

TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
JULY 27, 2020

The Wendell Town Board of Commissioners held their virtual, regularly-scheduled meeting on Monday, July 27, 2020, in the Town Board Room, Wendell Town Hall, 15 East Fourth Street.

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

ABSENT:

STAFF PRESENT: Town Manager Marc Collins, Town Clerk Megan Howard, Town Attorney Jim Cauley, Assistant Planning Director Bryan Coates, Assistant to the Manager Stephanie Smith 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 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.

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. Pastor Bell also announced the following Pleasant Grove Baptist Church Announcements:

Beginning Wednesday, August 5, 2020 Pleasant Grove will begin COVID-19 drive-through testing in Wendell at the church. The exact hours will be known by Friday on the church's website, www.pleasantgrovewendell.org

Pleasant Grove also holds virtual worship services on the same website at 10 a.m. on Sundays.

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Each first and third Tuesday of the month, Pleasant Grove Baptist Church partners with the Food Bank of North Carolina to provide boxes of food and produce to families in the Wendell/East Wake Area. In June, they helped 100 families and over 200 individuals.

1. ADJUSTMENT AND APPROVAL OF THE AGENDA

Commissioner Boyette asked to adjust the Agenda, with the adjustment that item 3f be removed from the Consent Agenda and added as Item 6e in Administrative Items.

ACTION

Mover: Commissioner Jon Lutz made a motion to approve the agenda, with the adjustment that item 3f be removed from the Consent Agenda and added as Item 6e in Administrative Items.

Ayes: Commissioners Jason Joyner, Joe DeLoach, Jon Lutz, Philip Tarnaski, John Boyette

Nays: None.

Vote: 5-0

2. PUBLIC COMMENT PERIOD

- The Public Comment period for the July 27, 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 24th 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 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.

The following call-in public comment was provided to the Board of Commissioners through the Uber Conference line:

Judy Arnold, 1429 S. Hollybrook Road, expressed her opposition to item 6d 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.

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David Arnold, 1429 S. Hollybrook Road, expressed his opposition to item 6b, contiguous annexation petition A-19-08 for 7.45 acres located at 1425 S. Hollybrook Road and identified by PIN number 1793-03-4587 and item 6d 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.

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

1. Jeanne Poole, 3501 Wendell Blvd., Wendell, NC, 27591

Megan, I watched the town board meeting on Tuesday July 14 and was glad that another citizen of Wendell had addressed the change in services regarding collection of yard waste for the town. I have addressed this issue verbally with the town department as well as with one of the commissioners without much information about who changed the pickup policy and what could be done to alter it in such a way that citizens and town resources could be mutually satisfied.

I live at 3501 Wendell Blvd. and my lot is large with big old trees. One of the trees is a designated NC Champion Tree. When I moved to this location 8 years ago the town was very protective of this particular tree. Big old trees have lots of limbs and it is routine for me to have fallen limbs that have fallen due to wind, rain, etc. I keep my lot well manicured (myself) as I want it to reflect positively for our town. It's location is a very visual one. The trash cans can serve grass cuttings, weeds, Clippings etc. well and I have no problem with this; but a 10 ft limb would take much sawing and lifting of heavy weight to accomplish this.

The locations listed for citizens to haul their own yard waste are in Raleigh, Holly Springs and Apex and one would need to pay this site to dump the yard waste. I tend to think that the property taxes I am paying to live in this community should be covering such necessary services. The town has finally got the equipment needed to perform this service after several years where broken or absent equipment necessitated my hauling truck loads of leaves off myself.

I hope that this issue can be revisited and a more reasonable limb pick up recommendation can be made. Since I have been told that it takes a crew all week to collect this yard waste it should be evident that it is a service that is needed. Possibly limb pick up every other week would be a reasonable compromise and use of the trash cans would specialize this yard waste to large yard waste that would not fit into the cans.

Thank you for placing this support of revisiting this issue in the proper file. It was suggested at the end of the board meeting that comments from citizens were welcomed and would be viewed.

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2. Les Pippin, 630 Whitley Way, Wendell, NC, 27591

My name is Les Pippin and I live at 630 Whitley Way in Wendell. I am concerned about the changes in the Town of Wendell's changes in yard waste collection. My lot is almost an acre in size and it will be difficult to manage my yard waste with the new container that is provided. When I trim bushes or complete yard clean up it will take several weeks of using my weekly container to remove all of my yard waste.

I have always thought Wendell has done a great job managing the town's residential services. I am afraid myself and other residences will have a difficult time temporarily storing and managing their extra yard waste until the container is emptied each week. I have already noticed that there are piles of yard debris stored on the curb around my neighborhood. This may cause yard debris left on the curbs for a long time period if the town is only going to offer curb collection twice a year plus two extra services per residence.

Thank you for your time and I will begin paying attention to the Town Board of Commissioners meeting to see if other residents have similar issues and hopefully a better plan can be put in place.

Thanks,

Les Pippin

3. Alice Hall, 4330 Wendell Blvd., Wendell, NC, 27591

Good morning. I have a question for our town board...

Although I appreciate the thoughtfulness of our town in providing bins for our smaller pieces of yard waste, I am curious about the larger branches that frequently fall during storms. Will the town still be picking those up on a regular basis?

I believe a large part of the charm of Wendell (aside from the pleasant people) is these big old beautiful trees. It is, however, quite a job to keep the yards beneath these trees looking neat and manicured. Wendell has always been very good about picking up these larger limbs on a timely basis to keep our town appearance as it is.

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I would hate to see piles of these branches sitting alongside the streets for extended periods of time. I have a neighbor who was in the hospital and received a threatening letter regarding his lawn much like one would receive if they lived in a neighborhood with an HOA. Surely if we are this concerned about our town's appearance, then we will not become slack in removing the larger yard waste from our roadsides.

I am wondering if there is a trade off with service because of these new yard waste bins?

I cannot help but notice that my taxes have not decreased and don't believe that what I get in return for them should either.

Thank you for your help in this matter,

Alice Hall

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

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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

ACTION

Mover: Commissioner Lutz made a motion to approve the consent agenda as amended.

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

Nays: None.

Vote: 5-0

4. RECOGNITIONS, REPORTS, AND PRESENTATIONS

4a. FY 2020 Snap Shot Report

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

Town Manager Marc Collins said that the report offered updates from March to the end of the fiscal year. He noted the changes that the COVID-19 pandemic made over the departments' statistics. He thanked the Board for their implementation of policy and offered to answer any questions the Board might have.

No questions were asked.

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

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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.

Mayor Gray reminded the public that the Board would take action on these public hearing items at the August 10, 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.

*Note: The following Public Hearings were public noticed in *The Wake Weekly* and are provided in appendix A at the end of these 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.

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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:

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:

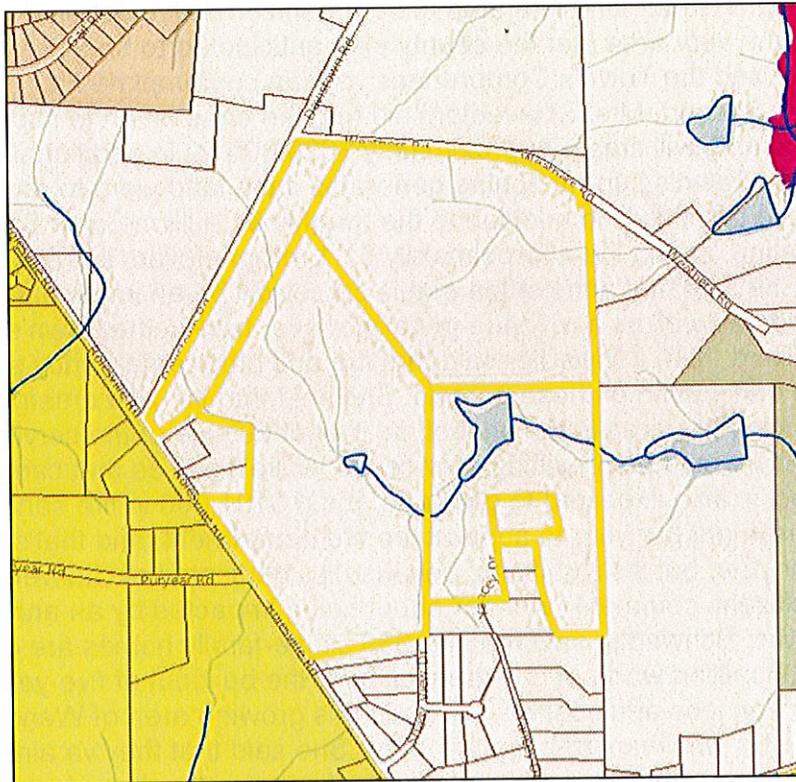
The properties are located within the Wake County R-40 zoning district. 129.59 acres are contained within a R4 Conditional District request. The remaining acreage has been requested to be rezoned Residential Agricultural (RA).

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:

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Attachments:

- A. *Ordinance for Adoption* –the Ordinance can be found on the Town’s website in the Agenda Packet from the July 27, 2020 Town Board Meeting.

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

No questions were asked. Mayor Gray opened the public hearing at 7:25 p.m. and asked to hear from the applicant.

Jamie Schwedler with Parker Poe on behalf of the applicant, 301 Fayetteville Street, Suite 1400, Raleigh, NC, 27601 said that the applicant team is also on the line, including Laura Goode, Bob Mishler, Raymond Rinker, Mike Reynolds, Kevin Dean, Chris Rurkowski and Don Sever. She noted that in addition to determining the area, signatures, and the validity of the petition meet the statutes required as Mr. Coates mentioned, they’re also called to determine the safety and welfare of residents in Wendell will be best-served by the annexation which is being submitted to support the accompanying rezoning request for the 339 single-family homes known as The Overlook. She said that three points support this annexation and that it’s beneficial to Wendell residents now and in the future. First, the extension of utilities is consistent with the long-range urban services classification adopted over two decades ago. She said

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that this was designated for land intended to be urbanized with extension of municipal services. This is the very area that the county plan anticipated to be annexed and the utilities extended, and the Town's Comprehensive Plan contemplated for this growth in this specific area. Second, Mrs. Schwedler said that the annexation to support the proposed CD-4 zoning will create approximately \$620,000.00 in additional revenue per year over what the Town's current zoning generates if the land were to remain un-annexed. She said that this is in addition to the roughly \$1 million-dollar park that the applicant is donating, and in the approximately \$1.1 million dollars in transportation improvements. She said that annexation of this parcel will be an immediate positive revenue generator, as well as a revenue generator over time in the Town's annual real property taxes. Third, Mrs. Schwedler said that fire and other emergency services will not suffer by the annexation of these parcels. She said that fire and emergency services are already servicing this area in the school, so it's not outside of the service area in general. She said it would be providing services to Wake Tech as that campus comes along. The project is also expected to generate about \$101,000 in fire services and emergency assessment per year to support the fire department, and that's included with the \$620,000 per year, but it's significant because it's dedicated exclusively to the types of services the citizens commonly wonder about being impacted by an annexation such as this. Finally, Mrs. Schwedler said that the 339 single-family homes are expected to generate over \$95 million worth of construction over the buildout of five years, so they're creating construction jobs and positive events in this growing area of Wendell right in the backyard of folks who want to be in this area. She said that they've already received some local contractors' inquiries and building supply companies have been reaching out to them inquiring whether they can be a part of this exciting project. Mrs. Schwedler said that she looks forward to answering any questions and she will reserve the rest of her time for any rebuttal.

Mayor Gray asked if there were any questions from the Board. No questions were asked. Mayor Gray said they would proceed to the citizens' public comment period, beginning with the Uber Conference call ins. Mayor Gray announced the following persons to provide their public comment:

1. **Frank Braswell**, 4116 Rolesville Road, Wendell, NC, 27591, said that this annexation has been going on for a long time, and expressed his opposition on the proposed development, asking the Board to vote no.
2. **David Cozart**, 6324 Weathers Road, Wendell, NC, 27591, shared the attached petition with his public comments. *See appendix B for the attached petition. Mr. Cozart expressed is opposition to the annexation of this property and expressed issues with land development and fire and emergency services, asking the Board to vote no.
3. **Brandon Strickland**, 4428 Rolesville Road, Wendell, NC, 27591, expressed his opposition to the proposed development due to density, zoning and financial concerns and asked the Board to vote no.

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4. **Jimmy Parker**, 6317 Weathers Road, Wendell, NC, 27591, expressed his opposition the annexation due to wet land irrigation issues and the environmental impact of the development. He asked the Board to vote no on the annexation.
5. **Ben Weathers**, 1625 Davistown Road, Wendell, NC, 27591, expressed his opposition regarding the development and its effect on the neighborhood. He asked the Board to vote no.
6. **Greg Jones**, 6141 Robertson Pond Road, Wendell, NC, expressed his concerns regarding the annexation, stating his opposition due to quality of life and town resource issues. He asked the Board to deny the proposed annexation.
7. **Pat Shillington**, 133 Candlewick Dr., Wendell, NC, provided a PDF of Town policy with his public comment. *See appendix C for the attached policy. Mr. Shillington expressed his opposition to the annexation based on the Town's policy 104 regarding economic impacts according to different kinds of zoning.
8. **Jason Righter**, 2409 Davistown Road, Wendell, NC, 27591, expressed his opposition to the annexation due to the three-mile requirement according to the annexation statute. He asked the Board to vote no to the annexation.
9. **Robert/Bob Gallagher**, 105 Forest Lane, Wendell, NC, 27591, expressed his opposition to the annexation due to density, traffic, and resource concerns.

Mayor Gray said that the Town received one written public comment from a citizen that the Town Clerk will read to the Board:

10. Joseph Caughlan, 136 Winchester Drive, Wendell, NC, 27591.

Dear Board of Commissioners,

I would like to comment on the Public Hearing for 5a) for non-contiguous annexation petition A-19-04 and 5b) to consider 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.

I live within 2 miles of the aforementioned property but outside of Wendell's planning jurisdiction. My address is 136 Winchester Dr., Wendell.

I see local opposition to this project so I have researched the original plans for the property, the Town of Wendell's response to public comments and the change in plans. It's my opinion that these are good plans and the Town of Wendell would be wise to agree to the annexation and rezoning for several reasons.

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First, growth is coming our way and we should welcome it with strong planning parameters to ensure development is not chaotic. I see the Town of Wendell doing that.

Second, the opposition is still hung up on a R7 rezoning which is not true. And the modified plans show the density to actually be 2.5 du/ac with 39% open space. Also the plan calls for water and sewage instead of well and septic. And with the addition of a park the plans are good for the environment and healthy living for the residents.

Third, the Town of Wendell desperately needs to increase its tax base. This would help tremendously.

Fourth, as a senior and a volunteer at the Eastern Wake Senior Center increased tax revenues will help fund programs needed for seniors in our community.

I trust the Board will make the smart decision. Thank you for your time.

Sincerely,

Joseph Caughlan

136 Winchester Dr.

Wendell, NC 27591

Mayor Gray asked if there were any additional questions from the Board regarding the annexation.

Commissioner Jason Joyner asked if the Town's Attorney has reviewed the legality of the certification requirements for the annexation.

Town Attorney Jim Cauley said that the legal aspects of it has been reviewed.

Commissioner Jon Lutz asked if Mr. Braswell could submit his public comments via email, as he couldn't hear what he had to say.

Mayor Gray asked if Mr. Braswell was still on the line and if he could say his comments again.

Frank Braswell, 4116 Rolesville Road, Wendell, NC, 27591, said that this annexation has been going on for a long time, and expressed his opposition on the proposed development and rezoning, asking the Board to vote no.

Jamie Schwedler with Parker Poe on behalf of the applicant, 301 Fayetteville Street, Suite 1400, Raleigh, NC, 27601, thanked Town staff for clarification on the legality of the annexation, pointing out that there had been a lot of comments about turning down residential development wouldn't send the signal to other developers, but she said that

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it will. She said she's heard comments regarding citizens wanting residential development in the area, but that people would prefer commercial development for economic reasons to the Town, but that they couldn't get revenue increase due to its close proximity to Knightdale. Mrs. Schwedler expressed that it would deter other developers from investing in an area that is projected to grow according to the Town's Master Plan if this development is denied. She asked the Board to approve the annexation to bring this commercial growth that is similar to Wendell Falls.

- 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

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

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:

Hold 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:

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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 326 (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.**

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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:

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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

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CURRENT LAND USE: Vacant

PROPOSED LAND USE: Residential

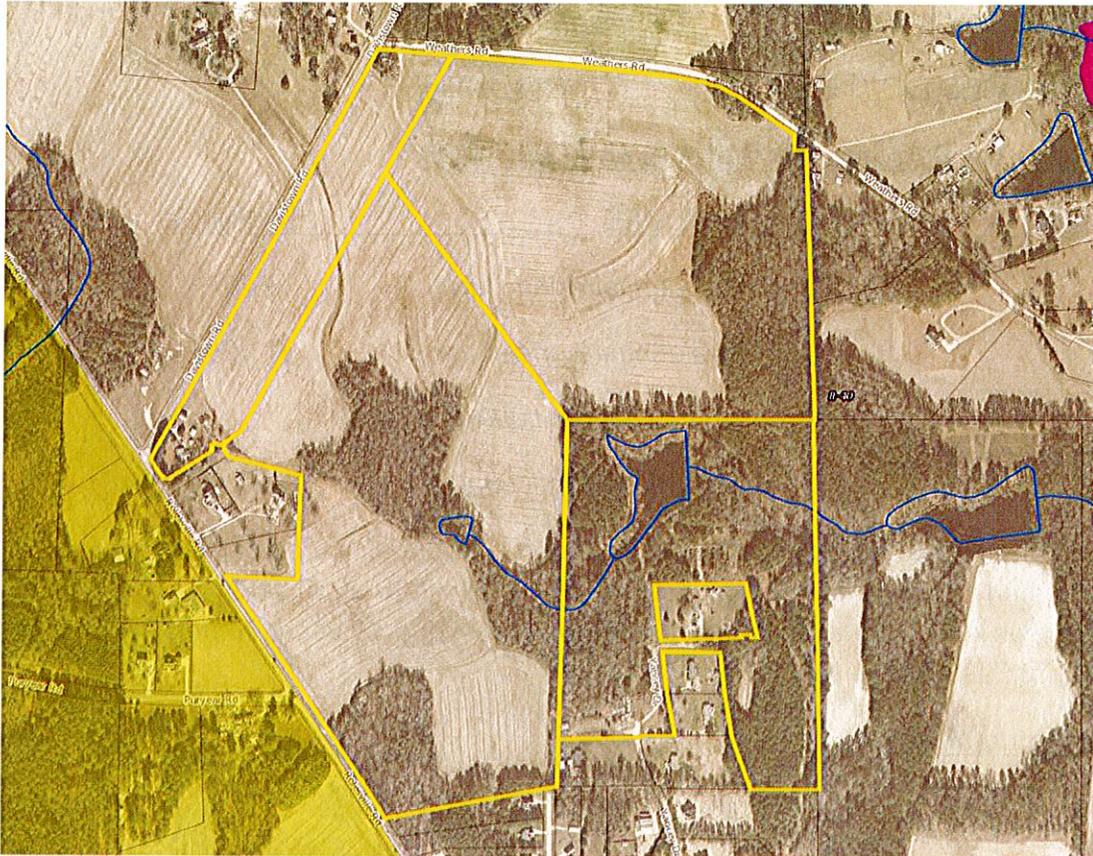
Project Setting – Surrounding Districts and Land uses:

<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:

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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

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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.

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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.

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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.

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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:

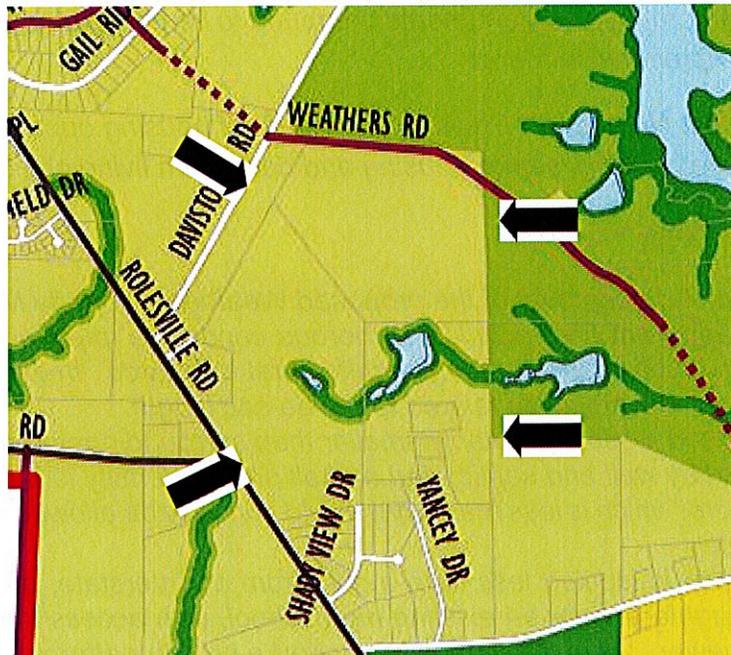
The Wendell Comprehensive Plan defines the subject properties as being completely within the S-3 "Restricted Growth Sector".

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.

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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-

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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: the following attachments can be found in the July 27, 2020 Agenda Packet on the Town's website.

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

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

Commissioner Boyette asked about condition #9 regarding the HOA maintaining all open space that has been dedicated to the HOA. Concerning water runoff and catchment basins, he asked if the HOA was responsible for the ongoing maintenance and upkeep of the catchment basins, and if the catchment basins were to fill up with sediment or fail completely, would the HOA be financially responsible for those repairs.

Mr. Coates said that if the streets were to become Town-owned streets, the Town would maintain the stormwater ponds, after they are inspected. He said that the Town conducts a thorough inspection before they become a Town responsibility. Mr. Coates said that the Town has a guarantee that they're functioning properly and are maintained before taking them over.

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Commissioner Boyette asked how often the Town has to perform maintenance on stormwater retention ponds around Town.

Mr. Coates said that he didn't know but would check with Public Works and provide that information for Commissioner Boyette via email.

Commissioner Jason Joyner said the description of the turn lanes and the fee in lieu and asked if the fee in lieu was for the turn lanes. He asked Mr. Coates to describe the turn lanes and where they're to be located.

Mr. Coates said that there will be a right turn lane on Rolesville Road into the main entrance of the development. There would be a right turn lane on Rolesville Road into Davistown Road. He said there would also be a left turn lane into the development on Rolesville Road. Mr. Coates said that they're asking for the fee in lieu for Weathers Road at the northern end, which is currently a dirt road. To bring that road up to future street standards, they are requesting fee in lieu to have it improved.

Commissioner DeLoach referred to the 50-foot gas utility easement on Davistown Road and a street yard easement. He asked if that is part of what is clarified in #21.

Mr. Coates said that in the full set of plans, MP page 3 shows the temporary construction easement of 25 feet, shows the full easement of 50 feet for PSNC Energy, and the 10-foot street yard landscaping between the backyards and those easements before you get to Davistown Road. Mr. Coates said that there is 85 feet before you get to backyards. For the 10-foot street yard, there will be canopy trees, four understory trees, and eight shrubs per 100 linear feet. Mr. Coates said that it varies based on the width of those buffers. He said that trees will be evenly distributed along the street frontage, but they're not required to be at exactly equal intervals, allowing for some flexibility. No more than 20% of the street yard may be used for walkways or signs. He said that all trees will be no closer than four feet from public right-of-way.

Mayor Gray opened the public hearing at 8:40 p.m. and asked to hear from the applicant.

Jamie Schwedler with Parker Poe on behalf of the applicant, 301 Fayetteville Street, Suite 1400, Raleigh, NC, 27601, shared the following PowerPoint Presentation with the Board:

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Weathers Farm
Rezoning & Annexation
Case CD19-03
4501 Rolesville Rd, 0 Davistown Rd, 1401 Davistown Rd, 6021 Yancey Dr
Town of Wendell Board of Commissioners
July 27, 2020

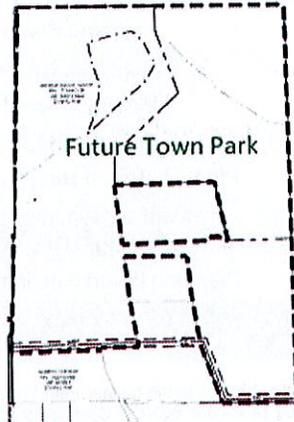
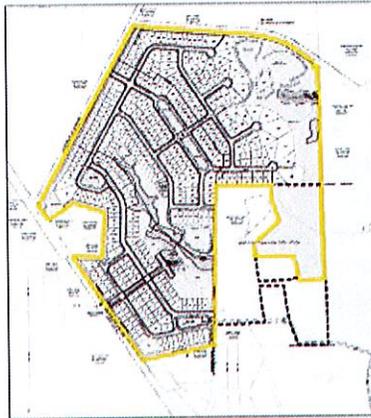
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Mrs. Schwedler said she will reserve her time to address questions after the presentation. She said that the entire team is available to answer those questions, as well. She said The Overlook fulfills the vision of the Town's Comprehensive Plan and adds high-quality, single-family homes, needed transportation improvements, and a significant tax base to a growing part of Wendell. She said that after coming before the Board in February, they removed the townhomes from the master plan and the developer became Ashton Woods. Their team has worked extensively for over a year to add significant conditions and make meaningful changes to the master plan based on community feedback.

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Overview

Rezoning 129.59 acres from County R-40 to Town of Wendell R-4-CD



Mrs. Schwedler said that this development consists of 129 acres off of Rolesville Road, north of the 64 and 87 interchange area shown in yellow. She said they're requesting the change from county R40 to Wendell R4 CD and to the south of the property, they are donating 32 acres for a future Town park, which is shown on the right of slide 2, and potentially qualifies the Town for a grant. She said that the abundance of park land in the area has become such an important aspect of existing and future residents of the Town.

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Application History

Date	Action
March 22, 2019	Application Submission
May 20, 2019	Planning Board Review
June 6, 2019	Voluntary Neighborhood Meeting
July 15, 2019	Planning Board Review
August 19, 2019	Planning Board Review
November 18, 2019	Planning Board Recommends Approval
February 10, 2020	Board of Commissioners Public Hearing – Decision Tabled
May 18, 2020	Planning Board Recommends Approval
July 27, 2020	Board of Commissioners Public Hearing

Throughout process, made multiple changes to the Master Plan based on feedback from the community, Town staff, Planning Board and Board of Commissioners



Mrs. Schwedler said this shows the case history, including the changes made over time to adjust to community input and multiple reviews held with staff. Changes that have been made since the February 10th meeting before the Board are shown on slide 4.

Changes Since February Board of Commissioners Hearing

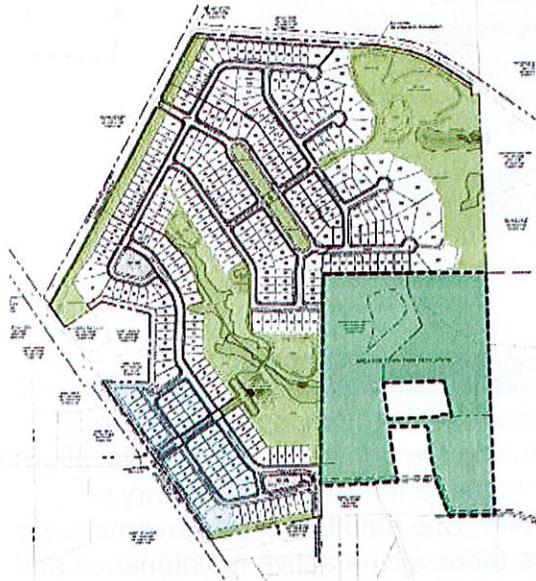
- Removed townhomes from Master Plan after feedback at February 10, 2020 Public Hearing
 - As a result, the application was sent back through the review process
 - Planning Board voted 6-3 to recommend approval of the application with the revised Master Plan
- Developer changed from Starlight Homes to Ashton Woods



Mrs. Schwedler said that the changes since the February 10 Board of Commissioners meeting include removing the townhomes from the master plan, receiving additional feedback through the review process at a May Planning Board meeting. She thanked

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Town staff for making the virtual meetings work throughout this process. After thorough discussion, the Planning Board voted in favor 6-3 to recommend approval of the application with the revised master plan. She said that they also heard concerns about construction amidst the COVID-19 pandemic, including the possibility of a lack of home sales if the community slips into a recession. The actual home sales and metrics beyond this pandemic are much different than they were in 2008, with the home buying industry is still increasing in the Triangle area, higher than the national average.



Master
Plan

Mrs. Schwedler described the revised master plan, citing where they replaced the townhomes with single-family homes. She said the blue area on the map is where the townhomes were in the prior plan, now being replaced with single-family homes. The light green area shows the open space and buffers around the entire plan.

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**Response to Neighbor Comments Over Case
History**

Neighbor Comments	Proposed Condition
Concerned about inclusion of townhomes in the development	Limit to single family homes.
Concerned about density	Reduced maximum number of units by ~ 90 units (less than 3 u/a)
Adjacent neighbors concerned about screening for their properties.	Buffering and fencing conditions.
Concerned about housing materials including the use of vinyl siding.	Architectural conditions, including the prohibition of vinyl siding.
Concerned about lack of maintenance and upkeep for the development.	Development will be governed by an HOA with restrictive covenants, including architectural guidelines.
Concerned about amount of open space.	32 acre parcel will be dedicated for a Town park.

Mrs. Schwedler said that during the course of the rezoning, they added numerous conditions to address neighbors' concerns, reducing the density to 339 homes, allowing for 2.5 units per acre. She said that the 10-foot easement along the boundary of Davistown Road will be planted as a Type B buffer. She said that HOA governance is similar to the declaration in Wendell Falls where there will be active maintenance and obligations by these future residents to maintain quality.

Reasons for Approval

1. Consistent with Town Framework Plan Designation
2. Meets the purposes of a Conditional District
3. Designed to minimize impact on adjacent properties and provide numerous benefits to the community



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Mrs. Schwedler said that with these changes the case is recommended for approval by the Town planning staff and Planning Board because of the reasons listed in the slide.

Consistency with Town Framework Plan

- S-3 Restricted Growth Sector Designation
 - Proposed uses appropriate for this Growth Sector
 - Single family residential development
 - Dedication of 32 acre public park
 - Consistent with S-3 Intention: "very limited development under tightly controlled conditions"

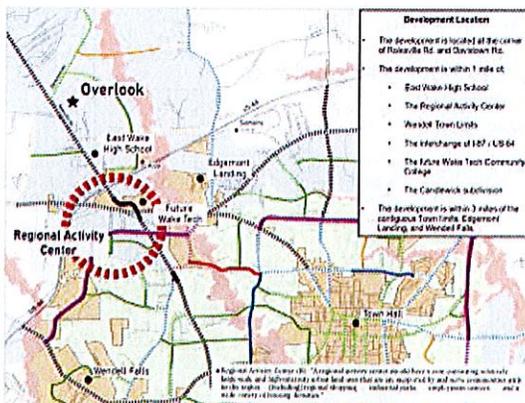


Mrs. Schwedler said the plan is consistent with the S-3 Restricted Growth Sector Designation. She said they're designating 2.5 housing units per acre of density, which is less than what the R-4 allows, which is generally 7 housing units per acre. The lot size average is around 8,000 square feet, which is above the minimum that is required for this area. She said that they're offering 24 total conditions, with 17 of those exceeding the UDO requirements.

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Consistency with Surrounding Area

- Surrounding factors support a growth pattern other than “rural”
 - Proximity to Interstate
 - Abut Rolesville Road - designated future 4-lane thoroughfare
 - Proximity to existing East Wake High School
 - Access to municipal water and sewer
- Consistency with Wake County Long-Range Urban Services Area Classification
 - Land expected and intended to be urbanized and served by municipal services



Mrs. Schwedler said that this slide shows the consistency with the surrounding area as growth and transportation facilities have located closer to the area, making this portion of Wendell ideal for continued growth. She said that the property shown on the map with the star in Overlook is less than 1 mile from the 87/64 interchange, a future Wake Tech campus, and a regional activity center. She said that these factors support a growth pattern other than rural.

Standard for Approval

- UDO 15.13(a) Conditional District Purpose: Establish a more complete living and working environment through the application of enlightened and imaginative approaches to community planning and property design
- A conditional district should provide:
 - A variety of natural features and scenic areas;
 - Efficient and economical land use;
 - Improved amenities;
 - Orderly and economic development; and
 - Protection of existing and future adjacent development.

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Open Space & Amenities

- Variety of natural features and scenic areas
- Improved amenities
 - Junior Olympic pool, pool house, covered seating and grilling area
 - Dog Park
 - Walking trails
 - Disc golf course
 - Common Green



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Mrs. Schwedler listed the amenities being offered in the development, highlighting the amount of open space these amenities will provide.

Master Plan: Minimize Impacts to Adjacent Properties

- Reduction of total unit count from 427 to 339
- Buffering, landscaping, privacy fencing
- Increase to average lot size to about 7,800 sq. ft. from original application
 - This is comparable to typical Wendell Falls lots
- Efficient and economical land use and orderly and economic development
 - Additional housing supply for anticipated surrounding growth
 - Lower density and larger lot sizes than UDO requirements, but still efficient and economical



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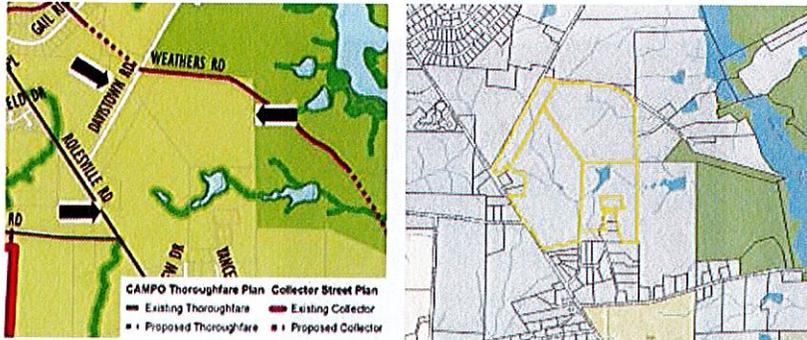
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Mrs. Schwedler said that this slide highlights the conditions reducing the impact on adjacent properties, including unit reduction of almost 90 units. She said that these conditions were made in direct response to citizen concerns.

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Master Plan: Benefits to Community

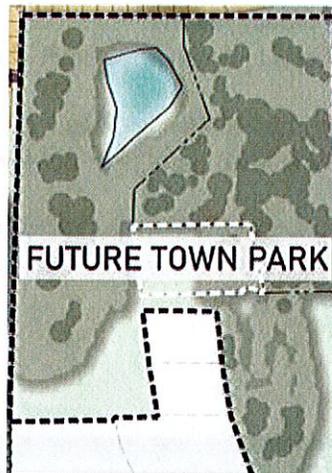
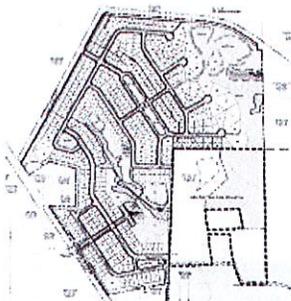
- Road Improvements
 - Town's Arterial and Collector Street Plan calls for Rolesville Road to be 4 lanes
 - Will complete Rolesville Road improvements for ¼ of the ultimate 110 feet cross section
 - Fee in lieu of improvements to Weathers Road



Mrs. Schwedler said that they heard comments made by citizens at the Planning Board meeting concerning increased traffic and infrastructure sufficiency. She said that this project benefits the community by sending utilities and completing several road improvements.

Master Plan: Benefits to Community Public Park Dedication ~ 32 Acres

- Protection of existing and future development
 - Buffering between adjacent properties
 - Provision of open space
 - 32 acres dedicated for public park



Mrs. Schwedler noted the dedication of a public park on 32 acres and concluded that this development is consistent with the Town's Comprehensive Plan. She said that

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change has been slated in this area for 20 years with the surge and demand for homes, which will be met with road and infrastructure improvements because of this project. Concerning the petition that was submitted with public comment, Mrs. Schwedler addressed the economic benefits and jobs that the development would create, the 32-acre park, reduction of density, revenues that the project will generate and service extension that the development would facilitate. She said that only 50% of capacity of the road will be used with their traffic improvements in place. Mrs. Schwedler clarified that the density is 2.5 units per acre, rather than 7 units per acre as the petition says. She offered to answer any questions that the Board might have.

Assistant Planning Director Bryan Coates said that he does have a clarification on Commissioner Boyette's question. He said that normally, for the first year or two, the stormwater ponds are inspected once a year. He said that it could be up to four times per year thereafter.

Mrs. Schwedler said that the applicant is willing to cover that in their HOA covenants, as it is typical to deal with stormwater pond maintenance and inspection throughout time.

Mayor Gray asked said they would go into public comment period to hear from citizens signed up to speak at 9:02 p.m.

1. **Frank Braswell**, 4116 Rolesville Road, Wendell, NC, 27591, expressed his opposition on the proposed development, asking the Board to vote no.
2. **David Cozart**, 6324 Weathers Road, Wendell, NC, 27591, expressed his opposition to the proposed development and rezoning, reiterating the petition that he submitted to the Board with his Public Comment, which can be found in Appendix B.
3. **Brandon Strickland**, 4428 Rolesville Road, Wendell, NC, 27591, expressed his opposition with the rezoning request citing density issues and open space concerns.

Commissioner Joyner reiterated a point of order not to allow members of the public to address Town staff by name in their public comment.

4. **Amy Weathers Nuttall**, 4501 Rolesville Road, Wendell, NC, 27591, expressed her support for the rezoning and the development, citing the many concessions that the developer made based on citizen concerns.
5. **Jimmy Parker**, 6317 Weathers Road, Wendell, NC, 27591, expressed his opposition with the development based on density and stormwater concerns.
6. **Robert/Bob Gallagher**, 105 Forest Lane, Wendell, NC, 27591, was no longer on the Uber Conference line and therefore did not provide any public comment for item 5b.

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7. **John Nuttall**, 4501 Rolesville Road, Wendell, NC, 27591, thanked the Board for all that they do and expressed his support for the development and rezoning, citing growth benefits and affordability of homeownership.
8. **Ben Weathers**, 1625 Davistown Road, Wendell, NC, 27591, expressed his opposition with the rezoning and development.
9. **Greg Jones**, 6141 Robertson Pond Road, Wendell, NC, 27591, expressed his opposition to the rezoning request and its associated annexation, citing traffic concerns.
10. **Angela Haas**, 226 Lynwood Lane, Wendell, NC, 27591, was not on the Uber Conference line and therefore did not provide any public comment for item 5b.
11. **Pat Shillington**, 133 Candlewick Dr., Wendell, NC, 27591, reiterated his reference to Town Policy 104, citing his economic and environmental concerns. See appendix C for the attached policy.
12. **Jason Righter**, 2409 Davistown Road, Wendell, NC, 27591, expressed his opposition to the rezoning, reiterating density and economic concerns.

Mayor Gray asked the Clerk to read the Written Public Comments that were submitted for item 5b into the record:

1. Dave and Teresa Harper, 5920 Shady View Drive, Wendell, NC, 27591

Dear Council,

My name is Dave Harper and live at 5920 Shady View Dr. I writing to express my strong opposition to the proposed rezoning of the Weathers property at the corner of Rolesville Rd and Davidson Rd. While the local community may be unable to prevent development, that in itself will be detrimental to the area. Nearly all residents in the area are completely opposed to the addition of the 324 single family homes that will cause traffic and safety problems, create even more problems with schools that are already over-capacity and potentially lower the property values of the existing community.

The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing neighborhoods. In general, the area traffic is continuing to increase, and heavy traffic is already common at times on Rolesville Rd. On a more personal note we bought this property because of the secluded nature of the neighborhood and Shady View Dr is a dead-end street with no through traffic that services less than 20 homes. If this passes and we get 324 new neighbors, most homes have at least 2 cars this day and time, that is a LOT of traffic. It is my understanding you plan to cut our road through and using our neighborhood as one of the 3 egress/ingress points for 324 to 600+ cars. So now this impacts our way of life. We left Raleigh 12 months ago to get away from that. More traffic equals more litter and more crime.

It looks like most of these 324 homes will be on about .16 acres and on slabs. Property values are likely to go down in the area if they are built. These size dwellings are inconsistent with the houses and neighborhoods developed in the area. I was also

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disappointed that I think this has been going on for about a year and this is the only notice I have received other than the no R7 signs everywhere.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many.

Thank you for your continued service and support of our communities.

Best regards,

Dave & Teresa Harper

2. Joseph Caughlan, 136 Winchester Drive, Wendell, NC, 27591.

Dear Board of Commissioners,

I would like to comment on the Public Hearing for 5a) for non-contiguous annexation petition A-19-04 and 5b) to consider 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.

I live within 2 miles of the aforementioned property but outside of Wendell's planning jurisdiction. My address is 136 Winchester Dr., Wendell.

I see local opposition to this project so I have researched the original plans for the property, the Town of Wendell's response to public comments and the change in plans. It's my opinion that these are good plans and the Town of Wendell would be wise to agree to the annexation and rezoning for several reasons.

First, growth is coming our way and we should welcome it with strong planning parameters to ensure development is not chaotic. I see the Town of Wendell doing that.

Second, the opposition is still hung up on a R7 rezoning which is not true. And the modified plans show the density to actually be 2.5 du/ac with 39% open space. Also the plan calls for water and sewage instead of well and septic. And with the addition of a park the plans are good for the environment and healthy living for the residents.

Third, the Town of Wendell desperately needs to increase its tax base. This would help tremendously.

Fourth, as a senior and a volunteer at the Eastern Wake Senior Center increased tax revenues will help fund programs needed for seniors in our community.

I trust the Board will make the smart decision. Thank you for your time.

Sincerely,

Joseph Caughlan

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136 Winchester Dr.

Wendell, NC 27591

**3. Stan Yancey, 3632 Willow Bluff Drive, Raleigh, NC, 27609
CD019-03**

July 23, 2020

Re: Public Hearing Notice of 129.59 acres of property along Rolesville Road

Dear Wendell Board of Commissioners,

I am one of the property owners within the 129.59 acres. I grew up on the land and lived there until leaving for college. Wendell was a wonderful place to grow up. My wife and I fully support the rezoning. We both know how precious owning a home can be. My work as a chaplain at a nonprofit that provides food and medical care for the poor; has caused me to be all the more aware of how fortunate my wife and I have been all of lives, to live in homes owned by our parents and then ourselves.

We attended the meeting where a presentation about the development was given, and many community persons voiced their opposition. It is my personal opinion that many reasons given were a cover for the actual concern. That of smaller homes being built and thus not increasing the value of existing homes as much as if a development the size of Wendell Falls was built. Smaller homes outside of Raleigh in the proposed development might afford some families the opportunity to have a home of their own. Yes, the homes may be smaller, but everyone cannot afford large homes. The Yancey Drive property, named after my parents, I believe would be a wonderful spot for a small park. The pond and trees could offer a place to enjoy nature. Community members voiced concerns that persons "would drown, and do drugs," at the park. Having lived in Raleigh for nearly 30 years, I don't recall drownings occurring at the parks I have enjoyed, such as Shelly Lake and Lake Johnson. As far as drugs, it is a sad part of our country and every community that persons are drawn to drugs for various reasons. I worked in the addiction field for ten years as chaplain and administrator. I doubt a small park as part of the proposed development is going to be a hotbed for illegal drug activity. I believe the park could be a place the persons in the development could be proud of, a place to walk with their kids and dogs, and maybe fish in the pond.

One last point and I am aware this might be unpleasant to consider. I would guess with smaller homes, populations that struggle more to own homes, ones that did not grow up with the advantages my wife and I did might purchase the homes. Persons of color could benefit from the opportunity to purchase homes this size. Are community members concerned about this? The faith that is important to me calls

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me to reach out to those that are different, or left out at times. I hope the rezoning occurs and folks that can afford the homes come to love calling Wendell home. Thank you for the opportunity to offer comments.

Regards,

Stan Yancey (and Elaine Rohlik)

Mayor Gray asked if the Nuttalls were still on the Uber Conference Line. Town Clerk Megan Howard said that John Nuttall was still on the call and unmuted him.

John Nuttall, 4501 Rolesville Road, Wendell, NC, 27591, thanked the Board for being able to finish his public comment. He reiterated his support for item 5b and urged the Board to vote yes.

Commissioner Joe DeLoach reminded the public that there is a 24-hour period to provide written public comment after the Town Board Meeting.

Mayor Gray said she heard someone mention something about matching grant funds for the Town park and asked for that to be explained.

Town Manager Marc Collins said that the person who mentioned that was referring to Parks and Recreation Trust Funds that Parks and Recreation Director Jeff Polaski presented to the Board in an earlier version that the property, in consultation with recreation resource services would be an eligible match for a grant. He said that that value of the property could be used as a match. Mr. Collins said that that isn't state tax money or county tax money for that particular grant. He said that it is collected through a deed stamp or another form of taxation on transfer of property.

Mayor Gray asked about Shady Brook Drive as a point of [Ingress-ingress](#) and [Egressegress](#).

Mr. Coates said that it is and it is located at the southernmost end of the property, near where the proposed future park would be. He said the entrance would be to both the park and the development.

Mayor Gray asked to hear from the applicant.

Jamie Schwedler with Parker Poe on behalf of the applicant, 301 Fayetteville Street, Suite 1400, Raleigh, NC, 27601, said she had several points she wanted to clarify. Regarding the annexation statute, Mrs. Schwedler said that it states the closest point of the proposed satellite corporate limits must be no more than three miles, which does not require each parcel to be included in that—just the outer edge of the proposed satellite corporate limits. She said that there was another comment about the annexation putting the cart before the horse—that the annexation and the zoning should be separate, with the annexation coming first. Mrs. Schwedler said that is exactly what they're doing here

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with two public hearings on the two separate items, which is how the Town processes these applications, as well as how they're processed throughout North Carolina. Regarding the density and the gentleman who commented earlier referring to county zoning and what would be permitted or illegal, Mrs. Schwedler said that they're calculating the density per the Wendell UDO, which is what they're required to do. She said that they're asking to be annexed into Wendell rather than county zoning. Regarding a comment on not wanting high-density, but rather ¼-acre or ½ - acre lots, she said that that is equal to 2-4 units per acre, which is what they're proposing as 2.5 units per acre. Mrs. Schwedler said that it isn't radical to approve density in an area that is close to an interchange and in a place where growth is anticipated by the county. She said that, regarding the concern of people going to Knightdale for the commercial, how would that ever change if the Town doesn't approve enough rooftops to bring commercial to the area. Mrs. Schwedler said that stormwater devices do have to be checked, and she noted that the Town's UDO, Section 6.507, requires the developer to maintain the stormwater pond which is standard in their declaration. She said that the developer will maintain the ponds until the HOA is set up and the property is turned over to the HOA, at which point the HOA will maintain the ponds through a system of assessments that they'll charge the future residents for, and the future residents will make sure that their responsibilities for that residence meet the state's and town's code. Regarding a comment that the traffic will be immediately filled by Rolesville, she said that the TIA is meant to take into account approved developments that are already approved and on the books elsewhere, so they were already being included in background traffic. She said that the 55% number that she gave the Board on the resulting capacity of the road is the full buildout condition including all of the other approved developments, so it will not be close to the capacity that is feared. She said that it would also not be close to the capacity that is required for DOT to commit the funds to build these types of improvements. Mrs. Schwedler said that the DOT budget has been slashed due to the freezing of North Carolina's budget in the General Assembly. She said that there will not be the funds allocated out there until the traffic reaches a level of capacity that generates that concern. Concerning the comment that was made that the project was "not about your neighbors," she said that the zoning decision before the Board does not call for them to follow the desires of what the adjacent property owners want. Mrs. Schwedler said that it calls for a broader look at the Town's vision and to the property rights of these individual property owners who have the right to use their property as they see fit. She said that she doesn't live in Wendell, but that she grew up in a small rural farming area and is no stranger to change. She said she's seen people leaving rural areas for jobs and services that refuse to be able to locate to small towns. She said that the growing towns in North Carolina have struggled with these decisions before, and now the Town Board has to make the same decision with this development. Mrs. Schwedler asked the Board to look at the broader vision for all of Wendell's residents of today and in the future. She challenged the Board to find another developer that would find 24 conditions and redo the plans 8 times over the course of a year to appease neighbors. She said that this wasn't something that is dragging out because the developer wants it to—they're making concessions and are trying to get through the process. Mrs. Schwedler asked

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the Board to approve the annexation and rezoning request. She offered to answer any additional questions that the Board might have.

Commissioner Jason Joyner asked Mrs. Schwedler to discuss how the homes would look to potential buyers and what process they would have to go through.

Mrs. Schwedler said that the best way to paint the picture is to look at the experience of that homebuyer in selecting the product. When Starlight Homes was envisioned as the product, they were envisioning homes that were already built where the engineer might choose the features with less architectural detail and variety of choice. She said that with Ashton Woods, it is a completely different homebuying experience. She said that the homebuyers are more sophisticated in that they get to choose architectural details, finishes, the look of the exterior, and the interior of their home. She said these would not be first-time home buyers, but rather repeat-purchasers who are looking for the next step up. Mrs. Schwedler said that the price points are generally higher with the Ashton Woods product than they would be with Starlight Homes.

Commissioner Jason Joyner asked if Mrs. Schwedler or the applicant had been approached about a landscape buffer and if any had been denied for any reason.

Mrs. Schwedler said that they had been approached and none of the buffer requests have been denied for any reason. She said added and increased buffers have been included and Mr. Coates presented those in his presentation. She said that there are at least 4 or 5 groupings of those included in the Board's Agenda Packet.

Commissioner Joe DeLoach said he had had the same question regarding how the developer had met those requests.

Mrs. Schwedler said that they added a 35-foot type B buffer along Rolesville Road and Shady View, a 40-foot type B buffer along the Boundary of K&J Construction, a 6-foot fence along the Oliver Winslow property, and a 10-foot land easement along the boundary of Davistown Road, planted as a type B buffer. She said that all of those were a part of the discussion with the development team and landowners.

Mayor Gray asked if there were any other questions from the Board. No other questions were asked.

Town Attorney Jim Cauley asked if the Board was inclined to close out these public hearings subject to the 24-hour public comment period.

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

ACTION Mayor Gray called for a 10-minute recess at 10:15 p.m.
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ACTION Mayor Gray reconvened the meeting at 10:24 p.m.

- 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

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

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

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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:

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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:

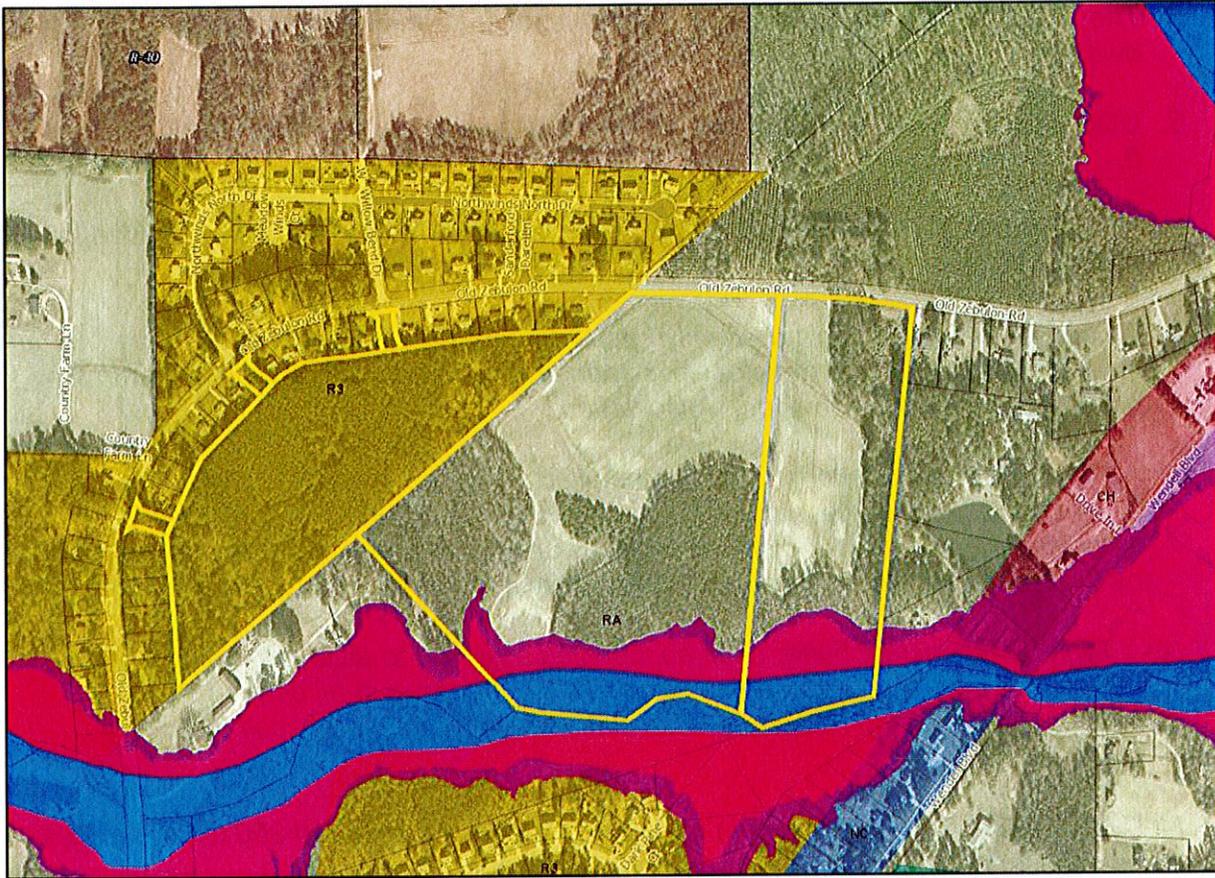
PROPERTY LOCATION: 815 Old Zebulon Road
 WAKE COUNTY PINS: 1794157657, 1794056758, 1794256786,
 1794161410, 1794052762 & 1794066233
 CURRENT ZONING DISTRICT: R3/RA
 CROSS REFERENCES: N/A
 PROPERTY OWNERS: Aubrey Sidney Baynes & Ann Knott Baynes
 PO Box 968
 Wendell, NC 27591
 Olde Heritage Builders &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

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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.

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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

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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:

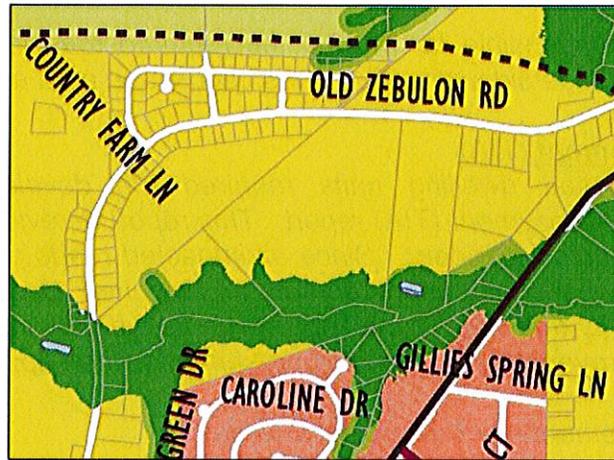
The Wendell Comprehensive Plan defines the subject property as being within the S-4 Controlled Growth Sector.

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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

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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: the following attachments can be found in the July 27, 2020 Town Board Agenda Packet on the Town's website.

D. Overall Site Plan

a. Full Master Plan Link:

<https://nmcldn.io/e186d21f8c7946a19faed23c3da2f0da/3834b95a93b14b3689a528c1f97c5d69/files/2020-03-06---McKenzie-Meadows-Subdivision---Master-Plan.pdf>

E. Applicant's Justification Statement

F. TIA – Congestion management report

G. Ordinance for Adoption

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Mr. Coates offered to answer any questions that the Board might have and said that the applicant had a short ~~powerpoint~~PowerPoint presentation to present.

Commissioner Jon Lutz referred to the right side of the master plan map where the 30-foot buffer was to be. He asked if that buffer was from the neighboring property line to the fence and where the 30 feet of buffer would be located.

Mr. Coates said he would ask the applicant where the fence is going.

Mayor Gray asked to hear from the applicant.

Brian Duncan said that the fence would be incorporated into the 30-foot buffer and would likely be on the side of the new residential units with landscaping on the exterior to soften the appearance for the neighbors.

Commissioner Jon Lutz asked what the distance was from the fence to the property line.

Mr. Duncan said it would be at least 20 feet and presented the following presentation to the Board:

McKenzie Meadows



Carolina Land Group, LLC

Town of Wendell, North Carolina
Town Board Meeting
July 27, 2020

S
THE SPAULDING GROUP, PA
planning and engineering

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Spaulding Group representative Brian Duncan thanked the Board for their time and said that he represents Carolina Land Group. He said that the project is on the northeastern side of Wendell along Old Zebulon Road, encompassing three parcels. Two of those parcels are owned by Sid Baynes. Mr. Duncan said that one of the parcels is behind the existing Northwind Subdivision. He said that there were three right-of-ways granted when that subdivision was plated and they would only be using one of those for their future development. Mr. Duncan said that this project was included in the S-4 Controlled Growth Sector and they've made their plan consistent with the current land use plan.



Mr. Duncan said that the site offers numerous amenities for residents including a pool, cabana volleyball court, 2 playgrounds, various open space areas, and almost 20 acres of open space that they're dedicating to the HOA and the enjoyment of the residents. He said that there is an expansive preservation of the wetlands and the streams to the south. There will be three entrances, one of which was added due to a Planning Board member's comment and concern for safety. Mr. Duncan said that they have enhanced buffers, especially to adjacent single-family residents. He said they have a 20-foot type B along Old Zebulon Road with a minimum 6-foot shadowbox privacy fence. Mr. Duncan said that they have a 30-foot buffer to the east, adjacent to the larger single-family lots and this buffer was expanded based on conversations with the property owners and town staff. He said that there were some concerns brought up by the Planning Board about parking and that they have 381 parking spaces provided which means 2 spaces per unit, including townhomes. Mr. Duncan said that they also have 89 visitor spaces, which were added based upon feedback received from the Planning Board. He said that the open space areas, the amenities, the townhome exteriors and landscaping will be maintained by the HOA.

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**Rezone to R-7 Conditional District
with the following Conditions**

- 1) UDO Section 2.3 A. – Multifamily dwellings (limited to townhomes only) shall not exceed 45% of the total number of units – UDO 2.7 B.
 1. Such multifamily dwellings may be front-loaded - UDO 5.10 B.
- 2) 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**.
- 3) Garage doors shall either contain windows or carriage style adornments.
- 4) The use of **vinyl-siding shall be prohibited**, except for trim elements of the dwelling unit façade.
- 5) UDO Section 2.7 B. 1. – The minimum lot size for single-family shall be 4,600 sq. ft.
- 6) UDO Section 5 – Front-loaded single-family lots shall have a minimum allowed lot width of 40 feet.
- 7) 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.
- 8) 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**.
- 9) 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**.
- 10) 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.
- 11) McKenzie Meadows will have a Home Owners' Association. **The HOA will be responsible for the townhome(s) maintenance, which will include roof, yard, and pest control.**

Mr. Duncan said he wanted to highlight that they are providing high-quality materials, with vinyl siding being prohibited except for the trim elements. He said they have a 6-foot tall privacy fence against adjacent single-family residences and the buffer will be owned and maintained by the HOA.

Townhome Demographics



Typical Buyer

- First-Time Homebuyers (Largest Group Entering the Housing Market)
- Empty Nesters
- Single
- Owners who prefer lower maintenance living

Benefits

- Great locations and easy access to urban living
- Typically more affordable
- Lower renovation costs
- Lower utility bills and insurance costs
- Low maintenance living and shared amenities
- A strong sense of community
- Safer living environment

Date Source: newhomesource.com

\$252,900- Median List Price of Townhomes in Wake County (April 2020)

Data Source: Realtor.com

*Household income between \$86,736-\$103,596 depending on down payment.



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.

Garage doors shall either contain windows or carriage style adornments.

The use of vinyl siding shall be prohibited, except for trim elements of the dwelling unit façade.

Carolina Land Group, LLC

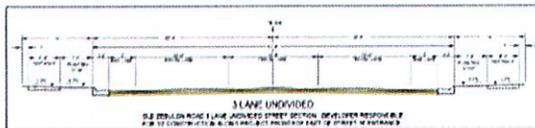


Mr. Duncan said that there was a lot of discussion at the Planning Board meeting surrounding townhomes and their place in Wendell. He said that a lot of this information

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was generated based on those discussions, with the typical buyer of a townhome being first-time homebuyers, empty nesters, single individuals, and some who prefer lower maintenance living. He said that townhomes have a lot of benefits and is accessible to town, with lower renovation costs and lower utility bills. Mr. Duncan said that there is a strong sense of community and that a lot of people feel safer in this type of housing.

Transportation Improvements



>1,000 LF ALONG OLD ZEBULON RD

\$100,000 Contribution



Carolina Land Group, LLC



Mr. Duncan said that they are responsible for constructing half of a three-lane, undivided road section along Old Zebulon Road. He said that there would be more than 1,000 linear feet of improvements constructed along the road and that includes a bike lane, planting strip, and sidewalks. Additionally, the developer has offered a one-time, \$100,000 contribution to the town to be reserved for future transportation projects as they see fit. Mr. Duncan offered to answer any questions that the Board might have.

Commissioner Joe DeLoach asked about the HOA being responsible for townhomes' roofs, yard maintenance and pest control. He asked if it was limited to those items only, or does it include exterior maintenance such as siding and power washing.

Mr. Duncan said that it would include all of those items.

Commissioner Jason Joyner asked about buffers and if they've been approached by residents requesting buffers that have been denied during the process.

Mr. Duncan said they have not and that they have only expanded their buffers based on discussions had.

Commissioner Jon Lutz asked if they had a builder over their project yet.

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Mr. Duncan said that they didn't have one yet, but that any builder they chose would be held to the high standards that the development requires, both for the site and architecturally.

Commissioner Philip Tarnaski asked about the road width size from curb to curb is still 27 feet and not 30 feet.

Mr. Coates said that it is 27 feet back to back, but that there is no on-street parking.

Mayor Gray said that they had one person signed up for public comment and opened the public hearing at 10:46 p.m.

Sid Baynes, 3900 Wendell Blvd, Wendell, NC, 27591, spoke in support of the development, explaining his ownership of two of the parcels and his support for the growth of Wendell.

Sid Baynes, 3900 Wendell Blvd, Wendell, NC, 27591, also submitted the following written public comment:

Mayor and Commissioners
Town of Wendell
15 E. Fourth Street
Wendell, NC 27591

Dear Mayor and Commissioners:

My name is Aubrey Sidney (Sid) Baynes, and I am submitting these comments in support of Agenda Item #5c of your July 27, 2020 meeting. My wife Ann and I live at 3900 Wendell Boulevard and own two of the tracts that are included in the proposed McKenzie Meadows development addressed by this item. As background for your discussion and decision, I thought that it would be helpful to explain why we decided to sell our property for the purpose of development and why we chose Carolina Land Group and their proposal. Please note that this letter is basically the same as one I sent to the Planning Board on May 29, but since the facts are still the facts, I hereby submit it for your consideration and use.

This property has been in Ann's family for about eighty years. She and I grew up in Wendell, have spent between six and seven decades living here, and do not plan to leave. For many years my dream was to build a large home on a large lot in the middle of this property and surround it by other such homes and lots. My life experiences, education, and studies of development patterns have led me to understand that this dream is in many ways impractical and not in the best interest of Wendell, the town I love. I am now a firm believer in compact, sustainable development where appropriate rather than the unsustainable sprawl associated with my early dream.

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Compact and sustainable developments are simply those that allow growth in general to continue for long periods of time. They benefit all aspects of the economy and population, are much more environmentally sound, and do not fill up the landscape with disjointed sprawl that cannot be sustained. Sprawl on the other hand is less well planned across the community, eats up much more living space per person, is more dependent on automobiles and travel, creates more traffic problems, destroys more natural habitat and farmland, takes potential customers away from downtowns, and greatly increases costs to homeowners and municipalities.

I have had these facts verified through my studies to obtain three degrees in various areas of natural resources conservation and over thirty years as a professional natural resources researcher, manager, educator, and administrator. Also, I was elected to the Wendell Town Board on a platform of sustainable development. Among other involvements, I served as chair of the UDO revision committee which expanded sustainable growth regulations, served on the Wake County Stormwater Management Task Force which developed the ordinance that we now use, served on the Wake County Rural Traffic Study Group which looked at the area's future traffic needs, and served on the Wendell Housing Diversity Task Force which concluded that the town needs more developments like the one being proposed by Carolina Land Group.

After having been contacted by a surprisingly large number of developers over the past few years and eighteen months ago finding three serious proposals on my desk at one time, Ann and I felt that we should consider a sale of the property. (We continue to get offers even though the property is under contract.) Also, we knew that this land is now infill because it has been surrounded by development; that with its being zoned RA, the UDO indicates that it is really in a holding pattern for future development because it no longer exists on a perimeter of the town; that the infrastructure already exists to connect the property to the town; and that adjacent properties have already been approved for development and annexed into the town. Therefore, the question was no longer whether or not our lands would be developed, but when and how. We chose to move forward while we had some control over the process and had an excellent plan before us.

Carolina Land Group became our developer of choice. We chose them because their proposal meets our desire to see a new type of family and environmentally friendly neighborhood. Elements we considered were the company's interest in compact and sustainable development; the fact that they are a local company with local control, local funding, and a commitment to local subcontractors; and that they are willing to promise quality homes that will be above Wendell's current per capita home value. Additionally, they promise buffers and fencing to protect existing property owners, protections for open space and natural areas, and numerous amenities. Also, Kirby LaForce, a partner with this group and the individual handling this development, proves to know our area well and be honest in his dealings regarding this matter.

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While I sincerely appreciate any concerns regarding Mckenzie Meadows as they relate to the personal and individual interests of neighboring homeowners, I am just as sincere in my conviction that the proposed development of this property reflects a positive and natural growth pattern that is appropriate for this infill property and that the project will be very good for Wendell. As planned, Mckenzie Meadows meets, and in many instances exceeds, the expectations and requirements of Wendell's UDO and other planning documents. To require more would go against the intent that these documents have for providing fairness and equality to citizens, landowners, and developers. In addition, such actions could shut the door on future development and progress here. As you study this proposal in view of the location of this property, the surrounding developments, the many positive elements of the project, the project's large increase to Wendell's tax base, and the value of compact and sustainable development, I believe you will agree. Also, Wendell must continue to grow the historic portion of the town in addition to outlying areas or we could easily reach a situation where both the tax base and political base of the town become geographically out of balance. Without continued balance the town could realize citizen rivalries and dissatisfactions which lead to the fracturing of the town into "two or more Wendells" rather than one strong town.

In conclusion, those who chose to clear land and develop or move into an area, attempt to halt continued development, and then depend on the benevolence and undeveloped lands of their neighbors to supply their buffers and personal recreation must consider this situation as unrealistic and temporary and should not be surprised or overly upset when the development they began eventually comes to their neighbor's lands. I understand the desire for a place of solitude and "get away". We began to lose ours thirty some years ago when we suddenly found our granite outcroppings, small pond, woods, and beaver pond in the backyards of our new neighbors whose cleared yards extended right up to our boundaries. We welcomed these new neighbors graciously, considered them friends, and have shared our lands with them. Our best option now is to let our lands be developed by Carolina Land Group in the manner proposed, hope that our neighbors will extend friendship and hospitality to their new neighbors to come, and trust you to help us by approving this project. This new neighborhood will not only benefit my children and grandchildren, but also the entire future of Wendell.

Thank you for your favorable consideration,

Sid
Aubrey Sidney (Sid) Baynes

Mayor Gray asked if there was anything that the applicant would like to add. Nothing was added and Mayor Gray closed the Public Hearing at 11:00 p.m. subject to the 24-hour public comment period.

6. ADMINISTRATIVE ITEMS

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

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

Assistant to the Manager Stephanie Smith presented the following staff report, below in italics:

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 Wiley 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: the following attachment can be found in the July 27, 2020 Agenda Packet on the Town's website:

- A. *Downtown Mural Concept Design Sketch*

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Ms. Smith offered to answer any questions that the Board might have. No questions were asked.

ACTION

Mover: Commissioner Lutz made a motion to approve the mural concept design provided by Matthew Whiley Murals, Inc.
Ayes: Commissioners Joyner, DeLoach, Lutz, Tarnaski, and Boyette.
Nays: None.
Vote: 5-0

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

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

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:

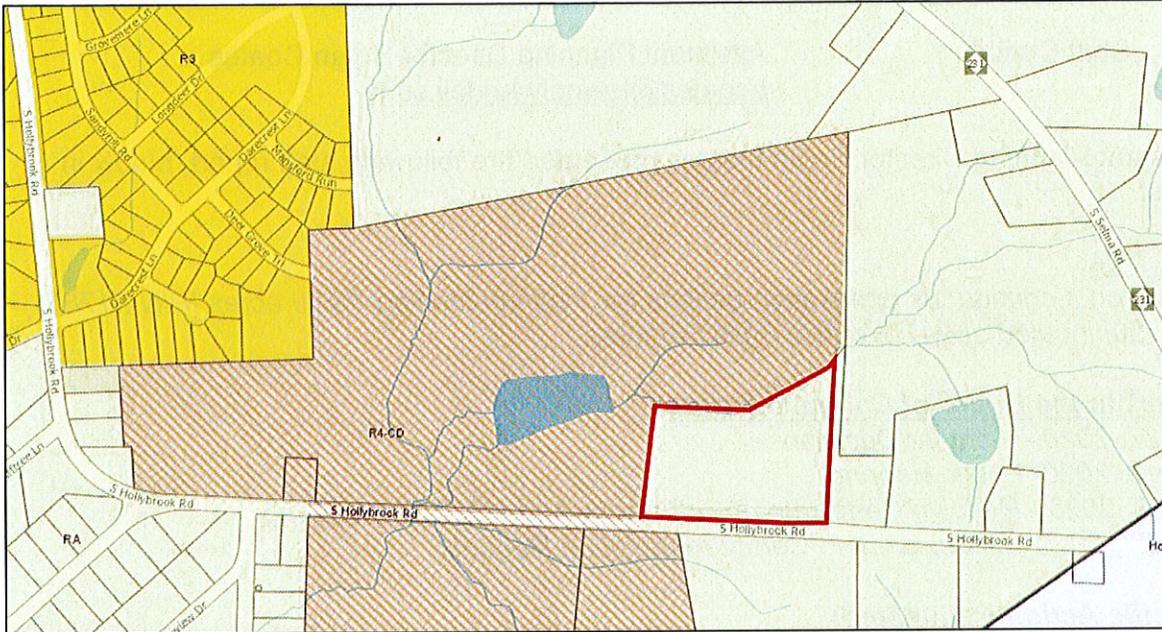
The property is currently located within the RA zoning district.

Police & Public Works & Utility Service:

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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: the following can be found in the July 27, 2020 Agenda Packet on the Town's website.

- A. *Ordinance for Adoption*

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

Commissioner Jon Lutz asked about the property boundaries between the adjacent property owners.

Mr. Coates said he would be addressing that in the Conditional District Rezoning Item later on in the agenda.

ACTION

Mover: Commissioner Joyner made a motion to approve the contiguous annexation petition A-19-08 for 7.45 acres located at 1425 S. Hollybrook Road and identified by PIN number 1793-03-4587

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

Nays: None.

Vote: 5-0

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- 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

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

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.

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Location Map:



Staff Recommendation:

Staff recommends approval of the request

Attachments: the following attachments can be found in the July 27, 2020 Agenda Packet on the Town's website:

A. *Ordinance for Adoption*

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

ACTION

Mover: Commissioner Lutz made a motion to approve the contiguous annexation petition A-20-02 for 15.79 acres located at 941 Wendell Falls Parkway and identified by PIN number 1783-17-8750

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

Nays: None.

Vote: 5-0

- 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

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

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

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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.

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Project Profile:

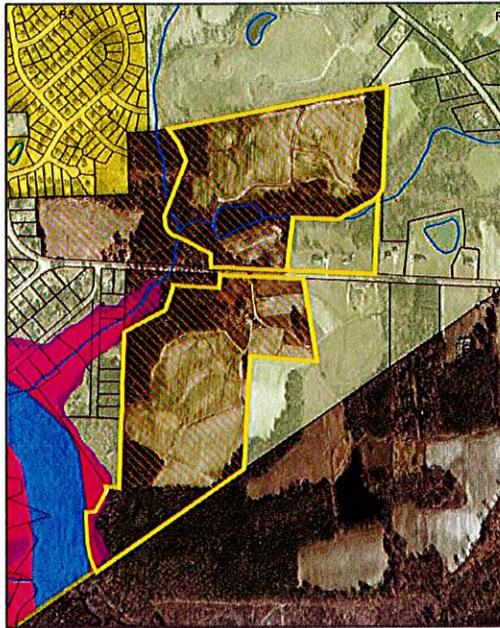
PROPERTY LOCATIONS: 0, 1320 & 1425 S. Hollybrook Rd
 WAKE COUNTY PINS: 1783923310, 1783949191, 1793034587
 CURRENT ZONING DISTRICT: R4-CD/RA
 CROSS REFERENCES: N/A
 PROPERTY OWNERS: Smith-Edwards LLC
 2505 Wendell Road
 Wendell, NC 27591
 Franceline Price
 1425 S. Hollybrook Road
 Wendell, NC 27591
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

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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:

- 14. All single-family dwellings shall have a 5 ft. minimum side setback.*
- 15. 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.*
- 16. 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.*
- 17. 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.).*
- 18. 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)*
- 19. That the club house lot amenities be completed prior to Phase 3 of the development plan.*
- 20. 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.*

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21. 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.
22. 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.
23. 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:

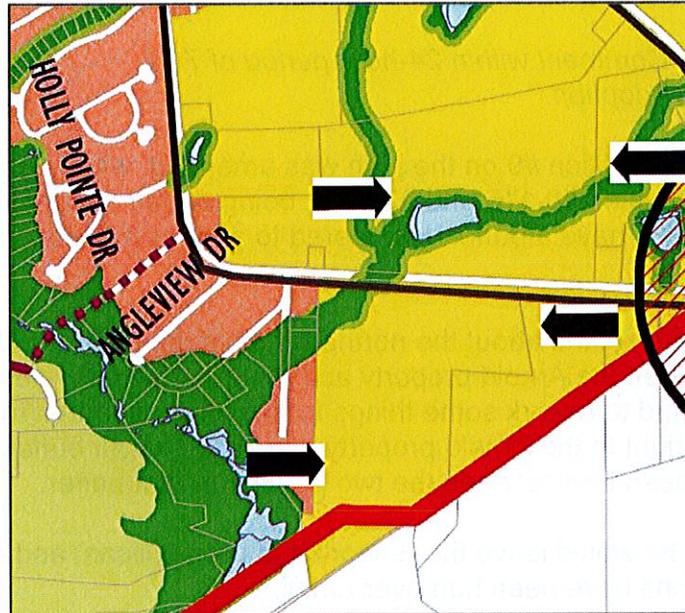
The Wendell Comprehensive Plan defines the subject property as being within the S-4 Controlled Growth Sector.

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.

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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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Attachments: the following can be found in the July 27, 2020 Agenda Packet on the Town's website:

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

Mr. Coates said that Condition #9 on the plan was amended, with a rear buffer being provided in addition to lots 110-116 and 251-252 being added to condition 9 so that the western side would also have a buffer. He offered to answer any questions that the Town [Board](#) might have.

Commissioner Jon Lutz asked about the northern half of the project with the larger buffering space between the Arnold property and the proposed development. He said he understood they had to rework some things for feasibility and that they now have 5 homes that back up right to the Arnold property. He asked about buffering issues and if any discussion has been had between the two parties on that buffer.

Mr. Coates said that he would leave the response to the applicant and that he understood discussions have been had over email.

Mr. Clyde Holt, speaking on behalf of the applicant, said he had reached out several times to the Arnolds to suggest that they design for the buffer including a privacy fence and landscaping that the developer would pay for. He said that they indicated that they weren't interested in doing that and that they had other concerns besides the buffer. He said the developer would like to go back to condition 9 and add that the buffer will exist along lots 22-27, adjacent to the Arnold property, and would include a 6-foot privacy fence to be constructed by the developer in the initial phase of the project and to be maintained thereafter by the HOA.

Commissioner Lutz asked for clarification that they are proposing that they have a vegetative buffer, a 6-foot high fence, both of which would be maintained by the HOA and not the family.

Mr. Holt confirmed that was correct.

Commissioner Lutz asked for clarification that the vegetative buffer would be on the development's side of the property.

Mr. Holt confirmed that was correct.

Commissioner Lutz asked Mr. Holt to speak to the traffic on the turn lane into Hollybrook Road.

Mr. Holt said that the traffic study that was conducted by their professional traffic engineer had a scope that was set by the town. He said that the study was submitted to

**TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
JULY 27, 2020**

NCDOT and was approved by them, with the left-turn lane was suggested as a requirement by NCDOT because it is needed whether the property develops or not and should be provided by the developer, which has agreed to complete it.

Commissioner Joyner said he appreciates the developer addressing the concerns and encouraged the developer to involve the Arnolds in working towards an agreement, moving forward.

Mr. Holt said that they would continue that effort.

ACTION

Mover: Commissioner Joyner made a motion to approve the 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 with the concessions to Condition Number 9 and the builder's concessions to buffering as discussed.

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

Nays: None.

Vote: 5-0

- 6e. 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

Town Manager Marc Collins said that he's available to answer any questions and would let Commissioner Boyette present as he moved to move this item from the Consent Agenda to Administrative Items for presentation.

Commissioner Boyette said that he moved item 6e from the Consent Agenda because he thought it was important to discuss moving forward as a town project. He said the selection was for Ginsler Architectural Firm for designing the new town hall and that he was very happy to be a part of this process. Mr. Boyette said that they received a lot of good proposals both on the initial RFQ and 4 excellent presentations in the second round. He said that he looks forward to sitting down with the Board, town staff and Ginsler to begin the design process. He said it will allow the town to showcase a lot of their strengths and provide a well-designed workspace for town staff that will provide for growth. He thanked town staff for their time and efforts in this process.

**TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
JULY 27, 2020**

ACTION

Mover: Commissioner Boyette moved to approve Ginsler Architectural Firm as the firm to design the new town hall and authorize the Town Manager to negotiate that contract.

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

Nays: None.

Vote: 5-0

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

Mayor Gray said she attended CAMPO virtually to hold a public hearing on the proposed 2022 LAPP proposed changes and target modal investment mix. She said they received an update on the Wake Transit Vision Plan and the fiscal year 21 workplan reassessment. She said they received various budget information, project updates, public engagement updates, and staff reports.



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

Mayor Pro Tem Boyette said there was some discussion on the Treelight Dining Plan regarding technical concerns that would come back up at the next meeting for further discussion.

8. COMMISSIONERS' REPORTS / COMMENTS

Commissioner Joyner encouraged people to visit the Town's social media for information on town communications. He also wished his wife a happy 8-year anniversary.

Commissioner DeLoach, Lutz, Tarnaski, and Boyette had no comments.

9. MAYOR'S REPORTS / COMMENTS

Mayor Gray had no comments.

10. CLOSED SESSION

Closed session will be called if necessary.

11. ADJOURN

**TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
JULY 27, 2020**

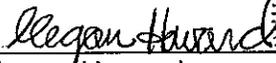
ACTION:

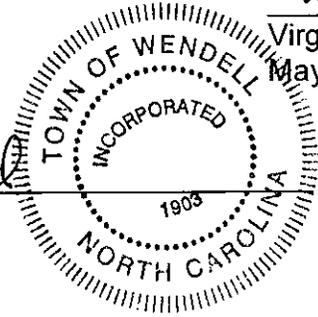
Mover: Mayor Gray moved to adjourn at 11:28 p.m.

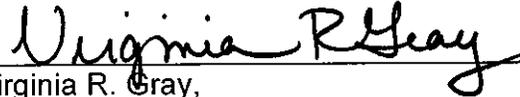
Vote: 5-0

Duly adopted this 24 day August of 2020, while in regular session.

ATTEST:


Megan Howard,
Town Clerk




Virginia R. Gray,
Mayor

Appendix A: Public Notice Publications in *The Wake Weekly* for Public Hearings 5a through 5c.

Appendix B: Petition submitted for items 5a and 5b by David Cozart, 6324 Weathers Road, Wendell, NC, 27591

Appendix C: Policy 104 Submitted for items 5a and 5b by Pat Shillington, 133 Candlewick Dr., Wendell, NC, 27591

Public Notice

Pursuant to NC GS 160A-58.2, the public will take notice that the Wendell Town Board of Commissioners has scheduled a VIRTUAL public hearing on Monday, July 27, 2020 at 7:00 PM in the Wendell Town Hall, 15 East Fourth St. The purpose of the public hearing is to consider an annexation for the Town of Wendell for the following described territory:

A 12.28-acre tract located off Rolesville Road addressed as 4501 Rolesville Road, PIN # 1765-85-2510 and is available in Deed Book 09086, Pages 2064-2066, Wake County Registry;

A 50.16-acre tract located off Davistown Road addressed as 0 Davistown Road, PIN # 1765-96-2276 and is available in Deed Book 16037, Pages 1579-1582, Wake County Registry;

A 57.16-acre tract located on Davistown Road addressed as 1401 Davistown Road, PIN # 1765-85-6251 and is available in Deed Book 16037, Pages 1587-1590, Wake County Registry;

A 32.21-acre tract located on Yancey Drive addressed as 6021 Yancey Drive, PIN # 1775-04-2139 and is available in Deed Book 11017, Pages 981-985, Wake County Registry;

Citizens may speak and may obtain additional information from the Town of Wendell Zoning Administrator, 15 E. Fourth Street, Wendell, North Carolina 27591. Megan Howard

Town Clerk
Wake Weekly
July 16, 2020

Public Notice

The public will take notice that the Wendell Board of Commissioners has scheduled two public hearings on Monday, July 27, 2020 at 7:00 p.m. in the Wendell Town Hall for the following purposes:

1. The first public hearing is to consider 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. The described properties are currently zoned Wake County R-40.

2. The second public hearing is 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. The described properties are currently zoned R3 and Rural Agricultural (RA).

Interested parties and citizens shall have opportunity to speak and may obtain additional information on request from the Town of Wendell Zoning Administrator, 15 E. Fourth Street, Wendell, North Carolina 27591. Please go to www.townofwendell.com and refer to the meeting agenda for public input options.

Megan Howard
Town Clerk
The Wake Weekly:
7/16/20; 7/23/20

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Megan Howard
Town Clerk
The Wake Weekly:
7/16/20; 7/23/20

Target: Wendell Town Board

Region: Eastern Wake County – Rolesville Road, Davistown Road, Robertson Millpond Road

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The proposed project is inconsistent with neighboring rural properties and puts at risk adjacent wetlands including the Robertson Millpond Preserve (Identified by the N. C. Natural Heritage Program as a significant natural area). The Preserve is the only bald cypress blackwater swamp in Wake County.

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We call on the Town Board to refuse Ashton Woods Homes application to zone the Weathers Farm property as an R-4 Conditional District (resulting in a density of 7 houses per buildable acre) and deny the related annexation request.

We stand with concerned citizens in opposition of the proposed Ashton Woods Homes, Weathers Farm project.

Name	Address	Email	Signature
Scott Hunt	4809 Applegate		Scott Hunt
Laura Swartz	4809 Applegate		Laura Swartz
Rebecca Wood	5905 Shady View		Rebecca Wood
Jeanne Woods	5905 Shady View		Jeanne Woods
Carl Woods	5905 Shady View		Carl Woods
Sadie Noyon	5908 Shady View		Sadie Noyon
Daniel Lunley	224 Cambridge Dr.		Daniel Lunley
Kimberly Lunley	224 Cambridge Dr.		Kimberly Lunley
Sue Gray	224 Cambridge Dr.		Sue Gray
Chad Richards	3009 Pinyon Red		Chad Richards
Jenny Richards	3009 Pinyon Red		Jenny Richards

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Name	Address	Email	Signature
William Guy	5921 Shady View Dr	billguysongs@gmail.com	William Guy
DIANE GUY	5921 Shady View Dr	dianeguy38@yahoo.com	Diane C. Guy
Teresa Harper	5920 Shady View Dr	teresa.harper@gmail.com	Teresa M. Harper
DAVE HARPER	5920 Shady View Dr	DAVE.HARPER1961@gmail.com	Dave Harper
Billy Harper	4017 BROWN PL	BillyHarper11@ATT.NET	Billy Harper
URIEL VALLES	4804 Appling Ct		Uriel Valles
Ejovra Valles	4804 Appling Ct		[Signature]
Denise Davis	4808 Appling Ct		[Signature]
Denise Davis	4812 Appling Ct.	dukedenise@hotmail.com	Denise E. Davis
Matthew Davis	4812 Appling Ct.	MRD27545@yahoo.com	Matthew Davis

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Name	Address	Email	Signature
Kathy Bradley	140 Candlewick	kbruce@bruce.com	Kathy Bradley
Jason Johnson	113 Candlewick Dr.	Importuner88@bruce.com	[Signature]
Bobbie Alford	105 Candlewick Dr.		Bobbie P. Alford
[Signature]	105 Candlewick Dr.		[Signature]
Paul Denton	101 Candlewick Dr.		Paul Denton
Fandy Denton	101 Candlewick Dr.		Fandy Denton
Andy Cant	3005 Pinyard Rd		Andy Cant
Steve Cant	3005 Pinyard Rd		Steve Cant
John Bruce	4600 Rolesville Rd	bruce@bruce.com	[Signature]
Mary Bruce	4600 Rolesville Rd		[Signature]

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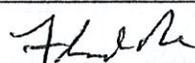
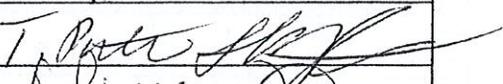
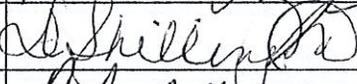
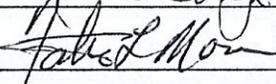
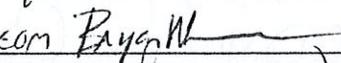
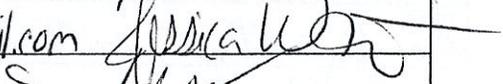
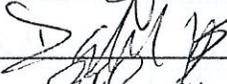
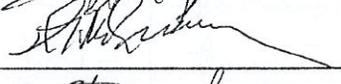
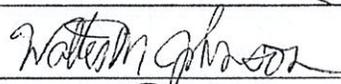
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Name	Address	Email	Signature
Floyd Price	Wendell 137 Candlewick Dr	trey@theharrelsons.com	
Pat Shillington	133 Candlewick Dr		
Deb Shillington	133 Candlewick Dr		
Fatess Moore	129 Candlewick	Fatess Moore fat@band.com	
Bryan Watkins	4500 Rolesville Rd	bwatkins233@gmail.com	
Jessica Watkins	4500 Rolesville Rd	jbwatkins34@gmail.com	
David L. Irford	108 Candlewick	davidlirford@aol.com	
RH Moore	112 "		
WALTER JOHNSON	128 CANDLEWICK DR WENDELL, NC		
Joshua Driskill	136 Candlewick Drive	driskilljd@gmail.com	

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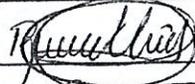
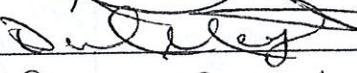
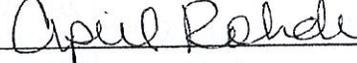
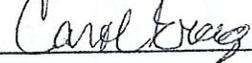
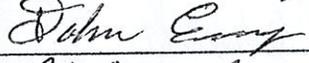
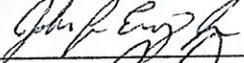
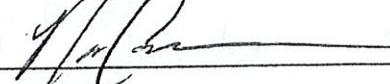
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Name	Address	Email	Signature
Rosa E. Martinez	219 Candlewick Dr Wendell NC 27591	elintz_09@hotmail.com	
David Meyers	209 Candlewick Dr Wendell NC 27591	dmeyers@nc.rr.com	
April Rohde	216 Candlewick Wendell, NC 27591	all4cares@aol.com	
PAU SMITH	216 CANDLEWICK DR WENDELL NC	pauphaFam@outlook.com	
CAROL ERCEG	304 Gail Court Wendell NC 27591	carol.erceg@gmail.com	
JOHN ERCEG	304 Gail Court Wendell NC 27591	john.erceg@gmail.com	
John Erceg Jr	304 Gail Court Wendell NC 27591		
NAT CANNON	316 Rose Pl Wendell NC 27591	cannon_nat@yahoo.com	
JEN CANNON	316 Rose Pl Wendell NC 27591	Jen.cannon@yahoo.com	
Annelle Perry	324 Rose Place Wendell NC 27591	Annelle.perry@nc.rr.com	

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Name	Address	Email	Signature
Michelle Perry	240 Gail Ridge Lane Wendell	mperry914@yahoo.com	Michelle Perry
Carl Harrington	244 Gail Ridge Lane Wendell, NC	Carl.T.harrington@gmail.com	Carl Harrington
Stacey Harrington	244 Gail Ridge Lane Wendell	Stacey.S.harrington@gmail.com	Stacey Harrington
Josephine Serily	309 Sorrell Dr.	TGAILBY@MAC.COM	Josephine Serily
Carol Ziegler	305 Souell Dr	Carol15648@AOL.com	Carol Ziegler
Isayah Hedgepeth	229 Gail ridge Ln	Isayah.Hedgepeth@gmail.com	Isayah Hedgepeth
Linda Crowder	229 Gail Ridge Ln	lindacrowder@gmail.com	Linda Crowder
Shawn Edwards	229 Gail Ridge Ln	Shawn.edwards@gmail.com	Shawn Edwards
Jeff Harbour	229 Candlewick Drive	jwharbour70@gmail.com	Jeff Harbour
Mario Padron	2119 Candlewick Drive	lmarcosLP-23016@imind.com	Mario Padron

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Name	Address	Email	Signature
Willie Richardson	148 Gail Ridge Ln		
Nikki Bull	104 Gail Ridge Ln		
Wayne Cook	200 Gail Ridge Ln Wendell, NC	wcook@shgith.com	
Jeanine Cook	200 Gail Ridge Ln Wendell, NC		
Chris Boone	208 Gail Ridge Ln Wendell, N.C. 27591	cboone45754@gmail.com	
Briana Avery	212 Gail Ridge Ln Wendell, N.C. 27591		
CHRIS HERNANDEZ	224 Gail Ridge Ln Wendell, NC	CS.NANDEZ@attmail.com	
AMBER HERNANDEZ	224 Gail Ridge Ln Wendell, NC 27591		
Steven Eubanks	225 Gail Ridge Ln Wendell, NC 27591	SREDesk@gmail.com	
Delanah Stone	225 Gail Ridge Ln Wendell, NC 27591	abp1234@hotmail.com	

Target: Wendell Town Board

Region: Eastern Wake County – Rolesville Road, Davistown Road, Robertson Millpond Road

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Name	Address	Email	Signature
Brandon Strickland	4488 Rolesville Rd, Wendell	BSSSTRICK2@NCSTU.EDU	Brandon Strickland
Kaylin Strickland	4488 Rolesville Rd, Wendell NC 27591	Kaylin_gillum@yahoo.com	Kaylin Strickland
Bill Gardner	100 Candlewick Dr	royalbarnes@earthlink.net	Bill Gardner
Odele Balick	104 Gail Ridge Lane	Lebolick2401.com	Odele Balick
Lester Bowk	104 Gail Ridge Ln	lebolick@earthlink.net	Lester Bowk
Renee Keedin	124 Gail Ridge	ransmom77@gmail.com	Renee Keedin
John Carl	138 Gail Ridge	none	John Carl
Brenda Earp	140 Gail Ridge Ln	earp418@yahoo.com	Brenda Earp
Amanda Earp	144 Gail Ridge Ln	AmandaEW813@outlook.com	Amanda Earp
Charles Earp	140 Gail Ridge Ln	earp418@yahoo.com	Charles Earp

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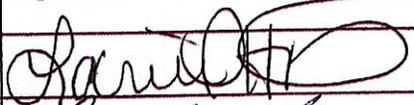
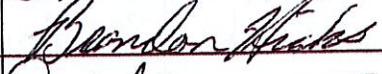
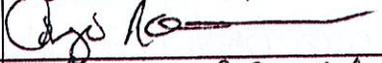
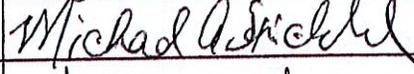
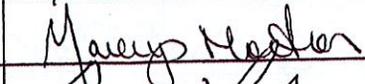
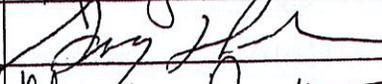
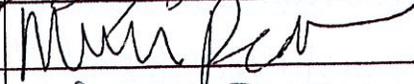
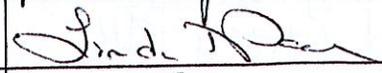
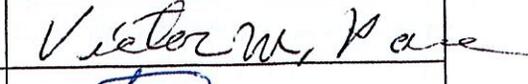
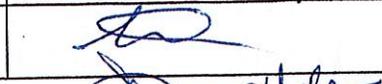
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Name	Address	Email	Signature
Brandt Hicks	6204 Robertson Pond Rd Wendell, NC	iphicks79@hotmail.com	
Brandt Hicks	6204 Robertson Pond Rd Wendell, NC	brhicks79@hotmail.com	
Angie Strickland	6213 Robertson Pond Rd Wendell, NC	aastrick@aol.com	
Mike Strickland	6213 Robertson Pond Rd, Wendell, NC	sgainc@satt.net	
Mary Kay Macken	8920 Corbin Rd, Wendell, NC 27591	mphortant@gmail.com	
Jay Hulse	5927 COBBIN RD Wendell, NC	jhulse1@gmail.com	
MONICA PEARLE	2001 WYBIN RD WENDELL, NC	mcp183@yahoo.com	
Linda Pace	8920 Corbin Rd Wendell, NC 27591	n/a	
Vic Pace	9000 RD Corbin	n/a	
Satt Hicks	6152 Robertson Pond Rd Wendell	n/a	
Tracie Hicks	6213 Robertson Pond Rd Wendell	nc	

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Name	Address	Email	Signature
Ashley Cantin	3005 Puryear Rd windsor hoke		Ashley Cantin
Steven Cantin	3005 Puryear Rd windsor hoke		Steven Cantin
Munterbush	122 Lakewood Farm Rd		Munterbush
Lee Garrett	3004 Puryear Rd		Lee Garrett
Landon Cantin	5005 Puryear Rd Wendell		Landon Cantin
Billie Holmes	3424 Hwy 97		Billie S. Holmes
Jennifer Mizell	P.O. Box 412 Wendell		Jennifer Mizell
Todd Mizell	916 Edgemont Rd		Todd Mizell
Hanna Mizell	4841 Wendell Blvd		Hanna Mizell
Alice Mizell	604 Greenhouse Drive		Alice Mizell

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Name	Address	Email	Signature
Gay Grimes	550 Green Willow		Gay Grimes
J.P. Grimes	" " W. 27591		J.P. Grimes
Amita Todd	2101 Eagle Rock Wendell		Amita Todd
Beth White	Lake Glad Rd Wendell		Beth White
W. Wank	2101 Eagle Rock Wendell		W. Wank
Dan Edwards	155 Lutum Lane Wendell		Dan Edwards
Judy T. Edwards	155 Lutum Lane "		Judy T. Edwards
Robert Todd Edwards	182 Lutum Lane Wendell		R. Todd Edwards
WARREN Ramsey	158 " " "	"	W. Ramsey
Carol Ramsey	158 " " "	"	Carol Ramsey

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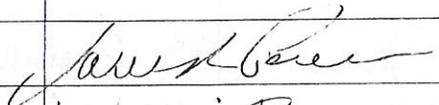
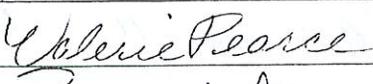
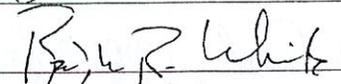
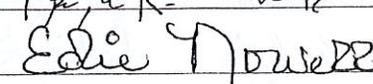
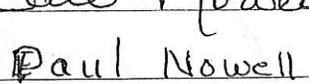
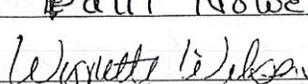
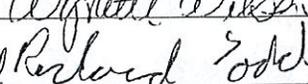
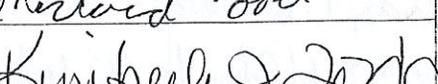
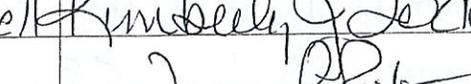
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Name	Address	Email	Signature
JAMES PEARCE	701 wenfield drive Wendell, NC		
Valerie Pearce	701 Wenfield Farm Ln		
Ralph White	Lake Glad Rd		
Edie Nowell	1016 Lake Glad Rd		
Paul Nowell	" " "		
Wynette Wilson	145 Dogwood Trail, Wendell		
Richard Todd	816 Sandy Hill Farms Ln Wendell		
Kimberly J Todd	816 Sandy Hill Farms Ln Wendell		
Jeanne Poole	3501 Wendell Blvd Wendell, NC		

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Name	Address	Email	Signature
MARGIE EBAN	220 FANLICKS ST	Margie.Egan@yaho	
Regina Hamm	6616 Telle Branch	Reginatte@bellsouth	
Annette Cooke	6616 Telle Branch	SACCPA 21@bellsouth.net	
Eith Cooke	11009 Poole Rd	---	
Hans Dara	433 Fanlicks St	hpdara@gmail.com	
Maura Aguirre	10608 Sunny Point Drive	ma5895@uncw.edu	
Emma Cooper	6769 Osprey Landing Dr.	embugh94@gmail.com	
Alejandra Soto	175 Shreve Dr Wendell, NC	asoto4@mp.waketech.edu	
Cathy Reay	401 Candore Lane Wendell, NC	cmpercy414@gmail.com	
Frances Byrd	PO Box 504 Wendell	frglbyrd@gmail.com	
Peggy Sufferlin	PO Box 372 Wendell, NC 27591	petebufferlin@bellsouth.net	

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Name	Address	Email	Signature
Beth Marshall	2061 Davistown Rd		Beth Marshall
Josh Tew	2061 Davistown Rd.		Josh Tew
Donnie Ray	2112 Davistown Rd		Donnie Ray
Matthew Belk	5304 Tinks Pl		Matthew Belk
Missie Belk	5304 TINKS Pl		Missie Belk
Bethie Proaux	4200 Rolesville Rd		Bethie Proaux
Honor Wolfe	707 N Frederic St		Honor Wolfe
Annette Israel	Wendell NC		Annette Israel
Jim Davis Parker	6317 Weathers Rd.		Jim Davis Parker
Jim Parker	6317 WEATHERS RD		Jim Parker

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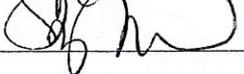
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Name	Address	Email	Signature
Aubrey Wood	1809 Davistown Rd Wendell, NC 27591	Awood@WRAL.com	
Stacy Wood	" "	697101@gmail.com	
Aren Wood	1804 Davistown Road Wendell, NC 27591	wood.a0310@guil.com	Aren Wood
Joy Davis	1729 Davistown Rd Wendell NC 27591	1campandjoy@aol.com	Joy Davis
Merrilyn B Allen	1909 Davistown Rd Wendell, NC 27591	—	Merrilyn B Allen
Baron Rice	2029 Davistown Rd Wendell, NC 27591	—	Baron Rice
Candace Rice	" "	hrent45@marshall.edu	Candace Rice
Carolyn Perry	2033 Davistown Rd Wendell, NC	ashgeal8@atnc.com	Carolyn Perry
Jerry Perry	2033 Davistown Rd Wendell, NC	—	Jerry Perry
Charles Watson	2049 Davistown Rd Wendell, N.C.	—	Charles Watson

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Name	Address	Email	Signature
BARRY ALLEN	2505 EDGEMOUNT RD	b.allen@capsinc.com	Barry Allen
Denise Moore	2445 WALKER BLVD	denise.moore@att.net	Denise Moore
Dee Moore	5100 woodfield Ln	deemoore@att.net	Dee Moore
Frederick Moore	5100 Woodfield Ln	fmoore@att.net	Frederick Moore
Duane Cutler	3700 Valley Pine Ct 27591	duane.cutler@gmail.com	Duane Cutler
Drew Jones	6141 Robertson Blvd Rd	jesweld@aol.com	Drew Jones
Judy Jones	6141 Robertson Pond	judy.jones@sas.com	Judy Jones
FRANK BRASWEL	4116 Rolesville Rd	shamra@live.com	Frank Braswel
Angela Horne	2708 Davistown Rd	horneangela@yahoo.com	Angela D. Horne
Ms Boyd Horne	2708 Davistown Rd		Ms Boyd Horne

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Name	Address	Email	Signature
K. Stockdale	Manna Ct.	N/A	K. Stockdale
B Underhill	Mannick Ct.	MA	B Underhill
C. Petrosky	5805 Quail Covey	N/A	Carrie Petrosky
L. Readman	5905 Quail Covey	N/A.	L. Readman
W Stewart	5905 Farragon Hill Ln	N/A	W Stewart
M. Peereyman	5812 Farragon Hill Ln	N/A	M. Peereyman
J. Hall	1129 Ridge Haven Dr.	N/A	John D. Hall
Jenny Lewis	5900 Farragon Hill Ln	N/A	Jenny Lewis
Judy Lewis	5900 Farragon Hill Ln	N/A	Judy Lewis
William Hodder	5712 Farragon Hill Ln	N/A	William Hodder

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Duane Cutlip	3700 Valley Pine Ct Wendell, NC 27591	duane@duanecutlip.com	
Angie Cutlip	3700 Valley Pine Ct Wendell, NC 27591	imangiet@gmail.com	
Jennifer Broadwell	3705 Valley Pine Ct Wendell, NC 27591	jbroadwell@gmail.com	
David Buffalo	6000 Glennevis Ln Wendell, NC 27591	daubuff1949@gmail.com	
Barbara Buffalo	6000 Glennevis Lane Wendell, NC 27591	barbara.buffaloe@gmail.com	
Maurice Stewart	5905 Farragon Hill Ln Wendell, NC 27591	skinsysboys@wattsouth.net	
Cami Wilkerson	6005 Glennevis Lane Wendell, NC 27591	cwilkersonmp@gmail.com	
Etta Mosley	6013 Glennevis Lane Wendell, NC 27591	emoseley47@gmail.com	
Robert Mosley	6013 Glennevis Lane Wendell, NC 27591	mosleyrobert98@gmail.com	
BRAD RODRIGUES	6012 Glennevis Ln Wendell, NC 27591	BRRODRIG@aol.com	

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Name	Address	Email	Signature
Bernarda Coleman	6009 Glennevis Ln Wendell, NC	Bcoleman16@ATT.net	
Jacqueline Coleman	6009 Glennevis Ln Wendell, NC 27571	5c201161647@ gmail.com	
Jean Starling	6016 Glennevis Ln Wendell, NC 27591	starlingjss@gmail.com	
Camber Starling	5813 Farragouthill Wendell, NC 27591	camberstarling@gmail.com	
Wayne Starling	6016 Glennevis Ln Wendell, NC	starlingw@aol.com	
Westley Schaffer	3701 Valley Pine Ct Wendell, NC	wescl.m5@aol.com	
Josephine Schaffer	3701 Valley Pine Ct. Wendell, NC	jsch-schaffer@ychoo.com	
Alex Badger	6112 Glennevis Ln Wendell, NC 27591	akbadger82@gmail.com	
Amanda Badger	6112 Glennevis Ln Wendell, NC 27591	AEM0327@hotmail.com	
Amber Honeycutt	6001 Glennevis Ln Wendell, NC 27591	N/A	

Target: Wendell Town Board

Region: Eastern Wake County – Rolesville Road, Davistown Road, Robertson Millpond Road

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Name	Address	Email	Signature
Steve Ellington	2056 DAVISTOWN Wendell, NC 27591		Steve Ellington
Jan Ellington	" "		Jan Ellington
Rita Creech	2060 DAVISTOWN RD Wendell, NC		Rita Creech
David Creech	" "		David Creech
Linda G Creech	2100 Davistown Rd Wendell NC 27591		Linda G Creech
Patrick Tucker	2204 Davistown Wendell NC 27591		Patrick Tucker
KENT HENDERSON	7725 GLOVER RD 27591		Kent Henderson
PAM HENDERSON	7725 GLOVER RD 27591		Pamela Henderson
Ben Weather	1625 Davistown Rd. Wendell, NC	27591	Ben Weather
Laura Weathers	1625 Davistown 27591		Laura Weathers

Target: Wendell Town Board

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Name	Address	Email	Signature
Deborah Gustor	121 Gail Ridge Ln.	dg7rr@aol.com	Deborah Gustor
Breanna Boggs	121 Gail Ridge Ln	breannaboggs1@aol.com	Breanna Boggs
Brandie Miles	129 Gail Ridge Ln	Brandiemiles84@hotmail.com	Brandie Miles
Wick Knight	131 Gail Ridge	wickknight65@gmail.com	Wick Knight
Gale Koonce	135 Gail Ridge	ssk.ecw63@gmail.com	Gale Koonce
Faye Koonce	135 Gail Ridge	faye.koonce@gmail.com	Faye B. Koonce
Edna Bordeaux	135 Gail Ridge Ln.	no email	Mrs. Edna H. Bordeaux

Christine Scott	221 GAIL RIDGE LANE		Christine Scott
Christine Scott	221 Gail Ridge Ln		Christine Scott
MIKE HENLEY	778 CANDLEWICK FR.		Mike Henley

Target: Wendell Town Board

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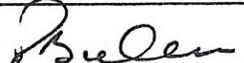
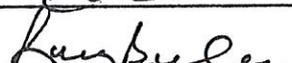
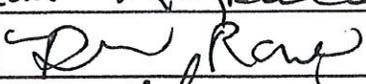
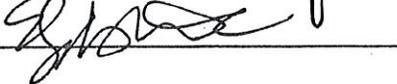
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Name	Address	Email	Signature
Brandon Preston	201 Gail Ridge Ln	Thuddness@gmail.com	
Ruth Buckner	207 Gail Ridge Ln	rbuckner@nc.rr.com	
Larry Buckner	207 Gail Ridge Ln	lbuckner@nc.rr.com	
Deborah Rowe	201 Candwick Dr		
Vaughan Davis	209 Gail Ridge Ln	Vaughan.davis@211@gmail.com	
Almonda Barber	209 Gail Ridge Ln	amanda.barber@211@gmail.com	
Beth Costantini	213 Gail Ridge Ln	awanamom@yaho.com	

Michael Costantino	218 Gail Ridge Ln		<i>Michael Costantino</i>
Jim Moran	139 Gail Ridge Lane		<i>Jim Moran</i>
Martha Moran	139 Gail Ridge Ln. no email		<i>Martha S. Moran</i>

Target: Wendell Town Board

Region: Eastern Wake County – Rolesville Road, Davistown Road, Robertson Millpond Road

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Name	Address	Email	Signature
Rinda Ward	112 Gail Ridge Ln		Rinda Ward
Delores Webb	109 Gail Ridge Lane		Delores Webb
Shirl Alston	109 Gail Ridge Lane		Shirl Webb Alston
Mamie Webb	109 Gail Ridge Lane		Mamie Webb
Patrick Davis	117 Gail Ridge		Patrick Davis
William Boggs	5929 Shady View Dr.		W Boggs
Christi Boggs	5929 Shady View Dr		CBoggs

James Daniel	212 Candlewick Dr		James Daniel
Andy Huff	208 Candlewick Dr	Wendell	Andy Huff
Walter Eddies	204 Candlewick Dr	Wendell	Walter Eddies

Wendi Lanthorn 204 Candlewick Dr. Wendell Wendi Lanthorn
 Cheryl Eddies 204 Candlewick Dr Wendell Cheryl Eddies

Target: Wendell Town Board

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Name	Address	Email	Signature
Grace Clement	305 Rose Pl.	snw.clement@gmail	
Charles Clement	305 Rose Pl.	cpc.clement@gmail	
Bobby Cooley	144 Candlewick Drive	bcooley@yahoo.com	
Francis	144 Candlewick Dr	fcooley@yahoo.com	
Ben Bridgers	892 Lions Club Rd		
Christopher Dennis	121 Meadow Run	cldennis@nc.rr.com	

Target: Wendell Town Board

Region: Eastern Wake County – Rolesville Road, Davistown Road, Robertson Millpond Road

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Name	Address	Email	Signature
Pam Sykes	337 S. Cypress	pamsykes@gmail.com	Pam Sykes
Tim Hinnant	320 E. Haywood St		Tim Hinnant
Joe Todd	8028 Old Maxwell Rd		Joe Todd

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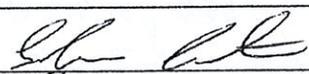
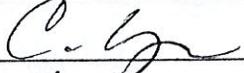
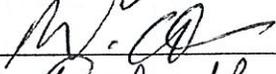
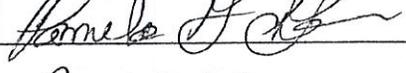
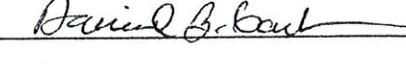
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Name	Address	Email	Signature
Landon Cantin	3005 Puryear Rd	landon.cantin@johncor	
Chris Young	4417 Rolesville Rd	CD1055@aol.com	
Michelle Oliphant	4417 Rolesville Rd	oliphantmichelle	
Pamela Gardner	4508 Rolesville Rd	pamgardner6@gmail	
DANIEL GARDNER	4508 ROLESVILLE RD.	daniel.rfd@gmail.com	

Target: Wendell Town Board

Region: Eastern Wake County – Rolesville Road, Davistown Road, Robertson Millpond Road

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Name	Address	Email	Signature
Melinda Perry	2204 DAVISTOWN RD	ncdixie186@gmail.com	Melinda B Perry
Chris Duncan	2132 DAVISTOWN RD		Christopher Duncan
Joseph Phillips	2136 DAVISTOWN RD		Joseph S Phillips
Dale Perry	2204 DAVISTOWN RD		Dale Perry
Joy Boykin	2136 DAVISTOWN RD		Joy Boykin

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Jennifer Guthrel	5100 Farragon Hill Ln	jenmcuthrel@gmail.com	
Chad Craft	5809 Farragon Hill Ln	craft0603@gmail.com	
Ann Marie Sykes	5813 Quail Covey Ln	sykespartyof4@rr.com	
Dustin S. Horne	3733 Marwick Ct Wendell NC	N/A	
David Cozart	6324 Weathers Rd		
Emma Cozart	6324 Weathers Rd		
Grace Cozart	6324 Weather Ad		
Michelle Paul Davis	12453 Buffalo Rd		
Christopher Davis	12453 Buffalo Rd		

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Emily Gregory	1104 Watling Rd	egregory@gmail.com	
Daniel Killete	107 Gail Ridge Ln	dkillete90@gmail.com	
IRA B PARKER	3612 Kemp Drive	irabparker@gmail.com	
RUKKI Grace	101 Gail Ridge LN	—	
Kristina Chambers	703 N Lee St	—	
Barbara Watson	703 N Lee St	—	
ETHAN BULLOCK	1419 Smokey Mtn Dr	—	
Ashley Lauren	461 Shotwell Rd	—	
ANNA BROEDEN	1008 BROOKDALE DR	ABRO06@yahoo.com	
Alex McDays	3612 Kemp Drive	—	

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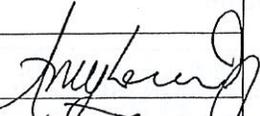
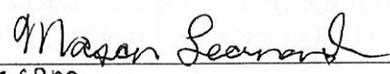
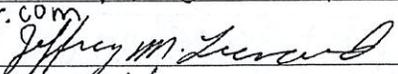
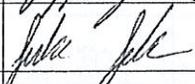
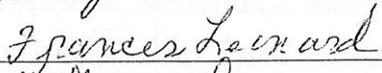
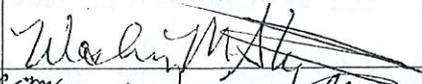
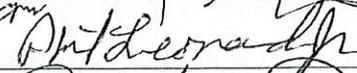
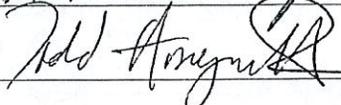
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Amy Leonard	8516 Barrett Hall Ln Wake Forest, NC 27587	amyleonard256@gmail.com	
Meredith Leonard	PO BOX 1155	ajmleonard@nc.rr.com	
Mason Leonard	PO BOX 1155	masonleonard@nc.rr.com	
Jeff Leonard	8516 Barrett Hall Ln Wake Forest, NC	jeffreyleonard@nc.rr.com	
Julius Jefferson	151 Mount Olivet Church Rd 27525	jssjff455@msn.com	
Frances Leonard	522 E. Jones Ave. Wake Forest, NC	N/A	
William Leonard	872 P. Jones Wake Forest	N/A	
Wesley M. Stephens	4612 Purnell Rd Wake Forest, NC	N/A	
Phil Leonard Jr	6428 Hall Farm Ln Wake Forest, NC	@yahoo.com leonardslogging	
Todd Honeycutt	5104 Mitchell Mill Rd Wake Forest, NC 27587	toddhoneycutt682@yahoo.com	

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Name	Address	Email	Signature
Lesley & Gary Klinker	3559 Tavistock Way	lesleyklinker@yahoo.com	Lesley Klinker
Lynn & D. Thomas	3813 Tavistock Ct.	lynnthomas17@yahoo.com	Lynn & D. Thomas
Kristen Wheless	3629 Wether Ridge Rd	Kristen.Learner@gmail.com	Kristen Wheless
Brandon Wheless	" "	bwheless@gmail.com	Brandon M. Wheless
FIONA MACPHERSON	4201 LASSITER RD W.F., NC 27587	faeryoldwen@aol.com	Fiona MacPherson
John A. Ann	4201 Lassiter Rd Wake Forest, NC 27587	jab23@erborngmail.com	John A. Ann
Kathy Wiandt	4209 Lassiter Rd Wake Forest NC 27587	doxiegirl@gmail.com	Kathy Wiandt
Lorin E. Wiandt	4209 Lassiter Rd Wake Forest, NC 27587	Wiandt@lad.com	Lorin E. Wiandt
Annemarie R Clayton	7144 Aventon Glen Dr Wake Forest NC 27587	momma.anna@icloud.com	Annemarie R Clayton
Todd Clayton	" "	tclayton@salemva.gov	Todd Clayton
Betty Woodlief	1501 Rolesville Rd	woodliefbj@aol.com	Betty Woodlief

Target: Wendell Town Board

Region: Eastern Wake County – Rolesville Road, Davistown Road, Robertson Millpond Road

Ashton Woods Homes, a subsidiary of Great Gulf Group Limited, a multi-billion dollar Toronto, Ontario real estate development company is seeking approval to develop and build 324 Single Family Homes on the Weathers Property bordering Rolesville and Davistown Roads. The proposed project benefits the developer to the detriment of existing neighbors.

The proposed project is inconsistent with neighboring rural properties and puts at risk adjacent wetlands including the Robertson Millpond Preserve (Identified by the N. C. Natural Heritage Program as a significant natural area). The Preserve is the only bald cypress blackwater swamp in Wake County.

Under the proposed project, The Weathers Farm would be annexed into the Wendell City limits, creating another satellite annexation for the Town, further stretching the Town's Fire, Ambulance and Police resources.

The proposed project is too dense for the area and puts at risk the lives of thousands of parents and students traveling to East Wake High School daily. The developer projects a 98% increase in traffic along Rolesville Road.

We call on the Town Board to refuse Ashton Woods Homes application to zone the Weathers Farm property as an R-4 Conditional District (resulting in a density of 7 houses per buildable acre) and deny the related annexation request.

We stand with concerned citizens in opposition of the proposed Ashton Woods Homes, Weathers Farm project.

Name	Address	Email	Signature
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Policy Number: 104



MUNICIPAL WATER ALLOCATION POLICY

Statement of Purpose

Drinking water supplies throughout the greater City of Raleigh distribution system are finite, subject to disruption by drought and/or other calamity, and Wendell's allocation is contractually limited. The Town staff, the Planning Board, and the Board of Commissioners, with input from citizens, have given a great deal of thought and study as to how best to utilize this valuable resource to benefit current and future citizens.

Wendell's municipal water capacity is a valuable resource that must be conserved and apportioned to new development projects that promote the Town's policy of insuring a diversified tax base and housing supply. Such an allocation policy will promote diversity of housing available to a wide cross section of citizens of diverse socio-economic backgrounds and promote economic viability and sustainability by encouraging retail and other commercial development within the Wendell community.

The local government expense of providing fire and police protection, schools, parks, social services, water and sewage systems, and other essential public services to residential neighborhoods is generally greater than the ad valorem tax revenue generated by such neighborhoods. On the other hand, the cost of providing services to commercial and industrial development is generally less than the tax revenue accrued by the local government. Recent studies of five North Carolina counties (including Wake) by the American Farmland Trust reveal that the cost of local government services provided to Wake County residential property owners is \$1.54 for each dollar of ad valorem tax revenue received, while the cost of providing services to Commercial/Industrial properties is only \$.18 for each dollar of revenue. Having a predominantly residential tax base would require the Town of Wendell to assess a higher tax levy over time to raise funds to provide essential services or to reduce the level of public services provided. This is one reason among many why local governments, including Wendell, strive to achieve a balance of both residential and non-residential growth.

Wendell's historical development pattern has been predominantly residential, leading to a current tax base of approximately 75% residential and 25% commercial/industrial. The Wendell town board finds that it is fiscally responsible and otherwise in the public interest to promote and encourage non-residential development in the jurisdiction as an alternative to residential development until a ratio is achieved that is closer to what exists in other communities in the County. A goal of achieving a tax base of 60% residential and 40% commercial/industrial is hereby established.

