



TOWN OF APEX PLANNING BOARD MEETING MINUTES

Meeting Date: November 13, 2018

The Planning Board held their regular meeting on November 13, 2018 at 4:30 p.m. at the Apex Town Hall Campus, 73 Hunter Street, Apex North Carolina, 2nd Floor Council Chambers, Members present were, Chair Margo Bills, Vice Chair Michael Marks, Board Members Tommy Morgan, Jim Mead and Danielle Bedotto. Members absent were David Hooks, Beth Godfrey and Reginald Skinner.

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

Member Marks 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 October 8, 2018 regular meeting. Chair Bills called for a motion. Member Morgan made a motion to recommend approval. Member Marks seconded. Motion carried with a unanimous vote.

PUBLIC HEARING

Item #1

Shelly Mayo, Planner II in Rezoning Case #18CZ28 Olive Chapel Road Assemblage, the applicants, Toll Brothers, Inc./Katherine Chalk, James Lawrence, John & Kathy Bartholomew, Peggy Gray, Joseph & Amy Power, and Don & Grace Goodwin are seeking to rezone approximately ±70.80 acres Wake County Residential (R-80W) to Planned Unit Development–Conditional Zoning (PUD-CZ) located at 3417, 0, 3329, 0, & 3309 Olive Chapel Road and 0 New Hill Olive Chapel Road. Planner Mayo oriented those present as to the location of the subject property, existing uses, zoning and land use designations. The applicant conducted a neighborhood meeting on July 31, 2018; the report on that meeting is included in the staff report. The applicant proposes one dwelling unit per acre and is valid in the current land use designation. Planner Mayo stated the proposed uses, zoning conditions and buffers. The applicant proposes wider buffers than required by the UDO along Olive Chapel Road and New Hill Olive Chapel Road to preserve a rural feel for this area. The site contains a historic structure with large trees surrounding it and five farm ponds; the applicant will renovate and preserve the structure for a future home as well as the trees and ponds. The rezoning is in compliance with the Apex Transportation Plan, current 2030 Land Use Plan and UDO, therefore, staff recommends approval.

The applicant, Jason Barron of Morningstar Law Group stated they believe the rezoning is consistent with the town's long range plan in this area. This plan demonstrates why PUD's make sense; they manipulate existing topography without making holistic changes and allow the preservation of historic structures, existing large trees and farm ponds. Four key items the plan proposes; architectural standards, increased buffers, preservation of existing ponds and large trees and preserving the existing historic structure.

Member Mead stated there was a concern at the neighborhood meeting regarding the entrance access on Olive Chapel Road. Glenn Phillips stated the main entrance is opposite an existing business; this main entrance is needed for safe site distance.

Chair Bills opened the public hearing for anyone to speak in favor or opposition of the rezoning. Tracey Scheltinga of 3424 Olive Chapel Road stated she is affected by both construction entrances; the main entrance is in front of her horse farm business and the other directly in front of her home. She will have massive truck traffic and noise and her quality of life will be affected. The lease the developer could do is move the entrance down the road. A buffer in front of her home was taken down.

Chair Bills closed the public hearing.

Discussion ensued regarding buffers, construction entrances, truck traffic and temporary construction entrances, site distances and safety issues. The applicant agreed to look at the construction entrances in the engineering design phase.

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

NEW BUSINESS

Item #1

Shelly Mayo, Planner II presented the Oak Pointe Phase 2 Revised Master Subdivision Plan. The applicant, Ryan Akers, PE, McAdams/ Lennar Carolinas, proposes 56 single-family lots located at 0 Old Jenks Road containing ±28.48 acres. The revised subdivision is a change in the grading plan due to the lots along Beaver Creek are too steep to accommodate single-family homes without adding retaining walls across several lots. Planner Mayo oriented those present as to the location of the subject property, existing uses, zoning and land use designations. The applicant conducted a neighborhood meeting on August 29, 2018 and a report on the meeting is included in the staff report. During construction it was discovered that lots in Phase 2 along Beaver Creek are too steep to accommodate the homes without adding a retaining wall across them. This change required a revision of the grading plan for those lots. Some of the areas require additional grading in the outer riparian buffer area and some areas were designated as RCA. With the reduction in RCA, the applicant is still providing 29.7% or 17 acres of RCA. There will be a retaining wall installed along lots 41-44 and 54-55. Staff recommends approval.

The applicant, Ryan Akers stated the retaining wall is parallel with the buffer so all of the grading will maintain the diffuse flow. The rooftops will drain towards the street to the stormwater management. Member Mead stated some homeowners in Castlewood were concerned with the water supply line to their entire neighborhood being very close to the retaining wall on lots 80-81. Akers stated they designed the grading plan to pull it off those two lots, they have to make an ancillary connection to Castleberry and will bring in potable water supply through the public right of way and should be no effect on the residents. Mead said the water line was severed during construction of this development as well as the removal of vegetation in existing buffers; the residents do not want this to happen again. Akers stated they inherited erroneous plans when they took over this project, they resurveyed the trees with an arborist and relocated the tree protection fence. Mayo offered it took a while to do this because staff needed to work with the engineer to make sure it was done exactly like it is supposed to be; staff went through multiple rounds of review. The tree protection fence is supposed to be installed and inspected by staff next week.

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

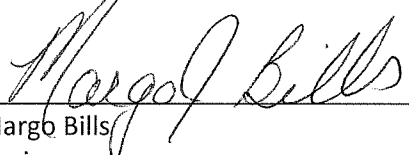
Item #2

Amanda Bunce, Planning Manager presented the Jordan Oaks Master Subdivision Plan. The applicant, William G. Daniel & Associates, P.A. / Milestone Developments, LLC/Phyllis Womble, proposes 50 single-family detached lots located at 0 Horton Road containing ±31.61 acres. Planner Bunce oriented those present as to the location of the subject property, existing uses, zoning and land use designations. The applicant conducted a neighborhood meeting on July 25, 2018 and a report on that meeting is included in the agenda packet. The developer will construct a portion of Horton Ridge Boulevard and an amenity center is proposed for this subdivision. Planning staff recommends approval as submitted.

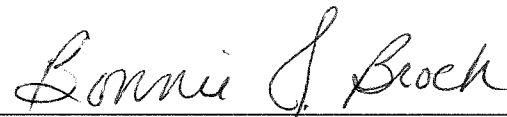
The applicant, Bill Daniel stated they have been in contact with the adjacent owners and feels confident Horton Ridge Boulevard connection will be completed.

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

There being no further business, the meeting adjourned at 5:30 p.m. The foregoing minutes are approved this the 10 day of December 2018.



Margo Bills
Chair



Bonnie J. Brock, CMC, NCCMC
Deputy Town Clerk