



**TOWN OF APEX  
PLANNING BOARD MEETING MINUTES**

Meeting Date: January 13, 2020

The Planning Board held their regular meeting on January 13, 2020 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 Michael Marks, Vice Chair Beth Godfrey, Board Members Reginald Skinner, Mark Steele, Tina Sherman, Tommy Pate, Tim Royal (ETJ Member) and Keith Braswell.

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

Member Godfrey gave the Invocation and Chair Marks led the Pledge of Allegiance.

Planning Director Dianne Khin introduced new member Keith Braswell.

**PUBLIC FORUM**

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

**CONSENT**

Item #1 – Minutes from the December 9, 2019 regular meeting. Chair Marks called for a motion.

Member Godfrey motioned to recommend approval. Member Skinner seconded. Motion carried with a unanimous vote.

**PUBLIC HEARING**

**Item #1**

Sarah Rayfield, Senior Planner stated in Rezoning Case #19CZ12 Kissena Lane PUD, the applicants, Jeff Roach, Peak Engineering & Design, PLLC/Hector Cuales are seeking to rezone approximately ±1.74 acres from Residential Agricultural (RA) and High Density Single-family Residential (HDSF) to Planned Unit Development-Conditional Zoning (PUD-CZ) located at 0 & 1105 Tingen Road. Planner Rayfield oriented those present as to the location of the subject property, stated the existing uses, zoning and land use designations. A neighborhood meeting was held on May 29, 2019; the report on that meeting is included in the agenda packet. This proposal is 100% affordable housing. Planner Rayfield summarized the uses, conditions, setbacks perimeter buffers and RCA proposed by the applicant. Elevations were shown on slides. Rayfield demonstrated the average median income (AMI) and stated the town does not currently have an affordable housing policy in place. Kissena Lane would be extended to the north to stub to the property for future development. The PUD is consistent with the Apex Transportation Plan and staff recommends approval because the proposed PUD is reasonable and in the public interest because it will allow for the development of affordable, infill single-family residential development that will be compatible with the single-family uses to the north, south, and east. The proposed rezoning will also maintain the character and appearance of the area.

The applicant, Jeff Roach, Peak Engineering and Design stated Hector Cuales has purchased property in this area over the past 25 years. There are existing Habitat homes on Ada and Second Streets. They asked to not install sidewalks to reduce costs. They wanted to reduce buffers and provided RCA. The fence is to prohibit folks from cutting through the properties. This is 1.7 acres with a lot tied up into the stream buffer and there will be single-family detached homes with home-owners.

Bill Ahern, CEO of Habitat for Humanity in Wake and Johnston County stated the talk over the past 13 years is becoming an action plan. The only way to address affordable housing crisis is to build affordable homes. He would love to partner with Apex to find affordable homes to families.

Some questions/comments from the Board:

- The neighbors seem to lump rental units in with these type of projects. Mr. Ahearn stated it is a requirement to own the home, residents must have a clean record and a good credit score. Habitat for Humanity has the lowest delinquency rate in the market.
- Elaborate on the costs. One of the first steps is rezoning and what it is going to take to build 10 homes here.
- Clarify the HOA; will it be the same as Perry Farms? We will have HOA and the buffer will be maintained by the HOA. Habitat has a deed restriction and has the first right of refusal if the home goes on the market.
- What is the average market rate of the homes in Perry Farms? It is \$150,000; \$190,000 up to \$300,000 along Kissena Lane.

Chair Marks opened the public hearing for anyone to speak in favor or opposition of the rezoning. The following residents came forward:

Amanda Vanderbroek - 1113 Kissena Lane suggest the fence go across Kissena Lane to separate them from this development and have the entrance from Tingen Road. Christine Gaeta – 1109 Kissena Lane suggest building a cul-de-sac at the end of Kissena Lane, she is concerned with construction dust and erosion on the residents properties. Ingrid Coulson – 820 Shackleton Road stated they purposely bought their house because it is on a cul-de-sac and want their children safe. Why does this project have to cut through their area? Who will be moving in here? What will be the actual price of these homes? Phillip Welch - 1471 Big Leaf Loop supports the affordable homes. He has volunteered for Habitat for the past 10 years. He stated the types of people who need affordable homes (retail clerks, construction workers, etc). This is a convenient location for children, the owners will have affordable mortgages, utilities and taxes. Urge recommending approval to meet the needs of the working families. Ann Carlson - 2632 Cedar Ridge stated there is something wrong when you work here in Apex and cannot afford to live here. Understand that residents do not want construction in their neighborhoods. Martha Rodgers - 1009 Oakgate Court supports the statements of the last two speakers. Habitat is a wonderful organization. Barbara Alison Mulky - 818 Shackleton stated she agrees with Ingrid Coulson. We are jamming a lot into a little bit of space. This is not the right place for 7-10 homes. Michael Raszmann - 1114 Kissena Lane stated he was a previous employee of Habitat for Humanity. When they heard habitat was looking at this area, it was the reason they bought their home here. Habitat has a great track record and he is in full support of affordable housing.

Chair Marks closed the public hearing.

Questions/comments from the Board:

- Where's the nearest bus route? Mr. Roach said he does not know at this time.
- What about access from Tingen? Mr. Roach stated this property does not have any access or frontage on Tingen Road and if there were, it could be restricted. They are going to build a cul-de-sac. [Existing] Stub streets are typically connected to another street; this one will be a cul-de-sac and thus, no cut-through traffic.
- Has the applicant attempted to work with the resident to the north? Mr. Roach stated Litton Street was going to extend to a cul-de-sac but the owner would not, and will not sell.

- This is an educational opportunity for the residents. When you look at a property to buy, you should look at the plans for the area. Kissena is not a cul-de-sac; it is a stub street. The appraisals involve the size and conditions of homes. Someone said they want to know who is moving into these future homes. No one gets to approve who moves into their neighborhood.
- This land is going to be developed, as well as the vacant property to the north. The town is taking affordable housing seriously. Hope the communication will continue to alleviate concerns.
- The town is working on an affordable housing policy, this will be a good asset to the town.

Chair Marks called for the motion. Member Skinner motioned to recommend approval to Town Council. Member Godfrey seconded. Motion carried with a unanimous vote.

#### Item #2

Lauren Staudenmaier, Planner I stated in Rezoning Case #19CZ24 Upchurch-Williams House, the applicants, Cara Powell/Capital Area Preservation, Inc. are seeking to amend the 2045 Land Use Map for approximately ±5.50 acres from Medium/High Density Residential to Office Employment and rezone said property from Rural Residential (RR) to Office & Institutional-Conditional Zoning (O&I-CZ) located at 7213 Roberts Road. Planner Staudenmaier oriented those present as to the location of the subject property, stated the existing uses, zoning and land use designations. The Apex Town Council designated the structure on this property as a historic landmark in April 2018. A neighborhood meeting was held on October 22, 2019; the report on that meeting is included in the agenda packet. Planner Staudenmaier summarized the uses and stated the three conditions proposed:

1. The sidewalk and parking for this historic landmark property shall be constructed with materials such as Exposed Aggregate Concrete or similar material.
2. All renovations on historic buildings requiring site plan approval shall follow the Secretary of the Interior's guidelines for Rehabilitation of Historic Structures and applicable regulations in the UDO Section 6.3 Small Town Character Overlay District. If a historic building is designated as a Wake County Landmark, then a Certificate of Appropriateness from Wake County Historic Preservation Commission shall be required.
3. New development, construction or renovations to non-historic buildings shall comply with the applicable sections of the UDO and the following conditions:
  - a. EIFS or synthetic stucco shall not be used in the first four (4) feet above grade and shall be limited to only 25% of each building façade.
  - b. Predominate exterior building materials shall be high quality materials, including brick, wood, stacked stone, other native stone, and tinted/textured concrete masonry units.
  - c. Building exterior shall have more than one (1) material color.

Planning staff recommends approval.

The applicant, Cara Powell stated Capital Area Preservations still owns the Williams/Hunter House and she is excited about purchasing this house, she would like to have weddings hereas well as non-profit events. The residents were very receptive to this. She would like to keep the 5 ½ acres intact.

Jeremy Bradham of Capital Area Preservation stated they did some restoration on this house, have seen a lot of people interested in this property and Cara had the best proposal.

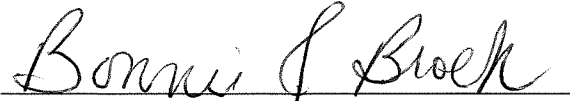
Chair Marks opened and closed the public hearing. No one came forward to speak in favor or opposition of the rezoning. Chair Marks called for the motion. Member Steele motioned to recommend approval of

the 2045 Land Use Map amendment and rezoning to Town Council with the conditions agreed to by the applicant. Member Pate seconded. Motion carried with a unanimous vote.

There being no further business, the meeting adjourned at 5:38 p.m. The foregoing minutes are approved this the 10 day of FEBRUARY, 2020.



Michael Marks  
Chair



Bonnie J. Brock, CMC, NCCMC  
Deputy Town Clerk