



## TOWN OF APEX PLANNING BOARD MEETING MINUTES

Meeting Date: September 10, 2018

The Planning Board held their regular meeting on September 10, 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, Vice Chair Michael Marks, Board Members Tommy Morgan, David Hooks, Jim Mead, and Danielle Bedotto. Members absent were Beth Godfrey and Reginald Skinner.

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

Member Morgan 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. Julia Beam, Apex Downtown Business association (ADBA) stated she is looking forward to the downtown plan. She met with town staff to identify the trends they found, there are five former retail uses are now non-retail uses. Foot traffic is negatively down. She is in support of the proposed UDO changes. Marshall Barnes, 103 N Salem Street stated he supports UDO changes also.

### CONSENT

Item #1 – Minutes from the August 13, 2018 regular meeting. Chair Bills called for a motion. Member Marks made a motion to recommend approval. Member Bedotto seconded. Motion carried with a unanimous vote.

### PUBLIC HEARING

#### Item #1

Sarah Rayfield, Senior Planner stated in Rezoning Case #18CZ19 (Cash Corporate Center), the applicant/owner, Town of Apex/Jack 1, LLC, are seeking to rezone approximately ±121.31 acres from Light Industrial (LI) to Light Industrial – Conditional Zoning (LI-CZ) located at 2100 Production Drive. Planner Rayfield oriented those present as to the location of the subject property, surrounding uses, zoning districts and land use map designations. A neighborhood meeting was held on April 30, 2018; the report on that meeting is included in the agenda packet. The proposed rezoning is consistent with the 2030 Land Use Map. Planner Rayfield stated some of the uses proposed as well as the conditions. Planning staff recommends approval as submitted.

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

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

## Item #2

Liz Loftin, Senior Planner stated in Rezoning Case #18CZ23 Culvert Street – The applicant, Drew Havens, Town Manager, Town of Apex is seeking to rezone approximately ±.17 acre from Medium Density Residential (MD) to Medium Density Residential – Conditional Zoning (MD-CZ) located at 0 Culvert Street; the southwest intersection of N. Tunstall Avenue and Culvert Street. Planner Loftin oriented those present as to the location of the subject property, surrounding uses, zoning districts and land use map designations. A neighborhood meeting was held on June 28, 2018; the report on that meeting is included in the agenda packet. Planning staff recommends approval; is it consistent with the 2030 Land Use Map and is compatible with surrounding uses.

Chair Bills opened the public hearing for anyone to speak in favor or opposition of the rezoning. Lisa Glover of 115 N. Tunstall Avenue offered some history of the area and would like to see the conditions improved. She provided those to the Board. Need adequate parking on this street and this would be an ideal location for a passive park.

Kathy Shengulette of 111 Lake Meadow Drive stated the Board need to be mindful of the existing parking conditions in this area.

There being no one else to speak, Chair Bills closed the public hearing.

Q & A ensued regarding buffers, setbacks, garage, driveway locations and residential building standards.

Chair Bills called for a motion. Member Hooks made a motion to recommend approval to Town Council and consider addition condition #1 offered by Lisa Glove. Member Mark seconded. Motion carried with a unanimous vote.

## Item #3

Lauren Staudenmaier, Planner I stated in Rezoning Case #18CZ25 Hudson Avenue, the applicants, Perry and Debra Cox are seeking to rezone approximately ±.14 acre from Office and Institutional (O&I) to Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ) located at 0 Hudson Avenue (east side) between Holleman Street and West Moore Street. Planner Staudenmaier oriented those present as to the location of the subject property, existing surrounding uses, zoning districts and land use classifications. A neighborhood meeting was held on June 19, 2018; the report on that meeting is included in the agenda packet. Planner Staudenmaier stated the uses and conditions offered by the applicant. Planning staff recommends approval.

Chair Bills opened the public hearing for anyone to speak in favor or opposition of the rezoning. Don Grimes of 210 S. Salem Street stated this site is surrounded by historic properties and would like the property to be compatible with existing surrounding homes. Laura Grimes of 210 S. Salem Street stated some of the architectural characteristics of the surrounding properties that she would like to see if this property develops. Cindy Talbert of 211 Hudson Avenue stated she would like to see the architectural standards similar to those in the surrounding area.

There being no one else to speak, Chair Bills closed the public hearing and called for a motion. Member Marks made a motion to recommend approval to Town Council with the conditions offered by the applicant. Member Morgan seconded. Motion carried with a unanimous vote.

#### Item #4

Shannon Cox, Senior Transportation Planner presented the following amendments to the Apex Transportation Plan:

See Staff Report

1. Revise the alignment of Production Drive extension
2. Revise the alignment of the future east-west Major Collector street between NC 55 and Smith Road.
3. Revise the alignment of the Percussion Drive extension.
4. Remove the future Minor Collector street between future Percussion Drive and an east-west Major Collector street.

Amendments have been reviewed by Public Works & Transportation, Police, Fire and Economic Development.

Chair Bills opened the public hearing for anyone to speak in favor or opposition. Al Richardson of 1295 Windham Road stated he owns a lot affected by the transportation plan proposals and wants to ensure he will have access.

Chair Bills closed the public hearing and a short discussion ensued regarding connection to Production Drive. Chair Bills called for a motion. Member Marks made a motion to recommend approval to Town Council with an additional amendment to add a Local Connector street from the east-west Major Collector street to Production Drive extension. Member Bedotto seconded. Motion carried with a unanimous vote.

#### NEW BUSINESS

##### Item #1

Sarah Rayfield, Senior Planner presented the Lenmar Estates Master Subdivision Plan. The applicant/owners, Jeff Roach, Peak Engineering Design/Lindsey and Michael McClamb proposes 5 single-family lots located at 2705 Evans Road containing  $\pm 2.63$  acres. Planner Rayfield oriented those present as to the location of the subject property, existing uses, zoning and land use designations. The applicant held a neighborhood meeting on September 21, 2018; the report is included in the agenda packet. Staff recommends approval as submitted.

Jeff Roach, Peak Engineering stated they held a neighborhood meeting two years ago and they spent 15 months trying to work with an adjacent HOA to be included in an existing subdivision.

Chair Bills called for a motion. Member Hooks made a motion to recommend approval. Member Mead seconded. Motion carried with a unanimous vote.

##### Item #2

Amanda Bunce, Planning Manager presented the Horton Park Pods 5-8 Master Subdivision Plan. The applicant/owners, Jeff Roach, Peak Engineering and Design/ MFW Investments, LLC; Fred G. Cash, Jr.; Loomis Horton Jr. Heirs; Mary E. Horton; Merion Investments Properties, LLC; MFWIRA, LLC; Patricia Jones and Virginia Horton Stewart proposes 223 single-family lots and 48 townhomes located at 5101, 5125 & 5220 Jessie Drive; 0 Dezola Street; 8140, 8252, 8306, & 8308 Smith Road containing  $\pm 146.899$  acres ( $\pm 99.44$  within Pods 5-8). Planner Bunce oriented those present as to the location of the subject property, existing uses, zoning and land use designations. The applicant held a neighborhood meeting on January 24, 2018 and the report is included in the agenda packet. The architectural standards were approved when the PUD was approved. There are four play lawns proposed, a regional pump station to

the southwest of the site and three connections to the greenway. Staff recommends approval with the following conditions:

1. Horton Park Final Plat cannot be approved and recorded until the Middle Creek Regional Pump Station is operational or the Town of Apex Water Resources Director or designee has released the Final Plat for recordation.
2. Lot 51 shall be reserved for a possible connection point to the Alton Richardson property (PIN 0750288880) until such time as either:
  - Carcillar Drive has been extended from either the north or south to the Alton Richardson property; or
  - The Alton Richardson property has been approved for development and the connection to the N/S Collector (Horton Park Drive) is part of the development plan. At that time, the developer of the Alton Richardson property shall construct the connection directly to the N/S Collector with future connections coming from the north and south (the ultimate alignment of Carcillar Drive).

Chair Bills called for a motion. Member Morgan made a motion to recommend approval with the two additional conditions as stated by staff. Member Hooks seconded. Motion carried with a unanimous vote.

### Item #3

Amanda Bunce, Planning Manager presented the following amendments to the Unified Development Ordinance (UDO):

1. Sec. 4.4.5.G.2 *Convenience store with and without gas sales* in order to amend the design standards for conveniences stores and gasoline pump canopies and to remove a content related standard.
2. Secs. 5.2.2.A *Setbacks, Measurement*; 6.1.11 *Riparian Buffers*; 8.1.2 *Resource Conservation Area*; and 8.2.6.B *Landscape Buffers between Land Uses* in order to clarify building and parking setbacks from required buffers and RCA.
3. Sec. 8.3.6.E *Parking Lot Design Standards, Dimensions* in order to add a reference to the standard for measuring the dimensions of a parking space in the *Town of Apex Standard Specifications and Standard Details*.
4. [Presented by Sarah Rayfield, Senior Planner] Secs. 8.4 *Community Amenities* and 8.2.6.C.4 *No Development Within the Required Buffer* in order to add standards for public art on private property and to allow such art to be located within a required buffer.
5. Sec. 8.7.1.A.14.b *Permitted Signs; Principal Ground: Non-Residential; Multiple Use Development, Mixed Use Development, or Integrated Development* in order to remove outdated graphics and the associated caption for such photos.
6. Sec. 8.7.1.A.30 *Permitted Signs, Window* in order to amend the definition to remove references to content and to allow permanent window signs to be installed on the outside of a window or door in addition to the inside.

### Requested by the Planning Committee:

7. Sec. 4.2.2 *Use Table*; 4.4.2 *Supplemental Standards, Public and Civic Uses*; and 4.4.5 *Supplemental Standards, Retail Sales and Services* in order to add and remove certain permitted uses in the B2 zoning district, amend where certain uses are permitted in the B2 zoning district, and to add and modify the supplemental standards for certain uses located in the B2 zoning district.

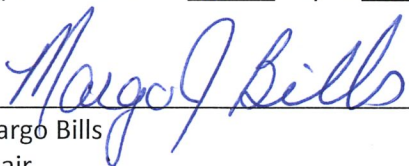
Chair Bill called for the motion. Member Marks made a motion to recommend approval to Town Council. Member Bedotto seconded. Motion carried with a unanimous vote.

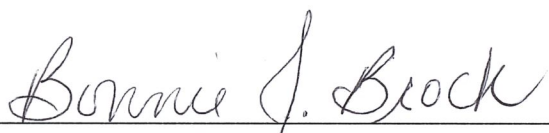
Item #4

Possible motion regarding the November 2018 Planning Board meeting date to be moved from November 12 (Veteran's Day) to November 13, 2018.

Member Marks made a motion to approve. Member Morgan seconded. Motion carried with a unanimous vote.

There being no further business, the meeting adjourned at 6:25 p.m. The foregoing minutes are approved this the 8<sup>th</sup> day of October, 2018.

  
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Margo Bills  
Chair

  
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Bonnie J. Brock, CMC, NCCMC  
Deputy Town Clerk