



Wendell Town Board of Commissioners

Board Room

15 E. Fourth Street, Wendell, NC 27591

Town Board Meeting Agenda

Monday, July 27, 2020 @ 7:00 PM

SPECIAL NOTICE

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

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

Public Comment period for the July 27, 2020 Board of Commissioners meeting shall be organized in advance. The public can submit their written public comment to the Town Clerk via email to mhoward@townofwendell.com or submit a request to call in and teleconference during the Board of Commissioners meeting by emailing their name, address, and phone number to the clerk via email by Friday, July 24th at 5 p.m.

CALL TO ORDER

- Welcome – Mayor Virginia Gray
- Pledge of Allegiance – Police Chief Bill Carter
- Invocation –Pleasant Grove Baptist Church – Pastor Asa Bell

1. ADJUSTMENT AND APPROVAL OF THE AGENDA

2. PUBLIC COMMENT PERIOD

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or

- Submit a request to speak over the phone during the Board of Commissioners meeting by emailing their name, address, and phone number to the clerk via email by Friday, July 24th at 5 p.m. The Clerk will provide the call-in phone number and provide three (3) minutes to speak on any non-public hearing item or topic.
- Questions or comments regarding specific agenda items may be directed to the contact person provided for the individual items on the agenda below for additional information before or after the meeting.

3. CONSENT AGENDA

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

3a. Wake County Tax Report

3b. Minutes for the Monday, June 22, 2020 Town Board Meeting

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

3c. Minutes for the Monday, July 13, 2020 Town Board Meeting

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

3d. Certification of Sufficiency and setting public hearing date for non-contiguous annexation petition A-20-03 for 10.272 acres located at 0 Eagle Rock Road and identified by PIN # 1774-55-1916.

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

3e. Wendell Falls Holiday Parking Reprieve Approval

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

- 3f. Selection of Architectural and Engineering Firm for the Design of a New Town Hall and Direct Town Manager to Negotiate Contract.

Staff Contact: Town Manager Marc Collins
mcollins@townofwendell.com

- 3g. Ranking and Qualification of Firms to provide Engineering Services for the Construction of a New Town Hall and Authorize the Town Manager to Negotiate Contracts.

Staff Contact: Town Manager Marc Collins
mcollins@townofwendell.com

4. RECOGNITIONS, REPORTS, AND PRESENTATIONS

- 4a. FY 2020 Snap Shot Report

Staff Contact: Town Manager Marc Collins
mcollins@townofwendell.com

5. PUBLIC HEARINGS

PLEASE NOTE: Due to the current State of Emergency and in the interest of public health, the following accommodations will be made to allow public participation in public hearings, but no public attendance at Town Hall will be permitted. No Board action on public hearing items will occur if a virtual meeting is used to conduct the public hearing. The item will be continued and the public will have 24 hours from the end of the meeting to provide comments on the public hearing item.

- Public participation for public hearing items on the agenda for the July 27th, 2020 Board of Commissioners meeting shall be organized in advance. The public can submit their public hearing comments to the Town Clerk via email to mhoward@townofwendell.com up to 24 hours after the public hearing is held. Please provide your name, address, and the agenda item number with your comments. Copies of the written comments received by Friday, July 24th at 5pm will be provided to the Board of Commissioners at the meeting, read at the meeting, and included in the minutes of the meeting. Comments will be received for 24 hours after the meeting and provided to the Board prior to action and will be included in the minutes.

Or

- Submit a request to speak over the phone during the Board of Commissioners meeting by emailing their name, address, phone number, and item number they wish to speak on to the clerk via email by Friday, July 24th at 5 p.m. The Clerk will

provide the call-in phone number and provide five (5) minutes to speak on any public hearing item or topic. Comments made by phone will be recorded and transcribed to maintain the public record.

- If you have questions regarding an agenda item, please email the staff contact directly in advance of the meeting. If preferred, you may call Town Hall at (919) 365-4450 to be directed to speak with the staff contact for the agenda item(s) of interest. Communications of this type will not be included in the meeting minutes.

- 5a. PUBLIC HEARING:** for a non-contiguous annexation for 4 parcels totaling 151.81 acres [12.28 for PIN #1765-85-2510, 50.16 for PIN #1765-96-2276, 57.16 for PIN #1765-85-6251 and 32.21 for PIN #1775-04-2139] located at 4501 Rolesville Road, 0 Davistown Road, 1401 Davistown Road and 6021 Yancey Drive.

Staff Contact: Assistant Planning Director Bryan Coates
bcoates@townofwendell.com

- 5b. PUBLIC HEARING:** for a request by Chris Rurkowski of TMTLA Associates to rezone approximately 129.59 acres of property along Rolesville Rd within the parcels identified by PIN #1765852510, PIN #1765962276, PIN #1765856251 and PIN #1775042139 to an R4 Conditional District.

Staff Contact: Assistant Planning Director Bryan Coates
bcoates@townofwendell.com

- 5c. PUBLIC HEARING:** to consider a request by Brian Duncan of the Spaulding Group, PA to rezone approximately 68.55 acres of property along Old Zebulon Rd within the parcels identified by PIN #1794-15-7657, PIN #1794-05-6758, PIN #1794-25-6786, PIN #1794-16-1410, PIN #1794-05-2762 and PIN #1794-06-6233 to an R7 Conditional District.

Staff Contact: Assistant Planning Director Bryan Coates
bcoates@townofwendell.com

6. ADMINISTRATIVE ITEMS

- 6a.** Approval of the Mural Design for E Campen Street

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

- 6b. Motion on a contiguous annexation petition A-19-08 for 7.45 acres located at 1425 S. Hollybrook Road and identified by PIN number 1793-03-4587

Staff contact: Assistant Planning Director Bryan Coates
bcoates@townofwendell.com

- 6c. Motion on a contiguous annexation petition A-20-02 for 15.79 acres located at 941 Wendell Falls Parkway and identified by PIN number 1783-17-8750

Staff Contact: Assistant Planning Director Bryan Coates
bcoates@townofwendell.com

- 6d. Motion on a revised R4 Conditional District for 99.9872 acres (PIN#1783-83-7560, PIN#1783-92-1299, PIN#1783-94-6022, PIN#1793-02-0954, and PIN#1793-03-4587) located at 1201 S Hollybrook Road, 1320 S. Hollybrook Rd., 0 S Hollybrook Rd and 1425 S Hollybrook Rd.

Staff Contact: Assistant Planning Director Bryan Coates
bcoates@townofwendell.com

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:



Capital Area Metropolitan Planning Organization (CAMPO) – Mayor Virginia Gray
Technical Review Committee (TRC) – Mayor Pro Tempore John Boyette

8. COMMISSIONERS' REPORTS / COMMENTS

9. MAYOR'S REPORTS / COMMENTS

10. CLOSED SESSION

Closed session will be called if necessary.

11. ADJOURN



Board of Commissioners
P.O. Box 550 • Raleigh, NC 27602

TEL 919 856 6180
FAX 919 856 5699

GREG FORD, CHAIRMAN
VICKIE ADAMSON, VICE-CHAIR
MATT CALABRIA
SUSAN EVANS
JESSICA HOLMES
SIG HUTCHINSON
JAMES WEST

July 7, 2020

Ms. Megan Howard
Town Clerk
Town of Wendell
15 East Fourth Street
Wendell, NC 27591

Dear Ms. Howard:

The Wake County Board of Commissioners, in regular session on July 6, 2020, approved and accepted the enclosed tax report for the Town of Wendell.

The attached adopted actions are submitted for your review; no local board action is required.

Sincerely,

A handwritten signature in dark ink, appearing to read "Yvonne Gilyard".

Yvonne Gilyard
Deputy Clerk to the Board
Wake County Board of Commissioners

Enclosure(s)



Wake County Tax Administration

DATE

TIME

PAGE

Rebate Details

05/01/2020 - 05/31/2020

06/01/2020

4:51:32 PM

1

WENDELL

REBATE NUMBER	PROPERTY	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	BILLING YEAR FOR TYPE	OWNER
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INDIVIDUAL
PROPERTY/ACCOUNTS

755295	201.68	20.00	0.00	0.00	221.68	05/07/2020	0006903292	2020	2019	000000	ADORNQ, JOSE ANTONIO
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SUBTOTALS FOR INDIVIDUAL PROPERTY ACCOUNTS	201.68	20.00	0.00	0.00	221.68		1	Properties Rebated			
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TOTAL REBATED FOR WENDELL	201.68	20.00	0.00	0.00	221.68		1	Properties Rebated for City			
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TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
DRAFT – JUNE 22, 2020

The Wendell Town Board of Commissioners held their virtual, regularly-scheduled meeting on Monday, June 22, 2020, in the Town Board Room, Wendell Town Hall, 15 East Fourth Street.

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

ABSENT:

STAFF PRESENT: Town Manager Marc Collins, Town Clerk Megan Howard, Town Attorney Jim Cauley (virtually), Assistant to the Manager Stephanie Smith, Assistant Planning Director Bryan Coates, and Police Chief Bill Carter.

SPECIAL NOTICE

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Mayor Gray called the meeting to order at 7:00 p.m.

Police Chief Bill Carter led the Pledge of Allegiance.

Commissioner Jason Joyner provided the invocation, as George Fuller of the Wendell Christian Church did not call into the Uber Conference line.

1. ADJUSTMENT AND APPROVAL OF THE AGENDA

**TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
DRAFT – JUNE 22, 2020**

ACTION

Mover: Commissioner Jason Joyner made a motion to approve the agenda with the addition of item 6b, on Wendell's Early Voting Site's Discussion.
 Ayes: Commissioners Joyner, DeLoach, Lutz, Tarnaski, and Boyette.
 Nays: None.
 Vote: 5-0

2. PUBLIC COMMENT PERIOD

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or

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- Questions or comments regarding specific agenda items may be directed to the contact person provided for the individual items on the agenda below for additional information before or after the meeting.

The following people signed up to speak via the Uber Conference line during public comment period:

1. Brandon Strickland: 4428 Rolesville Road, Wendell (919) 669-9489
 Mr. Strickland said he was having a hard time hearing the Board. He said the reason he signed up to speak is regarding the agenda item setting the meeting to have the public hearing on the Rolesville Road property. He said as the Board all well knows, this public hearing and this plan has been going on for over a year now. Mr. Strickland said that, as the Board is aware, they've been to 3 or 4 Planning Board Meetings where the community at Town Hall has been a standing room only and they've also had a meeting with the Town Board where the room is packed. He said that he knows that town business must continue, but with the lack of him being able to hear at the Planning Board Meeting, he felt like they were at a severe disadvantage of not being able to hear the thoughts or comments of the builder. He

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said that they asked questions during that meeting that were not answered and they were unable to follow up because they were muted. Mr. Strickland said that they didn't want to be rude and unmute themselves and be kicked off the call, but there's not a good forum on this online system for something of such importance. He said that this is probably one of the most contentious subjects that he can recall in the town and he's lived here his entire life. Mr. Strickland said that normally these meetings are not that well-attended and he thinks that they've been respectful, organized, and have educated themselves on the topic, and that they've been reasonable in their asks. He said that he did not think it's fair that something this important that's going to affect all of them would be handled virtually where he feels like it puts them at a disadvantage. Mr. Strickland said it's a whole lot easier when you're distanced from someone to be rude or to be less attached to your vote because no one's there to look you in the eye when you vote. He said that he thinks something that's going to affect everyone and that has brought so much contention should be held in a forum where they can be looking at the Board face to face and can actually hear what they're saying and make sure the Board can hear what they're saying because body language means a lot and having to look someone in the eye when you vote means a lot. Mr. Strickland said that he hopes that the Board would reconsider and he knows that they can't put all town business on hold, but he doubts they'll have other agenda items in the future that pack the town hall to where there's 30 people outside. He said if they do, then there's probably some pretty crazy stuff going on in the plan so he would just ask that they consider outdoor options, maybe the community center, and especially like tonight they can't even hear the Board and so he doesn't think the technology's there right now, unfortunately, for them to have a good virtual meeting. Mr. Strickland again asked the Board to consider that as they put so much time and effort into this that it wouldn't end this way. He said he didn't think it's fair for anybody. Mr. Strickland yielded the rest of his time and thanked the Board.

Mayor Gray asked if a member of town staff could call into the Uber Conference line to listen to the quality of the call. Police Chief Bill Carter stepped out to call the conference line from his cell phone.

2. Frank Braswell: 4116 Rolesville Road, (919) 215-1615

Mr. Braswell said that this is a follow-up on what Brandon has had to talk about. He said that in all likelihood tonight, the Board will make the decision of whether or not to consider the Weathers Property for annexation at their July meeting. Mr. Braswell said that if the Board decides to put the property on its July Agenda, he's asking that the Board stipulate that their July Town Meeting cannot be virtual for some reasons that Brandon just discussed and others. He said there are some powerful reasons why, reasons that this annexation discussion and likely that all votes should and must be in person. Mr. Braswell said that first, he's guessing that not a single person on tonight's virtual hookup heard anything positive about the clarity of the audio and communications during the Planning

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Board Meeting on May 18th. He said that on a scale of 1 to 10, this case it was a 3 or a 4. He said that only two people in their time during the meeting that spoke through the mic at the podium could be clearly understood. He said when the vote was taken at the end of the meeting, calling attendees could not hear the reasons for the members' vote, nor the actual vote itself. He said at the end of the vote, the Planning Board had to be asked what the final vote actually was. Mr. Braswell asked shouldn't attendees of the meeting be able to hear the reasons for the members' vote, be it a yes or a no. He said sadly, the people of Wendell elected five Commissioners and a Mayor to represent them. He asked if the town of Wendell deserves to see and hear their elected representatives and be able to understand the reasons for their decisions. He said that this will not be possible during a wireless hookup. Mr. Braswell said that he personally communicated with a person in town leadership the day after the Planning Board Meeting to voice his concerns about the quality of the meeting. He said that the response he got was to go tell the Mayor. He said that third, there is no logical reason why virtual discussion and vote must occur in July. He said that the developer is now in the 14th month of this desired annexation. He said that the initial plan was submitted to Wendell in April of 2019, there have been five to seven revisions and changes, not to even mention that two requests that the developer made to have Wendell approve their request that were against statutes and the Wake County Planning and Zoning Requirements. In closing, Mr. Braswell said as leaders of their town community, the Board should not try to settle for a solution without regard to the quality of the work product that each of them swore to perform.

3. Ben Weathers: Address and phone number not given.
Mr. Weathers did not give his name or address. Town Clerk Megan Howard asked callers on the Uber Conference line that if Mr. Weathers was on the line, he could hit the star button on his phone twice to unmute himself and provide his public comment. None of the callers responded as Mr. Weathers. Mayor Gray moved on to the next caller, David Cozart.
4. David Cozart: 6324 Weathers Road, Wendell (919) 414-2442
Mr. Cozart said that he has lived in this area for his entire life. He said that he would like to echo the thoughts of the previous speakers and request that the Board arrange a public hearing in a face-to-face content and not a virtual format. He said it's very, very difficult to hear anything that's said on this call so far tonight. Mr. Cozart said that, as stated earlier, this project is very controversial and has been controversial from the inception and he believes the residents in this area deserve to be heard face-to-face. He said that he appreciates the Board's help and thanked them.

Mayor Gray asked Town Clerk Megan Howard to try speaking to Mr. Weathers, again, to see if he's on the call.

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Town Clerk Megan Howard asked Mr. Weathers to hit the star on his phone twice as it was his turn to speak. No one on the call claimed to be Mr. Weathers.

****Note:** Mr. Ben Weathers unmuted himself 33 minutes into the Town Board meeting, before adjournment, saying that he didn't get a turn to speak and that it was difficult for him to hear. The Mayor told him he had been announced but did not give his phone number as instructed so that the town could call him if he wasn't on the Uber Conference line. The opportunity to speak for three minutes after the public comment period had passed was provided.

3. CONSENT AGENDA

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3a. Budget ordinance amendment for the FY 2019-2020 budget.

Staff Contact: Finance Director Butch Kay
bkay@townofwendell.com

3b. Resolution setting public hearing date for non-contiguous annexation petition A-19-04 for 151.81 acres of property located at:
 4501 Rolesville Road (12.28 acres) and identified by PIN Number 1765-85-2501; 0 Davistown Road (50.16 acres) and identified by PIN Number 1765-96-2276; 1401 Davistown Road (57.16 acres) and identified by PIN Number 1765-85-6251; and 6021 Yancey Drive (32.21 acres) and identified by PIN Number 1775-04-2139.

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

3c. Certificate of Sufficiency and Resolution setting public hearing date for contiguous annexation petition A-19-08 for 7.45 acres located at 1425 S. Hollybrook Road and identified by PIN number 1793-03-4587

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

ACTION

Mover: Commissioner Jon Lutz moved to approve the consent agenda, as presented.
 Ayes: Commissioners Joyner, DeLoach, Lutz, Tarnaski, and Boyette.
 Nays: None.

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Vote: 5-0

4. RECOGNITIONS, REPORTS, AND PRESENTATIONS

No recognitions, reports and presentations scheduled.

5. PUBLIC HEARINGS

PLEASE NOTE: Due to the current State of Emergency and in the interest of public health, the following accommodations will be made to allow public participation in public hearings, but no public attendance at Town Hall will be permitted. No Board action on public hearing items will occur if a virtual meeting is used to conduct the public hearing. The item will be continued and the public will have 24 hours from the end of the meeting to provide comments on the public hearing item.

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No Public Hearings Scheduled.

6. ADMINISTRATIVE ITEMS

- 6a. Appointments to the Town of Wendell Parks and Rec Commission and Tree Board

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BOARD OF COMMISSIONER MEETING MINUTES
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Staff Contact: Town Clerk Megan Howard
mhoward@townofwendell.com

Town Clerk Megan Howard presented the following staff report, below in italics:

Item Summary:

Recruitment for the Town of Wendell's Citizen Advisory Boards began in February 2020 and closed at the end of April. Communication efforts included the following:

- *Advertising posted on the Town's website's calendar, News Feed, Events, and Citizen Advisory Board Pages.*
- *An E-Board Post on Wendell Blvd.*
- *Social Media Marketing launched throughout the months on Facebook and Instagram.*
- *A PSA video posted on the Town's Social Media pages.*
- *Advertising posted in When in the Dell*

The Citizen Advisory Board recruitment process was adjusted to provide safe social distancing at Town Hall during COVID-19. Staff requested on Tuesday, May 12, 2020 that the Board of Commissioners review the applications sent via email for the Parks and Rec Commission and the Tree Board and follow up with applicants on any questions concerning their application.

The Tree Board has five (5) vacancies with terms lasting for three years. The Parks and Recreation Commission has two (2) vacancies with terms lasting for 3 years for adults, 1 year for youth.

Due to the results of the previous Citizen Advisory Board recruitment, the Town now has zero applications to be considered for the Parks and Recreation Commission and one application to consider for the Tree Board.

Ms. Howard tallied up the following ballot votes:


Tree Board:

Shelly Ryan: 5 votes

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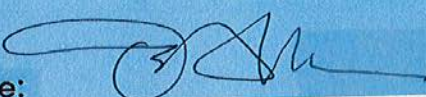



TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
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 Citizen Advisory Board Ballot

5 TREE BOARD VACANCIES WITH 3-YEAR TERM:

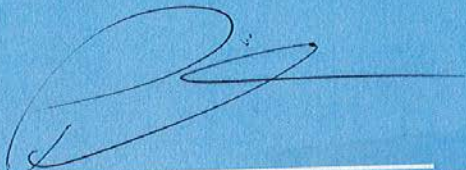
☒ Shelly Ryan


Signature: 

 Citizen Advisory Board Ballot

5 TREE BOARD VACANCIES WITH 3-YEAR TERM:

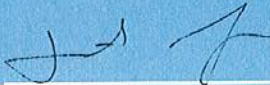
☐ Shelly Ryan

Signature: 


 Citizen Advisory Board Ballot

5 TREE BOARD VACANCIES WITH 3-YEAR TERM:

☒ Shelly Ryan

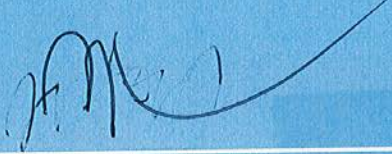
Signature: 

TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
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 **WENDELL** Citizen Advisory Board Ballot

5 TREE BOARD VACANCIES WITH 3-YEAR TERM:

☒ Shelly Ryan

Signature: 

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6b. Discussion on an Early Voting Site for the Town of Wendell. 17:32

Commissioner Joyner said that the Wake County Board of Elections asked about using the Community Center for an early voting site. He said he thought the Town should reach out to the Wake County Board of Elections and express that the Town is open to allowing them to use the Community Center. He said that he understands that things are in flux, and schools are going to be opening in a different way. He said he thought the Community Center is different in that it is not a school and has an open space to be used continually. Mr. Joyner said that, in the past when the Town has not fully supported it, he feels as though the Board of Elections doesn't consider the Town and he would hate for residents to have to drive to other communities. He said he understands that Parks and Rec operates there and would love for staff to come up with another solution. He said that he hopes the Board of Elections has a much better site that is within Wendell's corporate limits that can be easily used, but he'd like for them to realize that they're not telling them "no," but telling them to make the best decision based on all of the available sites, including the community center.

Commissioner Lutz said he thought that was a good idea during a time in which they don't know what things will look like in November and to at least leave things open to allow town citizens an access point would be good. He said he thought it would be foolish for the Town to not at least consider that at this point.

Commissioner DeLoach said that he supports it and he thinks it's important that the Board doesn't not consider the option. In the past, he said he's received questions about where residents can vote locally. Mr. DeLoach said that if they can have a local spot with it being 2020 and a general election will occur, not just a municipal election, he certainly thinks it will be helpful.

Mayor Gray asked that, when Town staff was contacted, which part of the Community Center was the Board of Elections interested in.

Town Manager Marc Collins said given the expected turnout and current health conditions, they wanted to use the gym instead of the large back room as they've requested in the past. He said that it would basically close the Community Center for use at this point, where the town's indoor classes are being offered right now because it allows for social distancing. He said that the outdoor amenities would still be available. Mr. Collins said that it is a value judgment for the Board and staff reported the prior policy and is open to whatever direction the Board has. He said that voting participation and the electoral process is extremely important for the community, as well.

Commissioner Joyner said that he appreciates Town staff for responding in the way that they did and he said that recent events brought schools and the elderly to mind, making it a good consideration to have.

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Mayor Gray said it would be her preference if they use the large activity room, as it has its own entrance on the side to allow for social distancing within the community center. She said she understands where Commissioner Joyner is coming from, as well.

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:



CAMPO – Mayor Virginia Gray

Mayor Gray said she had a virtual CAMPO meeting that held a public hearing on an update to the public participation plan for electronic meetings for CAMPO. She said that all groups are struggling through what the Board is struggling through with virtual meetings. She said that they had a report on the natural gas pipeline under the American Tobacco Trail, heard a NCDOT Revenue Overview and Update on Operations due to the decrease in funding dropping below the statutory floor with the result of services having been declined at this time. CAMPO also endorsed a resolution to encourage DOT to continue support of the Triangle Travel Demand Management Program, heard a presentation on the LAPP Fiscal Year 2020 Proposed Changes which is adapting procedures and policies about LAPP funding to assist those applying and decrease the numbers of hurdles in meeting goals for LAPP funding. She said that they heard a presentation about the Northeast Area Study, which includes Wendell. It's starting off with the discovery of the conditions in Wendell and the northeast area leading to policy recommendations and then a final document. Mayor Gray said that there would also be public outreach and hotspots and conceptual design of those. For those interested, visit NEASUpdate.com. She said there's a survey and encouraged residents to participate. She said that the last thing CAMPO did was the 2050 Metropolitan Transportation Plan Update process discussion.



Technical Review Committee – Mayor Pro Tempore John Boyette

Mayor Pro Tempore John Boyette said that he was unable to attend the TRC Meeting this month but was informed it was concerning some right-of-way issues. He said that the July meeting is expected to be more substantive. He said he had a good meeting with the Town Manager last week to begin the process of reviewing the architectural and engineering proposals that the Town received. He said that there were 14 engineering and 18 architectural proposals for the new town hall. He said a lot of them were very well done and there is a lot of interest from firms that have worked with the town before and ones that the town hasn't

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worked with. He said that he looks forward to carrying on that work and moving forward with town hall.

8. COMMISSIONERS' REPORTS / COMMENTS

Commissioner Joyner thanked staff as he was able to swing by a socially-distanced farmer's market this past weekend and picked up some local honey. He said it's cool to see adaptability in the way that the farmers and farmer's market visitors are coming up with creative ways for this new time period the town is in. He thanked staff for their Saturdays and coming up with creative ideas. He said he's received many emails about wearing a mask and said that he covers his mouth when he coughs as he was raised to do so. Mr. Joyner said that he appreciates all the varieties of viewpoints and said for the record, he said the town can do some things to help prevent things. He said he wears a mask as a courtesy of others and asked people to be safe and considerate. Mr. Joyner said that he thinks the town has the ability to do that uniquely in Wendell, as it is a small community of safe and considerate people who are going to do the right thing and he appreciates that.

Commissioner DeLoach said he spoke last week with Shelly Lesniewicz of the Wendell Chamber of Commerce. He said that town staff reached out to Shelly and the Chamber President and he wanted to let people know that there would be an upcoming meeting regarding the Harvest Festival. He said to stay tuned for more information on that. Mr. DeLoach said he's okay with supporting and encouraging all the things including hand washing, social distancing, virtual meetings as needed, and wearing a mask. He said he wants the towns local schools, churches and businesses to be open and be as safe as possible. He said he prefers Wendell being a part of the solution and not a part of the problem. He said it was standard courtesy and encouraged others to be respectful and diligent in doing your part.

Commissioner Lutz said he will not be in attendance at the July 13th Town Board Meeting. He said if citizens had anything they would like to speak to him face-to-face about, or via phone and email to reach out to him. He said it was a vacation he planned a while ago.

Commissioner Tarnaski said good evening to everyone and said that he's glad they're leaving it optional for masks because it's their choice and their freedom to choose.

Commissioner Boyette said he'll lay in on the mask debate, too. He said he supports wearing a mask in public and indoors. He said he can assure people that community cases are on the rise and that this disease is around and is spreading and becoming more prevalent out and about, day to day. He said it is going to be with us for a while until we all learn how to not spread it amongst each other or a vaccine. Mr. Boyette said that right now, the best thing to keep yourself and others safe is to wear a mask when you're in public and socially distance correctly. He encouraged people to please wear a

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mask when they're out in public or inside somewhere where they can't socially distance safely from others.

9. MAYOR'S REPORTS / COMMENTS

Mayor Gray said that the farmer's market is going strong on Saturdays from 9 a.m. to 4 p.m. on Campen Street. She said that there were 9 or 10 vendors this past week and it's a lot of fun and encouraged residents to check it out. She said there's going to be a modified July 4th celebration this year with a reverse parade—where the town brings the parade to residents' neighborhood. She said those interested in getting on the parade route should contact Assistant to the Manager Stephanie Smith at ssmith@townofwendell.com Mayor Gray said the parade is going to be Saturday, July 4th at 2 p.m. after the farmer's market. She encouraged people to decorate their homes and businesses and to be ready to wave when the parade goes by. On July 3rd and 4th, there's going to be a drive-in movie at the Wendell Community Park. She said the movie will start at 8:30 p.m. and encouraged people to contact Parks and Recreation for tickets on the town's website under the Departments page. Mayor Gray said the town is monitoring the Coronavirus every day and it hasn't gone away. She said she's had a lot of senior citizens call her afraid. She said she didn't want people to be afraid but to rather make smart and sensible decisions to protect yourself and others. She said to be vigilant and enjoy your summer, wear a mask if you choose, wash your hands, don't get close to other people, and wipe things down constantly. She said she believed the town's number has gone up by one in the city limits since yesterday. She said it is growing in this part of the county.

10. CLOSED SESSION

Closed session will be called if necessary.

11. ADJOURN

ACTION:

Mover: Commissioner Lutz moved to adjourn at 7:36 p.m.

Vote: 5-0

Duly adopted this day of July 2020, while in regular session.

ATTEST:

Virginia R. Gray,
Mayor

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Megan Howard,
Town Clerk

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The Wendell Town Board of Commissioners held their virtual, regularly-scheduled meeting on Monday, July 13, 2020, in the Town Board Room, Wendell Town Hall, 15 East Fourth Street.

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

ABSENT: Commissioner Jon Lutz

STAFF PRESENT: Town Manager Marc Collins, Town Clerk Megan Howard, Town Attorney Jim Cauley (virtually), Assistant Planning Director Bryan Coates, and Police Chief Bill Carter.

SPECIAL NOTICE

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

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

Public Comment period for the July 13, 2020 Board of Commissioners meeting shall be organized in advance. The public can submit their written public comment to the Town Clerk via email to mhoward@townofwendell.com or submit a request to call in and teleconference during the Board of Commissioners meeting by emailing their name, address, and phone number to the clerk via email by Friday, July 10th at 5 p.m.

Mayor Gray called the meeting to order at 7:00 p.m.

Police Chief Bill Carter led the Pledge of Allegiance

Pastor Asa Bell of Pleasant Grove Baptist Church provided the invocation.

1. ADJUSTMENT AND APPROVAL OF THE AGENDA

ACTION

Mover: Commissioner Jason Joyner made a motion to approve the agenda.
Ayes: Commissioners Joyner, DeLoach, Tarnaski, and Boyette.
Nays: None.
Vote: 4-0

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2. PUBLIC COMMENT PERIOD

- The Public Comment period for the July 13, 2020 Board of Commissioners meeting shall be organized in advance. The public can submit their public comment to the Town Clerk via email to mhoward@townofwendell.com by Friday, July 10th at 5 p.m.

or

- Submit a request to speak over the phone during the Board of Commissioners meeting by emailing their name, address, and phone number to the clerk via email by Friday, July 10th at 5 p.m. The Clerk will provide the call-in phone number and provide three (3) minutes to speak on any non-public hearing item or topic.
- Questions or comments regarding specific agenda items may be directed to the contact person provided for the individual items on the agenda below for additional information before or after the meeting.

The following written public comment was provided to the clerk and read into the record:

1. Ruth van der Grinten and Charles Wiggs, 636 Timber Dr., Wendell, NC, 27591

From: Ruth van der Grinten and Charles Wiggs, 636 Timber Dr., Wendell, NC

July 9, 2020

To: Wendell Town Board of Commissioners

We know a lot has already been expressed through social media about our new Yard Waste Cans. We just wanted our thoughts to be officially said to you tonight. We are very unhappy with the change in Yard Waste collection. We felt that Wendell's Yard Waste collection was one of the best benefits of our high tax rate here in Wendell. We have lived here for 30 years and bragged about our town's yard waste collection system to everyone we know.

We know it has been a rough week for everyone and to be expected when starting something new. With that being said, some of our concerns/ thoughts are....

- 1- The cans are not big enough to hold most people's yard waste.
- 2- The cans are VERY heavy when filled and difficult to move; they also must be washed or rinsed out after every use.

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3- It is almost impossible to time the filling of the can to the day it is to be picked up.

4- Without strict adherence to a schedule, homeowners can not know when the best time is to cut their grass, trim bushes, etc.. If people don't know when it is going to be picked up, the yard waste sits in the can for days and become extremely odoriferous. This is not a problem when yard waste is piled at the curb.

5- The 2X a year special pick up is never going to be enough.

6- We're sure that we are all wondering why our town thinks this is an improvement over what seems to us to be a well working system.

We hope you will take into consideration people's concerns about what seems to be a "small thing", but is now negatively impacting every resident in Wendell.

Respectfully;

Ruth van der Grinten and Charles Wiggs

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. Wake County Tax Report

3b. Minutes for the Monday, May 11, 2020 Town Board Meeting

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

3c. Minutes for the Tuesday, May 26, 2020 Town Board Meeting

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

3d. Minutes for the Monday, June 8, 2020 Town Board Meeting

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

3e. Certificate for Sufficiency and Resolution setting public hearing date for non-contiguous annexation petition A-19-04 for 151.82 acres of property located at: 4501 Rolesville Road (12.28 acres) and identified by PIN Number 1765-85-2510; 0 Davistown Road (50.16 acres) and identified by PIN Number 1765-96-2276;

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1401 Davistown Road (57.16 acres) and identified by PIN Number 1765-85-6251; and 6021 Yancey Drive (32.21 acres) and identified by PIN Number 1775-04-2139.

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

ACTION

Mover: Commissioner Jason Joyner made a motion to approve the consent agenda.
Ayes: Commissioners Joyner, DeLoach, Tarnaski, and Boyette.
Nays: None.
Vote: 4-0

4. RECOGNITIONS, REPORTS, AND PRESENTATIONS

No recognitions, reports and presentations scheduled.

5. PUBLIC HEARINGS

PLEASE NOTE: Due to the current State of Emergency and in the interest of public health, the following accommodations will be made to allow public participation in public hearings, but no public attendance at Town Hall will be permitted. No Board action on public hearing items will occur if a virtual meeting is used to conduct the public hearing. The item will be continued and the public will have 24 hours from the end of the meeting to provide comments on the public hearing item.

- Public participation for public hearing items on the agenda for the July 13th, 2020 Board of Commissioners meeting shall be organized in advance. The public can submit their public hearing comments to the Town Clerk via email to mhoward@townofwendell.com up to 24 hours after the public hearing is held. Please provide your name, address, and the agenda item number with your comments. Copies of the written comments received by Friday, July 10th at 5pm will be provided to the Board of Commissioners at the meeting, read at the meeting, and included in the minutes of the meeting. Comments will be received for 24 hours after the meeting and provided to the Board prior to action and will be included in the minutes.

Or

- Submit a request to speak over the phone during the Board of Commissioners meeting by emailing their name, address, phone number, and item number they wish to speak on to the clerk via email by Friday, July 10th at 5 p.m. The Clerk will provide the call-in phone number and provide five (5) minutes to speak on any public hearing item or topic. Comments made by phone will be recorded and transcribed to maintain the public record.

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- If you have questions regarding an agenda item, please email the staff contact directly in advance of the meeting. If preferred, you may call Town Hall at (919) 365-4450 to be directed to speak with the staff contact for the agenda item(s) of interest. Communications of this type will not be included in the meeting minutes.

Mayor Gray reminded the public that the Board would take action on these public hearing items at the July 27, 2020 Town Board meeting as is consistent with the statute providing for written public comment to be submitted within 24 hours of the public hearing.

- 5a. PUBLIC HEARING:** for contiguous annexation petition A-19-08 for 7.45 acres located at 1425 S. Hollybrook Road and identified by PIN number 1793-03-4587

Staff Contact: Assistant Planning Director Bryan Coates
bcoates@townofwendell.com

Assistant Planning Director Bryan Coates presented the following staff report, below in italics:

Item Summary:

Franceline H Price has submitted an annexation request for 1 contiguous parcel totaling 7.45 acres located at 1425 S. Hollybrook Road and identified by PIN Number 1793-03-4587. The purpose of this annexation is to accommodate planned changes to the residential Conditional District previously submitted by Fred Smith on S. Hollybrook Rd, to include this land.

Zoning District:

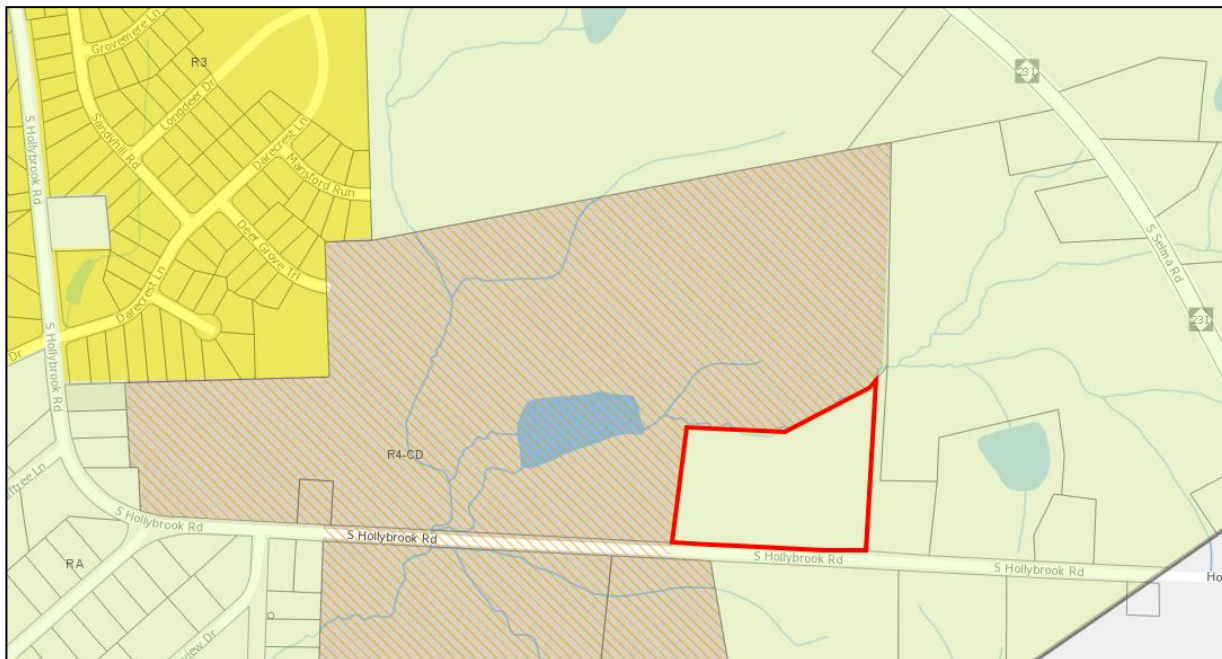
The property is currently located within the RA zoning district.

Police & Public Works & Utility Service:

The proposed annexation area would require services from the Town's Police and Public Works Departments if annexed.

Location Map:

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Staff Recommendation:

Staff recommends approval of the request.

Mr. Coates offered to answer any questions that the Board might have.

No questions were asked. Mayor Gray opened up the public hearing and announced that no members of the public have signed up to speak.

Mayor Gray closed the public hearing subject to the 24-hour public comment period at 7:08 p.m.

- 5b. PUBLIC HEARING:** for contiguous annexation petition A-20-02 for 15.79 acres located at 941 Wendell Falls Parkway and identified by PIN number 1783-17-8750

Staff Contact: Assistant Planning Director Bryan Coates
bcoates@townofwendell.com

Assistant Planning Director Bryan Coates presented the following staff report, below in italics:

Item Summary:

Jackie Smith has submitted an annexation request for 1 contiguous parcel totaling 15.79 acres [PIN #1783-17-8750] located at 941 Wendell Falls Parkway. Plans have been

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approved to build a Townhome residential community as part of an NC Conditional District but in order to gain access to needed utilities, annexation is required.

Zoning District:

The property is currently located within the Town of Wendell extraterritorial jurisdiction and is zoned Neighborhood Center (NC) Conditional District.

Police & Public Works & Utility Service:

The proposed annexation area would require services from the Town's Police and Public Works Departments if annexed.

Location Map:



Staff Recommendation:

Staff recommends approval of the request

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Mr. Coates offered to answer any questions that the Board might have.

No questions were asked. Mayor Gray opened the public hearing and announced that there was one resident signed up for public comment.

Town Clerk Megan Howard stated that Caitlin Gooch was not on the Uber Conference line, but she had the phone number with which to try to call her in. After dialing the phone number to no answer, Town Clerk Howard asked those on the Uber Conference line was Caitlin Gooch and if so, if she could unmute herself and provide her public comment. Mrs. Gooch was not on the line.

Mayor Gray said that Mrs. Gooch can submit her written public comments within 24 hours of the public hearing. Mayor Gray closed the public hearing at 7:11 p.m.

5c. PUBLIC HEARING: to consider a revised R4 Conditional District for 99.9872 acres (PIN #1783-83-7560, PIN #1783-92-1299, PIN #1783-94-6022, PIN #1793-02-0954 and PIN #1793-03-4587) located at 1201 S Hollybrook Rd, 1320 S Hollybrook Rd, 0 S Hollybrook Rd and 1425 S Hollybrook Rd.

Staff Contact: Assistant Planning Director Bryan Coates
bcoates@townofwendell.com

Assistant Planning Director Bryan Coates presented the following staff report, below in italics:

Item Summary:

On November 26, 2018, the Wendell Board of Commissioners approved a Conditional District Master Plan submitted by Fred Smith along S. Hollybrook Rd, for up to 310 single family homes. Following Master Plan approval, the project engineers (John A. Edwards And Company) began preparing Construction Drawings. However, based upon various factors including but not limited to wetland impacts, the developer chose to approach the town with a revised Master Plan rather than continuing with the existing one.

The revised Master Plan would remove approximately 23 acres of property from the western portion of the project and add an additional 7.45-acre parcel and connecting drive on the eastern side of the project. As proposed, the applicant's revised R4 conditional district would feature 290 single family homes (instead of 310). The change eliminates a road crossing that would impact wetland and riparian buffers. The portion of the development north of S. Hollybrook Rd would gain an additional access point to Hollybrook but would lose the connection to Groves of Deerfield (this connection required a stream crossing). Outside of these changes, the development proposal is substantially similar to the approved master plan.

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If the revised plan is approved, the applicant would seek to rezone the 23-acre portion that has been removed from the conditional district application to Residential-3 (R3) zoning district.

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

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 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.

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 the UDO which would otherwise apply to the development site. The Planning Board may recommend, and the Board of Commissioners may attach reasonable and appropriate conditions including, but not limited to, the location, nature, hours of operation, and extent of the proposed use(s). Conditions and site-specific standards shall be limited to those that address conformance of the development and use of the site to the UDO and officially adopted plans and those standards and conditions that address the impacts reasonably expected to be generated by the development and use of the site.

Location and History:

Two of these properties are currently located in the corporate limits of the Town of Wendell and are zoned R4-CD, with the remaining 1 property located in the Town's extraterritorial jurisdiction and is zoned Rural Agricultural (RA). An annexation request for the property in the ETJ has been submitted.

Project Profile:

PROPERTY LOCATIONS: 0, 1320 & 1425 S. Hollybrook Rd

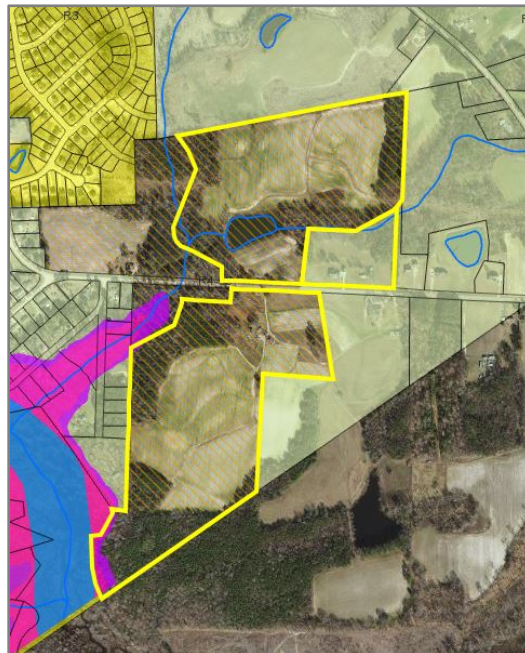
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WAKE COUNTY PINS: 1783923310, 1783949191, 1793034587
 CURRENT ZONING DISTRICT: R4-CD/RA
 CROSS REFERENCES: N/A
 PROPERTY OWNERS: Smith-Edwards LLC
 2505 Wendell Road
 Wendell, NC 27591
 Franceline Price
 1425 S. Hollybrook Road
 Wendell, NC 27591
 APPLICANT: Smith-Edwards, LLC
 2505 Wendell Road
 Wendell, NC 27591
 PROPERTY SIZE: 99.9872 acres
 CURRENT LAND USE: Residential/Agricultural
 PROPOSED LAND USE: Residential

Project Setting – Surrounding Districts and Land uses:

<i>DIRECTION</i>	<i>LANDUSE</i>	<i>ZONING</i>
North	<i>Residential/Agricultural</i>	<i>R3/RA</i>
South	<i>Residential/Agricultural</i>	<i>RA</i>
East	<i>Residential/Agricultural</i>	<i>RA</i>
West	<i>Residential</i>	<i>R3/RA</i>

Current Zoning Map (Subject Properties Outlined in Yellow:



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Proposed Conditional District Conditions:

The applicant is proposing to keep the approved zoning conditions 1-9 with new lot number references added. Zoning condition 10 was removed and replaced with a maximum lot count of 300 in keeping with the intent of the original approval. The 10 conditions for the proposed CD are as follows:

- 1. All single-family dwellings shall have a 5 ft. minimum side setback.*
- 2. A parking ratio shall be applied to the club house amenity site of 1/1,000 SF + 1/75 SF of water surface for the pool.*
- 3. Approval of the subject Conditional District is contingent upon formal acceptance and annexation of the subject parcels into the Town of Wendell. Absent annexation acceptance the Conditional District application will not be approved.*
- 4. All interior lot single-family dwellings shall have a 54 ft. minimum lot width and all corner lots shall have a minimum 60ft. lot width (rather than 50 ft.).*
- 5. The development shall provide a minimum of 2,500 sq. ft. of open space per dwelling (rather than 1,750 sq. ft. of open space)*
- 6. That the club house lot amenities be completed prior to Phase 3 of the development plan.*
- 7. That the proposed Pump Station be screened from view from lot 229 and 230 with a Type A buffer (with the exception of an access drive). Existing vegetation may be counted towards this requirement.*
- 8. That a high visibility crosswalk and pedestrian crossing signs be installed to allow pedestrians to safely cross Hollybrook Rd, in adherence with any required DOT standards for the crossing design.*
- 9. That the subdivision planting requirement for abutting rear yards (described in Section 8.7 of the UDO) be applied to lots 242 through 250, which abut that 3.76 acre tract identified by PIN 1783816842.*
- 10. There shall be a maximum lot count of 300.*

Applicant's Justification:

Applicants Justification Statement added as Attachment B.

Public Utilities:

Development of this site will require connection to city water and sewer which is available nearby. The parcel that is not already in the city limits will need to be annexed.

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Streets:

The applicant will be responsible for making the required road improvements which include sidewalk, bike lanes, landscape area and curb and gutter. The completed Transportation Impact Analysis requires a left turn lane be constructed from NC 231 to S Hollybrook Road.

Phasing:

The applicant has indicated that there will be 5 phases on this project. Phasing timelines will need to be updated.

Comprehensive Plan:

The Wendell Comprehensive Plan defines the subject property as being 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 following development types and uses are appropriate for the S-4 sector: traditional neighborhood developments, neighborhood centers, single-family and multi-family residential, neighborhood-serving commercial uses (retail and office), civic uses and industrial uses.

The proposed development on the site meets the appropriate uses.

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Technical Review Committee (TRC) Comments:

The Technical Review Committee has completed their review of the applicant's Master Plan and the applicant has made corrections based on their comments. Additional review would occur upon submittal of construction drawings (final development plan for conditional districts).

Planning Board Recommendation:

At their June 15, 2020 meeting, the Planning Board voted 5-2 in favor of the requested Conditional District.

Voting in Favor: Jimmena Huffman-Hall, Levin Jones, Brett Hennington, Deans Eatman and Ryan Zakany.

Voting Against: Victoria Curtis and Allen Swaim

Absent: Michael Firstbrook and Jonathan Olsen

Statement of Plan Consistency and Reasonableness:

The proposed Conditional District is found to be generally consistent with the recommended uses and development types outlined in the Wendell Comprehensive Land Use Plan for the S-4 Sector and is reasonable due to its consistency with the surrounding residential zoning districts and with the following principle of the Comprehensive Plan:

- *Principle Number 6: "Provide for a range of housing opportunities including upscale housing, senior housing and downtown living choices."*

Staff Comments:

Staff supports the proposed conditional district.

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Mr. Coates offered to answer any questions that the Board might have.

Commissioner DeLoach asked if number six, Clubhouse Amenities, would be completed prior to Phase three or at the completion of Phase three.

Mr. Coates said that the Clubhouse and Amenities are in Phase one and would be completed before Phase three.

Mr. Clyde Holt, applicant representative, said that he's on the line with Fred Smith, Travis Tyboroski and Jon Callahan. He said that the plan implements the Town's long-range Comprehensive Plan which calls for S-4 controlled growth at this location. He said the plan also satisfies the long-range Wendell and City of Raleigh Utility Plan for the area by constructing a pump site for their property and adjacent properties. Mr. Holt said that the amenities that will be on site prior to the beginning of Phase three will include a swimming pool. Additionally, they will be providing a 23-acre community park site on the west side of the property. He said they would be working with the town on park programs to provide for the community.

Mayor Gray opened the public hearing.

Commissioner Jason Joyner asked what triggered the additional left-turn lane on S. Hollybrook.

Mr. Coates said that the plans and traffic counts had changed. He said that it was 1-2 years later when the traffic count was redone, triggering a 75-foot left-turn lane with DOT.

Mayor Gray asked if the applicant had any additional comments. No additional comments were made.

Mayor Gray said that a written public comment was submitted to the Town Clerk. Town Clerk Howard read the following public comment into the record:

David and Judy Arnold, 1429 South Hollybrook Road, Wendell, NC 27591

Please advise if the meeting on Monday, July 13th, is just for rezoning purposes and not for approval of the Master Plan. We emailed several questions to the Planning Board meetings held on June 1 and June 15 that were held by telephone only, sometimes not able to understand what was being said and who was speaking and voting on the project (names were not provided when comments were made). This was confusing since we were not familiar with the voices of all parties involved. A couple of my questions were answered by the applicant at the second meeting but by only saying we are planning to change these items from the plan previously submitted in 2018

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(minimum lot width from 55' to 54' and new covenants were being drawn, but with no details). The project has been reduced by approximately 16 acres.

I have requested copies of the minutes of both meeting so we can read and fully understand the content of the meetings but have been told that the minutes will not be available until the Planning Board approves them at the next meeting which will be on July 20th. I would hope that no important decisions will be made on this property until the minutes are available to us. All packets of information that were submitted to both meetings should be on file and we were told they were distributed to the members.

I was just getting ready to submit a request to speak, but now read we can only once again email all questions to you. I am attaching all the information sent to both meetings. Thank you for your consideration of my comments attached.

Judy Arnold

Judy Arnold, Paralegal

Michael G. Sandman Attorney at Law

7101 Creedmoor Road, Suite 142

Raleigh, North Carolina 27613

Phone: 919-847-7275

Fax: 919-847-7335

judy@sandmanlaw.com

Attachment 1 from Judy Arnold: Town of Wendell Planning Board

Meeting Monday, June 1, 2020

5. New Business

5b. Discussion and action a revised R4 Conditional District for properties located as 1201 & 1320 S. Hollybrook Rd.

By letter dated May 11, 2020, the South Hollybrook Road Property Owners received a letter from Clyde Holt of Fox Rothschild, LLP, stating that on behalf of Smith-Edwards, LLC, owner of the planned Meadows and Glen at Hollybrook residential community on South Hollybrook Road, he was advising owners that a master plan for the community was approved by Wendell in 2018, with which I disagree. I attended the Board Meeting on November 13, 2018, and per the minutes, conditions were stated before approval, i.e. setbacks; parking spaces for pool; specific requirements for buffers on specific lots; and a minimum 55 ft. lot width (rather than 50 ft.), among other conditions.

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The new submitted plan removes a 23-acre tract and it is replaced by a 7-acre parcel that is not owned by Smith-Edwards, LLC, but is apparently under contract with the current owner, possibly contingent on the approval of the new subdivision. Per the minutes of the November 26, 2018, Board Meeting, “Fred Smith stated that the 310-lot plan is subject to staff approval of lot layouts. Smith stated there would be minor changes.” The ACTION: of this meeting “Mover: Mayor Pro Tem Jon Lutz moved to approve the R-4 Conditional District based on the extending of the buffer along the property discussed, reducing the lot size, number of lots to 310, with the general layout remaining the same. If not, it will be brought back before the Board, contingent upon the motion for the approval of annexation, Planning Board and Staff review. Vote: Unanimous.” That was the last action on this plan that I have been made aware of until now with all these major changes being submitted for approval referencing the original plan.

I do not think replacing this new plan with the old one, where lots are so different you cannot even match up buffer requirements from the original plan, are minor changes. I think the letter we received was misleading and many recipients will not even question the facts stated in the letter. He is stating the new plan has 16 fewer acres but only reduced the number of homes by 10, but is actually 20 less lots with the new Master Plan showing a total of 290 lots, which is still way too many additional homeowners. He also stated “The addition of the eastern acreage allows for an expanded recreation area . . . “when actually the new club lot contains 64,382 square feet and the original club lot contained 151,791 square feet – even though the actual pool and club house may be larger. Parking seems minimal with larger facilities to accommodate more people and the inclusion of the mail kiosk to be located on this property. “The new entrance is further from the 90 degree curve on Hollybrook than was originally designed” but he states that the 23 acre tract that was in the original plan is under contract for the Town to purchase as a public park this summer or fall – will the entrance for the new park be on Hollybrook Road?

Traffic was a major issue in the previous meetings and even though at least 10 less homes are being proposed for the Meadows and Glen at Hollybrook, at least 35 new homes have closed in Deerfield since November 1, 2018, all using Hollybrook as a means of ingress/egress. The only way for all these new homeowners to get through Wendell is to take Wendell Boulevard or to snake through East Haywood, or possibly Forestville, to Cypress, West First Street to get over to Wendell Falls Boulevard, and now we are also adding a park. How safe will it be for children to have access to the park in the 90 degree curve at Angleview? Enough cannot be said regarding the traffic impact that will be created in the town, not to mention the additional proposed 300+ new homes being considered on Old Zebulon Road.

Mr. Holt states that substituting the 23 acres for the 7 acres “would minimize disruption of the natural riparian area and allow for a meaningful “buffer” between residential

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neighborhoods developed at differing densities.” He does not mention that putting the backyards of now 6 homes (it was 5 in the first draft we received) beside our home that was built by my father, Jimmie Greene, on my grandmother’s farm, Daisy Wootton, established in 1985, where we raised our children will definitely disrupt the use of our property and devalue it immensely. I cannot find a subdivision around Wendell that has the back of that many homes adjoining an established home, not to mention that the width of some of the lots are only 54’, not the 55’ as required by the condition stated in the minutes dated November 13, 2018, and as shown on the Master Plan dated October 22, 2018. We were assured by Town Attorney Cauley at this meeting that the restrictive covenants on the original tract purchased from Robert Price by Deed recorded in Book 11890, Page 1155, with covenants being repeated in the subsequent deed from Randy L. Edwards and wife, to Smith-Edwards, LLC recorded in Book 12538, Page 1623, requiring “all residences constructed to the east of said branch shall contain and minimum of 1,800 square feet of heated living area” would remain in place. Fred Smith stated that the covenants allow for a minimum of 1,300 square feet up to over 1,800 square feet. Some of the new proposed lots in the land mentioned above are only 6022 square feet (.138 acre) and will require the 1,800 minimum square feet of heated living area. He also confirmed at this meeting that the developer is actually Fred Smith Company and the Owner is Smith-Edwards, LLC.

As I discussed with Mr. Holt on the phone on Thursday, May 21st, at his request, I understand that this property was purchased to develop, but that as expressed by the Board in the January 21, 2020, Planning Board Meeting Minutes on another proposed development, density needs to be controlled in Wendell, the roads need to be upgraded or new roads built to accommodate all the additional traffic and nicer homes need to be built on larger lots. Homes need to be set back from Hollybrook, not built right up to the right of way and if you will look at the plan, the current home on the land on a 140.2 foot +/- lot to potentially be acquired by Smith-Edwards, LLC is surrounded by two 55’ lots. What are the minimum setback requirements for a detached garage in the Town of Wendell that is currently located on the established lot?

I will never be happy with the current plan and the six lots backing up to our home. This was never in the first plan reviewed by the Planning Board nor the Board of Commissioners, since this 7-acre tract was not originally included. Mr. Holt offered to meet with us to discuss buffers, fences, etc. so that we would not be looking into five back yards which has now turned into six lots, Lots 22 - 27. I declined during our initial conversation and this first meeting has been scheduled only a little over a week from that discussion. As stated in the November 26, 2018, minutes by the then Planning Director, David Bergmark, when I questioned the lack of any type of berm connecting all the lots that are adjoining my dad’s (Jimmie Greene) 30 +/- acres, he stated that it did not meet the requirement for a berm. He further stated; “There is generally no requirement for a buffer between residential and residential, with the exception of the rear-yard to rear-yard.” Not that I would be satisfied with only that adjustment in this

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plan, I see nothing proposed at the back of all these lots adjoining our home to be used as a means of screening of any type. I sincerely hope that the Planning Board does not agree with Mr. Holt that these 290 lots are already approved by the Town (he and I did agree that we disagreed on this point) and that time and research will go into consideration of the new subdivision that has been recreated by Smith-Edwards, LLC and submitted for approval as a revision.

I think it is a good idea for developers to run their proposed subdivision plans by the Boards prior to actually purchasing the property, which is apparently what Smith-Edwards, LLC has done in this case, with regard to the 7-acre tract, still owned by Franceline Price. Attached to Mr. Holt's letter was a map showing that her property is "To Be Annexed", which application has to be completed by the owner and submitted to the Town Manager (the Planning Board does not make recommendation for annexation requests). After submission by the owner, the Commissioners will receive information from the Town Clerk, Planning Department Staff and applicant and all shall be reviewed at a public hearing of the Board of Commissioners. I assume the current owner has not started this process yet.

Respectfully submitted,

David and Judy Arnold

1429 South Hollybrook Road

Wendell, NC 27591

Attachment 2 from Judy Arnold: Town of Wendell Planning Board

Meeting Monday, June 15, 2020

Re: Hollybrook Road

Attached you will find the comments I sent to the June 1, 2020, Town of Wendell Planning Board Meeting, in case you did not receive them or do not have them readily available.

In the initial discussion regarding this matter in the meeting, a point I made in paragraph one regarding a minimum 55' lot width (rather than 50') was brought up. On page 5 of the attached minutes for the Board Meeting dated November 13, 2018, #4 "(Offering Improvement) Apply a 55 ft. minimum lot width (rather than 50ft.) Staff Comment: Staff finds this request acceptable." On the Master Plan dated October 22, 2018, it is shown that a 55' minimum lot width is provided under the "Base Dimensional Standards". When the new Master Plan was drawn it shows a 50' min. lot width is required and the

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55' is no longer provided in the standards. It was stated on June 1st by a representative of the seller, that only corner lots did not provide the 55' lot width, while actually lots 23 – 26, that adjoin our property do not have a 55' minimum width with possibly other lots not meeting this requirement. From the Master Plan submitted October 22, 2018, to the Plan dated May 22, 2020, the lots have actually decreased in size from an average of 8,325 square feet to 7,806 square feet.

In the same minutes, page 9 "TRC Comments" regarding only 1 roadway connection to Hollybrook. This has been provided on the south side by removable bollards, but 88 homes on the north side are connected only by Street B. In the Master Plan dated October 22, 2018, this section was shown to connect to Hollybrook through Deerfield by Deer Grove Trail (that was included in Phase 1 of the original plan), but that connecting land is no longer included in this subdivision. This was a concern of the TRC when the original plan was submitted in the event of a natural disaster or accident if the only connecting street should be blocked for any reason. This concern could have possibly been re-addressed when the TRC met to review the new plan, I assume at the May 14th meeting, and verbally answered by the applicant, but I did not hear anything mentioned in the meeting held on June 1 regarding emergency ingress/egress for these lots.

We would like to also be assured that the natural flow of the stream that Street B will cross over will not be altered in any way since our property adjoins it. The stream is not even shown on the proposed plat which is the reason I am concerned about it and would not want a bulldozer to completely do away with it by filling it in.

Also, there was a questioned with regard to restrictions in place from the two previous deeds, from Price to Edwards and from Edwards to Smith-Edwards requiring homes of at least 1,800 square feet on the property referenced in the deed. In the same minutes when size and types of homes were questioned, page 12, "Fred Smith stated there are various sizes of homes. The covenants allow for a minimum of 1,300 square feet up to and over 1,800 square feet." Have the covenants remained the same?

I would still request that all my comments be considered in denying this development as submitted, but as you can see too many items that were previously approved have been overlooked along with the major factor of deleting 16 acres from the Master Plan. These are just a few questions that were discussed in the June 1, 2020, meeting before it was tabled until the June 15 meeting, but enough discrepancies exist to request this Master Plan be revised and the previously approved requirements be met before consideration.

Mayor Gray closed the public hearing subject to the 24-hour public comment period.

Judy Arnold submitted the following additional written public comments within the 24-hour period:

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Additional Written Comments to Wendell Town Board of Commissioners

Monday, July 13, 2020, Meeting

Re: 5c Public Hearing to consider a revised R4 Conditional District for 99.9872 acres

I urge members to review the attachments submitted to the July 13th meeting in full. I would have included them in the body of my e-mail if I had realized they would not be read in full at the meeting. The Planning Director, some Planning Board Members as well as some serving on the Board of Commissioners were not serving when this development was discussed in 2018, but I remembered many of the details from the original Master Plan and have revisited my notes that would not be familiar to many who were not involved in 2018.

REGARDING TIA – I briefly skimmed through the 241page document, and have a few questions and concerns.

- 1) First, what does, if I am reading it correctly, requiring a turn lane from 231 on to Hollybrook Road have to do with this development? It will only invite more traffic coming from Johnston County and other new developments in Johnston County to use Hollybrook Road and filter through Wendell instead of remaining on Selma Road to Wendell Boulevard?
- 2) Second, the new TIA figures were collected in March, 2020, under COVID-19 conditions (Page 8) so counts collected in February, 2020, at E. Third Street and Selma Road (Mr. G's) "were considered representative of normal traffic conditions in the study area" with adjustments for the unprecedented times and conditions we were experiencing and continue to experience regarding Covid-19 and that I hope we will never see again. I don't know how this could accurately be projected by anyone. How many residents that live in any of the subdivisions using Hollybrook Road are going to take Selma Road to Third Street? Even from Hollybrook, residents going to Raleigh will probably not access Wendell Boulevard or Wendell Falls by Third Street. I have lived on Hollybrook since 1985 and you have to go through the traffic light and encounter the traffic in town, so we always cut through the neighborhoods. No one can accurately adjust the numbers with the percentages that were applied. In March, 2020, schools were out and people were not working or working from home and numbers were used from an intersection not close to the Hollybrook project. Do you think these figures are reliable for something as important as this? Was traffic from the proposed Park included?

REGARDING THE PLANNING BOARD MEETINGS

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- 1) In the meeting on June 1, the Old Zebulon Road project was voted down after a very detailed request was submitted with one unidentified member voting no stating that no more development approvals should be granted until the roads were improved. Either that member was not present or changed his mind from June 1 to June 15th. For the same project from the January 21st, 2020, meeting the following comments were made regarding traffic made by Board Members:
 - a. Michael Fastbrook (Firstbrook?) said as a Planning Board member he wanted to have planning duties instead of being part of this process of developers against residents. The members of the Planning Board should be planning. The town is not equipped for this type of growth.
 - b. Victoria said growth is inevitable, we are at the point where it is time to set standards and adhere to them. Density needs to be controlled, we must decide we are willing to accept this or something better and smaller. She said she does not support this development.
 - c. Jimmena said she agrees with Victoria. She is in the medical field and she is concerned about getting to people who need emergency help.
 - d. Brett talked about traffic in the area and thinks the town needs to upgrade roads before adding neighborhoods, he said we need to set a standard.
 - e. Levin said traffic is a concern and the TIA should address these concerns. Buffering needs to be more detailed and not as abstract. More information is needed.
 - f. Jonathan said he feels like Bill Murray in Groundhog Day! This is the 6th proposition of a dense development. He thinks the town should spend money to improve the roads.
 - g. Ryan addressed the town staff as to what is the future of our roads. Brian said NC DOT congestion management is under review. Ryan asked if in the future they would look at the TIA prior to a developer coming before the board and asked when we would get a new comp plan. Bryan said a new one would be completed in 2021. Ryan asked about plans to widen the roads. David said DOT focuses on areas that have bigger needs. Turning lane improvements or traffic signals. He said the CAMPO LAPP program is going to add lights and make pedestrian improvements. Ryan said it seems like we can't get improvements until we have more people, but more people will make the roads worse. We need to revisit the UDO. He said he is not opposed to townhomes.
 - h. Chairman Swaim said diversity is ok but the same proposals are constantly coming before the board and to him it is like 40 lbs. of fertilizer in a 10 lb. bag! They are not following the plan, and they are always waning conditional districts. We can do better! Nicer homes on nicer lots. A 40 ft by 120 ft lots are almost like a mobile home park, it is not fair and he doesn't like it.

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I realize these comments were associated with a different development, but the traffic issues in Wendell would still remain the same. The only two “No” votes the Hollybrook Road project received from the planning board were from Allen Swaim and Victoria Curtis. Why are the traffic issues not as genuine with this project as with the other project; and when members are questioning any further development until roads are improved, roads were not even discussed in the June 15th meeting prior to a vote. This was not taking into account additional traffic from the proposed park (I could not find anywhere that these traffic counts were included in the revised TIA from the park use) that would be entered from close to the curve at Angleview with 19 acres on one side of the road and 4 acres across the road, apparently they are contingent on each other? Mr. Holt confirmed in an email this morning that the public park concept is discussed in their zoning and Master Plan application and was also included in his letter to Hollybrook Road residents in his letter dated May 11, 2020, (which stated the land was under contract for the Town to purchase as a public park this summer or fall.) Until confirmation in his email, I did not realize it had been included in the application. The aforementioned letter also stated that the new entrance for the subdivision would be further from the 90 degree curve on Hollybrook that was originally designed. I assumed that meant it might be safer but then we are planning a park and having to cross Hollybrook Road to reach 4 of the 23 acres? If we had known the Town was looking for land, my Dad may have considered entering into an agreement with the Town for his land or I would have on his behalf, having his full POA. A use of this type would be preferred over any type of development.

This item was tabled in the June 1st meeting but brought back on June 15th. The website indicates the meetings were by Uber Conference or phone, but notices only indicated a phone call meeting. Why was it not possible to hold these meetings as the Board of Commissioners meetings with Facebook Live so we could have felt like we were more involved in the meetings and maybe been able to understand who was speaking? When I checked the calendar on June 15th to make sure the meeting was still scheduled, it was not listed on the calendar. I emailed Bryan at 5:27, he added the meeting at 6:35 stating it's a standard meeting date but interested people not familiar with the Town's procedures would not know this. And as mentioned in my email last night, Minutes will not be available until after the July 20th meeting when they can be approved so we are unable to clarify some items we may have missed from the phone meeting.

REGARDING ENTRANCES ON THE NORTH SIDE OF SUBDIVISION, I sent letters dated June 24, 2020, to members of the TRC that were identified by Bryan as being involved in safety decisions with identifying documents, pointing out that while it is true that there are two entrances onto Hollybrook on the north side, one entrance only

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makes a loop around the lots before you cross the creek, the back 88 +/- homes only have only one means of ingress/egress to cross the creek. In the revised plan, the project no longer connects to existing streets in Deerfield as it did in 2018, and in 2018 only one means of access was not acceptable to the TRC on the south side so a change was made. To date, I have not received any response from any of the members. If you will look at the 88 homes on the north side, they are connected only by Street B. In the Master Plan dated October 22, 2018, this was not an issue on the north side, but that connecting land is no longer included in this subdivision (it will be a portion of the park under contract with the Town. I think Bryan stated one of the reasons for this was the expense of crossing the wetlands on that tract). This was a concern of the TRC when the original plan was submitted in the event of a natural disaster or accident if the only connecting street should be blocked for any reason. This was not mentioned in the Planning Board Meeting even though it was included in my information distributed to the members. If you have not been out to physically see the creek that Street "B" will be crossing over, it may help you get a better picture of what I am attempting to bring to your attention if you go out there. Proposed future subdivisions were not allowed to be considered for the access requirement in 2018 and my dad's land is not a possibility. We would also like to be assured that the natural flow of the creek with not be disturbed.

As stated in my previously submitted attachments, we think it is unbearable to imagine six homes, with each lot only being only 54' wide, backing up to our home (less than previously approved). My Mom, prior to her death, thought she had protected us with buffers of land, had been visited by Randy Edwards regarding selling her portion of the farm and had declined. I will continue to honor her wishes. My Dad at 88, would be by my side if his declining health allowed him to and a few of you may remember him as a builder adding many custom homes to the Town of Wendell. We received a false sense of security prior to Robert Price's death, when he cut out the 7-acre tract that he built his home on and intended to use as his own buffer, not to be developed. He came to us a good neighbor also discussing the restrictions he had placed on the land to try and control the homes that were to be built, and we were assured by the Town's Attorney, as the minutes will show, in 2018 that these restrictions would remain with the land. He also shared his idea of covenants with my Uncle, Jimmie Wootton, who placed the same restrictions on his land.

I do not want to keep repeating my disagreement with Mr. Holt that this Plan is far from the project submitted in 2018, (about 16 acres in size and it keeps changing but maybe as few as 10 less homes (300 instead of 310)? so please review the documents I have submitted and address the points included in the attachments as well as the ones I have included here. Smith-Edwards may have considered the Master Plan approved

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in 2018, but taxes have only been paid on the deferred values, I guess until the approved plans have been recorded and use of the land changed by ordering a rollback for deferred taxes due for the prior years when the land use was not considered changed to a development status. Go back and look at the video of the last meeting in 2018 when Mr. Smith puts his arm around David Bergmark and says he will make the changes and he is sure the staff can approve the changes. I think Dr. Lutz was the Commissioner that spoke up and stated that it would have to go back before the Commissioners for approval. To my knowledge, it was not reviewed again. Smith-Edwards purchased the land to develop, but considerations should be given to established property owners and rushed decisions without fully studying all the details of the 2018 plan vs. the 2020 plan, should be noted. Decisions should not be made on the opinion of the attorney hired by Smith-Edwards to get this development approved.

Additional comments – below is a timeline of answers I have received from the Town of Wendell that continue to be confusing as they are developing as I am writing this to meet my 24 hour deadline.

1. Received letter from Clyde Holt dated May 11, 2020.
2. Attempted to contact David Bergmark only to receive response that David no longer worked for the Town of Wendell as of April 13th and to contact Bryan Coats. David had promised on November 26th, 2018, after the last meeting on the project to contact me when a revised plan was submitted for approval.
3. On May 14, 2020, sent email to Bryan Coates explaining who I was and asking why we had not been contacted.
4. On the same day, May 14th, Bryan responded

Judy,

The Glen and Meadows subdivision has resubmitted plans for town action. The revised plans are going before the Town's Technical Review Committee and once that process is complete it will be scheduled for the planning board for a recommendation to the Town Board. Planning Board meetings are open meetings and residents can attend at any time. I will email you when the item is scheduled for planning board recommendation and you can attend and comment at that meeting if you choose.

All adjoining neighbors will be notified when the submittal is scheduled for public hearing with the Town Board as required by law. No dates have been set at this point for action on the revised plans.

Bryan

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5. Today after questioning whether the two items were submitted together on one application and why by law, we were not notified, I received an email from Bryan:

Judy,

The two properties totaling approximately 23 acres went before the Town Board on April 27, 2020 as item 6E. The Town Board approved that agreement for purchase and sale of the two parcels for a future neighborhood park.

The Wendell Planning Board does not approve contracts for land purchase, only the Town Board.

Bryan

I asked why when he emailed me on May 14th, this approval had not been mentioned since it occurred in April and received this response:

Judy,

Thank you for reaching out.

The sale of the two properties was an administrative item and not a public hearing. The administrative item to purchase the two properties was approved on April 27th, 2020 not the conditional district master plan for Glen & Meadows. The conditional district master plan went before the Planning Board on June 1st and 15th for Planning Board review and then was scheduled for public hearing with the Town Board on July 13th, 2020. The town purchasing two parcels and the conditional district master plan are two separate items and with different procedures.

Bryan

I must say, while I do not understand a lot about Town proceedings, it does not seem reasonable to submit two separate items together in the Zoning and Master Plan application when they are two separate items with different procedures. I tried to print the Minutes from the April 27th, 2020, meeting to see if I could get a better understanding, but they are not available on the website. It skips from February, 2020, to May 4th, 2020. Part of my problem is that I am getting different responses from the developers' attorney, that I did not include in these comments, and the Town. I am going to assume the Town's responses are the correct ones. These issues are not the

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most important ones to me, just retaining the value and peace and integrity of my home and being assured the Town has weighed all the circumstances of this approval, including the traffic issues in Wendell.

Respectfully submitted this 14th day of May, 2020,

Judy G. Arnold

Judy Arnold, Paralegal

Michael G. Sandman Attorney at Law

7101 Creedmoor Road, Suite 142

Raleigh, North Carolina 27613

Phone: 919-847-7275

Fax: 919-847-7335

judy@sandmanlaw.com

Nicole “Nikki” Kearney-Cobb, 421 Deer Grove Trail, provided the following written public comment within the 24-hour period:

Good afternoon,

I apologize for missing the deadline to comment. However, I am the homeowner next door to the proposed park area. I would like the town to consider to put up a fence between my house and the property, due to the fact of me having three small children. I believe it would be a great idea for a park for our young children in the neighborhood. Having a park will give the kids something to do and help them stay fit and healthy. Again, I apologize for my tardiness. I can be reached at 919-641-5183.

Respectfully,

Nicole “Nikki” Kearney-Cobb

Tax Agent

Wake County Government

Department of Tax Administration

Nicole.kearney-cobb@wakegov.com

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919.856.7254 office |919.856.7128 fax

301 S McDowell St., Ste 3800 PO Box 2331

Raleigh, NC 27602

wakegov.com/tax

David Arnold, address not given, provided the following written public comment within the 24-hour time period:

To: The Town of Wendell Board of Commissioners

I have a few comments and questions relating to the proposed development on Hollybrook Road that was presented at last night's (July 13, 2020) Board meeting.

In 2018 a proposal was presented to the Wendell Town Board by Smith Edwards LLC for a development on South Hollybrook Road that included 339 single family homes and various amenities. The Board questioned the density of housing and other issues relating to the number of homes and access to safe ingress and egress in the neighborhood. Responding to these concerns, at a subsequent meeting, the applicant reduced the number of proposed houses to 310. Since that meeting, Smith Edwards has amended their proposal to remove a 23+ acre tract and replace it with 7.45 acres at 1425 S Hollybrook Road, a net decrease in acreage of 16 +/- acres while reducing the number of houses by either 20 or 10, depending on which statement by the Assistant Planning Director during his presentation on July 13 is correct. (Mr. Coates stated at the beginning of his presentation that there would be "290 houses" included in the plan but later on described the project as having "300 lots") The new plan shows 26 houses on the 7.45 acre tract, or 3.5 houses per acre, whereas the original plan showed 46 houses on the 23 acre tract, or two houses per acre. It would seem that the ratio between the reduced number of acres and the reduction in the number of houses does not adhere to the Board's original desire to control the density of housing in the development.

At the November 13, 2018 Board meeting, the TRC expressed concerns about the property having only two access points, one on each side of Hollybrook Road, and stated, "Both sides of this development have only 1 roadway connection to Hollybrook Road and rely largely upon future connections to undeveloped tracts. This could be a serious issue in the event of a natural disaster or accident if the route out of the development were blocked or otherwise inaccessible." The most recent proposal has two connections to Hollybrook Road on the north side, albeit in spirit only. In reality, the two connections feed into each other within a few hundred yards at a T intersection and connect to one street that crosses a wetlands area and serves 88 homes. The question is not the two exits onto Hollybrook Road, the question is whether this serves the 88

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homes that are accessed by only one street. It would seem that this new proposal only exacerbates the dangers and problems that might arise in case of an accident, fire, or natural disaster and to “rely largely upon future connections to undeveloped tracts” without a defined plan would not seem to be a reasonable solution.

The NCDOT TIA presents many questions and concerns. The TIA extends only to Third Street, not to Wendell Blvd. or to Wendell Falls Blvd. Residents on South Hollybrook Road most typically use Wendell Falls Blvd. or Wendell Blvd. for access to and from their homes. Third Street is not a common route. In the case of Wendell Falls Blvd., drivers will often use Redberry Dr., Harris St., Forest Ln., Dogwood Tr., and Haywood St. to access Cypress St. and First St. to Wendell Falls Blvd. This routes traffic through established residential neighborhoods that lack sidewalks and sufficient lighting to assure the safety of pedestrians, especially school children. Any assessment done after the first of March 2020, even with estimates inserted to approximate normal traffic, is suspect at best. A TIA done in times of normal traffic and taking into account the real-world traffic patterns of those who use these streets is needed to appropriately plan for future growth.

What does a left turn lane on northbound Hwy. 231 at Hollybrook Road have to do with the proposed development on Hollybrook Road? Maybe the turn lane was mistakenly added to this project when it actually applies to some other project located in Johnston County. This is a good example of the weaknesses in the NCDOT TIA.

Traffic is a major concern in any development on the south or east side of Wendell. In June, the Planning Board rejected a request for a development on Old Zebulon Road because they did not feel that Wendell's plan for roads to accommodate the traffic that would be caused by the development was sufficient and that infrastructure should be in place before the development was allowed. I suggest that the same considerations should be applied to the Hollybrook Road development.

Are there any accommodations proposed to protect current property owners from the encroachment of this development? According to the most recent proposal, there are six houses whose backyards abut the western side of our property at 1429 South Hollybrook Road with no mention of a buffer. I can find nowhere else in Wendell where this many houses are placed with their backyards facing the side and front yard of an established property. Even in Wendell Falls, the side yard of a long-existing farmhouse is bordered by only three new houses (one of those set at an angle) and a buffer of distance and trees has been provided.

I realize that the current pandemic situation dictates that we make adjustments in how normal business is done, but it seems that the COVID19 crisis is being used by the developer to fast-track this proposal and avoid the usual scrutiny to address concerns. I would like to suggest that approval of this project be put on hold until these questions can be addressed and a more thorough review of the concerns can be considered.

**TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
DRAFT – JULY 13, 2020**

David Arnold
arnold54@bellsouth.net

6. ADMINISTRATIVE ITEMS

No Administrative Items scheduled.

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) – Mayor Pro Tempore John Boyette
Mayor Pro Tem Boyette said that the TRC met on Thursday, July 9th and he was unable to attend. He said he would give an update on that at the July 27, 2020 Town Board Meeting.



Wendell Volunteer Fire Department Board of Directors—Commissioner Jason Joyner
Commissioner Joyner said the Wendell Volunteer Fire Department Board of Directors met on Thursday, July 9th and things are continuing well at the Fire Department.

8. COMMISSIONERS' REPORTS / COMMENTS

Commissioner Joyner had no comments.

Commissioner DeLoach reminded the public that they had 24 hours to comment on anything discussed at this night's meeting. He said the public can be heard via email or phone call to be provided to the Board and in the record. He said that Yard Waste cans have had staff working diligently and that any hiccups in the transition will be worked out.

Commissioner Tarnaski had no comments.

Commissioner Boyette had no comments.

9. MAYOR'S REPORTS / COMMENTS

Mayor Gray thanked town staff and the Wendell Fire Department for the reverse July 4th parade. She encouraged people to visit the Wendell Farmer's Market on Saturday's from 9 a.m. to 1 p.m. on Campen Street. Mayor Gray congratulated Farmer's & Merchants on their grand opening.

10. CLOSED SESSION

**TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
DRAFT – JULY 13, 2020**

Closed session will be called if necessary.

11. ADJOURN

ACTION:

Mover: Commissioner Joyner moved to adjourn at 7:30 p.m.

Vote: 5-0

Duly adopted this day of 2020, while in regular session.

ATTEST:

Virginia R. Gray,
Mayor

Megan Howard,
Town Clerk

Attachments:

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



TOWN OF WENDELL

NORTH CAROLINA

CERTIFICATE OF SUFFICIENCY

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

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

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Wendell, this 27 day of July 2020.

Megan Howard,
Town Clerk

DESCRIPTION/ADDRESS A-20-03:

0 Eagle Rock Rd; Pin #: 1774551916
Non-Contiguous; 10.272 acres



TOWN OF WENDELL

NORTH CAROLINA

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF
ANNEXATION PURSUANT TO NC GS 160A-58.2
RESOLUTION NO.: R-18-2020**

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

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

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

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

SECTION 1. A public hearing on the question of annexation of the area described
herein will be held at the Wendell Town Hall, Board Room, at 7:00 p.m. on Monday, August 10,
2020.

SECTION 2. The area proposed for annexation is described as follows:

A 10.272-acre tract located off Eagle Rock Road within the parcel addressed as 0 Eagle Rock
Road, PIN # 1774-55-1916 and is available in Deed Book 16956, Pages 1017-1021, Wake
County Registry;

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

Duly adopted this 27 day of July 2020, while in regular session.

ATTEST:

Virginia R. Gray,
Mayor

Megan Howard,
Town Clerk

DESCRIPTION/ADDRESS A-20-03:



TOWN OF WENDELL

NORTH CAROLINA

0 Eagle Rock Road, Non-Contiguous; 10.272 acres; PIN #:1774551916

Item Title:

Wendell Falls Holiday Parking Reprieve Approval

Report to the Board of Commissioners:

July 27, 2020

Specific Action Requested:

Approve the list of requested dates for the Town of Wendell to suspend parking regulations on publicly maintained roads in Wendell Falls.

Item Summary:

At the March 23, 2020 Board of Commissioners meeting, the Board approved the amendments to Section 24-90 of Article III Specific Street Regulation Amendments to accommodate the acceptance of recently developed roads with significant restrictive covenants in place regulating parking and to update provisions with State Statute.

As part of the agreement, Wendell Falls provides an annual list of holidays to request parking reprieve to the Town of Wendell. The letter, which has been reviewed and approved by the Police Department, is attached.

Attachments:

- A. Letter from Wendell Falls requesting holiday parking reprieve



Wendell Falls Community Association, Inc.
320 Vintage Point Lane
Wendell, NC 27591

June 23, 2020

Stephanie Smith
Assistant to the Manager
Town of Wendell
15 E. Fourth Street
Wendell, NC 27591

Dear Stephanie Smith,

Due to the recent acceptance of the roadway areas in SF-1, SF-2, SF-3, and SF-13 by the Town of Wendell there are certain Wendell Falls Community Association, Inc. "parking" holidays and events that we request suspension of parking enforcement on all public streets in our community. These holidays and events include, but are not limited to:

Federal Holidays

We request towing be suspended five (5) days before and five (5) days after the following federal holidays each year: Christmas Day, New Year's Day, Easter Sunday, Memorial Day, July 4th, Labor Day, and Thanksgiving Day.

Other Specific Days

We request towing be suspended each year for Super Bowl Sunday, Mother's Day, and Father's Day.

2020 Community Events

While we are still unsure of the future of upcoming events due to COVID-19 restrictions, we request towing be suspended for currently planned 2020 community-wide events listed below:

July 11	Outdoor movie night
July 18	Summer pool party
August 8	Outdoor movie night
September 12	Farmhouse Jams
September 26 - 27	Parade of Homes
October 3 - 4	Parade of Homes
October 10 - 11	Parade of Homes
October 17	Fall Fest

October 24	Trick or Trot 5K
December 5	Sip & Shop
December 12	Holiday Party
December 14	Cookies with Santa

Wendell Falls Community Association, Inc. will send the Town of Wendell advanced notice of individual requests for other event parking days not listed above. Additionally, the Association will ensure an updated formal correspondence be sent to the Town of Wendell with planned events and holidays no later than December 1 each calendar year going forward.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tanya Matzen', with a large, stylized circular flourish at the end.

Tanya Matzen
Board President, Wendell Falls Community Association, Inc.

Item Title:

Selection of Architectural and Engineering Firm for the Design of a New Town Hall and Direct Town Manager to Negotiate Contract

Board of Commissioners Meeting:

July 27, 2020 – Item for Decision

Specific Action Requested:

Approve the recommendation to award the design of the new Town Hall to Gensler Architecture, Design, & Planning P.C. and authorize the Town Manager. Or his designee, to negotiate a contract for architectural and engineering services.

Item Summary:

The Town of Wendell released a request for qualifications (RFQ) on May 13, 2020 to invite professional Architecture and Engineering firms to submit qualifications for the construction of a new Town Hall. By the RFQ response due date of June 16, 2020, twenty-three (23) firms submitted qualifications. A selection committee was formed comprised of representation by the Commission, Town Manager, Administration, Finance, Planning, and Public Works representing the public, departments in Town Hall, and department responsible for facility maintenance. The selection committee reviewed and ranked the submittals resulting in the following four (4) firms being invited to present before the committee on July 15, 2020.

1. Little
2. CJMW
3. LS3P
4. Gensler

The selection committee scored the presentations and makes the recommendation for the Town Manager to negotiate a contract with Gensler for the design of the new Town Hall. Once prepared, the contract will be returned to Commission for consideration of approval.

Attachments:

- A. RFQ for Architectural & Engineering Services for the New Town Hall

PROJECT DESCRIPTION:**RFQ: 20-001****Town of Wendell****15 E. Fourth Street****Wendell, NC 27591**

Town of Wendell (TOW) is pleased to invite professional Architectural / Engineering design firms to submit qualifications in response to this Request for Qualifications ("RFQ").

This formal request is for a professional firm to provide all required Architectural and Engineering services in support of the design and construction of a New Town Hall.

TOW does not discriminate on the basis of age, sex, ethnic origin, religion, or disability in accordance with applicable laws and regulations.

The *anticipated* procurement schedule is listed below.

1	Advertise RFQ	05/13/20
2	Questions Due	06/03/20
3	RFQ Response Due	06/16/20

SECTION 1 – FORMAT FOR SUBMITTALS**1.1 GENERAL INFORMATION**

- 1.1.1 The purpose of this RFQ is to provide services to Town of Wendell for full Architectural and Engineering services to design a New Town Hall.

1.2 CONTRACT

- 1.2.1 Town of Wendell intends to award an applicable AIA revised contract to the selected firm.

1.3 DEFINITIONS

- 1.3.1 The term "submitter" refers to those professional firms who submit their qualifications for the project set forth in this document.
- 1.3.2 The terms "Owner", "Council" and "TOW" refer to Town of Wendell or its designated agent.
- 1.3.3 Where the words "shall" or "must" are used, it signifies an absolute minimum function or capacity that, if not satisfied, may result in disqualification.

- 1.3.4 Where the words “should”, “may”, or “is desirable” are used, it signifies desirable, but not mandatory functions or capacities. Submitters who are able to provide these functions or capacities may be evaluated more favorably than those who cannot.

1.4 **PROCUREMENT SCHEDULE**

- 1.4.1 One (1) original and 10 (10) signed copies of qualifications must be received no later than 2:00PM on June 16, 2020 to:

Butch Kay
Finance Director
15 E. Fourth Street
Wendell, NC 27591

Submittals received (identified by company names only) will be announced publicly following the submittal deadline.

1.4.2 **Late Submittals**

Qualifications received by TOW after the deadline listed herein will not be considered and returned to the sender.

1.5 **INQUIRIES**

- 1.5.1 During the process, Submitters shall contact for clarification and questions regarding the RFQ by email to cwhitley@ccorpusa.com

At any time throughout the selection process, Submitters shall not contact any member of the Board of Commissioners or the Selection Committee regarding this RFQ. Failure to comply will result in immediate rejection of your submittal.

- 1.5.2 The deadline for requesting information is:
3pm, June 3, 2020.

1.6 **ADDENDA TO THIS RFQ**

- 1.6.1 At the discretion of TOW, any RFQ revision will be addressed by contacting all firms that have formally requested the solicitation. Any addendum issued by TOW shall become a formal part of this RFQ.

1.7 **SUBMITTAL EVALUATION**

- 1.7.1 Documents submitted will be reviewed and evaluated by a committee chosen by the Town of Wendell.

1.7.2 Evaluation of proposals will be based on the following criteria:

- I. Firm's Experience & Creativity
- II. Firm's Performance, Past and Current
- III. Ability & Capability of Key Staff
- IV. Current/Projected Workload
- V. Accessibility/ Proximity to New Town Hall, Wendell, NC.

See Proposal Format, Section III titled "Evaluating Factors" for additional information.

1.8 **Review and Award Process:**

Architectural & Engineering Projects:

In accordance with the Town of Wendell Procurement Regulations, the submittals will be reviewed and ranked by a selection committee. The top ranked firms will be selected to interview with the appointed committee. After the interviews are held the selection committee will select the most qualified firm. The selected firm will then be taken to the Board of Commissioners for final approval.

- 1.8.1 Submittals must clearly respond to each of the five (5) evaluation factors of this RFQ. All responses must refer to each section of this document by number and address compliance and/or exceptions to that section. TOW reserves the right to disqualify any firm which does not follow such a format. Additional general narrative is welcome, but only in addition to your specific response.

- 1.8.2 The Owner shall have the right to request correction(s) to a submittal or request additional information. Failure by the submittal firm to correct any deficiency or provide requested information within forty-eight (48) hours may result in the proposal being considered non-responsive and excluded from further consideration.

1.9 **ACCEPTANCE OR REJECTION OF SUBMITTALS**

- 1.9.1 The Owner reserves the right to reject any or all submittals when such rejection is in the best interest of the Town; to reject submittals of a Firm who has previously failed to perform properly or, in the opinion of the Town, the Firm is not in a position to perform adequately in completing the deliverables.

- 1.9.2 The Owner reserves the right to reject any or all proposals, any part or parts of a proposal, waive any technicalities, and award any portion of or the entire contract in a manner that is in the best interest of the Owner.

1.10 **HOLD HARMLESS**

- 1.10.1 In submitting a response, the Architectural / Engineering firm understands the Owner will determine which firm appears to be best qualified. The Submitter waives any right to protest or claim damages of any nature whatsoever: based on the Owner's selection process and include any communications associated with the process, and the final selection.

SECTION 2 – RESPONSE FORMAT

2.1 **GENERAL**

- 2.1.1 This "Section 2 Response Format" must be entirely typed or printed neatly in black ink.
- 2.1.2 An officer of the firm or authorized person must sign the document in BLUE ink.
- 2.1.3 Failure to provide information required in the RFQ may reject the entire submittal package.

2.2 **PREPARATION OF SUBMITTALS**

- 2.2.1 Packages containing submittals shall be presented such that they may be easily identified. **The outside of the package shall be identified as follows:**

RFQ # 20-001

Professional Architectural Services

2.3 **PROPOSAL CHECK OFF**

The following must be included in the submittal package.

Indicate, in the space to the right, the section in which each topic has been addressed:

1. Comprehensive proposal (1 original and 10 copies as specified in section 1.4)
2. Company profile

3. Statement of qualifications
4. Project team and resumes
5. References
6. Copy of North Carolina Business License
7. Original Signature in **blue ink** on all submittal copies

PROPOSAL FORMAT

The Firm shall prepare a response to all of the following requests for information. Each section should begin on a separate sheet.

SECTION 1: Signatory / Information Sheets

Are you a Minority Business Enterprise?

Yes ____ or No ____ If so, you must include a copy of your certification certificate.

SECTION 2: Introduction

Provide an executive summary highlighting the major points of the submittal (two pages maximum).

SECTION 3: Evaluation Factors

I: Firm's Experience & Creativity: This evaluating factor will use the following criteria:

1. Experience in responding to client short-term requirements.
2. Experience with identifying and communicating "best professional office practices" in solving problems
3. Demonstrated sensitivity to flexible and economical designs without sacrificing quality, aesthetics or functionality.
4. Experience in meeting timelines, establishing schedules, and clearly established and proven methods for maintaining the budget.

Proposers must identify those projects that meet the above criteria.

II: Firm's Performance, Past and Current: This evaluating factor will use the following criteria:

1. Indicate any design services performed for Government Administrative Office clients in the past five (5) years. For any project listed please provide the following:
 - a) Project name
 - b) Town or City Contact
 - c) Construction Manager: Name of CM managing the project
 - d) Budget (\$)
 - e) Low Bid (\$)
 - f) Change Orders (\$)

III: Ability & Capability of Key Staff : This evaluating factor will use the following criteria:

1. Size of firm, number of design professionals and support staff, and range of design services offered in house.
2. Qualifications of partners and key staff with the experience to renovate, modify and expand Government Administrative Office facilities.
3. Qualification of partners and key staff with project experience identified in the above paragraph titled "*I. Firm's Experience and Creativity*".

IV: Accessibility & MBE/WBE Considerations: This evaluating factor will use the following criteria:

1. Accessibility of firm to New Town Hall in Wendell, NC. Identify location of closest office in or nearest to New Town Hall in Wendell, NC.
 - a. Provide address of the office that will be undertaking this work should your firm be selected. Also, list the address of the nearest office if the previous office is not the closest to the New Town Hall in Wendell, NC.
2. Accessibility of consultants to TOW. Identify location of key consultant offices. (This list does not preclude the use of other consultants during the course of the contract).

V: Current/Projected Workload: This evaluating factor will use the following criteria:

1. Firm's current workload and times frames for completion.
2. Firm's pending contracts and potential time frames for completion.
3. Demonstrated commitment to the TOW of key project personnel and clerical staff.

Federal Standard Form 330 Part II only shall be included with proposal.

Statement of Policy

It is the policy of Town of Wendell that discrimination against businesses on the basis of race, color, national origin, and gender is prohibited. No person shall be denied the benefit of, or otherwise discriminated against, on the grounds of race, color, national origin or gender in connection with the award and/or performance of any contract or modification of a contract between a vender or contractor and the Board which contract is paid or is to be paid for, in whole or part, with monetary appropriations of the Board. Further, it is the policy of TOW to encourage and promote on an inclusionary basis contracting opportunities for all business, without regard to race, color, national origin or gender. It is expected that all firms seeking to do business with the TOW will comply with this TOW policy.

Item Title:

Ranking and Qualification of Firms to provide Engineering Services for the Construction of a New Town Hall and Authorize Town Manager to Negotiate Contracts

Board of Commissioners Meeting:

July 27, 2020 – Item for Decision

Specific Action Requested:

Approve the ranking and qualification of engineering firms for the construction of a new Town Hall and authorize the Town Manager, or his designee, to negotiate contracts for services.

Item Summary:

The Town of Wendell released a request for qualifications (RFQ) on May 14, 2020 to invite professional Engineering firms to submit qualifications for environmental, geotechnical, materials testing, and surveying required for the construction of a new Town Hall. By the RFQ response due date of June 15, 2020, sixteen (16) firms submitted qualifications. A selection committee was formed comprised of representation by the Commission, Town Manager, Administration, Finance, Planning, and Public Works representing the public, departments in Town Hall, and department responsible for facility maintenance. The selection committee reviewed and ranked the submittals. The top ranked firms were as follows:

1. Stewart
2. Withers Ravenel
3. S & ME, Inc.
4. ESP Associates, Inc.

The selection committee recommends that the Commission qualify the top four (4) firms and authorize the Town Manager, or his designee, to negotiate contracts with any of the firms as needed during the project for specific engineering needs. Negotiated contracts will be returned to the Board for approval.

Attachments:

- A. RFQ for Engineering Design Services for the New Town Hall

Department/Agency **Town of Wendell**

Project Name **Engineering Design Services**

Design Services **Engineering Design Services**
Environmental, Geotechnical and Materials Testing, Surveying

Engineering Firms are needed to provide Design Services for projects planned at The Town of Wendell as part of the New Town Hall Project.

Submitting firms should have documented experience in the following areas:

- Phase I & II Environmental Site Assessments
- Geotechnical Subsurface Exploration, Testing and Analysis prior to project design.
- Construction Materials Testing and Quality Control
- Special Inspections
- Survey
- Other related services.

Scope

Firms should have the ability and capacity to provide services for a project from Pre-Design through Construction. Scope of services may vary depending on the project.

Town of Wendell intends to select multiple firms to provide services on a variety of projects. Contracts will be awarded on a project by project basis.

Chris Whitley Program Director
Cumming Corporation

Email **cwhitley@ccorpusa.com**

Publish Date May 14, 2020

Closing Date **June 15,2020**

Questions All questions should be directed to Chris Whitley by email. Contacting any other staff or faculty of Town of Wendell will be basis for disqualification.

SELECTING CRITERIA

In selecting engineering firms, the selection committee will take into consideration qualification information including such factors as:

1. Specialized or appropriate expertise in the type of services.
2. Past performance on similar services for projects.
3. Adequate staff and qualified professionals for the services.
4. Proximity to and familiarity with the area where the projects are located.
5. Record of successfully completed projects without major legal or technical problems.
6. Other factors which may be appropriate for the project.

Forms SF254, SF255, and SF330 are NOT required but may be included.

Please submit One (10) Hard Copies, One (1) signed copy and one PDF of the Request for Qualifications (RFQ) with a Letter of Interest.

**SUBMITTAL
CRITERIA**

The RFQ shall not exceed 20 pages (one side only) or 10 pages (two sided) not including Letter of Interest (maximum of 2 pages).

Send RFQ Packages to:

Butch Kay

Finance Director
15 E Fourth Street
Wendell, NC 27591

**NC Licensing
Statement**

In order to offer architectural, engineering, or landscape architectural services in response to this solicitation, the proposing firm must be properly licensed to practice Architecture, Engineering, or Landscape Architecture in the State of North Carolina. More information on the North Carolina state boards may be found at the following websites:

NC Board of Architecture: (<http://www.ncbarch.org>)

NC Board of Examiners for Engineers & Land Surveyors:
(<http://www.ncbels.org>)

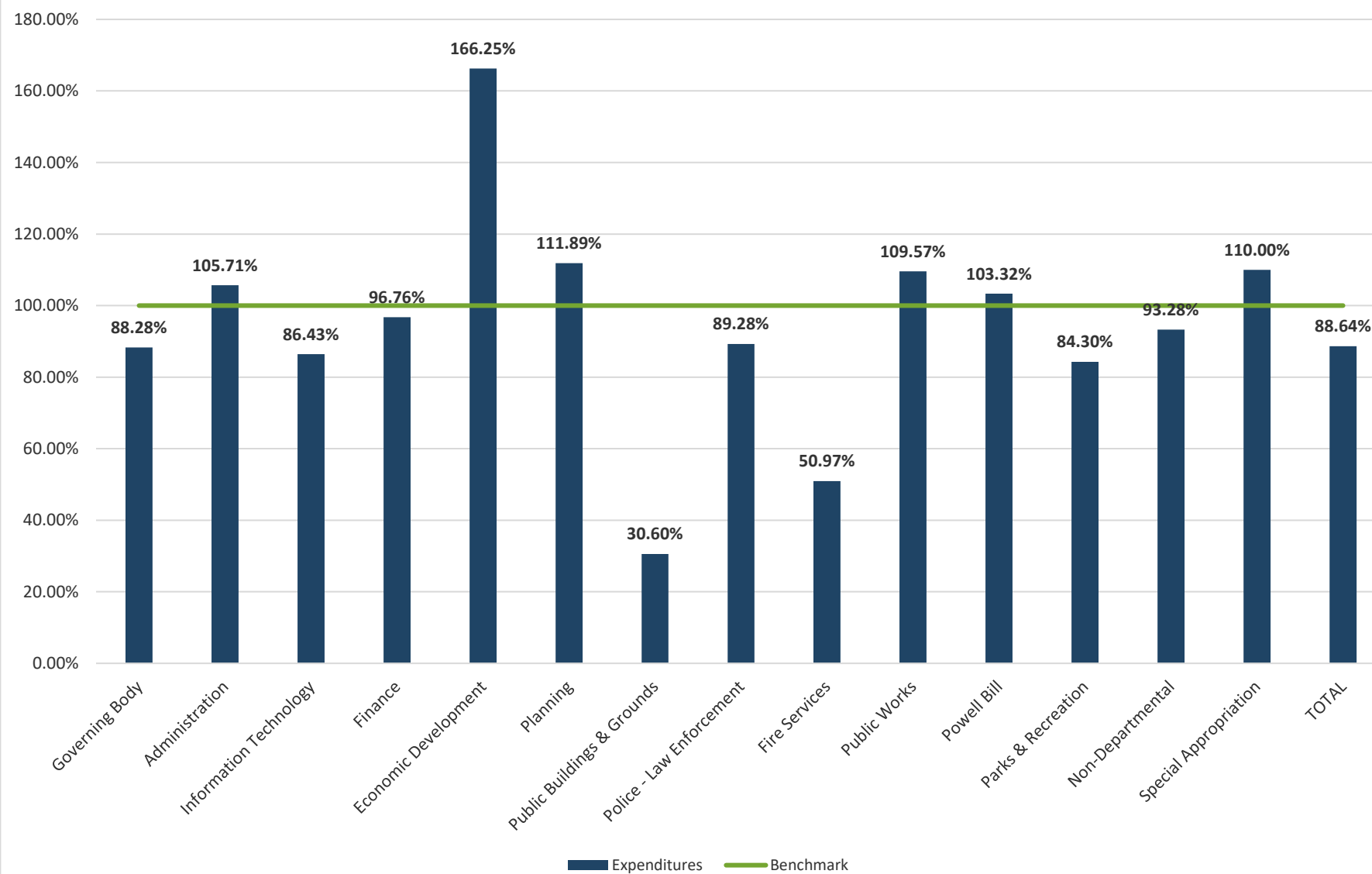
NC Board of Landscape Architects: (<http://www.ncbola.org>)

Town Of Wendell
Finance Report
Fiscal Year 2019-2020

Item 4a

<i>DEPARTMENT</i>	<i>ACCOUNT</i>	<i>ADOPTED BUDGET</i>	<i>AMENDED BUDGET</i>	<i>Y-T-D EXPENSES</i>	<i>PERCENTAGE</i>
Governing Body	10-410	\$100,200	\$100,200	\$88,452	88.28%
Administration	10-420	\$380,900	\$380,900	\$402,638	105.71%
Information Technology	10-430	\$160,760	\$160,760	\$138,939	86.43%
Finance	10-440	\$333,100	\$333,100	\$322,320	96.76%
Economic Development	10-450	\$48,600	\$48,600	\$80,798	166.25%
Planning	10-490	\$422,200	\$422,200	\$472,389	111.89%
Public Buildings & Grounds	10-500	\$350,840	\$1,150,840	\$352,118	30.60%
Police - Law Enforcement	10-510	\$1,923,014	\$1,923,014	\$1,716,942	89.28%
Fire Services	10-530	\$4,900	\$4,900	\$2,497	50.97%
Public Works	10-560	\$1,906,710	\$1,906,710	\$2,089,203	109.57%
Powell Bill	10-570	\$175,000	\$175,000	\$180,802	103.32%
Parks & Recreation	10-620	\$795,377	\$795,377	\$670,466	84.30%
Non-Departmental	10-660	\$923,665	\$923,665	\$861,561	93.28%
Special Appropriation	10-690	\$2,500	\$2,500	\$2,750	110.00%
TOTAL		\$7,527,766	\$8,327,766	\$7,381,876	88.64%

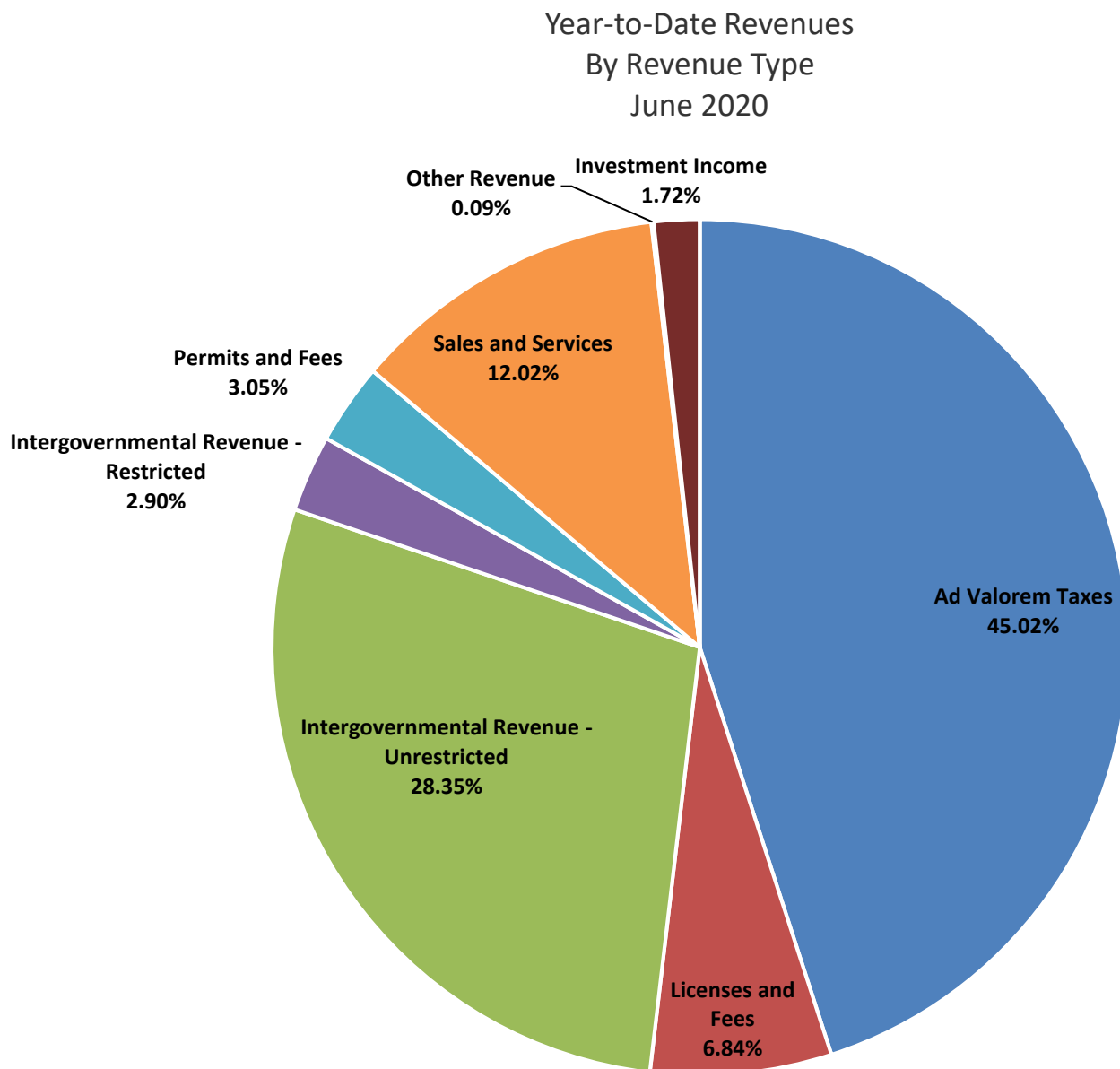
Year-to-Date Expenditures
By Monthly Benchmark
June 2020



Town Of Wendell
Finance Report
Fiscal Year 2019-2020

Item 4a

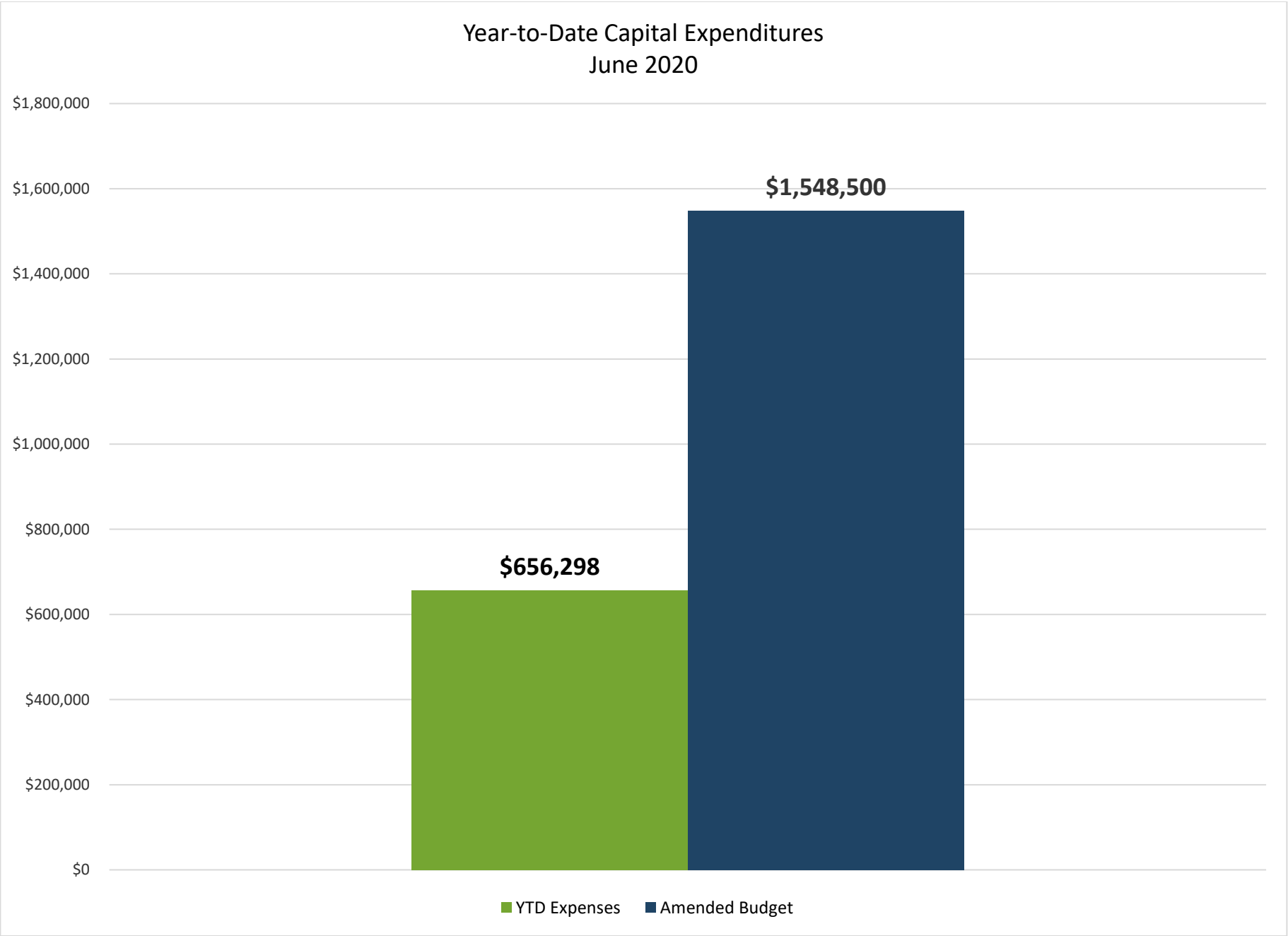
<i>CATEGORY</i>	<i>ADOPTED BUDGET</i>	<i>AMENDED BUDGET</i>	<i>Y-T-D REVENUES</i>	<i>PERCENTAGE</i>
Ad Valorem Taxes	\$3,252,300	\$3,252,300	\$3,371,644.80	103.67%
Licenses and Fees	\$426,200	\$426,200	\$512,216.96	120.18%
Intergovernmental Revenue - Unrestricted	\$1,840,570	\$1,840,570	\$2,123,322.37	115.36%
Intergovernmental Revenue - Restricted	\$184,611	\$184,611	\$216,957.80	117.52%
Permits and Fees	\$164,950	\$164,950	\$228,579.11	138.57%
Sales and Services	\$864,015	\$864,015	\$900,231.64	104.19%
Other Revenue	\$3,000	\$3,000	\$6,387.01	212.90%
Investment Income	\$95,620	\$95,620	\$129,166.21	135.08%
Transfers - Fund Balance - Loan Proceeds	\$696,500	\$1,496,500	\$0.00	0.00%
TOTAL	\$7,527,766	\$8,327,766	\$7,488,505.90	99.48%



Town Of Wendell
Finance Report
Fiscal Year 2019-2020

Item 4a

<i>DEPARTMENT</i>	<i>ADOPTED BUDGET</i>	<i>AMENDED BUDGET</i>	<i>Y-T-D EXPENSES</i>	<i>PERCENTAGE</i>
Wendell Boulevard Sidewalk Project	\$185,000	\$185,000	\$147,462	79.71%
ADA Local Road Compliance	\$20,000	\$20,000	\$0	0.00%
Leaf Collector Truck	\$195,000	\$195,000	\$190,390	97.64%
Pickup Truck Replacement (Public Works) [Amended]	\$28,000	\$0	\$0	0.00%
Dump Truck (Public Works) [Amended]	\$0	\$60,000	\$62,595	104.33%
Mowers (Public Works)	\$17,000	\$17,000	\$15,072	88.66%
Police Vehicle Replacement Program	\$171,000	\$171,000	\$170,043	99.44%
Technology Replacement Program	\$15,000	\$15,000	\$27,640	184.27%
Wendell Park Improvements	\$25,500	\$25,500	\$3,800	14.90%
Comprehensive Land Use Plan Update	\$60,000	\$60,000	\$17,665	29.44%
Town Hall Project [Amended]	\$0	\$500,000	\$16,954	3.39%
Downtown Parking and Event Space [Amended]	\$0	\$300,000	\$4,677	1.56%
TOTAL	\$716,500	\$1,548,500	\$656,298	42.38%



Administration

Item 4a

Performance Measures	Mar-20	Apr-20	May-20	Jun-20	Year-to-Date
Percentage of agendas/packets distributed Wednesday prior to meeting	100%	100%	100%	100%	92%
Percentage of minutes adopted without correction	N/A	N/A	100%	100%	100%
Percentage of minutes completed within four days following meeting	100%	N/A	0%	33%	74%
Average work hours per set of minutes	5	6	6	5	4.6
Percentage of Board documents indexed and distributed within two days following Board	100%	100%	100%	100%	100%
Percentage of nomination lists presented to the Board four weeks prior to expiration term	N/A	N/A	14%	50%	22%
Continue professional education and development to achieve clerk certification	In Progress	In Progress	In Progress	In Progress	In Progress
Develop a communication plan to market Wendell to external interests and increase communication for internal interests	Completed	Completed	Completed	Completed	Completed
Develop and/or share new social media content for each department at least every other two weeks at least 95% of the time	83%	83%	92%	83%	86%
Provide a weekly correspondence from management to the Commission at least 92% of the	88%	200%	100%	100%	233%
Maintain a turnover rate of employees leaving the organization under 12%	0%	2%	2%	2%	1%
Review and Update, as appropriate, at least 33% of the Town personnel policies	In Progress	In Progress	In Progress	In Progress	In Progress
Complete a compensation and classification study and update all job descriptions	In Progress	In Progress	Completed	Completed	Completed
Certificates and courses taken by staff	0	0	0	0	7

Work Units	Mar-20	Apr-20	May-20	Jun-20	Year-to-Date
Meetings attended	1	1	2	2	24
Minutes drafted	3	0	2	3	23
Agendas developed	1	1	2	2	24
Number of citizen advisory boards	6	6	6	6	6
Number of members serving on all citizen advisory boards	35	35	34	37	37
Number of members with terms expiring	15	15	14	11	11
Number of letters to members with expiring terms	0	0	14	8	8
Number of weekly correspondences	7	8	2	4	114
Number of social media posts developed and shared	5200	71	67	59	6011
Website numbers	5200	4400	4700	5662	63366
Social media numbers	178	85	79	129	1506
Total Social Media Posts - Administration	39	49	45	40	451
Total Social Media Posts - Finance	0	0	2	0	21
Total Social Media Posts - Planning	20	6	8	9	124
Total Social Media Posts - Police	3	7	2	2	102
Total Social Media Posts - Public Works	6	6	9	5	110
Total Social Media Posts - Parks and Recreation	3	3	1	6	48
Topic memos and correspondence to the Commission	8	8	13	9	147
Speaking engagements and civic organization participation	0	0	0	0	6
Number of employees	53	53	52	51	51
Leave days taken	74.3	75.2	67.8	51.7	942.7

Finance

Item 4a

Performance Measures	Mar-20	Apr-20	May-20	Jun-20	Year-to-Date
FY 2020 Budget Award	Awarded	Awarded	Awarded	Awarded	Awarded
FY 2019 CAFR	Submitted	Submitted	Submitted	Submitted	Submitted
Accounts Payable accuracy of 90%	93.33%	96.19%	96.43%	88.18%	92.97%
Payroll accuracy of 95%	100.00%	99.39%	100.00%	98.25%	99.44%
Legal compliance of \$30,000+ acquisitions of 100%	N/A	N/A	N/A	100.00%	100.00%
Certificates and courses taken by staff	2	0	0	2	5

Work Units	Mar-20	Apr-20	May-20	Jun-20	Year-to-Date
Accounts Payable volume	90	105	84	110	1294
Payrolls prepared and processed	126	165	110	114	1611
Number of \$30,000+ acquisitions made	0	0	0	3	5

Planning

Item 4a

Performance Measures	Mar-20	Apr-20	May-20	Jun-20	Year-to-Date
Update Comprehensive Plan - Establish core elements to be included	Completed	Completed	Completed	Completed	Completed
Update Comprehensive Plan - Identify and select preferred consultant to assist with update	Completed	Completed	Completed	Completed	Completed
Update Comprehensive Plan - Engage community in series of visioning workshops	Not Started	Not Started	Not Started	In Progress	In Progress
Update Comprehensive Plan - Adopt updated plan within 2 years	In Progress	In Progress	In Progress	In Progress	In Progress
Adoption of Town-Initiated Text Amendments - Establish annual schedule for Town-initiated text amendments	In Progress	Not Started	Not Started	Not Started	Not Started
Adoption of Town-Initiated Text Amendments - Adopt a minimum of 5 identified amendments	0	0	2	0	7
Adopt UDO amendments related to uses in the Downtown as identified through the NC Dept. of Commerce engagement meetings by the end of FY 2020 Q1	Not Started	Not Started	Not Started	Not Started	Not Started
Schedule building plan review and complete zoning review within 7 calendar days of submittal	50%	16%	17%	17%	50%
Residential trade permits ready to issue within 48 hours of submittal	71%	56%	33%	60%	57%
Commercial trade permits ready to issue within 7 calendar days of submittal	100%	0%	50%	75%	60%
Have a Planning Department representative in attendance for at least 75 percent of all Technical Coordinating Committee, Wake County Economic Development Partner, and Community Development Block Grant meetings	100%	100%	100%	100%	95%
Have a Planning Department representative present at all Complete Count Committee meetings	100%	100%	0%	100%	88%
Provide financial support for marketing efforts for Complete Count Committee	Yes	Yes	Yes	Yes	Yes
Have a Planning Department representative present at all quarterly update meetings hosted by Newland Communities	100%	100%	N/A	N/A	100%
Establish a downtown vacant property index for inclusion on the Town website by the end of FY 2020 Q1	Not Started	Not Started	Not Started	Not Started	Not Started
Adopt an updated economic development strategic plan by the end of FY 2020 Q2	Completed	Completed	Completed	Completed	Completed
Submit a RFP for an environmental and design study to be conducted for a proposed sidewalk project along Wendell Boulevard between Wendell Elementary and the Food Lion shopping center	Completed	Completed	In Progress	In Progress	In Progress
Select a project consultant and complete the design study by the end of FY 2020	Design Study In Progress	Design Study In Progress	Design Study In Progress	Design Study In Progress	Design Study In Progress
Bring a summarized report of Neighborhood Meeting requirements employed by comparable communities by the end of FY 2020 Q3	Not Started	In Progress	Not Started	Not Started	Not Started
Develop a list of procedural improvements for consideration and potential incorporation into Wendell's procedures by the end of FY 2020 Q3	Completed	Completed	Completed	Completed	Completed
Finalize a Wendell Development FAQ document for distribution by the end of FY 2020 Q2	Not Started	Not Started	0	Not Started	Not Started
Planning Director to attend the NC APA conference in Wilmington, NC (October 8-11)	Attended	Attended	Attended	Attended	Attended
Planner I to complete the 'Foundations in Planning and Development Regulations' course offered by the UNC School of Government (September 2019)	Attended	Attended	Attended	Attended	Attended
Planner I to complete the 'Zoning Practice' course offered by the UNC School of Government (October 2019)	Attended	Attended	Attended	Attended	Attended
Attendance by 1 staff member at the 2020 Main Street Conference (March 10-12)	Attended	Attended	Attended	Attended	Attended
Certificates and courses taken by staff	4	0	Yes	Attended	18

Work Units	Mar-20	Apr-20	May-20	Jun-20	Year-to-Date
New home permits issued	26	32	35	42	339
Residential trade permits issued	7	9	9	10	131
Commercial trade permits issued	1	1	4	4	20

Police

Item 4a

Performance Measures	Mar-20	Apr-20	May-20	Jun-20	Year-to-Date
Maintain a 90th percentile response time from time dispatched until on scene of 7 minutes	Yes	No	No	No	50%
Establish a core team tasked to investigate CALEA accreditation	In Progress	In Progress	In Progress	In Progress	In Progress
Guide the organization to meet CALEA standards within 3 years of signing CALEA contract	Not Started	Not Started	Not Started	In Progress	In Progress
Post at least one public awareness informational notice per week onto the approved social media/websites (Average posts per week)	0.75	0.40	0.00	0.00	1.2
Participate in a minimum of 12 community events per year which are focused on education, understanding, and partnering across the diverse greater Wendell Community	2	0	0	0	14
Submit a completed review of the Career Development Program to include any proposed changes for consideration by March 2020	Not Started	Not Started	Not Started	Not Started	Not Started
Establish a Community Engaged Policing training program guiding document that includes needs assessments, recommended training by position, and methods to adjust as needed to be published by January 2020	Not Started	Not Started	Not Started	Not Started	Not Started
Implement Community Engaged Policing training program by July 2020	Not Started	Not Started	Not Started	Not Started	Not Started
Attend a minimum of one criminal justice leadership/supervisory-based training by each manager/supervisor annually	0%	0%	0%	14%	100.0%
Establish a recruitment team tasked with development and implementation of a published recruitment plan, benchmarks, and a reporting process to determine effectiveness by November 2019	In Progress	In Progress	In Progress	In Progress	In Progress
Assign at least two officers per year to attend formal Crisis Intervention Training	0	0	0	0	0
Identify and provide public access to a Wake County relevant published resource referral guide to ensure persons in crisis can be directed to appropriate agencies that can best address their needs by December 2019	In Progress	In Progress	In Progress	Completed	Completed
Increase agency-initiated drug investigations by 25%	56%	60%	68%	69%	69%
Work Units	Mar-20	Apr-20	May-20	Jun-20	Year-to-Date
Call volume	304	225	264	253	4253
90th Percentile Response Time (In Minutes)	6.90	7.70	7.10	7.70	7.09

Public Works

Item 4a

Performance Measures	Mar-20	Apr-20	May-20	Jun-20	Year-to-Date
Provided weekly leaf/limb removal	Yes	Yes	Yes	Yes	100%
Completed leaf/limb route	100%	100%	100%	133%	98%
Provide monthly street clearing for all Town-maintained roads	Yes	No	Yes	Yes	67%
Provide downtown street clearing 2x month	100%	100%	100%	100%	100%
Code Enforcement requests answered within 2 business days	100%	100%	100%	100%	100%
Inspect all Town sidewalks for maintenance needs 2x per year	#1 Completed	#1 Completed	#1 In Progress	#1 In Progress	#1 In Progress
Establish a sidewalk maintenance and replacement plan by the end of FY 2020 Q2	In Progress	In Progress	In Progress	In Progress	In Progress
Complete a monthly street condition inspection 92% of the time	Yes	Yes	Yes	Yes	100%
Fill potholes within 1 week 92% of the time	100%	100%	100%	100%	100%
Acquire engineering services to prepare a street resurfacing priority list by the end of FY 2020 Q1	In Progress	In Progress	In Progress	In Progress	In Progress
Clean all stormwater catch basins annually 100% of the time	In Progress	Completed	In Progress	In Progress	In Progress
Complete monthly street light inspections 92% of the time	In Progress	In Progress	In Progress	In Progress	17%
Correct normal street light deficiencies within 3 weeks 92% of the time	100%	100%	100%	100%	100%
Complete monthly needs and safety inspections for all buildings and grounds	Yes	Yes	Yes	Yes	100%
Complete all Town construction projects on time	100%	100%	100%	100%	100%
Complete all Town construction projects within budget	100%	100%	100%	100%	100%
Conduct mowing, landscaping, and weekly maintenance 85% of the time (In Season)	100%	100%	100%	100%	93%
Conduct maintenance inspection for Town Square and streetscape 2x per year	#1 Completed	#1 Completed	#1 In Progress	#1 In Progress	#1 In Progress
Make needed Town Square/Streetscape repairs within 30 days 92% of the time	100%	100%	100%	100%	100%
Complete all vehicle and equipment service inspections weekly 98% of the time	Yes	Yes	Yes	Yes	100%
Conduct a maintenance inspection within 1 week following use for heavy equipment 100% of the time	Yes	Yes	Yes	Yes	100%
Maintain safety certifications for all employees, as applicable, 100% of the time	Yes	Yes	Yes	Yes	100%
Provide training opportunities for all employees related to safety, equipment uses, and customer service at least 92% of the time	Yes	Yes	Yes	Yes	100%
Certificates and courses taken by staff	0	0	16	2	53

Public Works

Item 4a

Work Units	Mar-20	Apr-20	May-20	Jun-20	Year-to-Date
Total yards of debris collected from leaf, limb, and street clearing	1095	1025	1175	912.5	13767.5
Number of code violations	102	72	85	54	846
Number of inspections for driveways, foundations, and final certificates of occupancy	81	94	97	105	1301
Total miles of Town sidewalk maintained	30	30	30	30	30
Total miles of Town streets maintained	28.38	28.38	28.38	33.28	33.28
Total linear feet of known stormwater pipes (public and private)					
Total number of public streetlights	863	863	863	863	863
Number of facilities maintained	5	5	5	5	5
Square feet of facilities maintained	45151	45151	45151	45151	45151
Work hours needed to complete the landscaping route	432	432	480	480	306.83
Total facility work orders	6	5	11	7	82
Total grounds work orders	15	68	3	10	154
Number of vehicles and equipment maintained	34	34	35	35	35
Total cost of vehicle maintenance	\$ 1,348.47	\$ 2,293.36	\$ 374.27	\$ 1,207.15	\$ 35,143.78
Total cost of equipment maintenance	\$ 298.03	\$ 455.41	\$ 292.15	\$ 82.45	\$ 24,872.02
Number of wrecks and incidents	1	2	0	0	5

Parks and Recreation

Item 4a

Performance Measures	Mar-20	Apr-20	May-20	Jun-20	Year-to-Date
Increase participation by 2%	-100%	-100%	-100%	-86%	-33.02%
Demonstrate that program offerings are inclusive and diverse	0	0	0	4	4.44
Complete checklists for facilities and equipment with appropriate actions taken at least 95% of the time	100%	100%	100%	100%	100%
Complete an evaluation of all special events to establish baseline town resource requirements	Completed	Completed	Completed	Completed	Completed
Increase rough attendance estimates for special events by 3%	-100%	-100%	-100%	-100%	-0.52%
Complete the Comprehensive Parks and Recreation Master Plan	Completed	Completed	Completed	Completed	Completed
Identify initial implementation steps for inclusion in future budgets	Yes	Yes	Yes	Yes	Yes
Certificates and courses taken by staff	21	0	0	0	24

Work Units	Mar-20	Apr-20	May-20	Jun-20	Year-to-Date
Total program registrations	1	1	1	143	7900
Total number of programs	13	13	13	9	140
Total facility and equipment inspections performed	62	62	62	62	732
Number of events managed	0	0	0	0	7
Attendance estimates for events	0	0	0	0	7297
Number of community/social media posts	21	10	10	19	243

2019-2020 Town of Wendell Strategic Plan

March 9, 2020 Update

GOAL 1: Downtown Vibrancy, Economic Growth, and Community Character

Initiative	Update	Status	Date	Assigned
Management in Progress				
1. Downtown Engagement Session by NCDOC	Session conducted by NCDOC in Spring 2019	Complete	7/1/2019	Planning
2. Administer NCDOC Grant for Downtown	Meet on Main group established. Façade grant awarded for 1 N Main project and work completed. NCDOC closeout letter received 4/27/2020.	Complete	7/21/2020	Planning
3. Downtown parking evaluation/acquisition	Design-Build RFP awarded and agreement signed. Mural artist contracts approved, Appearance Commission 7/22/20 and Board approval 7/27/20. Mural in week 1 of August. Survey/design complete. Construction in process. Completion schedule is August 2020.	In-Progress	7/21/2020	Management / Planning
4. Wendell Water/Sewer Main CORPUD Project	CORPUD completed utility replacement and resurfacing in June 2020.	Complete	7/21/2020	Public Works
5. NCDOT Third Street milling and resurfacing	NCDOT contractor started project 9/16. Resurfacing complete. Striping done.	Complete	11/23/2019	Public Works
6. TAP Sidewalk Accessibility Projects	NCDOT contractor to start in FY 2020 on identified intersections. DOT funding issues have delayed project. Will provide update when received.	On-Hold	3/3/2020	Planning / Public Works / Mgt.
7. Downtown Streetlight Evaluation and Options	Staff evaluating condition and options for future CIP project. Project to be considered in 5-year CIP. Policy review in process for Board presentation late summer 2020.	In-Progress	3/3/2020	Public Works
8. NCDOC Facilitated Economic Development Assessment	NCDOC completed the Economic Development Assessment and presented to the BOC in June 2019.	Complete	7/1/2019	Planning
9. Review Economic Development Plans, Strategies, and Programs	Economic Development Consultant completed review, staff prepared draft plan, ED Committee recommended, and Board adoption of plan at 1/27/2020. Staff moved to existing business retention program and site development.	Complete	7/21/2020	Management / Planning
10. TJCOG Brownfield Coalition Grant Submission	No brownfield grants were awarded in NC in 2019. TJCOG for regional coalition grant submitted in 12/2019 with 3 Town sites identified. Presentation of grant and program to Board at 1/13/2020 meeting.	Complete	1/13/2020	Management / Planning
Strategic Initiatives				
1. Implementation Plan for NCDOC Downtown Engagement Session	Economic Development Assessment completed with action plan. Implementation update provided to BOC at 1/13/20 Commission meeting as part of the updated economic development strategic plan.	Complete	1/27/2020	Management / Planning
2. Evaluate Downtown Grants and Update	Façade grant program update approved by BOC 8/12/2019.	Complete	8/12/2019	Planning
3. Revise Downtown zoning use table	Process will be incorporated into Comprehensive Plan update and UDO amendment. Planning RFQ for consultants in-process.	In-Progress	1/20/2020	Planning
4. Review Special Events Practices and Schedule	Meet with partner organizations with staff in advance of events and update for sustainable practices and locations. Review completed.	Complete	11/23/2019	Management
5. Develop a Special Events Policy and Process	Current policies and forms collected from departments. Draft guide and policy drafted. Present to Board at 1/27/2020 meeting.	Complete	3/9/2020	Management
6. Evaluate Wendell Elementary Property	Project to be included into the Comprehensive Land Use Plan update process to start in spring 2020. Planning RFQ for consultants in-process.	In-Progress	1/20/2020	Planning
7. Downtown Infill Opportunities Identification	Project to be included into the Comprehensive Land Use Plan update process to start in spring 2020. Planning RFQ for consultants in-process.	In-Progress	1/20/2020	Planning
8. Update Economic Development Strategic Plan	Economic Development consultant evaluated current practices and properties. Planning staff completed draft plan. Presentation 1/13/2020 and adoption by BOC at 1/27/2020 meeting.	Complete	3/9/2020	Management / Planning

9. Establish an Economic Development Program	Economic Development consultant acquired part-time. The consultant will work with the Manager on further program development in FY 2020.	Complete	7/1/2019	Management
10. Develop Marketing Material for Economic Development	Project will formally start after economic development program and practices are further developed. Initial steps of updating demographic data completed in spring 2019. Program updates for websites initiated and in-progress.	In-Progress	9/13/2019	Planning
11. Wendell Falls Corridor Action Plan Development	NCDOT held stakeholder meeting for corridor in spring 2019. Staff assessed development impediments with CAMPO, NCDOT, CORPUD, development community, and property owners. Transportation plan amended 8/12/2019 by BOC. Land Use will be updated in the Comprehensive Land Use Plan process starting Spring 2020.	In-Progress	1/20/2020	Planning
12. Broadband Policy and Action Plan	Not started or scheduled at this time. Waiting on IT consultant selection. Likely to schedule evaluation in spring 2020 for future consideration.	On-Hold	9/9/2019	Management / IT / Planning
13. Facilitate Health Industry Development	Economic development consultant met with Newland, WEDP, and staff in August 2019. Wake Med announced acquisition of land in Wendell Falls. Development details and timing TBD.	In-Progress	9/9/2019	Management / Planning
14. Comparative Growth Analysis	Assistant to the Manager collecting data points from comparative places.	In-Progress	1/20/2020	Management
15. Growth Boundaries with Archer Lodge and Rolesville	Project to be included into the Comprehensive Land Use Plan update process to start in spring 2020. Meeting with County staff regarding areas between Towns in December as part of PlanWake process. Draft County map prepared. Anticipate County action by early 2021	In - Progress	7/21/2020	Planning
16. Small Area Plan for Downtown Connections to Interstate	Project to be included into the Comprehensive Land Use Plan update process to start in spring 2020.	In-Progress	9/9/2019	Planning
17. Comprehensive Land Use Plan Update	Funded to start in spring FY 2020 and be completed in FY 2021. Planning consultants selected. Public website created and survey open. Data collection and analysis underway. Next step is steering committee.	In-Progress	7/21/2020	Planning
Goal 2: Public Safety and Neighborhood Improvement				
Initiative	Update	Status	Date	Assigned
<u>Management in Progress</u>				
1. Increase Police involvement in Community Events	Maintained existing effort. Activity will be reported in monthly Police Report started in August 2019. Initiative is ongoing service level.	Complete	8/26/2018	Police
2. Comparative analysis of neighborhood improvement programs	Planning and Assistant to Manager conducted comparative analysis and project scoping. Draft program presented to Board at 1/13/2020 meeting.	Complete	1/13/2020	Management
3. Temporary Sign Provision Review	Manager reviewing policy for report to Commission. On hold for staffing.	On-hold	7/21/2020	Management
4. Use of Force Policy Review and Update	Department committee doing comparative analysis from CALEA accredited agencies. Project scheduled for completion in spring 2021 and further review and policy amendment during CALEA process.	In-Progress	7/21/2020	Police
<u>Strategic Initiatives</u>				
1. CALEA Accreditation Action Plan	Action plan established and reported to the BOC in spring 2019. Accreditation is a 3 year process. Funding provided in FY 2020 budget to initiate the process. Records & Training Administrator hired 7/2020 to manage the process with a department team. Implementation will be reported in monthly police report. Final goal is achieving accreditation.	Complete	7/21/2020	Police
2. Community Engaged Policing Methods and Training	Project start anticipated Fall 2019. Assistant to Manager will work with Police Department on comparative analysis and program development in 2020.	On-Hold	9/9/2019	Police / Management

3. Officer Health and Safety Initiative	Management met with Police staff in spring 2019. FY 2020 budget funded EAP and wellness program reimbursement for officers. In addition funding was increased for equipment, training, uniforms, and supplies to improve officer conditions. Effort will be evaluated annually during the budget process to continue improvement as resources allow.	Complete	7/1/2019	Police
4. Pedestrian Safety Near School Sites	Wendell Boulevard Sidewalk Project design approved in FY 2020 budget. LAPP grant will be prepared by design consultant in fall 2019. Design complete prior to construction start in fall / winter 2020. LAPP application submitted 10/19. Technical Committee recommended funding project to CAMPO Board.	In-Process	1/20/2020	Planning
5. Parking Enforcement Review	Staff evaluated HOA parking requirements at Wendell Falls and Town ordinances related to parking in Spring 2019. Parking ordinance amendments adopted by Board.	Complete	7/21/2020	Police / Management
6. Crisis Intervention Training Expansion	Goal to train 2 officers per year pending Wake Tech course availability. Covid-19 causing rescheduling and cancellations of trainings.	On-Hold	7/21/2020	Police
7. Opioid Issue Awareness and Partnerships	Department is researching new community resources for inclusion on website. Project is ongoing in nature.	In-Process	7/22/2019	Police
8. Neighborhood Clean-Up Day Pilot	Assistant to Manager conducting comparative analysis, seeking resources, and developing project scope. Pilot project goal set for spring 2020 on hold due to Covid-19	On-Hold	7/21/2020	Management
9. Housing Diversity and Neighborhood Improvements	Town hosted Wake County housing public comment session in November 2019. Staff with meeting County staff in January 2020 to coordinate efforts. Staff submitted CDBG funding request to County in 12/20 to implement draft Neighborhood Improvement Program presented to Board 1/13/2019. Improvements to be implemented in FY 2021.	Complete	1/13/2020	Planning

Goal 3: Infrastructure, Transportation, and the Environment

Initiative	Update	Status	Date	Assigned
<u>Management In-Progress</u>				
1. CORPUD Merger Evaluation	Completed FY19 evaluation for Merger. CORPUD presented to BOC in spring 2019. Policy direction to maintain capacity allocation at this time. Staff evaluating FY21 merger during budget process in spring 2020.	Complete	1/20/2020	Management / Planning / Finance
2. Infrastructure Rate Comparison	Comparative rates were researched and included in the FY20 Budet.	Complete	7/1/2019	Management / Finance
3. Stormwater Program Compliance	Town Engineer completed the multi-year stormwater mapping project in November 2019. Engineer reviewed maps and assist with developing compliant program prior to DEP audit in 2022. Task order for engineer drafted in December 2019 and in-process. Program gap analysis presented to Board June 2020. PW is in process of hiring stormwater program manager. Project will move to implementation of findings in FY21 and FY22 prior to audit.	Complete	7/21/2020	Public Works
4. Street Repaving Program Implementation	Program funding and description included in CIP. Engineer to evaluate streets for resurfacing priority and needs for capital budgeting. Task order completed in January 2020. Draft street evaluation received from engineer July 2020. Presentation of findings to Board in Fall 2020 for inclusion in future CIP.	Complete	7/21/2020	Management / Public Works
5. NCDOT Old Battle Bridge Replacement	Waiting on NCDOT to initiate project. Public Works inspects area to ensure barriers remain intact and notifies NCDOT if issues. Current schedule is completion in 2022 due to recent funding issues.	On-Hold	3/9/2020	Public Works
6. Martin Crossing Improvements (U-5323)	Planning met with CAMPO and NCDOT regarding next steps. Engineering evaluation of options needed. Report will be provided summer 2020 to BOC.	In-Process	7/21/2020	Planning

7. Sidewalk Maintenance and Extension Program	Funding added in FY 2020 Budget and CIP for Pedestrian Plan implementation efforts. Recurring funding program established.	Complete	7/1/2019	Management / Planning / Public Works
8. Wendell Boulevard Sidewalk Project Design	Funding added in FY 2020 Budget for design. Design firm selection completed. Kimley-Horn prepared project for initial LAPP grant approved by CAMPO. Final submission submitted in October. Design work in -progress by consultant to be completed Fall 2020. NCDOT drainage issue being scoped and added to project.	In-Process	7/21/2020	Planning
<u>Strategic Initiatives</u>				
1. Infrastructure Plan for CIP	Requires analysis by Economic Development and Engineer. On hold for engineering services contract. Project scheduled with FY 21 CIP process in spring 2020. Covid-19 delayed project. Will work in FY22 after Merger.	On-Hold	7/21/2020	Management / Planning
2. Evaluate the Water Allocation Policy	Planning and Management reviewing current policy. Delayed due to staff change and Covid-19. Presentation to BOC in Fall 2020.	In-Process	7/21/2020	Management / Planning
3. Stormwater Program Analysis	Public Works works with Wake County, TJCOG, and DENR for permit compliance. Staff will worked with engineering consultant to present the gap analysis in spring 2020. DEP audit scheduled for 2022.	Complete	7/21/2020	Public Works
4. Transportation Plan Review	Planning staff completed a review of the Transportation Plan. UDO amendments to Planning Board in June 2019 and BOC adopted 8/12/ 2019.	Complete	8/12/2019	Planning
5. Prioritize Intersection Improvements	Waiting for engineering services selection to be completed. Project delayed due to Covid-19 time constraints. Will evaluate in next strategic plan.	On-Hold	7/21/2020	Public Works and Planning
6. CAMPO Eligible Projects List for Future Funding	Planning to evaluate Transportation Plan and Pedestrian Plan with engineer, CAMPO, and DOT and provide report in winter 2020/2021. Delayed due to Covid-19 and staff turnover.	In-Process	7/21/2020	Planning
7. Facility and Lands Prioritization	Staff worked with Cumming on Town Hall project for presentation to BOC in July 2019. Recreation needs completed master plan in fall 2019. Additional facility and land needs will be evaluated in the CIP process for FY22	In-Process	7/21/2020	Management / Public Works / Planning
8. Wendell Boulevard Sidewalk Project to CAMPO	Engineer firm selection in July 2019 to prepare CAMPO grant submission for LAPP funds for project. Submitted to CAMPO in 10/2019.	Complete	10/23/2019	Planning
9. Evaluate Additional Transit Stops	Project assigned to Assitant Planning Director to develop project schedule and scope. Some portions will be in the Comprehensive Plan. Met with Transit staff to discuss project planning in November 2019. Requested additional stops and service in the Regional Transit Plan process. Staff will continue effort with regional transit and neighboring Towns in next strategic plan.	Complete	7/22/2020	Planning
10. Solid Waste Service Level and Contract Review	Solid waste contract expires in June 2020. Staff negotiated new 5-year contract that adds customer service and yard waste. Board approved in May 2020.	Complete	7/21/2020	Public Works / Finance
Goal 4: Parks, Recreation, Special Events, and Culture				
Initiative	Update	Status	Date	Assigned
<u>Management in Process</u>				
1. Initiate Parks and Recreation Master Plan	BOC awarded bid to McGill to complete plan. Plan is in process and is scheduled for completion in early fall 2019.	Complete	7/1/2019	Parks & Recreation
2. Shade Structure Installation at Park	Shade structures installed late spring 2019.	Complete	7/1/2019	Parks & Recreation
3. Parks Mainenance Plan	Parks Maintenance position added in FY 2020 budget.	Complete	7/1/2019	Management and Parks & Recreation
4. Meet on Main Special Event Planning	Initial event planned and held on 9/20.	Complete	9/20/2019	Mgt/PD/PW/P&R
5. WHS Lease of 122 Second Street for Museum	Lease completed in spring 2019.	Complete	7/1/2019	Management

6. Update Athletic Program Offerings	FY 2020 fee schedule includes new programs for kickball, soccer, and wiffleball	Complete	7/1/2019	Parks & Recreation
Strategic Initiatives				
1. Plan for Implementation of Master Plan	Master plan adopted and initiatives included in FY21 CIP and will continue to be evaluated in future budget years.	Complete	1/20/2020	Management and Parks & Recreation
2. Evaluate UDO Fee in Lieu for Parks	Planning Director began a comparative analysis after P&R Master Plan adopted. On hold for Covid and staff transition. Expected report in Fall 2020.	On-Hold	7/21/2020	Planning
3. Plan for Acquisition of New Park	Staff is evaluating opportunities for acquisition of park sites as recommended by the adopted Master Plan. Neighborhood park acquisitions negotiated for Rolesville Road and Hollybrook Road. Project ongoing.	In-Process	7/21/2020	Management and Parks & Recreation
4. Update the Wendell Park Plan	Recommendations for improvements in adopted master plan.	Complete	1/20/2020	Parks & Recreation
5. Greenway Plan to Connect Downtown to Wendell Falls	Planning working with developers to incorporate trail into design. First phase connecting Downtown to Buffalo	In-Process	1/20/2020	Planning
6. Main Street Extension as Greenway Connector to Downtown rather than a Street for Vehicles	Project conceived drafted and submitted to Wake County for grant funding in FY 2021.	Complete	1/20/2020	Planning
7. Evaluate Special Events to Increase Impact	Staff meets with event organizers to evaluate opportunities to improve events and ensure that locations provide opportunity for growth. Layout for Downtown events modified to include Main Street for existing events. New events added for Meet on Main and Farmers Market.	Complete	11/23/2019	Management and Parks & Recreation
8. Wendell Branch or Regional Library Site	Staff met with Library leadership in spring 2019. Staff will monitor and participate in the Library master plan update and prepare for a potential future bond offering. Project assigned to Assistant Planning Director to monitor Library master plan process in FY 21 or FY 22 (next strategic plan).	Complete	7/21/2020	Planning
9. Incorporate Sports Tourism and Marketing into Events and Recreation Program Offerings	Staff met with Visit Raleigh staff regarding implementation of the tourism plan. Staff attended a hotel development meeting and partnered with Newland to develop a marketing piece in the visitors' guide. Visit Raleigh actively promoting Town events (multiple posts for Wendell Wonderland).	Complete	11/23/2019	Management and Parks & Recreation

Goal 5: Organization Culture and Communication

Initiative	Update	Status	Date	Assigned
Management in Process				
1. Fiscally conservative budget approach for tax and utility rates in developing FY 2020 Budget.	No rate increases were proposed for the FY 2020 Budget for property tax or utility rates.	Complete	7/1/2019	Management and Finance
2. Establish a Capital Improvement Plan	Capital Improvement Plan established and adopted in FY 2020 Budget.	Complete	7/1/2019	Management and Finance
3. Enhance the FY 2020 Budget document for transparency and detail connecting department expenses to policy	Significant enhancements provided to the budget document for FY 2020. Adopted Strategic Plan with BOC priorities incorporated with section linking budget expenses to strategic plan.	Complete	7/1/2019	Management and Finance
4. Staffing Needs Analysis	A 10-year staffing needs analysis was included in the FY 2020 Budget.	Complete	7/1/2019	Management and Finance
5. Establish performance goals in budget	Performance management goals included for each department in FY 2020	Complete	7/1/2019	Management and Finance
6. IT Program Analysis	Joint RFP for IT services issued in partnership with Rolesville. Vendor selected at 9/23 Board meeting. Consultant to conduct 2-month evaluation of system and needs for CIP starting in December 2019. Onboarding in process and implementing immediate needs for server and system replacement.	Complete	7/21/2020	Management and Finance
7. Update regular communications to reflect performance and strategic goals	Finance developing draft reports. Content reported at 7/22/19 BOC meeting. First updated reports to be provided at 8/26/19 BOC meeting.	Complete	8/26/2019	Management and Finance

Strategic Initiatives:				
1. GFOA recognition for Audit and Budget	GFOA recognition for audit received in spring 2019. Budget submitted for first time on 8/23/2019 to GFOA. Response expected in several months.	Complete	8/23/2019	Management and Finance
2. Strategic Plan Quarterly Updates	Updates incorporated into monthly reports starting July 2019	Complete	8/26/2019	Management
3. Customer Service Policy Review with Departments	Project not started yet. Project design to start spring 2020 but delayed due to Covid-19. Will evaluate advancing later in FY 2021.	On-Hold	7/21/2020	Management
4. Online Agenda Packets with Background Materials	Waiting on IT consultant selection to work with Clerk on software. Project delayed due to Covid-19 and more immediate IT needs.	On-Hold	7/21/2020	Management
5. Communication Plan	EWTN communication contract staff started July 2019. Project was coordinated with Rolesville. Comparative analysis and initial draft plan complete. Staff presented to Board in November 2019. Implement in 2020.	Complete	1/20/2020	Management
6. Biannual Retreats and Biennial Strategic Planning Process	Retreats in process and strategic plan adopted in 2019. Staff will work with BOC at Winter retreat to establish the Strategic Planning process. Process developed will be implemented in FY 2020 to cover the next 2-year period.	Complete	3/9/2020	Management
7. ADA Compliance	Management is evaluating current requirements and will name an ADA Coordinator in 2020. The organization will work to develop a Transition plan over the next 3-years. Funding included in FY2021 for Transition Plan. HR Administrator to coordinate RFQ for plan consultant in Fall 2020.	In-Process	7/21/2020	Management
8. Charter and Procedural Review with Commission	Reviewed at January Board Retreat.	Complete	3/9/2020	Management
9. Human Resources Policy and Program Review	Employee Committee role updated, employee recognition program updated, bereavement policy updated, insurance selection completed with budget, EAP program included in insurance with Budget, training funding increased, and compensation and classification study started 9/3 and findings to be presented to Board in 2/2020 for inclusion in Budget. Board authorized HR Administrator position and position filled in Spring 2020. Policies for Covid-19 and update for FMLA compliance completed. Online application process in-process. Ongoing project, but initial needs identified and implemented.	Complete	7/21/2020	Management

Item Title:

Public Hearing on a non-contiguous annexation for 4 parcels totaling 151.81 acres [12.28 for PIN #1765-85-2510, 50.16 for PIN #1765-96-2276, 57.16 for PIN #1765-85-6251 and 32.21 for PIN #1775-04-2139] located at 4501 Rolesville Road, 0 Davistown Road, 1401 Davistown Road and 6021 Yancey Drive.

Report to the Board of Commissioners:

July 27, 2020
June 22, 2020
February 10, 2020
January 13, 2020
November 12, 2019

Specific Action Requested:

Hold a public hearing and consider approval of the ordinance for the annexation petition for 4 parcels totaling 151.81 acres located at 4501 Rolesville Road, 0 Davistown Road, 1401 Davistown Road and 6021 Yancey Drive.

Item Summary:

Chris Rurkowski had originally submitted an annexation request for 3 non-contiguous parcels totaling 119.6 acres [12.28- PIN #1765-85-2510, 50.16- PIN #1765-96-2276 and 57.16- PIN #1765-85-6251] located at 4501 Rolesville Rd, 0 Davistown Road and 1401 Davistown Road, respectively. In order to satisfy the 3-mile requirement for satellite annexation, another parcel totaling 32.21 acres [PIN #1775-04-2139] located at 6021 Yancey Drive has been added to the annexation request. All these parcels are located in Wake County and are currently in the Residential-40 (R-40) Zoning District.

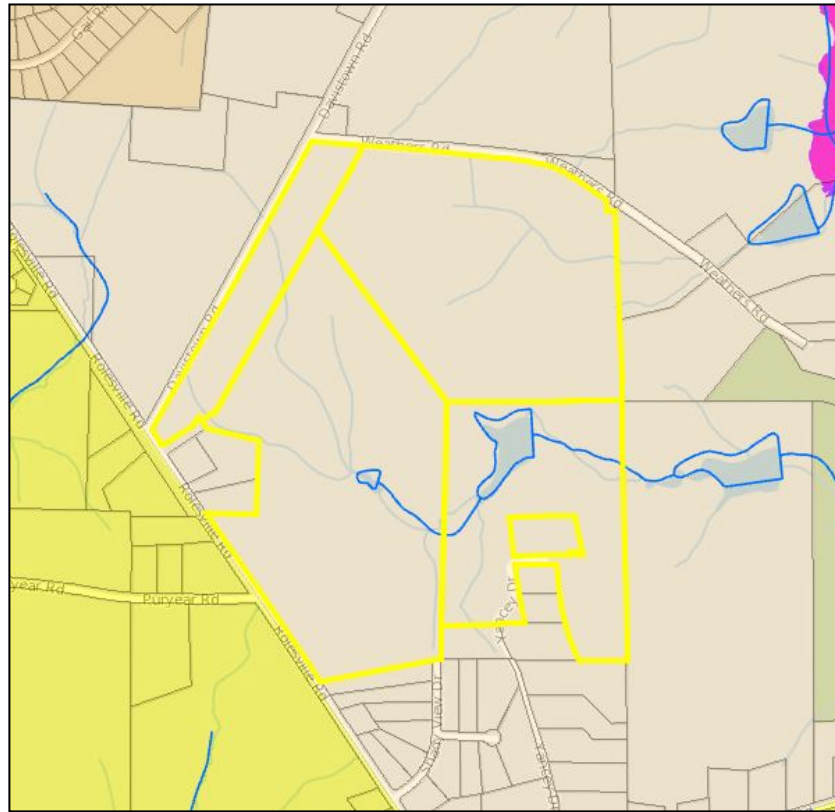
Zoning District:

The properties are located within the Wake County R-40 zoning district. 129.59 acres are contained within a R4 Conditional District request. The remaining acreage has been requested to be rezoned Rural Agricultural (RA).

Police & Public Works & Utility Service:

The proposed annexation area would require services from the Town's Police and Public Works departments if annexed. The closest service area for the Police is at Kioti Drive to the south. The closest residential area served by Public Works is Edgemont Landings and the recently approved Anderson Farm subdivision.

Location Map:



Staff Recommendation:

Staff recommends approval of the request

Attachments:

- ### A. Ordinance for Adoption

Return Address: Bryan Coates, Assistant Planning Director
Town of Wendell
15 E. Fourth Street
Wendell, NC 27591

A19-04

ORDINANCE NO. 0-22-2020
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE TOWN OF WENDELL, NORTH CAROLINA

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

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

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at the Wendell Courtroom at 7:00 p.m. on the 27th day of July, 2020, after due notice by publication on the 16th day of July, 2020.

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

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

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

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

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

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the properties identified by PIN #s 1765852510, 1765962276, 1765856251 and 1775042139, also shown as the 12.28, 50.16, 57.16 and 32.21 acre tracts located at 4501 Rolesville Road, 0 Davistown Road, 1401 Davistown Road and 6021 Yancey Drive on the below identified survey plat are hereby annexed and made part of the Town of Wendell, North Carolina, as of the date of adoption of this Ordinance on August 10, 2020. The survey plat that describes the annexed territory is that certain survey plat entitled "Annexation Plat, Satellite Extension of Corporate Limits of the Town of Wendell" and recorded in Book of Maps Book Number _____, Page Number _____, Wake County Registry.

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

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

Duly adopted the 10th day of August 2020.

(Town Seal)

Virginia R. Gray, Mayor

ATTEST:

APPROVED AS TO FORM:

Megan Howard, Town Clerk

James P. Cauley III, Town Attorney

Page 2

STATE OF NORTH CAROLINA
COUNTY OF WAKE

CLERK'S CERTIFICATION

I, **MEGAN HOWARD**, Town Clerk of the Town of Wendell, North Carolina, do hereby certify that the attached is original ordinance **#0-22-2020**, as adopted by the Wendell Board of Commissioners on the 10th day of August, 2020

for properties owned by **Amy Weathers Nuttall, John J Nuttall III, Eva Weathers Herring and George Stancil Yancey**, and is approved for recording in the Wake County Register of Deeds.

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

[TOWN SEAL]

Megan Howard, Town Clerk

Item Title:

Public Hearing on an R-4 Conditional District request for properties located at 4501 Rolesville Rd, 0 Davistown Road, 1401 Davistown Road and 6021 Yancey Drive.

Report to the Board of Commissioners:

- Monday, July 27, 2020
- Monday, February 10, 2020

Report to the Planning Board:

- Monday, May 18, 2020 (Single Family Only)
- Monday, November 18, 2019 (Expanded Boundary & Revised)
- Monday, August 19, 2019
- Monday, July 15, 2019
- Monday, May 20, 2019 (Introduction – No Action)

Specific Action Requested:

Holds a public hearing on the proposed R4 Conditional District request and consider adopting the attached ordinance to rezone the described area subject to conditions and in conformance with the associated Master Plan.

Applicant:

Chris Rurkowski of TMTLA Associates

Petition:

Due to the determination that a condition of a conditional district cannot allow a use that is not permitted in the base zoning district in some fashion, and since the R4 district does not allow townhomes, the applicant decided to revise the project to remove all townhomes and add single family homes in their place (rather than reclassify their conditional district request to R7).

The applicant has requested to create a R4 conditional district for approximately 129.59 acres of property within the parcels identified by PIN #1765852510, PIN #1765962276, PIN #1765856251 and PIN #1775042139. The proposed conditional district consists of 324 single family homes with associated open space, amenities, and infrastructure.

Item Summary:

The applicant's proposed conditional district has single-family homes, with an overall density of 2.50 dwellings units per acre. The 2.50 DUA figure only includes 10 acres of the 32-acre Yancey property within the Conditional District. The 2.50 DUA figure does not account for an additional 22 acres of open space within the Yancey property, which is now offered to the Town in its entirety

as public open space. The remainder of the Yancey Property would be rezoned to Residential Agricultural (RA) at a subsequent meeting if the Conditional District is approved.

This project is located just northwest of East Wake High School, along Rolesville Road.

The applicant has made the following amendments in response to comments received from the Planning Board, Town Board and broader community:

1. Total unit count was reduced initially to 324 (originally 427 and later 374) and the overall density decreased from 2.88 to 2.50 DUA.
2. Developer changed from Starlight Homes to Ashton Woods.
3. Townhomes were removed from the proposal, single family homes are only permitted use.
4. The developer is dedicating approximately 32 acres to the Town for a future Town park.
5. The developer increased the number of conditions from 11 to 24, with only 1 condition considered a concession.
 - a. These conditions include several architectural design standards, schedules for installation of amenities, and increased landscaping.

Amenities include a clubhouse, a 6-lane Jr. Olympic pool, picnic and grill area, dog park, a small playground, a 9-hole disc golf course, and 32 acres within the Yancey Property offered to the Town as dedicated parkland.

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

Based on comments received at the Planning Board Introduction meeting, the applicant voluntarily conducted a Neighborhood Meeting with adjacent property owners.

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 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.

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 the UDO which would otherwise apply to the development site. The Planning Board may recommend, and the Board of Commissioners may attach reasonable and appropriate conditions including, but not limited to, the location, nature, hours of operation, and extent of the proposed use(s). Conditions and site-specific standards shall be limited to those that address conformance of

the development and use of the site to 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:

This property is currently located outside in Wake County’s jurisdiction and is zoned Residential-40 (R-40). Annexation must be approved by the Wendell Board of Commissioners for the conditional district to take effect.

Project Profile:

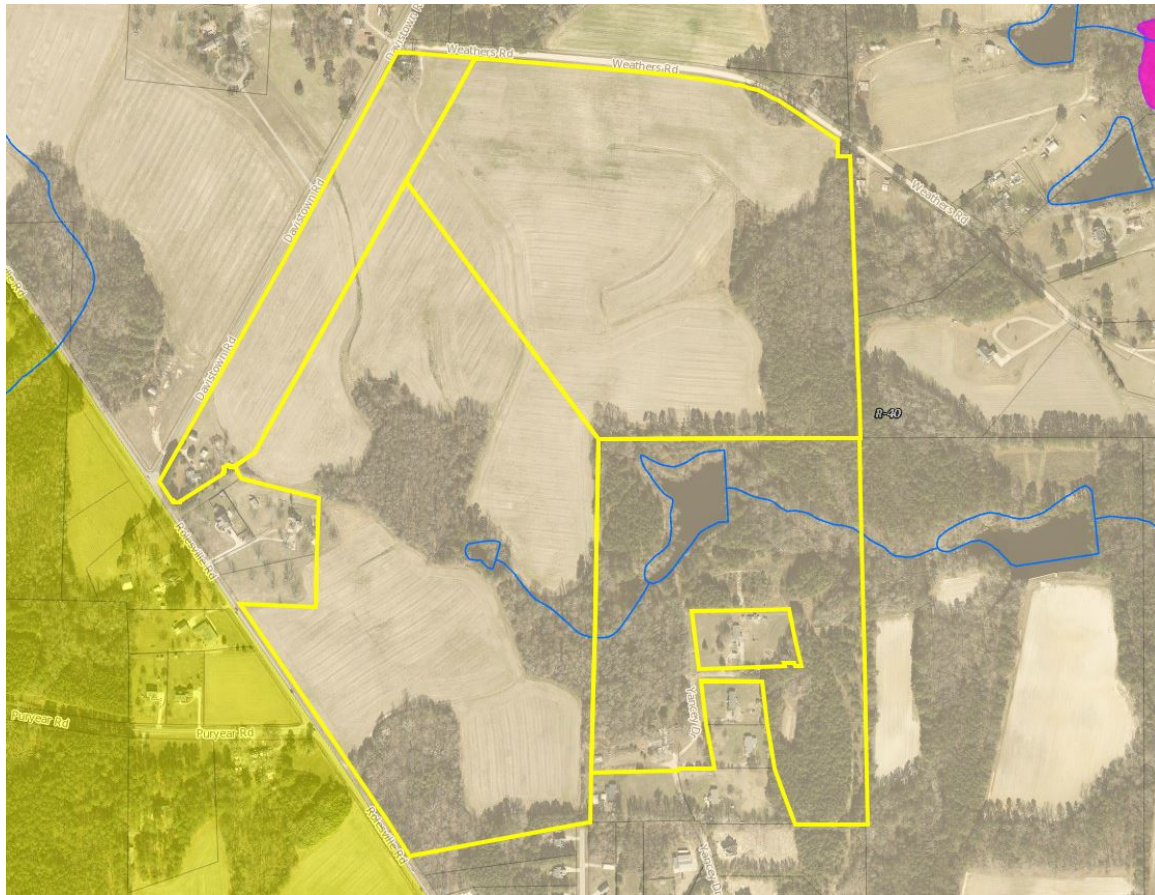
PROPERTY LOCATIONS:	4501 Rolesville Rd, 0 Davistown Rd, 1401 Davistown Rd and 6021 Yancey Drive (portion)
WAKE COUNTY PINS:	1765852510, 1765962276, 1765856251, & 1775042139 (portion)
CURRENT ZONING DISTRICT:	Wake County R-40
CROSS REFERENCES:	N/A
PROPERTY OWNERS:	Amy Weathers Nuttall & John J Nuttall III 4501 Rolesville Rd Wendell, NC 27591
	Eva Weathers Herring 1800 Eastwood Rd, Apt 219 Wilmington, NC 28403
	George Yancey 3632 Willow Bluff Drive Raleigh, NC 27604
APPLICANT:	Chris Rurkowski 5011 Southpark Dr, Ste 200 Durham, NC 27713
PROPERTY SIZE:	129.59 acres
CURRENT LAND USE:	Vacant
PROPOSED LAND USE:	Residential

Project Setting – Surrounding Districts and Land uses:

<u>DIRECTION</u>	<u>LANDUSE</u>	<u>ZONING</u>
North	Residential/Agricultural	R-40
South	Residential/Agricultural	R-30/R-40
East	Residential/Agricultural	R-40
West	Residential/Agricultural	R-30

The area along Rolesville Road is within the Town of Wendell’s urban services area. It was designated Long Range Urban Services by Wake County in 2000. Long Range Urban Services Areas are expected to be urbanized beyond 10 years. Municipal utilities are nearby at East Wake High School.

Current Zoning Map:



Proposed Conditional District Conditions:

The applicant is proposing 24 conditions for the proposed CD, as detailed below. Only 1 of the 24 conditions represent concessions. The remaining 23 conditions are clarifications or represent improvements beyond what the UDO requires. Conditions added following the last Planning Board action meeting are underlined.

1. **[Clarification]** R4-CD Zoning Conditions: The maximum number of units allowed shall be 339 units
 - **Staff Note:** This is to allow for flexibility during the construction document phase to allow for a maximum of 339 (The master plan shows 324).
2. **[Improvement]** The developer shall preserve a minimum of 35 acres as open space. The development shall exceed all open space requirements as prescribed in Chapter 7 of the Unified Development Ordinance (UDO).
3. **[Improvement]** The developer shall dedicate approximately 32 contiguous acres of land (PIN 1775042139) to the Town for a future Town park prior to the recording of the plat for Phase 1. This dedication brings the total open space and dedicated land to approximately 65 acres. This dedication will include a minimum of 2 access points to public streets.
4. **[Improvement]** The use of vinyl siding shall be prohibited. Trim Elements such as windows, eaves, fascia, columns, and soffits may be vinyl or aluminum.
5. **[Improvement]** All units shall be designed to provide for a combination of at least two of the following materials on the front/primary façade facing the public street or open space:

- cultured stone, brick, lap siding, shakes, or board and batten, unless the front elevation is entirely brick or cultured stone.
6. **[Improvement]** Roof eaves shall have a minimum 10" overhang.
 7. **[Improvement]** Front-loaded garage doors shall either contain windows or carriage style adornments.
 8. **[Improvement]** All residential lots shall have Bermuda sod on the front, sides, and up to 25' beyond the rear line of the primary structure.
 9. **[Clarification]** The neighborhood shall be governed by a Homeowner's Association (HOA) that shall maintain all open space that has been dedicated to the HOA.
 10. **[Clarification]** The HOA shall be guided by a Declaration of Covenants, Conditions, and Restrictions.
 11. **[Clarification]** Architectural Guidelines shall be included in the HOA documents that restrict and monitor landscaping, additions, outbuildings, fences, parking, and maintenance.
 12. **[Improvement]** The developer shall complete the amenity area to include a 6 lane Jr. Olympic pool, poolhouse, bathrooms, covered seating area, and grilling area prior to the issuance of the 75th CO of Phase 1.
 13. **[Improvement]** The developer shall construct a playground to include a central play structure and benches prior to the issuance of the 75th CO of Phase 1.
 14. **[Improvement]** The developer shall complete the dog park to include a fenced mulch area, benches, and water station prior to the issuance of the 25th CO of Phase 2.
 15. **[Improvement]** The developer shall complete a gravel walking trail connecting the dog park area and Phase 2 to the amenity center and Phase 1 prior to the 25th CO of Phase 2.
 16. **[Improvement]** The developer shall construct an approximately 200 yard by 30 yard common green area to include a seating area, gazebo, walkway, and plantings in the median area of Avenue 'I' prior to the issuance of the 25th CO of Phase 3.
 17. **[Improvement]** The developer shall construct a 9-hole disc golf course in the northeast open space area prior to the issuance of the 25th CO of Phase 3.
 18. **[Improvement]** The developer shall construct a 35' wide Type 'B' perimeter buffer along the southern project boundary between Rolesville Rd and Shady View Dr.
 19. **[Improvement]** The developer shall construct a 40' wide Type 'B' perimeter buffer along the project boundary bordering the N/F K&J Construction (PIN 1765-74-8520), N/F Oliver Winslow (PIN 1765-84-0581), and N/F Efren Castro (PIN 1765-84-0246) properties.
 20. **[Improvement]** The developer shall construct a 6' privacy fence along the back of the project lots bordering with properties N/F Oliver Winslow (Wake County PIN 1765-84-0581) and N/F Efren Castro (Wake County PIN 1765-84-0246).
 21. **[Clarification]** The developer shall provide a 10' landscape easement along the rear property line of lots along Davistown Road and shall be planted as a Type 'B' buffer as describe in the UDO (4 trees and 16 shrubs per 100 LF).
 22. **[Clarification]** The developer shall pay a fee in lieu for ½ of improvements to Weathers Road for the rural road cross section as described on MP-4 of the Master Plan.
 23. **[Concession]** There shall be one (1) cul de sac at a length greater than 300' but not longer than 425'.
 - **Staff note – Environmental site conditions warrant this deviation.**
 24. **[Clarification]** The developer shall complete Rolesville Road improvements for ½ of the ultimate 110' cross section of Rolesville Rd prior to the 1st CO for the project.
 - **Staff note – a bond would also be required by staff in order to approve the final plat. This note is for clarification. This is an existing requirement and does not have to be included within their condition language.**

Applicant's Justification:

Applicants Justification Statement added as Attachment B.

Parking:

Off-street parking shall be required for any active open space areas. The applicant is showing a total of 71 off-street parking spaces to serve their Pool/Amenity Center, Dog Park, and Disc Golf course.

Open Space:

The applicant is required to provide 9.76 acres of passive open space and 3.25 acres of park space (with 1.08 acres of the park space being fully active). The applicant is providing well above the total amount of open space required (50.59 acres of open space is being provided within the conditional district boundary and ~20 more acres within the remainder of the Yancey Property offered to the Town), as well as much more improved open space than what is required. The applicant is providing 2.54 acres of fully active open space (1.08 acres required), comprised of a junior Olympic pool and clubhouse, playground, and 9-hole disc golf course. Additionally, the applicant is providing 4 acres of Park Space (2.5 acres required).

Approximately 5 acres of the passive open space falls within wetlands or riparian buffers.

Public Utilities:

Development of this site will require extension of utilities along Rolesville Road from the High School site.

Streets:

The Town's Arterial and Collector Street Plan calls for widening and improvements to Rolesville Rd (4-lane divided), and Davistown Road (2-lane undivided). The applicant is showing additional ROW dedication for Weathers road per Capital Area Metropolitan Planning Organization (CAMPO)'s transportation plans, but plans on requesting the Town Board to pay a fee in lieu of building their portion of a rural road cross-section, which is what is required by the Town.

The applicant's typical street sections are included on page 6 of their Master Plan. These sections include an 'Urban Street' with a center median, as well as a one-way street section. Both of these sections are not typical sections included within the Town's cross-sections and would be specific to this development.

The applicant is also showing a different alley cross-section, which has a 16' paved drive within a 20 ft easement.

Traffic Impact Assessment (TIA)

The number of proposed dwelling units required the developer to prepare a Traffic Impact Assessment (TIA) report. This report is reviewed by NC-DOT, as well as the Town contracted

engineer. Since all impacted roads are DOT maintained, they would determine what if any improvements are required, based on the additional traffic being generated by this site. These improvements typically involve the addition of turn lanes, striping improvements, or signal improvements (when applicable).

Recommended improvements for this project include:

- A dedicated Right-Turn lane on Rolesville Rd into the new site's entrance.
- A dedicated Right-Turn lane on Rolesville Rd to turn onto Davistown Rd
- Striping Improvements at the intersection of Keiths Rd and Business 64.

The applicant's plans also show a dedicated left turn lane on Rolesville Rd into the new site's entrance.

Landscaping:

All landscaping shall meet the requirements as set forth in the UDO at the time of the Final Development Plan, unless otherwise specified through the approved Master Plan. The applicant has included 4 conditions (#18-21) improving the site's landscaping beyond what is required.

Phasing:

The applicant has identified 3 phases of development. The clubhouse and pool are included in Phase 1. The applicant's conditions detail when each amenity would be completed.

Comprehensive Plan:

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

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

The Comprehensive Plan lists the following uses as appropriate land uses/development types within this sector: low density cluster developments or hamlets (a clustering of buildings around a rural crossroad), single family residential development, very limited convenience retail uses, civic uses (parks, schools, religious and government uses), and some industrial uses.

The proposed development on the site consists of single-family detached homes, with an overall density of 2.50 DUA. The S-2 sector to the east is buffered from the proposed development with the inclusion of the disc golf course.



TRC Review:

The Technical Review Committee has completed their review of the applicant's Master Plan and the applicant has made corrections based on their comments. Additional review would occur upon submittal of construction drawings (final development plan for conditional districts).

Planning Board Recommendation:

At their May 18, 2020 meeting, the Planning Board voted 6-3 in favor of the requested Conditional District.

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

Voting Against: Michael Firstbrook, Allen Swaim and Victoria Curtis

Absent: None

Statement of Plan Consistency and Reasonableness

The proposed Conditional District is found to be consistent with the recommended uses and development types outlined in the Wendell Comprehensive Land Use Plan for the S-3 sector and reasonable due to its location along Rolesville Road and its proximity to I-87. Furthermore, the proposed amendments are found to be consistent with the following principle of the Comprehensive Plan:

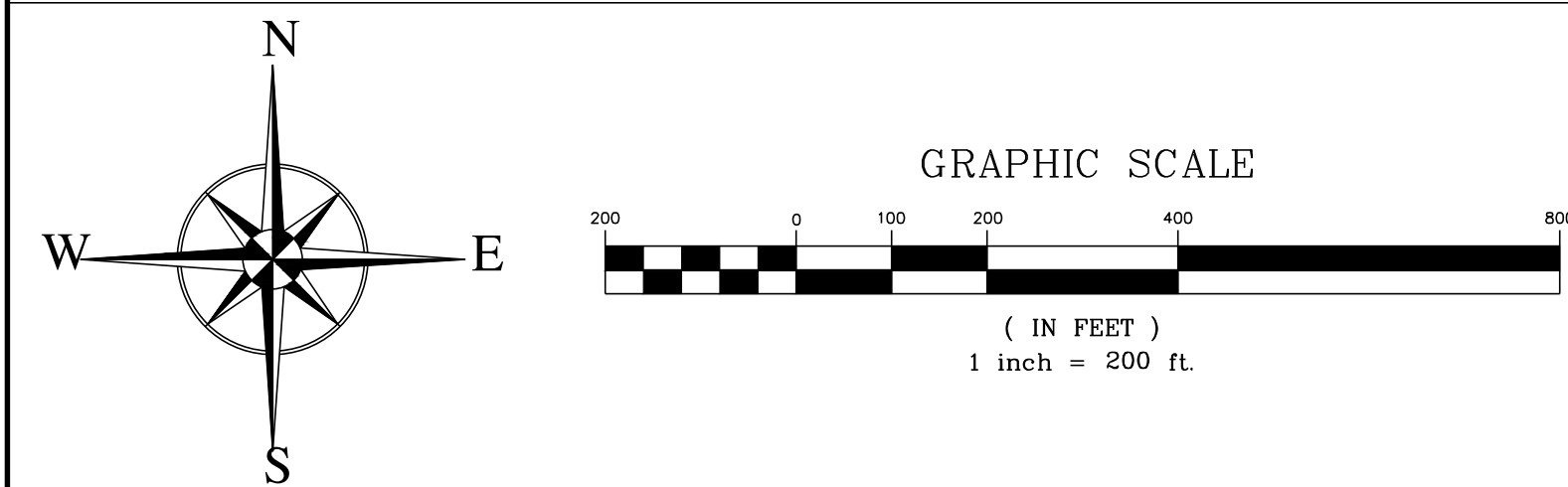
- Principle Number 6: "Provide for a range of housing opportunities including upscale housing, senior housing and downtown living choices."

Staff Recommendation:

- Staff recommends approval of the proposed Weathers Property Master Plan.
 - The applicant has included numerous conditions improving buffers, open space, public park land, and architectural standards. In exchange, they are seeking 1 concession related to cul-de-sac length.
 - Proposed lot size is notably smaller than surrounding properties (which are served by well and septic), but overall project density is 2.50 dwelling units per acre, which is less than what would normally be allowed in the R4 zoning district.
 - This site is located less than a mile from an Interstate, on a future 4-lane thoroughfare, near an existing high school, with access to municipal water and sewer. All of these factors support a growth pattern other than ‘rural’.

Attachments:

- A. Overall Site Plan (Weathers Property)
 - a. Full Master Plan Link:
<https://nmcdr.io/e186d21f8c7946a19faed23c3da2f0da/3834b95a93b14b3689a528c1f97c5d69/files/2020-6-2-Weathers-Property-Master-Plan.pdf>
- B. Applicant’s Justification Statement
- C. Ordinance for Adoption



STANDARDS	
Single Family Home	
Min. Setbacks	
Front:	25'
Side:	5'
Rear:	20'
Min. Lot Width	50'
Min. Lot Area	6,000 SF
Min. Lot Depth	100'

LEGEND	
	PROJECT BOUNDARY
	PHASE LINE
	PSNC GASOLINE EASEMENT
	PSNC TEMPORARY CONS. EASEMENT
	WETLAND BUFFER
	PASSIVE OPEN SPACE
	PARK SPACE

Open Space Calculations
Required:
1,750 SF/ SFL Lot x 326 Lots = 570,500 SF (13.09 AC)

25% Park Space = 142,625 SF (3.27 AC)
1/3 Programmed Active= 47,542 SF (1.09 AC)
2/3 Improved Park Space= 95,083 SF (2.18 AC)
75% Passive Open Space = 427,875 SF (9.82 AC)

Proposed Open Space: 50.59 AC
Improved Park Space: 4.49 AC
Programmed Active Space: 2.54 AC
Passive Open Space: 43.56 AC

*Park Space and Passive open space denoted by hatch patterns. Programmed Park Space labeled within the Park Space with square footages. These square footages are not accounted for in the improved park space calculation.

Proposed Active Programmed Open Space Improvements:
Pool/Amenity- 32,500 SF (0.75 AC)
Disc Golf- 75,000 SF (1.72 AC)
Playground- 3,000 SF (0.07 AC)
Total Programmed Open Space: 110,500 SF (2.54 AC)
Minimum SF of Park Space: 141,750 SF (3.25 AC)
Benches: 141,750 SF/ 10,000 SF = 14 Benches Min.
Add'l Trees: 141,750 SF/ 2,500 SF = 57 Trees
Trash Recept.: 141,750 SF/ 20,000 SF = 7 Trash Recept.
1 Parking Space per 1,000 SF Programmed Active Open Space
47,542 SF / 1,000 SF = 48 Spaces Req'd
67 Parking Spaces Provided

SITE DATA	
Project PINS:	1765-85-2510 1765-85-6251 1765-96-2276 1775-04-2139
Total Area:	129.59 Acres
Proposed Open Space:	50.59 Acres (39%)
Existing Zoning:	R-40
Proposed Zoning:	R-4 CD
Proposed Units	
Single Family:	326 Units
Density:	2.51 du/ac

- NOTES:
1. Boundary information taken from digital file provided by Summit Design and Engineering dated February 2019.
 2. Field topographic information taken from Wake County GIS.
 3. Contractor shall verify the location of all existing utilities and shall be responsible for any damage resulting from his activities. Call utility locator service at least 48 hours prior to digging.
 4. All construction shall conform to Town of Wendell standards and specifications.
 5. All utilities shall be located underground and shall conform to City of Raleigh standards and specifications.
 6. Wheelchair ramps and depressed curbs shall be constructed in accordance with NC Building Code, Volume 1C, Accessibility.
 7. Sign permits shall be required for any signage in the Town of Wendell. Permits will be required prior to fabrication or installation of signs. Sign permitting is a separate submittal, review and approval process.
 8. An Erosion Control Permit is required from Wake County Environmental Services prior to any grading on this site. Grading contractor shall contact Wake County for final verification of on site erosion control measures prior to construction.
 9. No revisions may be made without permission from the permit issuing authority.
 10. All landscaping should be installed and maintained in accordance with the Town of Wendell's Standards.
 11. Do not scale drawings. Digital information shall be provided for construction.
 12. All dimensions are referenced from back of curb to back of curb.
 13. Contractor shall provide positive drainage away from the structure in all locations.
 14. Buildings shall be field staked by a professional surveyor prior to construction.
 15. All parking areas shall be surfaced with 6" CABG and 2 1/2" asphalt. Drive aisles shall be surfaced with 8" CABG and 2 1/2" asphalt.
 16. Provide electrical service to all sign locations.
 17. The General Contractor shall be responsible for the recordation of any proposed easements required by this plan prior to the Certificate of Occupancy.
 18. The municipal address shall be displayed on all building at least 12" tall, readily visible from the street and in a color contrasting the background.
 19. All grades shown are finished top of mulch. Never fill mulch above finish floor elevations.
 20. Lot recordation needs to occur prior to obtaining a building permit for this site.
 21. The owner/builders must supply the Town with a final letter of certification from the lighting engineer, lighting manufacturer, or authorized lighting contractor verifying that all site lighting is installed according to Town standards, the approved plans and any applicable conditions.

IMPERVIOUS CALCULATIONS		
	AREA	
	SQ.FT	AC
ROAD	543703	12.48
SIDEWALK + TRAILS	128132	2.94
SFH LOTS*	1144500	26.27
PARKING	26019	0.60
AMENITY FEATURES	17154	0.39
TOTAL PARCEL AREA	5640384	129.49
IMPERVIOUS AREA	1859508	42.69
IMPERVIOUS AREA %	33%	
* Assumes 3,500 SF impervious per SFH		
	AREA	
	SQ.FT	AC
STREAM BUFFER	51715	1.19
WETLAND	160576	3.69

*All SCMs are Wet Ponds

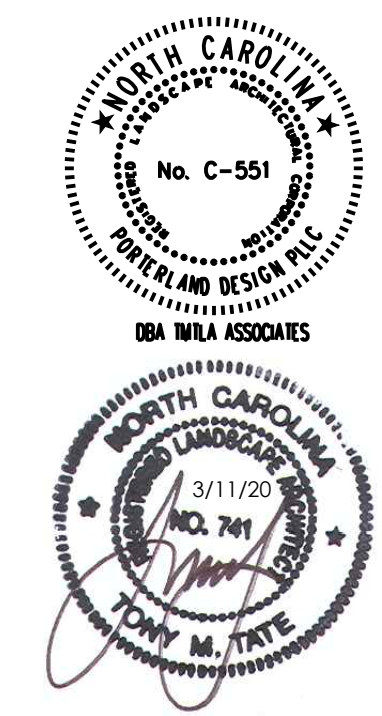
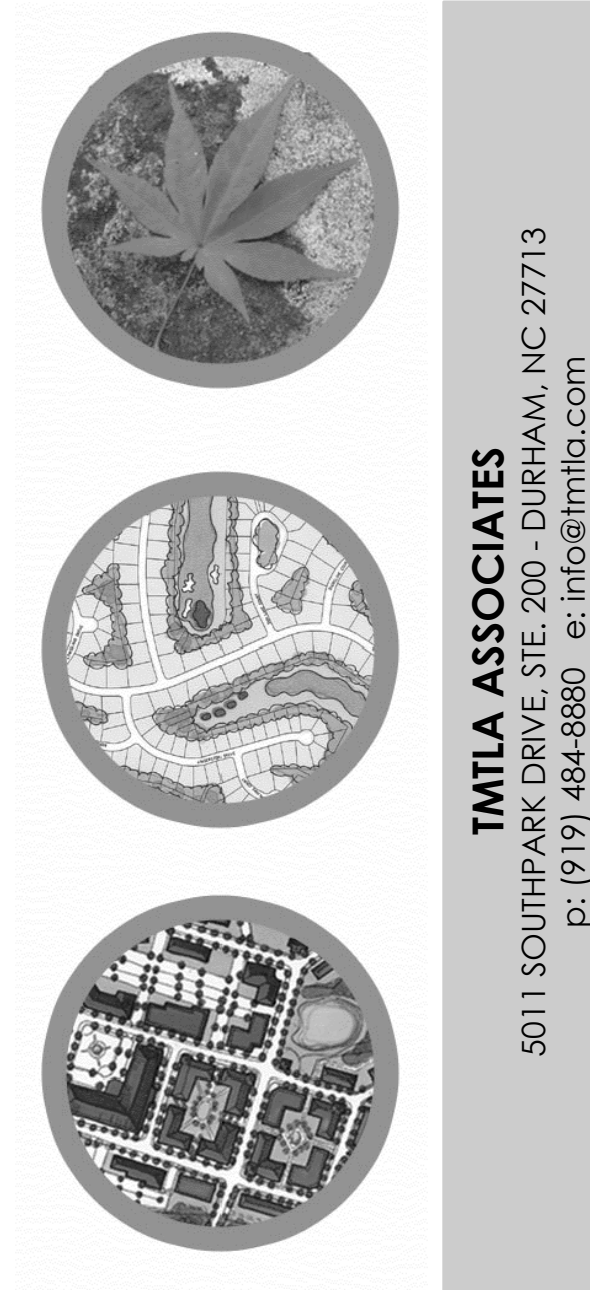
Know what's below.
Call before you dig.

ATTENTION CONTRACTORS

The **Construction Contractor** responsible for the extension of water, sewer, and/or reuse, as approved in these plans, is responsible for **contacting the Public Utilities Department at (919) 996-4540** at least **twenty four hours** prior to beginning any of their construction.

Failure to notify both **City Departments** in advance of beginning construction, will result in the issuance of **monetary fines**, and require reinstallation of any water or sewer facilities not inspected as a result of this notification failure.

Failure to call for **Inspection, Install a Downstream Plug**, have **Permitted Plans** on the **Jobsite**, or any other **Violation of City of Raleigh Standards** will result in a **Fine and Possible Exclusion** from future work in the **City of Raleigh**.



Summit D&E
1110 Navaho Drive, Suite 600
Raleigh, NC 27609

- REVISIONS:
- 6/10/19- per Town of Wendell Comments
 - 7/11/19- per Town of Wendell Comments
 - 8/7/19- per Town of Wendell Comments
 - 10/18/19- Revised Layout
 - 11/12/19- per Town of Wendell Comments
 - 1/22/20 - Lot Revisions
 - 2/15/20 - Lot Revisions
 - 3/11/20 - per Town Wendell Comments

Master Plan
Weathers Property
Weathers Rd, Wendell, NC

SCALE:
1"=200'
DRAWN BY:
CDR
PROJECT #
18061
DATE:
3/7/19
SHEET
MP-1
OF

TMTLA ASSOCIATES
5011 SOUTHPARK DRIVE, STE. 200 - DURHAM, NC 27713
p: (919) 484-8880 e: info@tmtla.com

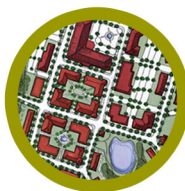


Weathers Property

Conditional District Narrative

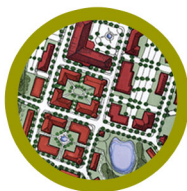
4501 Rolesville Rd, 1401 Davistown Rd, 0 Davistown Rd, and 6201 Yancey Dr, commonly referred to as Weathers Property, is requesting rezoning to R4-CD as well as annexation into the Town of Wendell's ETJ. We are seeking a rezoning to R4-CD to allow flexibility for the development of this property which would allow appropriate lot sizes, slight variations to the street cross sections, and the ability to protect environmentally sensitive areas. The conditional district allows the design to take into account environmental barriers, wetlands, topography, and the parcel shape and allow for design flexibility to appropriately accommodate and utilize these features as amenities to the residents. Any conditions not herein modified or expressly stated shall defer to the Town of Wendell UDO standards for the R4 zoning district.

Included in this submittal is a Master Plan document which will define the general layout, configuration and quantity of lots, amenities, open space, park space, preliminary utility locations, and street cross sections. All elements of the Master Plan are subject to minor changes, as deemed so by the Town of Wendell Planning Department. The town framework plan included in the Comprehensive Plan indicates these parcels as S3, Restricted Growth Area. These parcels are also in close proximity to a Regional Activity Center, which intends to provide a wide variety of housing densities to support the regional hub centered around the US-64 interchange. The restricted growth area indicates a pattern of low-density growth which is defined as a development with less than 4 dwelling units per acre. The Weathers property is well within these criteria as it will have a density of approximately 2.5 dwelling units per acre. The proposed single-family homes are appropriate at this density given the proximity to the Regional Activity



Center and the development's frontage along a thoroughfare. The proposed master plan also provides an appropriate transition, providing preserved natural open space, in areas that border the S2 Reserved Open Space Sector, effectively extending the reserved open space sector and protecting the areas identified as environmentally sensitive within the Comprehensive Plan. Further, the development also proposes to provide approximately 10 acres of development area as well as an additional approximately 20 acres of adjacent land to the Town of Wendell for a future park, which is also land adjacent to the S2 Sector.

This project will have no negative impacts on surrounding properties. The property will be buffered appropriately from all developed or vacant surrounding parcels, with most buffers exceeding the required width and/or plant material required by the UDO and recommended road improvements per the Traffic Impact Analysis (TIA) shall be constructed or a payment in lieu shall be made to the Town of Wendell until such time as it is appropriate to make the road improvements. The 'Plan Area' as identified on page 7 of the Town of Wendell Comprehensive Plan from 2007 identifies the Weathers property as within the Town of Wendell urban service area and extra-territorial jurisdiction (ETJ) that the Town of Wendell has agreed upon with Wake County and neighboring municipalities. This represents areas that are likely to be served by Town of Wendell facilities including water and sewer services and emergency services. Based on the location of the project along the previously planned future 4 lane divided thoroughfare of Rolesville Rd and its close proximity to East Wake High School, US-64, and the Regional Activity Center, annexation into the Town of Wendell and the use of its urban services is consistent with the 2007 Comprehensive Plan and will not cause undue burden to Town of Wendell resources as verified by review of the appropriate governmental authorities. Impacts on



all public and governmental services have been analyzed with the guidance of Town of Wendell Staff and the appropriate governing body to verify that there are no negative impacts and no capacities are exceeded.

ORD # 0-23-2020
AN ORDINANCE AMENDING THE ZONING MAP
OF THE TOWN OF WENDELL

WHEREAS a petition has been filed with the Board of Commissioners of the Town of Wendell requesting an amendment to the Zoning Map of the Town of Wendell to create the R4 Conditional District (R4-CD19-03) for the properties described below, said properties formerly being zoned Wake County R-40; and

WHEREAS said properties are owned by Amy Weathers Nuttall, John J Nuttall III, Eva Weathers Herring and George Stancil Yancey; 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 July 27, 2020 at the Wendell Town Hall and wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change or to make relevant comments:

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

SECTION 1. That the Zoning Map of the Town of Wendell is hereby amended to include the R4 Conditional District (R4-CD19-03) 129.59 acres of property within the parcels identified by PIN #s 1765852510, 1765962276, 1765856251 and 1775042139 (partial).

SECTION 2. The requested zoning map amendment for the parcels within the rezoning area identified as CD19-03 from Wake County R-40 to R4-CD19-03, due to the supporting infrastructure and proximity to the interstate, as well as its consistency with the types and nature of uses described in the S-3 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. The maximum number of units allowed shall be 339 units
2. The developer shall preserve a minimum of 35 acres as open space. The development shall exceed all open space requirements as prescribed in Chapter 7 of the Unified Development Ordinance (UDO).
3. The developer shall dedicate approximately 32 contiguous acres of land (PIN 1775042139) to the Town for a future Town park prior to the recording of the plat for Phase 1. This

dedication brings the total open space and dedicated land to approximately 65 acres. This dedication will include a minimum of 2 access points to public streets.

4. The use of vinyl siding shall be prohibited. Trim Elements such as windows, eaves, fascia, columns, and soffits may be vinyl or aluminum.
5. All units shall be designed to provide for a combination of at least two of the following materials on the front/primary façade facing the public street or open space: cultured stone, brick, lap siding, shakes, or board and batten, unless the front elevation is entirely brick or cultured stone.
6. Roof eaves shall have a minimum 10" overhang.
7. Front-loaded garage doors shall either contain windows or carriage style adornments.
8. All residential lots shall have Bermuda sod on the front, sides, and up to 25' beyond the rear line of the primary structure.
9. The neighborhood shall be governed by a Homeowner's Association (HOA) that shall maintain all open space that has been dedicated to the HOA.
10. The HOA shall be guided by a Declaration of Covenants, Conditions, and Restrictions.
11. Architectural Guidelines shall be included in the HOA documents that restrict and monitor landscaping, additions, outbuildings, fences, parking, and maintenance.
12. The developer shall complete the amenity area to include a 6 lane Jr. Olympic pool, poolhouse, bathrooms, covered seating area, and grilling area prior to the issuance of the 75th CO of Phase 1.
13. The developer shall construct a playground to include a central play structure and benches prior to the issuance of the 75th CO of Phase 1.
14. The developer shall complete the dog park to include a fenced mulch area, benches, and water station prior to the issuance of the 25th CO of Phase 2.
15. The developer shall complete a gravel walking trail connecting the dog park area and Phase 2 to the amenity center and Phase 1 prior to the 25th CO of Phase 2.
16. The developer shall construct an approximately 200 yard by 30 yard common green area to include a seating area, gazebo, walkway, and plantings in the median area of Avenue 'I' prior to the issuance of the 25th CO of Phase 3.
17. The developer shall construct a 9-hole disc golf course in the northeast open space area prior to the issuance of the 25th CO of Phase 3.
18. The developer shall construct a 35' wide Type 'B' perimeter buffer along the southern project boundary between Rolesville Rd and Shady View Dr.
19. The developer shall construct a 40' wide Type 'B' perimeter buffer along the project boundary bordering the N/F K&J Construction (PIN 1765-74-8520), N/F Oliver Winslow (PIN 1765-84-0581), and N/F Efren Castro (PIN 1765-84-0246) properties.
20. The developer shall construct a 6' privacy fence along the back of the project lots bordering with properties N/F Oliver Winslow (Wake County PIN 1765-84-0581) and N/F Efren Castro (Wake County PIN 1765-84-0246).
21. The developer shall provide a 10' landscape easement along the rear property line of lots along Davistown Road and shall be planted as a Type 'B' buffer as describe in the UDO (4 trees and 16 shrubs per 100 LF).
22. The developer shall pay a fee in lieu for ½ of improvements to Weathers Road for the rural road cross section as described on MP-4 of the Master Plan.

23. There shall be one (1) cul de sac at a length greater than 300' but not longer than 425'.
24. The developer shall complete Rolesville Road improvements for ½ of the ultimate 110' cross section of Rolesville Rd prior to the 1st CO for the project.

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 10th Day of August 2020

(Town Seal)

Virginia Gray, Mayor

ATTEST:

APPROVED AS TO FORM:

Megan Howard, Town Clerk

James P. Cauley III, Town Attorney

Item Title:

CD19-08 – Public hearing on an R7 Conditional District for properties located at 815 Old Zebulon Road.

Report to the Board of Commissioners:

- Monday, July 27, 2020

Report to the Planning Board:

- Monday, June 1, 2020
- Tuesday, January 21, 2020

Specific Action Requested:

Holds a public hearing on the proposed R7 Conditional District request and consider adopting the attached ordinance to rezone the described area subject to conditions and in conformance with the associated Master Plan.

Applicant:

Brian Duncan, The Spaulding Group, PA

Petition:

The applicant has requested to create an R7 Conditional District for 68.55 acres of property within the parcels identified by PIN #1794-15-7657, PIN #1794-05-6758, PIN #1794-25-6786, PIN #1794-16-1410, PIN #1794-05-2762 and PIN #1794-06-6233. The proposed conditional district consists of a mix of both single-family and townhome dwelling units.

Item Summary:

The applicant's proposed R7 conditional district will feature 174 single family homes and 146 townhomes. Based on their application, the applicant is proposing the R7 Conditional District in order to be consistent with one of the general principles in the Comprehensive Plan that says, "Provide for a range of housing opportunities." The applicant also references the Town's Framework Plan that identifies the area as located in the S-4 sector, where both single-family and multi-family development are considered appropriate.

Amenities include a pool, cabana, beach volleyball court, tot lot, dog park in a central location in Phase 1A and a playground located in Phase 1B. The amenities are being proposed in the early phases of development. The proposed plan requires 10.34 acres of open space, the applicant is providing 19.87 acres of open space. The amenities and open space would be maintained by a homeowners association (HOA).

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

The applicant provided additional buffers as well as a wooden privacy fence bordering all existing residential properties based on feedback from neighbors.

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 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.

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 economic development, and the protection of existing and future adjacent development.

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

Location and History:

Four of the included properties are currently located in the corporate limits of the Town of Wendell and are zoned R3. The remaining two properties are in the Town's extraterritorial jurisdiction and are zoned Rural Agricultural (RA).

Project Profile:

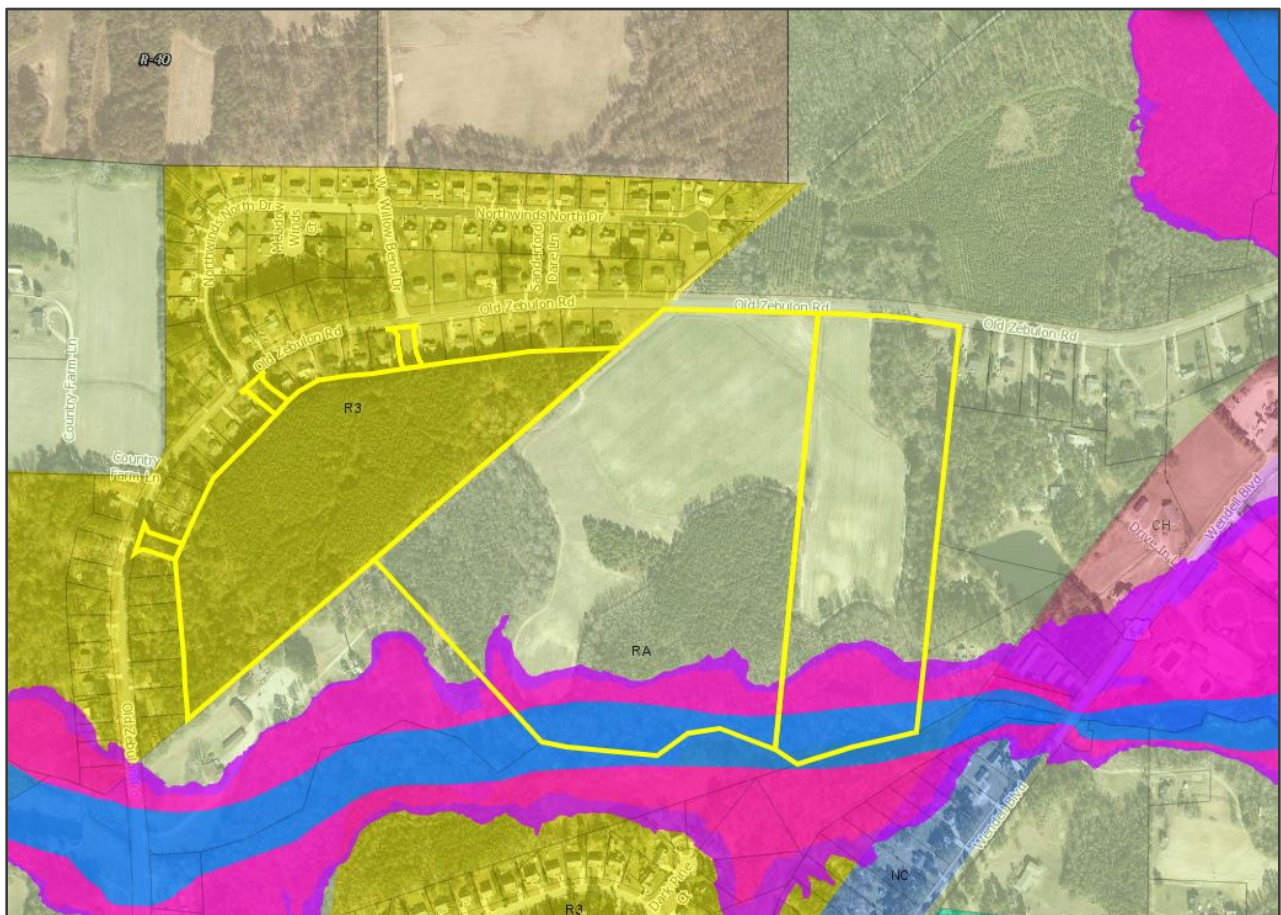
PROPERTY LOCATION:	815 Old Zebulon Road
WAKE COUNTY PINS:	1794157657, 1794056758, 1794256786, 1794161410, 1794052762 & 1794066233
CURRENT ZONING DISTRICT:	R3/RA
CROSS REFERENCES:	N/A
PROPERTY OWNERS:	Aubrey Sidney Baynes & Ann Knott Baynes PO Box 968 Wendell, NC 27591 Olde Heritage Builders & Realty, Inc. PO Box 40 Zebulon, NC 27597

APPLICANT:	Brian Duncan, The Spaulding Group, PA 1611 Jones Franklin Road, Suite 101 Raleigh, NC 27606
PROPERTY SIZE:	68.55 acres
CURRENT LAND USE:	Vacant
PROPOSED LAND USE:	Residential

Project Setting – Surrounding Districts and Land uses:

DIRECTION	LANDUSE	ZONING
North	Residential/Agricultural	R3/RA
South	Residential/Agricultural	R3RA
East	Residential	RA
West	Residential	R3

Current Zoning Map (Subject Properties Outlined in Yellow):



Proposed Conditional District Conditions:

The applicant is proposing 13 conditions for the proposed CD, as follows:

1. UDO Section 2.3 A. - Multifamily dwellings (limited to townhomes only) shall be a permitted use in R7-CD and shall not exceed 45% of the total number of units - UDO 2.7 B.
 - a. Such multifamily dwellings may be front-loaded - UDO 5.10 B.
2. UDO Section 9.7.E.4.- Maximum block length shall exceed 800' on Street 'C' as necessary to preserve environmental features.
3. In order to promote variation in home appearance, no single-family home can be constructed with an exterior elevation (front façade) or color palette that is identical to the home on either side or directly across the street from it, to provide an anti-monotony development.
4. Garage doors shall either contain windows or carriage style adornments.
5. The use of vinyl-siding shall be prohibited, except for trim elements of the dwelling unit façade.
6. UDO Section 2.7 B. 1.-The minimum lot size for single-family shall be 4,600 sq. ft.
7. UDO Section 5 - Front-loaded single-family lots shall have a minimum allowed lot width of 40 feet.
8. Adjacent to all existing single-family lots, a six-foot tall wooden privacy fence shall be installed, at the developer's expense. This fence will be maintained in perpetuity by the Homeowners' Association.
9. A Type 'B' landscape buffer shall be installed along the eastern property line, more specifically adjacent to the following Wake County PIN(s): 1794352900; 1794350547; and 1794350314. This buffer area shall be owned and maintained by the Homeowners' Association in perpetuity and shall be thirty feet in width.
10. A Type 'B' landscape buffer shall be installed adjacent to all existing single-family residences that face Old Zebulon Road. This buffer area shall be owned and maintained by the Homeowners' Association in perpetuity and shall be twenty feet in width.
11. UDO Section 9.7.E.4- Maximum cul-de-sac length shall exceed 300' on street 'B' as necessary to preserve environmental and topographic features.
12. McKenzie Ridge will have a Home Owners Association. The HOA will be responsible for the townhome's roofs, yard maintenance, and pest control.
13. The Town requires, pursuant to N.C.G.S § 160A-372, the dedication and construction of streets and rights of way, as shown in the approved Wendell Transportation Plan and Wendell Pedestrian Plan, to create conditions essential to public health, safety, and the general welfare. The developer recognizes this and would like to voluntarily offer a one-

time contribution of \$100,000 to the Town of Wendell to be used in accordance with recommended improvements as outlined in the aforementioned Wendell Transportation Plan and Wendell Pedestrian Plan.

Applicant's Justification:

Applicants Justification Statement added as Attachment B.

Parking

Off-street parking shall be required for any active open space areas. The applicant is showing a total of 45 off-street parking spaces to serve their Pool/Cabana Center, Dog Park, Tot Lot, and Playground. They are also providing 44 off-street parking spaces within the townhome section of the proposed master plan.

Open Space

The applicant is required to provide 10.34 acres of open space, they are providing 19.87 acres of open space. The applicant is providing a full range of active open space comprised of a pool, cabana, beach volleyball court, tot lot, dog park and playground.

Public Utilities:

Development of this site will require connection to city water and sewer which is available nearby. The parcels that are not already in the city limits will need to be annexed.

Streets:

The applicant will be responsible for making the required road improvements to Old Zebulon Road which include sidewalk, bike lanes, landscape area and curb and gutter.

Traffic Impact Assessment (TIA)

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

Recommended improvements for this project include:

- A dedicated 100' Left-Turn lane from Wendell Boulevard onto Old Zebulon Road.

Landscaping:

All landscaping shall meet the requirements as set forth in the UDO at the time of the Final Development Plan, unless otherwise specified through the approved Master Plan. The applicant has included 3 conditions (#8-10) improving the site's landscaping beyond what is required.

Phasing:

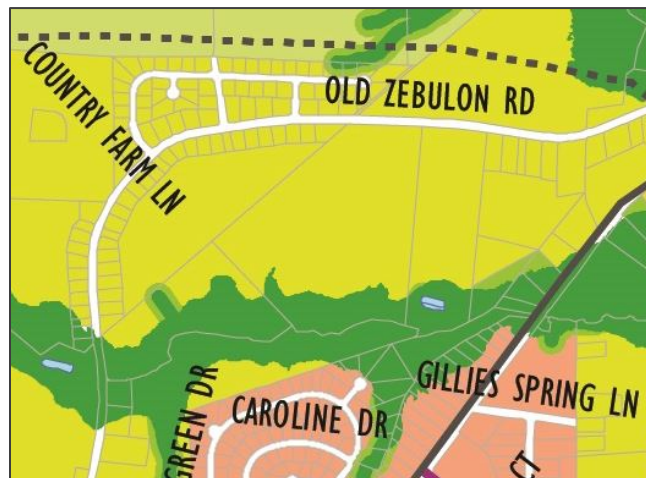
The applicant has indicated that there will be phasing on this project, the current plan shows four phases. Phases 1A-1B include the amenities planned for the neighborhood.

Comprehensive Plan:

The Wendell Comprehensive Plan defines the subject property as being 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 following development types and uses are appropriate for the S-4 sector: traditional neighborhood developments, neighborhood centers, single-family and multi-family residential, neighborhood-serving commercial uses (retail and office), civic uses and industrial uses. The proposed development on the site meets the appropriate uses.



Technical Review Committee (TRC) Comments:

The Technical Review Committee has completed their review of the applicant’s Master Plan and the applicant has made corrections based on their comments. Additional review would occur upon submittal of construction drawings (final development plan for conditional districts).

Planning Board Recommendation:

At their June 1, 2020 meeting, the Planning Board voted 4-1-1 in favor of the requested Conditional District.

Voting in Favor: Ryan Zakany, Jonathan Olson, Brett Hennington and Deans Eatman

Voting Against: Michael Firstbrook

Abstained from Voting: Allen Swaim

Absent: Victoria Curtis, Jimmena Huffman-Hall and Levin Jones

Statement of Plan Consistency and Reasonableness:

The proposed Conditional District is found to be generally consistent with the recommended uses and development types outlined in the Wendell Comprehensive Land Use Plan for the S-4 Sector and is reasonable as it is consistent with the following principle of the Comprehensive Plan:

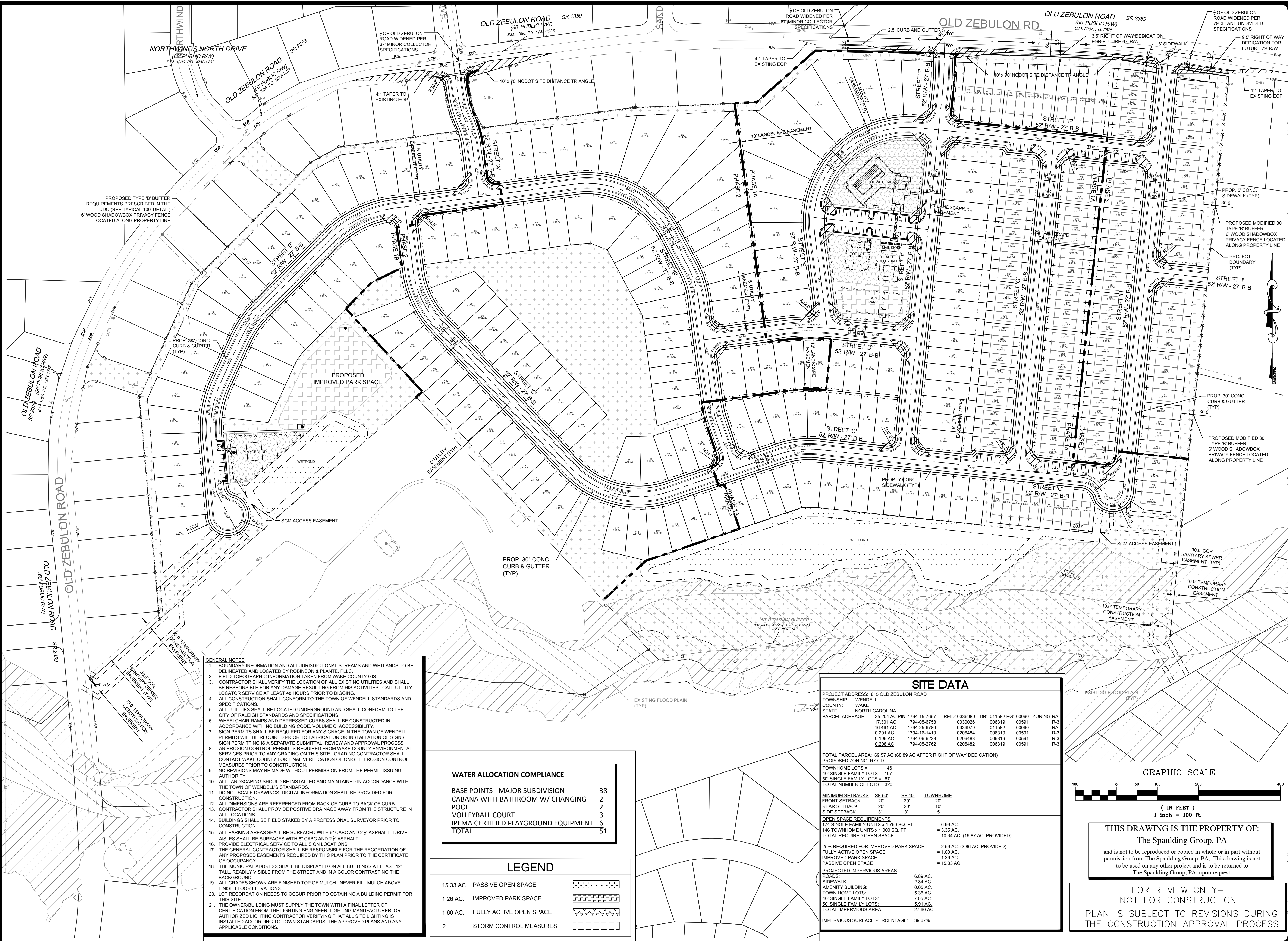
- Principle Number 6: “Provide for a range of housing opportunities including upscale housing, senior housing and downtown living choices.”

Staff Comments:

- Staff recommends approval of the proposed McKenzie Meadows Master Plan.
 - The applicant has included numerous conditions improving buffers and landscaping, open space and architectural standards. In exchange, they are seeking the ability to permit front loading townhomes and exceed the length related to cul-de-sac length.
 - The applicant is proposing a master plan that contains a strong amenity package that rivals many more suburban locations but is within 1.3 miles from the heart of downtown Wendell.

Attachments:

- A. Overall Site Plan
 - a. Full Master Plan Link:
<https://nmcdr.io/e186d21f8c7946a19faed23c3da2f0da/3834b95a93b14b3689a528c1f97c5d69/files/2020-03-06---McKenzie-Meadows-Subdivision---Master-Plan.pdf>
- B. Applicant’s Justification Statement
- C. TIA – Congestion management report
- D. Ordinance for Adoption



- GENERAL NOTES**
1. BOUNDARY INFORMATION AND ALL JURISDICTIONAL STREAMS AND WETLANDS TO BE DELINEATED AND LOCATED BY ROBINSON & PLANTE, PLLC.
 2. FIELD TOPOGRAPHIC INFORMATION TAKEN FROM WAKE COUNTY GIS.
 3. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR ANY DAMAGE RESULTING FROM HIS ACTIVITIES. CALL UTILITY LOCATOR SERVICE AT LEAST 48 HOURS PRIOR TO DIGGING.
 4. ALL CONSTRUCTION SHALL CONFORM TO THE TOWN OF WENDELL STANDARDS AND SPECIFICATIONS.
 5. ALL UTILITIES SHALL BE LOCATED UNDERGROUND AND SHALL CONFORM TO THE CITY OF RALEIGH STANDARDS AND SPECIFICATIONS.
 6. WHEEL CHAIR RAMPS AND DEPRESSED CURBS SHALL BE CONSTRUCTED IN ACCORDANCE WITH NC BUILDING CODE, VOLUME C, ACCESSIBILITY.
 7. SIGN PERMITS SHALL BE REQUIRED FOR ANY SIGNAGE IN THE TOWN OF WENDELL. PERMITS WILL BE REQUIRED PRIOR TO FABRICATION OR INSTALLATION OF SIGNS. SIGN PERMITTING IS A SEPARATE SUBMITTAL, REVIEW AND APPROVAL PROCESS.
 8. AN EROSION CONTROL PERMIT IS REQUIRED FROM WAKE COUNTY ENVIRONMENTAL SERVICES PRIOR TO ANY GRADING ON THIS SITE. GRADING CONTRACTOR SHALL CONTACT WAKE COUNTY FOR FINAL VERIFICATION OF ON-SITE EROSION CONTROL MEASURES PRIOR TO CONSTRUCTION.
 9. NO REVISIONS MAY BE MADE WITHOUT PERMISSION FROM THE PERMIT ISSUING AUTHORITY.
 10. ALL LANDSCAPING SHOULD BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE TOWN OF WENDELL'S STANDARDS.
 11. DO NOT SCALE DRAWINGS. DIGITAL INFORMATION SHALL BE PROVIDED FOR CONSTRUCTION.
 12. ALL DIMENSIONS ARE REFERENCED FROM BACK OF CURB TO BACK OF CURB.
 13. CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM THE STRUCTURE IN ALL LOCATIONS.
 14. BUILDINGS SHALL BE FIELD STAKED BY A PROFESSIONAL SURVEYOR PRIOR TO CONSTRUCTION.
 15. ALL PARKING AREAS SHALL BE SURFACED WITH 6" CABC AND 2" ASPHALT. DRIVE AISLES SHALL BE SURFACED WITH 8" CABC AND 2" ASPHALT.
 16. PROVIDE ELECTRICAL SERVICE TO ALL SIGN LOCATIONS.
 17. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE RECORDATION OF ANY PROPOSED EASEMENTS REQUIRED BY THIS PLAN PRIOR TO THE CERTIFICATE OF OCCUPANCY.
 18. THE MUNICIPAL ADDRESS SHALL BE DISPLAYED ON ALL BUILDINGS AT LEAST 12" TALL, READILY VISIBLE FROM THE STREET AND IN A COLOR CONTRASTING THE BACKGROUND.
 19. ALL GRADES SHOWN ARE FINISHED TOP OF MULCH. NEVER FILL MULCH ABOVE FINISH FLOOR ELEVATIONS.
 20. LOT RECORDATION NEEDS TO OCCUR PRIOR TO OBTAINING A BUILDING PERMIT FOR THIS SITE.
 21. THE OWNER/BUILDING MUST SUPPLY THE TOWN WITH A FINAL LETTER OF CERTIFICATION FROM THE LIGHTING ENGINEER, LIGHTING MANUFACTURER, OR AUTHORIZED LIGHTING CONTRACTOR VERIFYING THAT ALL SITE LIGHTING IS INSTALLED ACCORDING TO TOWN STANDARDS, THE APPROVED PLANS AND ANY APPLICABLE CONDITIONS.

WATER ALLOCATION COMPLIANCE

BASE POINTS - MAJOR SUBDIVISION	38
CABANA WITH BATHROOM W/ CHANGING	2
POOL	2
VOLLEYBALL COURT	3
IPEMA CERTIFIED PLAYGROUND EQUIPMENT	6
TOTAL	51

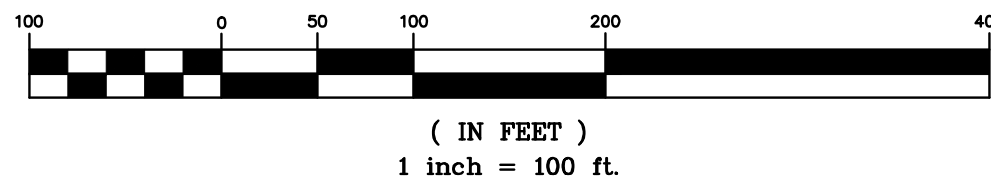
LEGEND

15.33 AC.	PASSIVE OPEN SPACE	
1.26 AC.	IMPROVED PARK SPACE	
1.60 AC.	FULLY ACTIVE OPEN SPACE	
2	STORM CONTROL MEASURES	

SITE DATA

PROJECT ADDRESS: 815 OLD ZEBULON ROAD				
TOWNSHIP: WENDELL				
COUNTY: WAKE				
STATE: NORTH CAROLINA				
PARCEL ACREAGE: 35.204 AC PIN: 1794-15-7657 REID: 0336980 DB: 011582 PG: 00060 ZONING: RA				
17.301 AC	1794-05-6758	0030026	006319	00591 R-3
16.461 AC	1794-25-6786	0336979	011582	00060 RA
0.201 AC	1794-16-1410	0206484	006319	00591 R-3
0.195 AC	1794-06-6233	0206483	006319	00591 R-3
0.208 AC	1794-05-2762	0206482	006319	00591 R-3
TOTAL PARCEL AREA: 69.57 AC (68.89 AC AFTER RIGHT OF WAY DEDICATION)				
PROPOSED ZONING: R7-CD				
TOWNHOME LOTS = 146				
40' SINGLE FAMILY LOTS = 107				
50' SINGLE FAMILY LOTS = 67				
TOTAL NUMBER OF LOTS: 320				
MINIMUM SETBACKS				
FRONT SETBACK	20'	20'	TOWNHOME 20'	
REAR SETBACK	20'	20'	10'	
SIDE SETBACK	3'	3'	5'	
OPEN SPACE REQUIREMENTS				
174 SINGLE FAMILY UNITS x 1,750 SQ. FT.		= 6.99 AC.		
146 TOWNHOME UNITS x 1,000 SQ. FT.		= 3.35 AC.		
TOTAL REQUIRED OPEN SPACE		= 10.34 AC. (19.87 AC. PROVIDED)		
25% REQUIRED FOR IMPROVED PARK SPACE : = 2.59 AC. (2.86 AC. PROVIDED)				
FULLY ACTIVE OPEN SPACE : = 1.60 AC.				
IMPROVED PARK SPACE : = 1.26 AC.				
PASSIVE OPEN SPACE : = 1.53 AC.				
<u>PROJECTED IMPERVIOUS AREAS</u>				
ROADS:		6.89 AC.		
SIDEWALK:		2.34 AC.		
AMENITY BUILDING:		0.05 AC.		
TOWN HOME LOTS:		5.36 AC.		
40' SINGLE FAMILY LOTS:		7.05 AC.		
50' SINGLE FAMILY LOTS:		5.91 AC.		
TOTAL IMPERVIOUS AREA:		27.60 AC.		
IMPERVIOUS SURFACE PERCENTAGE: 39.67%				

GRAPHIC SCALE



(IN FEET)

1 inch = 100 ft.

THIS DRAWING IS THE PROPERTY OF:

The Spaulding Group, PA

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FOR REVIEW ONLY-

NOT FOR CONSTRUCTION

PLAN IS SUBJECT TO REVISIONS DURING THE CONSTRUCTION APPROVAL PROCESS

MCKENZIE MEADOWS

WENDELL, WAKE COUNTY, NORTH CAROLINA

DEVELOPMENT PLAN

MASTER LAND USE PLAN

DRAWING SHEET

C-1.0

PROJECT NUMBER

961-19

THE SPAULDING GROUP, PA
Planning & civil engineering
1611 Jones Franklin Road Suite 101 Raleigh, NC 27606
Phone (919) 854-7990 Fax (919) 854-7995



NO.	REVISION	DATE
1	PER TOW COMMENTS	12/2/2020
2	PER TOW COMMENTS	2/26/2021
3	PER TOW COMMENTS	3/3/2021



THE SPAULDING GROUP, PA

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Baynes Subdivision Master Plan Narrative

The proposed rezoning request consists of approximately 67.96 acres and is located at 815 Old Zebulon Road. A portion of the subject parcels are currently zoned Rural Agricultural (RA), which is intended to be rural, extremely low dense development. Other subject parcels are zoned R3 which is intended to allow for medium density development and has a minimum lot size of 10,000 square feet. The proposed rezoning request is to rezone the subject property to R-7 Conditional District. The developer is seeking a Conditional Use district as necessary to create greater flexibility in lot sizes, and front-loaded residential product in exchange for architectural commitments which ensure high quality development that the Town has come to expect.

The minimum lot size in the RA district is one acre and developments of more than five acres are not permitted. However, the UDO does state in Chapter 2.5 that RA "is intended to reserve developable areas until utility infrastructure can be installed to allow for planned growth." The current zoning of RA was never envisioned to be the 'highest and best use' of the property. Additionally, the R3 zoning was a result of the development of the Northwinds subdivision, which was approved in the 1980's but was never continued into the subject parcels for whatever reason. As a result, the parcels will now be required to meet all current state and local stormwater, environmental and open space regulations – all components that were not a thought over thirty years ago. The robust regulations of today will translate into smart growth that takes into account thoughtful planning that is sensitive to the surrounding community.

So just what is the planned growth for this parcel? Adopted in 2007, the Town of Wendell's Comprehensive Plan contains several defined development sectors, which dictate appropriate densities and land uses. The Comprehensive Plan designates the subject property as 'S-4 Controlled Growth Area'. As stated in the Plan, "This sector is intended to feature modern intensity new development and where the majority of the community's new growth should occur." This is evident given the fact that this subdivision will be in close proximity to Business 64/Wendell Boulevard, which has long since established itself is a prominent commercial corridor as well as the rapidly growing downtown area. This residential subdivision will create an appropriate density that will support these nearby commercial uses as well as being an appropriate transition to existing residences along Old Zebulon Road. This proposed rezoning of R-7, will show diverse and high-quality housing types while providing active open space for its residents. Open space requirements will be met by providing several pocket parks throughout the neighborhood, which allows the residents to get to know their neighbors and allow everyone to live within a reasonable distance to an amenity.

The developer has designed the subdivision as necessary to create appropriate transitions. The immediate adjacent residential properties which front Old Zebulon Road will be adjacent to the largest single-family lots in the subdivision. Along the southern property line, significant floodplain areas will ensure for a sizable, permanent buffer for both residents of the subject future subdivision as well as



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developed residents south of the property. Additionally, the developer has offered to provide a six foot tall wooden privacy fence along the eastern property line as well as adjacent to all existing single-family residences facing Old Zebulon Road. Therefore, the developer does not see any adverse impacts of this future subdivision to other properties.

One of the general principles contained within the Comprehensive Plan is "Provide for a range of housing opportunities." The proposed rezoning to R-7 Conditional Use District allows that housing diversity to occur. This is supported by both single-family and multifamily development being identified as appropriate in the S-4 sector. The Town of Wendell's demographics are changing. More families are opting to live in multifamily dwellings like townhomes in addition to single-family, that feature maintenance-free yards and elevations and walkable amenities. The town has long since realized this, as this was an original goal within the Comprehensive Plan since the plan was first adopted in 2007. The proposed subdivision will consist of both single-family as well as townhomes, which will allow for diversity within the same neighborhood. Families can evolve and not have to move out of their community depending on what stage of life they are currently in.

It is important to note that Wake County public schools require all proposed residential development to submit a residential notification form that outlines the number of units and the year breakdown that they will be completed in. At the time of master plan submittal, this project submitted this form and clearly indicated the proposed units, complete with bedroom breakdowns.

Developers also plan for community facilities such as police, fire and EMS when designing a development. All interior streets are required to be designed to accommodate the largest emergency response vehicle. The turning template is then submitted and reviewed by staff to ensure that the vehicle can safely maneuver through all access points and amenity parking areas. Existing emergency response facilities are located within close proximity and no issues are perceived with regards to insufficient response time.

The proposed subdivision will be a pedestrian-friendly one. This project will have sidewalk on both sides of its interior streets. A traffic impact analysis was required with this request, and the developer will be responsible for all associated traffic improvements that are recommended from the analysis.

The Baynes rezoning and master plan request meets both the Comprehensive Plan. When developed, this infill residential project will offer a walkable, thoughtful concept that will be a welcomed part of Wendell.



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

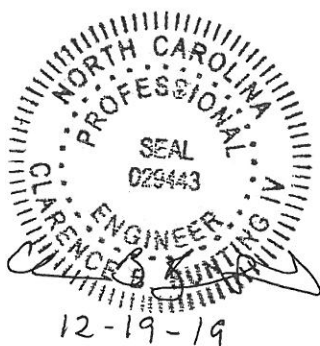
JAMES H. TROGDON, III
SECRETARY

December 19, 2019

Baynes Subdivision

Traffic Impact Analysis Review Report Congestion Management Section

TIA Project: SC-2019-225
Division: 5
County: Wake



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

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

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

Website: www.ncdot.gov

Location:
750 N. GREENFIELD PARKWAY
GARNER, NC 27529

Baynes Subdivision

SC-2019-225

Wendell

Wake County

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

Date Initially Received by CMS	12/09/19	Date of Site Plan	12/05/19
Date of Complete Information	12/09/19	Date of Sealed TIA	12/09/19

Proposed Development

The TIA assumes the development is to be completed by 2025 and consist of the following:

Land Use	Land Use Code	Size
Single Family Detached	210	170 d.u.
Multifamily Housing (Low-Rise)	220	146 d.u.

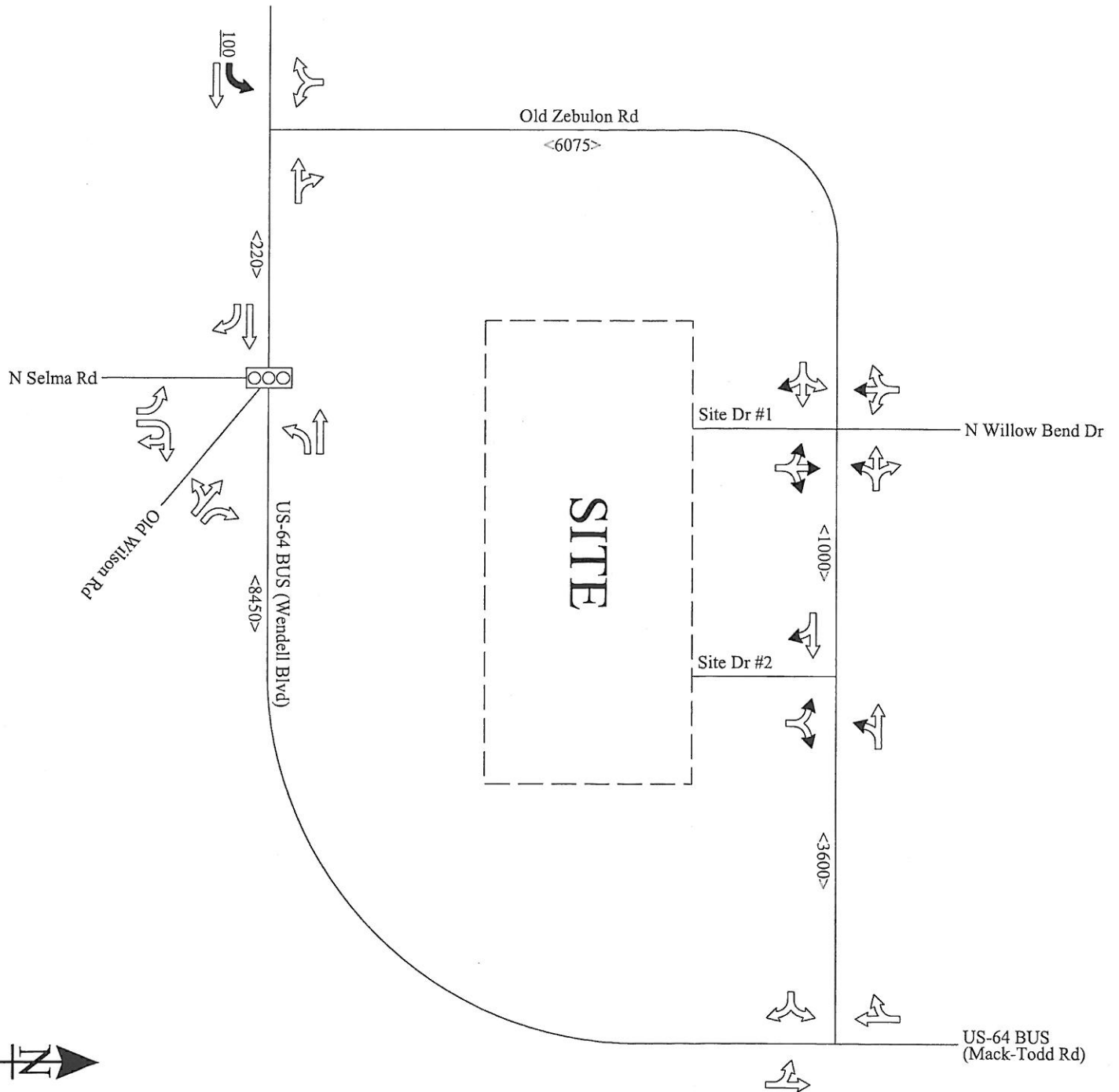
Trip Generation - Unadjusted Volumes During a Typical Weekday

	IN	OUT	TOTAL
AM Peak Hour	48	146	194
PM Peak Hour	158	94	252
Daily Trips			2,757








General Reference

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

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



Baynes Subdivision
Wendell, Wake County
SC-2019-125

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

ORD # 0-24-2020
AN ORDINANCE AMENDING THE ZONING MAP
OF THE TOWN OF WENDELL

WHEREAS a petition has been filed with the Board of Commissioners of the Town of Wendell requesting an amendment to the Zoning Map of the Town of Wendell to create the R7 Conditional District (R7-CD19-08) for the properties described below, said properties formerly being zoned R3 and Rural Agricultural (RA); and

WHEREAS said properties are owned by Aubrey Sidney Baynes & Ann Knott Baynes and Olde Heritage Builders & Realty, Inc.; 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 July 27, 2020 at the Wendell Town Hall and wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change or to make relevant comments:

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

SECTION 1. That the Zoning Map of the Town of Wendell is hereby amended to include the R7 Conditional District (R7-CD19-08) 68.55 acres of property within the parcels identified by PIN #s 1794-15-7657, 1794-05-6758, 1794-25-6786, 1794-16-1410, 1794-05-2762 and 1794-06-6233.

SECTION 2. The requested zoning map amendment for the parcels within the rezoning area identified as CD19-08 from R3 and Rural Agricultural (RA) to R7-CD19-08, due to the supporting infrastructure and proximity to other residential zoning districts, as well as 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. UDO Section 2.3 A. - Multifamily dwellings (limited to townhomes only) shall be a permitted use in R7-CD and shall not exceed 45% of the total number of units - UDO 2.7 B.
 - a. Such multifamily dwellings may be front-loaded - UDO 5.10 B.
2. UDO Section 9.7.E.4.- Maximum block length shall exceed 800' on Street 'C' as necessary to preserve environmental features.
3. In order to promote variation in home appearance, no single-family home can be constructed

- with an exterior elevation (front façade) or color palette that is identical to the home on either side or directly across the street from it, to provide an anti-monotony development.
4. Garage doors shall either contain windows or carriage style adornments.
 5. The use of vinyl-siding shall be prohibited, except for trim elements of the dwelling unit façade.
 6. UDO Section 2.7 B. 1.-The minimum lot size for single-family shall be 4,600 sq. ft.
 7. UDO Section 5 - Front-loaded single-family lots shall have a minimum allowed lot width of 40 feet.
 8. Adjacent to all existing single-family lots, a six-foot tall wooden privacy fence shall be installed, at the developer's expense. This fence will be maintained in perpetuity by the Homeowners' Association.
 9. A Type 'B' landscape buffer shall be installed along the eastern property line, more specifically adjacent to the following Wake County PIN(s): 1794352900; 1794350547; and 1794350314. This buffer area shall be owned and maintained by the Homeowners' Association in perpetuity and shall be thirty feet in width.
 10. A Type 'B' landscape buffer shall be installed adjacent to all existing single-family residences that face Old Zebulon Road. This buffer area shall be owned and maintained by the Homeowners' Association in perpetuity and shall be twenty feet in width.
 11. UDO Section 9.7.E.4- Maximum cul-de-sac length shall exceed 300' on street 'B' as necessary to preserve environmental and topographic features.
 12. McKenzie Ridge will have a Home Owners Association. The HOA will be responsible for the townhome's roofs, yard maintenance, and pest control.
 13. The Town requires, pursuant to N.C.G.S § 160A-372, the dedication and construction of streets and rights of way, as shown in the approved Wendell Transportation Plan and Wendell Pedestrian Plan, to create conditions essential to public health, safety, and the general welfare. The developer recognizes this and would like to voluntarily offer a one-time contribution of \$100,000 to the Town of Wendell to be used in accordance with recommended improvements as outlined in the aforementioned Wendell Transportation Plan and Wendell Pedestrian Plan.

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 10th Day of August 2020

(Town Seal)

Virginia Gray, Mayor

ATTEST:

APPROVED AS TO FORM:

Megan Howard, Town Clerk

James P. Cauley III, Town Attorney

Item Title:

Town of Wendell Downtown Mural Concept Design

Board of Commissioners Meeting:

July 27, 2020

Specific Action Requested:

Approve the mural concept design provided by Matthew Whiley Murals, Inc.

Item Summary:

On January 13, 2020, the Board of Commissioners approved the selection of Matthew Wiley Murals, Inc. to provide a mural located on the side of the Perry building, along East Campen Street. Matthew Wiley was selected to create an original, one-of-a-kind, hand-painted mural featuring honeybees and other pollinators on the wall of the Perry building in Wendell, NC. This piece will forever be considered a part of the 50,000 bees that Matthew is creating as a part of his global project titled The Good of the Hive. Once the mural is completed, the Town of Wendell NC will have a presence on TheGoodoftheHive.com describing the project.

Mr. Wiley has provided a concept design for review and has indicated the concept for the sketch is to bring a diversity of pollinators together in a whimsical procession. The art will go across the entire wall selected for the mural.

The mural concept was presented to the Appearance Commission at their July 22 meeting. The comments and recommendation of the Appearance Commission will be provided at the meeting.

Work is scheduled to begin on or around July 31, in conjunction with substantial completion of the E Campen Row project.

Attachments:

A. Downtown Mural Concept Design Sketch



Item Title:

Motion on a contiguous annexation for 1 parcel totaling 7.45 acres [PIN #1793-03-4587] located at 1425 S. Hollybrook Road.

Report to the Board of Commissioners:

July 27, 2020 – Item for Decision

July 13, 2020 – Public Hearing

June 22, 2020 - Receive Certificate of Sufficiency and set Public Hearing

January 13, 2020 - Direct the Clerk to Investigate Sufficiency of the Annexation

Specific Action Requested:

Make a motion on the annexation for 7.45 acres located at 1425 S Hollybrook Road and consider adopting the attached ordinance. The public hearing was held for this item on Monday July 13, 2020.

Item Summary:

Franceline H Price has submitted an annexation request for 1 contiguous parcel totaling 7.45 acres located at 1425 S. Hollybrook Road and identified by PIN Number 1793-03-4587. The purpose of this annexation is to accommodate planned changes to the residential Conditional District previously submitted by Fred Smith on S. Hollybrook Rd, to include this land.

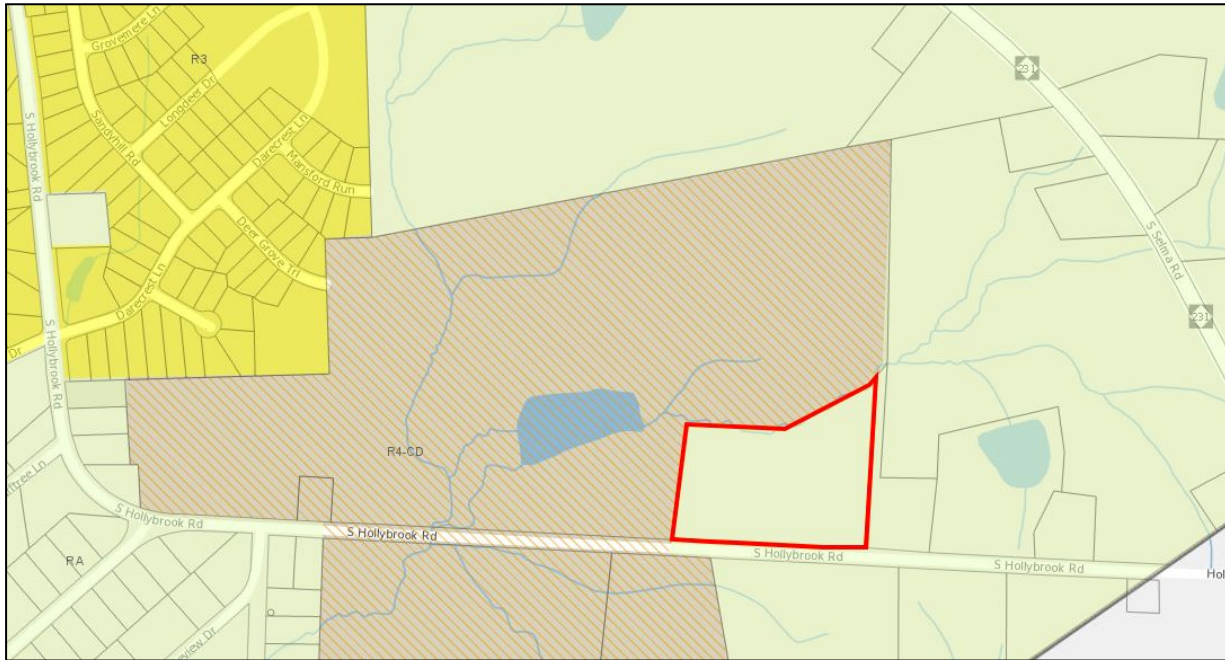
Zoning District:

The property is currently located within the RA zoning district.

Police & Public Works & Utility Service:

The proposed annexation area would require services from the Town's Police and Public Works Departments if annexed.

Location Map:



Staff Recommendation:

Staff recommends approval of the request.

Attachments:

- A. Ordinance for Adoption

Return Address: Bryan Coates, Assistant Planning Director
Town of Wendell
15 E. Fourth Street
Wendell, NC 27591

A19-08

ORDINANCE NO. 0-20-2020
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE TOWN OF WENDELL, NORTH CAROLINA

WHEREAS, the Board of Commissioners has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and

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

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at the Wendell Courtroom at 7:00 p.m. on the 13th day of July, 2020, after due notice by publication on the 2nd day of July, 2020.

WHEREAS, the Board of Commissioners does hereby find as a fact that said petition meets the requirements of G.S. 160A-31, as amended;

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

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

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the property identified by PIN # 1793034587 and also shown as the 7.45 acre tract located at 1425 S. Hollybrook Road on the below identified survey plat is hereby annexed and made part of the Town of Wendell, North Carolina, as of the date of adoption of this Ordinance on July 27, 2020. The survey plat that describes the annexed territory is that certain survey plat entitled "Annexation Plat, Extension of Corporate Limits of the Town of Wendell" and recorded in Book of Maps Book Number _____, Page Number _____, Wake County Registry.

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

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

Duly adopted the 27th day of July, 2020.

(Town Seal)

Virginia R. Gray, Mayor

ATTEST:

APPROVED AS TO FORM:

Megan Howard, Town Clerk

James P. Cauley III, Town Attorney

Page 2

STATE OF NORTH CAROLINA
COUNTY OF WAKE

CLERK'S CERTIFICATION

I, **MEGAN HOWARD**, Town Clerk of the Town of Wendell, North Carolina, do hereby certify that the attached is original ordinance **#0-20-2020**, as adopted by the Wendell Board of Commissioners on the 27th day of July, 2020 for property owned by **Franceline H. Price**, and is approved for recording in the Wake County Register of Deeds.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of the Town of Wendell, North Carolina this 27th day of July, 2020.

[TOWN SEAL]

Megan Howard, Town Clerk

Item Title:

Motion on a contiguous annexation petition for 1 parcel totaling 15.79 acres [PIN #1783-17-8750] located at 941 Wendell Falls Parkway.

Report to the Board of Commissioners:

July 27, 2020 – Item for Decision

July 13, 2020- Public Hearing

June 8, 2020 - Receive Certificate of Sufficiency and set Public Hearing

April 27, 2020 - Direct Clerk to Certify Annexation Request

Specific Action Requested:

Make a motion on the annexation petition for 15.79 acres located at 941 Wendell Falls Parkway and consider adopting the attached ordinance. The public hearing was held for this item on Monday July 13, 2020.

Item Summary:

Jackie Smith has submitted an annexation request for 1 contiguous parcel totaling 15.79 acres [PIN #1783-17-8750] located at 941 Wendell Falls Parkway. Plans have been approved to build a Townhome residential community as part of an NC Conditional District but in order to gain access to needed utilities, annexation is required.

Zoning District:

The property is currently located within the Town of Wendell extraterritorial jurisdiction and is zoned Neighborhood Center (NC) Conditional District.

Police & Public Works & Utility Service:

The proposed annexation area would require services from the Town's Police and Public Works Departments if annexed.

Location Map:



Staff Recommendation:

Staff recommends approval of the request

Attachments:

- A. Ordinance for Adoption

Return Address: Bryan Coates, Assistant Planning Director
Town of Wendell
15 E. Fourth Street
Wendell, NC 27591

A20-02

ORDINANCE NO. 0-21-2020
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE TOWN OF WENDELL, NORTH CAROLINA

WHEREAS, the Board of Commissioners has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and

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

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at the Wendell Courtroom at 7:00 p.m. on the 13th day of July, 2020, after due notice by publication on the 2nd day of July, 2020.

WHEREAS, the Board of Commissioners does hereby find as a fact that said petition meets the requirements of G.S. 160A-31, as amended;

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

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

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the property identified by PIN # 1783178750 and also shown as the 15.79 acre tract located at 941 Wendell Falls Parkway on the below identified survey plat is hereby annexed and made part of the Town of Wendell, North Carolina, as of the date of adoption of this Ordinance on July 27, 2020. The survey plat that describes the annexed territory is that certain survey plat entitled "Annexation Plat, Extension of Corporate Limits of the Town of Wendell" and recorded in Book of Maps Book Number _____, Page Number _____, Wake County Registry.

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

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

Duly adopted the 27th day of July, 2020.

(Town Seal)

Virginia R. Gray, Mayor

ATTEST:

APPROVED AS TO FORM:

Megan Howard, Town Clerk

James P. Cauley III, Town Attorney

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STATE OF NORTH CAROLINA
COUNTY OF WAKE

CLERK'S CERTIFICATION

I, **MEGAN HOWARD**, Town Clerk of the Town of Wendell, North Carolina, do hereby certify that the attached is original ordinance **#0-21-2020**, as adopted by the Wendell Board of Commissioners on the 27th day of July, 2020 for property owned by **The Jackie F. Smith Revocable Living Trust**, and is approved for recording in the Wake County Register of Deeds.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of the Town of Wendell, North Carolina this 27th day of July, 2020.

[TOWN SEAL]

Megan Howard, Town Clerk

Item Title:

Motion on a revised R4 Conditional District for properties located at 0, 1320 & 1425 S. Hollybrook Road.

Report to the Board of Commissioners:

Monday, July 27, 2020 – Item for Decision
Monday, July 13, 2020 – Public Hearing

Report to the Planning Board:

Monday, June 15, 2020
Monday, June 1, 2020
Monday, May 4, 2020

Specific Action Requested:

Make a motion on the proposed R4 Conditional District request and consider adopting the attached ordinance to rezone the described area subject to conditions and in conformance with the associated Master Plan. The public hearing was held for this item on Monday, July 13, 2020.

Applicant:

Smith Edwards, LLC

Petition:

The applicant has requested to create an R4 Conditional District for 99.9872 acres of property within the parcels identified by PIN #1783-92-3310, PIN #1783-94-9191, and PIN #1793-03-4587. The proposed conditional district consists of a 290 single-family home subdivision, including club, pool and associated improvements, to be known as The Glen and The Meadows.

Item Summary:

On November 26, 2018, the Wendell Board of Commissioners approved a Conditional District Master Plan submitted by Fred Smith along S. Hollybrook Rd, for up to 310 single family homes. Following Master Plan approval, the project engineers (John A. Edwards And Company) began preparing Construction Drawings. However, based upon various factors including but not limited to wetland impacts, the developer chose to approach the town with a revised Master Plan rather than continuing with the existing one.

The revised Master Plan would remove approximately 23 acres of property from the western portion of the project and add an additional 7.45-acre parcel and connecting drive on the eastern side of the

project. As proposed, the applicant's revised R4 conditional district would feature 290 single family homes (instead of 310). The change eliminates a road crossing that would impact wetland and riparian buffers. The portion of the development north of S. Hollybrook Rd would gain an additional access point to Hollybrook but would lose the connection to Groves of Deerfield (this connection required a stream crossing). Outside of these changes, the development proposal is substantially similar to the approved master plan.

If the revised plan is approved, the applicant would seek to rezone the 23-acre portion that has been removed from the conditional district application to Residential-3 (R3) zoning district.

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

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 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.

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 the UDO which would otherwise apply to the development site. The Planning Board may recommend, and the Board of Commissioners may attach reasonable and appropriate conditions including, but not limited to, the location, nature, hours of operation, and extent of the proposed use(s). Conditions and site-specific standards shall be limited to those that address conformance of the development and use of the site to the UDO and officially adopted plans and those standards and conditions that address the impacts reasonably expected to be generated by the development and use of the site.

Location and History:

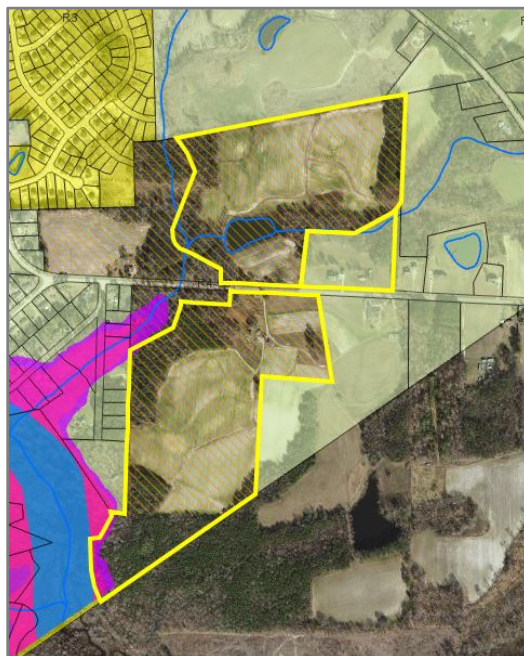
Two of these properties are currently located in the corporate limits of the Town of Wendell and are zoned R4-CD, with the remaining 1 property located in the Town's extraterritorial jurisdiction and is zoned Rural Agricultural (RA). An annexation request for the property in the ETJ has been submitted.

Project Profile:

PROPERTY LOCATIONS: 0, 1320 & 1425 S. Hollybrook Rd
WAKE COUNTY PINS: 1783923310, 1783949191, 1793034587
CURRENT ZONING DISTRICT: R4-CD/RA
CROSS REFERENCES: N/A
PROPERTY OWNERS: Smith-Edwards LLC
2505 Wendell Road
Wendell, NC 27591
Franceline Price
1425 S. Hollybrook Road
Wendell, NC 27591
APPLICANT: Smith-Edwards, LLC
2505 Wendell Road
Wendell, NC 27591
PROPERTY SIZE: 99.9872 acres
CURRENT LAND USE: Residential/Agricultural
PROPOSED LAND USE: Residential

Project Setting – Surrounding Districts and Land uses:

DIRECTION	LANDUSE	ZONING
North	Residential/Agricultural	R3/RA
South	Residential/Agricultural	RA
East	Residential/Agricultural	RA
West	Residential	R3/RA

Current Zoning Map (Subject Properties Outlined in Yellow:

Proposed Conditional District Conditions:

The applicant is proposing to keep the approved zoning conditions 1-9 with new lot number references added. Zoning condition 10 was removed and replaced with a maximum lot count of 300 in keeping with the intent of the original approval. The 10 conditions for the proposed CD are as follows:

1. All single-family dwellings shall have a 5 ft. minimum side setback.
2. A parking ratio shall be applied to the club house amenity site of 1/1,000 SF + 1/75 SF of water surface for the pool.
3. Approval of the subject Conditional District is contingent upon formal acceptance and annexation of the subject parcels into the Town of Wendell. Absent annexation acceptance the Conditional District application will not be approved.
4. All interior lot single-family dwellings shall have a 54 ft. minimum lot width and all corner lots shall have a minimum 60ft. lot width (rather than 50 ft.).
5. The development shall provide a minimum of 2,500 sq. ft. of open space per dwelling (rather than 1,750 sq. ft. of open space)
6. That the club house lot amenities be completed prior to Phase 3 of the development plan.
7. That the proposed Pump Station be screened from view from lot 229 and 230 with a Type A buffer (with the exception of an access drive). Existing vegetation may be counted towards this requirement.
8. That a high visibility crosswalk and pedestrian crossing signs be installed to allow pedestrians to safely cross Hollybrook Rd, in adherence with any required DOT standards for the crossing design.
9. That the subdivision planting requirement for abutting rear yards (described in Section 8.7 of the UDO) be applied to lots 242 through 250, which abut that 3.76 acre tract identified by PIN 1783816842.
10. There shall be a maximum lot count of 300.

Applicant's Justification:

Applicants Justification Statement added as Attachment B.

Public Utilities:

Development of this site will require connection to city water and sewer which is available nearby. The parcel that is not already in the city limits will need to be annexed.

Streets:

The applicant will be responsible for making the required road improvements which include sidewalk, bike lanes, landscape area and curb and gutter. The completed Transportation Impact Analysis requires a left turn lane be constructed from NC 231 to S Hollybrook Road.

Phasing:

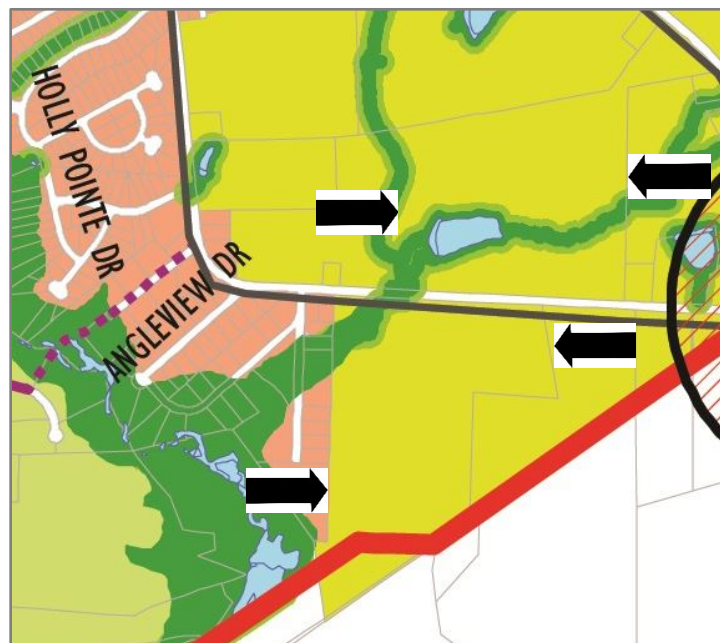
The applicant has indicated that there will be 5 phases on this project. Phasing timelines will need to be updated.

Comprehensive Plan:

The Wendell Comprehensive Plan defines the subject property as being 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 following development types and uses are appropriate for the S-4 sector: traditional neighborhood developments, neighborhood centers, single-family and multi-family residential, neighborhood-serving commercial uses (retail and office), civic uses and industrial uses. The proposed development on the site meets the appropriate uses.



Technical Review Committee (TRC) Comments:

The Technical Review Committee has completed their review of the applicant's Master Plan and the applicant has made corrections based on their comments. Additional review would occur upon submittal of construction drawings (final development plan for conditional districts).

Planning Board Recommendation:

At their June 15, 2020 meeting, the Planning Board voted 5-2 in favor of the requested Conditional District.

Voting in Favor: Jimmena Huffman-Hall, Levin Jones, Brett Hennington, Deans Eatman and Ryan Zakany.

Voting Against: Victoria Curtis and Allen Swaim

Absent: Michael Firstbrook and Jonathan Olsen

Statement of Plan Consistency and Reasonableness:

The proposed Conditional District is found to be generally consistent with the recommended uses and development types outlined in the Wendell Comprehensive Land Use Plan for the S-4 Sector and is reasonable due to its consistency with the surrounding residential zoning districts and with the following principle of the Comprehensive Plan:

- Principle Number 6: "Provide for a range of housing opportunities including upscale housing, senior housing and downtown living choices."

Staff Comments:

Staff supports the proposed conditional district.

Attachments:

- A. Written Public Comment within 24-hour period of 7/13
- B. Ordinance for Adoption

**Public Comments received within the 24-hour period following the 7/13/2020
Town Board Meeting:**

Item 6d.) Motion on a revised R4 Conditional District for 99.9872 acres (PIN#1783-83-7560, PIN#1783-92-1299, PIN#1783-94-6022, PIN#1793-02-0954, and PIN#1793-03-4587) located at 1201 S Hollybrook Road, 1320 S. Hollybrook Rd., 0 S Hollybrook Rd and 1425 S Hollybrook Rd.

- **Judy Arnold, 1429 South Hollybrook Rd, submitted the following additional written public comments within the 24-hour period:**

Additional Written Comments to Wendell Town Board of Commissioners

Monday, July 13, 2020, Meeting

Re: 5c Public Hearing to consider a revised R4 Conditional District for 99.9872 acres

I urge members to review the attachments submitted to the July 13th meeting in full. I would have included them in the body of my e-mail if I had realized they would not be read in full at the meeting. The Planning Director, some Planning Board Members as well as some serving on the Board of Commissioners were not serving when this development was discussed in 2018, but I remembered many of the details from the original Master Plan and have revisited my notes that would not be familiar to many who were not involved in 2018.

REGARDING TIA – I briefly skimmed through the 241page document, and have a few questions and concerns.

- 1) First, what does, if I am reading it correctly, requiring a turn lane from 231 on to Hollybrook Road have to do with this development? It will only invite more traffic coming from Johnston County and other new developments in Johnston County to use Hollybrook Road and filter through Wendell instead of remaining on Selma Road to Wendell Boulevard?
- 2) Second, the new TIA figures were collected in March, 2020, under COVID-19 conditions (Page 8) so counts collected in February, 2020, at E. Third Street and Selma Road (Mr. G's) "were considered representative of normal traffic conditions in the study area" with adjustments for the unprecedented times and conditions we were experiencing and continue to experience regarding Covid-19 and that I hope we will never see again. I don't know how this could accurately be projected by anyone. How many residents that live in any of the subdivisions using Hollybrook Road are going to take Selma Road to Third Street? Even from Hollybrook, residents going to Raleigh will probably not access Wendell Boulevard or Wendell Falls by Third Street. I have lived on Hollybrook since 1985 and you have to go through the traffic light and encounter the traffic in town, so we always cut through the

neighborhoods. No one can accurately adjust the numbers with the percentages that were applied. In March, 2020, schools were out and people were not working or working from home and numbers were used from an intersection not close to the Hollybrook project. Do you think these figures are reliable for something as important as this? Was traffic from the proposed Park included?

REGARDING THE PLANNING BOARD MEETINGS

- 1) In the meeting on June 1, the Old Zebulon Road project was voted down after a very detailed request was submitted with one unidentified member voting no stating that no more development approvals should be granted until the roads were improved. Either that member was not present or changed his mind from June 1 to June 15th. For the same project from the January 21st, 2020, meeting the following comments were made regarding traffic made by Board Members:
 - a. Michael Fastbrook (Firstbrook?) said as a Planning Board member he wanted to have planning duties instead of being part of this process of developers against residents. The members of the Planning Board should be planning. The town is not equipped for this type of growth.
 - b. Victoria said growth is inevitable, we are at the point where it is time to set standards and adhere to them. Density needs to be controlled, we must decide we are willing to accept this or something better and smaller. She said she does not support this development.
 - c. Jimmena said she agrees with Victoria. She is in the medical field and she is concerned about getting to people who need emergency help.
 - d. Brett talked about traffic in the area and thinks the town needs to upgrade roads before adding neighborhoods, he said we need to set a standard.
 - e. Levin said traffic is a concern and the TIA should address these concerns. Buffering needs to be more detailed and not as abstract. More information is needed.
 - f. Jonathan said he feels like Bill Murray in Groundhog Day! This is the 6th proposition of a dense development. He thinks the town should spend money to improve the roads.
 - g. Ryan addressed the town staff as to what is the future of our roads. Brian said NC DOT congestion management is under review. Ryan asked if in the future they would look at the TIA prior to a developer coming before the board and asked when we would get a new comp plan. Bryan said a new one would be completed in 2021. Ryan asked about plans to widen the roads. David said DOT focuses on areas that have bigger needs. Turning lane improvements or traffic signals. He said the CAMPO LAPP program is going to add lights and make pedestrian improvements. Ryan said it seems like we can't get improvements until we have more people, but more people will make the roads worse. We need to revisit the UDO. He said he is not opposed to townhomes.

- h. Chairman Swaim said diversity is ok but the same proposals are constantly coming before the board and to him it is like 40 lbs. of fertilizer in a 10 lb. bag! They are not following the plan, and they are always waning conditional districts. We can do better! Nicer homes on nicer lots. A 40 ft by 120 ft lots are almost like a mobile home park, it is not fair and he doesn't like it.

I realize these comments were associated with a different development, but the traffic issues in Wendell would still remain the same. The only two "No" votes the Hollybrook Road project received from the planning board were from Allen Swaim and Victoria Curtis. Why are the traffic issues not as genuine with this project as with the other project; and when members are questioning any further development until roads are improved, roads were not even discussed in the June 15th meeting prior to a vote. This was not taking into account additional traffic from the proposed park (I could not find anywhere that these traffic counts were included in the revised TIA from the park use) that would be entered from close to the curve at Angleview with 19 acres on one side of the road and 4 acres across the road, apparently they are contingent on each other? Mr. Holt confirmed in an email this morning that the public park concept is discussed in their zoning and Master Plan application and was also included in his letter to Hollybrook Road residents in his letter dated May 11, 2020, (which stated the land was under contract for the Town to purchase as a public park this summer or fall.) Until confirmation in his email, I did not realize it had been included in the application. The aforementioned letter also stated that the new entrance for the subdivision would be further from the 90 degree curve on Hollybrook that was originally designed. I assumed that meant it might be safer but then we are planning a park and having to cross Hollybrook Road to reach 4 of the 23 acres? If we had known the Town was looking for land, my Dad may have considered entering into an agreement with the Town for his land or I would have on his behalf, having his full POA. A use of this type would be preferred over any type of development.

This item was tabled in the June 1st meeting but brought back on June 15th. The website indicates the meetings were by Uber Conference or phone, but notices only indicated a phone call meeting. Why was it not possible to hold these meetings as the Board of Commissioners meetings with Facebook Live so we could have felt like we were more involved in the meetings and maybe been able to understand who was speaking? When I checked the calendar on June 15th to make sure the meeting was still scheduled, it was not listed on the calendar. I emailed Bryan at 5:27, he added the meeting at 6:35 stating it's a standard meeting date but interested people not familiar with the Town's procedures would not know this. And as mentioned in my email last night, Minutes will not be available until after the July 20th meeting when they can be approved so we are unable to clarify some items we may have missed from the phone meeting.

REGARDING ENTRANCES ON THE NORTH SIDE OF SUBDIVISION, I sent letters dated June 24, 2020, to members of the TRC that were identified by Bryan as being involved in safety decisions with identifying documents, pointing out that while it is true that there are two entrances onto Hollybrook on the north side, one entrance only makes a loop around the lots before you cross the creek, the back 88 +/- homes only have only one means of ingress/egress to cross the creek. In the revised plan, the project no longer connects to existing streets in Deerfield as it did in 2018, and in 2018 only one means of access was not acceptable to the TRC on the south side so a change was made. To date, I have not received any response from any of the members. If you will look at the 88 homes on the north side, they are connected only by Street B. In the Master Plan dated October 22, 2018, this was not an issue on the north side, but that connecting land is no longer included in this subdivision (it will be a portion of the park under contract with the Town. I think Bryan stated one of the reasons for this was the expense of crossing the wetlands on that tract). This was a concern of the TRC when the original plan was submitted in the event of a natural disaster or accident if the only connecting street should be blocked for any reason. This was not mentioned in the Planning Board Meeting even though it was included in my information distributed to the members. If you have not been out to physically see the creek that Street "B" will be crossing over, it may help you get a better picture of what I am attempting to bring to your attention if you go out there. Proposed future subdivisions were not allowed to be considered for the access requirement in 2018 and my dad's land is not a possibility. We would also like to be assured that the natural flow of the creek with not be disturbed.

As stated in my previously submitted attachments, we think it is unbearable to imagine six homes, with each lot only being only 54' wide, backing up to our home (less than previously approved). My Mom, prior to her death, thought she had protected us with buffers of land, had been visited by Randy Edwards regarding selling her portion of the farm and had declined. I will continue to honor her wishes. My Dad at 88, would be by my side if his declining health allowed him to and a few of you may remember him as a builder adding many custom homes to the Town of Wendell. We received a false sense of security prior to Robert Price's death, when he cut out the 7-acre tract that he built his home on and intended to use as his own buffer, not to be developed. He came to us a good neighbor also discussing the restrictions he had placed on the land to try and control the homes that were to be built, and we were assured by the Town's Attorney, as the minutes will show, in 2018 that these restrictions would remain with the land. He also shared his idea of covenants with my Uncle, Jimmie Wootton, who placed the same restrictions on his land.

I do not want to keep repeating my disagreement with Mr. Holt that this Plan is far from the project submitted in 2018, (about 16 acres in size and it keeps changing but

maybe as few as 10 less homes (300 instead of 310)? so please review the documents I have submitted and address the points included in the attachments as well as the ones I have included here. Smith-Edwards may have considered the Master Plan approved in 2018, but taxes have only been paid on the deferred values, I guess until the approved plans have been recorded and use of the land changed by ordering a rollback for deferred taxes due for the prior years when the land use was not considered changed to a development status. Go back and look at the video of the last meeting in 2018 when Mr. Smith puts his arm around David Bergmark and says he will make the changes and he is sure the staff can approve the changes. I think Dr. Lutz was the Commissioner that spoke up and stated that it would have to go back before the Commissioners for approval. To my knowledge, it was not reviewed again. Smith-Edwards purchased the land to develop, but considerations should be given to established property owners and rushed decisions without fully studying all the details of the 2018 plan vs. the 2020 plan, should be noted. Decisions should not be made on the opinion of the attorney hired by Smith-Edwards to get this development approved.

Additional comments – below is a timeline of answers I have received from the Town of Wendell that continue to be confusing as they are developing as I am writing this to meet my 24 hour deadline.

1. Received letter from Clyde Holt dated May 11, 2020.
2. Attempted to contact David Bergmark only to receive response that David no longer worked for the Town of Wendell as of April 13th and to contact Bryan Coats. David had promised on November 26th, 2018, after the last meeting on the project to contact me when a revised plan was submitted for approval.
3. On May 14, 2020, sent email to Bryan Coates explaining who I was and asking why we had not been contacted.
4. On the same day, May 14th, Bryan responded

Judy,

The Glen and Meadows subdivision has resubmitted plans for town action. The revised plans are going before the Town's Technical Review Committee and once that process is complete it will be scheduled for the planning board for a recommendation to the Town Board. Planning Board meetings are open meetings and residents can attend at any time. I will email you when the item is scheduled for planning board recommendation and you can attend and comment at that meeting if you choose.

All adjoining neighbors will be notified when the submittal is scheduled for public hearing with the Town Board as required by law. No dates have been set at this point for action on the revised plans.

Bryan

5. Today after questioning whether the two items were submitted together on one application and why by law, we were not notified, I received an email from Bryan:

Judy,

The two properties totaling approximately 23 acres went before the Town Board on April 27, 2020 as item 6E. The Town Board approved that agreement for purchase and sale of the two parcels for a future neighborhood park.

The Wendell Planning Board does not approve contracts for land purchase, only the Town Board.

Bryan

I asked why when he emailed me on May 14th, this approval had not been mentioned since it occurred in April and received this response:

Judy,

Thank you for reaching out.

The sale of the two properties was an administrative item and not a public hearing. The administrative item to purchase the two properties was approved on April 27th, 2020 not the conditional district master plan for Glen & Meadows. The conditional district master plan went before the Planning Board on June 1st and 15th for Planning Board review and then was scheduled for public hearing with the Town Board on July 13th, 2020. The town purchasing two parcels and the conditional district master plan are two separate items and with different procedures.

Bryan

I must say, while I do not understand a lot about Town proceedings, it does not seem reasonable to submit two separate items together in the Zoning and Master Plan application when they are two separate items with different procedures. I tried to print the Minutes from the April 27th, 2020, meeting to see if I could get a better understanding, but they are not available on the website. It skips from February, 2020, to May 4th, 2020. Part of my problem is that I am getting different responses from the developers' attorney, that I did not include in these comments, and the Town. I am going to assume the Town's responses are the correct ones. These issues are not the most important ones to me, just retaining the value and peace and integrity of my home

and being assured the Town has weighed all the circumstances of this approval, including the traffic issues in Wendell.

Respectfully submitted this 14th day of May, 2020,

Judy G. Arnold

Judy Arnold, Paralegal

Michael G. Sandman Attorney at Law

7101 Creedmoor Road, Suite 142

Raleigh, North Carolina 27613

Phone: 919-847-7275

Fax: 919-847-7335

judy@sandmanlaw.com

- **Nicole “Nikki” Kearney-Cobb, 421 Deer Grove Trail, provided the following written public comment within the 24-hour period:**

Good afternoon,

I apologize for missing the deadline to comment. However, I am the homeowner next door to the proposed park area. I would like the town to consider to put up a fence between my house and the property, due to the fact of me having three small children. I believe it would be a great idea for a park for our young children in the neighborhood. Having a park will give the kids something to do and help them stay fit and healthy. Again, I apologize for my tardiness. I can be reached at 919-641-5183.

Respectfully,

Nicole “Nikki” Kearney-Cobb

Tax Agent

Wake County Government

Department of Tax Administration

Nicole.kearney-cobb@wakegov.com

919.856.7254 office |919.856.7128 fax

301 S McDowell St., Ste 3800 PO Box 2331

Raleigh, NC 27602

wakegov.com/tax

- **David Arnold, 1429 South Hollybrook Rd, provided the following written public comment within the 24-hour time period:**

To: The Town of Wendell Board of Commissioners

I have a few comments and questions relating to the proposed development on Hollybrook Road that was presented at last night's (July 13, 2020) Board meeting.

In 2018 a proposal was presented to the Wendell Town Board by Smith Edwards LLC for a development on South Hollybrook Road that included 339 single family homes and various amenities. The Board questioned the density of housing and other issues relating to the number of homes and access to safe ingress and egress in the neighborhood. Responding to these concerns, at a subsequent meeting, the applicant reduced the number of proposed houses to 310. Since that meeting, Smith Edwards has amended their proposal to remove a 23+ acre tract and replace it with 7.45 acres at 1425 S Hollybrook Road, a net decrease in acreage of 16 +/- acres while reducing the number of houses by either 20 or 10, depending on which statement by the Assistant Planning Director during his presentation on July 13 is correct. (Mr. Coates stated at the beginning of his presentation that there would be "290 houses" included in the plan but later on described the project as having "300 lots") The new plan shows 26 houses on the 7.45 acre tract, or 3.5 houses per acre, whereas the original plan showed 46 houses on the 23 acre tract, or two houses per acre. It would seem that the ratio between the reduced number of acres and the reduction in the number of houses does not adhere to the Board's original desire to control the density of housing in the development.

At the November 13, 2018 Board meeting, the TRC expressed concerns about the property having only two access points, one on each side of Hollybrook Road, and stated, "Both sides of this development have only 1 roadway connection to Hollybrook Road and rely largely upon future connections to undeveloped tracts. This could be a serious issue in the event of a natural disaster or accident if the route out of the development were blocked or otherwise inaccessible." The most recent proposal has two connections to Hollybrook Road on the north side, albeit in spirit only. In reality, the two connections feed into each other within a few hundred yards at a T intersection and connect to one street that crosses a wetlands area and serves 88 homes. The question is not the two exits onto Hollybrook Road, the question is whether this serves the 88 homes that are accessed by only one street. It would seem that this new proposal only exacerbates the dangers and problems that might arise in case of an accident, fire, or natural disaster and to "rely largely upon future connections to undeveloped tracts" without a defined plan would not seem to be a reasonable solution.

The NCDOT TIA presents many questions and concerns. The TIA extends only to Third Street, not to Wendell Blvd. or to Wendell Falls Blvd. Residents on South Hollybrook Road most typically use Wendell Falls Blvd. or Wendell Blvd. for access to and from their homes. Third Street is not a common route. In the case of Wendell Falls Blvd., drivers will often use Redberry Dr., Harris St., Forest Ln., Dogwood Tr., and Haywood St. to access Cypress St. and First St. to Wendell Falls Blvd. This routes traffic through established residential neighborhoods that lack sidewalks and sufficient lighting to assure the safety of pedestrians, especially school children. Any assessment done after the first of March 2020, even with estimates inserted to approximate normal traffic, is suspect at best. A TIA done in times of normal traffic and taking into account the real-world traffic patterns of those who use these streets is needed to appropriately plan for future growth.

What does a left turn lane on northbound Hwy. 231 at Hollybrook Road have to do with the proposed development on Hollybrook Road? Maybe the turn lane was mistakenly added to this project when it actually applies to some other project located in Johnston County. This is a good example of the weaknesses in the NCDOT TIA.

Traffic is a major concern in any development on the south or east side of Wendell. In June, the Planning Board rejected a request for a development on Old Zebulon Road because they did not feel that Wendell's plan for roads to accommodate the traffic that would be caused by the development was sufficient and that infrastructure should be in place before the development was allowed. I suggest that the same considerations should be applied to the Hollybrook Road development.

Are there any accommodations proposed to protect current property owners from the encroachment of this development? According to the most recent proposal, there are six houses whose backyards abut the western side of our property at 1429 South Hollybrook Road with no mention of a buffer. I can find nowhere else in Wendell where this many houses are placed with their backyards facing the side and front yard of an established property. Even in Wendell Falls, the side yard of a long-existing farmhouse is bordered by only three new houses (one of those set at an angle) and a buffer of distance and trees has been provided.

I realize that the current pandemic situation dictates that we make adjustments in how normal business is done, but it seems that the COVID19 crisis is being used by the developer to fast-track this proposal and avoid the usual scrutiny to address concerns. I would like to suggest that approval of this project be put on hold until these questions can be addressed and a more thorough review of the concerns can be considered.

David Arnold

arnold54@bellsouth.net

ORD # 0-18-2020
AN ORDINANCE AMENDING THE ZONING MAP
OF THE TOWN OF WENDELL

WHEREAS a petition has been filed with the Board of Commissioners of the Town of Wendell requesting an amendment to the Zoning Map of the Town of Wendell to create the R4 Conditional District (R4-CD19-09) for the properties described below, said properties formerly being zoned R4-CD18-01 and Rural Agricultural (RA); and

WHEREAS said properties are owned by Smith Edwards LLC and Franceline H. Price; 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 July 13, 2020 at the Wendell Town Hall and wherein a reasonable opportunity was given to all those in attendance to speak either in favor or against the said change or to make relevant comments:

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

SECTION 1. That the Zoning Map of the Town of Wendell is hereby amended to include the R4 Conditional District (R4-CD19-09) 99.9872 acres of property within the parcels identified by PIN #s 1783923310, 1783949191 and 1793034587.

SECTION 2. The requested zoning map amendment for the parcels within the rezoning area identified as CD19-09 from R4-CD18-01 and Rural Agricultural (RA) to R4-CD19-09, due to the supporting infrastructure and proximity to other residential zoning districts, as well as 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. All single-family dwellings shall have a 5 ft. minimum side setback.
2. A parking ratio shall be applied to the club house amenity site of 1/1,000 SF + 1/75 SF of water surface for the pool.
3. Approval of the subject Conditional District is contingent upon formal acceptance and annexation of the subject parcels into the Town of Wendell. Absent annexation acceptance the Conditional District application will not be approved.

4. All interior lot single-family dwellings shall have a 54 ft. minimum lot width and all corner lots shall have a minimum 60ft. lot width (rather than 50 ft.).
5. The development shall provide a minimum of 2,500 sq. ft. of open space per dwelling (rather than 1,750 sq. ft. of open space)
6. That the club house lot amenities be completed prior to Phase 3 of the development plan.
7. That the proposed Pump Station be screened from view from lot 229 and 230 with a Type A buffer (with the exception of an access drive). Existing vegetation may be counted towards this requirement.
8. That a high visibility crosswalk and pedestrian crossing signs be installed to allow pedestrians to safely cross Hollybrook Rd, in adherence with any required DOT standards for the crossing design.
9. That the subdivision planting requirement for abutting rear yards (described in Section 8.7 of the UDO) be applied to lots 242 through 250, which abut that 3.76 acre tract identified by PIN 1783816842.
10. There shall be a maximum lot count of 300.

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 27th Day of July 2020

(Town Seal)

Virginia Gray, Mayor

ATTEST:


APPROVED AS TO FORM:

Megan Howard, Town Clerk

James P. Cauley III, Town Attorney

Item Title:

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

 Capital Area Metropolitan Planning Organization (CAMPO) – Mayor Virginia Gray

 Technical Review Committee (TRC) – Mayor Pro Tempore John Boyette

Specific Action Requested:

None

Attachments:

None

Item Title:

Commissioners' Reports.

Specific Action Requested:

None

Attachments:

None

Item Title:

Mayor's Report.

Specific Action Requested:

None

Attachments:

None

Item Title:

Closed Session [NC GS 143-318.11].

Specific Action Requested:

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

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

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

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

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

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

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

Attachments:

None