 additional conditions are recommended by staff):

1. **(Clarification)** Apply a 5 foot minimum side setback instead of the 20% total lot width being applied to side setback.

Staff Comment: A simple 5' side setback is clearer than a 10% setback on each side (which based on the R-4's standard 50' lot width requirement would be 5' anyways unless they side-loaded all of the lots along a block)

Staff finds that the request is acceptable.

2. **(Clarification)** Apply a parking ratio to the amenity site of 1/1,000 SF + 1/75 SF of water surface for the pool.

The applicant is showing a total of 54 parking spaces on the amenity site. This condition is less of a request of the town, than a clarification of how to address pool parking, which is not clearly defined in the UDO.

Staff Comment: Staff finds that the request is acceptable.

3. **(Clarification)** Approval of the subject Conditional District is contingent upon formal acceptance and annexation of the subject parcels into the Town of Wendell. Absent annexation acceptance the Conditional District application will not be approved.

4. **(Offering Improvement)** Apply a 55 ft. minimum lot width (rather than 50 ft.).

Staff Comment: Staff finds this request acceptable.

5. **(Offering Improvement)** Providing a minimum of 2,500 sq. ft. of open space per dwelling (rather than 1,750 sq. ft. of open space)

Staff Comment: Per Chapter 7 of the UDO, up to one-half of the total open space land required may be located within areas of special flood hazard, including the 100-year floodplain. Easements or areas for public utility transmission lines shall not receive credit as open space. Similarly, dry detention structures may not be towards open space calculations. In response to staff inquiries, the applicant has stated that dry detention structures will not be used.

57.9 percent of the passive open space provided is located within undevelopable property (floodplain or riparian buffers). However, per the revised Master Plan, the applicant is providing 5.27 acres of Improved/Park space, where only 3.42 acres is required.

Staff Comment: Staff finds that the request is acceptable

6. Per the phasing plan, that the club house lot amenities not be required to be constructed until after Phase 3.

Staff Comment: Phases 1-3 constitute 213 of the 339 proposed lots. The club house lot represents the only active open space for this development.

Staff Comment: Staff recommends that the amenity site be completed prior to the Phase 3 final plat (Phases 1 & 2 constitute 150 of the 339 proposed lots). The applicant is proposing temporarily locating one mail kiosk on each side of Hollybrook to be consolidated into the Club once constructed

Staff Recommended Conditions # 7 & 8

7. That the proposed Pump Station be screened from view from lot 293 and 294 with a Type A buffer (with the exception of an access drive). Existing vegetation may be counted towards this requirement.

Staff Comment: Currently the development plans (see below) show a Type B buffer (20 ft) between the pump station and lot 293, but no screening is provided along the side lot line of the pump station. Staff recommends that a Type A buffer (25 ft.) be applied along the 2 sides facing lots 293 and 294.

8. *That a high visibility crosswalk and pedestrian crossing signs be installed to allow pedestrians to safely cross Hollybrook Rd, in adherence with any required DOT standards for the crossing design.*

Staff comments: *One concern which has been raised is in regards to pedestrians crossing Hollybrook Rd in order to access the Clubhouse lot. Town regulations require all open space to be ‘conveniently accessible to all residents of the neighborhood’. The clubhouse lot represents the only active open space in this development and is divided by a collector road. In staff’s opinion, these improvements (at a minimum) are needed for pedestrian safety.*

Technical Corrections

The following technical corrections were identified by staff based on the most recent development plan submittal. It is not necessary for these types of corrections to be incorporated as conditions of the Conditional District. These items are being provided purely for informational purposes.

1. *All lots should have rear lot setbacks along at least one property line. In the case of corner lots, the rear yard will be positioned at the rear of the home orientation.*
2. *A rear yard landscape buffer should be provided in the rear of lots 116-118, 130-134, and 308-317.*
3. *Label the rear property line length for lots 7, 225, and 300.*
4. *Replace oak tree type street trees with a street tree type from Appendix F in the UDO or similar tree. Oaks were not included in list of approved street trees due to acorns.*

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5. *Replace tulip popular on street trees with a street tree type from Appendix F in the UDO or similar tree.*
6. *Active recreation requirements are not currently listed in the base standards on the cover sheet. Please detail what is required and provided. If you draw a rectangle that includes the clubhouse, pool and parking area, the required square feet of active recreations space is generally met.*
7. *When calculating rear yard buffer plantings fractions round to a whole. Following areas are missing shrubs and trees due to rounding down.*
 - a. *Area 3: Missing 4 of each*
 - b. *Area 4: Missing 1 of each*
 - c. *Area 5: Missing 1 of each*
 - d. *Area 7: Missing 2 of each*
 - e. *Area 9: Missing 2 of each*
8. *Clubhouse*
 - a. *All parking lot islands should be landscaped with a minimum of one tree and four shrubs.*
 - b. *The clubhouse parking lot facing Hollybrook Rd should be screened with a “semi-opaque screen from the ground to at least a height of 3.5 feet for screening of car lights and glare (minimum width: 10 feet).”*
 - c. *Dumpster area is not currently shown on plan. If one is planned, it should be screened according to UDO Section 8.10D. This does not necessarily need to be addressed in this plan.*

As previously stated one purpose of the conditional district is to establish a more complete living and working environment through the application of enlightened and imaginative approaches to community planning and property design. A CD should provide a variety of natural features and scenic areas, efficient and economical land use, improved amenities, orderly and economical development, and the protection of existing and future adjacent development.

While conditional districts do allow an applicant to ask for exemptions from certain types of standards as part of their application, those exemptions are intended to be offset by other improvements which go above and beyond what is required. This process allows for creative trade-offs that can result in a better overall product.

As currently proposed, the Master Development Plan seeks to gain additional density in exchange for extra open space and an amenity center which exceeds the town’s minimum requirements.

Applicant’s Justification:

Rezoning of the “development” is required as part of the Town’s Annexation process. The Town of Wendell Comprehensive Plan (adopted April 23, 2007) uses a two-step methodology to define future land uses within the Framework Plan.

Step one is to “define regional sector boundaries”, and per the Framework Plan Map, the “development” is within the “Controlled Growth Sector” (S4). Single-family residential is listed as an appropriate use within the S4 sector.

Step two is to “subdivide regional sectors into transect zones”, with transect zones T2, T3, T4, and T5 recommended within the S4 sector. Per UDO section 2.2, the requested base zoning of R-4 is an appropriate base district within the T3 transect zone. As such, R-4 is an appropriate base district for the “development”, and is in keeping with the planned future development outlined in the Town of Wendell Comprehensive Plan.

In addition to an existing 100’ utility easement running the width of Parcel 1, and to be confirmed by field studies: stream corridor buffers (UDO 6.6), FEMA 100-yr floodplain, an existing pond, and appreciable steep slopes (>25%) both expanding the stream buffers and precluding development, account for approximately 26 acres (23%±) of the “development” area.

As such, the Conditional District provisions are requested in order to offset the significant environmental restrictions existing on site by allowing a minimum lot size of 6,000 SF.

The proposed athletic club includes a proposed pool, with significant parking demand expected above the base requirement for the club gross square footage. The Town UDO does not specify a parking ratio for a swimming pool use, and based upon the owners experience with similar development they currently maintain, a parking ratio of 1 space per 75 square feet of water surface is proposed. Additionally, this parking ratio is consistent with the Town of Cary Land Development Ordinance, effective 12/14/17, 7.8.2.D.A – Recreation/Entertainment, Outdoor – Swimming Pool.

Benefits to Town:

*The base requirement for Open Space dedication per UDO 7.5.A.1 is 1,750 SF/dwelling. The subject Conditional District proposes to raise the Open Space dedication requirement to **2,500 SF/dwelling** as further justification in support of the reduced lot size as well as mitigate the additional impervious area from the increased parking ratio.*

Additionally, the proposed Athletic Club and swimming pool exceed the Active Open Space requirements in UDO 7.5.C, with the added benefit of membership in the Fred Smith Sports Club (including access to all four (4) Fred Smith Athletic Clubs and privileges at four (4) Golf Clubs) for Hollybrook residents.

A new pump station is proposed at the southern end of the Glen at Hollybrook parcel. The total Hollybrook development accounts for approximately 10% of the sewer basin. The new pump station, per coordination with the City of Raleigh, will be constructed to provide 25% of total build out for pumps, electrical, generator, odor control, and 50% for structure, electrical building, and force main while also allowing for future expansion for full capacity of the entire basin.

Off-Street Parking:

No off street parking is required for single family dwellings. Fifty-four parking spaces are shown on the amenity site. The applicant's plans indicate that they will locate their cluster mailboxes at the club-house site. Cluster mailboxes would be required to be provided with the first phase of development, even if other improvements at the club-house site are delayed until a later phase.

Open Space:

The applicant is required to dedicate a minimum of 13.7 acres of open space, with a minimum of 3.42 acres of Park Space, as set forth in the UDO. Of those 3.42 acres of Park Space, 1.13 acres must be designed for active recreational purposes. The applicant is proposing to dedicate 3.03 acres of park space within the Club/amenity tract, plus an additional ~2.2 acres of park space around the pond and for a pedestrian connection between the club tract and the residential road to the north (for a total of ~5.27 acres). The active recreational open space requirement would be satisfied by the pool and club house.

In response to staff concerns regarding the absence of Park Space on the south side of S. Hollybrook Rd, the applicant revised their plans to show 10,000 square feet of Park Space between Lot 317 and a proposed Stormwater Management device.

Overall, the applicant is proposing to dedicate a minimum of 19.57 acres of open space, with 57.9 percent of passive open space falling within riparian buffers (53.1%) or floodplain (4.8%). Per Chapter 7 of the UDO, up to one-half of the total open space land required may be located within areas of special flood hazard, including the 100-year floodplain. Easements or areas for public utility transmission lines shall not receive credit as open space. Similarly, dry detention structures may not be towards open space calculations. In response to staff's inquiries, the

applicant has stated that no dry detention structures shall be included within the Storm Water Management (SWM) areas.

Lighting:

Lighting shall meet the requirements as set forth in the UDO at the time of the final development plan.

Public Utilities:

Public water and sewer will be extended at the time of development. Per the adopted Water Allocation Policy, this project has 38 base points and must provide 12 bonus points. The applicant has proposed to provide 7.8 acres of additional open space for conservation (7 points), a pool (2 points), an outdoor patio area of more than 3000 square feet (3 points), and a Meeting space without a kitchen more than 3500 square feet in size (8 points). As proposed, these improvements would bring the applicant's point total to 58 points.

Per the applicant's submittal, "A new pump station is proposed at the southern end of the Glen at Hollybrook parcel. The total Hollybrook development accounts for approximately 10% of the sewer basin. The new pump station, per coordination with the City of Raleigh, will be constructed to provide 25% of total build out for pumps, electrical, generator, odor control, and 50% for structure, electrical building, and force main while also allowing for future expansion for full capacity of the entire basin."

The City of Raleigh Public Utilities Department (CORPUD) has confirmed that the applicant would be required to over-size the pump station equipment to handle more than just their development. Plans and engineering for the pump station are still under review and would require CORPUD approval.

Streets:

At the time of construction of all new roads, the standards are to be met as specified by Chapter 12 of the UDO.

Per the Town's Arterial and Collector Street Plan (ACS), the applicant will be responsible for minor widening along S. Hollybrook Road, in order for the road to meet the Town's standard for a Minor Collector (2 lane undivided). These improvements are reflected in their plan, and will involve 3.5 feet of additional right-of-way dedication on either side of S. Hollybrook Road.

All internal subdivision roads shall be designed as a Local Street (52' ROW) or Residential Main Street (64' ROW). Residential Main Streets allow for on-street parking on both sides.

All drives shall meet the requirements as set forth in the UDO at the time of development.

Based upon the size of this proposed development, a Transportation Impact Assessment was required and submitted to NCDOT for review. At this time, the only improvement called for by DOT's review of the TIA is a left turn lane on 231/Selma Road to turn onto S. Hollybrook Rd.

Landscaping:

All landscaping shall meet the requirements as set forth in the UDO at the time of the Final Development Plan and building permits.

Stormwater Management:

Development of this site would be required to meet the stormwater standards contained in the UDO.

Phasing:

The applicant has proposed to break the Master Plan into 5 phases, which would require separate Final Development Plan submittals. The phasing plan is shown on Page 7 of the Master Plan pdf. (See Attachment A)

TRC Comments:

The majority of TRC comments represented small technical corrections or reminders of items that will need to be provided or added prior to construction document approval. Many of the comments have already been addressed by the applicant's updated plans. Only one TRC comment related to emergency ingress/egress would reasonably impact the subdivision's layout or design. Both sides of this development have only 1 roadway connection to Hollybrook Road and rely largely upon future connections to undeveloped tracts. This could be a serious issue in the event of a natural disaster or accident if the route out of the development were blocked or otherwise inaccessible.

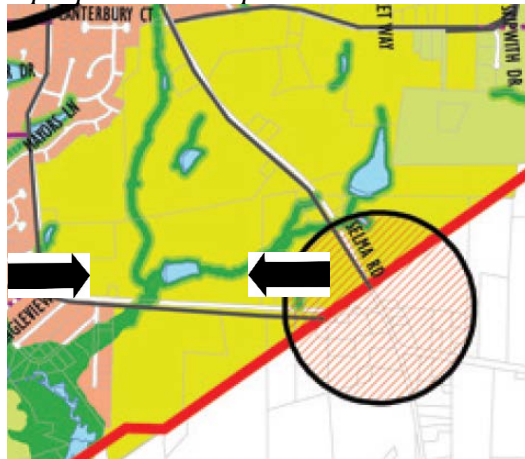
In response to this concern, the applicant revised their plan to show an emergency access way with removable bollards (which doubles as pedestrian access) on the south side of Hollybrook Rd. DOT has allowed this type of request before, but would need to review the construction details at the time of the final development plan. The location of this connection is identified on Page 4 of the Master Plan pdf (See Attachment A).

Comprehensive Plan:

The Wendell Comprehensive Plan defines the subject properties as being completely within the S-4 "Controlled Growth Sector".

The Comprehensive Plan states that S-4 areas "are typically close to thoroughfares and at key cross-road locations. This sector is where moderate intensity new development is appropriate and where the majority of the community's new growth should occur. The typically envisioned community type for S-4 is a traditional neighborhood development (TND), which includes neighborhood serving commercial and civic uses surrounded by a mix of housing types that decrease in density as they get farther away from the commercial area."

The Comprehensive Plan lists the following uses as appropriate land uses/development types within this sector: traditional neighborhood developments, neighborhood centers, single-family and multifamily residential, neighborhood-serving commercial uses (retail and office), civic uses, and industrial uses. The proposed development on the site meets the appropriate uses.



Statement of Plan Consistency and Reasonableness

- *Any recommended change to the zoning map should be accompanied by a statement explaining how the change is consistent with the comprehensive plan, and is reasonable in nature.*
 - *In staff's opinion, the requested conditional district is consistent with the recommended uses and development types outlined in the Wendell Comprehensive Land Use Plan for the S-4 sector.*

Planning Board Recommendation:

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- *At their September 17, 2018 meeting, the Wendell Planning Board voted unanimously to approve the proposed conditional district with two amendments to the plan as presented. The second recommendation has subsequently been incorporated into the developer's plan.*
 - *1. To require a Type A buffer between the pump station site and adjacent residential lots.*
 - *2. To require a Type B buffer along the eastern boundary of the club house lot.*
- **Voting in Favor:** *Victoria Curtis, Michael Clark, Jonathan A. Olson, Lloyd Lancaster, Grace Walter, Ryan Zakany, Joe DeLoach, Allen Swaim, and Errol Briggerman.*

Staff Comments & Recommendation:

- *Staff recommends approval of the proposed conditional district, with the addition of 'Staff Recommended Condition #7 & #8' to properly buffer the pump station and provide for increased pedestrian safety (in addition to adherence to all technical corrections).*

Planning Director David Bergmark provided an overview of the conditional district request CD 18-01; staff report above in italics. The traffic engineer is available to speak to the Board. Spoke with Sam McDonald of AMT, standard practices were followed. Stopped at Forest Lane, if there was a larger development it would have gone further north. Development will have an impact on the number of trips. The engineer looked at peak hours which is the peak A.M. and peak P.M. hours. Currently, it is at a level C and with the build-out it would remain at a level C.

Traffic Engineer Wan from HP has done studies in Wake County. This is his first time conducting a study in Wendell. Mr. Wan followed NCDOT standards.

Planning Director David Bergmark clarified that the Public Hearing was closed on November 13th. The applicant is present and has agreed to the conditions.

Commissioner John Boyette asked if the applicant is willing to extend the buffer that extends to the Powers and Olson lot.

Planning Director David Bergmark stated that it would have to be included as a condition, as there is an existing home on this 3-acre tract.

Applicant Fred Smith stated that he would be happy to extend the buffer to the property of Powers and Olson. He clarified that Ryan Homes is not building the amenities—Fred Smith will build the amenities.

Commissioner Jason Joyner asked about the Storm Water Plan.

Planning Director David Bergmark stated that one of the requirements, which Wake County enforces, is that the post-development flow does not exceed pre-development flow.

Travis Callahan stated that the property lends itself to a retention pond. As an engineer, his team plans to maintain and match that drainage flow and downstream condition.

Commissioner Joyner asked when the study was conducted, what land was included?

Travis Callahan stated that it included adjacent properties at different points.

Mayor Gray mentioned the James Green property that was referenced regarding a buffer in the Public Hearing.

Planning Director David Bergmark stated that it is not a requirement for a berm. A buffer was put up between the amenities site and the adjoining property. There is generally no requirement for a buffer between residential and residential, with the exception of rear-yard to rear-yard.

Mayor Pro Tem Lutz stated that the density of the homes is a concern. The property is adjacent to a R-3 neighborhood and is requesting R-4 status. He stated that less density of homes built would be his recommendation.

Planning Director David Bergmark stated that R-3 versus R-4 lot size are different regarding how many square feet are required maximum, per lot. R-3 requires 10,000 square feet whereas R-4 requires 6,000 square feet. This R-4 is using 8,300 square feet.

Fred Smith stated that they're below three units per acre at around 2.8 units per acre. He stated that he doesn't care if it's a R-4, R-3 or Conditional Use. He wants to be able to do what the Board recommends. Smith stated that density is what pays the bills and brings commerce.

Commissioner Jason Joyner questioned, referring to lot size and density—where the Deerfield stubs in—what will be the difference?

Fred Smith stated that the Board can rearrange the land however they want to. Currently, there is a lot of open space and a R-3 would not allow for as much open space.

Commissioner John Boyette asked Planning Director Bergmark what the requirements are regarding open space with a R-3.

Planning Director Bergmark stated the amount of open space required to dedicate depends on the number of units. If one was to go down from R-4 to R-3 and the unit count goes down, the amount of required open space will go down as well. Applicant is giving more open space than required.

Commissioner David Myrick asked if it was Staff's recommendation that the applicant request an R-4.

Planning Director Bergmark stated that Staff recommended a Conditional District because it gives more assurance. Applicant originally requested a R-3 due to the density alignment. When the Planning Board looked at the lot size and width, it looked more like an R-4, according to the Planning Board. It was switched to a R-4, accordingly.

Mayor Pro Tem Jon Lutz asked if a condition change needs to be added. Planning Director David Bergmark suggested having the applicant put together a revised plan for a different lot size minimum.

Fred Smith stated that they currently have 339 lots but is willing to agree to 310 lots, stating that an R-3 would require more than that.

Town Manager Marc Collins stated that the reduction is lessening the impact.

Planning Director David Bergmark stated that in a conditional plan, the board is approving both the development plan and the list of conditions. If the Board is changing the number of units the applicant is putting in, David no longer has an idea of what the Development Plan will be.

Fred Smith stated that the 310-lot plan is subject to staff approval of lot layouts. Smith stated there would be minor changes.

Planning Director Bergmark stated that if the final development plan is not substantial to the agreement with what's approved, it would come back before the Board after review from the Planning Board.

ACTION:

Mover: Mayor Pro Tem Jon Lutz moved to approve the R-4 Conditional District based on the extending of the buffer along the property discussed, reducing the lot size, number of lots to 310, with the general layout remaining the same. If not, it will be brought back before the Board, contingent upon the motion for the approval of annexation, Planning Board and Staff review.
Vote: Unanimous.

- 6b. ANNEXATION PETITION A-18-03: ANNEXATION REQUEST FOR 116.19 ACRES OF PROPERTY (AND 2.35 AC. OF ROW) LOCATED ADJACENT TO THE GROVE OF DEERFIELD SUBDIVISION ON EITHER SIDE OF S HOLLYBROOK RD AND IDENTIFIED BY PIN NUMBERS 1783921299 [48.38 AC], 1793020954 [6.84 AC], 1783837560 [.47 AC], AND 1783947008 (PARTIAL) [60.5]; CONTIGUOUS. PUBLIC HEARING CLOSED AT THE NOVEMBER 13, 2018 MEETING; DISCUSSION AND ACTION CONTINUED TO THE NOVEMBER 26, 2018 MEETING.
SPEAKER: Planning Director David Bergmark
ACTION: Board may take action.**

[Staff Report]

Item Summary:

Fred Smith has submitted an annexation request for 116.19 acres of land (and 2.35 ac. of ROW) located on S. Hollybrook Rd. The request includes 4 contiguous parcels as detailed below. These properties currently contain 1 dwelling, but are otherwise vacant. The property owner has submitted an R-4 Conditional District request for this property to create a 339 unit subdivision.

The Town Clerk has certified the sufficiency of the submitted annexation petition. The applicant has requested that action on the annexation petition be delayed until an agreement is reached on the submitted Conditional District request. Were no agreement to be reached, the applicant would withdraw their annexation petition.

Project Profile:

Board Meeting Minutes
November 26, 2018

PROPERTY # 1 LOCATION:	<i>1320 S. Hollybrook Rd</i>
WAKE COUNTY PIN:	<i>1783921299</i>
CURRENT ZONING DISTRICT:	<i>RA (Wendell) and R-30 (WC)</i>
CROSS REFERENCES:	<i>N/A</i>
PROPERTY OWNER:	<i>Smith Edwards LLC</i>
APPLICANT:	<i>Smith Edwards LLC</i> <i>2505 Wendell Blvd</i> <i>Wendell, NC 27591</i>
PROPERTY SIZE:	<i>48.38 acres</i>
CURRENT LAND USE:	<i>Vacant</i>
PROPOSED LAND USE:	<i>Single Family Residential & pump station</i>
PROPERTY # 2 LOCATION:	<i>0 S. Hollybrook Rd</i>
WAKE COUNTY PIN:	<i>1783947008</i>
CURRENT ZONING DISTRICT:	<i>RA</i>
CROSS REFERENCES:	<i>N/A</i>
PROPERTY OWNER:	<i>Smith Edwards LLC</i>
APPLICANT:	<i>Smith Edwards LLC</i> <i>2505 Wendell Blvd</i> <i>Wendell, NC 27591</i>
PROPERTY SIZE:	<i>60.5 acres of the 64.3 acre tract</i>
CURRENT LAND USE:	<i>Vacant</i>
PROPOSED LAND USE:	<i>Single Family Residential</i>
PROPERTY # 3 LOCATION:	<i>1217 S. Hollybrook Rd</i>
WAKE COUNTY PIN:	<i>1783837560</i>
CURRENT ZONING DISTRICT:	<i>RA</i>
CROSS REFERENCES:	<i>N/A</i>
PROPERTY OWNER:	<i>Smith Edwards LLC</i>
APPLICANT:	<i>Smith Edwards LLC</i> <i>2505 Wendell Blvd</i> <i>Wendell, NC 27591</i>
PROPERTY SIZE:	<i>0.47 acres</i>
CURRENT LAND USE:	<i>Single Family Residential</i>
PROPOSED LAND USE:	<i>Single Family Residential</i>
PROPERTY # 4 LOCATION:	<i>0 S. Hollybrook Rd</i>
WAKE COUNTY PIN:	<i>1793020954</i>
CURRENT ZONING DISTRICT:	<i>RA</i>
CROSS REFERENCES:	<i>N/A</i>
PROPERTY OWNER:	<i>Smith Edwards LLC</i>
APPLICANT:	<i>Smith Edwards LLC</i> <i>2505 Wendell Blvd</i> <i>Wendell, NC 27591</i>
PROPERTY SIZE:	<i>6.84 acres</i>
CURRENT LAND USE:	<i>Vacant</i>
PROPOSED LAND USE:	<i>Single Family Residential</i>

Zoning District:

This property is currently zoned primarily Residential-Agricultural (RA), with a ~8 acre piece of property on the southern tip of this site zoned R-30 (Wake County). The applicant has submitted an R-4 Conditional District request, which was reviewed at the November 13, 2018 board meeting.

Public Utilities:

Public water and sewer will be extended at the time of development.

Per the applicant's submittal, "A new pump station is proposed at the southern end of the Glen at Hollybrook parcel. The total Hollybrook development accounts for approximately 10% of the sewer basin. The new pump station, per coordination with the City of Raleigh, will be constructed to provide 25% of total build out for pumps, electrical, generator, odor control, and 50% for structure, electrical building, and force main while also allowing for future expansion for full capacity of the entire basin."

The applicant has been working with the City of Raleigh Public Utilities Department (CORPUD) to facilitate this use, which would require CORPUD approval. Construction details for the pump station would be incorporated into the Final Development Plan for this conditional district.

Tax Information:

Currently, the subject properties contain only one dwelling, and have a total assessed value of \$1,737,087. At the current tax rate of 49 cents, annexation of this property "as-is" would result in approximately \$8,511 in annual tax revenue for the Town. This figure will increase as the area is developed.

Staff cannot speak to what the average value of the homes would be. However, the applicant's

plan calls for 339 lots. If the average value of each developed lot were \$200,000 (which is approximately the average value of the adjacent Groves of Deerfield Lots, though they are zoned R3), the annual tax revenue for the Town at buildout would be \$332,000.

Police & Public Works & Utility Service:

- *The proposed annexation area would require services from the Town's Police and Public Works departments if annexed. Both departments are currently serving adjacent residential developments.*

Planning Director David Bergmark provided an overview of annexation petition A-18-03; staff report included above in italics.

ACTION:

Mover: Mayor Pro Tem Lutz moved to approve the annexation petition.

Vote: Unanimous.

7. PRESENTATION OF POLICY FOR TOWN OF WENDELL: STREET CLEARANCE PRIORITIZATION.

SPEAKER: Special Assistant to the Town Manager Sherry Scoggins

POTENTIAL ACTION: Place on December 10, 2018 Consent Agenda.

[Staff Report]

Item Summary

First and foremost is the safety of our residents and staff. This is especially applicable during times of inclement weather. When the climate turns harsh, the Town of Wendell strives to maintain business as usual by keeping roads passable both during and following an event.

Public Work crews, equipment and vehicles deploy when conditions are safe.

Recognizing that resources of staff and equipment are limited, the Street Clearance Prioritization Policy was created to describe the hierarchy of the roads to be serviced during severe weather. And a communications initiative is included within the policy to serve as a guide when informing residents of the measures being taken by staff during the incident.

Special Assistant to the Manager Sherry Scoggins provided an overview of the policy for street clearance prioritization; staff report included above in italics.

ACTION:

Mover: Mayor Pro Tem Lutz moved to place on the December 10, 2018, consent agenda.

Vote: Unanimous.

8. PRESENTATION OF POLICY FOR TOWN OF WENDELL: SIDEWALK PETITION PROCESS AND TOWN SIDEWALK PROGRAM.

SPEAKER: Town Manager Marc Collins

POTENTIAL ACTION: Place on December 10, 2018 Consent Agenda.

[Staff Report]

Item Summary:

Local government sidewalk programs typically have several component processes to handle the

various responsibilities related to a comprehensive network providing pedestrian connectivity. The processes include repair and maintenance of existing sidewalk, construction and dedication of sidewalk to the Town by a developer, extension of sidewalks by the Town or State, and a citizen petition process to request sidewalk in their neighborhood. The presentation of the Town Sidewalk Program will provide an overview of the four processes.

The 2017 Town of Wendell Comprehensive Pedestrian Plan recommends the development of a sidewalk petition process and budget allocation to handle “spot improvements”. The policy allows citizen to make requests for short sidewalk connections that will fill gaps in the pedestrian network. After implementation, the program will be promoted to citizens and used as a public outreach tool to provide information on results achieved.

The proposed policy provides for a purpose of the policy, the process to submit a sidewalk request, and criteria used by staff to rank sidewalk requests received. All sidewalk requests received will be incorporated into the capital improvement plan process and subject to availability of funding.

The ranking criteria were established by comparative analysis and criteria in the 2017 Town of Wendell Comprehensive Pedestrian Plan. Criteria used in prioritizing sidewalk petitions include accessibility to schools, commercial areas, and public facilities; safety concerns addressed; connectivity and demonstration of need; project support; and issues that impact constructability such as utility conflicts, trees, topography, and easement acquisition.

Town Manager Marc Collins provided an overview of the sidewalk petition process policy and the town sidewalk program; staff report above in italics.

Commissioner Jason Joyner clarified the accessibility criteria

Commissioner John Boyette mentioned the issue of having lowered speed limits in residential neighborhoods by creating a petition process for this issue. To date, no petitions have been received. Asked if there have been any requests for putting sidewalks in.

Town Manager Marc Collins stated that he has not received any in the past three months. Stated that it is a recommended policy in the Pedestrian Plan. There are staff-derived projects involved to work on the sidewalks. This is provided for a complete sidewalk program in addition to maintenance.

Commissioner John Boyette requested to advertise both sidewalks and speed reduction policies.

ACTION:

Mover: Mayor Pro Tem Lutz moved to place on the December 10, 2018, consent agenda.

Vote: Unanimous.

9. UPDATE ON BOARD COMMITTEE(S) BY TOWN BOARD MEMBERS:



Capital Area Metropolitan Planning Organization [CAMPO] [Mayor Gray]

Mayor Gray provided an overview of the CAMPO meeting. There was a meeting about the Triangle J plan for transportation.


10. COMMISSIONERS' REPORTS.

Commissioner Jason Joyner stated that the Town has a great Instagram and Facebook page that the Town Staff manages. Also mentioned that App State won the championship.

Mayor Pro Tem Jon Lutz mentioned that at Grounds Café the area Rotary Clubs are having an open house at 5 o'clock.

11. MAYOR'S REPORT.

Mayor Gray provided the following:

 Wendell Wonderland will take place before the Board's next meeting on Friday, December 7th. Performances will begin at 5 PM at Town Square on Stage. Will begin countdown for lighting the tree at 6 PM followed by a visit from Santa. Additional information available on the Town's website and Social Media.

12. CLOSED SESSION.

ACTION: Will be called if necessary.

No closed session was called.

13. ADJOURN.

ACTION:

Mover: Mayor Pro Tem Lutz moved to adjourn at 8:35 p.m.

Vote: Unanimous.

Duly adopted this 28th day of May 2019, while in regular session.

ATTEST:

Virginia R. Gray,
Mayor

Megan Howard
Town Clerk