



**TOWN OF APEX  
PLANNING BOARD MEETING MINUTES**

Meeting Date: February 12, 2018

The Planning Board held their regular meeting on February 12, 2018 at 4:30 p.m. at the Apex Town Hall Campus, 73 Hunter Street, Apex North Carolina, 2<sup>nd</sup> Floor Council Chambers, Members present were, Chair Margo Bills, Board Members Tommy Morgan, David Hooks, Beth Godfrey, Jim Mead, and Danielle Bedotto. Members absent were Vice Chair Michael Marks and Reginald Skinner.

Chair Bills called the meeting to order at 4:30 p.m.

Member Hooks gave the Invocation and Chair Bills led the Pledge of Allegiance.

**PUBLIC FORUM**

Chair Bills opened the floor for citizens to speak on non-agenda items; no one came forward.

**CONSENT**

Item #1 – Minutes from the January 8, 2018 regular meeting. Chair Bills called for a motion. Member Morgan made a motion to recommend approval. Member Godfrey seconded. Motion carried with a unanimous vote.

**PUBLIC HEARING**

Item #1

Amanda Bunce, Planning Manager stated in Rezoning Case #17CZ27 Castleberry Trails, the applicant, John & Cynthia McMains, Robert Andrew Henry, Mark & Kristy Seaboch, Joanne Shaheen/JS Development, LLC, are seeking to rezone approximately ±11.434 acres located at 605, 617, 621 & 625 Wimberly Road from Rural Residential (RR) to Low Density Residential-Conditional Zoning (LD-CZ). Planner Bunce oriented those present as to the location of the subject property, existing surrounding uses, zoning designations and 2030 Land Use Map designations. A neighborhood meeting was held on November 7, 2017 and the report is included in the agenda packet. Bunce stated the proposed uses and zoning conditions proposed by the applicant and staff recommends approval.

Chair Bills opened the public hearing for those to speak in favor or opposition of the rezoning; no one came forward. Chair Bills closed the public hearing.

Chair Bills called for the motion. Member Morgan made a motion to recommend approval to Town Council. Member Hooks seconded. Motion carried with a unanimous vote.

**NEW BUSINESS**

Item #1

Sarah Rayfield, Senior Planner presented Colby Crossing master subdivision plan and stated the applicant, MFW Investments, LLC proposes 14 single-family homes located at the end of Colby Chase Drive containing ±7.58 acres. Planner Rayfield oriented those present as to the location of the subject property, surrounding existing uses and existing 2030 Land Use Map designations. A neighborhood

meeting was held on September 20, 2017 and the report is included in the agenda packet. RCA is not required, a future pump station will be located to the northwest of the site. Planner Rayfield stated some of the buffers and conditions, the plan is consistent with the Apex Transportation Plan, UDO and staff recommends approval with the following conditions:

1. Colby Crossing Final Plat cannot be approved and recorded until the Middle Creek Regional Pump Station is operational or the Water Resources Director or designee has released the Final Plat for recordation. The Water Resources Director may consider the Pump Station to be bonded for the full cost of the Pump Station based on the status at the time of the request.
2. The Town of Apex will not consider alternate sewer options including a temporary pump station, pump and haul, or individual house pumps.

Chair Bills called for the motion. Member Hooks made a motion to recommend approval with the conditions as stated to Town Council. Member Bedotto seconded. Motion carried with a unanimous vote.

#### Item #2

Amanda Bunce, Planning Manager presented the following amendments to the UDO:

1. Sec. 2.1.3.B.1 *Board of Adjustment, Membership* in order to increase the number of alternate members from two (2) to three (3).
2. Sec. 4.2.2 *Use Table*, Sec. 4.3 *Use Classifications*, Sec. 4.4 *Supplemental Standards*, Sec. 8.2.6.B.4 *Land Use Classes*, and 8.3.2.A *Off-Street Parking Schedule "A"* in order to delete the use 'Game rooms' and all references to it in the UDO. The definition for the use 'Entertainment, indoors' is proposed to be updated to incorporate those uses currently included in the definition for 'Game rooms' and to add additional recreational uses not currently found in the UDO.
3. Sec. 5.1.2 *Business Districts* in order to increase the maximum height permitted for the uses 'Office, business or professional'; 'Medical or dental office or clinic'; and 'Hotels or motels' in the Planned Commercial (PC) zoning district to 75 feet.
4. Sec. 8.2.2.E *Landscape Installation and Inspection* in order to clarify the timing of the installation of required landscaping for site plans and subdivisions and to specify that the developer is responsible for the installation of all required plantings in buffers and commons areas in subdivisions.
5. Sec. 8.2.5 *Vehicular Use Area Landscaping* in order to shift the location of required VUA plantings when a vehicular area is located within an existing overhead utility easement.
6. Sec. 11.4.4 *Civil Penalties* in order to clarify the due date for the payment of civil penalties assessed for a Notice of Violation.
7. Sec. 4.2.2 *Use Table*; Sec. 4.3.3 *Use Classifications, Utilities*; and Sec. 4.4.3.B *Supplemental Standards, Communication Towers* in order to add public safety communication tower as a new type of communication tower and to create specific supplemental standards for such type of tower.
8. Sec. 12.2 *Terms Defined* in order to amend the definition of 'Minor Subdivision' to allow such subdivisions to provide for the extension of public water and sewer services.

Discussion and Q & A ensued on some of the proposed amendments. Some comments and concerns were change in the landscape with the increase in building heights from 3 stories to 6 stories, this will only be in PC zoning districts, should capitalize "p" & "s" for public safety and add "solely for public safety uses" as well as a definition for the use public safety communication tower.

Chair Bills called for a motion. Member Mead made a motion to approve amendment #'s 1, 2, 4, 5 & 7 to Town Council as submitted and approve amendment #6 with the following changes:

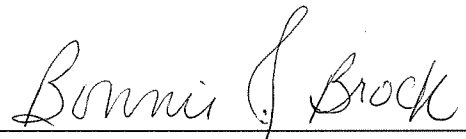
1. Capitalize "P" and "S" in "public safety"
2. Revise Communication Tower, Public Safety to add language "solely for public safety purposes including fire, police and EMS.)
3. Revise section to add ...."and Public Safety use"

Member Morgan seconded. Motion carried with a unanimous vote.

Member Morgan made a motion to approve amendment #3 to Town Council as submitted. Member Hooks seconded. Motion carried with a vote 4:2; Members Mead and Godfrey voted Nay.

There being no further business, the meeting adjourned at 5:35 p.m. The foregoing minutes are approved this the 12 day of March, 2018.

  
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Margo Bills  
Chair

  
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Bonnie J. Brock, CMC, NCCMC  
Deputy Town Clerk