

**Zebulon  
Joint Public Hearing  
Minutes  
March 13, 2023**

Present: Glenn York, Quentin Miles, Beverly Clark, Shannon Baxter, Jessica Harrison, Larry Loucks, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Stacie Paratore-Deputy Town Clerk, Michael Clark-Planning, Jacqui Boykin-Police, Bobby Fitts-Finance, Adam Culpepper-Planning, Chris Ray-Public Works, Chris Perry-Fire, Sheila Long-Parks and Recreation, Sam Slater-Attorney

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

**PUBLIC HEARING**

*A. CZ 2023-02 0 Weavers Pond Dr. (Wall Purdy Tract)*

Mayor York opened the Public Hearing.

Michael Clark stated the applicant, Weaver's Pond Development Company, LLC was requesting a 43.61 acre parcel be rezoned from R-40W to Residential Neighborhood-Conditional (R4-C) District for the development of an 87-lot residential subdivision. This property was currently outside of the Town's planning jurisdiction and the applicant was seeking annexation simultaneously with the rezoning application.

The property was adjacent to the Weaver's Pont subdivision and proposed connection through the extension of two Town-maintained stub streets. The applicant was not requesting any deviations from the Ordinance.

The Unified Development Ordinance (UDO) Section 2.2.6.K provided the following standards for the Board to base their decision on the rezoning request:

1. Whether the proposed conditional rezoning advanced the public health, safety, or welfare;
2. Whether and the the extent to which the proposed conditional rezoning was appropriate for its proposed location, and was consistent with the purposes, goals, objectives, and policies of the Town's adopted policy guidance;
3. Whether an approval of the conditional rezoning was reasonable and in the public interest;
4. Whether and the extend to which the concept plan associated with the conditional rezoning was consistent with this Ordinance; and
5. Any other factors as the Board of Commissioners may determine to be relevant.

Part of the parcel was located within the watershed district. If the Board approved the rezoning it would automatically amend the future land use plan.

The Public Hearing notification process was detailed, and the aerial map was shown.

Michael Clark stated the applicant worked with Planning staff for months to achieve a proposal compliant with the UDO. The original proposal and the current proposal were detailed. The current proposal included:

- 87 lots
- Minimum lot width: 70 ft
- Minimum lot size: 8,700 sq. ft
- Greenway connection to Weavers Pond
- Architectural commitments to provide variety in housing stock

The concept plan, amenity plan and proposed elevations were shown. Mr. Clark explained the developer was exceeding the required UDO conditions by including:

- Commitment to residential design guidelines of Sec. 5.2 of the UDO
- Minimum two-car garage; doors with windows and carriage hardware
- Side loaded garages minimum 20% of homes
- Wrap around front porched minimum 20% of homes
- Garage doors recessed behind the front plain of home
- Cement fiber siding with brick/stone accents (no vinyl siding)
- Rear patio or deck minimum 100 sf ft
- Entire yard will be sodded
- Amenities included dog park, walking trails and open space
- HOA will limit number of rentals homes to a maximum of 20%

Staff stated the development offered a different product type, lower density, and a greenway expansion.

Mayor York asked if the Board had any questions.

Commissioner Baxter stated the stub streets to the north and the east indicated there was potential to continue development into the watershed. Michael Clark explained Wake County regulations allowed low density development into those areas and would be required to be on well and septic. The adjacent tracts would remain under Wake County's R40 zoning.

Commissioner Baxter stated she knew the development was submitted before the Utility Allocation Policy was adopted but asked for an indication of the points for the project. Staff explained items such as the private greenway connection, dog park, pollinator garden, and architecture design regulations added points but due to the number of proposed lots staff estimated the number would be under 60 points.

Commissioner Harrison expressed concerns with the elevations looking similar to Weaver's Pond and asked how the applicant was planning to make them look different. Michael Clark stated the

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architectural features exceeded what was being constructed in other phases and gave some examples.

There was discussion about the Traffic Impact Analysis (“TIA”) that was performed. Staff clarified the Town’s TIA threshold was 100 peak trip generation units and the development did not warrant a TIA since it included 87 homes. Although not required, the applicant did perform a TIA for the development.

Mayor York asked if the Planning Board had any questions.

Michael Germano expressed concerns over stubs in new developments making it difficult for public safety to maneuver during an emergency.

Jacqui Boykin discussed how the Police Department decentralized their personnel and how they were accommodating a growing Town.

Chris Perry spoke about the turn around requirements for fire trucks and gave details how calls were dispatched.

Commissioner Miles had concerns about how long it took to get into the entrance of the community and the number of cars double parked.

Chris Perry spoke about the Fire Department’s four-minute travel goal. Most of Weaver’s Pond was outside that limit because of the location. An example of how the Department used Hopkins Fire Department as a resource for calls was given.

Michael Germano asked about the minimums of the architectural materials. Mr. Clark stated there were minimum percentages and that could be discussed with the applicant.

Jason Barron, with Morningstar Law Group, commended the staff for their work on the application and spoke about how the development reinforced the values of the Comprehensive Land Use Plan. An aerial map, amenity area, and elevation examples were shown. There were 21 architectural commitments that went beyond the ordinance and highlights of those were detailed.

Mr. Barron spoke about the growth of the Town and the need for more housing. The amenity area of the development provided dog parks, playground, maintained open space and walking trails.

There was discussion about stub streets and Mr. Barron stated the stub roads existed to facilitate future development.

Commissioner Baxter stated she felt the 20% rental limit was high. Mr. Barron stated he would check the number with his client to see if it could be lowered.

Commissioner Harrison asked if homeowners could use the amenities at Weaver’s Pond and Mr. Barron confirmed they could not.

Commissioner Loucks suggested adding school bus shelters in the neighborhood.

Domenick Schilling asked why the applicant was able to request conditional rezoning with annexation for the property but not apply for the remaining stub streets. Staff stated initially the development was one tract, but the UDO did not allow partial rezonings. The remainder would be in the county and fall under county regulations. The stub streets created interconnectivity to provide additional services and reduce the response times for emergency services. The remainder of the parcel was in the watershed district and utility connections were prohibited.

Jeremy Potter, of Ramey Kemp and Associates, performed the Traffic Impact Analysis (“TIA”) for the project.

Commissioner Baxter expressed concerns about the traffic 87 additional homes traveling through Weaver’s Pond would cause. Mr. Potter stated the study was based on 105 homes and did not cause any additional impacts to be mitigated based upon the trips. The intersections would be monitored through build out for future signalization.

There was discussion about the analysis done and peak hour warrant.

Commissioner Miles had concerns about traffic at Pearces, Pippin and Proctor. Mr. Potter stated the traffic from the 87 homes did not necessitate any additional roadway improvements.

Commissioner Loucks had traffic concerns and suggested adding the signal at 96 and Green Pace Road to a traffic study. Mr. Potter stated the parameters of the study were discussed with NCDOT and the Town and that intersection was outside the parameters agreed upon.

Michael Germano had concerns about congestion of the interior streets in the community and thought the traffic issues would worsen on Pippin Road with the new development. Mr. Potter stated the background traffic was included in the analysis and the volume traffic increased 3%. There was discussion about how traffic at Wakelon Elementary was accounted for and information given about the peak hour counting period.

Domenick Schilling suggested the study areas be widened. Michael Clark explained after the TIA was done the department’s internal process was changed to look at a wider area in TIA studies and gave an example.

Mr. Potter spoke about how TIA studies build upon other studies that were approved and offered clarification on some verbiage in the study.

Michael Germano had concerns about the 3% traffic growth rate used in the study and thought the Town’s should be higher. Michael Clark stated the traffic rate and growth rate were not the same. Mr. Potter explained it was a longer trend of growth and the 3% was vetted by NCDOT and the Town.

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Mr. Potter spoke about peak hour warrants and how they were satisfied. When warrants were satisfied, improvements could be considered but were not warranted. The final decision would be made by NCDOT.

Commissioner Baxter stated the Town was growing higher than 3% and the growth had a cumulative effect inside the municipality.

Commissioner Loucks asked about the study area and validation of the previous studies that were used with the current study. Mr. Potter explained the area was agreed upon with NCDOT and spoke about why older studies were used with the current study.

Jason Barron stated his client was willing to change the rental maximum to 10% and they were researching school bus stops. Michael Clark stated Wake County Public Schools moved bus stops according to the route demands. Staff encouraged getting confirmation from Wake County Public Schools before building a school bus stop area in a neighborhood.

Commissioner Miles had concerns the development would have an impact on traffic, public safety, and Town personnel.

Mayor York asked if there were anymore questions. There were none.

Mayor York asked if anyone wished to speak in favor.

Lillian Ruth, Lacewing Drive, spoke about the speeding issue in Weaver's Pond and Pippin Rd, issues with littering and people not cleaning up after their pets.

Mayor York asked Ms. Ruth if her comments were in favor or opposition. Ms. Ruth clarified that her comments were in opposition.

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

Mayor York asked if anyone wished to speak in opposition.

Markea Armond, Weaver's Pond, stated the Weaver's Pond HOA Board was controlled by the developer and spoke about her experience with rentals in the neighborhood.

Ted Taylor, Weaver's Pond, had concerns for emergency service response times with new houses being built and increased traffic.

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

Commissioner Miles read some comments that were posted online.

Commissioner Baxter stated citizens had to submit their comments to the Town Clerk to be read into the record.

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Mayor York asked if anyone else wished to speak. There were none.  
Mayor York closed the public hearing and referred the matter to the Planning Board.

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

Adopted this the 3<sup>rd</sup> day of April 2023.



*Glenn L. York*  
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Glenn L. York—Mayor

*Lisa M. Markland*  
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Lisa M. Markland, CMC—Town Clerk