

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

The Wendell Town Board of Commissioners held their virtual, regularly-scheduled meeting on Monday, April 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: Jon Lutz, Jason Joyner, Joe DeLoach, and Philip Tarnaski

**ABSENT:**

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

**SPECIAL NOTICE**

Due to the Declared State of Emergency in response to the COVID-19 Virus, the Town of Wendell altered the traditional meeting process to accommodate and encourage positive public health practices. The Town incorporated 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 was encouraged to remain home and watch the business meeting on Facebook Live, or after it was posted to the Town website, or by calling (919) 375-6880 and listening to the meeting. No direct access to Town Hall was allowed.

Public Comment period for the April 27, 2020 Board of Commissioners meeting was organized in advance. The public submitted their public comment to the Town Clerk via email to [mhoward@townofwendell.com](mailto:mhoward@townofwendell.com) or submitted 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, April 24<sup>th</sup> 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 Wallace Johnson of the Wendell Council of Churches provided the invocation.

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

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**ACTION**

Mover: Commissioner Jon Lutz moved to add item 6f.  
Ayes: Commissioner Joyner, Commissioner Lutz, Commissioner Tarnaski,  
Commissioner DeLoach, Commissioner Boyette  
Nays: None  
Vote: 5-0

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

No Public Comment was given.

**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. Certification of Sufficiency and setting public hearing date for non-contiguous annexation petition A-20-01 for 38.99 acres located at 1425 Eagle Rock Road and identified by PIN # 1773-88-6927.

Staff Contact: Assistant Planning Director Bryan Coates  
[BCoates@townofwendell.com](mailto:BCoates@townofwendell.com)

- 3b. Resolution directing the clerk to investigate a non-contiguous annexation for 10.272 acres located within the parcel addressed as 0 Eagle Rock Rd and identified by PIN # 1774-55-1916.

Staff Contact: Assistant Planning Director Bryan Coates  
[BCoates@townofwendell.com](mailto:BCoates@townofwendell.com)

- 3c. Resolution directing the clerk to investigate a contiguous annexation for 15.79 acres located within the parcel addressed as 941 Wendell Falls Pkwy and identified by PIN # 1783-17-8750

Staff Contact: Assistant Planning Director Bryan Coates  
[BCoates@townofwendell.com](mailto:BCoates@townofwendell.com)

- 3d. Meet on Main Road Closure and Alcohol Waiver Request for June 19, August 21 and September 18, 2020.

Staff Contact: Assistant to the Manager Stephanie Smith

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[ssmith@townofwendell.com](mailto:ssmith@townofwendell.com)

- 3e. Temporary Suspension of Meeting Policies during the COVID-19 State of Emergency and Personnel Policy Authorization to Town Manager.

Staff Contact: Town Manager Marc Collins  
[mcollins@townofwendell.com](mailto:mcollins@townofwendell.com)

**ACTION**

Mover: Commissioner Jon Lutz moved to approve the Consent Agenda, as presented.

Ayes: Commissioner Joyner, Commissioner DeLoach, Commissioner Lutz, Commissioner Tarnaski, Commissioner Boyette.

Nays: None.

Vote: 5-0

**4. RECOGNITIONS, REPORTS, AND PRESENTATIONS**

- 4a. Snap Shot Monthly Reports for February 2020 (provided for informational purposes only).

Staff Contact: Town Manager Marc Collins  
[mcollins@townofwendell.com](mailto:mcollins@townofwendell.com)

Town Manager Marc Collins presented the Monthly Report to the Board and offered to answer any questions that they might have.

No questions were asked.

- 4b. Blueprint Wendell 2030 Comprehensive Plan Presentation

Staff Contact: Assistant Planning Director Bryan Coates  
[bcoates@townofwendell.com](mailto:bcoates@townofwendell.com)

Assistant Planning Director Bryan Coates presented the following presentation to the Board, below in italics:

***Item Summary:***

*Staff will share a PowerPoint video presentation prepared by the consultants, Meg Nealon and Scott Lane, to introduce Comprehensive Planning and the process the Town will use to develop a new plan to guide community growth.*

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# Blueprint Wendell 2030

Town of Wendell, NC  
Comprehensive Plan Briefing  
4.27.2020

[www.BlueprintWendell2030.com](http://www.BlueprintWendell2030.com)

## Contents

### THE COMPREHENSIVE PLAN

- Comprehensive Planning in NC
- Objectives + Benefits
- How is it different from zoning?
- How do we use it?

### THE PLANNING PROCESS

- Phases, Milestones, and Meetings
- Community Engagement

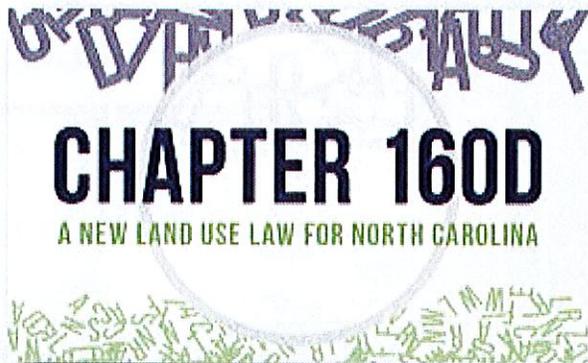
### DISCUSSION: KEY SUCCESS FACTORS



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## Comprehensive Planning in NC

- Authority granted by the State to local governments (NC G.S. 160A).
- Plans are policy guides. They do not have binding legal effect.
- Plans are implemented by land development ordinances (such as zoning or subdivision regulations).
- The plans can also be used to guide public investments, such as water, sewer, and transportation improvements.



Source: UNC School of Government



- ✓ Effective January 1, 2021
- ✓ Clarifying Existing State Law
  - Zoning Decisions
  - Development Agreements
  - Map Adoption / Records
  - Form-Based Code Authority
- ✓ Must have a Comprehensive Plan by July 1, 2022
- ✓ Language changes (e.g., "Conditional Use Permit" is out; "Special Use Permit" is in)
- ✓ Expanded Conflict of Interest Statement
- ✓ Some Procedural Changes

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## Objectives + Benefits

**FRAME** – Defines the issues and opportunities so everyone can move forward with purpose.

**FOCUS** – Sets a clear vision for the future so everyone—leaders, staff, citizens, partner agencies—are all headed in the same general direction.

**GUIDE** – Informs decisions, especially those pertaining to use of tax revenue.

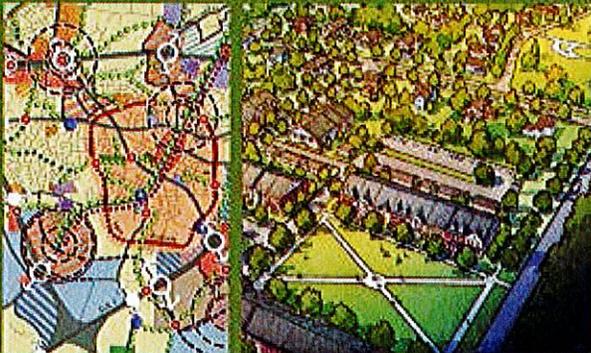
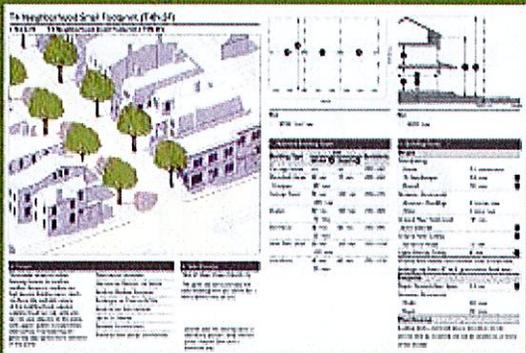
**COORDINATE** – Aids coordination across departments and with neighboring jurisdictions.

**STRENGTHEN** – Bolsters grant application and other initiatives to build funding.

**COMPLY** – Sets foundation for regulations and other government functions.

- NC General Statutes 160
- NEW: 160D Requirements and Changes



Plan	Zoning
	
Sets the VISION for the future of the community.	Establishes the RULES to achieve that vision.

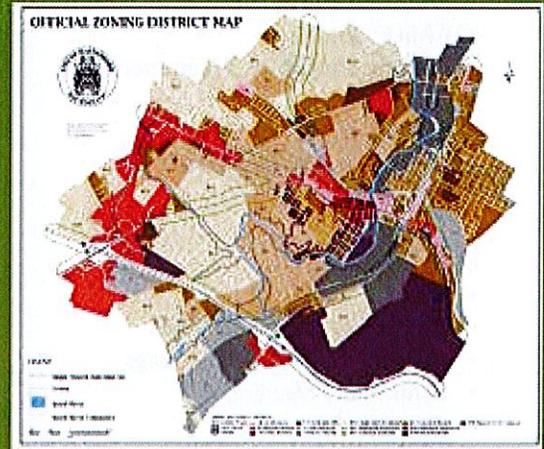
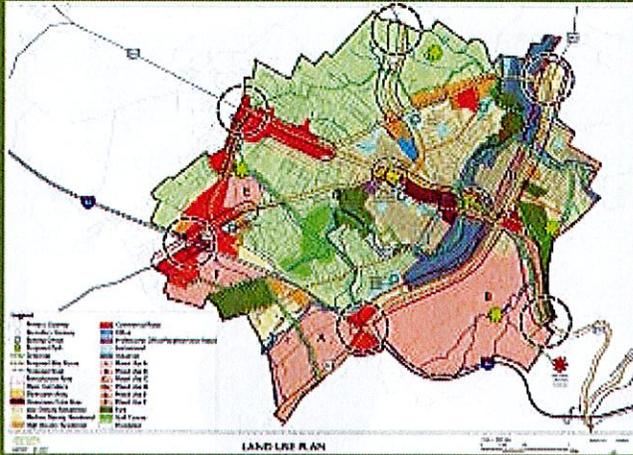
## Plan vs. Zoning Ordinance



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Plan

Zoning



## Plan vs. Zoning Ordinance



## Using the Plan



**Marketing:**  
Job Retention  
and Attraction



**Development Approvals:**  
Zoning  
Subdivision



**Investments:**  
Infrastructure  
Services  
Amenities  
Quality of Life



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# The Planning Process

**KEY MILESTONES:**

- Existing Conditions Assessment
- Goals
- "Vision" Plan
- Policy Recommendations
- Action Plan

**MEETINGS:**

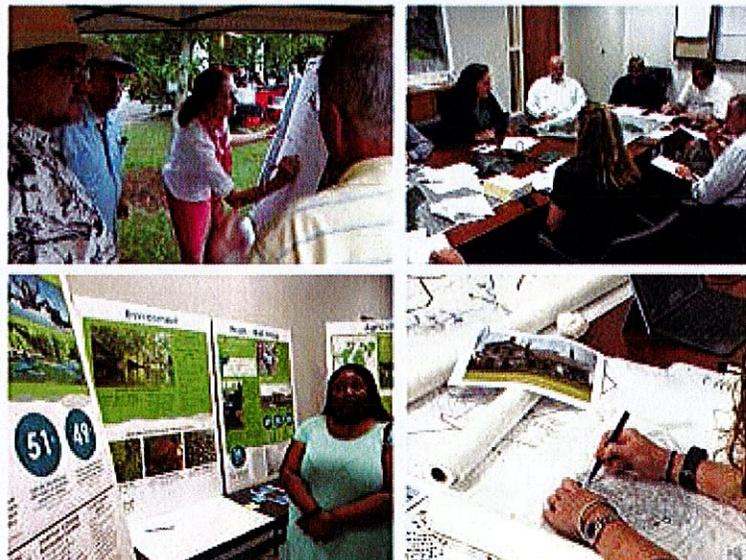
- Staff
- Elected/Appointed Officials
- Steering Committee Meetings
- Community Meetings\*
- Charrette\*

\* May be held virtually.



# Community Engagement

- Steering Committee
- Stakeholder Interviews / Focus Groups
- Community Presentations
- Pop-ups at events
- Charrette

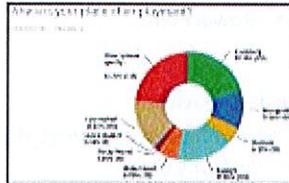


# Community Engagement

- **Project Website (mobile-friendly)**



- **Surveys**



- **Interactive Mapping**



[www.BlueprintWendell2030.com](http://www.BlueprintWendell2030.com)



# Community Engagement



How do we get people involved—and keep them involved—when COVID-19 has disrupted our lives?



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## Community Engagement



### Virtual Meetings

- Live with live polling or chat
- Pre-recorded presentations with short surveys:
  - Videos
  - PowerPoint

### Non-Digital Tools

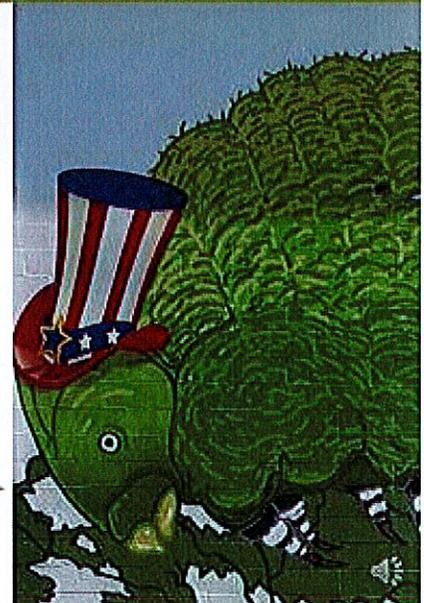
- Mail-back paper surveys distributed through
  - Senior Center
  - Direct mail (utilities)
- Public (East Wake) Television
- Public School communications
- Next Door App + "Friends List" for Posts
- Handouts at Farmer's Market
- Church Distribution Lists



## Discussion: Key Success Factors

*What are your expectations?*

*What does SUCCESS look like?*



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Stay Involved!

[www.BlueprintWendell2030.com](http://www.BlueprintWendell2030.com)



Mr. Coates said that the Blueprint website is now live.

## 5. PUBLIC HEARINGS

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**Public Hearing Guidelines:**

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

**PLEASE NOTE:** Due to the State of Emergency and in the interest of public health, the following accommodations were made to allow public participation in public hearings, but no public attendance at Town Hall was permitted:

- Public participation for public hearing items on the agenda for the April 27, 2020 Board of Commissioners meeting was organized in advance. The public submitted their public hearing comments to the Town Clerk via email to [mhoward@townofwendell.com](mailto:mhoward@townofwendell.com) by Friday, April 24<sup>th</sup> at 5 p.m. The public was asked to provide their name, address, and the agenda item number with comments. Copies

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of the written comments were provided to the Board of Commissioners at the meeting, read at the meeting, and are included in the minutes of the meeting.

Or

- Citizens could 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, April 24<sup>th</sup> at 5 p.m. The Clerk provided the call-in phone number and provided five (5) minutes to speak on any public hearing item or topic. Comments made by phone were recorded and transcribed to maintain the public record.

5a. PUBLIC HEARING: Rezoning requested by Josh Lambert of Strong Rock Development Company to rezone approximately 1.06 acres of property located at 0 East Fourth Street within the parcels identified by PIN #1784-80-2530 and PIN #1784-80-3458 from Residential 3 (R3) to a Neighborhood Center Conditional District (NC-CD).

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:**

*The applicant's proposed conditional district will feature 9 townhomes. This project is located on East Fourth Street, between N Hollybrook Rd and N Selma Rd. The NC Conditional District is being proposed to be consistent with the Town Framework Plan and to allow for a mix of housing types within the downtown.*

*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. The CD alternative may allow uses which are not specially allowed in standard zoning districts. A primary purpose of this section is to provide standards by*

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*which such flexibility may be achieved while maintaining and protecting the public health, safety and welfare of citizens. In this case, no alternative uses, or lot dimensions standards have been proposed by the applicant.*

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

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

**Location and History:**

*This property is currently located in the Town of Wendell city limits and is zoned Residential-3 (R3). The site is three blocks from Main Street and walkable to the downtown core. The parcels have been vacant for many decades.*

**Project Profile:**

<i>Property Location:</i>	<i>0 East Fourth Street</i>
<i>Wake County PIN:</i>	<i>1784-80-2530 &amp; 1784-80-3458</i>
<i>Current Zoning District:</i>	<i>R3 (Residential-3)</i>
<i>Cross References:</i>	<i>NA</i>
<i>Property Owner:</i>	<i>Connie Murray 3213 Leonard Rd. Knightdale, NC 27545</i>

<i>Applicant:</i>	<i>Josh Lambert, Strong Rock Development Company 205 S Fuquay Ave Fuquay-Varina, NC 27526</i>
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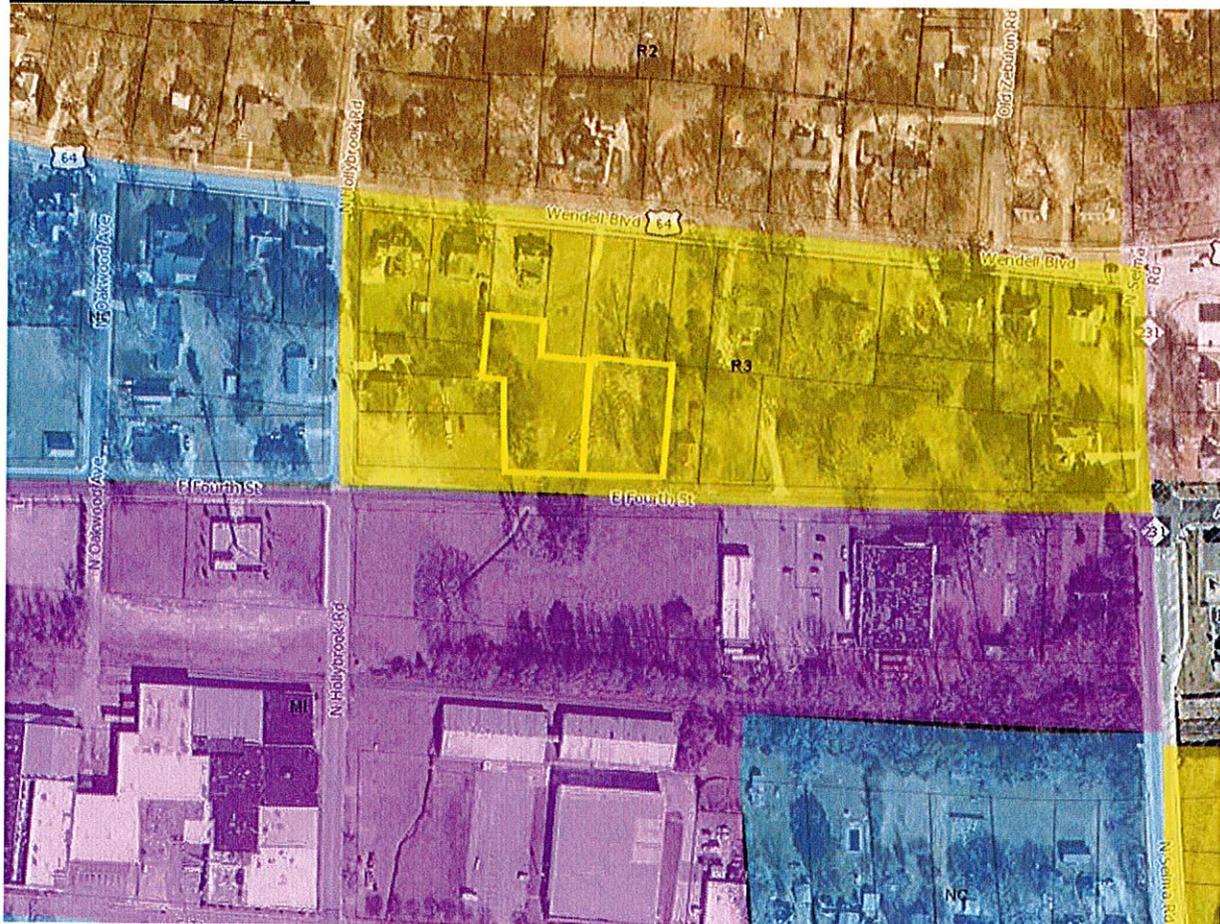
<i>Property Size:</i>	<i>1.06 acres</i>
<i>Current Land Use:</i>	<i>Vacant</i>
<i>Proposed Land Use:</i>	<i>Residential</i>

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

<b>DIRECTION</b>	<b>LANDUSE</b>	<b>ZONING</b>
<b>North</b>	<i>Residential</i>	<i>R3</i>
<b>South</b>	<i>Vacant</i>	<i>M&amp;I</i>
<b>East</b>	<i>Residential</i>	<i>R3</i>
<b>West</b>	<i>Residential/Vacant</i>	<i>R3</i>

**Current Zoning Map**



**Proposed Conditional District Conditions:**

*The applicant is proposing 10 conditions for the proposed CD, as follows:*

- 1. Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.*
- 2. Garage doors must have windows, decorative details or carriage-style adornments on them.*

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3. *A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three-color families for siding and shall include varied trim, shutter and accent colors complementing the siding color, for the whole development.*
4. *The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.*
5. *There shall be a variable width landscaped buffer to the north with a minimum dimension of 15 ft.*
6. *A 15 ft. landscape perimeter buffer shall be provided along the northwest corner properties per feedback from the NC State Historic Preservation Office (SHPO).*
7. *All units shall be solely rear loaded.*
8. *The development will include a dedicated, walk-up mail kiosk for the residents.*
9. *Pedestrian wayfinding (signage) shall be included for the pocket park and open space access.*
10. *Landscape buffer along western property line is not required.*

**Applicant's Justification:**

*Rezoning this site is reasonable and justified due to the following reasons:*

1. *Rezoning is consistent with the Town of Wendell Comprehensive Land Use Plan. This area is currently identified as Neighborhood Center. The requested rezoning to NC-CD will be consistent with this land use plan.*
2. *The proposed Townhouses will be an attractive use of this currently vacant property and will provide the residents a convenient location to the downtown Wendell location, within walking distance.*

**Public Utilities:**

*Development of this site will connect to the existing city water and sewer located in East Fourth Street. A waterline will be extended from the street to the guest parking area behind the timelines to install another hydrant.*

**Streets:**

*The applicant will be responsible for making the required improvements which include sidewalk, landscape area and curb and gutter.*

**Phasing:**

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*The applicant anticipates that the nine townhome dwelling units would be built together, and no phasing would occur.*

**Comprehensive Plan:**

*The Wendell Comprehensive Plan defines the subject property as being within the S-6 Infill/Redevelopment Sector, Village/Town Center and Neighborhood Center.*

*The Comprehensive Plan describes the S-6 Sector as existing urban/suburban development with a dense street grid which includes areas around the historic downtown core. These areas are already urbanized and well served with infrastructure (roads, utilities, etc.) and access to services and amenities. Because these areas are already well provided for in terms of urban services, they are the most efficient and most attractive areas for redevelopment of underutilized sites or infill of vacant parcels.*

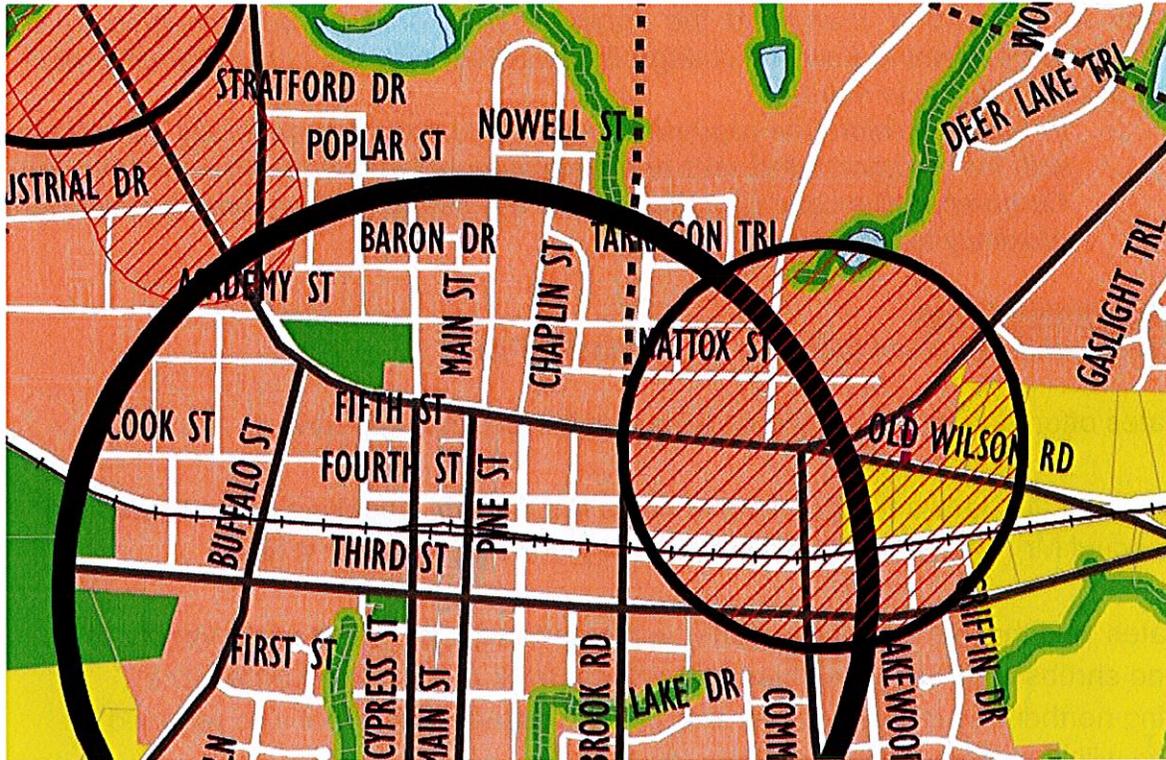
*The following development types and uses are appropriate for the S-6 sector: neighborhoods, downtowns, single-family and multi-family residential, commercial uses (retail and office), civic uses and light industrial uses.*

*Village and Town Centers are "mixed-use activity centers with employment and commercial uses that attract people from beyond the immediate neighborhoods and from surrounding communities. These centers are appropriate for the area's highest density housing.*

*Neighborhood centers are "intended to be mixed-use activity centers serving surrounding neighborhoods with retail, services, civic uses, and higher density housing."*

*The proposed development on the site meets the appropriate uses.*

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**TRC Review:**

The Technical Review Committee (TRC) recommended the current design layout versus the first submittal which had a local dead-end street proposed. The applicant added guest parking and a fire hydrant towards the rear of the property based on TRC feedback. The site layout would take advantage of existing utilities within Fourth Street. The garages would be in the rear of the townhomes and not visible from the street.

**Planning Board Recommendation:**

At their February 17, 2020 meeting, the Planning Board voted 7-0 in favor of the requested conditional district.

Voting in Favor: Jonathan Olsen, Alan Swaim, Jimmena Huffman-Hall, Michael Firstbrook, Levin Jones, Brett Hennington and Ryan Zakany.

Voting Against: None

Absent: Victoria Curtis

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**Statement of Plan Consistency and Reasonableness:**

- *Any recommended change to the zoning map should be accompanied by a statement explaining how the change is consistent with the comprehensive plan and is reasonable in nature.*
  - *In Staff's opinion, the requested conditional district is generally consistent with the recommended uses and development types outlined in the Wendell Comprehensive Land Use Plan for the S-6 sector and reasonable due to its proximity to the Downtown Core.*

**Staff Recommendation:**

*Staff recommends approval of the proposed Master Plan*

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

Commissioner Jon Lutz asked, looking at items five and six, speaking to the landscape buffers, could Mr. Coates speak to what kind of plans they have for these.

Mr. Coates said that the landscape buffer in the northwest corner shows a variety of trees and shrubs at different heights that's 15-feet thick to provide a barrier. The remaining northern boundary just has a regular landscape buffer that was required by code and will have some plantings there, as well.

Commissioner Jason Joyner said that he sees where there's a 15-foot perimeter on the northwest side. He asked if, behind the parking spaces, the same type is not being put up because of the historic homes and not the others. He asked if it would be a Type B buffer.

Mr. Coates said that it would be a Type B buffer.

Commissioner Joyner said that his thought was to make a uniform-looking buffer along the back, but that he understands the drainage issue along that side.

Mayor Gray opened the public hearing and asked the Town Clerk to read in the written comments that were submitted.

Town Clerk Megan Howard read the following Public Comments into the record:

- 1. Aubrey Sidney Baynes; 3900 Wendell Blvd; 919-971-9914 (email)**

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I am sending this letter concerning Agenda Item 5.a. as scheduled for your upcoming April 27, 2020 meeting. This item deals with a request by Josh Lambert of Strong Rock Development Co. to rezone property located at 0 East Fourth Street. I request that my letter be read at the public hearing on this item and then entered accordingly as a part of your official meeting minutes. My wife and I live at 3900 Wendell Boulevard and jointly own said property as well as the adjacent property, 3910 Wendell Boulevard, which connects to the northwest corner of Mr. Lambert's proposed project.

For the following reasons, I strongly support this request:

This project will be infill for the existing contiguous boundaries of the Town and will help to further Wendell's long-time goal of advancing the development of our core. While I do support satellite developments such as Wendell Falls, Edgemont Landing, and others, I recognize the imperative nature of continued balanced growth. Imbalanced growth can lead to imbalances in our tax base and political base. Simply said, if our satellites generate more tax base and consist of larger populations than our core, those living and owning property within the core could eventually have little impact on the government and future of Wendell. This can happen when development patterns change, and it can lead to strife among citizens and loss of community spirit. The citizens of outlying areas must have a voice, but hearing the voices of everyone makes a community strong. Mr. Lambert's plan is very nice and will complement surrounding existing development. He has taken care to give adjacent properties protection as well as privacy and is providing design and construction quality as well as amenities which will create nice homes for the future residents. For some time now, the Town has recognized the need for quality townhomes and other forms of nice compact development. This proposed project will help meet this need, and it will utilize properties that are not really well-suited for single family dwellings.

Such compact development covers far less land and is much more environmentally sound than many other forms of development. Also, it is far more efficient from a municipal services standpoint, and it can provide greater home quality for money spent by the purchaser.

While I could list other reasons for supporting this proposed project, I will not belabor the point and will simply ask that you approve the request and assist the developer with moving forward. In conclusion, thank you for your service to Wendell and for my opportunity to speak in this fashion.

**2. Dillon Piotrkowski; 3930 Wendell Blvd (email)**

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Good Evening,

My name is Dillon Piotrkowski and I live at 3930 Wendell Blvd with my wife. We bought our first home here almost a year ago. We have fallen in love with the historic small town and the family feel. We feel as if the rezoning should not happen, considering that the houses in the surrounding area are all single-family homes. These townhomes will back Wendell Blvd's historic district. In return, this will go against the symmetry of the area, as nine random townhomes will be placed right in the backyards of historical properties with agriculture integrity. After talking with some of our local community and neighbors they have the same concerns as us. If this rezoning does get approved our major concerns are the parking spots backing our property and the gathering space on the other side of us. Out of all our neighbors, we are the most affected by this. We do not have a fence and didn't plan or have the need for one. Now that all of this will be basically right on our property line on both sides and we have 3 small dogs to worry about we will now have to figure something out. We feel the builder/developer should supply a fence to separate the parking and gathering space from our property so that we do not have light and noise pollution from the cars and gathering space. We love Wendell and are glad we made this our first home. Thank you for your time.

**3. Brandie L. Beebe; 3936 Wendell Blvd. (email)**

Dear Commissioners;

With reference to the captioned matter and your correspondence dated April 16, 2020, I own the home located at 3936 Wendell Blvd. I, and the surrounding properties in Historic Wendell will be impacted by the proposed townhomes. I have multiple concerns in regards to this proposal and strongly disagree with the town approving the rezoning. I have no issue with 3 or 4 single family homes being constructed in the same area, as that usage would be consistent with the surrounding homes.

1. **HISTORIC SIGNIFICANCE.** My house is located in the section of Wendell referred to as the Historic District. I believe that keeping the area free of multi-use housing stems more in line with this area of Wendell. I could understand adding townhomes to the business district or an area that is larger and can house more homes. However, allowing townhomes to back up to single family homes, in my opinion, is not a good plan. I question whether any of the Commissioners would appreciate the same in their own backyards.

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2. **STORM WATER DRAINAGE.** This area is affected tremendously by rain. Any time it rains, the area always floods. When we have rain for multiple days this area resembles a small pond. I have attached photos I have taken from my property on January 14, 2020. My concern is if there has even been a water study or perc test performed to ensure that this land is viable for structures, without compromising the surrounding homes. The far back of my property and my neighbors property already have issues with standing water and runoff when it rains, the water has nowhere to go. Will the buildings cause the water to now make our yards worse? Is there a plan in place to protect us if so, or require the builder to remedy any drainage issues that may directly impact us?

3. **SAFETY/SECURITY.** In looking at the preliminary plans I see no boundary of a fence/wall/trees being constructed to separate the townhomes from the single family homes they abut. If the town is willing to accept the rezoning, can this be a requirement? Essentially the homes impacted will have to deal with a parking lot backing up to our properties, with vehicles for 9 homes coming and going. I also see a proposed gathering area with no separation to protect the properties surrounding.

4. **QUALITY OF LIFE/POLLUTION.** There is an unmistakable charm that is derived from living in Historic Wendell. The simple fact is that the multi-unit dwellings proposed in this plan are entirely inconsistent with the usage in the area that existed today. To suggest that noise, light, and sound pollution will not be a result is to overlook the nature of this type of development.

I recognize that growth is essential and vital to the success of Wendell and I strongly support this. It is one of the reasons I chose to move here from Knightdale last summer. In deciding on location I recognized the fact that more homes could/would be constructed behind me. I also recognize that the potential for money for the town is higher with more houses. I do not, however, think this specific area should be constructed with town homes. If the town does decide to approve the rezoning, what assurances do we as neighbors to this area have for safety, privacy, and drainage/flooding issues impacted by this decision?

I thank you for your attention to this matter. Should you have any questions with regard to the above, please do not hesitate to contact me directly. Please confirm receipt of my email and that it will be presented at the board meeting.

The following pictures were presented by Brandie L. Beebe to the Town Board:

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Mayor Gray closed the public hearing.

Commissioner Lutz asked if the stormwater on the back pocket was addressed.

Mr. Coates said stormwater drainage will be put in the rear, with a catchwater basin in the parking lot and the gathering open space, with water going out to catchwater basements near fourth street. He said all of these plans would have to get approved by Wake County, who monitors and enforces the Town's stormwater program for the Town.

Mayor Gray asked if it would be enough to handle all of the stormwater.

Mr. Coates said that it would, as it has to be designed to handle all of the development's runoff plus what's already existing.

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Commissioner Lutz said concerning the noise pollution, the people complaining about the noise bought a house on Wendell Boulevard. He asked if there was any discussion as far as extending that buffer in the back corner to create a thicker buffer.

Mr. Coates said he has texted the developer based on Mr. Lutz's first few questions, and they said that they're willing to extend the buffer along the northern side.

Commissioner Lutz said he didn't like the idea of developers putting up fences and he felt that the landscaping buffer will be nicer.

Mr. Coates said that it is a 15-foot type B buffer.

Mayor Gray said that would alleviate some of the concern and asked where they would extend to.

Mr. Coates said they would extend along the side to the north.

Commissioner Tarnaski said that, looking at some of the other developments that are coming up that are offering townhomes, it looks like they were going to offer privacy fences for those. He asked if this development would be putting up a privacy fence, as well.

Mr. Coates said no, only landscaping buffers with trees.

Commissioner Tarnaski said that the other development was doing both buffers with trees and landscaping on both sides of the fence.

Mr. Coates said that they all vary, based on what the developer proposes, but this one did not propose any fencing.

Mayor Gray asked if Mr. Coates could briefly describe a type B buffer.

Mr. Coates said that the actual detail is that every so many feet, there has to be shrubs and then trees. So there will be a mixture of deciduous and coniferous trees so that it's not all one type of tree when it loses its leaves it's not all open.

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**ACTION**

**Mover:** Commissioner Lutz moved to approve the Rezoning requested by Josh Lambert of Strong Rock Development Company to rezone approximately 1.06 acres of property located at 0 East Fourth Street within the parcels identified by PIN #1784-80-2530 and PIN #1784-80-3458 from Residential 3 (R3) to a Neighborhood Center Conditional District (NC-CD) with the condition of extending the 15-foot buffer along the northern part of the property.

**Ayes:** Commissioner Joyner, Commissioner DeLoach, Commissioner Lutz, and Commissioner Boyette.

**Nays:** Commissioner Tarnaski

**Vote:** 4-1

Town Attorney Jim Cauley asked if it could be confirmed that the developer agreed to those conditions.

Mr. Coates confirmed that the developer agreed to those conditions.

- 5b. PUBLIC HEARING: Rezoning request by Josh Lambert of Strong Rock Development Company to rezone approximately 15.79 acres of property located at 941 Wendell Falls Parkway within the parcel identified by PIN #1783-17-8750 from Rural Agricultural (RA) to a Neighborhood Center Conditional District (NC-CD).

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:**

*The applicant's proposed conditional district will feature 75 townhomes. This project is located on Wendell Falls Parkway adjacent to the Wendell Country Club golf course. The NC Conditional District is being proposed to be consistent with the Town Framework Plan and to allow for a mix of housing types due to its proximity to Wendell Falls Parkway and the golf course.*

*The overall site plan is included as Attachment A (Along with a link to the full Master Plan for download).*

*Amenities include a fully active park space near the mail kiosk in the middle of the neighborhood as well as a 10-foot-wide multi-use path that extends along Wendell Falls Parkway.*

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*The applicant voluntarily conducted a neighborhood meeting with adjacent property owners that was held at the Wendell Community Center.*

**Purpose of a Conditional District:**

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

*A CD may depart from the strict application of the requirements of the town's general zoning districts. The CD alternative may allow uses which are not specially allowed in standard zoning districts. A primary purpose of this section is to provide standards by which such flexibility may be achieved while maintaining and protecting the public health, safety and welfare of citizens. In this case, no alternative uses, or lot dimensions standards have been proposed by the applicant.*

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

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

**Location and History:**

*This property is currently located in the Town of Wendell extra-territorial jurisdiction (ETJ) and is zoned Residential-Agricultural (RA). The parcels have been vacant for the last twenty years but previously contains residences and farm buildings.*

**Project Profile:**

<i>Property Location:</i>	<i>941 Wendell Falls Parkway</i>
<i>Wake County PIN:</i>	<i>1783-17-8750</i>
<i>Current Zoning District:</i>	<i>RA (Residential-Agricultural)</i>
<i>Cross References:</i>	<i>NA</i>
<i>Property Owner:</i>	<i>Jackie F Smith Revocable Living Trust</i>

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*June May Heirs Fowler  
8821 Cypress Lakes Drive, Villa 403  
Raleigh, NC 27615-2133*

*Applicant: Josh Lambert, Strong Rock Development Company  
205 S Fuquay Ave  
Fuquay-Varina, NC 27526*

*Property Size: 15.79 acres  
Current Land Use: Vacant  
Proposed Land Use: Residential*

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

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

**Current Zoning Map**



**Proposed Conditional District Conditions:**

*The applicant is proposing 6 conditions for the proposed CD, as follows:*

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1. *Vinyl siding is not permitted; however, vinyl windows, decorative elements and trim are permitted.*
2. *Garage doors must have windows, decorative details or carriage-style adornments on them.*
3. *A varied color palette shall be utilized on homes throughout the subdivision to include a minimum of three-color families for siding and shall include varied trim, shutter and accent colors complementing the siding color, for the whole development.*
4. *The rear and side elevations of the units that can be seen from the right-of-way shall have trim around the windows.*
5. *All units will be solely front-loaded.*
6. *Landscape buffer along southern property line at golf course is not required.*

**Applicant's Justification:**

*Rezoning this site is reasonable and justified due to the following reasons:*

1. *Rezoning is consistent with the Town of Wendell Comprehensive Land Use Plan. This area is currently identified as Controlled Growth Area. The requested rezoning to NC-CD will be consistent with this land use plan.*
2. *The proposed Townhouses will be an attractive use of this currently vacant property, being adjacent to the Wendell Country Club and Golf Course. This development will provide the residents a convenient location not far from downtown Wendell.*

**Public Utilities:**

*Development of this site will require connection to city water and sewer which is available nearby and will need to be annexed. The applicant has petitioned for annexation.*

**Streets:**

*The applicant will be responsible for making the required improvements which include sidewalk, bike lanes, landscape area and curb and gutter.*

**Phasing:**

*The applicant has not indicated that there will be phasing on this project.*

**Comprehensive Plan:**

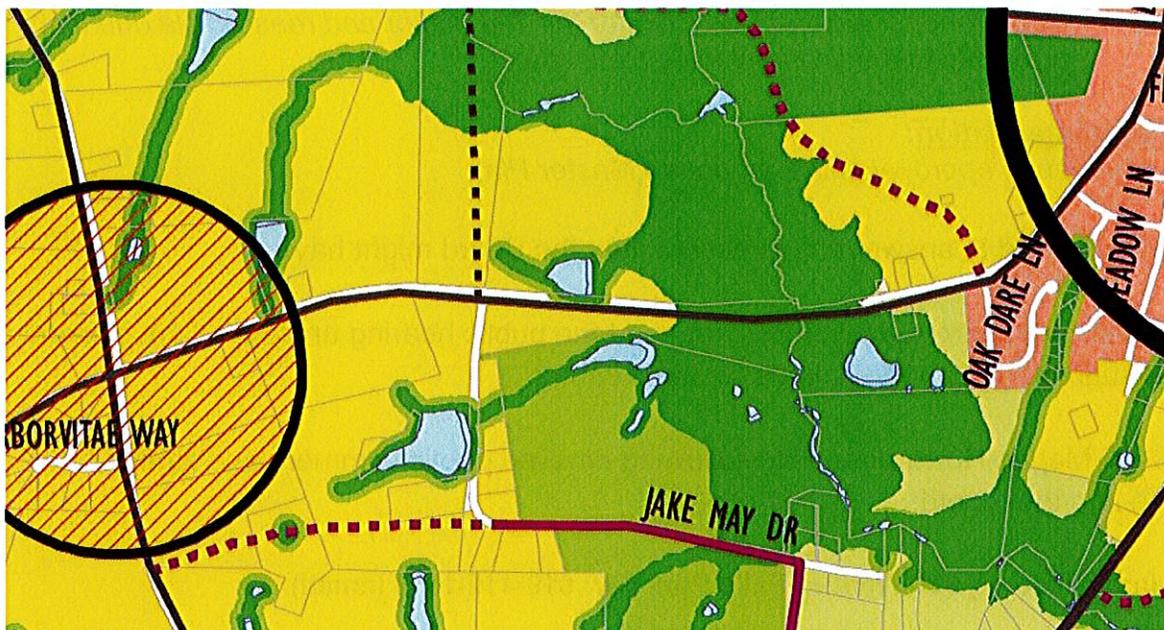
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*The Wendell Comprehensive Plan defines the subject property as being within the S-4 Controlled Growth Sector.*

*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.*



**TRC Review:**

*The Technical Review Committee (TRC) expressed a desire for a side path along Wendell Falls Parkway to connect Wendell Falls and Downtown Wendell in the future. TRC also wanted to address the need for guest parking on site as well. The site will require road improvements along the full length of the property. The applicant added an additional 26 guest parking spaces and the 10-foot wide sidepath.*

**Planning Board Recommendation:**

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*At their February 17, 2020 meeting, the Planning Board voted 5-1-1 in favor of the requested conditional district.*

*Voting in Favor: Jonathan Olsen, Jimmena Huffman-Hall, Levin Jones, Brett Hennington and Ryan Zakany.*

*Voting Against: Michael Firstbrook*

*Abstained: Alan Swaim*

*Absent: Victoria Curtis*

**Statement of Plan Consistency and Reasonableness:**

- *Any recommended change to the zoning map should be accompanied by a statement explaining how the change is consistent with the comprehensive plan and is reasonable in nature.*
  - *In Staff's opinion, the requested conditional district is generally consistent with the recommended uses and development types outlined in the Wendell Comprehensive Land Use Plan for the S-4 sector and reasonable due to its proximity to the Wendell Falls Parkway.*

**Staff Recommendation:**

*Staff recommends approval of the proposed Master Plan*

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

No questions were asked. Mayor Gray opened the public hearing and asked the clerk to read the submitted public comments for this hearing.

Town Clerk Megan Howard read the following emailed public comment and staff's response into the record:

**1. Justin Mercer; 820 Wendell Falls Parkway; 919-410-1833 (email)**

I have some concern over the potential for increased traffic along Wendell Falls Parkway through this stretch. As it is now, there is often some difficulty in entering and exiting my driveway. It appears as if one of the proposed entrances for the new town home development would be directly across from my driveway. With the potential addition of 75 townhouses here and another 100 or so just down the road, is there anything that is being done to address potential concerns over increased traffic and/or impact to existing homeowners?

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The homes at 820, 816, 808, and 804 Wendell Falls Parkway are all part of the Foxborough Crossing subdivision. When this area was developed broadband internet infrastructure was not run to these four homes as it was for the rest of the neighborhood (both Spectrum and AT&T). Broadband access has become a necessity in today's world. My neighbors and I have school-aged children that I fear will be left at a disadvantage as internet access becomes increasingly vital to their education. It seems to me that additional development raises the opportunity to correct this former oversight. Is there any way that further development of this area can be done in a way that encourages developers and/or service providers to make service accessible to these four homes?

Thank you for your consideration and for ensuring the public's ability to stay involved.

**→Assistant Planning Director Bryan Coates responded to Mr. Mercer's questions:**

"The preliminary plans do show a full southern entrance at this time. This proposal does show a center turn lane at the middle entrance and a small amount of road widening. All entrances would need to be approved by NCDOT at the construction plan phase. We could ask that the southern entrance that is aligned with your driveway to be a right in and right out only for the townhomes. This would remove conflict points with traffic turning left from Wendell Falls Parkway into the southern entrance. If the preliminary plan is approved by Council, the plans would then need to go through construction plan review with much more detail. We also anticipate with the nearby developments that NCDOT may lower the speed limit on Wendell Falls Parkway as well.

With two developments being nearby, I would recommend checking with the high speed internet providers as progress occurs on the Stone Arbor Townhomes as they may be willing to extend towards you all or it seems the connection would be made when the townhomes proposed at the golf course were built. At times we have AT&T or others request to construct service within our right of way and we could reach out as well."

**→Mr. Mercer responded to Bryan's response:**

Thank you for your response. Turning left out of our driveway is what gives us the most difficulty currently. A "right in, right out" drive would at least ensure that cars are not stopped in the middle of the road in front of our house, waiting to turn. Unfortunately, it doesn't change the reality of an additional 200+ cars passing the house every day. I recognize that there are limits to what can be done, my wife and I primarily just wanted to voice our concern.

As for internet access, I have been trying for three years to get service here. When we bought the house, we were told (by both the builder and the provider) that the house was serviced by Spectrum. It was not until 3 months after being here that we were finally told that we were unserviceable (despite the adjoining property 200 feet away having service). AT&T has not been willing to speak with me any further than to tell me that we are not serviceable. I have been through the process with Spectrum twice and spent countless hours on the phone. The issue is that we are between two service lines (one coming from Wendell and the other from

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Wendell Falls). Neither of the current developments would be required to bridge any gaps in order to provide service. The latest (as of a few weeks ago) is that they will do three houses (820, 816, and 808) for roughly \$10,000. I was willing to pay my share, (roughly \$3,333) but my neighbors were not willing to contribute based on the prospect that the townhouses might bring it to us. \$10,000 is just too much for me to do by myself for a service that I will then have to pay for monthly. Based on my conversations with Spectrum, it does not seem that is likely that they will make our homes serviceable on their own accord. My concern is that providers will route their service along newly-constructed roads rather than along Wendell Falls Parkway, which would bring us no closer than we currently are to a serviceable area. I recognize that this infrastructure is not necessarily a Town matter, but thought it was worth a mention to see if the Town had a greater ability to negotiate with new construction than we do as individuals. This is probably significantly more information than you wanted, but we are looking for any sign of hope given that we are now attempting to work and learn from home. Thank you again for your time.

Mayor Gray closed the public hearing.

Commissioner DeLoach said he thinks it's worth addressing the concern. He asked if the town able to speak with the builder to do this at a reduced rate that the Mercers would be able to pay.

Mr. Coates said that staff only has the application to create the development before the board tonight and they don't know who the builder will be at this time. He said that he told Mr. Mercer that through both projects, whether it be Stone Arbor or Wendell Falls Townhomes, he didn't mind asking the builders to consider it. He said that staff cannot force the builder to do off-site improvements, outside of their development.

Commissioner DeLoach said he liked the idea of the right way in and out of the development.

Mr. Coates said that NCDOT will have to approve all of those entrances, so they could nix the southern exit, but staff did offer it as a right-in, right-out.

Commissioner Lutz asked if staff discussed with the developer on making it a right-in, right-out entrance.

Mr. Coates said that it will happen during the construction-drawing phase, when it gets reviewed by NCDOT in more detail.

Commissioner Lutz asked if the board could put that in as a condition in the approval, now, since they're creating a conditional district.

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Town Manager Marc Collins said that the Board could do this, but they had to get the applicant's agreement on any condition being added that wasn't in the packet that the board received.

Mr. Coates said he was texting the applicant on this condition and that he can field any questions while he awaits response.

Commissioner Lutz asked if the homes on the left-hand side would be facing Wendell Falls Parkway.

Mr. Coates said that they would face the internal street so the backs of the houses will face the golf course or the open space that leads to Wendell Falls Parkway.

Mayor Gray asked that if, with the backs of the houses facing Wendell Falls Parkway, if there was going to be some landscaping there.

Mr. Coates said that yes, there would be plenty of trees and landscaping along that side.

Commissioner DeLoach said that, based on the shape of the property narrow strip and quite a bit is in the floodplain, with road improvements and a 10-foot path connectivity being key, he thinks that this is a solid use for this property.

Mr. Coates said that the applicant responded saying they don't necessarily feel that the right-in, right-out is necessary at this time—NCDOT may dictate that, but they aren't ready to make that as a condition at the moment.

Commissioner Joyner said that he agreed with Commissioner DeLoach's comments, feeling that this development would be an added value to that area. He asked the clerk to send him Mr. Mercer's email address, saying he had the solution for his internet issues.

Mr. Coates said the applicant said they would rather have NCDOT dictate the right-in, right-out entrance if they choose, due to the traffic counts.

Commissioner Joyner said, that with the current economic climate, it might be better to allow NCDOT to make that decision.

Mr. Coates said that NCDOT could remove the whole entrance, as well.

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**ACTION**

**Mover:** Commissioner Lutz moved to approve the Rezoning request by Josh Lambert of Strong Rock Development Company to rezone approximately 15.79 acres of property located at 941 Wendell Falls Parkway within the parcel identified by PIN #1783-17-8750 from Rural Agricultural (RA) to a Neighborhood Center Conditional District (NC-CD).

**Ayes:** Commissioner Boyette, Commissioner Tarnaski, Commissioner Lutz, Commissioner DeLoach, Commissioner Joyner.

**Nays:** None

**Vote:** 5-0

- 5c. PUBLIC HEARING: Amendment to the Development Agreement governing Wendell Falls as it relates to infrastructure improvements along Martin Pond Road and Poole Road and consideration of a related Fee in Lieu Request.

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:**

*The Wendell Falls Planned Unit Development (PUD) document and associated development agreement outlined specific road improvements to Martin Pond Road and Poole Road which NASH Wendell Falls, LLC is responsible for. These improvements were staged in phases, and the terms of the agreement have been amended over the years through the development agreement based on development progress and the timing of City of Raleigh utility improvements within the same area.*

*The improvement area (shown in Attachment A) covers approximately 0.79 miles of pavement widening, 0.26 miles of sidewalk and curb improvements, and 0.07 miles of road realignment. Per the Town's agreements, the developer would be responsible for widening Poole Rd south of its intersection with Martin Pond Road to a 4-lane road. The portion of Poole Rd north/east of the Martin Pond road intersection would be widened to a 3-lane section.*

*The development agreement calls for NASH Wendell Falls, LLC to complete all road improvements within the specified area no later than eighteen months after CORPUD completes the waterline improvement project along Poole/Martin Pond Road. It further states that NASH Wendell Falls LLC will bond any of the improvements that are not completed prior to recording the plat for Phase 7 (the residential phase on the east side of Martin Pond Road).*

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*Construction Drawings for Phase 7A are currently being finalized. Rather than bond the improvements and install them following CORPUD's work, **the applicant is seeking to pay the town a fee lieu of construction in the amount of \$2,077,000.***

*The Town Engineer reviewed the proposed fee in lieu estimate and compared it to recent road improvement bids and NCDOT bid averages. Based on his evaluation, AMT estimated the probable construction cost (if the Town were to complete these road improvements) to be \$2,669,503. The largest price differences came from his estimated increases in mobilization cost, asphalt binder, base course, and traffic control.*

*Due to the level of development activity occurring at Wendell Falls, Newland is able to realize cost savings and has minimal costs associated with items like mobilization, since their contractors are already on site.*

*Since their development along Martin Pond/Poole Road is divided into 2 phases, the fee in lieu (if approved) would be split accordingly. Per the development agreement amendment, 50% of the fee in lieu amount (\$1,038,500) would be paid prior to approval of the final plat for Phase 7A. The remaining 50% would be due on or before the date that is 2 years after the date of recordation of the final plat for Phase 7A of the Wendell Falls development.*

**Staff Recommendation:**

*Though the applicant's estimate and the Town Engineer's estimate vary notably, staff believes it is in the Town's best interest to approve the fee in lieu request and associated development agreement amendment. Unlike other developments which benefit from the Town's revised Arterial and Collector Street Plan improvement requirements (which reduced upfront infrastructure widening requirements along future 4-lane roads) the Wendell Falls PUD specifically calls for construction of a 4-lane section along much of Poole road. Thus, in this case, Wendell Falls is being held to a higher and more expensive standard for this road.*

*Furthermore, the future widening of Poole Road towards Raleigh is a very long term (20+ year project). It is staff's belief that these funds could be put to better use along a more highly prioritized corridor with more immediate needs than Poole Road and Martin Pond Road.*

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

Mayor Gray opened the public hearing and asked if there were any public comments or requests to speak for this item.

Town Clerk Megan Howard said that no public comments or requests to speak were received for this item.

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Mayor Gray closed the public hearing and asked if there were any questions or comments from the board.

Commissioner Lutz asked if there needed to be two separate motions.

Town Manager Marc Collins said that the board could do one motion including both actions.

Commissioner Boyette said that he's normally not in favor of fee in lieu requests and is not a fan of pushing the responsibility for development improvements onto the town whether or not they're paid for by the developer. He said he doesn't see the benefit to the town or the developer of this. For this reason, he said that he's not in favor of this.

Commissioner Joyner said that he appreciates Commissioner Boyette's comments and said that the portion that got him was the part about NCDOT and the bridge—making a four-lane road down to two lanes at the bridge. He said that changed his opinion on this and he would be in favor of it.

**ACTION**

**Mover:** Commissioner Lutz moved to approve the Amendment to the Development Agreement governing Wendell Falls as it relates to infrastructure improvements along Martin Pond Road and Poole Road and to approve the related Fee in Lieu Request in the amount of \$2,077,000.00

**Ayes:** Commissioner Tarnaski, Commissioner Lutz, Commissioner DeLoach, Commissioner Joyner

**Nays:** Commissioner Boyette

**Vote:** 4-1

**6. ADMINISTRATIVE ITEMS**

6a. Ordinance amending *Section 24-90 Parking in specific places prohibited of Article III Specific Street Regulations of the Town Code of Ordinances.*

Staff Contact: Town Manager Marc Collins  
[mcollins@townofwendell.com](mailto:mcollins@townofwendell.com)

Town Manager Marc Collins presented the following staff report, below in italics:

**Item Summary:**

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*Staff recommends the amendment of Article III Specific Street Regulations to accommodate the acceptance of recently developed roads with significant restrictive covenants in place regulating parking and to update provisions with State Statute.*

*The minor amendments in the attached draft are provided to meet this goal. In the draft, bold text represents new language and strikethroughs are text recommended for deletion. All other text is existing language with no changes proposed or needed.*

*Changes proposed include the following:*

- *Sec. 24-90 (3) – Revise the language for distances from an intersection prohibited for parking to be consistent with State Statute.*
- *Sec. 24-90 (18) – Add language that prohibits parking that blocks trailheads or parking on public greenways.*
- *Sec. 24-90 (19) – Add language that prohibits on-street parking in Wendell Falls except in designated places. Parking for community events can be approved by the Town Manager, or designee. The Commissioners may allow parking during holiday periods. This is consistent with current restrictive covenants and parking practices in Wendell Falls.*

*Staff will begin implementation of proposed changes with public education regarding parking enforcement.*

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

Commissioner Joyner said that he understands the need for a lot of these changes to be made, but he also understands that a lot of people, specifically in these areas, have been doing it the same way for a long time. He asked that staff be cognizant of that as the town moves forward.

**ACTION**

**Mover:** Commissioner Lutz moved to approve the Ordinance amending Section 24-90 Parking in specific places prohibited of Article III Specific Street Regulations of the Town Code of Ordinances.

**Ayes:** Commissioner Joyner, Commissioner DeLoach, Commissioner Lutz, Commissioner Tarnaski, Commissioner Boyette.

**Nays:** None.

**Vote:** 5-0

6b. Acceptance of certain Public Streets in the Wendell Falls Subdivision for Town maintenance and enforcement.

Staff Contact: Assistant Planning Director Bryan Coates  
[BCoates@townofwendell.com](mailto:BCoates@townofwendell.com)

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

**Item Summary:**

*While approval of final plats for new subdivisions includes the dedication of public right-of-way to serve new streets, public maintenance of roads does not commence until additional steps are taken by the developer and verified by Town staff.*

*Per the Town's Standards and specifications document, the final lift of asphalt in new subdivisions are installed after 80 percent of the lots have been constructed and occupied, unless otherwise specified by the Town Representative. Following the installation of the final surface course, a final inspection by Town staff is conducted and a punch list generated of items required to be repaired. Final acceptance of streets is subject to satisfactory correction of any defects in the facilities.*

*Phases SF1, SF2, SF3, and SF13 of the Wendell Falls subdivision have completed all these steps. The developer has also provided a written warranty against defects equivalent to 10 percent of the cost of the installation of stormwater improvements within said streets, per the Town's UDO requirements.*

*As such, the developer is requesting the Town to officially accept and take over maintenance of all public streets within these phases. Private alleys would continue to be maintained by the HOA. Staff has timed this request to coincide with the Town's parking ordinance amendment. If approved, the approximately 5.3 miles of roadway within these phases would be added to the next annual Powell Bill map, which would increase the town's eligible Powell Bill funding.*

*Staff will work with the HOA and residents through public education on how to report maintenance needs (for example: reporting potholes) and traffic enforcement over the coming months.*

**Staff Recommendation:**

*Staff recommends adoption of the attached Resolution to accept these roads for maintenance. The developer has met all applicable requirements per the Town's Standards and Specifications document and UDO.*

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

No questions were asked.

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**ACTION**

**Mover:** Mayor Pro Tem Boyette moved to approve the Acceptance of certain Public Streets in the Wendell Falls Subdivision for Town maintenance and enforcement.

**Ayes:** Commissioner Joyner, Commissioner DeLoach, Commissioner Lutz, Commissioner Tarnaski, Commissioner Boyette

**Nays:** None.

**Vote:** 5-0

6c. Review and approval of a proposed mural for 128 N. Main Street.

Staff Contact: Assistant Planning Director Bryan Coates  
[BCoates@townofwendell.com](mailto:BCoates@townofwendell.com)

**Item Summary:**

*At the March 2, 2020 meeting, the Appearance Commission reviewed one mural application.*

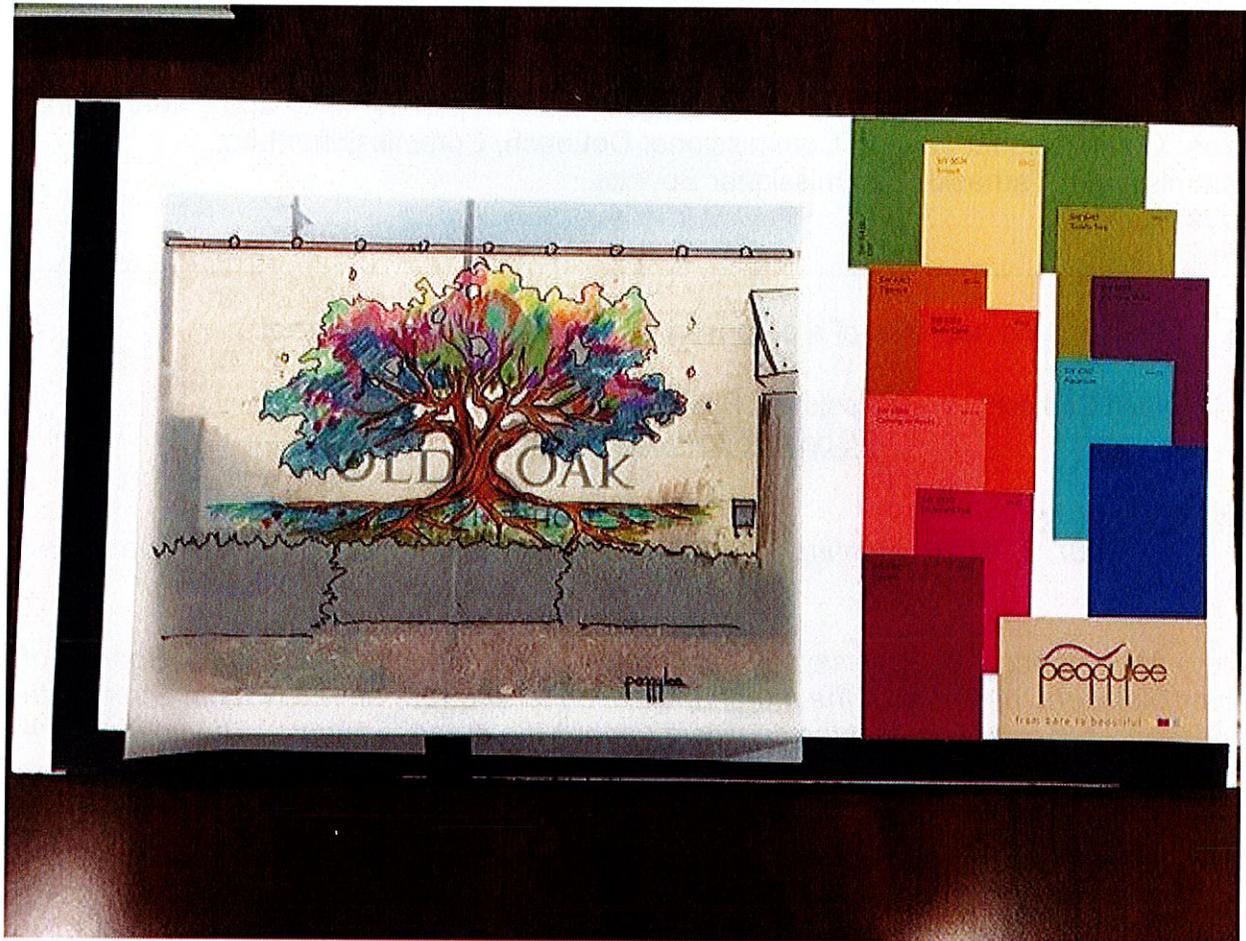
*The Appearance Commission unanimously recommended to the Board of Commissioners, approval of the mural application for the rear of 128 N Main Street with one suggested condition, that the applicant remove the proposed quote. The appearance commission felt that having another quote along Wendell Boulevard would be a distraction for traffic. Peggy Lee took the suggested condition back to the property owner and they agreed to remove the quote.*

**128 N Main Street**

*In 2013, as part of their long-range work plan, the Appearance Commission set a goal of having murals painted in the downtown area of Wendell. The purposes of adding murals is to create conversation pieces to help draw visitors to the Town; help improve the vibrancy of the community; and to encourage other building/business owners to have a mural painted on their property, or just a fresh coat of paint to the building.*

*The property owner expressed the desire to create a new mural on the rear of the building, which is prominently visible to westbound motorists on Wendell Boulevard. The visibility of this location makes it an ideal location. The new mural would be a vibrant colored oak tree and would coverup the previous artwork on the building. The artist chosen is Peggy Lee, who has done other murals within the region. The Appearance Commission recommended funding the mural up to \$750.*

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Section 12.8.Q of the UDO states that:

A mural as defined in Chapter 19 of this ordinance is subject to the following regulations:

1. No mural shall be added to the primary façade of the building.
2. Murals are not intended to be placed on residential structures or their accessory structures.
3. The mural shall not extend more than 6 inches from the plane of the wall upon which it is tiled or painted or to which it is affixed.
4. If the name of any business within the town's jurisdiction is included, it will be counted as a sign and must meet the regulations for signage.
5. The proposed mural must be recommended by the Appearance Commission and the final decision made by the Board of Commissioners prior to any paint being added to the building to review for appropriateness. A certificate of appropriateness will be issued by the administrator if approved by the Board of Commissioners.

**Staff Recommendation:**

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*Staff requests that the Board of Commissioners review the recommendation of the Appearance Commission in relation to the mural regulations in order to render action on the submitted application. Staff has reviewed the proposed mural and has determined that, the mural meets the Town's regulations.*

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

No questions were asked.

**ACTION**

**Mover:** Commissioner Lutz moved to approve the review and approval of a proposed mural for 128 N. Main Street.

**Ayes:** Commissioner Joyner, Commissioner DeLoach, Commissioner Lutz, Commissioner Tarnaski, Commissioner Boyette.

**Nays:** None.

**Vote:** 5-0

6d. Amendment to the Water Allocation Policy as it relates to Procedural Requirements for Infill Development

Staff Contact: Town Manager Marc Collins  
[mcollins@townofwendell.com](mailto:mcollins@townofwendell.com)

Town Manager Marc Collins presented the following staff report, below in italics:

**Item Summary:**

*The State of Emergency brought on by COVID-19 has highlighted recommended procedural changes to the Town's water allocation policy which staff wishes to bring to the Town Board for consideration. Based on guidance provided by the School of Government, the procedural requirements for quasi-judicial procedures mandated by NC General Statute do not support on-line or remote public hearings. Thus, during a state of emergency when public gatherings cannot be safely accommodated, the Town finds itself unable to act on certain items that require quasi-judicial proceedings.*

*As a result, staff has sought to identify reasonable changes that can be made to Town policies and procedures to permit more action to be taken outside of quasi-judicial proceedings. One such recommended change deals with amending the water allocation policy to permit approval of most allocation requests for infill development administratively, rather than through a quasi-judicial process.*

**Current Allocation Process**

*The current allocation policy's process was created to mirror the UDO process that allows for most projects to keep moving forward at staff level if the proposed project meets the standards set forth in the policy.*

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*Proposed projects may only be approved for water allocation under the following 3 scenarios. However, under the current language, all allocation requests which require Board of Commissioner approval shall follow the standards and requirements of quasi-judicial decisions.*

Allocation Scenarios

- 1. Scenario 1: Project scores a minimum of 50 points and maintains 100,000+ GPD of sanitary sewer capacity for the Town.**
  - a. Approval Authority: Town Manager
  - b. Process: If a project is awarded a minimum of 50 TOTAL POINTS or more, water allocation can automatically be granted by the Town Manager with a completed Utility Allocation Agreement, so long as granting such allocation would leave the Town with a minimum of 100,000 GPD of reserve sewer capacity.
  
- 2. Scenario 2: Project Scores a minimum of 50 points, but the requested allocation would not maintain a reserve of at least 100,000 GPD of sanitary sewer capacity for the Town.**
  - a. Approval Authority: Board of Commissioners
  - b. Process: Qualification for water allocation under Scenario 2 shall be determined by the Board of Commissioners according to the standards listed under this section. Projects must substantially advance at least 3 of the 9 categories listed below in order to be approved for allocation:
    - i. Anticipated increases in the Town's ad valorem tax base or the level of developer investment
    - ii. Construction and dedication of public infrastructure
    - iii. Provision of employment opportunities for Wendell citizens
    - iv. Provisions of diversified housing stock
    - v. Preservation of open space or conservation of existing habitat
    - vi. Protection of existing tree canopy or the provision of additional landscaping
    - vii. Provision of recreational amenities for current or future Wendell residents
    - viii. Provision of outdoor enhancements and/or transit improvements

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ix. *Advancement of the Town's goal of obtaining a 60%-40% ratio of residential to non-residential tax values*

**3. Scenario 3: Project scores less than 50 points but qualifies as a 'Special Exception'**

- a. Approval Authority: Board of Commissioners
- b. Process: *In order to facilitate residential infill development of smaller parcels, a Special Exception may be granted by the Board of Commissioners for major subdivisions to receive water allocation, regardless of point totals. In order to receive water allocation under this provision, the applicant must demonstrate that the following conditions have been met:*
  - i. *The property submitted for allocation is within the primary corporate limits or adjacent to the primary corporate limits.*
  - ii. *The property is less than 20 acres in size.*
  - iii. *There is no vacant or underdeveloped land of 10 acres or more in size adjacent to the project which could feasibly be added to the development to create a larger subdivision.*
  - iv. *The market will not support the development of the subject land as a non-residential use that would score more base points than a major subdivision.*
  - v. *All homes shall have at least 2200 square feet of heated space (per the approved utility agreement or development agreement).*

**Proposed Allocation Process:**

*Staff's recommended amendment is to modify the Town's policy to only require quasi-judicial proceedings to be followed when approval would drop the Town's reserve sewer allocation to less than 100,000 gallons, but to permit the Town Manager to otherwise approve requests. Staff also recommends amending the conditions of approval for infill development allocation requests to provide more concrete, objective standards.*

**Amendment # 1:** *Amend the Section entitled 'Water Allocation Process' to read as follows: (amendments are italicized and underlined. Deletions are shown with strike-throughs).*

**Water Allocation Process**

*Proposed projects shall complete the **WATER ALLOCATION WORKSHEET** according to its instructions to determine the total number of points achieved.*

*Proposed projects may only be approved for water allocation under the following 3 scenarios. Allocation requests which are captured by Scenario 3 shall follow the*

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standards and requirements of quasi-judicial decisions. All other Allocation requests shall be handled administratively.

Allocation Scenarios

**1. Scenario 1: Project scores a minimum of 50 points and maintains 100,000+ GPD of sanitary sewer capacity for the Town.**

- a. Approval Authority: Town Manager
- b. Process: If a project is awarded a minimum of 50 TOTAL POINTS or more, water allocation can automatically be granted by the Town Manager with a completed Utility Allocation Agreement, so long as granting such allocation would leave the Town with a minimum of 100,000 GPD of reserve sewer capacity.

**2. Scenario 2: Project scores less than 50 points but qualifies as a 'Special Exception' and maintains 100,000+ GPD of sanitary sewer capacity for the Town.**

- a. Approval Authority: Board of Commissioners Town Manager
- b. Process: In order to facilitate residential infill development of smaller parcels, a Special Exception may be granted by the Town Manager Board of Commissioners for major subdivisions to receive water allocation, regardless of point totals. For the purpose of this section, 'adjacent property' shall include any land sharing property boundaries or immediately across road right-of-way for any roadway not classified as a collector or thoroughfare. In order to be eligible to receive water allocation under this provision, the applicant must demonstrate that the following conditions have been met:
  - i. The property submitted for allocation is within the primary corporate limits or adjacent to the primary corporate limits.
  - ii. The property is less than 20 acres in size.
  - iii. The requested amount of water allocation required to serve the development may not exceed 12,500 gallons per day.
  - iv. There is no vacant or underdeveloped land of 10 acres or more in size adjacent to the project which could feasibly be added to the development to create a larger subdivision.
  - v. The majority of the property's boundary must be adjacent to existing developed property, or property which cannot be developed due to environmental constraints, per the Town's development ordinances.
  - vi. The property has a Residential or Neighborhood Center zoning designation, unless the project consists of a multi-family or

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~~*mixed-use development. market will not support the development of the subject land as a non-residential use that would score more base points than a major subdivision.*~~

- vii. *All single-family detached homes shall have at least 1800 square feet of heated space (per the approved utility agreement or development agreement).*

**3. Scenario 3: Project Scores a minimum of 50 points or meets the criteria to qualify as a 'Special Exception', but the requested allocation would not maintain a reserve of at least 100,000 GPD of sanitary sewer capacity for the Town.**

- a. *Approval Authority: Board of Commissioners*
- b. *Process: Qualification for water allocation under Scenario 2 shall be determined by the Board of Commissioners according to the standards listed under this section. Projects must substantially advance at least 3 of the 9 categories listed below in order to be approved for allocation:*
  - i. *Anticipated increases in the Town's ad valorem tax base or the level of developer investment*
  - ii. *Construction and dedication of public infrastructure*
  - iii. *Provision of employment opportunities for Wendell citizens*
  - iv. *Provisions of diversified housing stock*
  - v. *Preservation of open space or conservation of existing habitat*
  - vi. *Protection of existing tree canopy or the provision of additional landscaping*
  - vii. *Provision of recreational amenities for current or future Wendell residents*
  - viii. *Provision of outdoor enhancements and/or transit improvements*
  - ix. *Advancement of the Town's goal of obtaining a 60%-40% ratio of residential to non-residential tax values*

*Improvements or site conditions which are required under the Town's Unified Development Ordinance shall not be given consideration as part of the water allocation approval process. In the case where multiple water allocation submittals are received by the Town, the Board or Town Manager shall also compare the number of total points each projects scored.*

*The Board of Commissioners or Town Manager shall make a determination for allocation requests prior to the approval of any development plans (i.e. preliminary plans, site plans, final development plans, etc.)*

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*Points are awarded in two categories, BASE POINTS and BONUS POINTS. BONUS POINTS are broken down into four categories.*

- 1. Non-Conformity Abatement and Public Infrastructure Improvements.*
- 2. Green Development Standards*
- 3. Outdoor Enhancement and Transit Improvements.*
- 4. Amenities (Only for Projects with Residential Components).*

*Specific categories of bonus points, if selected, also require review and approval by the Board of Commissioners (i.e. Murals).*

*Unless a project can gain all necessary BONUS POINTS from a single improvement identified in the approved list, improvements must be made from at least two of the categories of BONUS POINTS.*

*A developer/applicant who has secured allocation according to this policy and hasn't reasonably progressed, in the opinion of the Town Manager, in construction plan approval, building permit approval, or on-site construction for a period of 12 months will lose the award of allocation without benefit.*

*The Town reserves the right to withhold allocation from projects which have stalled for a period of 12 consecutive months if there is a shortage in capacity (less than 100,000 gallons of sewer capacity), even if they have fulfilled the approved Utility Allocation Agreement or Developer's Agreement. The project would however be entitled to re- allocation as soon as additional capacity was available without the necessity of reapplying for water allocation.*

*Public water may be utilized for irrigation purposes so long as the Primary Use associated with the site has previously gained water allocation through the Town.*

*This policy shall be reviewed periodically and, when appropriate, readjusted by the Board of Commissioners. The Town's overall progress on policy goals will be considered and the multipliers and/or point thresholds readjusted accordingly.*

*Appeals of any provision of this policy shall be decided upon by the Board of Commissioners.*

**Staff Recommendation:**

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*Staff recommends approval of the proposed water allocation policy amendments, which would streamline the development process and permit additional administrative action so long as a minimum reserve of sewer capacity were in place.*

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

No questions were asked.

**ACTION**

**Mover:** Commissioner Lutz moved to approve the Amendment to the Water Allocation Policy as it relates to Procedural Requirements for Infill Development.

**Ayes:** Commissioner Joyner, Commissioner DeLoach, Commissioner Lutz, Commissioner Tarnaski, Commissioner Boyette.

**Nays:** None.

**Vote:** 5-0

- 6e. Agreement for Purchase and Sale of Two Properties (recombined portions of PIN 1783946022 and PIN 1783837560) totaling approximately 23.2 acres on Hollybrook Road for the Future Development of a Neighborhood Park

Staff Contact: Town Manager Marc Collins  
[mcollins@townofwendell.com](mailto:mcollins@townofwendell.com)

Town Manager Marc Collins presented the following staff report, below in italics:

**Item Summary:**

*The Town Attorney and staff negotiated with the representative of the property owner, Smith-Edwards LLC, as directed by the Board of Commission for the purchase of an offered portion of properties on Hollybrook Road for the purpose of constructing a neighborhood park totaling 23.3 acres for the amount of \$150,000. The attached agreement provides for the purchase.*

*The 2019 Parks & Recreation Master Plan for the Town of Wendell identifies the need for three (3) new neighborhood parks to provide walkable opportunities for nearby residential neighborhoods. Neighborhood parks typically serve a ¾ to 1 mile radius with a desirable size ranging from 7 to 15 acres. Typical activities serve both active and passive recreation needs for a diverse user population. The property to be acquired meets the neighborhood park description.*

*The agreement includes the follow provisions of note:*

- *Deposit - Escrow of \$10,000 by the Town within five business days of the effective date of the agreement that is refundable if the Buyer terminates the contract within a 60 day contingency period. The escrow applies to the purchase price if the sale is closed.*

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- *Contingency Period – 60 day period to determine the suitability of the property and complete due diligence for the property.*
- *Closing Contingent on the repeal of Ordinance # O-17-2018 for the prior development and rezoning the balance of the property for a revised development plan. The contingency period may be extended and deposit returned if this condition is not met.*
- *Use of Property – The Town will use the property as a park for a minimum of 10 years. If the Town decides to sale the property within 10 years, the Town must offer the property to the developer for its then fair market value.*

*The Board appropriated \$500,000 in FY 2020 to initiate the design of the Town Hall capital project. The Town Hall project is just starting and will not expend the appropriated amount in FY 2020 and the FY 2021 Budget provides for the completion of the project. Staff recommends the use of \$150,000 from this project appropriated in FY 2020 to purchase the property.*

*If purchased, staff proposes to complete a site-specific master plan for the neighborhood park in FY 2021 for the preparation of a Parks & Recreation Trust Fund grant for the construction of the new park in FY 2022.*

*Staff recommends the Board to authorize the Town Manager to sign the agreement and complete the purchase of the property upon the satisfaction of the conditions for the amount of \$150,000.*

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

No questions were asked.

**ACTION**

**Mover:** Commissioner Lutz moved to approve the Agreement for Purchase and Sale of Two Properties (recombined portions of PIN# 1783946022 and PIN# 1783837560) totaling approximately 23.2 acres on Hollybrook Road for the Future Development of a Neighborhood Park.

**Ayes:** Commissioner Joyner, Commissioner DeLoach, Commissioner Lutz, Commissioner Tarnaski, Commissioner Boyette.

**Nays:** None.

**Vote:** 5-0

**TOWN OF WENDELL  
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6f. Discussion of Downtown Parking and Event Space Design and Budget

Staff Contact: Town Manager Marc Collins

[mcollins@townofwendell.com](mailto:mcollins@townofwendell.com)

Town Manager Marc Collins presented the following staff report, below in italics with the associated attachments:

**Item Summary:**

*The Commission allocated \$300,000 for the design and construction of the Downtown and Event Space capital project in FY 2020. JM Thompson Company was awarded the design-build project and retained Withers Ravenel for design. Over the past two (2) the contractor and designer have worked with staff and adjoining business owners to develop the attached concept plan.*

*The initial cost estimate to construct the project is \$495,085 with \$258,400 remaining for construction after design. This leaves a \$236,685 deficit in the project budget. The contractor provided value engineering options to reduce the costs (see attached).*

*Staff supports the \$64,667 of suggested cost reductions but recommends leaving the cost for installing conduit for future burying of the overhead lines (\$54,665) in the project. This leaves a project deficit of \$172,018.*

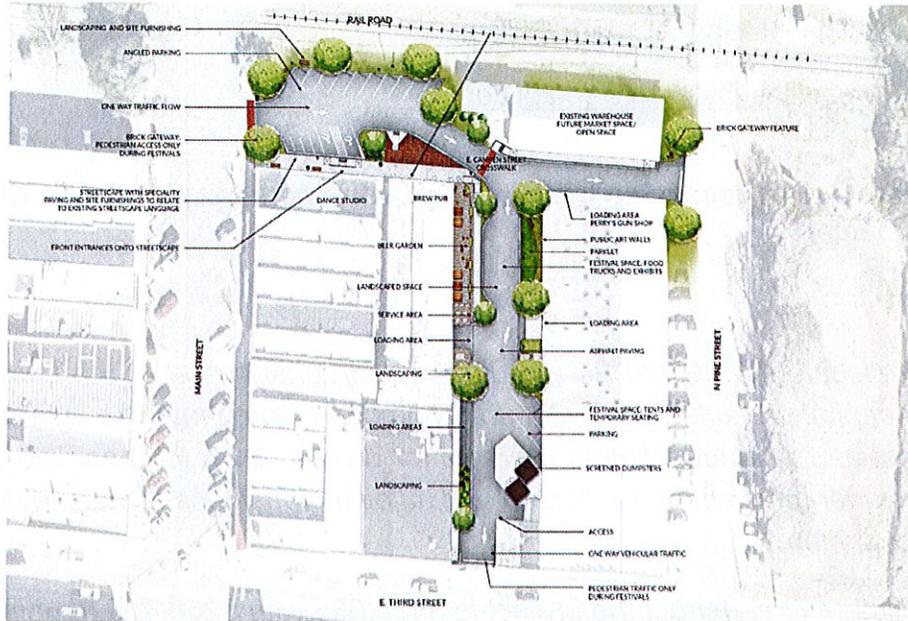
*The Board appropriated \$500,000 in FY 2020 to initiate the design for the Town Hall project. Staff has delayed starting the project until late in the fiscal year and does not anticipate much expense being taken from the project this fiscal year. The design funding is included in the FY 2021 Town Hall capital project cost estimate.*

*As such, staff recommends that the Board direct staff to re-allocate appropriated capital funds from the Town Hall Design project to meet the deficit in the Downtown Parking and Event Space project.*

**Attachments:**

- A. Concept Drawing
- B. Project Cost Estimate

# TOWN OF WENDELL BOARD OF COMMISSIONER MEETING MINUTES APRIL 27, 2020



**EAST CAMPEN ROW: MASTER PLAN**

WithersRavenel  
10755 W. Highway 101, Suite 100, Raleigh, NC 27617  
919.421.2800 | www.wr.com

East Campen Row Project, Inc.  
4111194  
2/20/18/18



**EAST CAMPEN ROW**

WithersRavenel  
10755 W. Highway 101, Suite 100, Raleigh, NC 27617  
919.421.2800 | www.wr.com

East Campen Row Project, Inc.  
4111194  
2/20/18/18

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The plan is conceptual and does not represent a final design. The plan has not been reviewed or approved by the Town of Wendell. The plan is subject to change without notice and is not intended to be a final design.

**EAST CAMPEN ROW**

**WithersRavenel** | 1000 North Main Street, Suite 200, Asheville, NC 28801  
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East Campen Row/Wendell, NC  
 #191174  
 2/20/2018



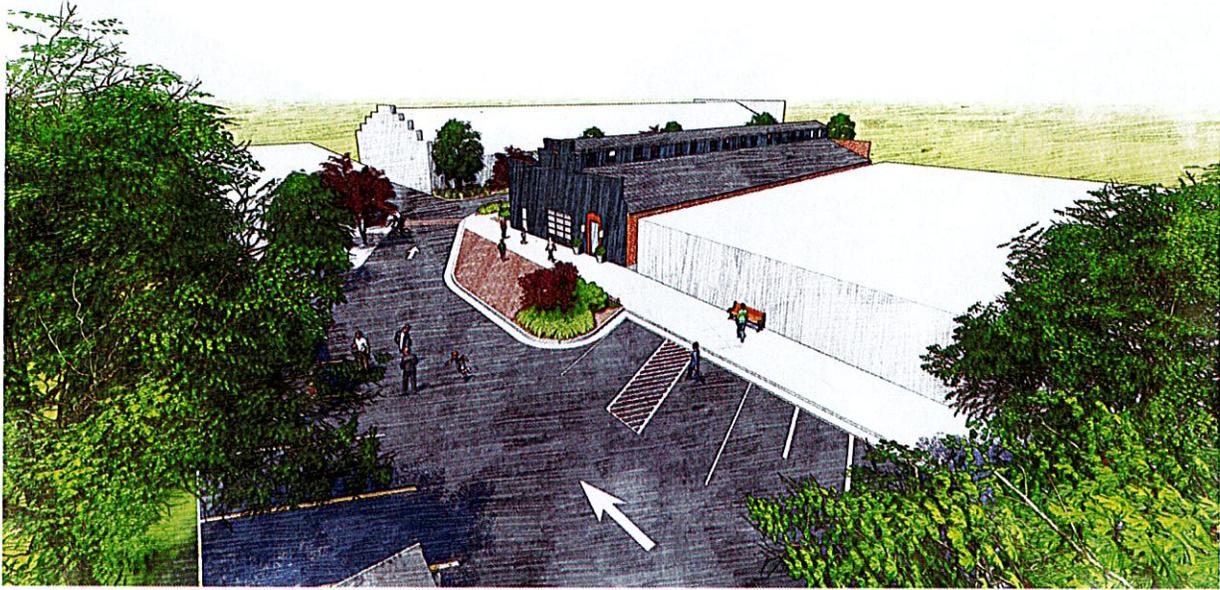
The plan is conceptual and does not represent a final design. The plan has not been reviewed or approved by the Town of Wendell. The plan is subject to change without notice and is not intended to be a final design.

**EAST CAMPEN ROW**

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East Campen Row/Wendell, NC  
 #191174  
 2/20/2018

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This plan is conceptual and does not show exact dimensions. The plan is subject to change without notice. The Town of Wendell is not responsible for any errors or omissions. All dimensions are in feet and inches.

**EAST CAMPEN ROW**

**WithersRavenel**  
Architectural & Engineering  
11755 W. 11th Street, Suite 100, Overland Park, KS 66213  
913.646.1000 | www.withersravenel.com

East Campen Row/Plan No. 1913-100  
2019.04.18

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**TOWN OF WENDELL / CAMPEN STREET STREETScape VALUE ENGINEERING**

The following VE items can be used with very little changes to the design

<u>ITEM</u>	<u>DEDUCT</u>
Change asphalt paving from 8" stone & 4" asphalt to 6" stone & 3" asphalt	\$ (10,844.00)
Reduce Stalite Structural Soil from 4,200 cubic feet to 3,000 cubic feet	\$ (7,116.00)
Change 435 sq ft of artificial turf to Bermuda SOD	\$ (7,000.00)
Replace brick wall at NW corner of Perry's store with curb & gutter	\$ (2,218.00)
Owner to furnish & install Benches & Trash Cans	\$ (12,377.00)
Charging Stations:	\$ (15,565.00)
Install conduit only for 2 charging stations	
Delete 3 charging stations	
Leave 1 charging station in project & 400 amp panel for food trucks	
Deduct 1 food truck pedestal / 2 remain in project	\$ (1,547.00)
Duke Energy to provide conduit material	\$ (8,000.00)
Duke Energy to provide two hand hole boxes	\$ (2,000.00)
<b>Subtotal</b>	<b>\$ (64,667.00)</b>

The following VE items could impact long term design:

Eliminate conduit installation for future burying of overhead electrical lines	\$ (54,665.00)
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**Summary**

Original Budget	\$ 300,000.00
Phase 1 Expenses / Surveying, Landscape Architect Service, Engineering Services, Preconstruction Budgeting	\$ (41,600.00)
Construction Budget	\$ 258,400.00
 4/22/2020 Budget Estimate	 \$ 495,085.00
 Over budget	 \$ 236,685.00

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**EXHIBIT A  
TOWN OF WENDELL  
EAST CAMPEN STREET PARKING AND EVENT SPACE**

**PHASE 1: DESIGN AND BUDGETING**

**DESIGN & SURVEYING:**

**WITHERS RAVENEL**

- |  |             |
|--|-------------|
| • SURVEING / SUE LEVEL B                     | \$1,600.00  |
| • EXISTING CONDITIONS & TOPOGRAPHICAL SURVEY | \$7,500.00  |
| • LANDSCAPE ARCHITECTURE SERVICE             | \$5,000.00  |
| • ENGINEERING SERVICES                       | \$22,500.00 |

**PRECONSTRUCTION SERVICES:**

J M THOMPSON COMPANY	<u>\$5,000.00</u>
<b>TOTAL PHASE 1</b>	<b>\$41,600.00</b>

**PHASE 2: CONSTRUCTION**

J M THOMPSON COMPANY	\$258,400.00
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<b>TOTAL PROJECT BUDGET</b>	<b>\$300,000.00</b>
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Mr. Collins offered to answer any questions that the Board might have.

Mayor Gray asked how many food trucks a space like this would accommodate.

Mr. Collins said three within that space.

Mayor Gray asked how many parking spaces this space would accommodate. She said she felt like the whole point of this was to create an event space and increase the town's parking.

Mr. Collins said that it still retains the parking along East Campen Street that's existing, with additional parking in the alleyway that's unimproved, right now.

Mayor Gray asked how many parking spaces would be back there when it isn't being used as an event space.

Mr. Collins said an additional 19 parking spaces would be available, which includes the parking spaces on Campen. He said that parking couldn't be incorporated in alleyways where local businesses are operating their loading bays and doors. Mr. Collins said that there's angled parking in the alleyway adjoining the dumpster spaces, which would create new parking spaces. He said that there's also the creation of the parklet fill around where the outdoor seating is going to be so that the public enjoys that space.

Mr. Coates said that moving the dumpster from Campen Street down into the sheltered area in the alley so that they could be screened and picked up by the garbage trucks with the appropriate pavement underneath.

Mr. Collins added that this isn't the only place downtown to add parking and added that future conversation on adding additional parking with the Perry's, moving forward with the proposed open market space. He said that this would have a return investment on the adjoining properties, such as the Bearded Bee.

Commissioner DeLoach asked how much it would cost the town in the future to go back and fix or upfit some of the items that the Board pulled out.

Mr. Collins said that the first one deals with the depth of the stone and asphalt going from an 8-inch to a 6-inch. He said that there's a \$10,000 savings to that and it's not affecting the look of the project. Mr. Collins said that there was an initial concern about big, heavy trucks pulling into the back and in talking to the Perrys, that functionality is not needed for their gun shop. They would just use the East Campen and in between the industrial building in the back door. Mr. Collins said that the satellite structural soil is a higher-end component of the landscaping part of the budget, which isn't needed and can be swapped for a more common-use type of soil, saving \$7,000. He said that there was a section of artificial turf in the little parklet that is changing to a Bermuda Sod that the town can maintain that becomes a little more maintenance for the town on the

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space, longer-term, but definitely saves in the landscaping costs--\$7,000 up front and isn't something that the town would have to retrofit. Mr. Collins said that there's some decorative brick wall at the northwest corner of Perry's store that would be replaced with curb and gutter and could be retrofitted later in the future on some future streetscape enhancement, or the public might find that the curb and gutter is fine. He said that furnish install of benches and trash cans can be worked into the town's operating budgets with the town rather than have it done privately in this project. It can be worked into the town's regular installation and replacement of benches and trash cans, downtown. Mr. Collins said that the charging stations installation of two charging stations while deleting three of them and leaving one gives the town an electric vehicle charging station downtown, which the town currently does not have and have conduit in place for a couple. He said that there is a cost savings to that reduced electrical and installation of \$15,000 on the charging stations. He said deducting one food truck pedestal while keeping two in the project is an easy fix because the conduit is run next to an area that doesn't have a hardened surface, so you could put that into a landscaped area without tearing up your asphalt—making it a low-cost addition in the future. Mr. Collins said that Duke Energy providing some of the materials that originally was budgeted private to the project is an additional cost savings. He said that there's not much there that the town is going to have to do later and there are cost savings to the design, today. He said the big one that staff had more concern is an item with a significant saving of \$54,000 that's just basically committing that the town's not looking to lower the power lines in the future—the town will keep dealing with the overhead lines. Mr. Collins said that once you make that decision, it's hard to get conduit underneath asphalt.

Commissioner Joyner said that he appreciates staff's work on cost savings to the project and said that he understands that when he thinks it's adding parking all over town, specifically on the other side of Campen Street where the town has food trucks, he said that his concern is that it is a tight spot. He said that he understands that having food trucks run their motors while people are meeting on main street is more logical there, so having the electrical in that space where the town is having private investment with outdoor seating is important. Mr. Joyner said that he thinks it's going to be a great project, giving the town more private investment, as it will bring people in to redevelop around the space. He said that he would be in favor of keeping as much of the electrical components in the project as possible because he thinks it's such a small environment for a loud motor to be echoing off two concrete walls, which could ruin the experience for the events held downtown.

Mr. Collins said that he's heard the board tell him to try and delineate additional parking in the design, if possible, and to keep the electric component in the project because that's harder to do later. He said that he knows that the food trucks are important to the Bearded Bee.

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Commissioner DeLoach said that even the charging station creates a destination and the town would want it to be a destination for people. He said that he thinks that the electrical creates the experience.

Mr. Collins said leaving the charging station in and leaving the food trucks in adds about \$17,000 more to the project than the original staff value engineer, bringing the total cost up to about \$185,000.

Commissioner Tarnaski said that the parklet could be additional parking in that section.

Mr. Collins said that that's where the mural is going to be, giving the public the experience of sitting outside the restaurant with the marketplace looking down into that area, making it a visual focal point that kind of breaks up the parking. Mr. Collins said that staff didn't realize how much of the metal roof drains into that area. Having the parklet over there is a part of the stormwater plan and being able to drain that out to third street. Mr. Collins said if there's a way to put in another spot or two, shifting a little bit here or there is not going to add a lot of cost, one way or the other.

Commissioner Lutz asked if Mr. Collins could note on the map where the charging stations are going to be located.

Mr. Collins said that they would be located on East Campen Street, along the landscaping on the northern end, next to the railroad.

Commissioner Lutz asked if there was just the one in that area.

Mr. Coates said that there will be electrical boxes for food trucks that can be used for the farmer's market and other events. He said that the car charging stations will be in where two parking spots are. There will be conduit for different things in that area. For the food truck box, the Public Works Director advised staff on how it comes out of the ground and will conserve lots of different purposes. He said when there's no food trucks, the town might want to hook other things up to it, such as farmer's market vendors that need electrical hookups.

Commissioner Lutz asked if the goal is to have the food trucks located at the northernmost end of the area instead of the alley.

Mr. Coates said there's also a spot at the inlet near the biergarten area.

Mayor Gray said that she thinks that it's beautiful and that her concern was parking, that staff has addressed.

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**ACTION**

**Mover:** Commissioner Joyner moved to direct the Town Manager to work with the design-build contractor to finalize the design and cost consistent with keeping the electrical in, maintain the car charging stations, to see if additional parking may be delineated in the concept, and to install the conduit for future lowering of the overhead power lines.

**Ayes:** Commissioner Joyner, Commissioner DeLoach, Commissioner Lutz, Commissioner Tarnaski, Commissioner 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:

- **CAMPO:** Mayor Virginia Gray  
Mayor Gray said that CAMPO has met twice virtually, holding several public hearings: one approving the amendment to number eleven on the FY 2018-2027 transportation improvement plan, one approving the resolution for the S-line Railroad line, received various updates on LAPP programs and funding project updates, also all 6.0 modal candidates project lists while receiving other project lists directing staff to release those for public review, a public hearing on April 15<sup>th</sup> which received the Wake Transit Plan status update and the budget for 2020, approved proposed methodology for selection of projects to the program with budget allocation funds, approved a list of prioritized projects and directed staff to work with the DOT and local partners to develop programming recommendations for 540, a bonus allocation fund, and held a public hearing and approved a draft list submission and directing the CAMPO staff to coordinate with division engineers to get alternate projects to be submitted.
- **Wendell Volunteer Fire Department Board of Directors:** Commissioner Jason Joyner  
Commissioner Joyner said that the new Wendell Falls Fire Station is now open, although it is only open to the firefighters at this time. He said that the department opened on April 20<sup>th</sup> without public attendance, but the firefighters are looking forward to celebrating the new fire station at a future date. The fire chief is going to be discussing the recommended budget for them on April 28<sup>th</sup> with the county and is already hearing about proposed cuts from the county.
- **Technical Review Committee:** Mayor Pro Tempore John Boyette  
Mayor Pro Tempore Boyette said that fire station three is a very nice station and that they're looking forward to celebrating it with the community. He said that the TRC discussed road design, curb and gutter design and carport stations at Wendell Falls, with discussion on traffic issues and emergency response ingress and egress and questions about the garage location on the townhomes.

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**8. COMMISSIONERS' REPORTS / COMMENTS**

Commissioner Joyner said it's good to see staff and work on some of the things they've been working on for a better part of the year. He acknowledged that this is the first time that the town is meeting in a virtual environment and that the town is under a stay-at-home order for the first time in his lifetime and that a lot has changed in the past couple of weeks. Commissioner Joyner said that he knows everyone in the community is feeling it personally from business, to family, to lost jobs, to a variety of impacts. He said that those impacts aren't lost on him and he doesn't think that they're lost on the Board. He said the goal has got to be, moving forward, to realize that things that the town continues to highlight as they move through this that it was blind-sighted with—for instance, Mr. Mercer's comments about not being able to connect to the internet or the public comment process—it's a lot more important today than it was a couple of months back where at least the town knew it would be in a different light, today. He encouraged the entire board to collectively work together to identify those spots and use this time, when access to the capital and borrowing is going to be constrained for some of the businesses, in a way that is going to fix some of the problems the town may be seeing. He praised the businesses downtown for stepping up to help throughout this in a variety of ways. He encouraged citizens to reach out with any questions or requests for help throughout this process and said that the Board's contact information is online. He said that he looks forward to the town's businesses being able to open back up.

Commissioner DeLoach echoed some of Commissioner Joyner's sentiments and said he appreciates town staff in dealing with the temporary new normal. He thanked staff for addressing his questions and putting the welfare of the town and its citizens first. Commissioner DeLoach said that a lot has happened and COVID has impacted the town in ways they didn't realize. He thanked the citizens of Wendell for their grace and support of each other through this. He said that the town had a tremendous amount of momentum going for the town's involvement, particularly with citizen board applications. He said he doesn't want to lose that momentum and he appreciates the involvement of the citizens. Commissioner DeLoach said that if anyone had any questions or concerns, the board members are here and he encouraged people to reach out.

Commissioner Lutz echoed Commissioner DeLoach's sentiments and thanked town staff for continuing to work hard to keep the momentum going.

Commissioner Tarnaski said he's looking forward to the businesses opening back up and especially the town's churches so the town can get back to normal life.

Commissioner Boyette thanked the citizens of Wendell and the vast majority of the town's business owners who have done a great job respecting social distancing and understanding the importance of all the things the town is doing right now. He said that the truth is in the numbers that he gets updates on every night showing that the town is keeping its numbers lower than some other places. He said that he understands that it's hard on everybody, but public health takes precedence. Commissioner Boyette gave a

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shout out to staff and the administration for making the virtual meetings possible and he understands it's taken a lot of work the past few weeks trying to get everything put together.

**9. MAYOR'S REPORTS / COMMENTS**

Mayor Gray said that the town has done a tremendous amount of work and that staff has been business as usual with some modifications. She said that modifications like that can be difficult, but town staff has been exemplary, wearing lots of hats and getting the job done along with those new challenges and she thanked them for their flexibility. Mayor Gray said that she received a comment from a citizen that felt like she wasn't doing enough for the town during the Coronavirus. Mayor Gray said that she had made a list and that she likes to gather her own information to draw her own conclusions about things. In an attempt to navigate the situation that the town has found itself in, she said she has been collecting information from multiple resources, attending COVID-19 management meetings with the town, twice-weekly calls with the Wake County Mayor's Association where they've heard from the Wake County Town Manager and Emergency Response staff in addition to email and telephone communications with the association, she's attended virtual meetings with the chief operations officer of the Raleigh Hospital Systems regarding what resources are available for the town's citizens, weekly virtual meetings with the NC League of Municipalities discussing responses and mitigation practices, she said she's received multiple emails from the Department of Commerce, participated in a series of virtual updates and numerous blog posts from the UNC School of Government regarding meetings, best practices, statutory requirements for meetings and ensuring the safety of town citizens, staff and the board, she's participated in virtual updates with representative Aaron Jackson, Senator Dan Blue, US Representative David Price, US Senator Thom Tillis, and NC Speaker Tim Moore. Mayor Gray said that she's received weekly teleconference updates and briefings from the White House Corona Task Force covering federal government response to states and municipalities, availability of equipment, hotspot identification, as well as delegating supplies. She said she's received updates from the CDC, FEMA, the Surgeon General, and many more. She said that all of these things have given her the opportunity to advocate on behalf of the town. She encouraged people to contact her with any questions they might have and said it's a fine line to balance health concerns with experts and financial concerns. She said she thought the town could do both, moving forward.

**10. CLOSED SESSION**

*Closed session will be called if necessary.*

**11. ADJOURN**

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**ACTION:**

**Mover:** Commissioner Lutz moved to adjourn at 9:55 p.m.

**Ayes:** Commissioner Joyner, Commissioner DeLoach, Commissioner Lutz,  
Commissioner Tarnaski, Commissioner Boyette

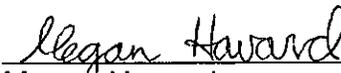
**Nays:** None

**Vote:** 5-0

Duly adopted this 8th day of June 2020, while in regular session.

  
\_\_\_\_\_  
Virginia R. Gray,  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
Megan Howard,  
Town Clerk



