

**Zebulon  
Joint Public Hearing  
Minutes  
August 14, 2023**

Present: Glenn York, Quentin Miles, Beverly Clark, Shannon Baxter, Jessica Harrison, Joe Moore-Town Manager, Stacie Paratore-Deputy Town Clerk, Michael Clark-Planning, Adam Culpepper-Planning, Cate Farrell-Planning, Bobby Fitts-Finance, Chris Ray-Public Works, Jacqui Boykin-Police, Chris Perry-Fire, Kaleb Harmon-Communications, Sam Slater-Attorney

Absent: Larry Loucks

Planning Board Present: David Lowry, Michael Germano, Laura Johnson, Domenick Schilling, Stephanie Jenkins, Peggy Alexander, Genia Newkirk

Mayor York called the meeting to order at 6:00pm.

**APPROVAL OF THE AGENDA**

Commissioner Harrison made a motion, second by Commissioner Clark to approve the agenda. There was no discussion and the motion passed unanimously.

Mayor York stated Commissioner Loucks was unable to attend the meeting but was watching online.

**PUBLIC HEARING**

*A. CZ 2023-03 1106 N. Arendell Avenue*

Mayor York opened the Public Hearing.

Adam Culpepper stated this was a conditional rezoning request for a 3.51-acre parcel from Heavy Commercial (HC) to Heavy Commercial-Conditional (HC-C) District for the development of a convenience store with gasoline sales.

The standards under section 2.2.6.K for a conditional rezoning were:

1. Health, safety and welfare
2. Appropriate for location
3. Reasonable in the public interest
4. Concept plan consistent with regulations
5. Other relevant factors

The public hearing notification process was detailed. The aerial map, zoning map, future land use plan, timeline, concept plan and proposed elevations were shown. The applicant proposed the following conditions:

- Gasoline pumps between the building and street
- Façade requirements
- Construction of road and traffic improvements

Mr. Culpepper reviewed the façade requirements. The proposed showed the south wall with 29% transparency/glazing, west wall with 33% transparency/glazing and the east wall with no transparency provided.

The proposed road improvements included:

- Eastbound right turn lane on Dogwood Dr.
- Westbound left turn lane on Dogwood Dr.
- Left turn lane on the US 64 Hwy off-ramp
- Retiming and signal upgrade at N. Arendell Ave. and Dogwood Dr. recessed behind the front of home

Staff spoke about the Utility Allocation Policy points for the project. The applicant received a total of 60 points by doing full construction of the Jones Street right of way, wetland style stormwater control measure, and 10 native shade trees which was in addition to the landscaping requirements.

There was a question about the spandrel glazing percentage on the west wall. Adam Culpepper explained 33% of the wall glazing was glass and spandrel was used for all the glazing area except the door. It was further stated that the Police and Fire Departments were involved in the Technical Review Committee that approved the glazing proposals and had no issues with safety.

Commissioner Baxter asked about the visibility of the site from the library. Adam Culpepper explained the street trees would not cover the view from the library, but the trees would mature and create a future buffer.

Commissioner Harrison expressed concerns about the lack of pedestrian crossings.

Peggy Alexander asked for more details about the right turn. Mr. Culpepper showed the deceleration lane which allowed for the free flow of traffic.

Michael Germano asked about the pinch point at the exit off of Jones Street. Adam stated the turn was able to handle large trucks.

Laura Johnson expressed concerns about safety for pedestrian traffic going to the Eastern Regional Center. Staff would check the TIA improvements to see if a stop bar was added for pedestrians to cross the street.

Domenick Schilling also expressed concerns over the pinch point at the intersection of Jones and Dogwood, traffic flow within the site, and safety.

There was a question about the plans to add a stop sign on the back side and staff stated the TIA had a stop sign as part of the required transportation improvement requirements. The improvements would be made during the construction of the site and would not receive a certificate of occupancy until the improvements were finished.

Commissioner Baxter asked Commissioner Harrison for clarification of her comment about crosswalks. Commissioner Harrison stated her comment was in addition to the ones on Dogwood.

Mayor York asked if there were any more questions. There were none.

Mayor York asked if anyone wished to speak in favor.

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Tom Johnson, an attorney at Williams Mullen, spoke on behalf of the applicant. It was explained that a convenience store was a permitted use under heavy commercial, but the property had to be rezoned because they could not get the canopies behind the building with a separate truck filling area. The applicant went above and beyond with added conditions.

NCDOT asked that the left turn lane coming off Hwy 64 be added and was included as a condition.

Mr. Johnson offered details of the spandrel glass, plantings at the parcel, underground storage tanks, and the turning radiuses for trucks. There would be crosswalks at Dogwood and Arendell and Dogwood and Jones with appropriate traffic control devices.

Chris Taft gave more details of the spandrel glass being at 29% due to the width between the columns and height of the glass.

Commissioner Baxter asked about the emergency shut off valves on site. Mr. Johnson stated they would have separate cut-offs and would follow the regulations to add what was required.

It was further explained by Mr. Johnson that the canopy would be high enough to accommodate the large trucks and would be above the building for that reason.

There was a question of whether the gas station would be open 24 hours and Mr. Johnson confirmed it would.

Dallas Pearce explained he marketed the property for years and had offers and letters of intent, but none worked out. He felt the project was the highest and best use of the site and would be good for the area.

Carl Tart, the property owner, spoke about his support and gave background of the project.

Mayor York asked if anyone else wished to speak in favor. There were none.

Mayor York asked if anyone wished to speak in opposition. There were none.

Mayor York asked if anyone wished to speak neither for or against. There were none.

Mayor York closed the public hearing and referred the matter to the Planning Board.

*B. TA 2024-01 RV Park*

Mayor York opened the Public Hearing.

Michael Clark stated this was a text amendment to Section 4.2.3 to allow for consideration of Recreational Vehicle Parks as part of a Planned Development request.

The standards under section 2.2.20.G for a text amendment were:

1. Public's Health, Safety and Welfare
2. Town's Adopted Policy Guidance
3. Not in Conflict
4. Changed Conditions
5. Demonstrated Community Need

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6. Matter Not Present – UDO Adoption
7. Consistent with the Purpose and Intent
8. Logical and Orderly Development Pattern
9. Other Factors
10. No Adverse Impacts

Mayor York asked if the Board had any questions.

Commissioner Baxter asked about parking limits for a recreation vehicle park. Michael Clark stated there were time restrictions in the UDO, but the timeframe could be renegotiated in the planned development process.

Mayor York asked if the Board had any more questions. There were none.

Mayor York asked if the Planning Board had any questions. There were none.

Jennifer Ashton, an attorney at Longleaf Partners, spoke on behalf of the development team. There were details given about the outdoor recreation resort. The applicant would come back before the Board for a rezoning with a master plan if the text amendment was approved.

Ryan Remely spoke about his reasons for wanting to create this plan and why the parcel was the best location.

Dallas Pearce spoke about his attempts to market the property. There was a large amount of rock located at the site, two large ponds and the sewer line easement in the middle of the property making it difficult for developers. Mr. Pearce stated the RV resort would be the best use of the property.

Mayor York asked if anyone wished to speak in favor.

Kyla Vernon stated a campground would be nice for Zebulon and would provide a nice family atmosphere.

Mayor York asked if anyone else wished to speak in favor. There were none.

Mayor York asked if anyone wished to speak in opposition. There were none.

Mayor York asked if anyone wished to speak neither for or against. There were none.

Mayor York closed the public hearing and referred the matter to the Planning Board.

*C. TA 2024-02 Drop-in Child Care*

Mayor York opened the Public Hearing.

Cate Farrell stated this was a text amendment to Section 4.2.3 and Section 94 of the UDO to allow for consideration of a new use “Child Care, Drop-In.” The Town had received interest from business owners in providing this this type of use. There was a comparison of child daycare centers and drop-in daycares. The drop-in daycares were to be used on an irregular basis, watch children for shorter periods, for parents running local errands and no outdoor space requirement.

The standards under section 2.2.20.G for a text amendment were:

1. Public's Health, Safety and Welfare
2. Town's Adopted Policy Guidance
3. Not in Conflict
4. Changed Conditions
5. Demonstrated Community Need
6. Matter Not Present – UDO Adoption
7. Consistent with the Purpose and Intent
8. Logical and Orderly Development Pattern
9. Other Factors
10. No Adverse Impacts

Commissioner Baxter asked if the verbiage was structured from another community. Cate Farrel stated the modifications were made from state standards and gave some details on short term standards for the daycare. The use type was intended for short-term use and the facilities would have their own rules and guidelines enforcing that.

Laura Johnson inquired about the age restrictions at the daycare. Staff explained the state standard age was 13 and under.

Commissioner Baxter asked that the time limit of four hours be incorporated into the text amendment.

David Lowry asked about the 15-minute radius for parents. Staff stated the range was to promote short-term childcare.

Mayor York asked if there were any more questions. There were none.

Mayor York asked if anyone wished to speak in favor. There were none.

Mayor York asked if anyone wished to speak in opposition. There were none.

Mayor York asked if anyone wished to speak neither for or against. There were none.

Mayor York closed the public hearing and referred the matter to the Planning Board.

#### *D. TA 2024-03 Contractor Signs*

Mayor York opened the Public Hearing.

Cate Farrell stated this was a text amendment to Section 5.11 and Section 9.4 of the UDO to allow for consideration of a new sign type "Contractor Signs." The dimensional standards had a maximum height of 8', maximum sign face area = 32 sq. ft. per side, and minimum setback from lot line = 10'. Durational standards were also added where they would be reviewed for all residential districts every two years and non-residential and mixed use district every year. The signs had to be removed once the development was determined to be complete. Cate reviewed the additional standards added to the text amendment.

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The standards under section 2.2.20.G for a text amendment were:

1. Public's Health, Safety and Welfare
2. Town's Adopted Policy Guidance
3. Not in Conflict
4. Changed Conditions
5. Demonstrated Community Need
6. Matter Not Present – UDO Adoption
7. Consistent with the Purpose and Intent
8. Logical and Orderly Development Pattern
9. Other Factors
10. No Adverse Impacts

Commissioner Baxter asked if signs could be grandfathered. Ms. Farrell explained current signs would be grandfathered because they came in before the adoption of the UDO. There was discussion about what happened if a project were to stall.

Mayor York asked if the Board had any more questions. There were none.

Mayor York asked if the Planning Board had any questions.

Michael Germano asked about considerations for signs for screening. Staff stated those were separate from this regulation and could investigate adding durational and maintenance standards for signs in windows or fence wrapping.

David Lowry also wanted to see a standard for signs on fences and asked who would perform the review. Cate Farrell explained that the Planning Department would do that and gave details about the review process. Mr. Lowry suggested requiring a sign for new development so citizens knew what was coming.

Michael Germano suggested requiring fencing with screening for developments along major thoroughfares.

Domenick Schilling also agreed about adding wraps to fences and stated there were different numbers for the setback from lot lines in the dimension standards. Staff would clarify that and make it consistent in the text amendment.

Mayor York asked if there were any more questions. There were none.

Mayor York asked if anyone wished to speak in favor. There were none.

Mayor York asked if anyone wished to speak in opposition. There were none.

Mayor York asked if anyone wished to speak neither for or against. There were none.

Mayor York closed the public hearing and referred the matter to the Planning Board.

*E. TA 2024-04 Process Change*

Mayor York opened the Public Hearing.

Adam Culpepper stated this was a text amendment to Article 2 of the UDO to revise and clarify site plan and construction drawing development review. The current plan and proposed plan process were reviewed. The proposed plan would match what other area municipalities use and would make it an easier process for staff, TRC and developers.

Commissioner Baxter asked for more details about the proposed process. Adam Culpepper stated this was splitting and clarifying residential and non-residential and gave examples. This would not change what the Board saw, the change was just to add details and clarification.

Mayor York asked if the Board had any more questions. There were none.

Mayor York asked if the Planning Board had any questions.

Michael Germano thanked staff for their effort on the proposed changes and it was needed.

Mayor York asked if there were any more questions. There were none.

Mayor York asked if anyone wished to speak in favor. There were none.

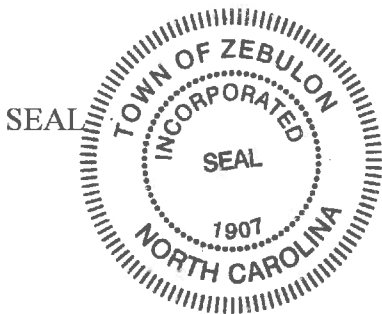
Mayor York asked if anyone wished to speak in opposition. There were none.

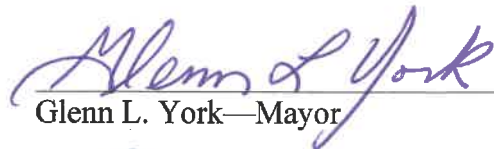
Mayor York asked if anyone wished to speak neither for or against. There were none.

Mayor York closed the public hearing and referred the matter to the Planning Board.

Commissioner Miles made a motion, second by Commissioner Harrison to adjourn the meeting. There was no discussion and the motion passed unanimously.

Adopted this the 2<sup>nd</sup> day of October 2023.



  
Glenn L. York—Mayor

  
Lisa M. Markland, CMC—Town Clerk