

**Zebulon
Planning Board
Minutes
April 10, 2023**

Present: David Lowry, Laura Johnson Michael Germano, Genia Newkirk Domenick Schilling, Stephanie Jenkins, Peggy Alexander, Joe Moore-Town Manager, Michael Clark-Planning, Stacie Paratore-Deputy Town Clerk, Sam Slater-Town Attorney

David Lowry called the meeting to order.

APPROVAL OF AGENDA

Laura Johnson made a motion, second by Domenick Schilling to approve the agenda. There was no discussion and the motion passed unanimously.

APPROVAL OF MINUTES

Michael Germano asked to change the adopted date on the December 12, 2022 minutes to April 10, 2023.

Michael Germano made a motion, second by Laura Johnson to approve the December 12, 2022 minutes as amended. There was no further discussion and the motion passed unanimously.

OLD BUSINESS

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

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 Unified Development Ordinance (UDO) Section 2.2.6.K provided the following standards for the Planning 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 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 extent to which the concept plan associated with the conditional rezoning was consistent with this Ordinance; and
5. Any other factors as the Planning Board may determine to be relevant.

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

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

Planning Board
Minutes
April 10, 2023

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 10%

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

Michael Germano asked if the developer investigated the possibility of connecting into the backside of Ferrell Meadows Drive to create another access point. Jason Barron, the attorney for the applicant, explained there was less traffic on the network than what was assumed in the traffic study and gave details of that study.

It was stated by Mr. Barron that the lots were 70ft wide which allowed for an improvement in the value of the home. The conditions in the development were different from Weaver's Pond and some examples were given.

Greg Barry spoke about the master planning efforts, how to accommodate the flow of traffic and ingress and egress points.

Mr. Barry stated there was an environmentally protected area at the backside of Ferrell Meadows Drive. Michael Germano asked the developer to investigate the area further to make the connection.

David Lowry asked for clarification about the development not being a part of Weaver's Pond. Mr. Barry confirmed the development was not part of Weaver's Pond and had a separate HOA.

Mr. Lowry inquired about adding additional amenities to the greenway. Greg Barry stated additional amenities were explored in the preliminary process but wanted to have enough amenities without being a burden on the HOA.

Michael Germano stated the only revised condition was lowering the allowable rentals from 20% rentals to 10%. Greg Barry explained that was the only revision to the zoning condition and the traffic counts were performed.

The applicant was asked how concerns from the public were addressed. Mr. Barron stated the most expressed concerns were related to traffic and spoke about how those were addressed. The roads on the west of Weaver's Pond carrying traffic to and from the proposed development were widened because of the anticipated future traffic.

Michael Germano expressed concerns about vehicles parking on the sides of the road in Weaver's Pond and it being difficult for two cars to pass at the same time. Adding more traffic to the roads would worsen the congestion issue. Mr. Germano wanted the issue mitigated for the residents who currently lived in the development.

Mr. Barron stated they were not able to go in and replace streets already done for a development. Mr. Barron was confident based on the analysis that the streets used for the proposed development would be wide enough to facilitate the development.

David Lowry stated a county development of R40 would not have the volume of 87 homes. The concern was the added volume and putting a development within one that already had traffic volume issues would worsen the issue.

Domenick Schilling commented that the volume concerns were more of an enforcement issue than a capacity issue.

Peggy Alexander made a motion, second by Laura Johnson to recommend approval of CZ 2023-02. There was no discussion and the motion failed with a vote 3 to 4 with Peggy Alexander, Laura Jonson, Domenick Schilling voting in favor and Stephanie Jenkins, Genia Newkirk, Michael Germano and David Lowry voting in opposition.

Michael Germano made a motion, second by Stephanie Jenkins to recommend denial of CZ 2023-02. There was no discussion and the motion passed with a vote 4 to 3 Stephanie Jenkins, Genia Newkirk, Michael Germano and David Lowry voting in favor and Peggy Alexander, Laura Jonson, Domenick Schilling voting in opposition.

NEW BUSINESS

A. TA 2023-04 Transportation Impact Analysis Amendments

Michael Clark presented the amendments to Section 6.13 of the Zebulon Unified Development Ordinance to lower the thresholds and expand the study areas of a required Transportation Impact Analysis ("TIA"). A TIA factored in the scope, current traffic patterns, future traffic with the proposed build and with no build, and the recommended improvements. The proposed text amendment to UDO 6.13 would lower the threshold to require a TIA, expand the study area and provide clarification. The current and proposed TIA thresholds were detailed. The proposed amendment would change the peak hour trips to 50 and average daily trips to 150. It was also

stated with the proposed amendment certain developments, uses and existing traffic conditions would trigger the threshold for a TIA to be performed.

An example of the ¼ mile radius study area was shown on a map. The proposed text amendment changed the study area to ½ mile, and that example was shown. Mr. Clark spoke about how the amendment would give clarification.

David Lowry asked for clarification on Section 6.13.17(c) the study area boundaries in the table Mr. Clark explained that was for average daily trips as opposed to peak hours and gave an example.

There was a question about developers using other TIA studies. Mr. Clark stated that was existing regulation and gave an example how developers factored in other TIAs into their study.

Domenick Schilling made a motion, second by Michael Germano to recommend approval of TA 2023-04 Transportation Impact Analysis Amendments. There was no discussion and the motion passed unanimously.

B. Utility Allocation Policy

Michael Clark presented the proposed amendment to the Zebulon Utility Allocation Policy. The purpose of the Amendment was to address limitations with the current policy, respond to development concerns and continue to tailor the policy for current and future needs of the community. The Utility Allocation Policy leveraged water and sewer allocation to obtain high quality development and incentivize desired uses, amenities and features.

The proposed amendments would:

- Amend base point structure
- Add new base point classification
- Restructure category maximums
- Provide additional subcategories
- Provide additional bonus point items

Mr. Clark spoke about the structure of the policy. Some of the base point categories that were not fully included in the original policy were the exempt or minor subdivisions, single use retail and change of use. Bungalow courts and small subdivisions (less than 25 lots) were on the new base point classification. More details of the category and subcategory point options were given.

Some of the new additional subcategories that were included were historic preservation, in fill development and affordable housing. Examples of additional point items were detailed and include murals, outdoor kitchens and enhanced landscape buffers.

David Lowry asked about base points for single family homes. Michael Clark stated there would be 60 points and gave an example. Mr. Lowry stated it was difficult to read with certain items lined out at the points sections. Mr. Clark would revise the chart to provide better clarification.

Domenick Schilling asked how many cases have come before staff since establishing the new Utility Allocation Policy. Mr. Clark did not know the exact number but knew of three that were unable to meet the policy standards.

Michael Germano made a motion, second by Stephanie Jenkins to recommend approval of the Utility Allocation Policy as amended. There was no discussion and the motion passed unanimously.

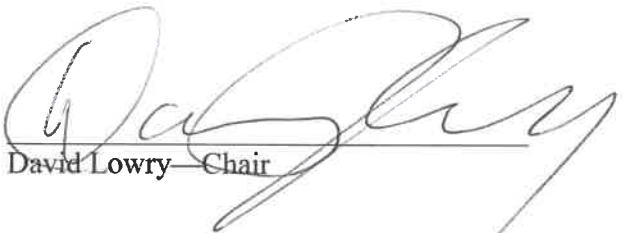
DEVELOPMENT UPDATES

Adam Culpepper provided development updates.

Michael Germano made a motion, second by Domenick Schilling to adjourn. There was no discussion and the motion passed unanimously.

Adopted this the 14th day of August 2023.




David Lowry—Chair


Stacie Paratore, CMC—Deputy Town Clerk