



**Wendell Town Board of Commissioners  
Board Room  
15 E. Fourth Street, Wendell, NC 27591  
Town Board Meeting Agenda  
Monday, June 24, 2019 @ 7:00 PM**

## **CALL TO ORDER**

- Welcome by Mayor Virginia R. Gray
- Pledge of Allegiance by Police Chief Bill Carter
- Invocation by Wendell Council of Churches

## **1. ADJUSTMENT AND APPROVAL OF THE AGENDA**

## **2. PUBLIC COMMENT PERIOD [one-hour time limit in total]**

*The Public Comment Period is your opportunity to share comments with the Town Board on any topic as long as it is not an item scheduled for public hearing. During Public Comment, the Town Board receives comments and refrains from speaking.*

*Thanks to everyone in the audience for respecting the business meeting by abstaining from speaking from the audience, applauding speakers, or other actions that distract from the meeting.*

*Anyone wanting to speak during Public Comment Period should do the following:*

- *Sign up prior to the beginning of the meeting. The sign-up period will begin 20 minutes prior to the start of the meeting and will end when the meeting begins.*
- *When the Public Comment Period is announced, come to the podium and state your name and address for the record.*
- *Be concise and limit your comments to three minutes or less. Designate a spokesperson for large groups. Direct comments to the full Town Board and not to an individual Town Board member.*

## **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. Budget ordinance amendment for the FY 2018-2019 budget.  
Speaker: Finance Director Butch Kay

#### 4. RECOGNITIONS, REPORTS, AND PRESENTATIONS

- 4a. Presentation of recommendations for Wendell Town Hall.  
Speaker: Vice President Chris Whitley of The Cummings Group, Public Works Director Brian Bray

#### 5. PUBLIC HEARINGS

~~**EVIDENTIARY HEARING** continued from the Monday, April 22, 2019, meeting for a special use request to construct an 84-unit apartment complex on 17 acres located behind Industrial Drive, accessed by Church Street (PIN #1784326835; addressed as 0 Wendell Blvd.).~~ **On June 17, 2019, the applicant withdrew the SUP request. No action is requested at the June 24, 2019 meeting by the Town Board of Commissioners.**

***PUBLIC HEARINGS** are legislative. Persons speaking will have five-minutes.*

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**Public Hearing Guidelines:**

- Case is announced
  - Staff presentation
  - Public hearing is opened
  - Applicant presentation
  - Citizens will follow the same rules as Public Comment Period and will have five minutes to speak
  - Close public hearing
  - Board members ask questions
  - Board may take action
- 



- 5a. **PUBLIC HEARING:** Request by Arnold Huerta to rezone 18.94 acres of property located along Wendell Falls Parkway and identified by PIN #1783385088 [0.55 ac], PIN #1783387100 [0.69 ac], PIN #1783389601 [.12 ac], and PIN #1783388411 [17.58 ac] to an NC Conditional District to be developed as a Townhome residential neighborhood. The described properties are currently zoned Neighborhood Center (NC).  
Speaker: Planning Director David Bergmark
- 5b. **PUBLIC HEARING:** request by Charthouse Holdings, LLC, to amend the existing conditional district CD16-02 regulating the property with an updated master plan proposing a multi-level climate controlled self-storage facility and new conditions on the 1.73 acre parcel located at 709 Charthouse Dr and identified by PIN #1784263321.  
Speaker: Planning Director David Bergmark

- 5c. **PUBLIC HEARING held Monday, June 10, 2019:** Zoning Text Amendment to Sections 2.3, 3.3 and 19.3 of the UDO as it relates to Indoor Amusements, Game Rooms and Pool Halls.  
Speaker: Planning Director David Bergmark

## 6. ADMINISTRATIVE ITEMS

- 6a. Campen Street Closing for Farmer's Market  
Speaker: Town Manager Marc Collins
- 6b. Appointments to the Town of Wendell Citizen Advisory Boards  
Speaker: Town Clerk Megan Howard
- 6c. Second reading for zoning text amendment to Section 10.4 of the UDO as it relates to parking requirements; in accordance with NC GS 16A-75.  
Speaker: Planning Director David Bergmark

## 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 [TRC] [Commissioner Ben Carroll]  
 Capital Area Metropolitan Planning Organization [CAMPO] [Mayor Gray]

## 8. COMMISSIONERS' REPORTS / COMMENTS

## 9. MAYOR'S REPORTS / COMMENTS

## 10. CLOSED SESSION

*Closed session will be called if necessary.*

## 11. ADJOURN

**Item Title:**

Budget ordinance amendment for FY 2018-2019.

**Specific Action Requested:**

- Staff requests that the Board of Commissioners approve the budget ordinance amendment for FY 2018-2019.

**Item Summary:**

For audit purposes, the town is required to adopt the proposed budget ordinance amendment for FY 2018-2019 to “true-up” the various line items within each department (see attachment). The amendment is used to eliminate the negative line items within each department. This is the normal end of the year process to help prepare for the annual audit. However, a summary of revenues, expenditures and fund balance can be reviewed below.

**Revenues:**

For the fiscal year, there were increases in revenues from various types as follows:

- *Growth* – Property Taxes, DMV Revenue, Utility Franchise, Local Option Sales Tax, Development/Planning Fees, Solid Waste Fees, and Recreation Revenue
- *One-time items* – these items occurred only once during the fiscal year. The items were Insurance Proceeds, Sale of Fixed Assets, Grant – United Arts Council, and Grant – NC Department of Commerce
- *New Revenue* – line items that were established for the first time this fiscal year. The new line items were South Wake Landfill, Sidewalk & Driveway Fees, NC Works-Career Development Services, and NC DOT-mowing
- *Interest Rate* – During the fiscal year the interest rate increased from 0.4% to 2.27% resulting in an increase on investments

**Expenditure:**

For the fiscal year, there were increases and decreases from various departments as follows:

- *Governing Body* – Professional Services – Legal to allow the attorney to attend both board meetings per month. Also, Contract Services – New Manager to cover expenses related to the hiring of the new Town Manager.
- *Administration* – Professional Services – Legal to cover anticipated expenses for legal fees, expenditures related to adding staff – training and dues, and Contract Service – OPEB to cover mandated reporting requirements
- *Economic Development* – Façade grant related to the NC Department of Commerce grant.



- *Planning* – Contract Services to cover loss of staff and contract with a third-party for expertise and skilled knowledge.
- *Public Buildings and Grounds* – Contract Service for the study on new town hall project, Capital Outlay Equipment for the replacement of a generator switch, Capital Outlay Facility for the purchase of 122 Second Street.
- *Police* – Maintenance and Utility costs associated with the accounting for new building, Uniforms to cover new staff and badge replacement, Capital Outlay Equipment for the purchase of two new cars.
- *Public Works* – Maintenance and Utility costs associated with the accounting for new building, Equipment Rental for the loss of the leaf machine, Contract Service – Stormwater to replace and upgrade various areas in town, Capital Outlay Equipment to purchase the interim leaf collection system, Lease Payments to cover the new Ravo and Grapple Loader, Contract Services – Leaf & Limb to cover costs associated from moving from the old site to store debris.
- *Parks and Recreation* – increase in various line items for new programs (Officials, Part-time, Utilities, Equipment Rental, Departmental Supplies, Online Processing, Uniforms, and Maintenance). Also, the Master Plan was approved to be updated.
- *Non-Departmental* – early payment of debt was made to help reduce operational costs for the next fiscal year budget.

### **Fund Balance:**

With the increase in revenues as noted above, the amount of fund balance appropriated of \$245,800 will not be used as anticipated. In addition, staff estimates increasing the fund balance by approximately \$40,000 to \$60,000. The actual amount of fund balance will be determined during the audit process.

### **Budget Summary:**

Adopted 2018-2019 Budget Ordinance for Revenues	\$6,309,570
Adjusted Revenue Increases	<u>\$ 802,500</u>

<b><i>Amended 2017-2018 Budget Ordinance for Revenues</i></b>	<b><u><u>\$7,112,070</u></u></b>
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Adopted 2018-2019 Budget Ordinance for Expenditures	\$6,309,570
Adjusted Expenditure Increases	\$1,056,500
Adjusted Expenditure (Decreases)	<u>\$ (254,000)</u>

<b><i>Amended 2018-2019 Budget Ordinance for Expenditures</i></b>	<b><u><u>\$7,112,070</u></u></b>
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### **Attachments:**

A. Proposed Budget Ordinance Amendment

**TOWN OF WENDELL**  
**BUDGET ORDINANCE AMENDMENT**  
**O-13-2019**

**Fiscal Year - 2018-2019**

**Fund - General Fund**

The Wendell Town Board of Commissioners, while in regular session, adopts the following amendment to the above fiscal year operating budget ordinance:

**I. General Fund Revenues (Increase):**

<i>Account Description</i>	<i>Account Number:</i>	<i>Amount:</i>
Property Taxes - Current Year	10-301-0400	\$ 140,000
DMV Tax Revenue	10-301-0700	\$ 45,000
Interest on Investments	10-329-0000	\$ 75,700
Utility Franchise	10-337-0000	\$ 20,000
Local Option Sales Tax	10-345-0000	\$ 115,000
South Wake Landfill Revenue	10-352-0100	\$ 14,000
Development/Planning Fees	10-356-0000	\$ 10,000
Sidewalk & Driveway Fees	10-356-0100	\$ 16,000
Solid Waste Fees	10-359-0000	\$ 58,000
Recreation Revenue	10-365-0000	\$ 20,000
Grant - NC Department of Commerce	10-380-0100	\$ 50,000
NC Works - Career Development Services	10-382-0200	\$ 6,500
NC DOT - Mowing	10-382-0300	\$ 3,300
Grant - United Arts Council	10-382-0400	\$ 5,000
Sale of Fixed Assets	10-383-0000	\$ 75,000
Insurance Proceeds	10-399-0100	\$ 149,000
<b>Amended General Fund Revenues Total:</b>		<b>\$ 802,500</b>

**II. General Fund Expenses (Increase):**

<i>Account Description</i>	<i>Account Number:</i>	<i>Amount:</i>
Professional Services - Legal	10-410-0500	\$ 13,500
Contract Services - New Manager	10-410-5900	\$ 9,150
Professional Services - Legal	10-420-0500	\$ 9,000
Travel, Training & Schools	10-420-1400	\$ 2,500
Maintenance & Repair - Equipment	10-420-1600	\$ 900
Advertising	10-420-2600	\$ 7,000
Contract Services - OPEB	10-420-4900	\$ 4,500
Dues & Subscriptions	10-420-5300	\$ 1,200
Professional Services - Legal	10-450-0500	\$ 5,000
Façade Grants	10-450-4500	\$ 45,000
Consulting Services	10-450-4600	\$ 1,000
Appearance Committee	10-450-9000	\$ 1,300
Professional Services - Engineer	10-490-0400	\$ 4,300
Professional Services - Legal	10-490-0500	\$ 8,500
Contract Services	10-490-4600	\$ 6,400
Maintenance & Repair - Building & Grounds	10-500-1500	\$ 10,000
Maintenance & Repair - Senior Center	10-500-1800	\$ 15,500
Facility & Equipment Rental	10-500-2100	\$ 800
Contract Services	10-500-4500	\$ 7,500
Non-Capital Expense Items	10-500-7300	\$ 4,000
Capital Outlay - Equipment	10-500-7400	\$ 19,000
Capital Outlay - Facility	10-500-7600	\$ 110,300
Cemetery Monument Refunds	10-500-9000	\$ 500
Utilities - Electric	10-510-1300	\$ 500
Maintenance & Repair - Building & Grounds	10-510-1500	\$ 1,200

**TOWN OF WENDELL  
BUDGET ORDINANCE AMENDMENT  
O-13-2019**

**Fiscal Year - 2018-2019**

**Fund - General Fund**

<i>Account Description</i>	<i>Account Number:</i>		<i>Amount:</i>
Maintenance & Repair - Equipment	10-510-1600	\$	1,800
Maintenance & Repair - Vehicles	10-510-1700	\$	7,000
Departmental Supplies	10-510-3300	\$	500
Uniforms	10-510-3600	\$	9,500
Dues & Subscriptions	10-510-5300	\$	500
Capital Outlay - Equipment	10-510-7400	\$	97,000
Investigations & Drug Enforcement	10-510-9000	\$	800
Salaries - Overtime	10-560-0300	\$	3,000
Utilities - Water	10-560-1100	\$	1,500
Travel, Training & Schools	10-560-1400	\$	5,550
Maintenance & Repair - Building & Grounds	10-560-1500	\$	3,000
Maintenance & Repair - Equipment	10-560-1600	\$	2,000
Maintenance & Repair - Vehicles	10-560-1700	\$	7,500
Facility & Equipment Rental	10-560-2100	\$	13,000
Fuel Expense	10-560-3100	\$	7,000
Departmental Supplies	10-560-3300	\$	2,000
Street Signs & Fixtures	10-560-3400	\$	1,400
Uniforms	10-560-3600	\$	2,000
Contract Services - Stormwater	10-560-4000	\$	6,500
Maintenance & Repair - Downtown Lights	10-560-4100	\$	1,100
Contract Services - Snow Removal	10-560-4400	\$	500
Holiday Decorations	10-560-4500	\$	1,000
Maintenance & Repair - Streets	10-560-4600	\$	3,500
Maintenance & Repair - Drainage	10-560-4700	\$	23,000
Maintenance & Repair - Sidewalks	10-560-4800	\$	2,500
Dues & Subscriptions	10-560-5300	\$	1,000
Capital Outlay - Equipment	10-560-7400	\$	102,000
Lease Payments	10-560-7500	\$	62,500
Contract Services - Residential Collections	10-560-8100	\$	55,000
Contract Services - Leaf & Limb	10-560-8300	\$	35,000
Stormwater - Phase II	10-560-9205	\$	16,500
Professional Services - Engineer	10-570-0400	\$	4,500
Contract Services - Grade Streets	10-570-4300	\$	24,000
Salaries - Regular	10-620-0100	\$	10,000
Salaries - Part-time & Scorekeepers	10-620-0200	\$	29,000
Umpires & Officials	10-620-0400	\$	3,000
Utilities - Electric	10-620-1300	\$	4,000
Maintenance & Repair - Building & Grounds	10-620-1500	\$	8,500
Utilities - Water	10-620-1800	\$	4,000
Facility & Equipment Rental	10-620-2100	\$	6,500
Fuel Expense	10-620-3100	\$	2,000
Online Processing Expense	10-620-3200	\$	8,000
Departmental Supplies	10-620-3300	\$	9,700
Uniforms	10-620-3600	\$	8,000
Contract Services - Master Plan	10-620-4400	\$	20,000
Capital Outlay - Equipment	10-620-7400	\$	6,000
Lease Payments	10-620-7500	\$	7,000
Capital Outlay - Facilities	10-620-7600	\$	35,500
FICA Expense	10-620-9500	\$	1,500
Group Insurance - Active	10-660-0600	\$	25,000
Safety Program Expense	10-660-8000	\$	1,600
Debt Service - General Fund	10-660-9100	\$	75,000
<b>Total General Fund Expense Increases:</b>		\$	<u>1,056,500</u>

**TOWN OF WENDELL  
BUDGET ORDINANCE AMENDMENT  
O-13-2019**

**Fiscal Year - 2018-2019**

**Fund - General Fund**

**III. General Fund Expenses (Decrease):**

<u>Account Description</u>	<u>Account Number:</u>	<u>Amount:</u>
Salaries - Regular	10-430-0100	\$ 48,000
Salaries - Regular	10-510-0100	\$ 151,000
FICA Expense	10-510-9500	\$ 10,000
Retirement Expense	10-510-9700	\$ 45,000
Total General Fund Expense Decreases:		\$ 254,000
<b>Amended General Fund Expenses Total:</b>		<b>\$ 802,500</b>

**AMENDED GENERAL FUND REVENUES FOR FY 2018-2019:** \$ **7,112,070**

**AMENDED GENERAL FUND EXPENSES FOR FY 2018-2019:** \$ **7,112,070**

Adopted this 24th Day of June, 2019.

\_\_\_\_\_  
*Virginia Gray, Mayor*

Attest:

\_\_\_\_\_  
Megan Howard - Town Clerk

Approved as to form:

\_\_\_\_\_  
James P. Cauley, III - Town Attorney

**Item Title:**

Presentation of Town Hall Replacement Options

**Report to the Board of Commissioners:**

Monday, June 24, 2019

**Specific Action Requested:**

Receive the presentation and discuss policy options.

**Item Summary:**

The 2019 Strategic Plan identifies the strategic initiative to “establish a facility and lands prioritization list to identify future acquisition needs with funding strategies for inclusion in the capital improvement plan”. The first facility evaluated to implement this initiative was completed by the contractor, Cummings.

Cummings staff will present findings on the development of a Town Hall that meets current and future needs of the community. Based on past discussions with the Commission, the evaluation included the following:

- Assessment of the current condition of Town Hall and future use and staff space needs.
- Develop cost models for two options (renovate and expand existing versus new construction).
- Establish a timeline to complete the project and identification of cost impacts of when the project is started.

A discussion of next steps is requested following the presentation.

**Attachments:**

None

**Item Title:**

CD18-02 – Discussion and action on a request to create an NC Conditional District for property located at 616 Wendell Falls Pkwy.

**Report to the Board of Commissioners:**

- Monday, June 24, 2019

**Report to the Planning Board:**

- Monday, February 18, 2019
- Tuesday, January 22, 2019

**Specific Action Requested:**

- That the Town Board holds a public hearing on the proposed conditional district request and consider taking action.
  - Action could consist of adopting the attached ordinance to rezone the described area, subject to conditions and in conformance with the associated Master Plan.

**Applicant:**

Arnold Huerta

**Petition:**

The applicant has requested to rezone 18.94 acres of property located along Wendell Falls Parkway and identified by PIN #1783385088 [0.55 ac], PIN #1783387100 [0.69 ac], PIN #1783389601 [.12 ac], and PIN #1783388411 [17.58 ac] to an NC Conditional District to be developed as a Townhome residential neighborhood. The described properties are currently zoned Neighborhood Center (NC). The proposed conditional district consists of 101 townhome units and recreational amenities including a playground, sand volleyball court, a dogpark, and park space. The requested properties are located just south of the Town park along Wendell Falls Pkwy, across from the existing Jones Landing Subdivision. The entry drive to the proposed development would align with Landing View Drive and would serve as future entry point to the Town Park. A link to view the submitted Master Plan is included as Attachment A.

**Purpose of a Conditional District:**

The purpose of the Conditional Districts (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.

The CD alternative may allow uses which are not specifically allowed in standard zoning districts. A primary purpose of this section is to provide standards by which such flexibility may be achieved while maintaining and protecting the public health, safety and welfare of the citizens. In this case, no alternative uses have been proposed by the applicant.

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 and economical land use, improved amenities, orderly and economical 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 this Ordinance 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 this Ordinance 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.

### **Location and History:**

All the requested properties are currently located within the corporate limits and zoned Neighborhood Center (NC). The NC zone is coded to provide for areas of residential and mixed-use development near existing and planned neighborhood centers. The intent is to create higher density residential areas that compliment commercial districts with physical proximity and pedestrian connectivity.

To review the complete set of plans, please download the file at:

<http://edit.www.townofwendell.com/hifi/site/edit/files/wf-pkwy-townhomes-huerta>

### **Project Profile:**

<b>PROPERTY LOCATION:</b>	616 Wendell Falls Pkwy
<b>WAKE COUNTY PIN:</b>	1783387100
<b>CURRENT ZONING DISTRICT:</b>	NC
<b>CROSS REFERENCES:</b>	N/A
<b>PROPERTY OWNER:</b>	Kristina Huerta Castaneda
<b>APPLICANT:</b>	Arnold Huerta
	701 S New Hope Rd
	Raleigh, NC 27610
<b>PROPERTY SIZE:</b>	0.69 acres

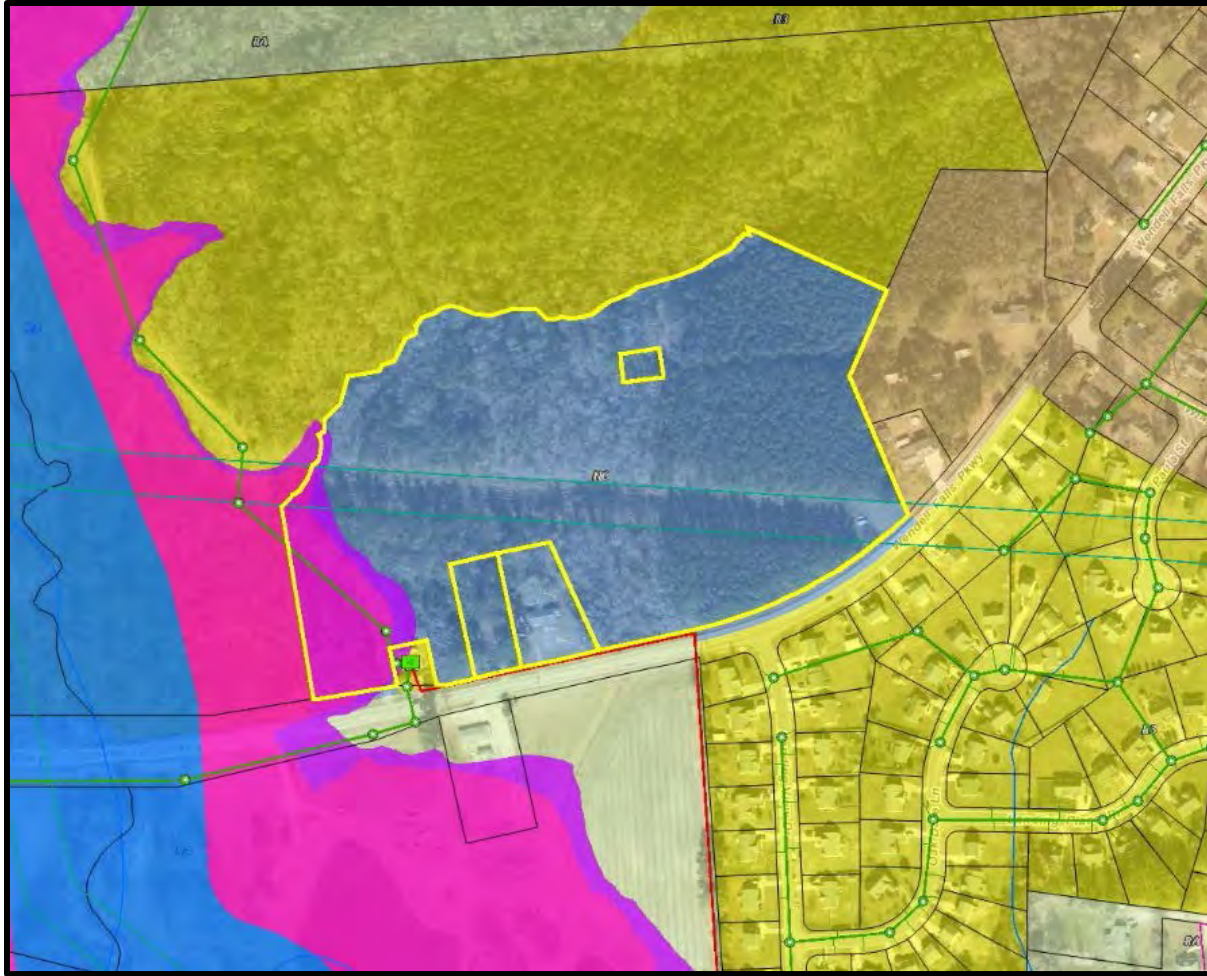
CURRENT LAND USE:	Single Family Home
PROPOSED LAND USE:	Townhome Development
<b>PROPERTY # 2 LOCATION:</b>	0 Wendell Falls Pkwy
WAKE COUNTY PIN:	1786685088
CURRENT ZONING DISTRICT:	NC
CROSS REFERENCES:	N/A
PROPERTY OWNER:	Kristina Huerta Castaneda
APPLICANT:	Arnold Huerta
	701 S New Hope Rd
	Raleigh, NC 27610
PROPERTY SIZE:	0.55 acres
CURRENT LAND USE:	Vacant
PROPOSED LAND USE:	Townhome Development
<b>PROPERTY # 3 LOCATION:</b>	0 Wendell Falls Pkwy
WAKE COUNTY PIN:	1783388411
CURRENT ZONING DISTRICT:	NC
CROSS REFERENCES:	N/A
PROPERTY OWNER:	Maria Huerta & Arnold Huerta
APPLICANT:	Arnold Huerta
	701 S New Hope Rd
	Raleigh, NC 27610
PROPERTY SIZE:	17.58 acres
CURRENT LAND USE:	Vacant
PROPOSED LAND USE:	Townhome Development
<b>PROPERTY # 4 LOCATION:</b>	0 Wendell Falls Pkwy
WAKE COUNTY PIN:	1783389601
CURRENT ZONING DISTRICT:	NC
CROSS REFERENCES:	N/A
PROPERTY OWNER:	Maria Huerta & Arnold Huerta
APPLICANT:	Arnold Huerta
	701 S New Hope Rd
	Raleigh, NC 27610
PROPERTY SIZE:	0.12 acres
CURRENT LAND USE:	Family Cemetery
PROPOSED LAND USE:	Family Cemetery

**Project Setting – Surrounding Districts and Land Uses:**

DIRECTION	LANDUSE	ZONING
North	Park	R3
South	Single Family Residential	RA/R3
East	Single Family Residential	R2
West	Park	R3



### **Current Zoning Map:**



### **Proposed Conditional District Conditions:**

The applicant has proposed 10 conditions (listed on the Master Plan cover page). Staff has suggested 1 additional condition for clarification purposes.

1. Development will be in accordance with the approved site development plan.
2. All structures must be in compliance with the dimensional standards provided in the approved site development plan.
3. Alley Section shown in approved site plan (20' edge to edge, inverted crown, in a 20' public access easement) shall be used within the development (privately owned and maintained).
4. Parking spaces located within the public right-of-way shall be maintained by the homeowners association.
5. A recorded plat of recombination and all necessary city of Raleigh utility easements and right-of-way dedication shall be required prior to the approval of building permits.
6. Construction of public water, public sewer, private water, and private sewer main approval required prior to construction plan approval.

7. NCDOT minimum sight triangle for a stop condition of 70' x 10' shall be used where indicated on the preliminary site development plan.
8. Grading in the special flood hazard area will be permitted to allow for future connection to public utilities.
9. Townhomes shall be a permitted use within the proposed conditional district (No separate SUP required).
10. Townhomes units shall have a maximum front setback of 16' (30' for those that front along Wendell Falls Parkway).
11. **Staff Recommended Condition 11** – On-street parking shall only be permitted within marked spaces, as noted on the Master Plan. Signage stating this requirement shall be provided along all entrances (existing and future) of the development.

As previously stated one 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 and economical land use, improved amenities, orderly and economical development, and the protection of existing and future adjacent development.

While conditional districts do allow an applicant to ask for exemptions from certain types of standards as part of their application, those exemptions are intended to be offset by other improvements which go above and beyond what is required. This process allows for creative trade-offs that can result in a better overall product.

As currently proposed, the Master Development Plan seeks to permit townhomes through the legislative conditional district process and allow for minor modifications of street requirements and limited development activity to take place in the Special Flood Hazard Area to connect to existing sewer lines. The applicant has provided a variety of recreational areas, with a total amount of passive open space and park space which exceeds the Town's requirements.

### **Off-Street Parking:**

Off-street parking and loading for townhomes is required to be in the rear and accessed by alleys. The applicant is providing this in the proposed plan. The applicant is also providing an additional 55 off-street and on-street overflow and amenity parking spaces for residents and guests.

### **Open Space:**

The applicant is required to dedicate a minimum of 101,000 square feet of open space, with a minimum of 25,250 square feet of Park Space, as set forth in UDO Chapter 7. Of the 25,250 square feet of Park Space, 8,333 square feet must be designed for active recreational purposes.

The applicant is proposing to dedicate 34,512 square feet as park space with 8,461 square feet of active space. Active open space is comprised of a playground and sand volleyball court.

Per Chapter 7 of the UDO, up to one-half of the total open space land required may be located within areas of special flood hazard, including the 100-year floodplain. Approximately 30% of the total proposed open space falls within the special flood hazard area.

### **Lighting:**

Lighting shall meet the requirements as set forth in the UDO at the time of the final development plan.

### **Public Utilities:**

Public water and sewer will be extended at the time of development. Per the adopted Water Allocation Policy, this project has 38 base points and must provide 12 bonus points. The applicant has met the requirements for obtaining 50 points and is eligible for water and sewer allocation.

A 30' sanitary sewer easement already runs through the property. The applicant proposes tying into the existing sewer line just north of the sanitary sewer lift station. The applicant also proposes tying into an existing water main on the south side of Wendell Falls Pkwy.

The City of Raleigh Public Utilities Department will review the proposed connections and new lines for compliance with the Public Utilities Handbook as part of the final development plan.

### **Streets:**

At the time of construction of all new roads, the standards are to be met as specified by Chapter 12 of the UDO unless special requests are made as conditions.

Per the Town's Arterial and Collector Street Plan (ACS), the applicant will be responsible for minor widening along the north side Wendell Falls Pkwy, for the road to meet the Town's standard for a Minor Collector (2 lane undivided) with 67' of R/W. These improvements are reflected in their plan and will involve 3.5 feet of additional right-of-way dedication on the north side of Wendell Falls Pkwy.

The ACS also calls for the extension of Landing View Dr to also be a Minor Collector. As part of the Master Plan, the applicant has modified the Town's typical collector and local road cross-section to allow for a 60' wide ROW on Street A (to match the 60' easement the Town has through the property to the north) and to permit on-street parking on one-side within a 54' ROW for their internal roads. To create space for the on-street parking, the applicant is showing the street tree planting area within a planting easement on one side.

Six new alleys are proposed in the development. The town's standard residential alley has a 20' easement and 12' of pavement that includes a 1' wide concrete band on both sides. The applicant has included a condition to permit a 20' edge-to-edge alley without a concrete band.

All drives shall meet the requirements as set forth in the UDO, or as modified through the approved conditional district.

### **Landscaping:**

All landscaping shall meet the requirements as set forth in the UDO at the time of the Final Development Plan and building permits.

**Stormwater Management:**

Development of this site would be required to meet the stormwater standards contained in the UDO.

**Phasing:**

The applicant has proposed 2 phases of development. The first phase would permit the developer to construct 28 townhomes along Wendell Falls Parkway, as well as the required active open space and stormwater control measure. The second phase would consist of the remainder of the development.

**Comprehensive Plan:**

The Wendell Comprehensive Plan defines the subject properties as being completely within the S-4 “Controlled Growth Sector”.

The Comprehensive Plan states that S-4 areas “are typically close to thoroughfares and at key cross-road locations. This sector is where moderate intensity new development is appropriate and where the majority of the community’s new growth should occur. The typically envisioned community type for S-4 is a traditional neighborhood development (TND), which includes neighborhood serving commercial and civic uses surrounded by a mix of housing types that decrease in density as they get farther away from the commercial area.”

The Comprehensive Plan lists the following uses as appropriate land uses/development types within this sector: traditional neighborhood developments, neighborhood centers, single-family and multifamily residential, neighborhood-serving commercial uses (retail and office), civic uses, and industrial uses. The proposed development on the site meets the appropriate uses.



### **Statement of Plan Consistency and Reasonableness**

- Any recommended change to the zoning map should be accompanied by a statement explaining how the change is consistent with the comprehensive plan and is reasonable in nature.
  - At their February meeting, the Planning Board found the requested conditional district to be consistent with the recommended uses and development types outlined in the Wendell Comprehensive Land Use Plan for the S-4 sector and reasonable due to its proximity to the downtown core and the Town Park.

### **Planning Board Recommendation:**

At its February 18, 2019 meeting, the Wendell Planning Board voted 7-0 to recommend approval of the proposed Conditional District request contingent upon the applicant making the following technical corrections (said corrections are incorporated in the attached Master Plan):

1. Detailed plans of parks, recreation and open space are required as part of the Master Plan. More detailed plans and description for the active open space area is required prior to final approval of the Master Plan. Currently the applicant is only providing *approximately* half of the active open space required. The applicant should specify how the standard will be met, or request a condition to provide a greater percentage of park space than required in exchange for a lesser percentage of active open space. Remove all easements from any open space calculations. Dry detention ponds if there are any may also not be counted in open space. Add riparian buffer area into passive open space total.
2. Correct cross sections for proposed alleys to match the permitted street section in the UDO. The proposed cross section calls for an 18' wide alley easement with 16' width of concrete or asphalt paving for both the alley and residential parking areas. The UDO street section

calls for a 20' wide alley easement with 12' pavement width. The pavement width includes a 1' wide concrete band on either side of a 10' unspecified pavement type. The applicant needs to meet the required alley standard or request that the alternative alley design be accepted by staff through a condition.

3. Plant understory street trees in the overhead utility easements at an average of 25' on-center.
4. Mailbox kiosks to be included in Phase 1.

**Voting in Favor:** Terry “Allen” Swaim, Errol Briggerman, Michael Clark, Joe DeLoach, Lloyd Lancaster, Grace Walter, Jonathan Olson, and Ryan Zakany

**Voting Against:** None

**Absent:** Victoria Curtis

**Staff Recommendation:**

- Staff recommends approval of the proposed Master Plan. In staff’s opinion, a Townhome development in this location is an ideal use, as it adds additional density to support downtown businesses and better utilizes the Town Park.
  - The design of the master plan (with outward facing Townhomes on Wendell Falls Parkway) creates a more attractive streetscape and creates the beginning of a secondary entrance into the park.
  - On-street parking was intentionally omitted from Street A in order to create a more attractive entry-way into the park in the future.
  - In staff’s opinion, the proposed conditions are minor in nature and are intended to facilitate the intended design, rather than avoid standard town requirements.
  - Though not listed as a condition, the applicant has exceeded the town’s open space requirements (as shown on the Master Plan).

**Attachments:**

- A. Master Development Plan (Due to file size, to review the complete set of plans, please download the file at: <http://edit.www.townofwendell.com/hifi/site/edit/files/wf-pkwy-townhomes-huerta>)
- B. Overall Site Plan
- C. Ordinance for Adoption







**ORD # 0-14-2019**  
**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 NC Neighborhood Center Conditional District (NC-CD18-02) for the properties described below, said properties formerly being zoned Neighborhood Center (NC); and

WHEREAS said properties are owned by Kristina Huerta Castaneda, Maria Huerta and Arnold Huerta; 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 June 24, 2019 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 in the NC Neighborhood Center Conditional District (NC-CD18-02) 18.94 acres of property identified by PIN #1783385088 [0.55 ac], PIN #1783387100 [0.69 ac], PIN #1783389601 [.12 ac], and PIN #1783388411 [17.58 ac].

SECTION 2. The requested zoning map amendment for the parcels within the rezoning area identified as CD18-02 from NC to NC-CD18-02, due to the nature of the surrounding land uses and its consistency with the types and nature of uses described in the S-4 Sector, 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. Development will be in accordance with the approved site development plan.
2. All structures must be in compliance with the dimensional standards provided in the approved site development plan.
3. Alley Section shown in approved site plan (20' edge to edge, inverted crown, in a 20' public access easement) shall be used within the development (privately owned and maintained).



4. Parking spaces located within the public right-of-way shall be maintained by the homeowners association.
5. A recorded plat of recombination and all necessary city of Raleigh utility easements and right-of-way dedication shall be required prior to the approval of building permits.
6. Construction of public water, public sewer, private water, and private sewer main approval required prior to construction plan approval.
7. NCDOT minimum sight triangle for a stop condition of 70' x 10' shall be used where indicated on the preliminary site development plan.
8. Grading in the special flood hazard area will be permitted to allow for future connection to public utilities.
9. Townhomes shall be a permitted use within the proposed conditional district (No separate SUP required).
10. Townhomes units shall have a maximum front setback of 16' (30' for those that front along Wendell Falls Parkway).
11. On-street parking shall only be permitted within marked spaces, as noted on the Master Plan. Signage stating this requirement shall be provided along all entrances (existing and future) of the development.

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 24<sup>th</sup> Day of June, 2019

(Town Seal)

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Virginia Gray, Mayor

ATTEST:

APPROVED AS TO FORM:

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Megan Howard, Town Clerk

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James P. Cauley III, Town Attorney

**Item Title:**

CD18-03 – Discussion and action on a request to amend a Commercial Highway Conditional District along Charthouse Drive (CD16-02).

**Report to the Board of Commissioners:**

- Monday, June 24, 2019 (Public Hearing)

**Report to the Planning Board:**

- Tuesday, January 22, 2019

**Specific Action Requested:**

- That the Town Board holds a public hearing on the proposed conditional district request and consider taking action.
  - Action could consist of adopting the attached ordinance to rezone the described area, subject to conditions and in conformance with the associated Master Plan.

**Applicant:**

Charthouse Holdings, LLC

**Petition:**

The applicant has requested to amend the existing conditional district CD16-02 regulating the property with an updated master plan proposing a multi-level climate controlled self-storage facility and new conditions on the 1.73 acre parcel located at 709 Charthouse Dr and identified by PIN #1784263321. The property is located at the northeast corner of Wendell Blvd and Charthouse Dr.

**Purpose of a Conditional District:**

The purpose of the Conditional Districts (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.

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 efficient and economical land use, improved amenities, orderly and economical 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 this Ordinance 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 this Ordinance 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.

### **Location and History:**

The property was rezoned by CD16-02 to a Commercial Highway (CH) conditional district designation. CD16-02 was submitted to create 5 lots along a newly created road to be named 'Charthouse Drive'. The back three lots (lots 1 -3) were given a Manufacturing and Industrial (M&I) designation, while the front 2 lots (labeled as lots 4 & 5 on the approved Master Plan) were given a Commercial Highway (CH) designation. One of the three back lots has been developed for AAA Louver's manufacturing facility.

Land developed as part of a conditional district must adhere to the Master Plan that is adopted with the ordinance to amend the zoning map. The master plan adopted with CD16-02 did not detail proposed uses or structures for the subject property (lots 4 & 5). Development within a conditional district requires a master plan approved by the Board of Commissioners; thus, the applicant is petitioning to update the original master plan as it applies to the subject property to provide the necessary site plan information for the commercial highway lots. Lots 4 & 5 as originally shown in the 2016 Master Plan (Attachment E) are being combined into one lot for this application.

To review the plans digitally, you may click on the following link:

<http://edit.www.townofwendell.com/hifi/site/edit/files/2018-charthouse-drive-cd-amendment>

### **Project Profile:**

PROPERTY LOCATION:	709 Charthouse Dr
WAKE COUNTY PIN:	1784263321
CURRENT ZONING DISTRICT:	CH-CD16-02
CROSS REFERENCES:	N/A
PROPERTY OWNER:	Charthouse Holdings, LLC
APPLICANT:	Charthouse Holdings, LLC
	8771-B Cleveland Rd
	Clayton, NC 27520
PROPERTY SIZE:	1.73 acres
CURRENT LAND USE:	Vacant
PROPOSED LAND USE:	Mini-Warehouses

### **Project Setting – Surrounding Districts and Land Uses:**

DIRECTION	LANDUSE	ZONING
North	Manufacturing	MI-CD16-02
South	Vacant	NC
East	Indoor Recreation Facility	CH
West	Manufacturing & Outdoor Storage	CH

### **Current Zoning Map:**



### **Proposed Conditional District Conditions:**

The applicant is proposing 6 conditions. Conditions 1-4 are existing; approved with CD16-02. The applicant is requesting that they are maintained in the amendment. Conditions 5-6 are new conditions requested based on the new proposed master plan.

1. **(Previously Approved in CD16-02)** Section 8.11.E.11-Curbing/bioretenion options; no curb and gutter on proposed parking areas/islands for lot 4. Wheel stops shall be provided for all parking spaces and landscape islands.
2. **(Previously Approved in CD16-02)** The Wendell Boulevard frontage requirements shall be determined at the time of the final development plan for lot 4. A 6' sidewalk will be installed at the edge of the ultimate right of way. Any additional right-of-way improvements along Wendell Boulevard (to include, but not limited to: curb and gutter, additional travel lanes, and bike lanes) shall be determined at the time of the final development plan for lot 4. Based upon approved plans in place at that time.

*Staff Comment: Approved roadway improvements at Wendell Builders Supply located at 2505 Wendell Blvd are currently in the process of being installed. It is the applicant's desire to request a fee in lieu of any additional roadway improvements beyond the DOT turn lane requirements that were initiated by the Wendell Builder's Supply project. This request would come back to the board prior to approval of the applicant's Final Development plan.*

3. **(Previously Approved in CD16-02)** – Outdoor storage as a primary use shall be prohibited within lot 4.

*Staff Comment: Supplemental use standards related to mini-warehouses in the CH district do not allow for outdoor storage of any "goods or materials" as a primary or accessory use.*

4. **(Previously Approved in CD16-02)** – No on-street parking is allowed.
5. **(New Request)** – Eliminate the 100' maximum front setback requirement for Context Zone 2 of the Gateway Overlay District.

- **Staff comment:** *the topography of the site necessitates that the stormwater control measure (SCM) be located towards the front of the lot, which pushes the building more than 100' from the ROW (~230' back).*

6. **(New Request)** – Eliminate the requirement for planting street trees in a planting strip within the right-of-way of Wendell Blvd due to conflicts with NCDOT clear zone requirements.

*Staff Comment: Staff has no objections to the proposed condition, which may be granted administratively. A 20' street yard buffer is required directly behind the sidewalk.*

As previously stated one 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 and economical land use, improved amenities, orderly and economical development, and the protection of existing and future adjacent development.

While conditional districts do allow an applicant to ask for exemptions from certain types of standards as part of their application, those exemptions are intended to be offset by other improvements which go above and beyond what is required. This process allows for creative trade-offs that can result in a better overall product.

As currently proposed, the Master Development Plan seeks conditions previously approved as a part of CD16-02, as well as an increase setback allowance and modification of plantings along Wendell Blvd.

### **Off-Street Parking:**

The applicant has instead requested that all parking have wheel stops as was approved in CD16-02.

### **Lighting:**

Lighting shall meet the requirements as set forth in the UDO at the time of the final development plan.

### **Public Utilities:**

The proposed development would tap into existing public water and sewer within the rights-of-way of Wendell Blvd and Charthouse Dr.

### **Streets:**

The property is located at the northeast corner of Wendell Blvd and Charthouse Dr.

Per the Town's Arterial and Collector Street Plan (ACS), the bordering section of Wendell Blvd is to be a Major Thoroughfare with four lanes of traffic divided by a center median. Some roadway improvements are already required as part of the Wendell Builders Supply expansion. The applicant has requested that roadway improvements for this development be determined at the time of final development plan rather than master plan (as indicated in the original Master Plan approval). This gives time for neighboring improvements to be finalized to better determine what improvements are needed (and should be covered under a fee in lieu request). No additional right-of-way dedication is required on the north side of Wendell Blvd to satisfy the requirements of the ACS.

All drives shall meet the requirements as set forth in the UDO at the time of development.

**Landscaping:**

All landscaping shall meet the requirements as set forth in the UDO at the time of the Final Development Plan and building permits.

**Stormwater Management:**

Development of this site would be required to meet the stormwater standards contained in the UDO.

**Phasing:**

The applicant has not proposed any phasing.

**Comprehensive Plan:**

The Wendell Comprehensive Plan defines the subject property as being within the S-4 “Controlled Growth Sector”. It also places the property within a “Neighborhood Center” and the “Wendell Blvd Gateway Corridor.”

The Comprehensive Plan states that S-4 areas “are typically close to thoroughfares and at key cross-road locations. This sector is where moderate intensity new development is appropriate and where the majority of the community’s new growth should occur. The typically envisioned community type for S-4 is a traditional neighborhood development (TND), which includes neighborhood serving commercial and civic uses surrounded by a mix of housing types that decrease in density as they get farther away from the commercial area.”

The Comprehensive Plan lists the following uses as appropriate land uses/development types within this sector: traditional neighborhood developments, neighborhood centers, single-family and multifamily residential, neighborhood-serving commercial uses (retail and office), civic uses, and industrial uses. The proposed development on the site meets the appropriate uses.

Neighborhood centers are “intended to be mixed-use activity centers serving surrounding neighborhoods with retail, services, civic uses, and higher density housing.” “Professional office and service uses and some high density residential uses” are recommended for the Wendell Blvd Gateway Corridor. While the proposed use does not easily fall into any of the categories listed, it is a commercial use that would serve surrounding commercial and residential uses. It’s location on the outer edge of the neighborhood center also lends itself to commercial uses outside of the grocery-anchored mixed-use development that is called for as the typical use for a neighborhood center. The applicant has request relief from the 100’ maximum setback of the Gateway Overlay district that was established from Comprehensive Plan recommendations for the Wendell Blvd Gateway Corridor.



### **Statement of Plan Consistency and Reasonableness**

- Any recommended change to the zoning map should be accompanied by a statement explaining how the change is consistent with the comprehensive plan and is reasonable in nature.
  - At their January meeting, the Planning Board found the requested conditional district to be consistent with the recommended uses and development types outlined in the Wendell Comprehensive Land Use Plan for the S-4 sector and to be reasonable due to its location on Wendell Boulevard.

### **Planning Board Recommendation:**

At its January 22, 2019 meeting, the Wendell Planning Board voted 7-0 to recommend approval of the proposed Conditional District request.

**Voting in Favor:** Terry “Allen” Swaim, Errol Briggerman, Michael Clark, Victoria Curtis, Grace Walter, Jonathan Olson, and Ryan Zakany

**Absent:** Lloyd Lancaster and Joseph DeLoach

### **Staff Recommendation:**

- Staff recommends approval of the proposed Conditional District request. The subject property due to its shape has limited uses, and the applicant’s additional conditions are meant to accommodate the proposed use locating on this site.

### **Attachments:**

- A. Master Development Plan - may be downloaded digitally at:  
<http://edit.www.townofwendell.com/hifi/site/edit/files/2018-charthouse-drive-cd-amendment>
- B. Conditional District Application
- C. Proposed Conditions
- D. Overall Site Plan
- E. Previously Approved Master Plan for CD16-02 (2016 CD Approval)
- F. Ordinance for Adoption





## TOWN OF WENDELL CONDITIONAL DISTRICT APPLICATION

Date of Application: \_\_\_\_\_ Application Number: \_\_\_\_\_

Project Name: Charthouse Self Storage

Location of Property: 709 Chighthouse dr. Wendell NC

Current Zoning District: CH-CD Wake Co. PIN: 1784263321

Applicant's Name: Charthouse Holdings, LLC

Applicant's Mailing Address: 6771-B Cleveland rd.

City/State/ZIP: Clayton NC 27520

Phone: 919-291-2135 Email: briandgower@gmail.com

Property Owner's Name: Same as above

Property Owner's Address: \_\_\_\_\_

City/State/ZIP: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

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

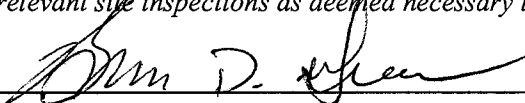
Multi level climate Controlled Self Storage

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: 11-6-18

*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: 11-6-18

OFFICE USE ONLY

Fee Paid: \_\_\_\_\_ Check # \_\_\_\_\_ Recvd By: \_\_\_\_\_ Date: \_\_\_\_\_

Planning Board Meeting : \_\_\_\_\_

Planning Board Recommendation ☐ Approval ☐ Approval with Conditions ☐ Denial

The decision was consistent with the Comprehensive Plan: ☐ Yes ☐ No

BOARD OF COMMISSIONERS Date of Public Hearing: \_\_\_\_\_ Date Sign Erected: \_\_\_\_\_

Dates Public Hearing Advertised (#1) \_\_\_\_\_ in \_\_\_\_\_ (#2) \_\_\_\_\_ in \_\_\_\_\_

Town Board Recommendation ☐ Approval ☐ Approval with Conditions ☐ Denial

Conditions \_\_\_\_\_

Town Clerk Signature \_\_\_\_\_ Date \_\_\_\_\_

Mayor's Signature \_\_\_\_\_ Date \_\_\_\_\_

# Sanderson Engineering, Inc.

Engineering and Land Planning  
License # C-2218

## ATTACHMENT C PHASE III; LOT 4 CHARHOUSE INDUSTRIAL PARK PROPOSED CONDITIONS

1. SECTION 8.11.E.11-CURBING/BIORETENTION OPTIONS; NO CURB AND GUTTER ON PROPOSED PARKING AREAS/ISLANDS FOR LOT 4. WHEEL STOPS SHALL BE PROVIDED FOR ALL PARKING SPACES AND LANDSCAPE ISLANDS.
2. THE WENDELL BOULEVARD FRONTAGE REQUIREMENTS SHALL BE DETERMINED AT THE TIME OF THE FINAL DEVELOPMENT PLAN FOR LOT 4. A 6' SIDEWALK WILL BE INSTALLED AT THE EDGE OF THE ULTIMATE RIGHT OF WAY. ANY ADDITIONAL RIGHT OF WAY IMPROVEMENTS ALONG WENDELL BOULEVARD (TO INCLUDE, BUT NOT LIMITED TO: CURB AND GUTTER, ADDITIONAL TRAVEL LANES, AND BIKE LANES) SHALL BE DETERMINED AT THE TIME OF THE FINAL DEVELOPMENT PLAN FOR LOT 4. BASED UPON APPROVED PLANS IN PLACE AT THAT TIME.
3. OUTDOOR STORAGE AS A PRIMARY USE SHALL BE PROHIBITED WITHIN LOT 4.
4. NO ON-STREET PARKING ALLOWED.

CONDITIONS 1-4 SHOULD BE APPROVED FOR PHASE III; LOT 4 CHARHOUSE INDUSTRIAL PARK BECAUSE THESE CONDITIONS WERE PREVIOUSLY APPROVED WITH CD-16-02. ALL OTHER PREVIOUSLY APPROVED CONDITIONS HAVE BEEN COMPLETED OR DO NOT APPLY TO LOT 4.

5. SECTION 2.2-CONTEXT ZONE 2; FRONT SETBACK (MAXIMUM) 100'. ELIMINATE THE 100' MAXIMUM FRONT SETBACK REQUIREMENT.

CONDITION 5 SHOULD BE APPROVED BECAUSE OF THE UNUSUAL NARROWNESS OF THE LOT, AND THE FACT THAT THE STORM DRAINAGE FOR THE AREA SLOPE TOWARDS WENDELL BLVD. THE DRAINAGE REQUIRES THAT THE STORMWATER SCM BE LOCATED ALONG WENDELL BLVD WHICH REQUIRES THE PARKING AND BUILDING TO BE MOVED AWAY FROM WENDELL BLVD. GREATER THAN 100'.

6. SECTION 2.3.a STREETScape STANDARDS-PLANTING STRIP. ELIMINATE THE PLANTING STRIP REQUIRMENT.

CONDITION 6 SHOULD BE APPROVED BECAUSE THIS PLANTING STRIP IS SAFETY HAZARD TO THE PUBLIC. THERE IS NO WHERE ALONG THE FRONTAGE OF LOT 4 WHERE STREET TREES CAN BE PLANTED INSIDE THE RIGHT OF WAY OF WENDELL BLVD. THAT WILL NOT ENCROACH INTO THE SIGHT TRIANGLE AND THUS INTERFERE WITH THE VISIBILITY OF ONCOMING CARS FROM THE EAST AT THE INTERSECTION OF WENDELL BLVD AND CHARHOUSE DRIVE.





WAKE LAND DESIGN, PLLC  
CIVIL ENGINEERING  
PROJECT MANAGEMENT  
LAND PLANNING  
RALEIGH ZONING SPECIALISTS

NC LICENSE P-1839  
PHONE: 919-889-2614  
EMAIL: JASON@WAKELANDDESIGN.COM  
P.O. BOX 418  
CLAYTON, NC 27528

Seal

Subconsultants

Client

CHARTHOUSE  
HOLDINGS, LLC  
33 PALE STONE DR.  
GARNER, NC 27529

Project  
CHARTHOUSE  
INDUSTRIAL PARK  
PHASE III LOT 4

Process  
MASTER PLAN  
REVISION

Revisions		
Number	Description	Date
1	WENDELL TRC COMMENTS	5/10/18

Approvals

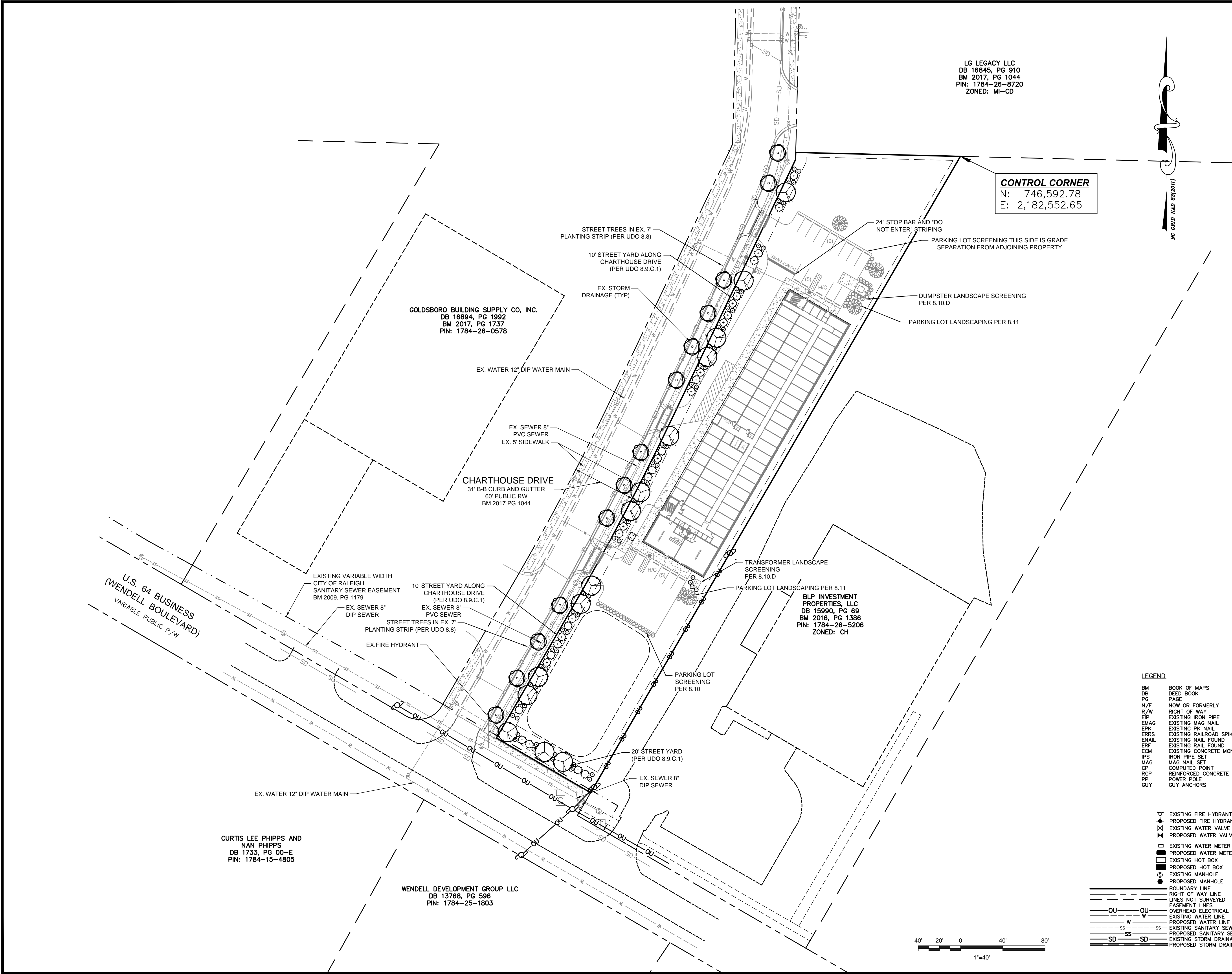
Drawing Title

LANDSCAPE PLAN

Sheet Number

CE-3

Date Issued 04/04/19



LG LEGACY LLC  
DB 16845, PG 910  
BM 2017, PG 1044  
PIN: 1784-26-8720  
ZONED: MI-CD

CONTROL CORNER  
N: 746,592.78  
E: 2,182,552.65

GOLDSBORO BUILDING SUPPLY CO, INC.  
DB 16894, PG 1992  
BM 2017, PG 1737  
PIN: 1784-26-0578

CHARTHOUSE DRIVE  
31' B-B CURB AND GUTTER  
60' PUBLIC RW  
BM 2017 PG 1044

U.S. 64 BUSINESS  
(WENDELL BOULEVARD)  
VARIABLE PUBLIC R/W

CURTIS LEE PHIPPS AND  
NAN PHIPPS  
DB 1733, PG 00-E  
PIN: 1784-15-4805

WENDELL DEVELOPMENT GROUP LLC  
DB 13768, PG 596  
PIN: 1784-25-1803

BLP INVESTMENT  
PROPERTIES, LLC  
DB 15990, PG 69  
BM 2016, PG 1386  
PIN: 1784-26-5206  
ZONED: CH

LEGEND

BM BOOK OF MAPS  
DB DEED BOOK  
PG PAGE  
N/F NOW OR FORMERLY  
R/W RIGHT OF WAY  
EIP EXISTING IRON PIPE  
EMAG EXISTING MAG NAIL  
EPK EXISTING PK NAIL  
ERRS EXISTING RAILROAD SPIKE  
ENAIL EXISTING NAIL FOUND  
ERF EXISTING RAIL FOUND  
ECM EXISTING CONCRETE MONUMENT  
IPS IRON PIPE SET  
MAG MAG NAIL SET  
CP COMPUTED POINT  
RCP REINFORCED CONCRETE STORM PIPE  
PP POWER POLE  
GUY GUY ANCHORS

EXISTING FIRE HYDRANT  
PROPOSED FIRE HYDRANT  
EXISTING WATER VALVE  
PROPOSED WATER VALVE

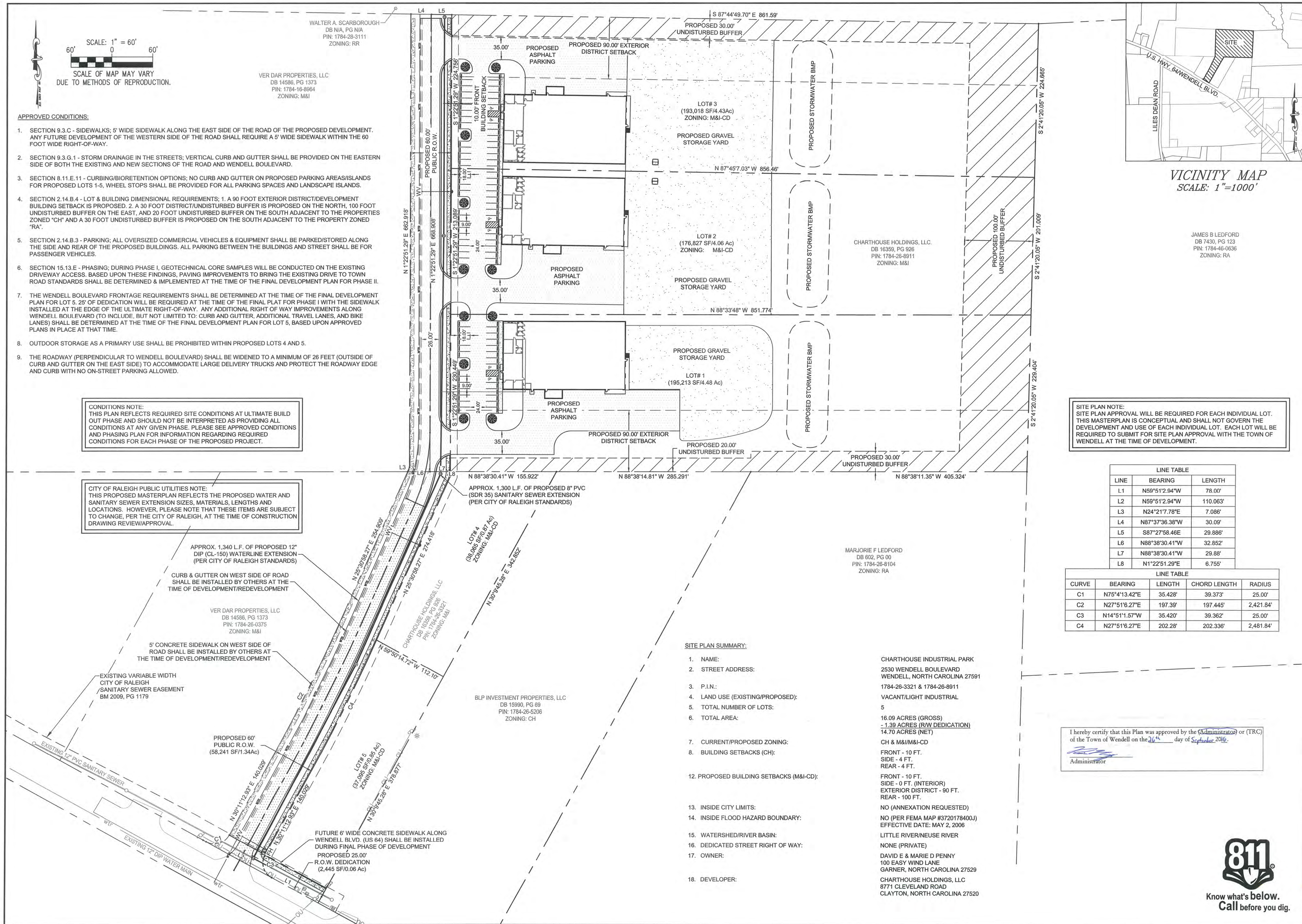
EXISTING WATER METER  
PROPOSED WATER METER  
EXISTING HOT BOX  
PROPOSED HOT BOX  
EXISTING MANHOLE  
PROPOSED MANHOLE

BOUNDARY LINE  
RIGHT OF WAY LINE  
LINES NOT SURVEYED  
EASEMENT LINES  
OVERHEAD ELECTRICAL LINES  
EXISTING WATER LINE  
PROPOSED WATER LINE  
EXISTING SANITARY SEWER LINE  
PROPOSED SANITARY SEWER LINE  
EXISTING STORM DRAINAGE LINE  
PROPOSED STORM DRAINAGE LINE

40' 20' 0 40' 80'  
1"=40'



## Attachment E

FINAL DRAWING  
FOR REVIEW  
PURPOSES ONLYTHIS ORIGINAL SHEET IS 24"x36". OTHER DIMENSIONS INDICATE IT HAS BEEN ALTERED.  
ALL INFORMATION REPRESENTED ON THIS SHEET IS THE PROPERTY OF RED LINE ENGINEERING, P.C. AND MAY NOT BE DUPLICATED IN PART OR IN WHOLE WITHOUT WRITTEN AUTHORIZATION FROM RED LINE ENGINEERING, P.C. 2016 ©Red Line Engineering, P.C.  
"Engineering Relationships"(C-3075)  
3305-109 DURHAM DRIVE  
RALEIGH, NORTH CAROLINA 27603  
PHONE - (919) 779-6851  
FAX - (919) 779-0826CHARTHOUSE INDUSTRIAL PARK  
CONDITIONAL DISTRICT  
WENDELL, NORTH CAROLINA 27591INFRASTRUCTURE CONSTRUCTION PLANS  
MASTER DEVELOPMENT PLAN

REVISIONS: DATE:

ISSUED FOR: DATE:

PROJECT NO.: 16-004

DRAWN BY: DEM

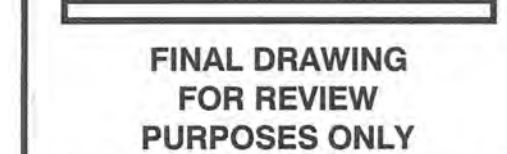
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SHEET NUMBER:

C1.2

OF 15 SHEETS





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**CHARTHOUSE INDUSTRIAL PARK  
CONDITIONAL DISTRICT**  
WENDELL, NORTH CAROLINA 27591

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**INFRASTRUCTURE CONSTRUCTION PLANS  
PHASING PLAN**

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<b>ISSUED FOR:</b>     	<b>DATE:</b>     

PROJECT NO.: 16-004

DRAWN BY: DEM

REVIEWED BY: GJM

SHEET NUMBER:  
**C1.3**  
OF 15 SHEETS



**ORD # 0-15-2019**  
**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 amend the existing Commercial Highway Conditional District (CD16-02) regulating the property with an updated master plan proposing a multi-level climate controlled self-storage facility and new conditions on the property located at 709 Charthouse Dr and identified by PIN #1784263321; and

WHEREAS said property is owned by Charthouse Holdings, LLC; 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 June 24, 2019 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 Commercial Highway Conditional District (CD18-03) 1.73 acres of property identified by PIN #1784263321.

SECTION 2. The requested zoning map amendment for the parcels within the rezoning area identified as Commercial Highway CD16-02 to Commercial Highway CD18-03, due to the nature of the surrounding land uses and its consistency with the types and nature of uses described in the S-4 Sector, 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. Section 8.11.E.11-Curbing/bioretenion options; no curb and gutter on proposed parking areas/islands for lot 4. Wheel stops shall be provided for all parking spaces and landscape islands.

2. The Wendell Boulevard frontage requirements shall be determined at the time of the final development plan for lot 4. A 6' sidewalk will be installed at the edge of the ultimate right of way. Any additional right-of-way improvements along Wendell Boulevard (to include, but not limited to: curb and gutter, additional travel lanes, and bike lanes) shall be determined at the time of the final development plan for lot 4. Based upon approved plans in place at that time.
3. Outdoor storage as a primary use shall be prohibited within lot 4.
4. No on-street parking is allowed.
5. Eliminate the 100' maximum front setback requirement for Context Zone 2 of the Gateway Overlay District.
6. Eliminate the requirement for planting street trees in a planting strip within the right-of-way of Wendell Blvd due to conflicts with NCDOT clear zone requirements.

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 24<sup>th</sup> Day of June, 2019

(Town Seal)

---

Virginia Gray, Mayor

ATTEST:

APPROVED AS TO FORM:

---

Megan Howard, Town Clerk

---

James P. Cauley III, Town Attorney



**Item Title:**

ZTA19-03 – Discussion and Action on a Zoning Text Amendment to Sections 2.3, 3.3 and 19.3 of the UDO as it relates to Indoor Amusements, Game Rooms and Pool Halls.

**Report to the Board of Commissioners:**

- Monday, June 24, 2019
- Monday, June 10, 2019

**Report to the Planning Board:**

- Monday, May 20, 2019
- Monday, April 15, 2019

**Specific Action Requested:**

- Having held a public hearing, that the Town Board consider taking action on the proposed text amendment to Sections 2.3, 3.3 and 19.3 of the UDO as it relates to Indoor Amusements.
  - Action could consist of adopting the attached ordinance.

**Applicant:**

Town of Wendell

**Petition:**

Staff is requesting to delete Chapter 6, Article III- Game Rooms and Pool Halls, of the Code of Ordinances in its entirety and add the relevant language from Article III to the chapters of the UDO that cover Indoor Amusements.

**Item Summary:**

A public hearing was held on this item at the June 10, 2019 Town Board meeting. Staff was directed to remove supplemental standards #2 & #3 (regarding hours of operation and transparency), amend standard #1 to remove the language “or any audio system”, to add a staffing

requirement within the definition of Indoor Amusements, and to amend the proposed use table to NOT require a SUP for this use in the DMX zoning district.

Currently, Game Rooms and Pool Halls are permitted in the UDO within select districts, but there are requirements in the Code of Ordinances that cannot be complied with since there no longer exists a means of carrying them out. Previously the Town required businesses to obtain a Privilege License, but now according to GS 106-65.40 a city may not levy a privilege license tax on persons engaged in business, therefore the Town of Wendell no longer issues the licenses. Since much of the language in the ordinance regarding game rooms and pool halls pertains to the requirements of obtaining a privilege license, staff is requesting to delete Article III- Game Rooms and Pool Halls from Chapter 6 of the Code of Ordinances and to add any relevant language to the UDO for these uses.

Under the UDO, Game Rooms would be classified as a type of Indoor Amusements, which is defined as “establishments that provide commercial recreation activities completely within an enclosed structure such as video arcades, skating rinks, roller rinks, and bowling alleys.” Currently, the only use standard for Indoor Amusement is that no audio system may be permitted that can be heard beyond the property. Staff’s proposal adds additional supplemental use standards to the Indoor Amusement use, based on some of the language currently located in Article III for game rooms and pool halls.

#### **Key Questions:**

1. Where should Indoor Amusements be permitted to operate?
2. What supplemental use standards should apply to them?

#### **Districts Where Indoor Amusements are Currently Allowed:**

**Indoor Amusements** – Permitted with Additional Standards (PS) in the CMX, CC, DMX, and CH zoning districts.

#### **Proposed Amendments to the UDO:**

The following proposed text amendment will be added to Section 19.3 (Definitions), Section 3.3 (Additional Standards by Use) and Section 2.3 (Use Categories and Tables of Permitted Uses).

Per the Planning Board’s direction, the Pool Hall use was incorporated into the ‘Indoor Amusement’ use category.

The Indoor Amusement definition was modified to list billiard/pool halls as an example, and the Billiard/Pool Hall definition was amended to encompass an establishment with ‘more than two billiard or pool tables’ (previously any establishment with even 1 pool table was considered a Pool Hall).

## 19.3 – Definitions

**Amusements, Indoor** means establishments that provide facilitated (through on-site staffing) commercial recreation activities completely within an enclosed structure such as video arcades, skating rinks, roller rinks, ~~and~~ bowling alleys, and billiard/pool halls.

**Billiard/Pool Hall** generally means any place where more than two billiard or pool tables are operated or maintained, except for private family use, whether such place is a social club or a business enterprise operated for profit.

## 3.3 - Additional Standards by Use

### D. Amusements, Indoor (CMX, CC, DMX, CH).

1. No outdoor public address ~~or any audio system~~ shall be permitted which can be heard beyond the boundaries of the property. All noise shall comply with the Town's noise ordinance.

## 2.3 – Use Categories and Tables of Permitted Uses

Entertainment/Recreation																
BASE DISTRICT	OSC	PUD	RA	RR	R2	R3	R4	R7	NC	CMX	CC	DMX	MH	CH	M&I	TND
Adult Establishment	-	P*	-	-	-	-	-	-	-	-	-	-	-	-	PS	-
Amusements, Indoor	-	P*	-	-	-	-	-	-	-	PS	PS	PS	-	PS	-	-
Amusements, Outdoor	-	P*	PS	PS	-	-	-	-	-	PS	-	-	-	PS	-	-
<del>Billiard/Pool Hall</del>	-	<del>P*</del>	-	-	-	-	-	-	SUP	SUP	SUP	SUP	-	SUP	-	-
Cultural/Community Facility	PS	P*	PS	PS	PS	PS	PS	PS	P	P	P	SUP	P	P	P	P
Event Venue, Outdoor	-	P*	SUP	-	-	-	-	-	SUP	SUP	SUP	SUP	-	SUP	SUP	SUP
Farmers Markets	-	P*														
Meeting Facility/Indoor Event Venue	PS	PS	PS	PS	PS	PS	PS	PS	PS	P	P	SUP	PS	P	P	P
Recreation Facilities, Indoor	PS	PS	PS	PS	PS	PS	PS	PS	P	P	P	SUP	P	P	P	P
Recreation Facilities, Outdoor	PS	PS	PS	PS	PS	PS	PS	PS	P	P	P	SUP	P	P	P	P
Shooting Range, Indoor	-	P*	-	-	-	-	-	-	-	SUP	SUP	-	-	SUP	SUP	-
Sports Training/Fitness Complex	-	P*														
Sweepstakes Center	-	P*	-	-	-	-	-	-	-	-	-	-	-	SUP	-	-

Theater, Live Performance, Indoor	-	P*	-	-	-	-	-	-	P	P	P	P	-	P	-	P
Theater, Live Performance, Outdoor		P*								SUP	SUP			SUP	SUP	
Theater, Movie	-	P*	-	-	-	-	-	-	-	P	P	P	-	P	-	-

### **Planning Board Recommendation:**

At their May 20, 2019 meeting, the Planning Board voted 5-2 in favor of amending Section 19.3 (Definitions), Section 3.3 (Additional Standards by Use) and Section 2.3 (Use Categories and Tables of Permitted Uses) in order to amend the permitting standards for Indoor Amusements and Pool Halls.

**Voting in favor:** Errol Briggerman, Joe DeLoach, Ryan Zakany, Terry Allen Swaim (by absentia), and Victoria Curtis.

**Voting against:** Lloyd Lancaster and Jonathan Olsen

**Absent:** None

### **Statement of Plan Consistency and Reasonableness**

- Any recommended change to the zoning text should be accompanied by a statement explaining how the change is consistent with the comprehensive plan, and is reasonable in nature.
  - At their May meeting, the Planning Board found the requested zoning text amendment to be consistent with Principle #5 of the Wendell comprehensive plan and to be reasonable in order to promote Wendell's attractiveness to business.
    - Principle # 5: Promote Wendell's attractiveness to business and people of all walks of life. Emphasize the strengths of the Town's diverse population.

### **Staff Recommendation:**

Staff recommends approval of the proposed text amendment request.

### **Attachments:**

- A. Chapter 6, Article III- Game Rooms and Pool Halls
- B. Ordinance for Adoption

## Attachment A

### **ARTICLE III. - GAME ROOMS AND POOL HALLS**

#### **DIVISION 2. - GAME ROOMS**

##### **Sec. 6-74. - Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Game room.*

(1) The term "game room" means any place of business that principally operates mechanical games or pay devices for which a charge is made either directly or indirectly.

a. Examples of game rooms, by way of illustration and not limitation, are bowling alleys, amusement centers, arcades, recreation centers, and the like.

b. A game room is any place of business which operates five or more mechanical games or pay devices for which a charge is made either directly or indirectly.

(2) The term "game room" shall not include any pool room or billiard parlor which is principally operated for the purpose of a pool room or billiard parlor and is governed by a town ordinance regulating such place of business.

(Code 1986, § 112.01; Ord. of 11-8-1982)

##### **Sec. 6-75. - Licenses; restrictions.**

(a) Every operator of a game room shall be required to pay a privilege license tax in accordance with the article II of [chapter 22](#).

(b) In addition, every operator of a game room shall apply for and obtain a license from the town to operate a game room. The application for such license shall be made on forms provided by the town.

(c) An application fee, as provided in the fee schedule which is on file in the town clerk's office, shall be paid to and collected by the town when the application is submitted to cover the cost of administration of this division.

(d) It shall be unlawful to operate a game room within the town without a license as required by subsection (b) of this section. However, no such license shall be issued within 30 days upon receipt of such application.

(e) Every operator of a game room shall be required to comply at all times with all applicable fire, health, and safety codes.

(Code 1986, § 112.02; Ord. of 11-8-1982)

##### **Sec. 6-76. - Qualifications for license.**

In order to obtain a license from the town, the applicant must:

(1) Be at least 21 years old;

(2) Be a resident of the state unless:

- a. He is an officer, director or stockholder of a corporate applicant or permittee and is not a manager or otherwise responsible for the day-to-day operation of the business;  
or
  - b. He has executed a power of attorney designating a qualified resident of the state to serve as attorney in fact for the purposes of receiving service of process and managing the business for which permits are sought;
  - (3) Not have been convicted of a felony within three years, and, if convicted of a felony before then, shall have had his citizenship restored;
  - (4) Not have been convicted of an alcoholic beverage offense within two years;
  - (5) Not have been convicted of a misdemeanor controlled substance offense within two years;
  - (6) Not have had an alcoholic beverage permit revoked within three years, except where the revocation was based solely on a permittee's failure to pay the annual registration and inspection fee required in G.S. 18B-903(b1); and
  - (7) Not have, whether as an individual or as an officer, director, shareholder or manager of a corporate permittee, an unsatisfied outstanding final judgment that was entered against him in an action under G.S. 18B-120 et seq.
- (Code 1986, § 112.02; Ord. of 11-8-1982)

**State Law reference—** Similar qualifications for ABC permit, G.S. 18B-90.

## **Sec. 6-77. - Rules for operation.**

The following rules shall be observed by all operators of game rooms within the town:

- (1) All game rooms shall be closed from 12:00 midnight until 6:00 a.m. Monday through Saturday. All game rooms shall be closed from 12:00 midnight Saturday until 6:00 a.m. Monday.
  - (2) No playing of any game shall be allowed during the times when game rooms are required by this division to be closed.
  - (3) All game rooms shall be operated only on the ground floor of a building and plate glass windows shall be in those parts of the building facing any street, so that a clear and unobstructed view of the interior may be had from the street.
  - (4) No curtains, screens, blinds, partitions, or other obstructions shall be placed between the entrance to the room where games are played and the rear walls of the room so that a clear view of the interior may be had from the street.
  - (5) Adequate lighting shall be provided inside the game room as well as the immediate exterior of the building of the licensed premises.
  - (6) No loud noises shall be allowed to emanate beyond the licensed premises.
  - (7) There must be an adult person, 18 years of age or older, managing the business on the premises during hours of operation at all times.
  - (8) All game rooms must provide adequate restroom facilities for its patrons on the licensed premises. The restrooms must be in good working order at all times during the hours of operation of the business.
- (Code 1986, § 112.03; Ord. of 11-8-1982)

## **Sec. 6-78. - Prohibited conduct.**

Licenseses under this division shall not, and neither shall their employees:

- (1) Suffer or permit any gambling on the licensed premises at any time; nor the sale or use of any racing, football, or other parlay cards or gambling boards or devices;
- (2) Suffer or permit the licensed premises to become disorderly;
- (3) Employ any person in a supervisory capacity who has been convicted of unlawfully selling or possessing alcoholic beverages or narcotic drugs;
- (4) Suffer or permit the sale, possession, or consumption of any type of alcoholic beverage on the licensed premises;
- (5) Suffer or permit any person to enter or remain on the licensed premises while under the influence of any alcoholic beverage or narcotic drug.

(Code 1986, § 112.04; Ord. of 11-8-1982)

### **Sec. 6-79. - Revocation of license.**

After giving the operator of a game room adequate notice and an opportunity to be heard by the Board of Commissioners, the board may revoke the license of any game room operator who:

- (1) Violates any provision of [section 6-77](#) or [6-78](#); or
- (2) Is convicted of unlawfully selling or possessing any alcoholic beverage or narcotic drugs.

(Code 1986, § 112.05; Ord. of 11-8-1982)

## **DIVISION 3. - POOL HALLS**

### **Sec. 6-102. - Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Pool hall* means any place of business that operates as a pool hall, pool room, or billiard parlor. Examples of pool halls, by way of illustration and not limitation, are:

- (1) Places where the game of pool or billiards is played;
- (2) Any place of business which operates for the purpose of playing pool or billiards; or
- (3) Any place where games are played on an oblong table by driving small balls against one another or into pockets with a cue or games in which one scores by causing a cue ball to hit in succession two object balls.

(Code 1986, § 112.10; Ord. No. 0-12-87, 8-10-1987)

### **Sec. 6-103. - Licenses; restrictions.**

- (a) Any person shall obtain a license issued by the Board of Commissioners before operating or maintaining any pool hall.
- (b) The application for such license shall be made on forms provided by the town accompanied with an application fee, as provided in the fee schedule which is on file in the town clerk's office, to cover the administrative costs of processing the application.
- (c) Every operator of any pool hall, pool room, or billiard parlor upon the issuance of a license to operate same shall pay a privilege license tax to the town as required.

- (d) Every operator of any pool hall, pool room, or billiard parlor shall be required at all times to comply with all applicable fire, health, and safety codes.
- (e) The Board of Commissioners shall not issue any license to any applicant who:
  - (1) Has been convicted of any violation of the North Carolina Controlled Substance Act or any violation of the North Carolina Alcoholic Beverage Control Law;
  - (2) Is not a resident of the state;
  - (3) Is not of good moral character, or has been convicted of any law regarding moral turpitude;
  - (4) Is a habitual user of alcoholic beverages or narcotic drugs; or
  - (5) Is a convicted felon.
- (f) The applicant must not be less than 21 years of age.
- (g) The applicant must provide the following information:
  - (1) The name, social security number, and address of applicant and the length of the applicant's residence in the state;
  - (2) The particular place for which the license is desired, designating the same by street and number if practicable;
  - (3) A statement that the place or building the applicant proposes to use for the business conforms to all health, fire, and safety regulations applicable thereto, and is a safe and proper place or building;
  - (4) The name of the owner of the premises upon which the proposed business is to be carried on, and, if the owner is not the applicant, that the applicant is the actual and bona fide lessee of the premises; and
  - (5) A statement that the applicant intends to carry on the business authorized by the license for himself or under his immediate supervision and direction.

(Code 1986, § 112.11; Ord. No. 0-12-87, 8-10-1987)

## **Sec. 6-104. - Rules for operation.**

The following rules shall be observed by all operators of pool halls, pool rooms, or billiard parlors within the town:

- (1) All pool halls, pool rooms, or billiard parlors shall be closed from 12:00 midnight until 8:00 a.m. Monday through Sunday.
- (2) No pool hall, pool room, or billiard parlor shall be allowed to remain open during the times when they are required by this division to be closed.
- (3) All pool halls, pool rooms, or billiard parlors shall be operated only on the ground floor of a building and plate glass windows shall be in those parts of the building facing any street, so that a clear and unobstructed view of the interior may be had from the street.
- (4) No curtains, screens, blinds, partitions, or other obstructions shall be placed between the entrance to the business and the rear walls of the building so that a clear view of the interior may be had from the street.
- (5) Adequate lighting shall be provided inside the business as well as the immediate exterior of the building of the licensed premises.
- (6) No loud noises shall be allowed to emanate beyond the licensed premises.
- (7) There must be an adult person, 18 years of age or older, managing the premises at all times during the hours of operation.



(8) The business must provide adequate restroom facilities for its patrons on the licensed premises. The restrooms must be in good working order at all times during the hours of operation of the business.

(Code 1986, § 112.12; Ord. No. 0-12-87, 8-10-1987)

#### **Sec. 6-105. - Prohibited conduct.**

Licensees under this division shall not, and neither shall their employees:

- (1) Suffer or permit any gambling on the licensed premises at any time, nor the sale or use of any racing, football, or other parlay cards or gambling boards or devices;
- (2) Suffer or permit the licensed premises to become disorderly, or permit any profane, obscene, or indecent language thereon;
- (3) Employ any person in a supervisory capacity who has been convicted of unlawfully selling or possessing alcoholic beverages or narcotic drugs;
- (4) Suffer or permit the sale, possession, or consumption of any type of alcoholic beverage on the licensed premises; or
- (5) Suffer or permit any person to enter or remain on the premises while under the influence of any alcoholic beverage or narcotic drug.

(Code 1986, § 112.13; Ord. No. 0-12-87, 8-10-1987)

#### **Sec. 6-106. - Age requirement of patrons.**

It shall be unlawful for the owner, operator, or licensee of any pool hall, pool room, or billiard parlor to permit any person under the age of 16 years to enter, play pool or billiards, frequent, or remain in any such place of business.

(Code 1986, § 112.14; Ord. No. 0-12-87, 8-10-1987)

#### **Sec. 6-107. - Revocation of license.**

After giving the operator of a licensed pool hall, pool room, or billiard parlor at least five days' notice of any alleged violation and after granting the operator an opportunity to be heard by the Board of Commissioners, the board may revoke the license of any operator who:

- (1) Violates any provision of this division; or
- (2) Is convicted of unlawfully selling or possessing any alcoholic beverage or narcotic drug.

(Code 1986, § 112.15; Ord. No. 0-12-87, 8-10-1987)

Attachment B

ORD # 0-11-2019

**AN ORDINANCE TO AMEND SECTIONS 2.3, 3.3 AND 19.3 OF THE  
TOWN OF WENDELL UNIFIED DEVELOPMENT ORDINANCE  
AS IT RELATES TO INDOOR AMUSEMENTS, GAME ROOMS AND POOL HALLS**

WHEREAS, Section 2.3 of the UDO contains the Town's general provisions for use categories and tables of permitted uses according to zoning district; and

WHEREAS, Section 3.3 of the UDO contains the Town's general provisions for additional standards for uses that require specific conditions in order to be permitted; and

WHEREAS, Section 19.3 of the UDO contains the Town's general provisions for definitions; and

WHEREAS, the Town has initiated a petition to delete Chapter 6, Article III- Game Rooms and Pool Halls, of the Code of Ordinances in its entirety and add the relevant language from Article III to the Sections 2.3, 3.3, and 19.3 of the UDO to address Indoor Amusements; and

WHEREAS, the Town of Wendell Unified Development Ordinance Section 15.11 establishes uniform procedures for amending the text of the Ordinance;

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

SECTION 1. That Chapter 6, Article III. – GAME ROOMS AND POOL HALLS of the Wendell Code of Ordinances be deleted in its entirety.

SECTION 2. That the definitions for 'Amusements, Indoor' and 'Billiard/Pool Hall' in Section 19.3 of the UDO be amended to read as follows:

**19.3 – Definitions**

**Amusements, Indoor** means establishments that provide facilitated (through on-site staffing) commercial recreation activities completely within an enclosed structure such as video arcades, skating rinks, roller rinks, bowling alleys, and billiard/pool halls.

**Billiard/Pool Hall** generally means any place where more than two billiard or pool tables are operated or maintained, except for private family use, whether such place is a social club or a business enterprise operated for profit.

SECTION 3. That Section 3.3D of the UDO be amended to read as follows:

**3.3 - Additional Standards by Use**

**D. Amusements, Indoor (CMX, CC, DMX, CH).**

1. No outdoor public address shall be permitted which can be heard beyond the boundaries of the property. All noise shall comply with the Town's noise ordinance.

SECTION 4. That the ‘Entertainment/Recreation’ sub-category of Section 2.3 of the UDO be amended to delete the ‘Billiard/Pool Hall’ use, to read as follows:

### 2.3 – Use Categories and Tables of Permitted Uses

Entertainment/Recreation																
BASE DISTRICT	OSC	PUD	RA	RR	R2	R3	R4	R7	NC	CMX	CC	DMX	MH	CH	M&I	TND
Adult Establishment	-	P*	-	-	-	-	-	-	-	-	-	-	-	-	PS	-
Amusements, Indoor	-	P*	-	-	-	-	-	-	-	PS	PS	PS	-	PS	-	-
Amusements, Outdoor	-	P*	PS	PS	-	-	-	-	-	PS	-	-	-	PS	-	-
Cultural/Community Facility	PS	P*	PS	PS	PS	PS	PS	PS	P	P	P	SUP	P	P	P	P
Event Venue, Outdoor	-	P*	SUP	-	-	-	-	-	SUP	SUP	SUP	SUP	-	SUP	SUP	SUP
Farmers Markets	-	P*														
Meeting Facility/Indoor Event Venue	PS	PS	PS	PS	PS	PS	PS	PS	PS	P	P	SUP	PS	P	P	P
Recreation Facilities, Indoor	PS	PS	PS	PS	PS	PS	PS	PS	P	P	P	SUP	P	P	P	P
Recreation Facilities, Outdoor	PS	PS	PS	PS	PS	PS	PS	PS	P	P	P	SUP	P	P	P	P
Shooting Range, Indoor	-	P*	-	-	-	-	-	-	-	SUP	SUP	-	-	SUP	SUP	-
Sports Training/Fitness Complex	-	P*														
Sweepstakes Center	-	P*	-	-	-	-	-	-	-	-	-	-	-	SUP	-	-
Theater, Live Performance, Indoor	-	P*	-	-	-	-	-	-	P	P	P	P	-	P	-	P
Theater, Live Performance, Outdoor		P*								SUP	SUP			SUP	SUP	
Theater, Movie	-	P*	-	-	-	-	-	-	-	P	P	P	-	P	-	-

SECTION 5. That all laws and clauses of law in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 6. That if this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable.

SECTION 7. That the proposed text amendment to Sections 2.3, 3.3 and 19.3 of the UDO is found to be consistent with Principle # 5 of the Wendell Comprehensive Plan and is reasonable in nature in order to promote Wendell’s attractiveness to business.

- Principle Number 5: “Promote Wendell’s attractiveness to business and people of all walks of life. Emphasize the strengths of the Town’s diverse population.”

SECTION 8. That this ordinance has been adopted following a duly advertised public hearing of the Town Board and following recommendation by the Planning Board.

SECTION 9. That this ordinance shall be enforced as provided in G.S. 160A-175 or as provided for in the Wendell Town Code.

SECTION 10. That this ordinance shall become effective upon its adoption by the Wendell Board of Commissioners.

DULY ADOPTED the 24th day of June, 2019.

(Town Seal)

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Virginia R. Gray, Mayor

ATTEST:

APPROVED AS TO FORM:

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Megan Howard, Town Clerk

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James P. Cauley III, Town Attorney

**Item Title:**

Minor Street Closing for Wendell Farmers Market on Campen Street

**Report to the Board of Commissioners:**

Monday, June 24, 2019

**Specific Action Requested:**

Approve the recurring minor street closing permit for the use of Campen Street between Main Street and Tobacco Alley for the Wendell Farmers Market.

**Item Summary:**

The Town of Wendell is working with area farmers and craft vendors to re-establish the Wendell Farmers Market on Campen Street between Main Street and Tobacco Alley. Approval by the Board of Commission for the minor street closure is necessary due to the recurring nature of the event. Authorization is requested for the Farmers Market to occupy the location on Saturdays from 9:00 am until 1:00 pm starting on June 29, 2019 and extending through November 23, 2019. The Town will provide barricades and staff the event to ensure only registered vendors are setting up and using the space provided. The Town will also market the events and provide notification of when the market is closed due to weather, holiday, or other cause. Vendors will be responsible for their own tents and tables.

**Attachments:**

- A. Minor Street Closing Application
- B. Exhibit A – Map Description of Permit Area



**Town of Wendell**  
15 E Fourth Street, Wendell NC 27591  
919.365.4450

[www.townofwendell.com](http://www.townofwendell.com)

## Minor Street Closing Application

This application is to be used where an alley, single street\* block or cul-de-sac is requested to be closed with an attendance of less than 150 people, where no alcohol permit is required, and when no special town services other than traffic control devices such as cones and/or barricades are requested.

\*Does not apply to NCDOT maintained roads.

Requests are to be received 30 days prior to the date of the event. Review of the request begins when a completed application and applicable fee(s) are received.

Submission of a Minor Street Closing Application is NOT automatic approval. Event organizers are strongly encouraged to NOT publicize an event until approval has been confirmed.

### EVENT ORGANIZER (person who serves as representative to the Town for this event):

Name: <b>MARC COLLINS, TOWN MANAGER</b>		Email address: <b>mcollins@townofwendell.com</b>	
Address: <b>15 E. FOURTH STREET</b>		Phone Number: <b>(919) 365-4450</b>	
City: <b>WENDELL</b>	State: <b>NC</b>	Zip Code: <b>27591</b>	Preferred contact when application is ready: <input checked="" type="checkbox"/> Email <input type="checkbox"/> Telephone

### EVENT INFORMATION:

What is the event: <b>(TOWN OF) WENDELL FARMERS MARKET</b>		
Types of activities during the event: <b>SALE OF PRODUCE AND CRAFTS BY REGISTERED VENDORS</b>		
Date of Closure: <b>SATURDAY'S</b>	Time Event Begins: <b>9:00 AM</b>	Set-up Time Begins: <b>8 AM</b>
Estimated Attendance: <b>VARIABLE/SEASONAL</b>	Time Event Ends: <b>1:00 PM</b>	Clean-up time Ends: <b>2 PM</b>
Barricades/Cones: <input checked="" type="checkbox"/> Provided by Town (\$25) <b>yes</b> <input checked="" type="checkbox"/> Provided by Event Organizer		










### EVENT LOCATION:

<input checked="" type="checkbox"/>	Campen Street between Main Street and Cypress Street	<b>FROM MAIN TO TOBACCO ALLEY ONLY</b>
<input type="checkbox"/>	Depot Street between Main Street and Cypress Street	
<input type="checkbox"/>	Woman's Club Parking Lot located on Cypress Street between Third and Second Streets	
<input type="checkbox"/>	Other:	



**Minor Street Closing Requirements:**

The Town of Wendell is committed to supporting the activities among residents, provided certain guidelines are observed to ensure the safety of participants and to preserve the Town's ability to protect its citizens and assets. The following guidelines are established to achieve these goals:

-  Review of the request begins when a completed application, \$15 application fee, and \$25 cone fee [if applicable] are received.
  - o Application fee is non-refundable.
  - o Upon approval of request, the barricades and cones will be scheduled for delivery.
-  Event organizer is responsible for contacting and receiving permission from adjoining businesses or neighbors adjacent to the request.
-  Sound permit is required for the amplification of music and sound, including mega-phones.
-  All commercial food vendors must be approved by Wake County Environmental Services.
-  Alcohol is not permitted.
-  Event organizers must maintain a fourteen (14) foot lane on all blocked streets for emergency vehicle access.
-  Weights such as water barrels or cement buckets must be used for anchoring temporary tents.
  - o Stakes are not permitted.
-  Trash and recycling is the responsibility of the event organizer. All trash and recycling must be promptly removed at the conclusion of the event.
-  All barricades must be monitored. Event organizers shall be required to move barricades in the case of an emergency.

**Event Organizer Certification:**

I hereby certify that I have read and understand the above requirements for this Minor Street Closing Request; the information given in this application is correct to the best of my knowledge. Event organizer agrees to indemnify and hold harmless the Town of Wendell for any and all liability arising from the event.

Signed: \_\_\_\_\_

Date: 6/19/2019Print Name: MARC COLLINS**Please submit completed application and application fee payment to:**

Town of Wendell  
Attn.: Town Manager  
15 E Fourth Street  
Wendell, NC 27592

Phone: 919.365.4450  
Fax: 919.366.1462

**You will be notified when the permit is approved or denied.****Staff Use**Payment received by: N/A Amount of Payment: N/A Date: 6-19-2019

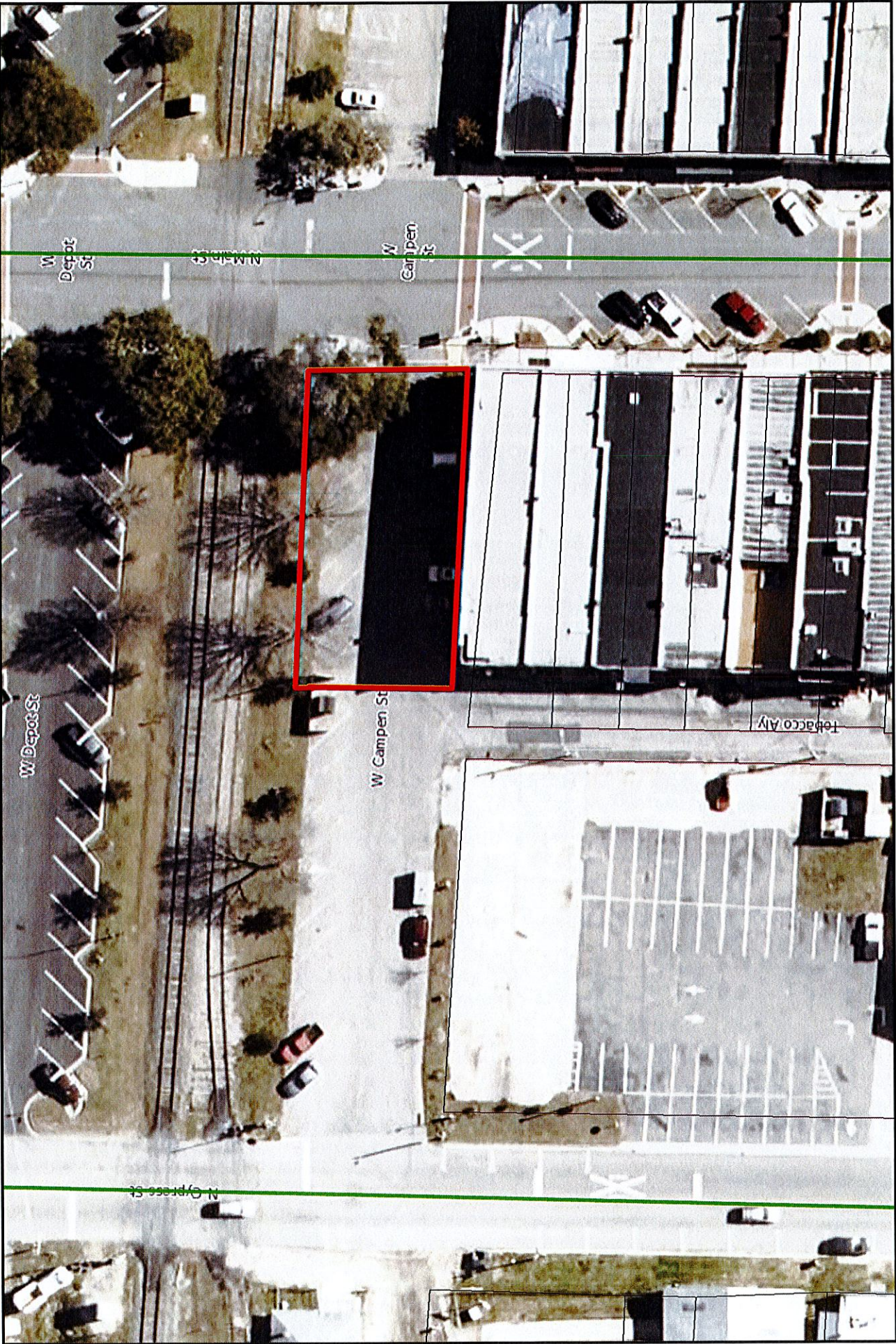
Sherry Scroggs  
Town Manager - S.A.M.

Approved:  
Yes ☒ No ☐  
Date: 6-19-19

Note(s): Town will provide cones & barricades for safety of patrons.

Date of Notifications: ☐ Police ☐ Public Works ☐ Finance ☐ Event Organizer





**Disclaimer**

iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use or its interpretation.





**Item Title:**

Appointment to the Town of Wendell Citizen Advisory Boards

**Specific Action Requested:**

Staff requests that the Board of Commissioners make appointments to the Planning Board and Economic Development Committee by using the Ballots provided at the Board Meeting. Once appointments have been made, staff recommends that the Board reach out to remaining applicants, if known personally, and ask if they would be willing to serve on the Tree Board or Appearance Commission, which received no applications this year. Staff also offers to reach out to East Wake High School about an opportunity for students to serve on the Tree Board or Appearance Commission.

**Item Summary:**

Recruitment for the Town of Wendell's Citizen Advisory Boards began on April 23, 2019 and closed on May 23<sup>rd</sup>, 2019. Communication efforts included the following:

- Designed/Printed Posters posted in all Elementary, Middle and High schools in Wendell.
- Advertising posted on the Town's website's calendar, News Feed, Events, and Citizen Advisory Board Pages.
- An E-Board Post on Wendell Blvd.
- An E-Blast on MailChimp
- Social Media Marketing launched throughout the month on Facebook and Instagram.
- A PSA video posted on the Town's Social Media pages.
- Advertising posted in *Wendell Buzz*'s May Newsletter.
- Print Ads posted in Downtown Businesses (10 in total.)
- EWTN Promotional Advertising
- An article published in *The Grey Area* news.
- Advertising design for web and print sent to Wendell Falls HOA
- Advertising posted in *Zebulon Times*
- Requests were sent to WRAL, WNCN and 96.1 BBB to advertise as a PSA.

The Board of Adjustment has 7 current members with no terms expiring this year. The Parks and Recreation Committee has 5 current members with no terms expiring this year.

The Economic Development Committee consists of 8 members, with 3 members' terms expiring this year: Valerie DeLoach, Bryan M. Green, and H. Lee Mabry.

Board	Name	In-Town or ETJ	Address - Physical	Address - Mailing	Term Begins	Term Ends	Term Number	Term Length	Appt Date
EDC	Stacey Piesche	In-town	3421 Wendell Blvd	3421 Wendell Blvd	7/1/2018	6/30/2020	2nd term	2 years	6/13/2016
EDC	Ashley Anderson	ETJ	313 Old Battle Bridge Road	313 Old Battle Bridge Road	7/1/2018	6/30/2020	1st term	2 years	5/14/2018
EDC	Emma Benson King	ETJ	131 Jake May Drive	131 Jake May Drive	7/11/2018	6/30/2020	1st term	2 years	7/11/2018
EDC	Lucius S. Jones Jr.	ETJ	172 Jake May Drive	PO BOX 128	7/11/2018	6/30/2020	1st term	2 years	7/11/2018
EDC	Paul White	ETJ	651 Lions Club Road	PO BOX 980	7/1/2018	6/30/2020	3rd term	2 years	6/8/2015
EDC	Valerie DeLoach	In-town	1704 Drift Falls Lane	1704 Drift Falls Lane	7/1/2017	6/30/2019	1st term	2 years	5/8/2017
EDC	Bryan M. Green	Out-of-town	500 Boswell Ln, Clayton, 27527	500 Boswell Ln, Clayton	7/1/2017	6/30/2019	1st term	2 years	5/8/2017
EDC	H. Lee Mabry	Out-of-town	8900 Wood Vine Ct, RA, 27613	8900 Wood Vine Ct, RA	7/1/2017	6/30/2019	1st term	2 years	5/8/2017

The applications received for these EDC vacancies are listed in the table below. The 4 applications are attachments in your Agenda Packet for review.

Name	Board	ETJ/In-Town
Haley Day	EDC	In-Town
Cande Killian Wood	EDC	ETJ
Amanda S. Norris	EDC	In-Town
H. Lee Mabry	EDC	Out-of-Town

The Planning Board has 8 current members with 3 members' terms expiring: Errol Briggerman, Lloyd Lancaster, and Terry Allen Swaim, Jr. There are also 2 vacant seats that expires June 2020. This leaves 5 vacancies on the Planning Board.

Board	Name	In-Town or ETJ	Address - Physical	Address - Mailing	Term Begins	Term Ends	Term Number	Term Length	Term Limit	Appt Date
Planning	Victoria Curtis	ETJ	102 Skipwith Drive	102 Skipwith Drive	7/1/2018	6/30/2020	2nd term	In-Town - 3	2 terms	6/13/2016 & 7/05/2016 (WC)
Planning	Errol Briggerman	In-Town	14 Forest Lane	14 Forest Lane	7/1/2016	6/30/2019	2nd term	In-Town - 3	2 terms	
Planning		0 In-Town	0	0	7/1/2018	6/30/2020	1st term	In-Town - 3	2 terms	1/0/1900
Planning	Lloyd Lancaster	In-Town	309 Paula Drive	309 Paula Drive	7/1/2016	6/30/2019	1st term	In-Town - 3	2 terms	6/13/2016
Planning	Ryan Zakany	In-Town	238 Grovemere Lane	238 Grovemere Lane	7/1/2018	6/30/2021	1st term	In-Town - 3	2 terms	5/14/2018
Planning	Joe DeLoach	In-town	1704 Drift Falls Lane	1704 Drift Falls Lane	7/1/2018	6/30/2021	1st term	In-Town - 3	2 terms	5/14/2018
Planning	Terry Allen Swaim, Jr.	ETJ	1133 Marshburn Road	1133 Marshburn Road	7/1/2017	6/30/2019	1st term	In-Town - 3	2 terms	5/8/2017
Planning		0 In-town	0	0	1/0/1900	6/30/2020	0	0	2 terms	1/0/1900
Planning	Jonathan Andrew Olson	In-town	313 Caroline Drive	313 Caroline Drive	7/1/2017	6/30/2020	1st term	In-Town - 3	2 terms	5/8/2017

In order to comply with State Statutes and town's serving Ordinances, an adjustment will be made to the number of ETJ and In-Town members on the Planning Board. This change occurred due to significant population growth in the Town's Corporate limits, with marginal growth in the ETJ.

Section 14.2B1 of the UDO states "The Planning Board shall consist of a total of nine members. In accordance with G.S. 160A-360, the total membership of the Planning Board shall be proportional to the population of residents of the Town of Wendell and residents in the ETJ. Population shall be determined by best available U.S. Census/GIS Data."

Wake County used Census Data and Wake County Revenue data to generate projections. Based on the County's recent population estimates, 18% of our Jurisdiction's total population is within the ETJ. For a 9 person Planning Board, that requires 1.62 ETJ members (rounded to 2). That is 1 less than our current 3-member ETJ makeup on the planning Board. This means that there will be 7 In-Town Planning Board Members, and 2 ETJ Planning Board Members this year.

Currently, there are 3 In-Town members and 1 ETJ member whose terms are not expiring. This leaves 4 in-town vacancies (one of which has a partial term expiring in 2020) and 1 ETJ vacancy.

The applications received for these Planning Board vacancies are listed in the table below. The 10 applications are attachments in your Agenda Packet for review. **Please note that we received 7 In-town applications to fill 4 In-town vacancies, and 2 ETJ applications to fill 1 ETJ vacancy.**

Name	Board	ETJ/In-Town
Tim Fisher	Planning	In-Town
Michael Firstbrook	Planning	In-Town
Regina Harmon	Planning	ETJ
Brett Hennington	Planning	In-Town
Jimmena Huffman-Hall	Planning	In-Town
Levin Jones	Planning	In-Town
Lloyd Lancaster	Planning	In-Town
T. Allen Swaim Jr.	Planning	ETJ
Cande Killian Wood	Planning	ETJ
Melissa Kay Brand	Planning	In-Town

**\*Please note that Regina Harmon withdrew her application (Attachment B)**

The Tree Board has 3 partial term vacancies. Below is a list of the Tree Board's current members. There were no applications received this year for the Tree Board.

Name	In-Town or ETJ	Address - Physical	Address - Mailing	Term Begins	Term Ends	Term Number	Term Length	Term Limit	Appt Date
	0	0	0	0		1/0/1900	3 years	none	0
Bobby Clint Honeycutt	In-town	332 Matto	332 Matto	42562	6/30/2019	1st term	3 years	none	42562
Lewis Piner	In-town / ex-officio	600 Beaufort	600 Beaufort	42917	6/30/2020	1/0/1900	3 years	none	42863
Warren Boyette	In-town	724 S Hollis	PO BOX 1	42917	6/30/2020	1/0/1900	3 years	none	42863
Marriott L. Sheldon	Out-of-town	7001 Doc	7001 Doc	43017	6/30/2020	1st term	3 years	none	43017
	0	0	0	0	6/30/2020	1/0/1900	3 years	none	0

The Appearance Commission has 6 current members with no terms expiring and 1 partial term vacancy that expires in 2020. There were no applications received for the Appearance Commission this year. Below is a list of the Appearance Commission's current members.

Board	Name	In-Town or ETJ	Address - Physical	Address - Mailing	Term Begins	Term Ends	Term Numb	Term Length	Term Limit	Appt Date
Appearance	Brianna Sizemore	In-town / Alternate	259 Darecrest Lane	259 Darecrest Lane	7/1/2018	6/30/2021	1st term	3 years	0	5/14/2018
Appearance	Megan Hinkle	In-town / Alternate	421 Daniel Ridge Rd	421 Daniel Ridge Rd	7/1/2018	6/30/2021	1st term	3 years	0	5/14/2018
Appearance	0	0	0	0	1/0/1900	6/30/2020	1st term	3 years	0	1/0/1900
Appearance	Michael Eugene Hancock	In-town	3500 Wendell Blvd	PO BOX 853	7/1/2017	6/30/2020	1st term	3 years	0	5/8/2017
Appearance	Brian Pace	In-town	3300 Wendell Blvd	3300 Wendell Blvd	7/1/2017	6/30/2020	1st term	3 years	0	5/8/2017
Appearance	Allison Yeargin	In-town	228 West Third Street	228 West Third Street	7/1/2018	6/30/2021	2nd term	3 years	0	6/8/2015
Appearance	Leigh Ann Thompson	In-town	206 S Main Street	206 S Main Street	7/1/2018	6/30/2021	2nd term	3 years	0	11/28/2016

## 2018-2019 Citizen Advisory Boards Attendance Records

Due to the fact that the Tree Board meets as needed and during special events, the attendance of members has been satisfactory.

Lorinda S. Michieka - April, February  
Thomas J. Mak - June, April, October  
Seth Amidon - June  
Michael Gardner - January, October, August  
Emma Gardner – February

[illegible]

Citizen Advisory Board Applications—Planning Board (Attachment B)

Citizen Advisory Board  
Applications-  
Economic Development  
Committee

**TOWN OF WENDELL  
NORTH CAROLINA**

**APPLICATION FOR  
APPOINTMENT**

This application is for consideration to serve on a Town of Wendell citizen advisory board. This application is to gather information regarding your interest and qualifications. Candidates may be interviewed prior to appointment. Information about each of the town boards is available on the Town's website at: <http://www.townofwendell.com/government/citizen-boards>

Which board/committee/commission are you requesting consideration? (Select one per application.)

<input type="checkbox"/>	Board of Adjustment
<input type="checkbox"/>	Parks & Recreation Commission
<input checked="" type="checkbox"/>	Economic Development Committee

<input type="checkbox"/>	Planning Board
<input type="checkbox"/>	Tree Board
<input type="checkbox"/>	Appearance Commission

Name: Haley Day

Physical Address: 219 Blair Hills Road Wendell, NC 27591

Mailing Address: 219 Blair Hills Road Wendell, NC 27591

Length of time you have resided in the Wendell area: 1 year

Do you live in the Wendell town limits? Yes ☒ No ☐ ETJ: Yes ☐ No ☐

*Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Town of Wendell citizen advisory boards.*

Telephone: 252-955-5750

Mobile: \_\_\_\_\_

E-Mail: haleyday@yorkproperties.com

Education: North Carolina State University - Business Administration

Occupation: Corporate Accounting and HR Assistant

Employer: York Properties, Inc. of Raleigh

Please list current and previous service to the community, civic clubs.

Boards/Committees/Civic Clubs	From	To
<u>York Properties Social Committee</u>	<u>2018</u>	<u>Present</u>
_____	_____	_____
_____	_____	_____

Have you taken the opportunity to attend board meetings prior to the notice of this vacancy?

Yes ☐ No ☒

If Yes, describe extent:

\_\_\_\_\_  
\_\_\_\_\_



**TOWN OF WENDELL  
NORTH CAROLINA**

**APPLICATION FOR  
APPOINTMENT**

What knowledge, skills and abilities would you bring to the board/commission/committee?

I work for a commercial real estate firm in Raleigh. Our retail leasing brokers would be a great resource for businesses looking to expand to Wendell. I also have a good understanding of what type of businesses work best where, as well as an opinion on how I would love our downtown area to grow and thrive. Growing up in a tiny town east of Wendell, I love the small town, big charm motto!

List any experience beneficial to your service on the above noted board/commission/committee for which you are applying:

My experience in HR has provided me with great leadership and people skills, while my experience in accounting helps me visualize realistic goals. While I am only 26 years old, I believe that I can bring a fresh new perspective. My husband and I hope to raise our family in Wendell for years to come and would love nothing more than to help create a stable and thriving economy in Wendell.

Do you anticipate a conflict of interest if asked to serve as a member on the requested board?

No ☒ Yes ☐ If Yes, please explain:

References: Name	Address	Phone
(1) Rebecca Elgart	1910 Highland Place Raleigh, NC 27607	917-414-9296
(2) Ron Reich	26 Clarence Lane Garner, NC 27529	919-802-2974

Haley S. Day  
Applicant

05/01/2019

Date

- ☒ This application is a public record.
- ☒ Please do not submit resumes or attachments.
- ☒ Applicant certifies that information in the application is correct.
- ☒ Applicant understands that this is an application to be considered for appointment to a Town of Wendell board/commission/committee and that final appointment is made by the Wendell Town Board of Commissioners.
- ☒ Applicant understands that service, if appointed, would be without compensation.

Your completed application is to be delivered to Special Assistant to the Manager Sherry Scoggins in person or by mail at Wendell Town Hall, 15 East Fourth Street, Wendell, NC 27591 or email at: [sscoggins@townofwendell.com](mailto:sscoggins@townofwendell.com)

Date Received: 5/17/19 Received by: Deborah Howard

For use by Town of Wendell staff:

Acknowledge receipt of application (date):	5/17/19
Verification of residency requirement:	5/17/19 <u>look</u>
Subdivision (if applicable):	Woods of Blair Hill
Letter to candidate for next steps:	5/24/19 <u>look</u>
Action by the Board (date):	
Regular / Alternate / Ex-Officio	
Term (expiration date):	



Clear

TOWN OF WENDELL  
NORTH CAROLINAAPPLICATION FOR  
APPOINTMENT

This application is for consideration to serve on a Town of Wendell citizen advisory board. This application is to gather information regarding your interest and qualifications. Candidates may be interviewed prior to appointment. Information about each of the town boards is available on the Town's website at:  
<http://www.townofwendell.com/government/citizen-boards>

Which board/committee/commission are you requesting consideration? (Select one per application.)

<input type="checkbox"/>	Board of Adjustment
<input type="checkbox"/>	Parks & Recreation Commission
<input checked="" type="checkbox"/>	Economic Development Committee

<input type="checkbox"/>	Planning Board
<input type="checkbox"/>	Tree Board
<input type="checkbox"/>	Appearance Commission

Name: Cande Killian Wood

Physical Address: 618 Lake Glad Rd, Wendell

Mailing Address: 618 Lake Glad Rd, Wendell

Length of time you have resided in the Wendell area: 7 years

Do you live in the Wendell town limits? Yes ☐ No ☒ ETJ: Yes ☒ No ☐

Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Town of Wendell citizen advisory boards.

Telephone: \_\_\_\_\_ Mobile: (828) 485-8399

E-Mail: owlmeadowfarm@yahoo.com

Education: BA English; MA Curriculum Specialist; MA Ed Secondary English

Occupation: Regional Teacher Support Coach and Program Compliance

Employer: Charlotte Schools USA

Please list current and previous service to the community, civic clubs.

Boards/Committees/Civic Clubs	From	To
<u>61st Scout Troop 480 Co-leader</u>	<u>July 2018</u>	<u>present</u>
<u>(3rd St. Adopt-a-Highway)</u>		
<u>Chairperson, NCSECU</u>	<u>Jan 2018</u>	<u>present</u>
<u>Advisory Board</u>		

Have you taken the opportunity to attend board meetings prior to the notice of this vacancy?

Yes ☒ No ☐

If Yes, describe extent:

ETJ zoning / future planning / economic growth



**TOWN OF WENDELL  
NORTH CAROLINA**



**APPLICATION FOR  
APPOINTMENT**

What knowledge, skills and abilities would you bring to the board/commission/committee?

18 years in public education; Program Auditor for efficacy and compliance; program risk assessment; local business owner for 6 years serving Wendell community; library editor; legal policy development

List any experience beneficial to your service on the above noted board/commission/committee for which you are applying:

Chairperson, NCSECU Advisory Board; Policy development for NC State Board of Education; Risk Management related to fiscal/operational/academic compliance for charter schools; Professionally licensed Principal & Teacher

Do you anticipate a conflict of interest if asked to serve as a member on the requested board?

No ☒ Yes ☐ If Yes, please explain:

References: Name

Address

Phone

(1) Eddie Gondall 2132 Greenbrook Pkwy, Weddington, NC (704) 236-123  
(2) Lisa Swinson Joe Cotton Dr., Knightdale, NC (919) 665-902

Cande Killian Wood  
Applicant

5/15/2019  
Date

- ☒ This application is a public record.  
☒ Please do not submit resumes or attachments.  
☒ Applicant certifies that information in the application is correct.  
☒ Applicant understands that this is an application to be considered for appointment to a Town of Wendell board/commission/committee and that final appointment is made by the Wendell Town Board of Commissioners.  
☒ Applicant understands that service, if appointed, would be without compensation.

Your completed application is to be delivered to Special Assistant to the Manager Sherry Scoggins in person or by mail at Wendell Town Hall, 15 East Fourth Street, Wendell, NC 27591 or email at: [sscoggins@townofwendell.com](mailto:sscoggins@townofwendell.com)

Date Received: 5/17/19 Received by: Megan Howard

For use by Town of Wendell staff:

Acknowledge receipt of application (date):	<u>5/17/19</u>
Verification of residency requirement:	<u>5/17/19 ETS el dalt</u>
Subdivision (if applicable):	<u>n.a.</u>
Letter to candidate for next steps:	<u>5/24/19 MHS</u>
Action by the Board (date):	
Regular / Alternate / Ex-Officio	
Term (expiration date):	





If Yes, describe extent:

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*Page 1 of 2 Wendell – Small Town. Big Charm. 2018*

Clear

## APPLICATION FOR APPOINTMENT TOWN OF WENDELL NORTH CAROLINA

What knowledge, skills and abilities would you bring to the board/commission/committee?

I grew up in Wendell and I have seen the changes that the town has made to make it a better community.

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List any experience beneficial to your service on the above noted board/commission/committee for which you are applying:

I served as the Activities Coordinator/ Assistant Manager and twice Interim Manager for Georgia Veterans State Park for 6 years. I can balance a budget and I have experience coordinating and executing events to tourists and locals.

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Do you anticipate a conflict of interest if asked to serve as a member on the requested board?

No ☐ N ☐ Yes ☐ If Yes, please explain:

---

References: Name Address Phone

(1) Becky Sayles- 919-607-3722

---

(2) \_\_\_\_\_

\_\_\_\_ Amanda S. Norris \_\_\_\_\_ Applicant  
Date - 05/23/2019

Applicant understands that service, if appointed, would be without compensation.

Your completed application is to be delivered to Special Assistant to the Manager Sherry Scoggins in person or by mail at Wendell Town Hall, 15 East Fourth Street, Wendell, NC 27591 or email at: [sscoggins@townofwendell.com](mailto:sscoggins@townofwendell.com)

Date Received: Received by: 5/23/19 *Sherry Scoggins*

For use by Town of Wendell staff:

Acknowledge receipt of application 5/23

(date): Verification of residency *init*

requirement: Subdivision (if applicable): N.A

Letter to candidate for next steps: Action 5/24/19 *init*

Action by the Board (date): Regular / Alternate /

Ex-Officio Term (expiration date):

Page 2 of 2 Wendell – Small Town. Big Charm. 2018

This application is a public record.

Please do not submit resumes or attachments.

Applicant certifies that information in the application is correct.

Applicant understands that this is an application to be considered for appointment to a Town of Wendell board/commission/committee and that final appointment is made by the Wendell Town Board of Commissioners.

**TOWN OF WENDELL  
NORTH CAROLINA**



Item #6b Attachment A

**APPLICATION FOR  
REAPPOINTMENT**

This application is for consideration to serve on a Town of Wendell citizen advisory board. This application is to gather information regarding your interest and qualifications. Candidates may be interviewed prior to appointment. Information about each of the town boards is available on the Town's website at:

<http://www.townofwendell.com/government/citizen-boards>

Which board/committee/commission are you requesting consideration? (Select one per application.)

<input type="checkbox"/>	Board of Adjustment
<input type="checkbox"/>	Parks & Recreation Commission
<input checked="" type="checkbox"/>	Economic Development Committee

<input type="checkbox"/>	Planning Board
<input type="checkbox"/>	Tree Board
<input type="checkbox"/>	Appearance Commission

Name: Lee Mabry

Physical Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Length of time you have resided in the Wendell area: \_\_\_\_\_

Do you live in the Wendell town limits? Yes ☐ No ☒ ETJ: Yes ☐ No ☒

*Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Town of Wendell citizen advisory boards.*

Telephone: \_\_\_\_\_ Mobile: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Education: \_\_\_\_\_

Occupation: \_\_\_\_\_

Employer: \_\_\_\_\_

Please list current and previous service to the community, civic clubs.

Boards/Committees/Civic Clubs	From	To
_____	_____	_____
_____	_____	_____
_____	_____	_____

Have you taken the opportunity to attend board meetings prior to the notice of this vacancy?

Yes ☐ No ☐

If Yes, describe extent:

\_\_\_\_\_  
\_\_\_\_\_





What knowledge, skills and abilities would you bring to the board/commission/committee?

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List any experience beneficial to your service on the above noted board/commission/committee for which you are applying:

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Do you anticipate a conflict of interest if asked to serve as a member on the requested board?

No ☐ Yes ☐ If Yes, please explain:

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References: Name Address Phone

(1) \_\_\_\_\_

(2) \_\_\_\_\_

Applicant \_\_\_\_\_

Date \_\_\_\_\_

-  This application is a public record.
-  Please do not submit resumes or attachments.
-  Applicant certifies that information in the application is correct.
-  Applicant understands that this is an application to be considered for appointment to a Town of Wendell board/commission/committee and that final appointment is made by the Wendell Town Board of Commissioners.
-  Applicant understands that service, if appointed, would be without compensation.

Your completed application is to be delivered to Special Assistant to the Manager Sherry Scoggins in person or by mail at Wendell Town Hall, 15 East Fourth Street, Wendell, NC 27591 or email at: [sscoggins@townofwendell.com](mailto:sscoggins@townofwendell.com)

Date Received:	Received by:
----------------	--------------

For use by Town of Wendell staff:

<i>Acknowledge receipt of application (date):</i>	
<i>Verification of residency requirement:</i>	
<i>Subdivision (if applicable):</i>	
<i>Letter to candidate for next steps:</i>	
<i>Action by the Board (date):</i>	
<i>Regular / Alternate / Ex-Officio</i>	
<i>Term (expiration date):</i>	

Citizen Advisory Board  
Applications-  
Planning Board



TOWN OF WENDELL  
NORTH CAROLINAAPPLICATION FOR  
APPOINTMENT

This application is for consideration to serve on a Town of Wendell citizen advisory board. This application is to gather information regarding your interest and qualifications. Candidates may be interviewed prior to appointment. Information about each of the town boards is available on the Town's website at: <http://www.townofwendell.com/government/citizen-boards>

Which board/committee/commission are you requesting consideration? (Select one per application.)

<input type="checkbox"/>	Board of Adjustment
<input type="checkbox"/>	Parks & Recreation Commission
<input type="checkbox"/>	Economic Development Committee

<input checked="" type="checkbox"/>	Planning Board
<input type="checkbox"/>	Tree Board
<input type="checkbox"/>	Appearance Commission

Name: Cande Killian Wood

Physical Address: 618 Lake Glad Rd, Wendell

Mailing Address: 618 Lake Glad Rd, Wendell

Length of time you have resided in the Wendell area: 7 years

Do you live in the Wendell town limits? Yes ☐ No ☒ ETJ: Yes ☒ No ☐

Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Town of Wendell citizen advisory boards.

Telephone: \_\_\_\_\_ Mobile: (828) 485-8399

E-Mail: dwlmeadowfarm@yahoo.com

Education: B.A. English, M.A. Curriculum Specialist, M.A.Ed. Secondary

Occupation: Beginning Teacher Support and Compliance English Education

Employer: Charter Schools USA

Please list current and previous service to the community, civic clubs.

Boards/Committees/Civic Clubs	From	To
<u>Girl Scout Troop 1430 Co-Leader (3rd St. Adopt-a-Highway)</u>	<u>July 2018</u>	<u>present</u>
<u>Chairperson, NCSEC Advisory Board</u>	<u>Jan 2013</u>	<u>present</u>

Have you taken the opportunity to attend board meetings prior to the notice of this vacancy?

Yes ☒ No ☐

If Yes, describe extent:

ETJ zoning/future planning/economic growth



**TOWN OF WENDELL  
NORTH CAROLINA**



**APPLICATION FOR  
APPOINTMENT**

What knowledge, skills and abilities would you bring to the board/commission/committee?

18 years in public education; Program Auditor for efficacy and compliance; program risk assessment; local business owner for 6 years serving Wendell community; library editor; legal policy development

List any experience beneficial to your service on the above noted board/commission/committee for which you are applying:

Chairperson, NCSECU Advisory Board; Policy development for NC State Board of Education; Risk Management related to fiscal/operational/academic compliance for charter schools; Professionally licensed Principal & Teacher

Do you anticipate a conflict of interest if asked to serve as a member on the requested board?

No ☒ Yes ☐ If Yes, please explain:

References: Name	Address	Phone
(1) <u>Eddie Goodall</u>	<u>2132 Greenbrook Pkwy, Weddington, NC</u>	<u>(704) 236-123</u>
(2) <u>Lisa Swinson</u>	<u>Joe Cotton Dr., Knightdale, NC</u>	<u>(919) 665-90</u>

Candle Killian Wood  
Applicant

5/15/2019  
Date

- ☒ This application is a public record.
- ☒ Please do not submit resumes or attachments.
- ☒ Applicant certifies that information in the application is correct.
- ☒ Applicant understands that this is an application to be considered for appointment to a Town of Wendell board/commission/committee and that final appointment is made by the Wendell Town Board of Commissioners.
- ☒ Applicant understands that service, if appointed, would be without compensation.

Your completed application is to be delivered to Special Assistant to the Manager Sherry Scoggins in person or by mail at Wendell Town Hall, 15 East Fourth Street, Wendell, NC 27591 or email at: [sscoggins@townofwendell.com](mailto:sscoggins@townofwendell.com)

Date Received: <u>5/17/19</u>	Received by: <u>Heaton Howard</u>
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For use by Town of Wendell staff:

Acknowledge receipt of application (date):	<u>5/17/19</u>
Verification of residency requirement:	<u>5/17/19</u> <u>de 2019</u>
Subdivision (if applicable):	<u>na.</u>
Letter to candidate for next steps:	<u>5/24/19</u> <u>Muth</u>
Action by the Board (date):	
Regular / Alternate / Ex-Officio	
Term (expiration date):	





This application is for consideration to serve on a Town of Wendell citizen advisory board. This application is to gather information regarding your interest and qualifications. Candidates may be interviewed prior to appointment. Information about each of the town boards is available on the Town's website at:  
<http://www.townofwendell.com/government/citizen-boards>

Which board/committee/commission are you requesting consideration? (Select one per application.)

<input type="checkbox"/>	Board of Adjustment
<input type="checkbox"/>	Parks & Recreation Commission
<input type="checkbox"/>	Economic Development Committee

<input checked="" type="checkbox"/>	Planning Board
<input type="checkbox"/>	Tree Board
<input type="checkbox"/>	Appearance Commission

Name: Regina Harmon

Physical Address: 6616 Tells Branch Rd

Mailing Address: 6616 Tells Branch Rd

Length of time you have resided in the Wendell area: 24 yr

Do you live in the Wendell town limits? Yes ☐ No ☒ ETJ: Yes ☒ No ☐

*Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Town of Wendell citizen advisory boards.*

Telephone: 919-219-7115

Mobile: 919-219-7115

E-Mail: reginattc@bellsouth.net

Education: High School

Occupation: Owner of 3 business, The Total Connection, Wendell General Store, Forever Photos

Employer: Self

Please list current and previous service to the community, civic clubs.

Boards/Committees/Civic Clubs	From	To
<u>Kwiains Club</u>	<u>1995</u>	<u>2005</u>
<u>Annual Food Drive at Christmas</u>	<u>1995</u>	<u>now</u>

Have you taken the opportunity to attend board meetings prior to the notice of this vacancy?

Yes ☒ No ☐

If Yes, describe extent:

Yes i have been to a few meeting at the planning board, I want the best for our town from the people, business to community.

**TOWN OF WENDELL  
NORTH CAROLINA**

**APPLICATION FOR  
APPOINTMENT**

What knowledge, skills and abilities would you bring to the board/commission/committee?

My love for the Community, my paper that has been in the public school in our town for 25 yrs and the involvement i have given the schools and citizens. I have experience threw my business to work with the community and the leaders of our town

List any experience beneficial to your service on the above noted board/commission/committee for which you are applying:

My civic involvement with the board member and the hope of where we take our town for the further.

Do you anticipate a conflict of interest if asked to serve as a member on the requested board?

No ☒ Yes ☐ If Yes, please explain:

References: Name	Address	Phone
(1) Kathy Dara	30 North Main St Wendell	919-272-6650
(2) Liesa McKenzie	Fowler Wendell	919-412-9838

Regina S. Hanna  
Applicant

3-25-2019

Date

- ☒ This application is a public record.
- ☒ Please do not submit resumes or attachments.
- ☒ Applicant certifies that information in the application is correct.
- ☒ Applicant understands that this is an application to be considered for appointment to a Town of Wendell board/commission/committee and that final appointment is made by the Wendell Town Board of Commissioners.
- ☒ Applicant understands that service, if appointed, would be without compensation.

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Date Received: 3-26-2019

Received by: DRS

For use by Town of Wendell staff:

Acknowledge receipt of application (date):	<u>3-27-2019</u>
Verification of residency requirement:	<u>3-27-2019</u>
Subdivision (if applicable):	<u>N/A - 3-27-2019</u>
Letter to candidate for next steps:	<u>Email 3-27-2019 5/24/19 HHS</u>
Action by the Board (date):	
Regular / Alternate / Ex-Officio	
Term (expiration date):	

## Megan Howard

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**From:** Virginia Gray - Mayor  
**Sent:** Friday, June 14, 2019 1:05 PM  
**To:** Marvin "Marc" E. Collins; Sherry Scoggins; Megan Howard  
**Subject:** Fwd: Planning board

FYI:

Virginia R. Gray  
Mayor, Town of Wendell, NC  
(919) 365-4794

Begin forwarded message:

**From:** "Regina Harmon" <[reginattc@bellsouth.net](mailto:reginattc@bellsouth.net)>  
**Date:** June 14, 2019 at 11:06:55 AM EDT  
**To:** "Marvin \"Marc\" E. Collins" <[mcollins@townofwendell.com](mailto:mcollins@townofwendell.com)>, "Virginia Gray - Mayor" <[vgray@townofwendell.com](mailto:vgray@townofwendell.com)>, <[dmyrick@townofwendell.com](mailto:dmyrick@townofwendell.com)>, <[jjoyner@townofwendell.com](mailto:jjoyner@townofwendell.com)>, "John Boyette" <[JBoyette@townofwendell.com](mailto:JBoyette@townofwendell.com)>, "Jon Lutz - Commissioner" <[JLutz@townofwendell.com](mailto:JLutz@townofwendell.com)>, <[bcarroll@townofwendell.com](mailto:bcarroll@townofwendell.com)>  
**Subject:** Planning board

I would like to take this moment and say thank you. It is always an honor to sever your community an honor to sever on any board. The Town Planning board has one ETJ spot and myself and one other who has applied.

I am pulling my application; it makes since the other person running who has severed on the board now for years and is doing a great job should stay on the planning board. Where or not I would have gotten the change to sever based on your votes, Mr. Swain is the best person for the job, he has done a great job and will continue doing a great job for our town.

Thank you for giving me the change to sever and I will try to continue doing all I can for our town in other ways and look to getting on anther board when a set becomes available.

Have a great weekend

Regina S. Harmon

The Total Connection, LLC  
P.O. Box 417  
7 West Third St.  
Wendell, NC 27591

919-365-7395 Phone



**TOWN OF WENDELL  
NORTH CAROLINA**



**APPLICATION FOR  
APPOINTMENT**

This application is for consideration to serve on a Town of Wendell citizen advisory board. This application is to gather information regarding your interest and qualifications. Candidates may be interviewed prior to appointment. Information about each of the town boards is available on the Town's website at: <http://www.townofwendell.com/government/citizen-boards>

Which board/committee/commission are you requesting consideration? (Select one per application.)

<input type="checkbox"/>	Board of Adjustment
<input type="checkbox"/>	Parks & Recreation Commission
<input type="checkbox"/>	Economic Development Committee

<input checked="" type="checkbox"/>	Planning Board
<input type="checkbox"/>	Tree Board
<input type="checkbox"/>	Appearance Commission

Name: Michael Firstbrook

Physical Address: 246 Dogwood Trl Wendell, NC 27591

Mailing Address: Same as above

Length of time you have resided in the Wendell area: 3 yrs 3 months

Do you live in the Wendell town limits? Yes ☒ No ☐ ETJ: Yes ☐ No ☒  
Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Town of Wendell citizen advisory boards.

Telephone: (919) 986-2229 Mobile: \_\_\_\_\_

E-Mail: treefrogindustries9@gmail.com

Education: High School, 2 yrs College, USMC 8 years

Occupation: Self-employed

Employer: \_\_\_\_\_

Please list current and previous service to the community, civic clubs.

Boards/Committees/Civic Clubs	From	To
_____	_____	_____
_____	_____	_____
_____	_____	_____

Have you taken the opportunity to attend board meetings prior to the notice of this vacancy?

Yes ☐ No ☒

If Yes, describe extent:

\_\_\_\_\_  
\_\_\_\_\_



**TOWN OF WENDELL  
NORTH CAROLINA**



**APPLICATION FOR  
APPOINTMENT**

What knowledge, skills and abilities would you bring to the board/commission/committee?

*Construction & Building restoration. I also have the ability to find common ground with others to find solutions rather than just complaining. Very good at team building.*

List any experience beneficial to your service on the above noted board/commission/committee for which you are applying:

*Owner-operator Firstbrook Fine Wood Floors in CA for 18 years.  
Sgt. in USMC  
High School Soccer Coach for 6 years CA.*

Do you anticipate a conflict of interest if asked to serve as a member on the requested board?

No ☒ Yes ☐ If Yes, please explain:

References: Name	Address	Phone
(1) John F. Oglesby, PE	3 N. Main St.	(919) 624-0997
(2) Nicholas Chad Benson	254 Dogwood Trl	(919) 418-0776

*[Signature]*  
Applicant

*April 9, 2019*  
Date

- ☒ This application is a public record.
- ☒ Please do not submit resumes or attachments.
- ☒ Applicant certifies that information in the application is correct.
- ☒ Applicant understands that this is an application to be considered for appointment to a Town of Wendell board/commission/committee and that final appointment is made by the Wendell Town Board of Commissioners.
- ☒ Applicant understands that service, if appointed, would be without compensation.

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Date Received: *4-12-2019* Received by: *DLB*

For use by Town of Wendell staff:

Acknowledge receipt of application (date):	<i>4-12-2019 DLB</i>
Verification of residency requirement:	<i>4-15-2019 DLB</i>
Subdivision (if applicable):	<i>n-a</i>
Letter to candidate for next steps:	<i>5/24/19 MMB</i>
Action by the Board (date):	
Regular / Alternate / Ex-Officio	
Term (expiration date):	

**TOWN OF WENDELL  
NORTH CAROLINA**



**APPLICATION FOR  
APPOINTMENT**

This application is for consideration to serve on a Town of Wendell citizen advisory board. This application is to gather information regarding your interest and qualifications. Candidates may be interviewed prior to appointment. Information about each of the town boards is available on the Town's website at: <http://www.townofwendell.com/government/citizen-boards>

Which board/committee/commission are you requesting consideration? (Select one per application.)

<input type="checkbox"/>	Board of Adjustment	<input checked="" type="checkbox"/>	Planning Board
<input type="checkbox"/>	Parks & Recreation Commission	<input type="checkbox"/>	Tree Board
<input type="checkbox"/>	Economic Development Committee	<input type="checkbox"/>	Appearance Commission

Name: Jimmena Huffman-Hall  
 Physical Address: 2004 Cotton Barn Ct, Wendell, NC 27591  
 Mailing Address: same  
 Length of time you have resided in the Wendell area: 2 years  
 Do you live in the Wendell town limits? Yes ☒ No ☐ ETJ: Yes ☐ No ☒  
*Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Town of Wendell citizen advisory boards.*  
 Telephone: 9197413021 Mobile: 9197413021  
 E-Mail: jimmenarn@gmail.com  
 Education: Master's degree  
 Occupation: Family Nurse Practitioner  
 Employer: Aplus Family Care

Please list current and previous service to the community, civic clubs.

Boards/Committees/Civic Clubs	From	To
NA		

Have you taken the opportunity to attend board meetings prior to the notice of this vacancy?

Yes ☐ No ☒

If Yes, describe extent:

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# TOWN OF WENDELL NORTH CAROLINA



# APPLICATION FOR APPOINTMENT

What knowledge, skills and abilities would you bring to the board/commission/committee?

I feel that I am an active and effective listener and am able to understand different perspectives. I learn from what I hear and take action to help represent my community. Being an avid reader, I feel that I can quickly become knowledgeable of the planning process, zoning ordinances and legal principles related to planning.

List any experience beneficial to your service on the above noted board/commission/committee for which you are applying:

My background has been in healthcare for more than 13 years and my training has been in the areas of patient care, communication, management and leadership. I have communicated with many individuals of various ethnic and cultural backgrounds and feel that I have learned to effectively listen and communicate. I feel that this experience has helped me to be fair-minded and impartial.

Do you anticipate a conflict of interest if asked to serve as a member on the requested board?

No ☒ Yes ☐ If Yes, please explain:

References: Name	Address	Phone
(1) Joe DeLoach	1704 Drift Falls Lane, Wendell, NC 27591	9199801807
(2) Chrishaunda Vick	1918 Yamacraw Drive, Knightdale, NC 27545	9199236476

Applicant 

3/29/2019

Date

- ☒ This application is a public record.
- ☒ Please do not submit resumes or attachments.
- ☒ Applicant certifies that information in the application is correct.
- ☒ Applicant understands that this is an application to be considered for appointment to a Town of Wendell board/commission/committee and that final appointment is made by the Wendell Town Board of Commissioners.
- ☒ Applicant understands that service, if appointed, would be without compensation.

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Date Received: 4-5-2019	Received by: BRS
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For use by Town of Wendell staff:

Acknowledge receipt of application (date):	4-5-2019 BRS
Verification of residency requirement:	4-15-2019 BRS
Subdivision (if applicable):	Wendell Fall 21D
Letter to candidate for next steps:	5/24/19 MHS
Action by the Board (date):	
Regular / Alternate / Ex-Officio	
Term (expiration date):	

**TOWN OF WENDELL  
NORTH CAROLINA**



**APPLICATION FOR  
APPOINTMENT**

This application is for consideration to serve on a Town of Wendell citizen advisory board. This application is to gather information regarding your interest and qualifications. Candidates may be interviewed prior to appointment. Information about each of the town boards is available on the Town's website at:  
<http://www.townofwendell.com/government/citizen-boards>

Which board/committee/commission are you requesting consideration? (Select one per application.)

<input type="checkbox"/>	Board of Adjustment
<input type="checkbox"/>	Parks & Recreation Commission
<input type="checkbox"/>	Economic Development Committee

<input checked="" type="checkbox"/>	Planning Board
<input type="checkbox"/>	Tree Board
<input type="checkbox"/>	Appearance Commission

Name: Levin Jones

Physical Address: 114 E. Haywood St. Wendell, NC 27591

Mailing Address: 114 E. Haywood St. Wendell, NC 27591

Length of time you have resided in the Wendell area: 1 year 6 months

Do you live in the Wendell town limits? Yes ☒ No ☐ ETJ: Yes ☐ No ☒

*Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Town of Wendell citizen advisory boards.*

Telephone: \_\_\_\_\_ Mobile: (252) 361-0665

E-Mail: levinjones2@gmail.com

Education: AA Business Administration, BS Construction Management, MPA (expected graduation Dec. 2019)

Occupation: Building Inspector

Employer: City of Raleigh

Please list current and previous service to the community, civic clubs.

Boards/Committees/Civic Clubs	From	To
_____	_____	_____
_____	_____	_____
_____	_____	_____

Have you taken the opportunity to attend board meetings prior to the notice of this vacancy?

Yes ☐ No ☒

If Yes, describe extent:

\_\_\_\_\_



**TOWN OF WENDELL  
NORTH CAROLINA**

**APPLICATION FOR  
APPOINTMENT**

What knowledge, skills and abilities would you bring to the board/commission/committee?

Knowledge of construction methods and practices; experience working in local government; understanding of land-use practices; understanding of public administration; skills in process-improvement; ability to form and maintain interpersonal relationships

List any experience beneficial to your service on the above noted board/commission/committee for which you are applying:

Understanding of UDO's (my previous position as a multi-trade inspector gave me an opportunity to work with zoning requirements), and knowledge of fire, building, and trade codes.

Do you anticipate a conflict of interest if asked to serve as a member on the requested board?

No ☒ Yes ☐ If Yes, please explain:

References: Name

Address

Phone

(1) Seth Amidon

102 Lake Dr. Wendell, NC 27591

(919) 333-6892

(2)

Applicant

March 26<sup>th</sup>, 2019

Date

- ☒ This application is a public record.
- ☒ Please do not submit resumes or attachments.
- ☒ Applicant certifies that information in the application is correct.
- ☒ Applicant understands that this is an application to be considered for appointment to a Town of Wendell board/commission/committee and that final appointment is made by the Wendell Town Board of Commissioners.
- ☒ Applicant understands that service, if appointed, would be without compensation.

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Date Received: 3-27-2019 (renew) Received by: ARS

For use by Town of Wendell staff:

Acknowledge receipt of application (date):	3-27-2019
Verification of residency requirement:	3-27-2019
Subdivision (if applicable):	N/A 3-27-2019
Letter to candidate for next steps:	3-27-2019 (renew)
Action by the Board (date):	
Regular / Alternate / Ex-Officio	
Term (expiration date):	

# TOWN OF WENDELL NORTH CAROLINA



## APPLICATION FOR APPOINTMENT

This application is for consideration to serve on a Town of Wendell citizen advisory board. This application is to gather information regarding your interest and qualifications. Candidates may be interviewed prior to appointment. Information about each of the town boards is available on the Town's website at: <http://www.townofwendell.com/government/citizen-boards>

Which board/committee/commission are you requesting consideration? (Select one per application.)

<input type="checkbox"/>	Board of Adjustment	<input checked="" type="checkbox"/>	Planning Board
<input type="checkbox"/>	Parks & Recreation Commission	<input type="checkbox"/>	Tree Board
<input type="checkbox"/>	Economic Development Committee	<input type="checkbox"/>	Appearance Commission

Name: Brett Hennington  
 Physical Address: 216 Vintage Point Ln Wendell, NC 27591  
 Mailing Address: 216 Vintage Point Ln Wendell, NC 27591  
 Length of time you have resided in the Wendell area: 1.2 years  
 Do you live in the Wendell town limits? Yes ☒ No ☐ ETJ: Yes ☐ No ☒  
*Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Town of Wendell citizen advisory boards.*  
 Telephone: 828-238-3281 Mobile: 828-238-3281  
 E-Mail: bthennington@yahoo.com  
 Education: Masters of Public Administration  
 Occupation: Software Development Project Manager  
 Employer: The American Kennel Club

Please list current and previous service to the community, civic clubs.

Boards/Committees/Civic Clubs	From	To

Have you taken the opportunity to attend board meetings prior to the notice of this vacancy?

Yes ☒ No ☐

If Yes, describe extent:  
 I have attended planning board meetings and town meetings as an active member of the community.



# TOWN OF WENDELL NORTH CAROLINA



# APPLICATION FOR APPOINTMENT

What knowledge, skills and abilities would you bring to the board/commission/committee?

My educational background in public administration/ political science and professional experiences working in transportation planning and software implementation has given me the skills, knowledge, and abilities to understand the processes and procedures that aid in developing and providing resources to the community.

List any experience beneficial to your service on the above noted board/commission/committee for which you are applying:

I have previous experience serving on the Town of Fuquay-Varina's Planning Board. As a planning board member I worked with the Town of Fuquay-Varina on planning for economic development including mixed-use downtown development through public acquisition and sell to a private developer. I have also had experience making recommendations to the town for transportation improvements.

Do you anticipate a conflict of interest if asked to serve as a member on the requested board?

No ☒ Yes ☐ If Yes, please explain:

References: Name	Address	Phone
(1) Joe Deloach		(919) 980-1807
(2) Tom Avery		(919) 740-5958

*Brett Hufnagel*  
Applicant

04/15/2019

Date

- ☒ This application is a public record.
- ☒ Please do not submit resumes or attachments.
- ☒ Applicant certifies that information in the application is correct.
- ☒ Applicant understands that this is an application to be considered for appointment to a Town of Wendell board/commission/committee and that final appointment is made by the Wendell Town Board of Commissioners.
- ☒ Applicant understands that service, if appointed, would be without compensation.

Your completed application is to be delivered to Special Assistant to the Manager Sherry Scoggins in person or by mail at Wendell Town Hall, 15 East Fourth Street, Wendell, NC 27591 or email at: [sscoggins@townofwendell.com](mailto:sscoggins@townofwendell.com)

Date Received: 4-15-2019	Received by: D-H
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For use by Town of Wendell staff:

Acknowledge receipt of application (date):	4-15-2019	D-H
Verification of residency requirement:	4-15-2019	D-H
Subdivision (if applicable):	Wendell Falls	
Letter to candidate for next steps:	5/24/19	MHS
Action by the Board (date):		
Regular / Alternate / Ex-Officio		
Term (expiration date):		





This application is for consideration to serve on a Town of Wendell citizen advisory board. This application is to gather information regarding your interest and qualifications. Candidates may be interviewed prior to appointment. Information about each of the town boards is available on the Town's website at: <http://www.townofwendell.com/government/citizen-boards>

Which board/committee/commission are you requesting consideration? (Select one per application.)

<input type="checkbox"/>	Board of Adjustment
<input type="checkbox"/>	Parks & Recreation Commission
<input type="checkbox"/>	Economic Development Committee

<input checked="" type="checkbox"/>	Planning Board
<input type="checkbox"/>	Tree Board
<input type="checkbox"/>	Appearance Commission

Name: T. Allen Swaim Jr.

Physical Address: 1133 Marshburn Rd, Wendell NC 27591

Mailing Address: 1133 Marshburn Rd, Wendell, NC 27591

Length of time you have resided in the Wendell area: 26 years

Do you live in the Wendell town limits? Yes ☐ No ☒ ETJ: Yes ☒ No ☐

*Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Town of Wendell citizen advisory boards.*

Telephone: 919-365-9956 Mobile: 919-390-8751

E-Mail: allen.swaim@gmail.com

Education: BS - NCSU, JD - Duke

Occupation: Attorney

Employer: Swaim Law, PLLC

Please list current and previous service to the community, civic clubs.

Boards/Committees/Civic Clubs	From	To
<u>Wendell Lions Club</u>	<u>1994</u>	<u>Present</u>
_____	_____	_____
_____	_____	_____

Have you taken the opportunity to attend board meetings prior to the notice of this vacancy?

Yes ☒ No ☐

If Yes, describe extent:

Currently serving as Chairman of Planning Board



APPLICATION FOR  
APPOINTMENT

What knowledge, skills and abilities would you bring to the board/commission/committee?

Attorney, Engineer, Father of Seven, 2 years on the Board already.

List any experience beneficial to your service on the above noted board/commission/committee for which you are applying:

Served 2 years already w/ Planning Board

Do you anticipate a conflict of interest if asked to serve as a member on the requested board?

No ☒ Yes ☐ If Yes, please explain:

References: Name

Address

Phone

(1) Joe DeLoach 1704 Drift Falls Lane / Wendell (919) 980-1807  
(2) LLOYD LANCASTER 309 PAULA ST WENDELL (919) 368-4556

T. Alth Swain  
Applicant

4/25/19  
Date

- ☒ This application is a public record.
- ☒ Please do not submit resumes or attachments.
- ☒ Applicant certifies that information in the application is correct.
- ☒ Applicant understands that this is an application to be considered for appointment to a Town of Wendell board/commission/committee and that final appointment is made by the Wendell Town Board of Commissioners.
- ☒ Applicant understands that service, if appointed, would be without compensation.

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Date Received:	Received by:
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For use by Town of Wendell staff:

Acknowledge receipt of application (date):	5/2/2019
Verification of residency requirement:	Wendell
Subdivision (if applicable):	Mark's Creek
Letter to candidate for next steps:	5/24/19 <del>with</del>
Action by the Board (date):	
Regular / Alternate / Ex-Officio	
Term (expiration date):	



**TOWN OF WENDELL  
NORTH CAROLINA**



**APPLICATION FOR  
APPOINTMENT**

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Which board/committee/commission are you requesting consideration? (Select one per application.)

<input type="checkbox"/>	Board of Adjustment
<input type="checkbox"/>	Parks & Recreation Commission
<input type="checkbox"/>	Economic Development Committee

<input checked="" type="checkbox"/>	Planning Board
<input type="checkbox"/>	Tree Board
<input type="checkbox"/>	Appearance Commission

Name: LOYD LANCASTER

Physical Address: 309 PAULA ST WENDELL, NC

Mailing Address: SAME

Length of time you have resided in the Wendell area: 7 yrs

Do you live in the Wendell town limits? Yes ☒ No ☐ ETJ: Yes ☐ No ☐  
*Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Town of Wendell citizen advisory boards.*

Telephone: \_\_\_\_\_ Mobile: 919.368.4956

E-Mail: LCLANCASTER JR @GMAIL.COM

Education: ASSOCIATES DEGREE

Occupation: COMMERCIAL PEST CONTROL

Employer: ORKEN

Please list current and previous service to the community, civic clubs.

Boards/Committees/Civic Clubs	From	To
<u>PLANNING BOARD</u>	<u>7/16</u>	<u>PRESENT</u>
_____	_____	_____
_____	_____	_____

Have you taken the opportunity to attend board meetings prior to the notice of this vacancy?

Yes ☒ No ☐

If Yes, describe extent:

SERVED ON PLANNING BOARD

# TOWN OF WENDELL NORTH CAROLINA



# APPLICATION FOR APPOINTMENT

What knowledge, skills and abilities would you bring to the board/commission/committee?

SERVICE ON THE BOARD, SELF TAUGHT LOVE OF HISTORY

List any experience beneficial to your service on the above noted board/commission/committee for which you are applying:

SAME AS ABOVE

Do you anticipate a conflict of interest if asked to serve as a member on the requested board?

No ☒ Yes ☐ If Yes, please explain:

References: Name

Address

Phone

(1) Jonathan Olson 115 Mattax St Wendell 919-796-6342

(2) Allen Swain 1133 Marshburn Rd 919-365-9256

ASB

Applicant

4/15/19  
Date

- ☒ This application is a public record.
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- ☒ Applicant understands that this is an application to be considered for appointment to a Town of Wendell board/commission/committee and that final appointment is made by the Wendell Town Board of Commissioners.
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Date Received:	Received by:
----------------	--------------

For use by Town of Wendell staff:

Acknowledge receipt of application (date):	<u>5/2/2019</u>
Verification of residency requirement:	<u>Wendell</u>
Subdivision (if applicable):	<u>Mark's Creek</u>
Letter to candidate for next steps:	<u>5/24/19</u> <u>MSB</u>
Action by the Board (date):	
Regular / Alternate / Ex-Officio	
Term (expiration date):	



# TOWN OF WENDELL NORTH CAROLINA



# APPLICATION FOR APPOINTMENT

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Which board/committee/commission are you requesting consideration? (Select one per application.)

<input type="checkbox"/>	Board of Adjustment	<input checked="" type="checkbox"/>	Planning Board
<input type="checkbox"/>	Parks & Recreation Commission	<input type="checkbox"/>	Tree Board
<input type="checkbox"/>	Economic Development Committee	<input type="checkbox"/>	Appearance Commission

Name: Tim Fisher

Physical Address: 672 Rockbank Loop Wendell NC 27591

Mailing Address: 672 Rockbank Loop Wendell NC 27591

Length of time you have resided in the Wendell area: roughly 6 months

Do you live in the Wendell town limits? Yes ☒ No ☐ ETJ: Yes ☐ No ☒

*Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Town of Wendell citizen advisory boards.*

Telephone: (717) 823-7573 Mobile: Same

E-Mail: tdfisher6@gmail.com

Education: Undergrad: Penn State University Graduate: UNC Chapel Hill (MBA)

Occupation: Real Estate Development Project Manager

Employer: DHIC, Inc (affordable housing developer)

Please list current and previous service to the community, civic clubs.

Boards/Committees/Civic Clubs	From	To

Have you taken the opportunity to attend board meetings prior to the notice of this vacancy?

Yes ☐ No ☒

If Yes, describe extent:

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**TOWN OF WENDELL  
NORTH CAROLINA**

**APPLICATION FOR  
APPOINTMENT**

What knowledge, skills and abilities would you bring to the board/commission/committee?

Intimate understanding of the challenges involved with creating sustainable, long-term physical growth in a community as it relates to development, specifically real estate development. Knowledge of development practices, experienced at dealing with conflicting interests inherent to public/private relationships, familiar with common zoning issues/hurdles, etc.

List any experience beneficial to your service on the above noted board/commission/committee for which you are applying:

Employed in the field of real estate development for the past 3 years. 2 years of graduate work focused on development prior to entering the industry. Member of WakeUP Wake County's Transportation and Land Use commission.

Do you anticipate a conflict of interest if asked to serve as a member on the requested board?

No ☐ Yes ☒ If Yes, please explain:

References: Name	Address	Phone
(1) Natalie Britt - 113 S Wilmington St Raleigh NC - 919.600.5364 - natalie@dhic.org		
(2) Jim Spaeth - UNC Wood Center for Real Estate Studies - 919.962.3106 - jim_spaeth@unc.edu		

Applicant \_\_\_\_\_ 5/1/2019  
Date

- ☒ This application is a public record.
- ☒ Please do not submit resumes or attachments.
- ☒ Applicant certifies that information in the application is correct.
- ☒ Applicant understands that this is an application to be considered for appointment to a Town of Wendell board/commission/committee and that final appointment is made by the Wendell Town Board of Commissioners.
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Date Received: 5/16/19	Received by: Megan Howard
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For use by Town of Wendell staff:

Acknowledge receipt of application (date):	5/16/19
Verification of residency requirement:	Wendell Cn - Town
Subdivision (if applicable):	N.A.
Letter to candidate for next steps:	5/24/19 HHS
Action by the Board (date):	
Regular / Alternate / Ex-Officio	
Term (expiration date):	



**TOWN OF WENDELL  
NORTH CAROLINA**

**APPLICATION FOR  
APPOINTMENT**

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<http://www.townofwendell.com/government/citizen-boards>

Which board/committee/commission are you requesting consideration? (Select one per application.)

<input type="checkbox"/>	Board of Adjustment
<input type="checkbox"/>	Parks & Recreation Commission
<input type="checkbox"/>	Economic Development Committee

<input checked="" type="checkbox"/>	Planning Board
<input type="checkbox"/>	Tree Board
<input type="checkbox"/>	Appearance Commission

Name: Melissa Kay Brand

Physical Address: 1505 Rhodeschool Drive, Wendell, NC 27591

Mailing Address: 1505 Rhodeschool Drive, Wendell, NC 27591

Length of time you have resided in the Wendell area: 5 Months

Do you live in the Wendell town limits? Yes ☒ No ☐ ETJ: Yes ☐ No ☒

*Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Town of Wendell citizen advisory boards.*

Telephone: (919) 653-5841

Mobile: (404) 788-2880

E-Mail: melissa.brand@kimley-horn.com

Education: Bachelor of Landscape Architecture, University of Georgia

Occupation: Landscape Architect

Employer: Kimley-Horn & Associates

Please list current and previous service to the community, civic clubs.

Boards/Committees/Civic Clubs	From	To
<u>Triangle Community Coalition (TCC)</u>	<u>May 2019</u>	<u>Present</u>
<u>American Society of Landscape Architects (ASLA)</u>	<u>January 2010</u>	<u>Present</u>
<u>Urban Land Institute (ULI)</u>	<u>August 2017</u>	<u>July 2018</u>

Have you taken the opportunity to attend board meetings prior to the notice of this vacancy?

Yes ☐ No ☒

If Yes, describe extent:

While I have not attended a Wendell Planning Board meeting prior to the notice of this vacancy (I have only recently moved to Wendell), I have attended similar meetings held by other local municipalities.



**TOWN OF WENDELL  
NORTH CAROLINA**

**APPLICATION FOR  
APPOINTMENT**

What knowledge, skills and abilities would you bring to the board/commission/committee?

I have worked with many municipalities in North Carolina, South Carolina, and Georgia as a consultant on several planning, design, and construction projects. Those have included feasibility studies, master planning documents, wayfinding signage systems, due diligence reports, project implementation strategies, streetscapes, parks, greenways, recreation facilities, and entitlements.

List any experience beneficial to your service on the above noted board/commission/committee for which you are applying:

My background has allowed me to gain extensive experience with several local development codes. I am very familiar with the development and public hearing process through my work with public municipalities and private developers. As part of that experience, I have worked with several Councils / Boards and Planning Departments to facilitate rezonings, variances, annexations, etc.

Do you anticipate a conflict of interest if asked to serve as a member on the requested board?

No ☒ Yes ☐ If Yes, please explain:

References: Name	Address	Phone
(1) Richard Brown,	421 Fayetteville Street, Suite 600, Raleigh, NC 27601,	(919) 259-6227
(2) Brandon White,	421 Fayetteville Street, Suite 600, Raleigh, NC 27601,	(404) 583-4112

**Melissa Kay Brand**

Digitally signed by Melissa Kay Brand  
Date: 2019.05.21 16:03:10 -04'00'

May 21, 2019

Applicant

Date

- ☒ This application is a public record.
- ☒ Please do not submit resumes or attachments.
- ☒ Applicant certifies that information in the application is correct.
- ☒ Applicant understands that this is an application to be considered for appointment to a Town of Wendell board/commission/committee and that final appointment is made by the Wendell Town Board of Commissioners.
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Date Received: 5/23/19	Received by: Megan Howard
------------------------	---------------------------

For use by Town of Wendell staff:

Acknowledge receipt of application (date):	5/23/19
Verification of residency requirement:	MHS
Subdivision (if applicable):	N.A.
Letter to candidate for next steps:	5/24/19 MHS
Action by the Board (date):	
Regular / Alternate / Ex-Officio	
Term (expiration date):	



**Date: June 24, 2019**

**Item # 6c.**

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**Item Title:**

Second reading for zoning text amendment to Section 10.4 of the UDO as it relates to parking requirements; in accordance with NC GS 16A-75.

**Report to the Board of Commissioners:**

- Monday, June 24, 2019
- Monday, June 10, 2019

**Report to the Planning Board:**

- Monday, May 20, 2019

**Specific Action Requested:**

- The Town Board is asked to conduct a second reading and consider taking action on the proposed text amendment to Section 10.4 of the UDO as it relates to minimum parking requirements.
  - Action could consist of adopting one of the attached ordinances. Staff has created alternative language (contained in Version 2 of the attached ordinance) in an attempt to address concerns identified during the public hearing.

**Applicant:**

Town of Wendell

**Petition:**

Staff is requesting to amend the UDO Section 10.4- General Parking Requirements as it relates to minimum parking spaces required for new development.

**Item Summary:**

The purpose of the proposed zoning text amendment is to adjust the Town's parking standards to be in line with other municipalities and industry parking needs by use. Currently our UDO requires a minimum number of parking spaces by use category (i.e. Retail/Restaurant, Office/Service, Etc.). While the UDO does not contain Maximum parking space requirements, it does require that a

portion of the parking spaces in excess of 150% of the minimum required be pervious. All parking spaces in excess of 200% of the minimum number required must be pervious.

*Thus, parking minimums that are too low will unnecessarily require some uses to provide pervious paving (which is costlier), where other municipalities allow for more impervious parking. Low minimum parking requirements can also lead to developments with insufficient parking to accommodate their use, which can cause spillover effects to adjacent businesses. To avoid this, staff is proposing to raise the parking space minimums for select categories to be more in line with other municipalities' requirements and to not be unduly burdensome on developers.*

A similar change was incorporated into the Wendell Falls PUD when it was approved. The PUD raised the parking minimums for 3 uses: Office/Service, Retail and Restaurants. Office/Service Uses went from 2 spaces/1,000 sf. to 2.5 spaces/1,000 sf. Retail Uses was raised from 2 to 3.5/1,000 sf and Restaurants from 1 per 4 seats to 1.5 per 4 seats. While staff is not proposing to mirror these figures exactly, this change did indicate that the Town's Parking standards were not perfectly aligned with industry needs.

The following table shows the parking requirements of specific uses, as compared to other municipalities. Staff chose these uses because they are the most pertinent and in need of adjustment. The uses that are not represented in the table are either those in which Wendell's standards were comparable to those of other municipalities, or uses where additional research and evaluation is needed. This change was spurred by a specific developer seeking to create a significant office development in Wendell, but the Town's low parking ratio for 'Office/Service' presented a financial obstacle to development.

**Minimum Parking Requirements Per Use (Municipal Comparison):**

Use	Wendell	Knightdale	Wake Forest	Archer Lodge	Chapel Hill	Fuquay-Varina	Apex
Office/ Service	2/1000 sf	2-2.5/1000 sf	2-4/1000 sf	2.86/1000 sf	2.86-4.44/1000 sf	2.5/1000 sf	3.33/1000 sf
Retail	2/1000 sf	1.75-3/1000 sf	2.5-3.33/1000 sf	4/1000 sf	3.33/1000 sf	4.5/1000 sf	3.33/1000 sf
Restaurants	1/4 seats (8 min)	11.25/1000 sf	5/1000 sf (8 min)	1/4 seats	9.09/1000 sf	1/4 seats	1/50 sf public use area
Entertainment Recreation	1/1000 sf	1/1.5 Persons Permitted	1/4 Persons Permitted	Indoor: 5/1000 sf, Outdoor: varies	2/1000 sf	1/200 sf public use area	TBD
Theaters	1/3 seats	1/4 seats	1/5 seats	5/1000 sf	1/5 seats	1/200 sf public use area	1/5 seats

\*Note: A range represents specific uses in that category

As can be seen above, Wendell's parking minimums are lower than any other municipality for Office/Service and Entertainment/Recreation and the second lowest for Retail. For Restaurants,



we are on the lower end. Conversely, Wendell has the highest parking requirement for Theaters of those evaluated.

### **Proposed Amendments:**

1. To amend Section 10.4 (General Parking Requirements) to modify the Town's minimum required parking spaces. (New text is **underlined**). Based on comments received during the public hearing, staff has created two versions of the proposed text amendment for consideration.

Version 1 contains the language originally presented at the Public Hearing – where each use category has a set minimum parking ratio which applies to all businesses within that use category.

Version 2 includes amended language meant to address concerns brought up during the public hearing. Specifically, Version 2 lists a *range of minimum parking ratios* permitted within a use category. Applicants can select an applicable minimum parking ratio within that range provided. This would permit small operations with minimal parking needs to apply a smaller parking requirement, while permitting specific uses within a use category with larger parking needs to apply a larger minimum parking ratio. The larger minimum parking ratio would in turn allow more parking spaces to be permitted without previous paving requirements applying.

### **VERSION 1: 10.4 - General Parking Requirements**

#### **A. Parking Ratios**

Use Type	Auto Parking Spaces	Bicycle Parking Spaces (b)
	Minimum Required (a)	
Residential	1 per bedroom up to 2 per unit	1/20 auto spaces (c)
Secondary Dwelling	1 space in addition to spaces for primary dwelling	N/A
Lodging	1 per room or suite	1/50 auto spaces
Office/Service Uses	≥ <u>3</u> per 1,000 sq. ft.	1/20 auto spaces
Retail Uses	≥ <u>3.33</u> per 1,000 sq. ft.	1/20 auto spaces

<b>Restaurants</b>	± <b>1.25</b> per 4 seats (d)	1/20 auto spaces
<b>Entertainment/Recreation Uses</b>	± <b>2</b> per 1,000 sq. ft.	1.20 auto spaces
<b>Theaters</b>	1 per ± <b>4</b> seats	1/20 auto spaces
Manufacturing/Wholesale/Storage	.25 per 1000 sq. ft. of non-office space	1/50 auto spaces
Civic/Institutional (Schools)	2 per 1,000 sq. ft.	1/20 auto spaces
Civic/Institutional (Non-Assembly Uses, e.g., Hospital, Public Safety Station)	2/1,000 sq. ft.	1/20 auto spaces
Civic/Institutional Uses (Assembly Uses Only, e.g., Religious Institutions)	1 per 4 seats (if benches or pews are used then the standard shall be measured as 1 per 6 ft.)	1/20 auto spaces
Infrastructure	2 per 1,000 sq. ft.	1/50 auto spaces
Meeting Facilities/Event Venues	1 per 4 seats	1/20 auto spaces

- (a) All square footage is in gross square feet.
- (b) Required bicycle parking spaces are based on 1 bicycle parking space per the indicated number of auto parking spaces provided. A single “inverted U” bicycle parking rack will count as two bicycle parking spaces. The maximum required bicycle spaces shall be 20, equivalent to 10 racks. The minimum required shall be two spaces or one rack.
- (c) Bicycle parking is only required for multi-family dwellings of more than 4 units/building.
- (d) Restaurants shall not provide less than eight parking spaces, even if no seating is provided.

## **VERSION 2: 10.4 - General Parking Requirements**

### **A. Parking Ratios**

Use Type	Auto Parking Spaces	Bicycle Parking Spaces (B)
	Minimum Required (a)	
Residential	1 per bedroom up to 2 per unit	1/20 auto spaces (c)
Secondary Dwelling	1 space in addition to spaces for primary dwelling	N/A



Lodging	1 per room or suite	1/50 auto spaces
Office/Service Uses	± <u>2-3</u> per 1,000 sq. ft. <b>(e)</b>	1/20 auto spaces
Retail Uses	± <u>2-3.33</u> per 1,000 sq. ft. <b>(e)</b>	1/20 auto spaces
Restaurants	± <u>1-1.25</u> per 4 seats (d) <b>(e)</b>	1/20 auto spaces
Entertainment/Recreation Uses	± <u>1-2</u> per 1,000 sq. ft. <b>(e)</b>	1.20 auto spaces
Theaters	1 per 3 <u>3-4</u> seats <b>(e)</b>	1/20 auto spaces
Manufacturing/Wholesale/Storage	.25 per 1000 sq. ft. of non-office space	1/50 auto spaces
Civic/Institutional (Schools)	2 per 1,000 sq. ft.	1/20 auto spaces
Civic/Institutional (Non-Assembly Uses, e.g., Hospital, Public Safety Station)	2/1,000 sq. ft.	1/20 auto spaces
Civic/Institutional Uses (Assembly Uses Only, e.g., Religious Institutions)	1 per 4 seats (if benches or pews are used then the standard shall be measured as 1 per 6 ft.)	1/20 auto spaces
Infrastructure	2 per 1,000 sq. ft.	1/50 auto spaces
Meeting Facilities/Event Venues	1 per 4 seats	1/20 auto spaces

- (a) All square footage is in gross square feet.
- (b) Required bicycle parking spaces are based on 1 bicycle parking space per the indicated number of auto parking spaces provided. A single “inverted U” bicycle parking rack will count as two bicycle parking spaces. The maximum required bicycle spaces shall be 20, equivalent to 10 racks. The minimum required shall be two spaces or one rack.
- (c) Bicycle parking is only required for multi-family dwellings of more than 4 units/building.
- (d) Restaurants shall not provide less than eight parking spaces, even if no seating is provided.
- (e) **Applicants may select a minimum parking ratio within the range provided to apply to their development/business.**

### **Planning Board Recommendation:**

At their May 20, 2019 meeting, the Planning Board voted unanimously to amend section 10.4 of the UDO (as shown in Version 1) to be more in line with other municipalities and industry standards.

**Voting in favor:** Errol Briggerman, Joe DeLoach, Ryan Zakany, Terry Allen Swaim, Victoria Curtis, Lloyd Lancaster and Jonathan Olsen

**Voting against:** None

**Absent:** None

### **Statement of Plan Consistency and Reasonableness**

- Any recommended change to the zoning text should be accompanied by a statement explaining how the change is consistent with the comprehensive plan, and is reasonable in nature.
  - At their May meeting, the Planning Board found the requested zoning text amendment to be consistent with Principle # 5 of the Wendell comprehensive plan and to be reasonable to promote Wendell's attractiveness to business that provide jobs and increase the Town's tax base while still protecting the aesthetic beauty of the town and the environment in which it is located.
    - Principle # 5: Promote Wendell's attractiveness to business and people of all walks of life. Emphasize the strengths of the Town's diverse population.

### **Staff Recommendation:**

Staff recommends approval of the text amendment request. While staff included changes to the minimum parking requirements for 5 use categories, the 'Office/Service' use is the most time sensitive, as it is needed to accommodate a pending office development.

Staff has provided 2 versions of the proposed text amendment for the Board's consideration based on the discussion held during the public hearing.

### **Attachments:**

- A. Ordinance for Adoption – Version 1 (Set minimum parking number provided)
- B. Ordinance for Adoption – Version 2 (Minimum parking range provided)



## Attachment A

**ORD # 0-10-2019**  
**AN ORDINANCE TO AMEND SECTION 10.4 OF THE**  
**TOWN OF WENDELL UNIFIED DEVELOPMENT ORDINANCE**  
**AS IT RELATES TO PARKING REQUIREMENTS**

WHEREAS, Section 10.4 of the UDO contains the Town's general provisions for minimum required auto parking spaces according to use type; and

WHEREAS, the Town has initiated a petition to amend Section 10.4 in order to adjust the Town's parking standards to be in line with other municipalities and industry parking needs by use; and

WHEREAS, the Town of Wendell Unified Development Ordinance Section 15.11 establishes uniform procedures for amending the text of the Ordinance;

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

SECTION 1. That Section 10.4 be amended to read as follows (amendments made to Auto Parking Space requirements for Office/Service Uses, Retail Uses, Restaurants, Entertainment/Recreation Uses, and Theaters) :

## **10.4 - General Parking Requirements**

### **A. Parking Ratios**

Use Type	Auto Parking Spaces	Bicycle Parking Spaces (B)
	Minimum Required (a)	
Residential	1 per bedroom up to 2 per unit	1/20 auto spaces (c)
Secondary Dwelling	1 space in addition to spaces for primary dwelling	N/A
Lodging	1 per room or suite	1/50 auto spaces
Office/Service Uses	3 per 1,000 sq. ft.	1/20 auto spaces
Retail Uses	3.33 per 1,000 sq. ft.	1/20 auto spaces
Restaurants	1.25 per 4 seats (d)	1/20 auto spaces

Entertainment/Recreation Uses	2 per 1,000 sq. ft.	1.20 auto spaces
Theaters	1 per 4 seats	1/20 auto spaces
Manufacturing/Wholesale/ Storage	.25 per 1000 sq. ft. of non- office space	1/50 auto spaces
Civic/Institutional (Schools)	2 per 1,000 sq. ft.	1/20 auto spaces
Civic/Institutional (Non- Assembly Uses, e.g., Hospital, Public Safety Station)	2/1,000 sq. ft.	1/20 auto spaces
Civic/Institutional Uses (Assembly Uses Only, e.g., Religious Institutions)	1 per 4 seats (if benches or pews are used then the standard shall be measured as 1 per 6 ft.)	1/20 auto spaces
Infrastructure	2 per 1,000 sq. ft.	1/50 auto spaces
Meeting Facilities/Event Venues	1 per 4 seats	1/20 auto spaces

SECTION 2. That all laws and clauses of law in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 3. That if this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable.

SECTION 4. That the proposed text amendment to Section 10.4 is found to be consistent with Principle # 5 of the Wendell Comprehensive Plan and reasonable in nature in order to promote Wendell's attractiveness to business that provide jobs and increase the Town's tax base while still protecting the aesthetic beauty of the town and the environment in which it is located.

- Principle Number 5: "Promote Wendell's attractiveness to business and people of all walks of life. Emphasize the strengths of the Town's diverse population."

SECTION 5. That this ordinance has been adopted following a duly advertised public hearing of the Town Board and following recommendation by the Planning Board.

SECTION 6. That this ordinance shall be enforced as provided in G.S. 160A-175 or as provided for in the Wendell Town Code.

SECTION 7. That this ordinance shall become effective upon its adoption by the Wendell Board of Commissioners.

DULY ADOPTED the 24th day of June, 2019.

(Town Seal)

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Virginia R. Gray, Mayor

ATTEST:

APPROVED AS TO FORM:

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Megan Howard, Town Clerk

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James P. Cauley III, Town Attorney



## Attachment B

**ORD # 0-10-2019**  
**AN ORDINANCE TO AMEND SECTION 10.4 OF THE**  
**TOWN OF WENDELL UNIFIED DEVELOPMENT ORDINANCE**  
**AS IT RELATES TO PARKING REQUIREMENTS**

WHEREAS, Section 10.4 of the UDO contains the Town's general provisions for minimum required auto parking spaces according to use type; and

WHEREAS, the Town has initiated a petition to amend Section 10.4 in order to adjust the Town's parking standards to be in line with other municipalities and industry parking needs by use; and

WHEREAS, the Town of Wendell Unified Development Ordinance Section 15.11 establishes uniform procedures for amending the text of the Ordinance;

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

SECTION 1. That Section 10.4 be amended to read as follows (amendments made to Auto Parking Space requirements for Office/Service Uses, Retail Uses, Restaurants, Entertainment/Recreation Uses, and Theaters) :

## **10.4 - General Parking Requirements**

### **A. Parking Ratios**

Use Type	Auto Parking Spaces	Bicycle Parking Spaces (B)
	Minimum Required (a)	
Residential	1 per bedroom up to 2 per unit	1/20 auto spaces (c)
Secondary Dwelling	1 space in addition to spaces for primary dwelling	N/A
Lodging	1 per room or suite	1/50 auto spaces
Office/Service Uses	2-3 per 1,000 sq. ft. (e)	1/20 auto spaces
Retail Uses	2-3.33 per 1,000 sq. ft. (e)	1/20 auto spaces
Restaurants	1-1.25 per 4 seats (d)(e)	1/20 auto spaces

Entertainment/Recreation Uses	1-2 per 1,000 sq. ft. (e)	1.20 auto spaces
Theaters	1 per 3-4 seats (e)	1/20 auto spaces
Manufacturing/Wholesale/ Storage	.25 per 1000 sq. ft. of non-office space	1/50 auto spaces
Civic/Institutional (Schools)	2 per 1,000 sq. ft.	1/20 auto spaces
Civic/Institutional (Non-Assembly Uses, e.g., Hospital, Public Safety Station)	2/1,000 sq. ft.	1/20 auto spaces
Civic/Institutional Uses (Assembly Uses Only, e.g., Religious Institutions)	1 per 4 seats (if benches or pews are used then the standard shall be measured as 1 per 6 ft.)	1/20 auto spaces
Infrastructure	2 per 1,000 sq. ft.	1/50 auto spaces
Meeting Facilities/Event Venues	1 per 4 seats	1/20 auto spaces

- (a) All square footage is in gross square feet.
- (b) Required bicycle parking spaces are based on 1 bicycle parking space per the indicated number of auto parking spaces provided. A single “inverted U” bicycle parking rack will count as two bicycle parking spaces. The maximum required bicycle spaces shall be 20, equivalent to 10 racks. The minimum required shall be two spaces or one rack.
- (c) Bicycle parking is only required for multi-family dwellings of more than 4 units/building.
- (d) Restaurants shall not provide less than eight parking spaces, even if no seating is provided.
- (e) Applicants may select a minimum parking ratio within the range provided to apply to their development/business.

SECTION 2. That all laws and clauses of law in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 3. That if this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable.

SECTION 4. That the proposed text amendment to Section 10.4 is found to be consistent with Principle # 5 of the Wendell Comprehensive Plan and reasonable in nature in order to promote Wendell’s attractiveness to business that provide jobs and increase the Town’s tax base while still protecting the aesthetic beauty of the town and the environment in which it is located.

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SECTION 5. That this ordinance has been adopted following a duly advertised public hearing of the Town Board and following recommendation by the Planning Board.

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DULY ADOPTED the 24th day of June, 2019.

(Town Seal)

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Virginia R. Gray, Mayor

ATTEST:

APPROVED AS TO FORM:

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Megan Howard, Town Clerk

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James P. Cauley III, Town Attorney



**Date: June 24, 2019**

**Item # 7a**

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**Item Title:**

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

**Specific Action Requested:**

None

**Attachments:**

None

**Date: June 24, 2019**

**Item # 8**

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**Item Title:**

Commissioners' Reports.

**Specific Action Requested:**

None

**Attachments:**

None

**Date: June 24, 2019**

**Item # 9**

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**Item Title:**

Mayor's Report.

**Specific Action Requested:**

None

**Attachments:**

None



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**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