



TOWN OF APEX PLANNING BOARD MEETING MINUTES

Meeting Date: March 11, 2024

The Planning Board held their regular meeting on March 11, 2024 at 4:30 p.m. at the Apex Town Hall Campus, 73 Hunter Street, Apex North Carolina, 2nd Floor Council Chamber. Members present were, Chair Tina Sherman, Vice Chair Tim Royal (ETJ Member), Board Members, Sarah Soh, Keith Braswell, Jeff Hastings (Historical Society Member), Ryan Akers (Wake County Member), Alyssa Byrd, Daniel Khodaparast and Preston Mitchell. Member absent was Steven Rhodes.

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

Chair Sherman offered a moment of silence and led the Pledge of Allegiance.

ITEMS OF INFORMATION

Amanda Bunce, Current Planning Manager, introduced Preston Mitchell as the newest Planning Board member. The Board was reminded of the two remaining meetings for the Western Big Branch Area Plan. Planning Board members are encouraged to attend.

PUBLIC FORUM

Chair Sherman opened the floor for citizens to speak on non-agenda items.

Elizabeth Ray Stitt, 3113 Friendship Rd. requests that Planning Board members come out to the Open Houses for the Western Big Branch Area Plan to at least talk with some of the residents and hear their concerns.

Chair Sherman closed the Public Forum.

CONSENT

Item #1 – Minutes from the February 12, 2024, regular meeting. Chair Sherman called for a motion. Member Soh motioned to recommend approval. Member Braswell seconded. Motion carried with a unanimous vote.

PUBLIC HEARING

Item #1

Lauren Staudenmaier, Planner II, presented Rezoning Case # 22CZ27 Center City Townhomes-The applicant, Jason Barron, Morning Star Law Group and agent, Marc Block, seek to rezone approximately ±4.1384 acres from Residential Agricultural (RA), High Density Single-Family Residential (HDSF), Office and Institutional-Conditional Use (O&I-CU #04CU04 & #04CU10), and Light Industrial-Conditional Use (LI-CU #97CU22B) to High Density Multi-Family Residential-Conditional Zoning (HDMF-CZ) & Office and Institutional-Conditional Zoning (O&I-CZ). The properties are located at 1316, 1314, 0, 1320, 1332, 1400, 0, & 1328 Center Street. Planning staff recommends denial. While a portion of the properties are proposed to be rezoned to Office and Institutional-Conditional Zoning (O&I-CZ) consistent with the 2045 Land Use Map, the rezoning of the remainder of the property to High Density Multi-Family-Conditional Zoning (HDMF-CZ) is not consistent with the current land use classification. It also affects the economic development potential of the area. There are also concerns about the future access of the residential

development to Center Street through non-residential property and the future changes to the access to Center Street by the NCDOT widening project.

Member Akers asked what the future timeline is for the fully funded construction of the widening of Center St/Ten Ten Road (NCDOT Project U-5825) and right-of-way acquisition. Russell Dalton, Traffic Engineering Manager, said there is no funding for right-of-way acquisition or construction up to 2033. Mr. Dalton provided additional clarification for the future of access, stub street, and cross access.

Member Braswell asked about the length of the resulting cul-se-sac with one access point at this time. Mr. Dalton said there is a zoning condition included to allow the longer cul-se-sac.

Member Royal asked what the setback off the center line of Center Street is for the properties to the north, compared to the homes in this proposed site. Planning Manager Bunce said the subdivision to the north, dedicated additional right-of-way, allowing for future roadway improvements.

Jason Barron, Morningstar Law Group gave an overview of the zoning and type of construction this site will offer. They are offering one affordable unit at 100% AMI. This site will only get one access to Center St. whether it is a residential or non-residential development. The applicant does not think it is realistic that it could develop to a full office site. They believe that providing a residential site with a small amount of O & I within a mile of downtown and on a future bus route is a good trade-off.

Member Soh asked if there was a schematic for the cul-de-sac. Mr. Barron showed that with this site there is only one potential layout for the road through the site. Member Soh asked if they knew how much over 600 ft the road would be. Mr. Barron confirmed with Mr. Roach that the intent is to keep it less than 600 ft but added the condition in case they were longer after site plans were confirmed.

Member Akers asked about ROW dedication for this project. Mr. Barron that the plans are consistent with the town's adopted Comprehensive Transportation Plan and they anticipate they will be consistent with the NCDOT plan as well. They will be looking to match The Grove subdivision to the west in aesthetics for the exteriors facing Center St.

Chair Sherman opened the Public Hearing. No one came forward. Chair Sherman closed the public Hearing.

Member Braswell asked if the reason staff was opposed to the development was due to the 2045 Land Use Map. Planner Staudenmaier said that the LUM and access issues were the main problems with the rezoning from the staff's point of view. Planning Manager Bunce added that whether it is a residential use or a commercial use there is most likely there is going to be a restriction on access in which there would be cross access or shared access through non-residential parking lots or through a cul-de-sac. The goal is to restrict points of access on a major thoroughfare.

Member Mitchell asked Planner Staudenmaier for a synopsis of the neighborhood meetings. Mr. Roach clarified the process for the meetings and the turnout.

Chair Sherman expressed her concerns of turning this into primarily a residential site limiting the opportunities for business use. She is not in favor of the proposed rezoning.

Member Akers is in favor of the rezoning due to the style/size of townhomes with campus style parking will be more attainable in price and it is a good transitional use with the O & I use to the east.

Member Khodaparast is seeing the benefits of this development in this location. Regardless of what develops, you are going to have a problem in terms of connectivity, and we should have more developments that are similar to this, where you have residential and work adjacent to each other. Member Braswell thinks this is a good use and potential price point for this site.

Member Royal asked what the viable solution for the access is. Mr. Roach showed the general alignment of the road and commercial component of the site.

Chair Sherman called for a motion. Member Braswell motioned to approve. Member Khodaparast seconded. Motion passed 7-1 with Chair Sherman opposing.

Item #2

June Cowles, Senior Planner, presented Rezoning Case #23CZ21 Castleberry Reserve PUD Amendment-The applicant, Inspire Commercial, LLC and agent Matthew Carpenter, Parker Poe seek to rezone approximately ±103.42 acres from Planned Unit Development Conditional Zoning (PUD-CZ #23CZ04) & Wake County Residential-80W (R-80W) to Planned Unit Development-Conditional Zoning (PUD-CZ). The properties are located 8633, 8635, 8637, 8639, 8649, 8705, 8709, and 8717 Castleberry Road & 8309 Serenity Trail. The reason for this rezoning is to add a 13.86-acre parcel to the Castleberry Reserve PUD plan.

Planner Cowles reviewed the version of the PUD that was approved by Town Council in September 2023. Planning Board first heard the original Rezoning Case in July 2023. With this proposed PUD Plan Amendment, the applicant is proposing the following:

- Increase the acreage from 89.90 acres to 103.42 acres.
- Increase the number of single-family units from 148 to 170 (maximum density of 1.65 units/acre).
- Provide a 450-foot-wide buffer along the southern property line and a variable 250-foot wide buffer along the eastern property line on the added parcel.
- Increase the donation to \$170,000 to the Town of Apex Affordable Housing Fund.

Staff recommends the approval of the Castleberry PUD Plan Amendment.

Member Akers asked how many points of access were required for 170 units. There are two planned points of access for the neighborhood. There will be an additional stub street as well for future connections.

Matthew Carpenter, agent for the applicant, provided some additional information. The added property is mostly open space. The addition of land and units does not increase the density. The addition of this property makes for a more cohesive site. Mr. Carpenter also spoke about the access to Castleberry Rd. The developer is trying to make the turn out of the site the least obtrusive as possible for the neighbors across Castleberry Rd.

Member Akers asked Mr. Carpenter if the access point shown was approved as part of the original can be shifted and not be a violation of the original conditions. Mr. Carpenter said they can shift slightly right or left when we have more engineering data at subdivision plan. In this case there is a cemetery on the site they are preserving as well, they want to keep traffic away from that.

Patty Harrell-Hilburn, McKim & Creed, spoke to the traffic engineering questions. They are anticipating three or four mini traffic circles within the neighborhood to calm traffic.

Member Soh expressed concern about the two access points and speed limit along Castleberry Rd. Adding an additional 170 homes from the new neighborhood is going to increase potential conflict along this rural unmarked road. Mr. Carpenter said they have been working with NCDOT to get the speed limit reduced because it is a dead-end street. The access road to the neighborhood will be in a location that is the least impactful to the neighbors across Castleberry Rd.

Member Royal asked how the neighborhood plans to control access from the game lands into that open area. Mr. Carpenter said that would be owned and managed by the HOA. They are not considering it as RCA as they already are meeting that requirement, so it allows more flexibility in how it is planted in the future.

Member Soh asked to see the connection of the sidewalk to the American Tobacco Trail (ATT) crossing and any other sidewalks. Mr. Carpenter reviewed the connection to the ATT and explained that there would be sidewalks throughout the project and an off-site connection to the Lake Castleberry sidewalk across Castleberry Rd.

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

Member Royal clarified that the only change to the PUD is the addition of the Johnson property. Staff clarified that it was the addition of the parcel and the increase of funds for affordable housing. That was confirmed.

Chair Sherman called for the motion. Member Royal made the motion to approve. Member Akers seconded. Motion carried with a unanimous vote.

Member Soh made a motion to recuse members Akers and Byrd from Item #3. Member Royal seconded. Motion carried with a unanimous vote.

Item #3

Amanda Bunce, Current Planning Manager presented Rezoning Case #24CZ01 Veridea Expansion #2-The applicant, Todd Rechler, RXR Realty seeks to rezone approximately ±0.17 acres from Residential Agricultural (RA) to Sustainable Development-Conditional Zoning (SD-CZ). The property is located at 0 East Williams St. The rezoning is consistent with the Land Use Map (LUM). Staff is recommending approval.

Jason Barron, Morningstar Law Group made himself available for any questions.

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

Chair Sherman called for the motion. Member Royal motioned to recommend approval. Member Khodaparast seconded. Motion carried with a unanimous vote.

NEW BUSINESS

There was no new business.

Member Mitchell thanked staff for the onboarding meeting and is excited about his time on the board. Member Akers encouraged everyone to watch the Mayor's State of the Town video.

Member Soh motioned to adjourn. Member Mitchell seconded. Motion carried with a unanimous vote.

There being no further business, the meeting adjourned at 6:30 p.m. The foregoing minutes are approved this the 8th day of April 2024.



Tina Sherman
Chair



Jeri Pederson
Lead Planning Technician