



**Town of Wendell
Town of Wendell Planning Board
Tuesday, January 18, 2022 @ 7:00 PM
Town Board Room**

MINUTES:

Members Present: Chairman Jonathan Olson, Ryan Zakany, Cande Killian-Wood, Benjamin Griffin, Emma Gardner, Jimmena Huffman-Hall, and Levin Jones

Members Absent: Michael Firstbrook

Staff Present: Bryan Coates, Planning Director; Stacy Griffin, Assistant Planning Director; Jeannine Ngwira, Planner II and Linda Barbour

1. Meeting Called to Order

Chairman Olson said there was a quorum present and called the meeting to order at 7:00 p.m.

Pledge of Allegiance was recited.

2. Adjustment and Approval of the Agenda

Chairman Olson asked for a motion to approve the agenda. Ryan Zakany made the motion to approve the agenda and Levin Jones seconded the motion. The motion was approved unanimously.

3. Approval of the Minutes

3a. Wendell Planning Board minutes from November 15, 2021.

Chairman Olson asked for a motion to approve the amended minutes. Ryan Zakany made the motion to approve the minutes and Levin Jones seconded. The minutes were approved unanimously.

4. New Business

a. CD21-12

b. ZMA22-01

5. Administrative Reports

5a. Blueprint Wendell 2030 Update

6. Adjourn

4a. CD21-12

Bryan Coates, Planning Director presented the following information shown in *italics* below.

Item Title: *CD21-12 – This request is to rezone approximately 39.49 acres from Rural Agricultural (RA) to Neighborhood Center Conditional District (NC-CD) to create Magnolia Townes.*

Specific Action Requested:

The Planning Board is asked to consider the proposed rezoning request and make a recommendation to the Board of Commissioners, to include a statement of plan consistency and reasonableness.

Staff gave a presentation on the proposed rezoning and development plan.

Comments/Questions following this presentation:

- Mr. Coates stated that David Bergmark was here on behalf of the applicant.
- Mr. Griffin asked if Planning Director Coates could explain about Condition #9 being removed. – Mr. Coates responded that Condition #9 is not needed as the Town will utilize the Harris Street multi-use path instead of traversing the southern part of the applicant's property for a greenway.
- Mr. Griffin asked if the sewer plant was operational. Mr. Coates responded that the plant contains an active pump station but is no longer a treatment facility.
- Mr. Zakany asked if TRC required a third entrance into the neighborhood and wanted to know the timeframe of the South Main Street Greenway. Mr. Coates responded that a third entrance is not required and McAdams has been chosen to design the greenway. The developer's agreement states that the developer will pave the neighborhood streets and the greenway.
- Mr. Jones asked why this project was asking for NC zoning versus R7. Mr. Coates responded stating that R7 limits townhomes to 30% and NC is more appropriate for developments proposed to contain all townhomes.
- Mr. Griffin asked if the Main Street right-of-way was 60'. Mr. Coates responded with yes it's 60' and allows us to plan for a multi-use path for walkers, bikers, and golf cart usage. Mr. Griffin stated being that its 60' right-of-way, a buffer could be maintained.
- Mr. Olson asked if the board should exclude zoning condition #9. Mr. Coates stated that it could happen later as the developer's agreement is still under review.

- Mr. Bergmark from McAdams gave a brief history of his relationship with the town, and he showed some slides relating to the project. He said there are a lot of trades offs because of the obstacles the developer needs leeway and the town needs land for parks and a greenway. Chairman Olson asked if there were any questions for Mr. Bergmark.
- Mr. Zakany asked how it works that the town will get the land. Mr. Bergmark responded by saying that the land would be deeded to the Town of Wendell. Mr. Zakany also asked what is a water table? Mr. Bergmark stated that it is decorative stone on the front of the townhomes. Mr. Zakany then asked about the vinyl siding and if an HOA will exist? Mr. Bergmark stated that the vinyl will be a thicker quality vinyl and yes the development will have an HOA.
- Mr. Olson asked if anyone was here to speak and if so they would have a 3-minute maximum time limit each.
- Wayne Norris of White Lane stated the development park will not be accessible to citizens of the development and there is nowhere to park. Vinyl sided townhomes will be unsightly. Highway access will have to go through town and there is so much traffic. He said we have enough townhomes, it will cost the town a lot of money to support trash pickup, etc. in the city limits.
- Mary Katherine of 4 Forest Lane stated: She has spoken to David before about the creek behind her property and the 5 acres of land Phillip Whitley gave the town. She asked about the 8 acres that would be given to the town. She must maintain the creek behind her because the town will not. She said that water will be all over this new property, and has anyone considered this? The sewer plant smells terrible are people going to live near this plan or will it be removed? Mr. Bergmark stated that the pump station is not planned to be removed. She said we had enough townhomes, why can't we have a different type of development. She stated that its going to cost millions to extend Main Street.
- Mr. Olson asked if any plans existed to extend Main Street as a road? Mr. Coates responded with no plans exist other than the greenway. Mr. Olson then asked Mr. Bergmark how they will capture the stormwater. Mr. Bergmark stated that retention ponds will hold the water and then slowly release.
- Mr. Olson asked if the town maintains the stormwater ponds? Mr. Coates stated no we do not. Mr. Coates stated that we do not maintain private property, the owner is responsible. He stated he can check with Public Works.
- Jason Williams of 201 White Lane stated: 121 townhomes and only 67 trips, is this a retirement community, don't these people work. He asked the timeline of the Phases. He asked how do we approve a plan that is not finalized? Mr. Coates stated the 67 trips is for the AM peak hour only. Mr. Olson said that the developer's agreement that be reviewed and acted on by the Town Board. Mr. White asked about the Greenway and where it will be. Mr. Coates stated the South Main Street Greenway is in design but the portion to Wendell Falls Parkway is not in design at this time, but a planned route is being planned.
- Mary Fish of Wythe Lane stated she thinks we need to slow down; we keep developing and adding more townhomes, are there any high-end developments in the works? What is the long-term plan? Mr. Bergmark stated that the plan represents both phases and they are not planning

any future phases, the full development plan is being proposed. He also stated that once the greenway is constructed the residents of the development will have access to the park.

- Mr. Bergmark stated that higher density is better for the tax base, large lot developments provide less for maintaining roads and utility lines. Mary Katherine asked about the tax revenue per unit to the city of Wendell. Mr. Bergmark stated it depends on the market value of the homes and the selling price. Mr. Olson responded that the tax rate is the same but the values will be different.
- A resident from the audience asked if the townhomes will be 3-bedroom units? Mr. Bergmark stated they will be either 3 or 4-bedrooms.
- Mary Katherine said she and Sam came in off Wendell Blvd and looked at the Townhomes there and went up to the townhomes and the vinyl just pulled off. She suggested that the Planning Board go by and look at these places.
- Mr. Olson said he does not like vinyl siding, but state law prohibits imposing design standard for single family home types, but through conditions we can. Bryan said conditional districts up the standards as is not only has to meet NC building code.
- Mr. Coates stated that state law prohibits cities and towns from regulating materials and the design of single-family homes which include townhomes. Conditional district rezoning allows a developer to provide zoning conditions that can provide design guidelines.
- A resident from the audience stated that the townhomes only allow for 3-4 cars to be parked per home and this is inadequate compared to what we have, it is about the quality of life.
- Mr. Zakany stated there is a market for townhomes and the trend is not going away and the positives are the parks, dedication of land for public works and it is a good location for townhomes. Mr. Zakany asked if Public Works or Parks & Rec had any issues with the land donation. Mr. Coates said no.

**Mr. Zakany made a motion to approve
Mr. Jones seconded the motion**

Vote was called and all were in favor- Motion carried unanimously.

4b. ZMA22-01

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Item Title: ZTA22-01 Zoning text amendments to:

- **Amendment 1: Section 5.10 – Townhouse Buildings**
- **Amendment 2: Section 14.4B – Technical Review Committee**
- **Amendment 3: Section 17.4 - Traffic Control Signs, Signals and Markings**
- **Amendment 4: Section 15.2 – Administration and Chapter 16 – Development Plan Requirements**
- **Amendment 5: Section 2.19 – Planned Unit Developments**

Specific Action Requested:

The Planning Board is being asked to consider the proposed text amendment requests and make a recommendation to the Board of Commissioners and include a statement of Comprehensive Plan consistency.

Staff gave a presentation on the proposed text amendments.

Comments/Questions following this presentation:

- Mr. Zakany stated the first three amendment seem straight forward.
- Mr. Olson asked if the 20' setback is standard? Ms. Griffin responded by stating yes and it is from the edge of the sidewalk-right-of-way. Mr. Olson asked what a standard parking space is for the Town? Ms. Griffin stated 9' by 18'.
- Mr. Zakany asked who determines if a development is consistent with current adjacent neighborhoods. Ms. Griffin replied the Planning Board and the Town Board.
- Mr. Coates stated that this proposal will have townhomes and single-family homes both having a 20' setback for front loading or rear loading homes.
- Mr. Olson asked about traffic signal intersections. Ms. Griffin responded that if a TIA suggests a traffic signal, the developer would be required to provide the equipment. Mr. Griffin stated that we need to specify that the developer will be pay for the engineering and design.
- Mr. Olson asked if planning staff will provide a template for neighborhood meetings? Ms. Griffin stated that we would provide a template and we will require minutes from the neighborhood meeting. Staff can compare the list of those invited and those that attended.
- Mr. Olson asked will notifications go out to everyone near and farther away? Ms. Griffin responded that staff is recommending adjacent parcels as they also will get invited to the public hearing. Mr. Olson asked does this include a TIA? Mr. Coates responded that staff is still looking into how other communities approach notification related to TIA's. Mr. Olson would like to see property owners notified of a TIA.
- Mr. Jones asked are neighborhood meetings for any parcel owner that touches the proposed property to be rezoned. Ms. Griffin responded yes and that is consistent with our public hearing notification.
- Mr. Zakany asked how do we validate that mail went out to the neighbors? Mr. Coates stated that we normally get calls from those invited to a neighborhood meeting.
- Mr. Olson said that neighborhood meetings should include the whole neighborhood or should it just be adjacent property owners. He said we need to let developers know what we **expect from** them. Ms. Griffin stated that staff is proposing adjacent property owners to be consistent with those that get invited to public hearings.

- Mr. Zakany asked about the difference concerning extensions with sewer connections. Section 15.7A #7 about annexation connecting to utilities. Mr. Coates responded that we have satellite annexations.
- Mr. Olson asked about chart strikethroughs. Ms. Griffin responded that the strikethroughs will remove the charts. The charts are duplicated and the procedures are in the text.
- Mr. Griffin said will there be a review of the UDO? Mr. Coates stated yet, staff is requesting funds to update the entire UDO once the new Comp Plan is finished. The text amendments before you today are cleanup items.
- Mr. Zakany asked about a PUD and why is the proposed change good. Mr. Coates responded that the change will give commercial projects more flexibility. The current PUD standard states all types need 200 acres. Mr. Zakany asked that the acreage is 25 for mixed use and 200 for residential. Mr. Coates stated yes. Mr. Olson stated that 25 for mixed use is logical.

Ryan Zakany made a motion to approve amendments changing that neighborhood meetings include adjacent property owners.

Cande Killian-Wood seconded the motion

The vote was unanimous and the motion carried.

Administrative Reports

5a. Blueprint Wendell 2030 update.

Planning Director Bryan Coates presented updates on Blueprint Wendell 2030.

Comments/Questions following this presentation:

Bryan Coates presented a short update on the Blueprint Wendell 2030 project saying that there is Money in CIP to update UDO, the town has one in 2007 and 2008. He said changes need to be made.

- Chairman Olson asked about the March meeting for the UDO.
- Ryan asked about a joint meeting.
- Bryan said no the same content but different meetings. Then he gave a brief description of Megs background.

Levin Jones made a motion to adjourn, and Jimmena Huffman-Hall seconded the motion. All were in favor and the meeting was adjourned at 9:20 PM.