



Wendell Town Board of Commissioners

Board Room

15 E. Fourth Street, Wendell, NC 27591

Town Board Meeting Agenda

Monday, October 12, 2020 @ 7:00 PM

SPECIAL NOTICE

Due to the Declared State of Emergency in response to the COVID-19 Virus, the Town of Wendell has altered the traditional meeting process to accommodate and encourage positive public health practices. The Town is incorporating virtual meeting practices to continue the work of the Board of Commissioners while taking proactive measures to maintain transparency and provide for public comment.

The public is encouraged to remain home and watch the business meeting on Facebook Live, or after it is posted to the Town website, or by calling (919) 375-6880 and listening to the meeting. No direct access to Town Hall will be allowed.

Public Comment period for the October 12, 2020 Board of Commissioners meeting shall be organized in advance. The public can submit their written public comment to the Town Clerk via email to mhoward@townofwendell.com or submit a request to call in and teleconference during the Board of Commissioners meeting by emailing their name, address, and phone number to the clerk via email by Friday, October 9th at 5 p.m.

CALL TO ORDER

- Welcome – Mayor Virginia Gray
- Pledge of Allegiance – Police Chief Bill Carter
- Invocation – Wendell Council of Churches Bennie Collins

1. ADJUSTMENT AND APPROVAL OF THE AGENDA

2. PUBLIC COMMENT PERIOD

- The Public Comment period for the October 12, 2020 Board of Commissioners meeting shall be organized in advance. The public can submit their public comment to the Town Clerk via email to mhoward@townofwendell.com by Friday, October 9th at 5 p.m.

or

- Submit a request to speak over the phone during the Board of Commissioners meeting by emailing their name, address, and phone number to the clerk via email by Friday, October 9th at 5 p.m. The Clerk will provide the call-in phone number and provide three (3) minutes to speak on any non-public hearing item or topic.
- Questions or comments regarding specific agenda items may be directed to the contact person provided for the individual items on the agenda below for additional information before or after the meeting.

3. CONSENT AGENDA

The Board of Commissioners uses a Consent Agenda to act on non-controversial items unanimously recommended for approval or have been discussed at previous meetings. The Consent Agenda is acted upon by one motion and vote of the Board. Any individual board member may pull items from the Consent Agenda for further discussion. Items pulled will be handled with the "OTHER BUSINESS" agenda topic.

- 3a. Adoption of the September 16, 2020 Town Board of Commissioners Work Session Minutes

Staff Contact: Town Clerk Megan Howard
mhoward@townofwendell.com

- 3b. Adoption of the September 17, 2020 Town Board of Commissioners Work Session

Staff Contact: Town Clerk Megan Howard
mhoward@townofwendell.com

- 3c. Certificate of Sufficiency and Resolution Setting the Date for a Public Hearing for a contiguous annexation for two parcels totaling 19.64 acres [17.32 for PIN #1783-95-6846 and 2.32 acres for PIN #1783-86-9690] located at 0 S Selma Road and 0 S Hollybrook Rd.

Staff Contact: Town Clerk Megan Howard
mhoward@townofwendell.com

4. RECOGNITIONS, REPORTS, AND PRESENTATIONS

- 4a. Continued Discussion of Downtown Service Comparatives for Parking, Food Trucks, Electric Vehicle Charging, Lighting, and Solid Waste Service.

Staff Contact: Assistant to the Manager Stephanie Smith
ssmith@townofwendell.com

4b. Façade Improvement Grant Update

Staff Contact: Planning Director Niki Jones
njones@townofwendell.com

5. PUBLIC HEARINGS

5a. **PUBLIC HEARING:** for a Non-Contiguous Annexation Petition A-20-04 for 61.43 acres located at 1129 Edgemont Road, 1213 Edgemont Road, 0 Edgemont Road, 0 US HWY 64 E, and 0 Merganzer Road and identified by PIN # 1775-70-5631, 1775-71-4047, 1775-60-5854, 1775-51-9103, 1775-50-6528

Staff Contact: Planning Director Niki Jones
njones@townofwendell.com

5b. **PUBLIC HEARING:** To consider a request by David Arnold of The Nau Company to rezone approximately 70.43 acres of property along Edgemont Road within the parcels identified by PIN #1775-51-9103, PIN #1775-50-6528, PIN #1775-60-5484, PIN #1775-70-5201, PIN #1775-71-4047 and PIN #1775-70-5631 to an R4 Conditional District for residential development

Staff Contact: Planning Director Niki Jones
njones@townofwendell.com

6. ADMINISTRATIVE ITEMS

There are no administrative items scheduled for this meeting.

7. **OTHER BUSINESS** (any item pulled from the CONSENT AGENDA [item 3 on this agenda] will be discussed during this portion of the agenda)

7a. Update on board committee(s) by Town board members:

-  Technical Review Committee – Mayor Pro Tempore John Boyette
-  Wendell Volunteer Fire Department Board of Directors – Commissioner Jason Joyner

8. COMMISSIONERS' REPORTS / COMMENTS

9. MAYOR'S REPORTS / COMMENTS

10. CLOSED SESSION

Closed session will be called if necessary.

11. ADJOURN

**TOWN OF WENDELL
BOARD OF COMMISSIONER WORK SESSION MEETING MINUTES
SEPTEMBER 16, 2020**

The Wendell Town Board of Commissioners held their virtual, special-called work session on Wednesday, September 16, 2020, in the Town Board Room, Wendell Town Hall, 15 East Fourth Street.

PRESENT: Mayor Virginia Gray; Mayor Pro Tem John Boyette (virtually); Commissioners: Jason Joyner, Joe DeLoach, Jon Lutz, and Philip Tarnaski

STAFF PRESENT: Town Manager Marc Collins and Assistant to the Manager Stephanie Smith

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CALL TO ORDER

Mayor Gray called the meeting to order at 6:10 p.m.

1. NEW TOWN HALL DEBRIEF

1. Town Board Discussion and Feedback on Town Hall Needs & Vision with Dena Wangberg of Gensler Architecture

Charlie Brown, Cumming Group, thanked the Board for the opportunity for the chance to speak to them and get their input on the New Town Hall. He introduced Rob Allen, Lead Architect of Gensler.

Mr. Allen introduced Dena Wangberg, project architect, and Brad Burns, architect and design director at Gensler who will be facilitating a lot of the discussion. He said they've been looking at site information regarding the project and asked the board to share ideas and concerns regarding the project. Mr. Allen said that Mr. Burns will be providing a presentation and encouraged the Board to ask any questions that they might have throughout the presentation.

Mr. Burns thanked the Board and presented the following presentation to the Board:

**TOWN OF WENDELL
BOARD OF COMMISSIONER WORK SESSION MEETING MINUTES
SEPTEMBER 16, 2020**

Town of Wendell New Town Hall
Visioning Session

16 September 2020

Gensler

TOWN OF WENDELL
BOARD OF COMMISSIONER WORK SESSION MEETING MINUTES
SEPTEMBER 16, 2020

Attendees

- | | | | | | | | |
|--|--|--|---|---|--|---|---|
| Mayor
Virginia Gray
<small>Town of Wendell</small> | Mayor Pro
Tem John
Boyette
<small>Town of Wendell</small> | Comm. Joe
DeLoach
<small>Town of Wendell</small> | Comm. Jason
Joyner
<small>Town of Wendell</small> | Comm. Jon
Lutz
<small>Town of Wendell</small> | Comm. Philip
Tarnaski
<small>Town of Wendell</small> | Marc Collins
Town
Manager
<small>Town of Wendell</small> | Stephanie
Smith
Asst. to the
Manager
<small>Town of Wendell</small> |
| Charles
Brown
<small>Consulting</small> | | | | | | | |
| Rob Allen
<small>Contractor</small> | Brad Burns
<small>Contractor</small> | Dena
Wangberg
<small>Contractor</small> | | | | | |

**TOWN OF WENDELL
BOARD OF COMMISSIONER WORK SESSION MEETING MINUTES
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Purpose of the Meeting

What is a Visioning Session?

Visioning is an interactive workshop with project stakeholders and the design team. It's an opportunity to have a "blue sky" discussion about the project.

Why do it?

Every project is unique. We want to understand your individual and collective perspectives on the particular considerations of this project in order to create a New Town Hall that is tailored to the Town of Wendell. This is your project.

What do we hope to achieve?

- Collaboratively, we will establish a shared vision for the project.
- The team and future participants will be able utilize these findings and gain a better understanding of the project's background, issues and strategic direction.
- We will hear diverse perspectives from the stakeholder group and build consensus.
- We have a clear direction for the project design to move forward.

**TOWN OF WENDELL
BOARD OF COMMISSIONER WORK SESSION MEETING MINUTES
SEPTEMBER 16, 2020**

Visioning Session Agenda

These are the topics we'll be discussing during our session today:

1. The Town of Wendell
2. Aspirations
3. Fears
4. Challenges
5. Tools
6. Site
7. COVID-19
8. Identify Critical Success Factors
9. Prioritize Critical Success Factors
01. Vision Statement

Mr. Burns said that every project Gensler accomplishes is unique and said he looks forward to establishing a shared vision with the Board.

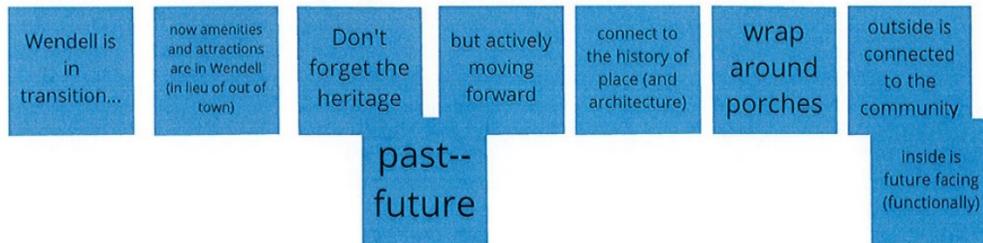
**TOWN OF WENDELL
BOARD OF COMMISSIONER WORK SESSION MEETING MINUTES
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The Town of Wendell: "Small Town. Big Charm."

What does this phrase mean to the Town and how it will continue to hold meaning in the future?



What are the defining values and characteristics of the Town of Wendell that the new Town Hall should embody?



Mr. Burns asked the Board what "Small Town. Big Charm." Means to the Board now and in 10 years from now. The Board responded in the light blue "post-it notes" listed in the presentation, above. He said that Wendell is doing things well and is ahead of the curve.

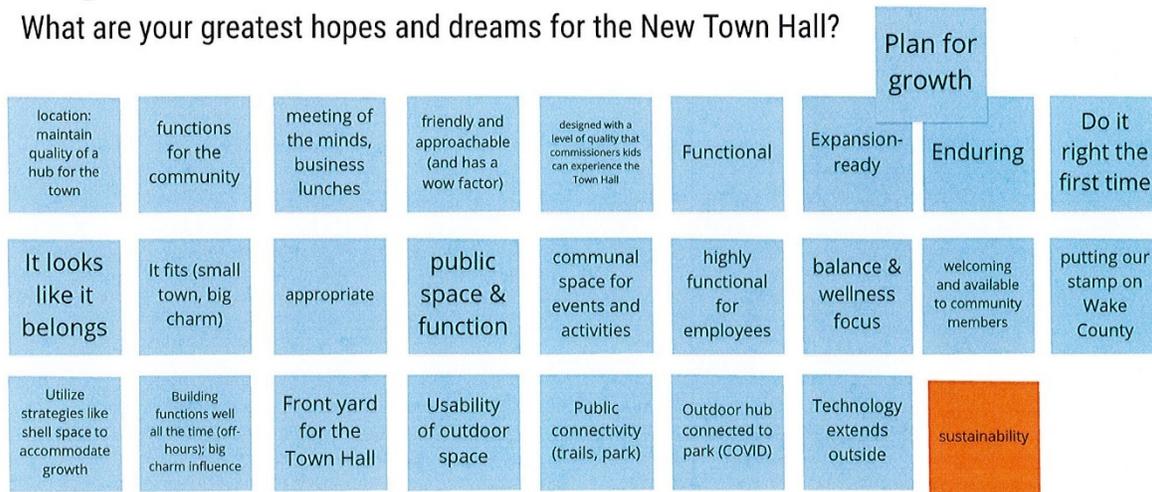
Chad Parker said the Board gets to define what the next chapter of Wendell looks like, which is a strategic advantage.

Mr. Burns said that the new Town Hall has to endure through the changes of Wendell as a town and has to serve as a representation of the Town's values and character. He asked the Board to speak to those values and the Board responded in the blue "Post-it Notes" listed above in the presentation.

**TOWN OF WENDELL
BOARD OF COMMISSIONER WORK SESSION MEETING MINUTES
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Aspirations

What are your greatest hopes and dreams for the New Town Hall?



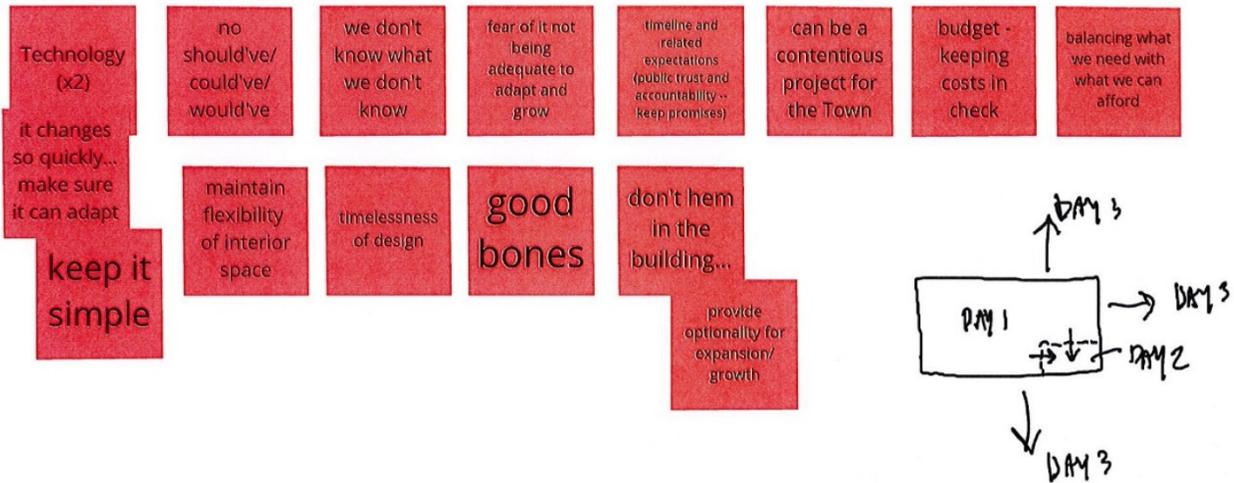
Mr. Burns said that he likes to think of aspirations in terms of what use of spaces can happen at the new town hall that cannot currently be done. The Board responded with ideas located in the blue “post-it notes” in the presentation, above. Mr. Burns said that the site location is ideal for a project site.

Mr. Parker said that listening to the Board’s aspirations, he said it’s great to be building a town hall based on the town’s roots and storyline. He said it will be a place to bring the community together.

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Fears

What keeps you up at night about this project?



Mr. Burns asked where the risk was for the Board in building a new Town Hall. The Board responded in the red boxes of the presentation above.

Town Manager Marc Collins asked members of Cumming and Gensler could remind the Board of the finished and unfinished square feet involved in the space.

Mr. Parker said that it's 12,000 square feet of construction program and 2300 square feet of flexible space to be contributed for future expansions. He said that a part of this exercise is to understand exactly how to get to deciding square feet allocations.

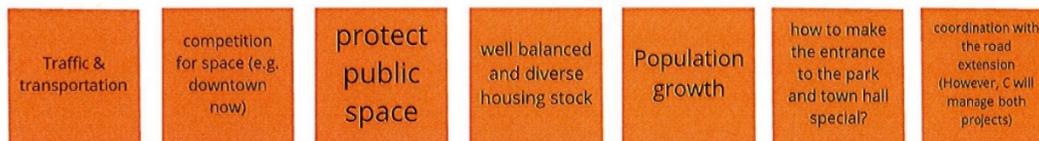
Commissioner Boyette asked how many square feet the current town hall has.

Mr. Collins said he would send that information to the Board after the meeting.

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Challenges

What will be the Town of Wendell's greatest challenges in the next 5-10 years?



Mr. Burns said that as things change and as the town grows, he'd like the Board to consider what are the Town's challenges. The Board responded in the orange boxes in the presentation, above.

Commissioner Tarnaski asked if the road extension would occur at the same time as the town hall project.

Mr. Collins said that the repaving at the park is a separate Capital Improvement Project, but it would occur around the same time. He said they would create an addendum to the RFQ for Cumming so that one project manager would coordinate both projects.

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Tools

What (indoor and outdoor) spaces and tools do you need to achieve your goals?



Mr. Burns said that the tools are about the spaces needed to achieve goals. The Board responded in the yellow boxes in the presentation, above. He said the spaces should be multi-functional when considering expansion of the town and town hall's uses.

Commissioner Tarnaski asked if there would be trail and exterior bathroom access for the public.

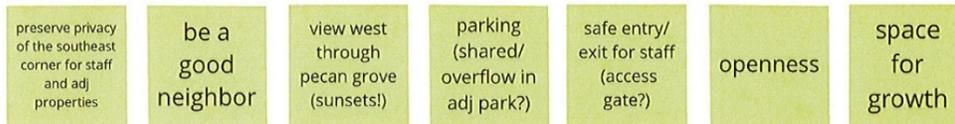
Mayor Gray said that the Board had discussed in the past that building the Town Hall in this location would bring plumbing in that area of the park.

Mr. Collins mentioned the potentiality for a splash pad, as well. He said that once the utilities are installed, they'll revisit the recreational benefits and potentialities at a future date.

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Site

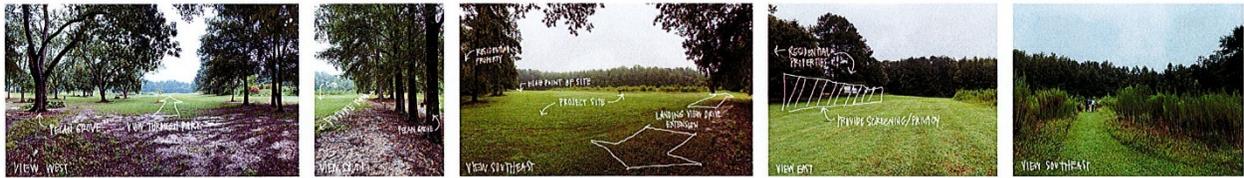
What features of the project site have value and/or meaning? What needs to be preserved?



Mr. Burns mentioned the site view of the pecan trees and the future road extension to the left of the site. He said that they would consider some screening for the surrounding houses as a privacy buffer. He asked which features are important to the Board and the Board responded in the boxes of the presentation, above. He said that the minimum amount of parking is 30 spaces at minimum. Mr. Burns said they would work with the civil engineer to factor in growth and parking spaces for the public, as well. He said that his team would come back to the Board regarding a two-story versus one-story building and what expansion needs would require of both.

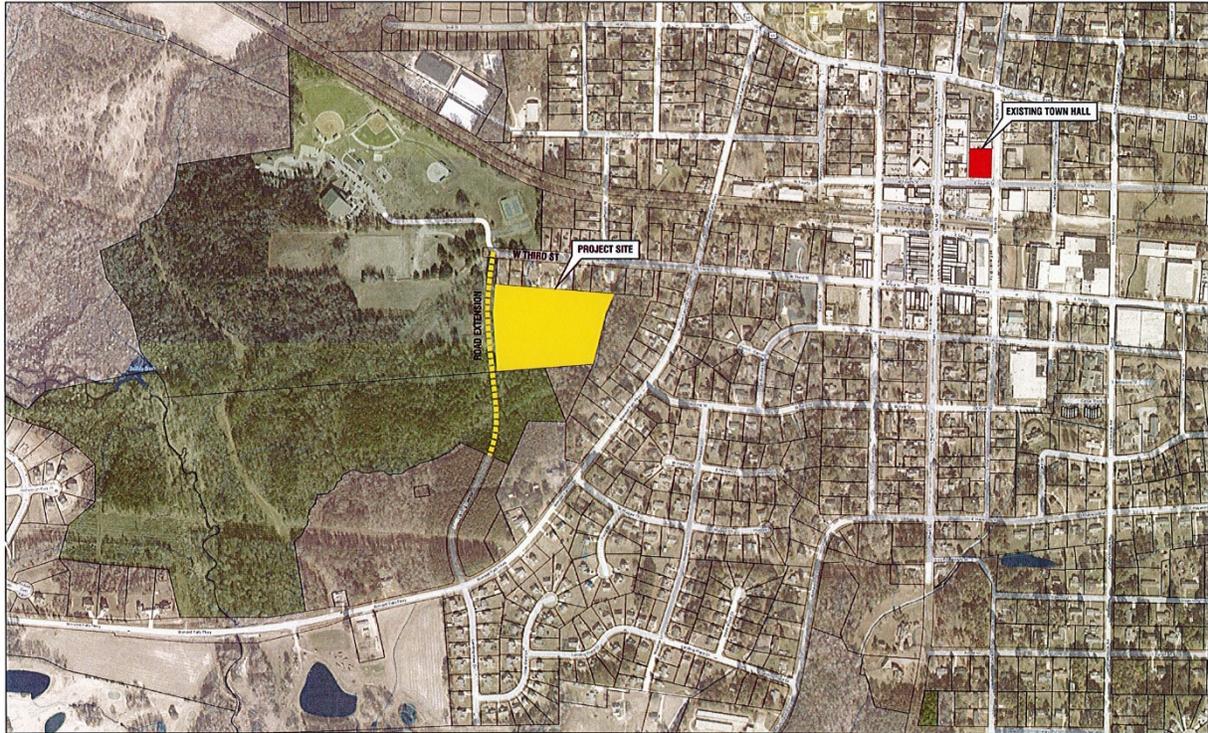
The Board discussed golf cart parking, electrical charging stations and bike racks with the architect firm.

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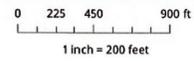


Mr. Burns shared the photos above for future views of the new Town Hall building.

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SITE DIAGRAM 1:200

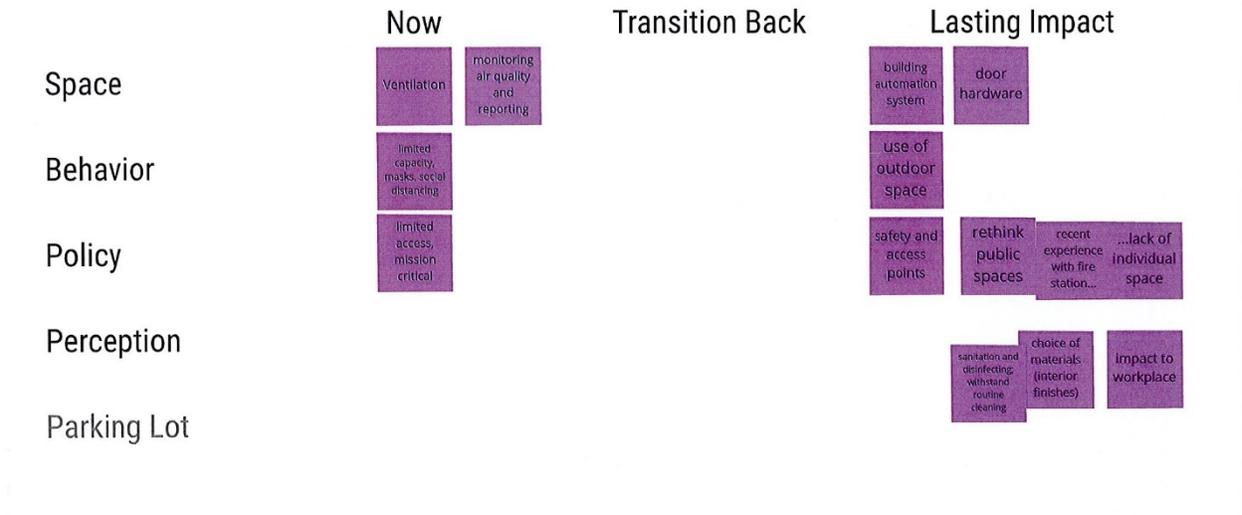


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**TOWN OF WENDELL
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COVID-19

What is the impact of COVID-19 to Town of Wendell public buildings in terms of:



Mr. Burns asked about any changes that the Board has had to make and their thoughts of COVID's lasting impact.

Commissioner Tarnaski said that he hasn't changed anything regarding COVID.

Commissioner DeLoach said that ventilation is an important factor that they've had to consider with the current town hall. He said he would like to see it as a non-issue at the future building.

Mr. Collins said that the Town Hall hasn't been open to the public and staff have been social distancing and rotating schedules between working from home and in-office. He said public access hasn't been a current consideration.

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Identify Critical Success Factors

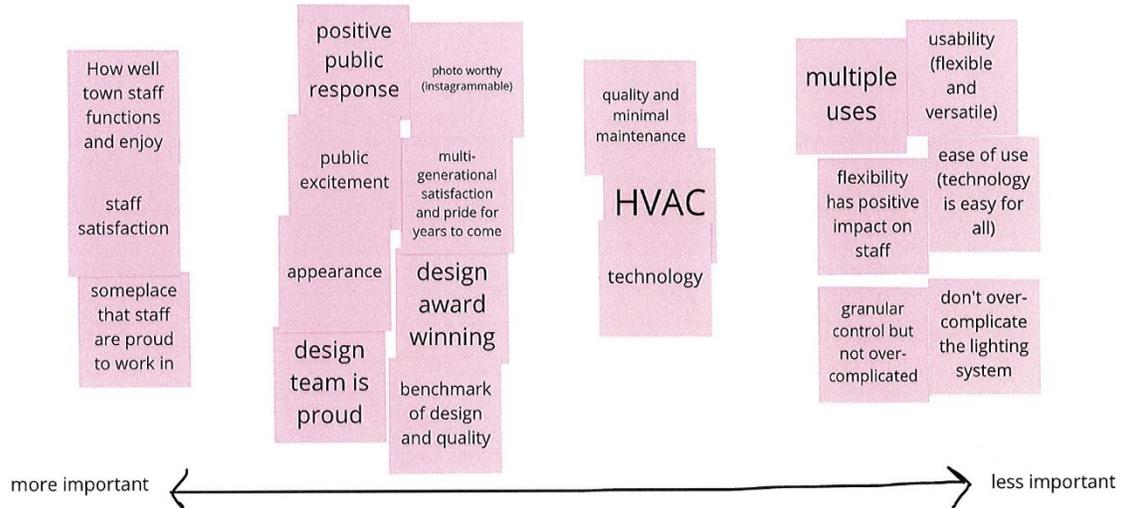
After completion, what measures will determine the project's success? To put it differently, what are the most important aspects of this project, and why?



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Prioritize Critical Success Factors

Based on the previous discussion, how would you rank the critical success factors?



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Identify Critical Success Factors

After completion, what measures will determine the project's success? To put it differently, what are the most important aspects of this project, and why?



TOWN OF WENDELL
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Vision Statement

How might you concisely state the vision for the project in a way that includes the perspectives we have heard today?

Beautiful quality
functional
building

On time, on budget
and better than we
could have imagined

What the staff needs
and what the public
thinks they want

2. ADJOURN

ACTION

Mover: Commissioner moved to Adjourn at p.m.

Ayes: Commissioners Joyner, DeLoach, Lutz, Tarnaski, and Boyette

Nays: None.

Vote: 5-0

Duly adopted this 12 day of October 2020 while in regular session.

Virginia R. Gray,
Mayor

ATTEST:

Megan Howard,
Town Clerk

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STAFF PRESENT: Town Manager Marc Collins, Assistant to the Manager Stephanie Smith and Planning Director Niki Jones

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CALL TO ORDER

Mayor Gray called the meeting to order at 6:15 p.m.

1. STRATEGIC PLANNING WORK SESSION

- 1a. Strategic Planning Initiatives Presentation & Discussion
Contact: Town Manager Marc Collins

Town Manager Marc Collins thanked the Board for their time and presented the following report, below in italics:

Vision Statement for the Town of Wendell

"The Town of Wendell is clean, safe, vibrant, and full service with a diverse population. Our citizen friendly reputation is assured by the quality of our facilities and professional staff who work efficiently to provide great customer service. We have a knowledgeable Town Board who works efficiently to incorporate input from Citizen Advisory Boards and staff to be responsible stewards of our tax dollars, through leveraging, by watching return on investments and maintaining our fund balance."

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Mr. Collins said that he emailed the previous Strategic Plan to the Board and that he wanted to listen to the Board's thoughts, saying that staff would also provide the public with the opportunity so provide their thoughts before staff brings a draft back to the Board in December. He said that the Strategic Plan is a 2-year plan that guides staff on the budget and helps set Board policies. Mr. Collins said that the Board's Vision Statement doesn't change tremendously unless there's a major change in an elected body that wants to redefine their vision. He asked the Board to review the vision and let him know whether it still reflects the vision of the Board.

The Board reviewed the current Vision Statement. Commissioner Joyner asked about clarification around "full service" term. Mr. Collins clarified that it means that the Board provides all of the municipal services either through contract or relationships. It means that there is not a service that the Town would not consider providing. The Board had no changes to the vision.

Mr. Collins reviewed the Board's policy goals which cover the five broad areas, below. He said that these goals are intentionally broad, as there is generally overlap between different projects among multiple goals.

Policy goal areas are intentionally broad and are used to identify the most critical issues facing the community. Each policy goal has specific action initiatives that are prioritized annually to assist in the allocation of resources and staff time to ensure efficiency and effectiveness. The policy goal areas identified include the following:

- **GOAL 1: Downtown Vibrancy, Economic Growth, and Community Character**
Promote economic vitality through the development of a vibrant Downtown, economic growth, and unique community character.

Mr. Collins said that goal 1 involves a lot of planning items, economic development and programs and uses provided to the public. He said that tourism and public art could fall under goal 1.

- **GOAL 2: Public Safety and Neighborhood Improvement**
Provide for a safe and secure community that nurtures livable and well-maintained neighborhoods that are family friendly.

Mr. Collins said that goal 2 refers to the police department in how they communicate with the public and professional standards. He said that neighborhood improvement covers the family-friendly community and what that means. He said that a sidewalk and infrastructure policy would also fall into this category regarding safety.

**TOWN OF WENDELL
BOARD OF COMMISSIONER WORK SESSION MEETING MINUTES
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- **GOAL 3: Infrastructure, Transportation, and the Environment**

Develop and maintain infrastructure and policies to support new growth, improve the quality of life for residents, and provide for a clean and green environment.

Mr. Collins said that goal 3 covers roads, sidewalks, stormwater, and public works concerns. He said it could also involve transit items such as a bus service, bike and ped improvements, and greenways as a transportation method (which can also fall under Parks and Recreation goal 4). Mr. Collins said that events that accentuate different cultures and diversity would also fall under goal 3. He said it could involve open space and farmland preservation, as well.

- **GOAL 4: Parks, Recreation, Special Events, and Culture**

Establish facilities, events, and programs that connect the community, promote healthy lifestyle opportunities, and culturally engage citizens and visitors.

- **GOAL 5: Organization Culture and Communication**

Build a professional and inclusive Town organization that is fiscally responsible, seeks innovative practices, and values the development of staff.

Mr. Collins said that goal 5 is more of an internal organization goal and how the town structure communicates to the community of Wendell. He said that this deals with the fiscal structure and ADA compliance of the town buildings. Mr. Collins said that this would also include communication efforts to different communities in the town regarding public information. He said that technology would fall into goal 5, as well. He asked if any members of the Board had any changes on the goal statements.

The Board reviewed the current goals and had no changes.

Mr. Collins said that in the two-year plan, the new Town Hall would be built. Commissioner Tarnaski asked if there was anything Town staff would need to hold them over until they moved into the new building. Mr. Collins said that staff have had to purchase a sound mixing technology for the virtual board meetings, but that most of the technology adjustments with the server have involved the IT company's assistance in switching up desktops with laptops for webcam and server access to employees. He said that the goal is to surplus 16 computers out of the town's system that are the oldest and get into a 4-5 year replacement schedule on a consistent basis in the future. Mr. Collins said that the speed of the processor is more important than the data based on information needs and the ability to connect and communicate from different levels of WiFi strength. He said that the capability of the machine has become the focus, with the option for data space being purchased if needed.

**TOWN OF WENDELL
BOARD OF COMMISSIONER WORK SESSION MEETING MINUTES
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GOAL 1: Downtown Vibrancy, Economic Growth, and Community Character

Promote economic vitality through the development of a vibrant Downtown, economic growth, and unique community character.

Management in Progress

1. *Downtown UDO Amendments (following Comp. Plan completion)*
2. *Pursue Brownfield Grants through the Regional Brownfield Coalition at TJCOG or as a Town to encourage Downtown redevelopment.*
3. *Develop economic development program marketing material.*
4. *Establish an action plan for the infill redevelopment of three (3) properties in or near Downtown.*

Strategic Initiatives

1. *Evaluate future land use opportunities for the Wendell Elementary School Property*
2. *Establish a broadband policy and action plan.*
3. *Develop action plans (ETJ, land assembly, proactive zoning, utility partnerships, etc.) for areas suitable for non-residential development.*
4. *Establish plan for future use of Old Town Hall Property.*
5. *Implement a Downtown Streetscape project to further improvements and updates necessary to encourage private investment and placemaking.*
6. *Establish a Wendell Mural Trail to encourage awareness of public art and visitation.*

Mr. Collins said that staff will still be implementing the 2019 plan through June. He reviewed goal 1 and the different uses that were included in the Comprehensive Plan process and updating the UDO is what the Management in Progress is about. He said that Strategic Initiatives would be something that staff would begin to advance, moving forward. He said that #2 could get into cost equity issues and that it wasn't as much of a priority when the Board ranked these initiatives. He said that access to the data stream affects economic opportunity within the community.

Mr. Collins said that action plans in Strategic Initiative #3 gets into land use that will involve recommendations from the Comp Plan. He said that the interchange near Wake Tech is an area that needs to be considered, as it is a bulk, undeveloped land near an interchange and has broadband access. He said that economic development opportunity exists in that area and steps need to be looked at. The T30 gas line that has been developed in this area runs from Franklin County to Clayton, which would provide high use and is within Wendell's urban service area. He said that it's not currently in the town's ETJ, so the Town doesn't have the opportunity to guide land use in that area as of yet.

Mr. Collins said that the Downtown Streetscape project involves the East Campen Road project, with a future project in the works for next year to keep the investment in downtown. He asked the Board if any of these initiatives needed to be taken off of goal 1.

**TOWN OF WENDELL
BOARD OF COMMISSIONER WORK SESSION MEETING MINUTES
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Commissioner Lutz indicated the Wendell school property is not as much of a priority, since a different site was selected for a new Town Hall. After discussion, the Board consensus was the school property was no longer a Board priority until it becomes a priority for Wake County.

Commissioner Joyner said that Town should maintain communication with Wake County so the Board can be aware if they change their CIP Plan.

The Board Members wrote down suggested additions on post-it notes.

GOAL 2: Public Safety and Neighborhood Improvement

Provide for a safe and secure community that nurtures livable and well-maintained neighborhoods that are family friendly.

Management in Progress

1. *Complete policy reviews and complete (if eligible) CALEA accreditation.*
2. *Implement Neighborhood Improvement Program capital projects in FY22 and FY23 to improve housing, infrastructure, and program access for neighborhoods surrounding Downtown (areas 2 and 3).*
3. *Complete and communicate updates from the comprehensive review of the use of force policies used by the police department.*
4. *Continue department-wide training on implicit bias and community engaged policing.*
5. *Implement a community-wide "Neighborhood Clean-up Day".*

Strategic Initiatives

1. *Establish and communicate a community engagement plan for the Police Department.*
2. *Pedestrian and Bicycle safety*
3. *Implement crosswalk improvements on Wendell Blvd. (others?)*

Mr. Collins said, referring to Management in Progress, that item 1 has begun with the police department hiring an accreditation manager. He said that they have applied to the CALEA program and have been deemed eligible to proceed with the training, which should be completed in 2-3 years.

Regarding the Neighborhood Improvement Program, Mr. Collins said that area 1 has been included in this year's budget, with the next two years improving two more areas.

Regarding use of force policies, Mr. Collins said that completion of the review and having the community involved in the review are important. He said that implementing that policy is also important to the community. He said that implicit bias training has begun and needs to be expanded to all staff across departments. Engagement in the community is what contributes to the Town's motto as a "small town with big charm."

**TOWN OF WENDELL
BOARD OF COMMISSIONER WORK SESSION MEETING MINUTES
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Neighborhood Clean-up Day was in the works, but then COVID happened, preventing this event. He said that a lot of neighborhoods need a pressure washer or a coat of paint in the community, which might be an opportunity for scout troops and volunteerism in the town. He said the Town would come back to this project as soon as it can.

Mr. Collins reviewed the strategic initiatives, saying that the community engagement plan needs to be established as a philosophy that is lived within the Police Department. He said that CALEA is more the special event policy and the review of that. The actual form and process would be the community engagement plan.

Regarding pedestrian and bicycle safety, Mr. Collins said that he has heard from all Board members that there are locations within Town that are of interest for improvements. He asked for some policy guidance with specifics like the crosswalk improvements on Wendell Boulevard and other safe ways to connect neighborhoods across public streets. He asked the Board to write any additions or subtractions to these items under Goal 2.

The Board had no changes to the current list and wrote their suggested additions on post-it notes.

GOAL 3: Infrastructure, Transportation, and the Environment

Develop and maintain infrastructure and policies to support new growth, improve the quality of life for residents, and provide for a clean and green environment.

Management in Progress

1. *Support the completion of the NCDOT Old Battle Bridge replacement project.*
2. *Implement the recommendations of the street resurfacing program in FY22 and FY23.*
3. *Improve the stormwater program in advance of the FY22 program audit by the State.*
4. *Complete construction of the Wendell Boulevard Pedestrian and Intersection LAPP Projects.*
5. *Establish a projects list for transportation, bike, and pedestrian improvements eligible for CAMPO and other outside agencies for projects identified in adopted plans.*

Strategic Initiatives

1. *Establish an infrastructure plan for the connection and extension of water and sewer for inclusion in the capital improvement plan to promote development, annexation, and close service gaps.*
2. *Prioritize and prepare intersection improvements for NCDOT and CAMPO funding processes.*
3. *Identify new bus stops and work with regional transit partners to develop implementation strategies.*

Mr. Collins reviewed goal three's Management in Progress projects, saying that he has hope that the Old Battle Bridge replacement project will be completed in the next two years. With the street resurfacing program, he said that Withers Ravenel completed a street assessment to be

**TOWN OF WENDELL
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presented at the next Board Meeting about the street condition ratings. He said the current rating is 74, with a good rate being between 75 and 80. Mr. Collins said that a lot of new growth with developments have created new streets in town, whereas the maintenance of streets needs to be addressed as there isn't a street maintenance crew. Mr. Collins said that there are also some roads that are not repaved, with some paved roads on their way to becoming gravel roads. He said that this presentation from Withers will provide the Town with a 5-year plan to get and keep the road rating up. He said that the Board would need to allocate funds for this to occur and bids would have to be put out that specify which streets need to be improved. Staff would conduct yearly evaluations to keep up with road quality statuses.

Regarding the stormwater program, Mr. Collins said that the Town has an audit in 2022 with the State. The Town is wrapping up interviews to fill a stormwater manager position to help with this. Mr. Collins thanked the Board for approving the final mapping, which will be completed in December and reviewed drainage areas of concern along Wendell Boulevard and Wall Street. Mr. Collins encouraged the Board to inform staff if they hear about any additional areas of concern from constituents.

Mr. Collins reviewed the Strategic Initiatives for Goal 3, saying that infrastructure plan for the connection and extension of water and sewer to promote inclusion in the capital improvement plan to promote development, annexation, and close service gaps is an identified reason as to connecting Wendell Falls to the rest of town. He said that water and sewer allocations facilitate social equity within the community.

Regarding Strategic Initiative 2, Mr. Collins said a signal study could be useful for Third Street and Wendell Falls Parkway. He said that the Board can probably think of additional intersections on a major road that might be ready for that kind of involved study. Mr. Collins asked if there were any initiatives that the Board would like to remove or add.

The Board had no changes to the current list and wrote their suggested additions on post-it notes.

Commissioner Joyner asked if staff can request well fail data from Wake County to identify areas that have issues with wells.

GOAL 4: Parks, Recreation, Special Events, and Culture

Establish facilities, events, and programs that connect the community, promote healthy lifestyle opportunities, and culturally engage citizens and visitors.

Management in Progress

1. *Design and construct a neighborhood park on the Hollybrook Road park site.*
2. *Work with the Meet on Main group to coordinate a year-round special event schedule.*
3. *Complete construction of the Main Street Greenway and evaluate the next extension of the project.*
4. *Evaluate the fee-in-lieu process for parks and open space in the UDO.*

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Strategic Initiatives

1. *Identify and plan for acquisition of a second community park or a significant expansion of the current park along Buffalo Creek.*
2. *Identify and provide for the acquisition of the next neighborhood park identified in the Comprehensive Parks and Recreation Master Plan.*
3. *Identify and plan for the implementation of a greenway segment to connect the Wendell Falls community to Downtown.*
4. *Coordinate the development of a new Wendell Branch Library or regional library with Wake County to include space for historic preservation and community group meetings.*

Mr. Collins reviewed goal 4's Management in Progress, saying that the Parks and Recreation Trust Fund will be ready by this spring for the Hollybrook Road park site. He said that the Main Street Greenway is in this year's budget and will probably be completed next fiscal year. Mr. Collins said that staff will make sure fee in lieu process will match the Town's Parks and Rec Master Plan.

In discussing Strategic Initiatives, Mr. Collins said that the Parks and Rec Master Plan looks to see the building of three community parks. He said it might be a separate location or an expansion of Wendell Park on Buffalo Creek. He said that the Town needs to look at the next neighborhood park site in the next two years. In the next two years, the county will be updating its library comp plan. Towns like Wendell has an opportunity to be involved in this library bond. Mr. Collins asked if the Board had anything it wanted to add or subtract from goal 4.

The Board had no changes to the current list, and no new suggestions.

GOAL 5: Organization Culture and Communication

Build a professional and inclusive Town organization that is fiscally responsible, seeks innovative practices, and values the development of staff.

Management in Progress

1. *Complete and begin implementation of the ADA Transition Plan.*
2. *Update and implement the employee evaluation and development program.*
3. *Evaluate health plan options for competitive cost spouse and family plan coverage.*
4. *Complete construction of the new Town Hall.*
5. *Maintain a technology replacement program to meet current needs for flexible work environments for the continuation of public services.*

Strategic Initiatives

1. *Evaluate current department policies and practices to enhance efforts to improve customer service.*
2. *Establish a plan with timeline for the facility needs for the Police Department to consider growth in place versus a new location.*

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3. *Establish a plan with a timeline for the property acquisition and construction of a public works yard.*

Mr. Collins reviewed goal five's Management in Progress items, saying that accessibility issues will be addressed with the implementation of the ADA Transition Plan. He said that employee evaluation is being reviewed that separates merit pay from the annual evaluation. Regarding health plans, Mr. Collins said that family plans need to be reviewed for staff.

Regarding initiatives, Mr. Collins said that staff hasn't had to deal with a number of customer service complaints at the Town. He said that it was carried over from a previous plan and he is happy to look at continued training initiatives. Mr. Collins said the next two big needs after a New Town Hall were Police and Public Works department growth in positions, as there is a dire need there. He said that there are also facility needs at Public Works, which might require a build out in the future, with the storage unit being used for public records and the office space transitioning to code enforcement. He said the Police Department building might need a new building or location, in the future.

The Board had no changes to the current list and wrote their suggested additions on post-it notes. Commissioner Joyner suggested increasing department communications to the public, specifically more from the Police Department. The Board discussed whether it would be better suited for Goal 2. Commissioner Tarnaski suggested adding the newsletter to website for people to access past issues and increasing social media marketing to drive people to the newsletter.

Mr. Collins said that the next steps involve Assistant to the Manager Stephanie Smith coordinating one-on-one meetings with Town Manager Marc Collins, either through meetings or a driving tour.

2. ADJOURN

ACTION

Mayor Gray adjourned the meeting at 8:17 p.m.

Duly adopted this 12 day of October 2020 while in regular session.

Virginia R. Gray,
Mayor

ATTEST:

Megan Howard,
Town Clerk

Item Title:

Receive the Clerk's certificate of sufficiency of a contiguous annexation for 19.64 acres located within the parcel addressed as 0 S Selma Road and 0 S Hollybrook Road and identified by PIN # 1783-95-6846 and 1783-86-9690.

Report to the Board of Commissioners:

October 12, 2020- Receive Certificate of Sufficiency and set Public Hearing
September 28, 2020- Direct Clerk to Certify Annexation Request

Specific Action Requested:

That the Board of Commissioners receives the Clerk's certificate of sufficiency and schedule the public hearing for this petition for Monday, October 26, 2020 by adopting the attached resolution.

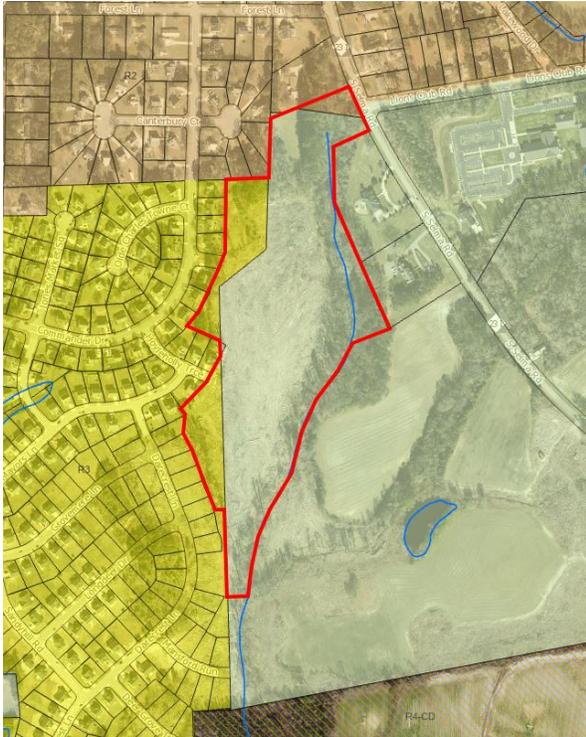
Item Summary:

Lucius Jones has submitted an annexation request for a 19.640-acre portion of the parcels addressed as 0 S Selma Road and identified by PIN # 1783-95-6846 and 0 S Hollybrook Road and identified by PIN # 1783-86-9690 (highlighted below). A public hearing will be set by the Town Board for this item following the Town Clerk's certification of the petition's sufficiency.

Zoning District:

The property is currently located within the Town of Wendell extraterritorial jurisdiction and is zoned RA. The applicant has submitted a request to rezone to Residential 4.

Location Map:



Attachments:

- A. Certificate of Sufficiency
- B. Resolution setting the date of the public hearing



TOWN OF WENDELL

NORTH CAROLINA

CERTIFICATE OF SUFFICIENCY

To the Town Board of the Town of Wendell, North Carolina:

I, Megan Howard, Town Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with NC G.S. 160A-58.1.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Wendell, this 12th day of October 2020.

Megan Howard,
Town Clerk

DESCRIPTION/ADDRESS A-20-05:

0 Selma Road; 17.32 acres [located within an 84.17-acre lot; contiguous; Parcel: 1783-95-6846] and 0 S. Hollybrook Road; 2.32 acres [contiguous; Parcel: 1783-86-9690]



TOWN OF WENDELL

NORTH CAROLINA

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF
ANNEXATION PURSUANT TO NC GS 160A-58.2
RESOLUTION NO.: R-25-2020**

WHEREAS, a petition requesting annexation of the area described herein has been received;
and

WHEREAS, the Town Board has by resolution directed the Town Clerk to investigate the
sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Wendell, North
Carolina that:

SECTION 1. A public hearing on the question of annexation of the contiguous area
described herein will be held at the Wendell Town Hall, Board Room, at 7:00 p.m. on Monday,
October 26, 2020 and will be streamed virtually.

SECTION 2. The area proposed for annexation is for the following:

A 17.32-acre tract located off of Selma Road within an 84.17-acre lot addressed
as 0 Selma Rd., PIN # 1783-95-6846, and a 2.32-acre tract located off of
Hollybrook Road addressed as 0 S. Hollybrook Rd., PIN # 1783-86-9690, Wake
County Registry.

SECTION 3. Notice of the public hearing shall be published once in The Wake Weekly, a
newspaper having general circulation in the Town of Wendell, at least ten days prior to the date of
the public hearing.

Duly resolved this 12th day of October 2020, while in regular session.

ATTEST:

Virginia R. Gray,
Mayor

Megan Howard,
Town Clerk

DESCRIPTION/ADDRESS A-20-05:

0 Selma Road; 17.32 acres [located within an 84.17-acre lot; contiguous; Parcel: 1783-95-6846] and 0 S. Hollybrook Road; 2.32 acres [contiguous; Parcel: 1783-869-690]

Item Title:

Draft Policies for Downtown Service Comparatives for Parking, Food Trucks, Electric Vehicle Charging, Lighting, and Solid Waste Service.

Report to the Board of Commissioners:

Monday, October 12, 2020

Specific Action Requested:

Discussion only, no action requested.

Item Summary:

After presenting information and hearing discussion from the Board at the September 14 and 28 meetings, staff has prepared policies and procedures for the following topics: Parking, Food Trucks, Electric Vehicle Charging, Lighting, and Solid Waste Service. The recommended policies and procedures capture the Boards direction. Downtown businesses and the public will receive copies of the attached policies and procedures, and their input encouraged before the Board is scheduled to vote on October 26.

Attachments:

- A. Food Truck Policy Draft
- B. Downtown Parking Plan Draft
- C. Downtown Solid Waste Plan Draft
- D. Electric Vehicle Charging Plan Draft
- E. Downtown Lighting Plan Draft

Adopted: TBD
Supersedes: N/A
Policy Number: TBD



Food Truck Policy

ARTICLE 1. PURPOSE AND INTENT

Section 1. Purpose of the Policy

The purpose of this policy is to serve and protect the health, safety and welfare of the general public; preserve the quality and enjoyment of residences and occupation of a site by a properly licensed business; and establish a uniform set of rules and regulations that are fair and equitable. The policy applies to food trucks operating on public property in the DMX Zoning District.

ARTICLE 2. REQUIREMENTS

Section 1. Food Truck Permission Requests

Food Truck Host Food Trucks require a Host to operate in the DMX Zoning District of the Town of Wendell. No food truck may sell food to the general public within the Town unless a business, nonprofit, or similar organization, submits a request to the Town.

Property Owner Permission Permission to operate a food truck on public property will be granted through a signed Public Use of Space letter. The Food Truck Host must submit request in writing, by letter or email, no less than 14 calendar days prior to date(s) of request. Requests can be sent to the Assistant to the Manager.

Applicable Licenses and Permits Please note that nothing in the Use of Temporary Space approval letter addresses health department regulations or requirements. It is incumbent upon the Food Truck or Host to contact these respective agencies to determine if there are any code compliance issues outside of Wendell's zoning and development code.

Revocation of Permission The Town of Wendell reserves the right to revoke Food Truck privileges at any time. A written letter will be provided in the event privileges are revoked.

Section 2. Food Truck Operation

Food Truck Location Food Trucks are only permitted to operate on Campen Street and Depot Street. Food Trucks must be located at least 100 feet from the main entrance to any eating establishment or similar food service business. Written permission must be provided by the eating establishment if a Host requests to locate a Food Truck within 100 feet of the establishment.

Time Limits Hours operation of food trucks shall be limited to the hours between 6:00 am and 12:00 am (midnight).

Adopted: TBD
Supersedes: N/A
Policy Number: TBD



Littering Food Trucks shall keep the sidewalks, roadways, and other spaces adjacent to their vending sites or locations clean and free for paper, peelings, and refuse of any kind generated from the operation of the business. Food Trucks or their Host are responsible for the proper disposal of waste and trash associated with the operation.

Obstruction of Traffic The location of a Food Truck on a site shall not impede the flow of traffic nor obstruct the line of site for vehicles on private or public streets.

Generators The use of quiet generators is strongly encouraged, and any noise produced by food trucks may not be disruptive to surrounding residents and businesses.

Duly adopted this TBD day of TBD, while in regular session.

ATTEST:

Virginia R. Gray,
Mayor

Megan Howard
Town Clerk

Adopted: TBD
Supersedes: N/A
Policy Number: TBD



Downtown Parking Plan

ARTICLE 1. AUTHORIZATION

Section 1. Code of Ordinances Authorization

The plans outlined below fall under the authority of the Town Manager, as stated by the following:

**Wendell Code of Ordinances
Chapter 24 – Traffic and Vehicles
Article II – Traffic Control Devices**

Sec. 24-21. - Authority of town manager to erect traffic control devices

Required parking areas shall be available for the parking of operable vehicles of residents, customers and employees, and shall not be used for the storage of vehicles or materials, or for the parking of vehicles used for loading or unloading, or in conducting the use.

ARTICLE 2. PLAN OUTLINE

Section 1. Signage

Staff will erect directional signs to educate drivers of public parking locations, no parking zones, golf cart parking, electric vehicle charging parking, and short-term (20 minute) parking spaces.

Section 2. Striping

Staff will evaluate current parking spaces for striping needs, and determine if locations currently without striping warrant stripes.

Section 3. Enforcement

Staff will begin enforcement of illegally parked or stopped vehicles, beginning with education efforts where possible.

Adopted: TBD
Supersedes: N/A
Policy Number: TBD



Downtown Solid Waste Service

ARTICLE 1. CURRENT USAGE

Section 1. Existing Town-managed Dumpsters

The current dumpster locations will service existing businesses. Businesses will continue to be responsible for finding ways to dispose of trash and recycling individually. As growth continues and conditions allow, dumpsters could be added as part of future budgets.

ARTICLE 2. FUTURE USAGE

Section 1. Phased Plan

Staff will incorporate the following additions in future fiscal years, as growth requires:

Small cans will be handled by Town staff and trash will put in dumpster, dumpsters would be emptied by GFL. Businesses who participate would be responsible for bringing trash to dumpster locations. Dumpsters can only be placed by businesses on their property, in a manner consistent with our ordinance (i.e. approved enclosures). Dumpsters cannot be located on right of way. Otherwise, businesses can utilize the dumpsters the town provides.

Staff estimates the following costs to add enclosure space and create new dumpster locations:

West Campen (Add to existing enclosure): \$1,000

Women’s Club Lot (Create new location, including enclosure): \$5,000

Adopted: TBD
Supersedes: N/A
Policy Number: TBD



Downtown Electric Vehicle Charging

ARTICLE 1. CURRENT USAGE

Section 1. Existing Electric Vehicle Charging Station

Two electric vehicle charging stations have been installed on E Campen Street. Once electrified, they will be provided free of charge to those traveling in the area. Staff will monitor usage for potential revenue source, based on frequency of use and future charging station additions.

ARTICLE 2. FUTURE USAGE

Section 1. Additional Stations

Staff will seek opportunities for future charging station locations, which may also support opportunities to generate revenue.

Adopted: TBD
Supersedes: N/A
Policy Number: TBD



Downtown Lighting

ARTICLE 1. CURRENT USAGE

Section 1. Current Lighting Installation

Currently the town owns 49 lights in the DMX zoning district. As new lights are added (i.e. E Campen Row), they are leased by Duke.

ARTICLE 2. FUTURE USAGE

Section 1. Lighting Conversion Plan

Staff will work to coordinate the effort to convert all lights to a lease with other strategic initiatives and capital projects, and possibly time the replacement with a streetscape design improvement.

Item Title:

Façade Improvement Grant Update

Report to the Board of Commissioners:

Monday, October 12, 2020

Specific Action Requested:

Provide staff direction related to accepting new grant applications

Item Summary:

The Façade Improvement Grant Policy was last updated in July 2019. The update provided for greater flexibility in the administration and increased the total annual funding for the program. The goal of the grant is to provide a financial incentive to business and property owners to assist in the preservation and restoration of facades in the downtown business district. The improvements should demonstrate a significant enhancement to the appearance and aesthetic of a business, neighborhood and/or frontage on the public right-of-way.

Currently, the grant amount is up to \$10,000 per downtown façade, based on 50-50 match. Once grant funds expire for the fiscal year, applications shall continue to be forwarded for consideration to the approval entity pending any additional funds allocated by the Board of Commissioners. Grant amounts will be based on allocated funds available in the budget.

Staff has recently received several inquiries about the grant program. Some of these inquiries are immediate requests, while others are proposing to submit their applications later this year.

Fiscal Impact:

The immediate requests total approximately \$5000.00 and the proposed requests could total nearly \$25,000.00. There are no funds identified in the current budget; therefore, funding would have to come from the General Fund Reserve.

Attachments:

Attachment A: Façade Improvement Grant Policy

Town of Wendell

DOWNTOWN FAÇADE GRANT PROGRAM

Guidelines

Grant Objective:

To provide financial incentives to business and property owners to assist them in façade preservation and restoration that demonstrates enhanced and superior appearance and aesthetic improvements to a business, neighborhood and/or frontage on the public right-of-way.

Eligible Exterior Improvements:

Exterior lighting; repair or purchase of new awnings; exterior painting; storefronts or facades repair; window repair or replacement; masonry repair; transom glass repair/replacement of architectural details or materials, and relocation of electrical wiring.

For the downtown façade grant program, facades are defined as an individual storefront or building side which faces the public right-of-way or is otherwise visible to the general public. For the purpose of this grant program, separate addresses within a single building may qualify as separate facades of one or more of the spaces tenants are applying for a grant(s) subject to the guidelines of the program.

NOTE: Project cannot be completed prior to application approval; however, it can be started prior to application approval for larger projects.

Who Can Apply:

1. Property Owners; and/or
2. Commercial Tenants with the Property Owner's written permission

Grant Deadline:

The grant deadline will be on a quarterly basis. Applications may be submitted on the first calendar day of January, April, July, and October. Applications are accepted on a first come, first served basis per quarterly cycle. When an application or multiple applications are submitted at the beginning of a new cycle, all submitted applications will be reviewed during the next Appearance Commission meeting (applications must be received at least 7 days before scheduled meeting date to make it on meeting agenda).

An applicant/business may submit an application for a property up to twice a year. If awarded, the applicant/business cannot reapply for three years for the same property for which they were previously awarded a façade grant. This provision shall not prohibit a new business owner from applying for a façade grant for the same property within the three year period.

Grant Amount:

The grant amount is up to \$10,000 per downtown façade, based on 50-50 match. Once grant funds expire for the fiscal year, applications shall continue to be forwarded for consideration to the approval entity pending any additional funds allocated by the Board of Commissioners for the Downtown Façade Grant Program. Grant amounts will be based on allocated funds available in the budget.

Application:

Application will be one page in length and made accessible to the public. Copies of the Design Façade Grant Program Guidelines will be made accessible to the public. Marketing of the downtown façade grant program is encouraged. Completed applications will consist of: 1) completed and signed application; 2) detailed and

itemized project budget with cost breakdowns (min. of 2 quotes from contractors) is required as part of the application. All aspects of the project shall be included; and 3) Photos of property/project area.

Application Review Process:

1. Planning Department Staff (completeness review)
2. Appearance Commission (recommendation to Board of Commissioners)
3. Board of Commissioners (final review and approval)

Upon completion of work, copies of applicants canceled checks and contractors paid statements must be sent to Planning Department. Inspectors ensure work is in conformance with all applicable plans and ordinances. Completed paperwork is forward to the Finance Department for grant disbursement to applicant and is mailed to the applicant within two weeks of receipt of completed paperwork.

General processing and approval timeframe for all qualified applications will be a maximum of 45 days from receipt of qualified applications.

Decision Factors for Grant Approval:

1. Project Review Checklist:
 - a. Completed application by application deadline
 - b. Project proposes eligible exterior improvement(s)
2. Extra consideration shall be provided to:
 - a. new commercial businesses;
 - b. facades located in the downtown area;
 - c. removal of metal awnings and/or replacement of fabric awnings
 - d. recently expanded businesses or seeking renovation; and/or
 - e. Projects that are creative or offer enhanced improvements or aesthetic appeal or translates to increase customer visitation or experiences in a neighborhood.
3. Site visit and view of existing conditions;
4. Strength of the application and support materials submitted with the application will be judged against applications during the grant deadline cycle;
5. Project costs;
6. Available program funds.
7. Grants previously awarded to property.

Overall Guidelines:

1. General maintenance expenses may not be included in the grant application.
2. All improvements not listed under eligible improvements shall be considered ineligible improvements.
3. Projects must begin no later than three months after approval of the grant and completed within the current town fiscal year, whichever comes first.
4. Work shall conform to all applicable ordinances and building codes and permits shall be applied for when required. Applicants are required to secure any required permits.
5. All work must be in keeping with the specifications approved as part of the grant application.
6. Approval or denial of all applications by the town should be submitted in writing to applicants.

Item Title:

Public Hearing on a non-contiguous annexation for 61.43 acres located at 1129 Edgemont Road (9 acres) identified by PIN# 1775-70-5631; 1213 Edgemont Road (11 acres) identified by PIN# 1775-71-4047; 0 Edgemont Road (13 acres) identified by PIN# 1775-60-5484; 0 Merganzer Road (20.62 acres) identified by PIN# 1775-50-6528; and 0 US 64 HWY E, (7.81 acres) identified by PIN# 1775-51-9103.

Report to the Board of Commissioners:

October 12, 2020 – Public Hearing
September 28, 2020 - Receive Certificate of Sufficiency and set Public Hearing
August 10, 2020 - Direct Clerk to Certify Annexation Request

Specific Action Requested:

Hold a public hearing ordinance for the annexation petition. No decision can be made at this meeting. The decision will be considered on Monday, October 26, 2020.

Item Summary:

The Liles family has submitted an annexation request for a total of 61.43 acres located at 1129 Edgemont Road (9 acres) identified by PIN# 1775-70-5631; 1213 Edgemont Road (11 acres) identified by PIN# 1775-71-4047; 0 Edgemont Road (13 acres) identified by PIN# 1775-60-5484; 0 Merganzer Road (20.62 acres) identified by PIN# 1775-50-6528; and 0 US 64 HWY E, (7.81 acres) identified by PIN# 1775-51-9103.

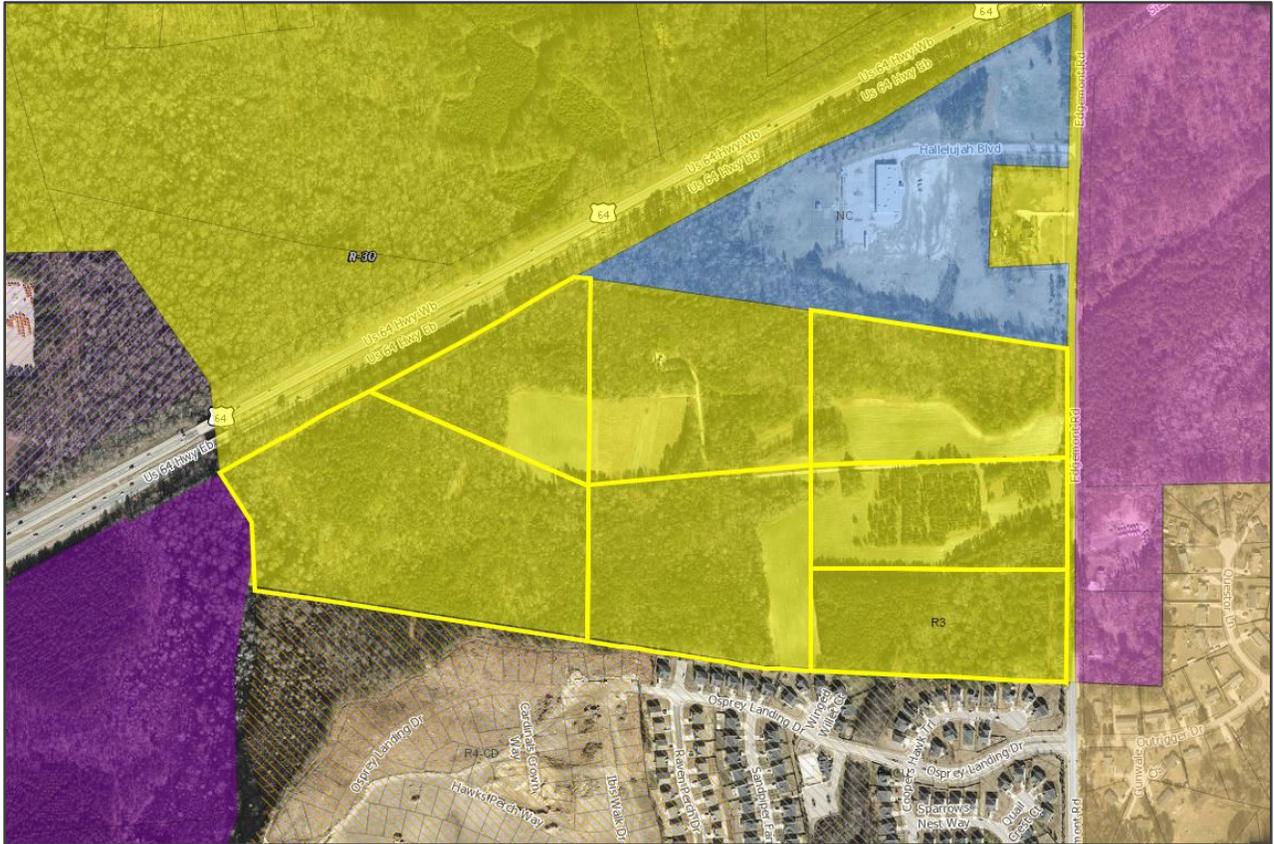
Zoning District:

The properties are currently located within the Wake County Residential-30 zoning district. The applicant has also submitted a R4 Conditional District rezoning request for the properties.

Police & Public Works & Utility Service:

The proposed annexation area would require services from the Town's Police and Public Works departments if annexed. The utility extensions would be constructed by the developer and maintained by Raleigh Water.

Location Map:



Attachments:

- A. Ordinance for Adoption

Return Address: Niki Jones, Planning Director
Town of Wendell
15 E. Fourth Street
Wendell, NC 27591

A20-04

ORDINANCE NO. 0-28-2020
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE TOWN OF WENDELL, NORTH CAROLINA

WHEREAS, the Board of Commissioners has been petitioned under G.S. 160A-58.1, as amended, to annex the area described herein; and

WHEREAS, the Board of Commissioners has directed the Town Clerk to investigate the sufficiency of said petition; and,

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at the Wendell Courtroom at 7:00 p.m. on the 12th day of October, 2020, after due notice by publication on the 1st day of October, 2020.

WHEREAS, the Board of Commissioners finds that the area described therein meets the standards of G.S. 160A-58.1(b) to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three miles from the corporate limits of the Town;
- b. No point on the proposed satellite corporate limits is closer to another municipality than to the Town;
- c. The area described is so situated that the Town will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation:

WHEREAS, the Board of Commissioners further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the Board of Commissioners further finds that the petition is otherwise valid, and that the public health, safety and welfare of the Town and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Wendell, North Carolina:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the properties identified by PIN #s 1775705631, 1775714047, 1775605484, 1775506528 and 1775519103, also shown as the 9, 11, 13, 20.62 and 7.81 acre tracts located at 1129 Edgemont Road, 1213 Edgemont Road, 0 Edgemont Road, 0 Merganzer Road and 0 US 64 HWY E on the below identified survey plat are hereby annexed and made part of the Town of Wendell, North Carolina, as of the date of adoption of this Ordinance on October 26, 2020. The survey plat that describes the annexed territory is that certain survey plat entitled "Annexation Plat, Satellite Extension of Corporate Limits of the Town of Wendell" and recorded in Book of Maps Book Number _____, Page Number _____, Wake County Registry.

Section 2. Upon and after the adoption of this ordinance, the attached described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Wendell and shall be entitled to the same privileges and benefits as other parts of the Town of Wendell. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Wendell shall cause to be recorded in the Office of the Register of Deeds of Wake County, and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of the ordinance. Such map shall also be delivered to the County Board of Elections as required by G.S. 163.228.1.

Duly adopted the 26th day of October, 2020.

(Town Seal)

Virginia R. Gray, Mayor

ATTEST:

APPROVED AS TO FORM:

Megan Howard, Town Clerk

James P. Cauley III, Town Attorney

STATE OF NORTH CAROLINA
COUNTY OF WAKE

CLERK'S CERTIFICATION

I, **MEGAN HOWARD**, Town Clerk of the Town of Wendell, North Carolina, do hereby certify that the attached is original ordinance #0-____-2020, as adopted by the Wendell Board of Commissioners on the 26th day of October,

2020 for properties owned by **The Estate of Mary Elizabeth Cross Liles, Larry Bruce Liles & Linda Louise Liles, Marie Liles Karageorge & Teresa Lynn Liles Clemmons, Jerome Liles, Jr., Philip F. Liles, Cynthia H. Liles and Frances L. Bailey**, and is approved for recording in the Wake County Register of Deeds.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of the Town of Wendell, North Carolina this _____ day of _____, 2020.

[TOWN SEAL]

Megan Howard, Town Clerk

Item Title:

Public Hearing on an R4 Conditional District for Harmony Landing located along Edgemont Road.

Report to the Board of Commissioners:

October 12, 2020 Public Hearing

Specific Action Requested:

Hold a public hearing on the proposed Conditional District rezoning request.

Item Summary:

The applicant’s proposed R4 conditional district, Harmony Landing, will feature 202 single family homes on 70 acres. Based on their application, the applicant is proposing the R4 Conditional District in order to be consistent with the adjacent Edgemont Subdivision to the south. Even though Harmony Landing will be developed by DR Horton, who also developed Edgemont Landing, Harmony Landing will be a separate subdivision with its own amenities and HOA. According to the UDO, the open space requirement is 8.1 acres but the applicant is providing 24.7 acres of open space.

The Overall Site Plan is included as Attachment A (Along with a link to the full Master Plan for download).

Property Information Summary	
Location	West side of Edgemont Road, North of Edgemont Landing Addresses: 1129 Edgemont Rd, 1213 Edgemont Rd, 0 Edgemont Rd, 0 Merganzer Rd, 0 US 64 HWY E PINs: 1775-70-5631, 1775-71-4047, 1775-60-5484, 1775-70-5201, 1775-50-6528 and 1775-51-9103
Current Zoning	R-30, R3
Requested Zoning	R4 CD
Area of Request	70.43 acres
Corporate Limits	Wake County- to be annexed
Property Owners	The Estate of Mary Elizabeth Cross Liles, Larry Bruce Liles & Linda Louise Liles, Marie Liles Karageorge & Teresa Lynn Clemmons, Donald H Kline & Lou G Kline and Frank G Liles
Applicant	David Arnold of The Nau Company

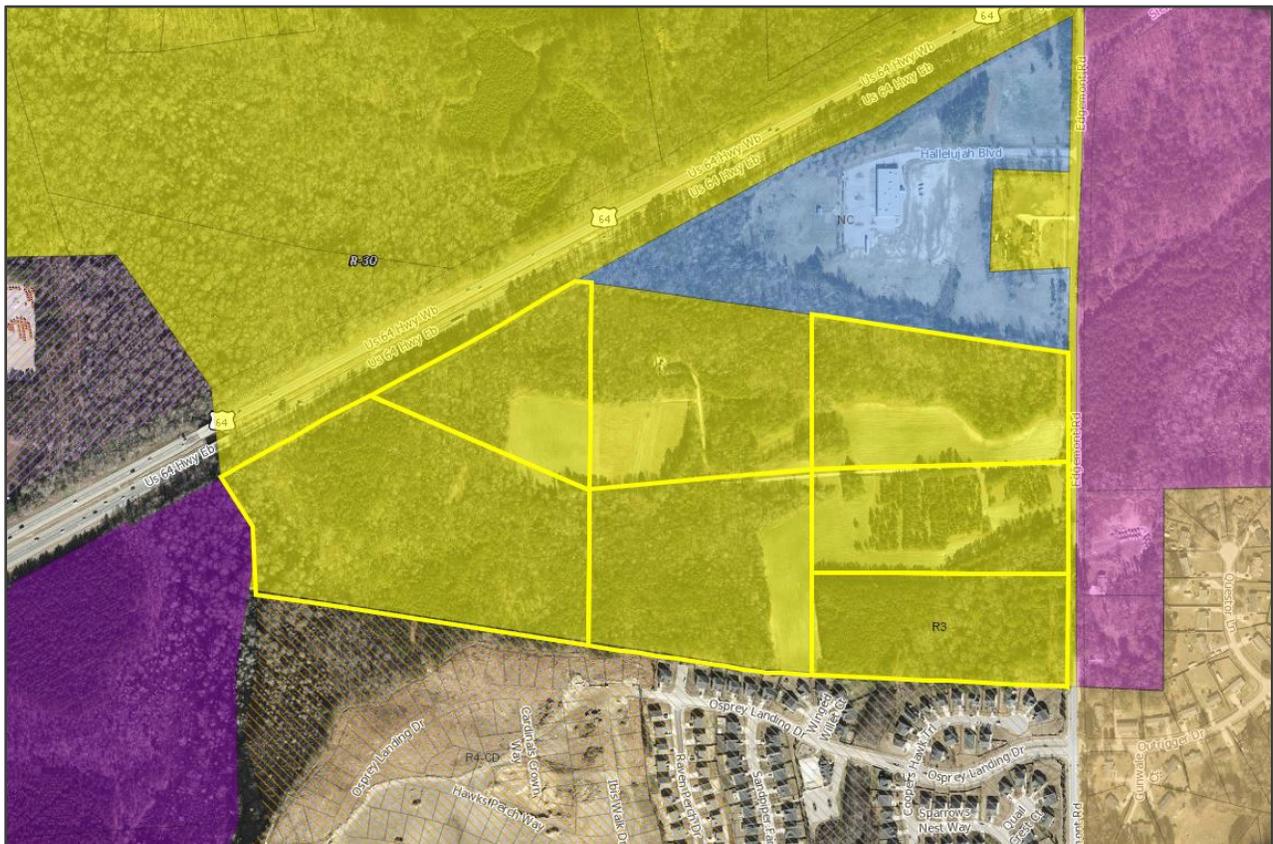
Project Setting – Surrounding Districts and Land uses:

DIRECTION	LANDUSE	ZONING
North	Institutional/Vacant	NC/R-30
South	Residential	R4-CD
East	Industrial/Vacant	MI-CU/R-30
West	Industrial	I-2

Zoning District:

One of the properties is located in the corporate limits of the Town of Wendell and is zoned R3. The other five properties are located in Wake County’s jurisdiction and are zoned Residential-30 (R-30). Annexation must be approved by the Wendell Board of Commissioners for the conditional district to take effect.

Current Zoning Map (Subject Properties Outlined in Yellow:



Purpose of a Conditional District:

The purpose of the Conditional District (CD) is to provide an alternative means of land development and an alternative zoning procedure that may be used to establish residential, commercial, and industrial Conditional Districts at appropriate locations and in accordance with the planning and development objectives of the Town. A CD may depart from the strict application of the

requirements of the town's general zoning districts; allowing flexibility while maintaining and protecting the public health, safety and welfare of the citizens.

A second purpose of the conditional district is to establish a more complete living and working environment through the application of enlightened and imaginative approaches to community planning and property design. A CD should provide a variety of natural features and scenic areas, efficient land use, improved amenities and orderly development, and the protection of existing and future adjacent development.

The provisions of the CD Master Plan shall replace all conflicting development regulations set forth in the Unified Development Ordinance (UDO) which would otherwise apply to the development site. The Planning Board may recommend and the Board of Commissioners may attach reasonable and appropriate conditions including, but not limited to, the location, nature, hours of operation, and extent of the proposed use(s). Conditions and site-specific standards shall be limited to those that address conformance of the development and use of the site to the UDO and officially adopted plans and those standards and conditions that address the impacts reasonably expected to be generated by the development and use of the site.

Proposed Conditional District Conditions:

The applicant is proposing 7 conditions for the proposed CD, as follows:

1. A five-foot (5') streetscape buffer shall be provided along Edgemont Road similar to that provided with Phase 1.
2. Development will be in accordance with the approved site development plan.
3. The rezoned parcels may be used for, and only for, single family detached dwelling units.
4. Improvements recommended by the Traffic Impact Analysis and comments by NCDOT shall be coordinated with NCDOT and constructed per NCDOT final requirements.
5. The front and corner setbacks shall be reduced to 20'.
6. All structures must be in compliance with the dimensional standards provided in the approved site development plan.
7. Parking in the public right-of-way shall be maintained by the homeowner's association.

Public Utilities:

Development of this site will require connection to city water and sewer which is available nearby. The parcels that are not already in the city limits will need to be annexed. An application for annexation was submitted by the applicant.

Streets:

The applicant will be responsible for making the required road improvements to Edgemont Road which include sidewalk, bike lanes, landscape area and curb and gutter. Duet Drive, which is the main road in and out of the development, will contain 29 ft. of pavement instead of the normal 27 ft. per the request of TRC. There will be no on-street parking however guest parking will be provided near the parks and within each area of the development.

Parking

The proposed development plan does not allow for on-street parking unless in designated parking spaces. They are providing 45 spaces throughout the community at various locations.

Traffic Impact Analysis (TIA):

The number of proposed dwelling units required the developer to prepare a Transportation Impact Assessment (TIA) report. This report is reviewed by NCDOT, as well as the Town contracted engineer. Since all impacted roads are DOT maintained, they would determine what if any improvements are required, based on the additional traffic being generated by this site. These improvements typically involve the addition of turn lanes, striping improvements, or signal improvements when applicable.

Recommended improvements for this project include:

- ✓ 75 feet left turn lane from Edgemont Road onto Duet Drive.
- ✓ 150 ft. right turn lane at Edgemont Road turning onto NC 97.

Phasing:

The current plan shows that there will be 2 phases on this project. Phase 1 will have recreation and open space areas and Phase 2 will have park and open space areas.

Open Space & Landscaping Plan:

The applicant is providing 24.7 acres of open space, while only 8.1 acre is required. The applicant is planning to construct certified playground and a neighborhood park with turfgrass playfield. The landscaping plan provides for abutting rear yard plantings that includes trees and shrubs.

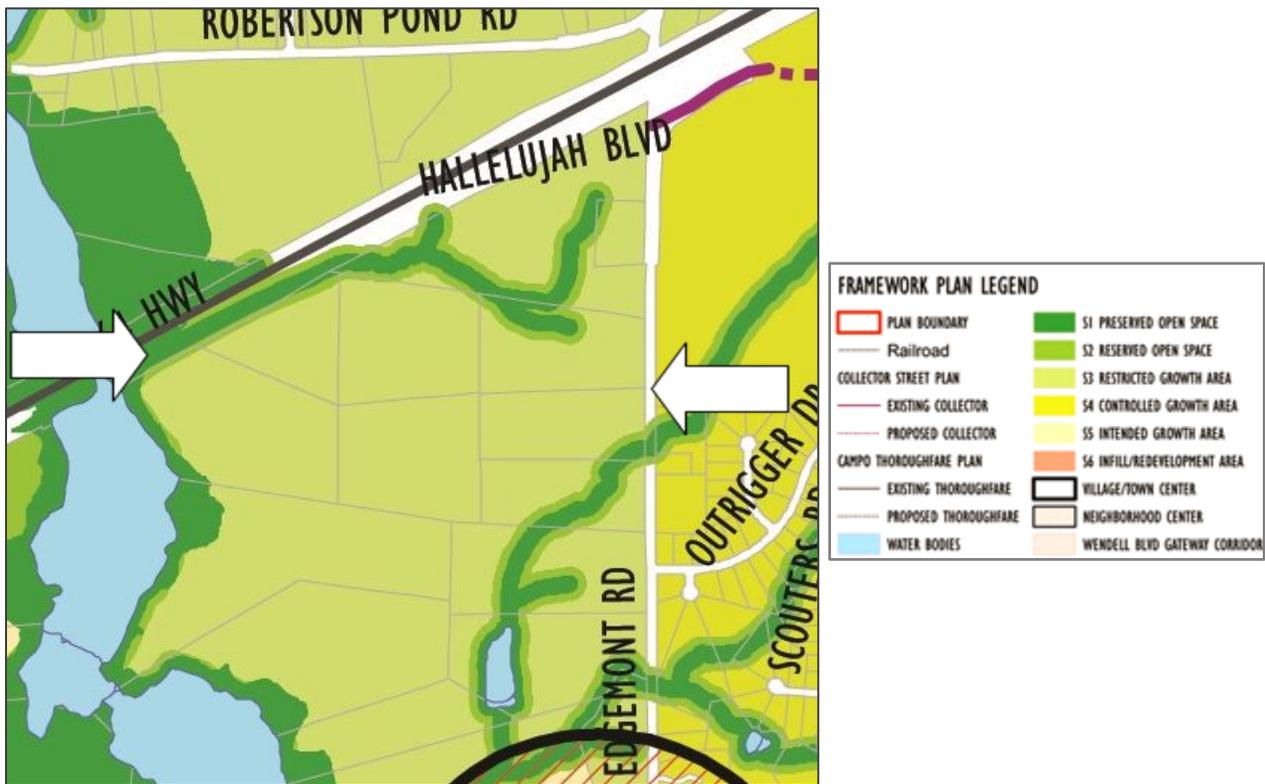
Comprehensive Plan:

The Wendell Comprehensive Plan defines the subject property as being within the S-3 Restricted Growth Sector.

The Comprehensive Plan states that S-3 areas are “intended for very limited development under tightly controlled conditions. This sector is generally classified as lands that are not proximate to thoroughfares and that are not projected to be high growth areas due to limited access to the transportation network and utilities. Generally, the S-3 areas are outside of the short-range urban service area for water and sewer service and are close to S-1 and S-2 areas.”

The community types and land uses appropriate for this sector are:

- low density cluster developments or hamlets (a clustering of buildings around a rural crossroad)
- single family residential development
- very limited convenience retail uses
- civic uses (parks, schools, religious and government uses)
- some industrial uses



Planning Board Recommendation:

At their July 20, 2020 meeting, the Planning Board voted unanimously in favor of the requested Conditional District.

Voting in Favor: Ryan Zakany, Jonathan Olson, Brett Hennington, Deans Eatman, Jimmena Huffman-Hall, Levin Jones and Cande Killian Wood

Voting Against: None

Absent: Michael Firstbrook

Statement of Plan Consistency and Reasonableness:

The requested conditional district is generally consistent with the recommended uses and development types outlined in the Wendell Comprehensive Land Use Plan for the S-3 sector and is reasonable as it is consistent with Principle #6: “Provide for a range of housing opportunities including upscale housing, senior housing, and downtown living choices”.

Applicant’s Justification:

“We wish to request a conditional rezoning for the Edgemont 3 [Harmony Landing] subdivision. It is requested that the proposed property be rezoned from R30 to R4-CD. This request is consistent with Phase 1 and 2 of the Edgemont Subdivision, south of the proposed site.”

Technical Review Committee (TRC) Comments:

The Technical Review Committee had comments on guest parking and details needed on open space. Per TRC comments, two feet of pavement were added to Duet Drive as it is the main road in and out of the development.

Staff Recommendation:

Since the applicant has addressed all TRC comments, staff recommends approval of the proposed conditional district.

Attachments:

A. Overall Site Plan

a. Full Master Plan Link:

<https://nmc.dn.io/e186d21f8c7946a19faed23c3da2f0da/3834b95a93b14b3689a528c1f97c5d69/files/Harmony-Landing-3rd-Submittal-7-1-20--Full-Set-.pdf>

B. TIA

C. Application

D. Ordinance



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

June 8, 2020

Edgemont Phase 3
Traffic Impact Analysis Review Report
Congestion Management Section

TIA Project: SC-2020-092
Division: 5
County: Wake



Doumit Y. Ishak, Regional Engineer
Clarence B. Bunting, IV, P.E. Project Engineer
Braden M. Walker, P.E. Project Design Engineer

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
TRANSPORTATION MOBILITY & SAFETY DIVISION
1561 MAIL SERVICE CENTER
RALEIGH, NC 27699-1561

Telephone: (919) 814-5000
Fax: (919) 771-2745
Customer Service: 1-877-368-4968

Location:
750 N. GREENFIELD PARKWAY
GARNER, NC 27529

Website: www.ncdot.gov

Edgemont Phase 3

SC-2020-092	Wendell	Wake County
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Per your request, the Congestion Management Section (CMS) of the Transportation Mobility and Safety Division has completed a review of the subject site. The comments and recommendations contained in this review are based on data for background conditions presented in the Traffic Impact Analysis (TIA) and are subject to the approval of the local District Engineer's Office and appropriate local authorities.

Date Initially Received by CMS	05/08/20	Date of Site Plan	N/A
Date of Complete Information	05/08/20	Date of Sealed TIA	05/01/20

Proposed Development

The TIA assumes the development is to be completed by 2023 and consist of the following:

Land Use	Land Use Code	Size
Single Family Detached Housing	210	202 d.u.

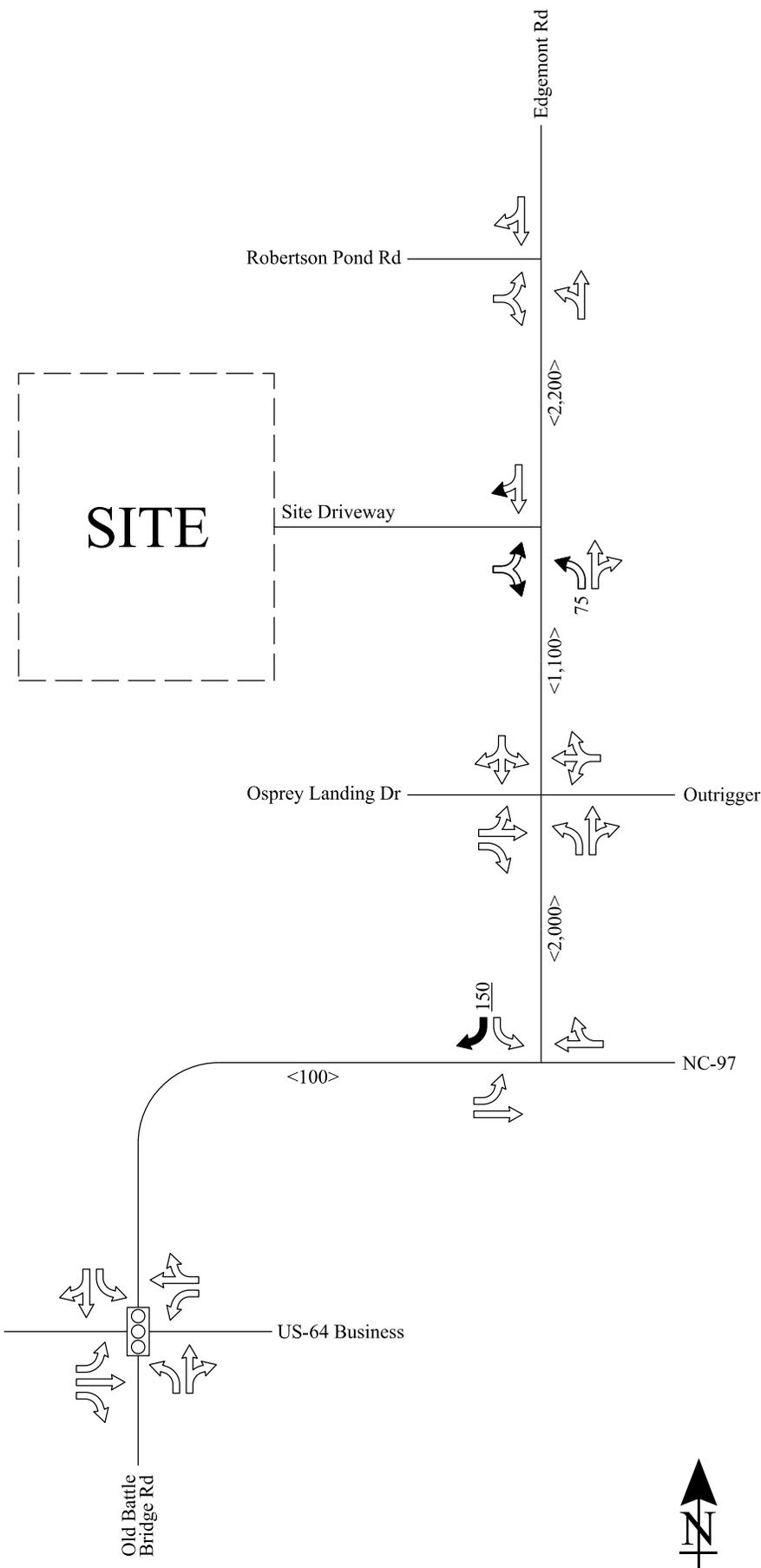
Trip Generation - Unadjusted Volumes During a Typical Weekday

	IN	OUT	TOTAL
AM Peak Hour	37	111	148
PM Peak Hour	126	74	200
Daily Trips			1,986

General Reference

For reference to various documents applicable to this review please reference the following link: <http://www.ncdot.org/doh/preconstruct/traffic/tepl/Topics/C-37/C-37.html>

Once the driveway permit has been approved and issued, a copy of the final driveway permit requirements should be forwarded to this office. If we can provide further assistance, please contact the Congestion Management Section.



**Edgemont Phase 3
Wendell, Wake County
SC-2020-092**

	Existing Laneage
	Recommended Laneage
	Laneage Built By Others
	NCDOT Recommendation
	Existing Signal
	Signal Proposed By Others
	Developer Proposed Signal
XXX	Storage
<u>XXX</u>	NCDOT Recommended Storage
<XXX>	Distance Between Intersections
IPS	Internal Protected Stem
All Distances in Feet	
Drawing Not to Scale	



TOWN OF WENDELL CONDITIONAL DISTRICT PACKET



Town of Wendell Planning Department
15 E. Fourth St.
Wendell, NC 27591

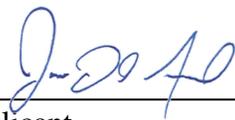
Phone: 919.365.4448
Fax: 919.366.1462
www.townofwendell.com

ACKNOWLEDGEMENT OF CONDITIONAL DISTRICT INFORMATION

I, David Arnold, acknowledge the receipt of the following items pertaining to the Conditional District rezoning of the property located at Edgemont Phase 3 Subdivision.

- X Application
- X Submittal Schedule
- X Framework Plan Map
- X District Use Regulations Table
- X Conditional District Procedures

Submittal Deadline Date: April 2, 2020


Applicant

04/02/2020
Date



TOWN OF WENDELL CONDITIONAL DISTRICT APPLICATION

Date of Application: 04/02/2020 Application Number: _____

Project Name: Edgemont Phase 3

Location of Property: West of Edgemont Road, North of existing Edgemont Subdivision

Current Zoning District: R-30 Wake Co. PIN: 1775-51-9103, 1775-50-6528, 1775-70-5631
1775-70-5201, 1775-71-4047

Applicant's Name: DR Horton - Central Carolina c/o Charlie Yokley

Applicant's Mailing Address: 2000 Aerial Center Parkway, Suite 110

City/State/ZIP: Morrisville, NC 27560

Phone: 336-339-0576 Email: CWYokley@drhorton.com

Property Owner's Name: DR Horton - Central Carolina c/o Charlie Yokley

Property Owner's Address: 2000 Aerial Center Parkway, Suite 110

City/State/ZIP: Morrisville, NC 27560

Phone: 336-339-0576 Email: CWYokley@drhorton.com

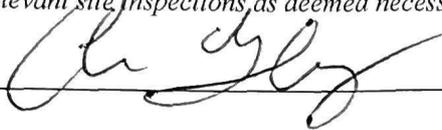
Intended use of property, building or structure as a Conditional District (describe below):
Single Family Residential

The following information MUST be included before the application will be accepted and processed:

- Attachment A – Legal Description of Property: Include on a sheet of paper the property survey, Wake County Tax Map PIN Number, block or lot numbers with metes and bounds description of the area, or any other legal information available.
- Attachment B – A list of adjacent property owners (including across public right-of-ways) and their mailing and physical addresses.
- Attachment C – Proposed Conditions and Why Property Should Be a Conditional District: Include on a sheet of a paper the proposed conditions (with UDO sections referenced) and an

explanation in detail of why you feel the property should be rezoned as a conditional district. The explanation should include if the rezoning coincides with the Comprehensive Land Use Plan and if the impact of the proposed rezoning affects adjacent or surrounding properties. Also within this attachment should be the impact on governmental services (utilities, schools, police protection, streets, etc.), that the uses permitted within the requested district would create.

The undersigned property owner hereby authorizes the filing of this application and any subsequent revisions thereto. The filing of this application authorizes the Town of Wendell staff to enter upon the site to conduct relevant site inspections, as deemed necessary to process the application.

Signature:  Date: 3-26-20

After completing the attachments listed above, I certify that I am the owner or have the consent of the owner and act on his or her behalf in making this petition for an amendment to the zoning map. It is further understood that if the Conditional District as requested herein is not started within twelve (12) months from the date of approval, that the district shall become invalid. Fees are nonrefundable. The applicant is responsible for presenting their case to the town.

Signature: _____ Date: _____

OFFICE USE ONLY	
Fee Paid: _____	Check # _____ Recvd By: _____ Date: _____
Planning Board Meeting : _____	
Planning Board Recommendation <input type="checkbox"/> Approval <input type="checkbox"/> Approval with Conditions <input type="checkbox"/> Denial	
The decision was consistent with the Comprehensive Plan: <input type="checkbox"/> Yes <input type="checkbox"/> No	
BOARD OF COMMISSIONERS Date of Public Hearing: _____ Date Sign Erected: _____	
Dates Public Hearing Advertised (#1) _____ in _____ (#2) _____ in _____	
Town Board Recommendation <input type="checkbox"/> Approval <input type="checkbox"/> Approval with Conditions <input type="checkbox"/> Denial	
Conditions _____	

Town Clerk Signature _____	Date _____
Mayor's Signature _____	Date _____



April 2, 2020

Town of Wendell
15 East Fourth Street
Wendell, NC 27591

RE: Edgemont Phase 3 – Conditions of Approval

Dear Sir/Madam:

We wish to request a conditional rezoning for the Edgemont Phase 3 subdivision. It is requested that the proposed property be rezoned from R30 to R4-CD. This request is consistent with Phase 1 and 2 of the Edgemont Subdivision, south of the proposed site.

The following conditions shall be applied to the proposed rezoning for the Edgemont Phase 3 Subdivision:

1. A five foot (5') streetscape buffer shall be provided along Edgemont Road similar to that provided with Phase 1.
2. Development will be in accordance with the approved site development plan.
3. The rezoned parcels may be used for, and only for, single family detached dwelling units.
4. Improvements recommended by the Traffic Impact Analysis and comments by NCDOT shall be coordinated with NCDOT and constructed per NCDOT final requirements.
5. The front and corner setbacks shall be reduced to 20'.
6. All structures must be in compliance with the dimensional standards provided in the approved site development plan.
7. Parking in the public right-of-way shall be maintained by the homeowner's association.

Please let me know if you have any questions and/or require any additional information.

Sincerely,

The Nau Company, PLLC

A handwritten signature in blue ink, appearing to read 'David Arnold'.

David Arnold, PE
Project Manager

darnold@thenauco.com



Planning Department

15 E. Fourth Street
Wendell, NC 27591
919-365-4448

Water Allocation Application

Application Date: April 2, 2020

Zoning District: R-4

Name of Development: Edgemont Phase 3

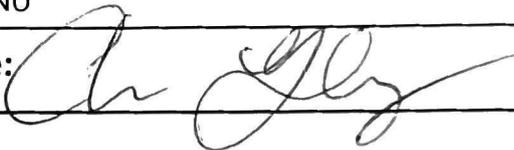
Proposed Use: Single-Family Residential

Location of Development: 0, 1129, 1213 Edgemont Rd, 0 US 64 E, 0 Merganzer Rd

Description of Development: 200 lot single-family residential development

Is this project applying as a Special Exemption? No

Applicant: Charlie Yokley, DR Horton

Signature: 

Phone: (336) 339-0576

Email: cwyokley@drhorton.com

TO BE COMPLETED BY APPLICANT

Please indicate points for project. Provide details of each bonus point used (i.e. number of parking spaces added, additional open space acreage dedication, off-site sidewalk locations, etc.).

	POINTS
Base Points: Major Subdivision	38
Bonus Points (List Options Used):	
Signage or Striping Improvements	1
Natural Habitat Conservation (5 acres)	5
On-street Parking	2
Drought Tolerant Landscaping	2
IPEMA Certified Playground Landscaping	3
Enhanced Roadside Landscaping	1
Total Points (Base and Bonus Combined—Min. 50 points):	52

ORD # 0-29-2020
AN ORDINANCE AMENDING THE ZONING MAP
OF THE TOWN OF WENDELL

WHEREAS a petition has been filed with the Board of Commissioners of the Town of Wendell requesting an amendment to the Zoning Map of the Town of Wendell to create the R4 Conditional District (R4-CD20-01) for the properties described below, said properties formerly being zoned Wake County R-30 and Town of Wendell R3; and

WHEREAS said properties are owned by The Estate of Mary Elizabeth Cross Liles, Larry Bruce Liles, Linda Louise Liles, Marie Liles Karageorge, Teresa Lynn Clemmons, Donald H Kline, Lou G Kline and Frank G Liles and

WHEREAS the Planning Board of the Town of Wendell reviewed the proposed change(s) and made a recommendation thereupon; and

WHEREAS notice of a public hearing to consider the proposed change was published in accordance with law in the Wake Weekly, a local newspaper, as required by Section 38-717 of the Wendell Code of Ordinances and by Section 160A-364 of the General Statutes; and

WHEREAS a notice of the proposed zoning classification action was mailed to the owner(s) of the parcel(s) of land involved, as shown on the County Tax Listings, and to the owners of all parcels of land abutting that (those) parcel(s) of land, as shown on the County Tax Listings, by depositing a copy of the same in the United States Mail, first class postage paid, as required by Section 160A-384 of the General Statutes; and

WHEREAS the said public hearing was actually conducted at 7:00 p.m. on October 12, 2020 at the Wendell Town Hall and wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change or to make relevant comments:

THEREFORE, after duly considering the matter, THE TOWN OF WENDELL DOES HEREBY ORDAIN;

SECTION 1. That the Zoning Map of the Town of Wendell is hereby amended to include the R4 Conditional District (R4-CD20-01) 70.43 acres of property within the parcels identified by PIN #s 1775705631, 1775714047, 1775605484, 1775705201, 1775506528 and 1775519103.

SECTION 2. The requested zoning map amendment for the parcels within the rezoning area identified as CD20-01 from Wake County R-30 and Town of Wendell R3 to R4-CD20-01, due to the consistency with the types and nature of uses described in the S-3 Sector and Principle #6 "Provide for a range of housing opportunities including upscale housing, senior housing, and downtown living choices" is found to be reasonable and consistent with the recommendation of the Wendell Comprehensive Land Use Plan.

SECTION 3. That the application is approved with the following zoning/site plan conditions:

1. A five foot (5') streetscape buffer shall be provided along Edgemont Road similar to that provided with Phase 1.
2. Development will be in accordance with the approved site development plan.
3. The rezoned parcels may be used for, and only for, single family detached dwelling units.

4. Improvements recommended by the Traffic Impact Analysis and comments by NCDOT shall be coordinated with NCDOT and constructed per NCDOT final requirements.
5. The front and corner setbacks shall be reduced to 20’.
6. All structures must be in compliance with the dimensional standards provided in the approved site development plan.
7. Parking in the public right-of-way shall be maintained by the homeowner’s association.

SECTION 4. That if any section, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. That this ordinance shall become effective immediately upon its adoption.

DULY ADOPTED the 26th Day of October 2020

(Town Seal)

Virginia Gray, Mayor

ATTEST:

APPROVED AS TO FORM:

Megan Howard, Town Clerk

James P. Cauley III, Town Attorney

Item Title:

Update on board committee(s) by Town Board members.

 Technical Review Committee – Mayor Pro Tempore John Boyette

 Wendell Volunteer Fire Department Board of Directors – Commissioner Jason Joyner

Specific Action Requested:

None

Attachments:

None

Item Title:

Commissioners' Reports.

Specific Action Requested:

None

Attachments:

None

Item Title:

Mayor's Report.

Specific Action Requested:

None

Attachments:

None

Item Title:

Closed Session [NC GS 143-318.11].

Specific Action Requested:

Will be called if necessary for one or more of the following within NC GS 143-318.11(a):

- (1) To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes.
- (2) To prevent the premature disclosure of an honorary degree, scholarship, prize, or similar award.
- (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded.
- (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.
- (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.
- (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues

may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting.

(7) To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.

(8) To formulate plans by a local board of education relating to emergency response to incidents of school violence or to formulate and adopt the school safety components of school improvement plans by a local board of education or a school improvement team.

(9) To discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity.

(10) To view a recording released pursuant to G.S. 132-1.4A.

Attachments:

None