



**TOWN OF APEX
PLANNING BOARD SPECIAL MEETING MINUTES**

Meeting Date: September 16, 2020

The Planning Board held a remote special meeting on September 16, 2020 at 4:30 p.m. Members present were, Chair Michael Marks, Board Members Reginald Skinner, Mark Steele, Tina Sherman, Tommy Pate and Tim Royal (ETJ Member). Member Keith Braswell was having technical difficulties at roll call. Member absent was Vice Chair Beth Godfrey.

PUBLIC HEARINGS-CONTINUED FROM SEPTEMBER 14, 2020

Item #1

Shannon Cox, Long Range Planning Manager - Amendments to the Southwest Area Study.

Amendment 1: Holland Road at Old US 1 Highway, Friendship Road at Old US 1 Highway and associated collector streets. There were no additional comments from the public on this item.

Chair Marks called for the motion. Member Skinner motioned to recommend approval of staff's recommendation to Town Council. Member Steele seconded. Motion carried with a vote. 6-0*

Amendment 2: Richardson Road between Humie Olive Road and Old US 1 Highway.

Chair Marks called for the motion. There were no comments from the public on this item. Member Steele motioned to recommend approval to Town Council. Member Sherman seconded. Motion carried with a vote. 6-0*.

Amendment 3: New Hill Olive Chapel Road between Old US 1 Highway and Olive Chapel Road. There were no comments from the public on this item.

Some comments from the Board were:

- We don't want a bottleneck here.
- Would rather see this stay rural; there is so much development along this area and we have to widen it.
- Based on the projections for this area for 2045, any developments that come along, they will have to widen any frontage.
- Want to make sure the cemetery along this corridor is taken into consideration.

Chair Marks called for the motion. Member Skinner motioned to recommend approval to Town Council. Member Pate seconded. Motion carried with a vote 6:0*

Amendment 4: Ten Ten Road/Center Street between Waterford Green Drive and Stephenson Road. There were no comments from the public on this item.

Chair Marks called for the motion. Member Steele motioned to recommend approval to Town Council. Member Sherman seconded. Motion carried with a vote 6:0*.

Amendment 5: North Salem Street between Apex Peakway and US 64. There were no comments from the public on this item. Some comments from the Board:

- This is a tight area for widening.
- Concerned with the older homes along this road and how this will change the landscape of those properties.
- There are about six homes affected and we need to think about the greater good.
- Will the widening fit within the existing right-of-way? Planner Cox stated we would have a better answer to that question until we have a design and conduct surveys.

Chair Marks called for the motion. Member Pate motioned to recommend approval to Town Council. Member Sherman seconded. Motion carried with a vote. 6-0*

Item #2

Jenna Shouse, Long Range Planner - Amendments to the Bike Ped System Plan map for The Park at Jordan master subdivision plan. There were no comments from the public on this item.

Chair Marks called for the motion. Member Skinner motioned to recommend approval to Town Council. Member Steele seconded. Motion carried with a vote. 6-0*

Item #3

Jenna Shouse, Long Range Planner - Amendments to the Bike Ped System Plan map for the proposed Apex Friendship Elementary School. There were no comments from the public on this item.

Chair Marks called for the motion. Member Royal motioned to recommend approval to Town Council. Member Sherman seconded. Motion carried with a vote 6:0*.

Item #4

Shelly Mayo, Planner II - Rezoning Case #19CZ21 Heelan PUD, the applicant/agent Jason Barron, Morningstar Law Group/Erica Leatham, M/I Homes of Raleigh, LLC are seeking to rezone approximately ± 141.732 acres from Wake County Residential-40W (R-40W) to Planned Unit Development-Conditional Zoning (PUD-CZ) located at 8824 & 8829 New Hope Farm Road; 3108 & 3120 Olive Farm Road; 0 Humie Olive Road. There were additional comments from two individuals; Stephen Castleburg of 8824 New Hope Farm Road and Debra Peart of 8829 New Hope Farm Road. They stated this project would enable the extension of Richardson Road, connector roads for emergency services, greenways to parks, and this subdivision will be on Apex will be proud of.

Chair Marks called for the motion. Member Steele motioned to recommend approval to Town Council as presented by staff. Member Royal seconded. Motion carried with a vote of 6:0*.

Item #5

Liz Loftin, Senior Planner - Rezoning Case #20CZ04 KOBRA Tracts PUD, the applicant/agent, Brendie Vega, WithersRavenel is seeking to rezone ± 24.63 acres from Rural Residential (RR) to Planned Unit Development-Conditional Zoning (PUD-CZ) located at 7500 Green Level Church Road and 7501 Jenks Road. There were two additional comments from Bobby Jain the adjacent property owner who lives at 1012 Timber Mist Court, Cary stated the sewer stub location shown on the applicant's plan will be an issue because it is at a higher elevation, it is requested to be at 370 contour instead of 380. The applicant responded they understand the concern of the sewer stub location, it is shown based on communications with utilities staff, they will re-evaluate the location shown by Mr. Jain. However, a

sewer easement of nearly 600 feet will require the removal of existing vegetation in the buffer and RCA. They will explore this prior to going to Council on October 6. Some comments from the Board were:

- If the applicant and adjacent property owner do not come to an agreement before the Council meeting, Council needs to be made aware of the disagreement.
- This Board shouldn't take a position, but Council does need to know about adverse effects.

The other comment was received by Bob Craycroft of 7616 Reams Court, Apex. He stated at the neighborhood meeting they were told the maximum height of the buildings would be 2-stories which is also shown on slide 66. At the September 14, 2020 Planning Board meeting, it was verbally described as 3-stories and up to 45 feet. He urged the Board to not approve the increased height as this is a change with what they were told at the neighborhood meeting. Planner Loftin stated they did have changes to the height and she sent an updated staff report to each Board member just before this meeting. The applicant agreed to limit the height on the residential tract to the north to 32 feet and the southern tract to 48 feet. The adjacent homeowner was only concerned with the residential tract. The applicant, Brendie Vega stated they originally submitted 2-story elevations for the residential and staff said they might want to do 3-story based on the non-residential. The residential shown in slide 66 is 2-story. The residential product is 30.5 feet tall to the pitch of the roof and is not a full 3rd story. They are working on the sewer issue with Mr. Jain, they are not ready to comment to installing sewer with wiping out that much buffer and RCA on the north side. This was just brought to our attention on Monday and they feel they can come to some sort of agreement with Bobby Jain. They just need to continue discussions with him and they would rather have a vote now and if the issues aren't worked out by Council, they would like to continue this item to the following Council meeting.

Chair Marks called for the motion. Member Steele motioned to recommend approval to Town Council with the revised conditions offered by the applicant and a note to Council that if the sewer location is not worked out to mutual satisfaction, Council should deny the rezoning. Member Sherman seconded. Motion carried with the vote 6:0*.

Item #6

Lauren Staudenmaier, Planner I - Rezoning Case #20CZ07, the applicant/agent, Rich Levert/Jeff Roach, Peak Engineering & Design are seeking to rezone approximately ±1.60 acres from Rural Residential (RR) & Tech/Flex-Conditional Zoning (TF-CZ #15CZ25) to Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ) located at 2309 Old US 1 Highway. There were no comments from the public on this item.

Chair Marks called for the motion. Member Steele motioned to recommend approval as presented by staff to Town Council. Member Skinner seconded. Motion carried with the vote 6:0*.


Item #7

Shelly Mayo, Planner II - Rezoning Case #20CZ08 Apex Friendship Elementary School, the applicant/agent Betty L. Parker, WCPSS Real Estate Services/Glenda Toppe, Glenda Toppe & Associates are seeking to rezone approximately ±5.762 acres from Planned Unit Development-Conditional Zoning (PUD-CZ #18CZ02) to Rural Residential-Conditional Zoning (RR-CZ) located at 7901 Humie Olive Road. There were no comments from the public on this item.

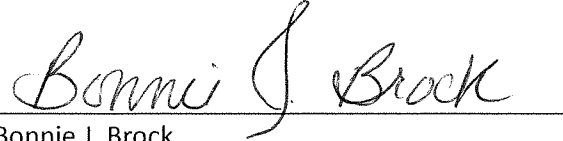
Chair Marks called for the motion. Member Sherman motioned to recommend approval to Town Council. Member Royal seconded. Motion carried with the vote 6:0*.

*One abstention due to technical difficulties (Keith Braswell).

There being no further business, the meeting adjourned at 6:12 p.m. The foregoing minutes are approved this the 12 day of OCT, 2020.



Michael Marks
Chair



Bonnie J. Brock
Development Specialist