

**Town of Zebulon  
Planning Board  
Minutes  
September 23, 2019**

Present: Larry Ray, Stephanie Jenkins, Stan Nowell, Shannon Baxter, Laura Johnson, Jessica Luther, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Stacie Paratore-Deputy Town Clerk, Michael Clark-Planning, Meade Bradshaw-Planning, Sam Slater-Attorney  
Absent: Gene Blount

Michael Clark explained the Planning Board chair, Gene Blount, was absent and the Board would need to elect a member to serve as chair for the meeting.

Laura Johnson made a motion, second by Larry Ray to appoint Laura Johnson as chair for the September 23, 2019 Planning Board meeting. There was no discussion and the motion passed unanimously.

Laura Johnson called the meeting to order at 9:35pm.

Shannon Baxter made a motion, second by Larry Ray to recess the meeting to September 30, 2019 at 7:00pm. There was no discussion and the motion passed unanimously.

**September 30, 2019**

Present: Gene Blount, Larry Ray, Stephanie Jenkins, Stan Nowell, Shannon Baxter, Laura Johnson, Jessica Luther, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Stacie Paratore-Deputy Town Clerk, Michael Clark-Planning, Meade Bradshaw-Planning, Sam Slater-Attorney

Gene Blount called the meeting back from recess from the September 23<sup>rd</sup> meeting.

Sam Slater asked Gene Blount if he had reviewed the video of the meeting on September 23<sup>rd</sup> since he was absent. Gene Blount stated he had reviewed the video and was prepared and ready to participate.

**A. SUP 2019-08 Pearces Road**

Meade Bradshaw explained the request from Stewart, Inc. was to obtain a Special Use Permit for a major subdivision on 111 acres into 375 residential lots located at 1309 and 1333 Pearces Road. The property was zoned R-13. The vicinity map, zoning data, pictures, and concept plan were presented. There would be three access points one from Weavers Pond, Hunters Greene, and Pearces Road. The subdivision would have a mixture of homes including single family detached homes and townhomes and a minimum of 20% open space. The development had a maximum of 377 units.

Staff felt the request met finding of fact four. Meade Bradshaw stated there was a comment at the Joint Public Hearing regarding a condition for a deceleration lane southbound on Pearces Road, but the Traffic Impact Analysis noted that was not needed. Staff agreed the deceleration lane was not necessary and recommended striking from the conditions.

SUP 2019-08 – Pearces Road Proposed Conditions:

Removal of the southbound turn lane in condition # 17 as recommended by staff.

Shannon Baxter made a motion, second by Stan Nowell to recommend SUP 2019-09 – Pearces Road with staff conditions as follows and the findings of fact have been met. There was no discussion and the motion passed unanimously.

### **Pearces Road Special Use Permit Conditions**

1. Homeowners Association: Homeowners Association or management firm shall be in place to enforce and abate all community association restrictive covenants, conditions, and restrictions. This document will be recorded prior to lot recordation of the 1st subdivision phase. The following elements need to be added to the restrictive covenants addressing the following regulations:
  - Restricting on-street parking for a maximum of 24 hours. This matter will be enforced by the Homeowners Association.
  - Maintenance and upkeep of Open Space/Common Areas, drainage easements and stormwater control measures as described in the Town of Zebulon Street and Storm Drainage Standards & Specifications Manual. Landscape islands and round-a-bouts, etc. located within the right-of-way will be considered common areas.
  - Enforcing tall grass, trash, debris and rubbish, removal of any junk/nuisance vehicles as defined by the adopted town policies.
2. All open space shall be permanently protected from development with a conservation easement and/or restrictive covenant to be recorded upon final plat approval.
3. No unauthorized disturbance of environmentally sensitive areas as defined by US Army Corps. of Engineers, NC DENR, Wake County Environmental Services and the Town of Zebulon.
4. No portion of any developable residential lot shall contain wetlands, riparian buffers, floodplain or floodway.
5. Development must comply with Appendix D of the 2000 International Fire Code.
6. An active recreation area including, at a minimum, a 2,800 square foot pool (deck area not included in this calculation) and 600 square foot conditioned space bathhouse. Building permits for the pool house will be approved prior to the 100<sup>th</sup> certificate of occupancy of any dwelling. The bathhouse will have architecture similar to that of the dwellings in the neighborhood.
7. Perimeter Buffer: Existing vegetation shall be saved to meet a 30' in width buffer along the perimeter of the development. Where there is not existing vegetation or vegetation must be removed, a Type C buffer in accordance with § 152.309 Buffers will be installed.

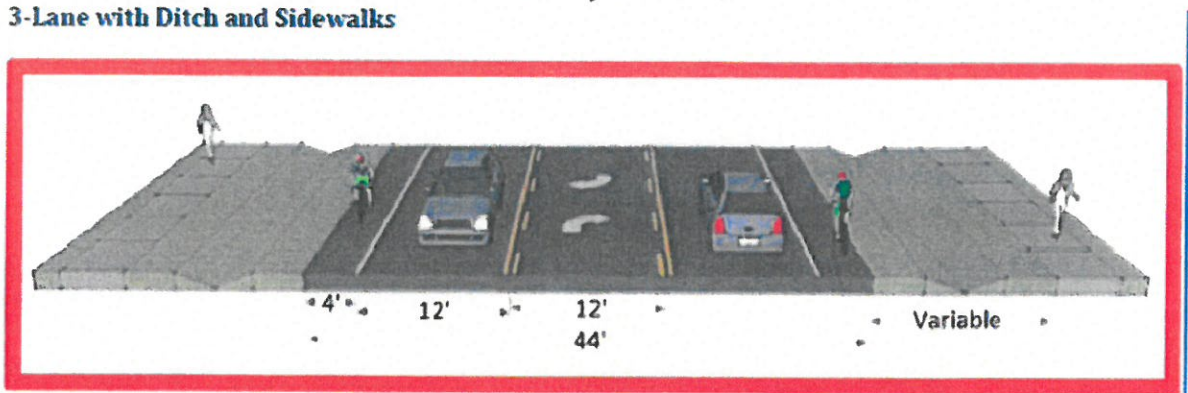
8. Installation of decorative street signs within the subdivision should be in accordance with the latest version of the Town of Zebulon Street and Storm Drainage Standards and Specifications Manual specifications and in accordance with MCTCD standards.
9. Curb and Gutter: All curb and gutter installations throughout the subdivision should be in accordance with the latest version of the Town of Zebulon Street and Storm Drainage Standards and Specifications Manual specifications.
10. Public Roadways: All streets within Pearces Road shall be public and in accordance with the latest version of the Town of Zebulon Street and Storm Drainage Standards and Specifications Manual specifications.
11. New Roadways: Installation and dedication of any roadway infrastructure, improvements, or right-of-way widths for all phases of the development as shown on the Concept Land Plan for ~~k~~ Pearces Landing shall be in accordance with the latest version of the Town of Zebulon Street and Storm Drainage Standards and Specifications Manual specifications. A licensed engineer with acceptable bonding information prior must provide engineer certification of the roadway to the issuance of a final plat for the development.
  - i. Residential Collector Streets - Street A, Street B (North of Golden Plum Ln),
  - ii. Local Street/ cul-de-sacs – All other streets

**Table 1 Minimum Right-of-Way and Pavement Width**

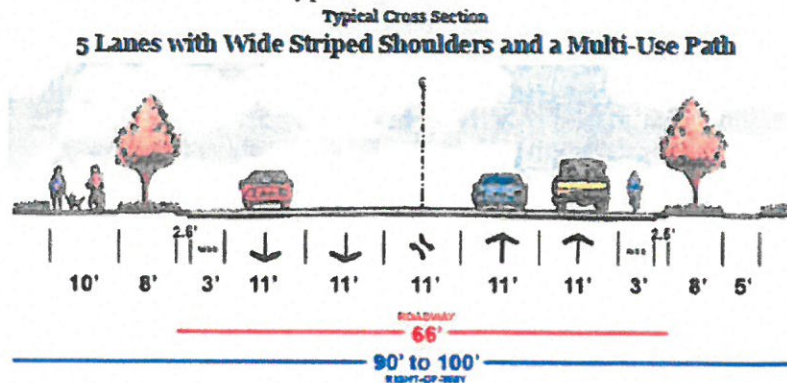
Type of Street	Min. Right of Way Width Curb and Gutter (Back to Back)	Min. Pavement Width Curb and Gutter (Back to Back)
Major Thoroughfare	Per Thoroughfare Plan	Varies, 52' min.
Minor Thoroughfare	Per Thoroughfare Plan	Varies, 45' min.
Residential Collector	60'	35'
Local Street	50'	26'
Cul-de-Sac	53' R	48' R

12. Additional Parking: Local streets shall incorporate at a minimum five, off-street parking areas for guests. These parking areas will also provide landscaping.
13. Bonding: Developer is responsible for posting a bond for final roadway, sidewalk or for each phase prior to the issuance of the first building permit. Developer is fully responsible for all necessary roadway repairs of dedicated streets prior to final overlay and striping. Regardless of residential construction progress, the final overlay of dedicated streets shall be over-laid within eighteen (18) months of the original roadway acceptance date for that phase.

14. Traffic Impact Analysis Recommendations: Recommendations from the TIA by Ramey Kemp and Associates dated May 2019 and sealed May 13, 2019 will be incorporated into site plan review by the ZTRC for conformance with Town and NCDOT standards.
15. Street Connectivity – In general, streets with one end permanently closed (Cul-de-sacs) shall be avoided unless the design of the subdivision and the existing or proposed street system in the surrounding area clearly indicates that a through street is not essential in the location of the proposed cul-de-sac.
16. Street Connectivity – Street A shall be built and accepted by the Town that connects to Golden Plum Lane in Weavers Pond prior to the issuance of the 100<sup>th</sup> residential certificate of occupancy. A second access point to Pearces Road, via temporary access connection, shall be completed prior to the issuance of the 1<sup>st</sup> certificate of occupancy. The temporary access may be removed once Street A connection is completed and accepted by the Town.
17. Pearce’s Roadway Improvements:
  - Construct ½ of 3-lane section of roadway below:



- Dedicate ½-100’ of right-of-way, meeting the five-lane section of roadway for ultimate future build out. See typical below.



- Turn Lanes: Installation turn lanes at the intersection of Pearces and Street A shall be installed. A northbound left turn lane with a minimum of one hundred feet (100’) of full width storage and appropriate transitions on Pearce’s Road at

Street A. The developer shall have site plan design approvals and construction approvals prior to the issuance of the first (1<sup>st</sup>) Certificate of Occupancy for the development with construction bonded with NCDOT or Town of Zebulon. All roadway construction should be completed by the 25<sup>th</sup> Certificate of Occupancy.

18. Sidewalks: Both sides of the street within the subdivision will be required to have a five foot (5') wide sidewalk.
19. Internal private greenway path– 10' Asphalt path connecting homes to the main recreation amenity center.
20. Greenway Amenities: Developer to provide benches, trash receptables, pet waste stations, signage, trail head landscaping and/or fencing to provide screening from residential homes.
21. All street installations throughout the subdivision should be in accordance with the latest version of the Town of Zebulon Street and Storm Drainage Standards and Specifications Manual specifications.
22. Setbacks: single-family detached – front – 30', side – 6.5', rear, 25' corner side - 20'; Townhome – front – 10', building to building – 15', rear – 10', corner side – 20'
23. Mail Kiosk: Installation of mailbox kiosk will be reviewed/approved as part of the Technical Review Committee process.
  - Constructed prior to 1st certificate of occupancy of any dwelling unit.
  - Off-street parking will be provided for kiosk.
  - A kiosk shelter will be constructed using materials similar to what is being used throughout the neighborhood.
    - i. The shelter will need to be constructed prior to the 100<sup>th</sup> certificate of occupancy of any dwelling.
24. Solid Waste and Recycling: All homes (single family, townhomes) within the subdivision will receive trash collection and recycling services.
25. Yard Waste and Leaf Collection: Only single family and paired single family dwellings will receive yard waste and leaf collection. Yard waste and leaf collection for townhomes must be provided by the Homeowner's Association, or if applicable a Homeowner's Association management firm.
26. Storm Drainage Infrastructure: Certification of the storm drainage infrastructure must be provided by a licensed engineer. Bonding will be applied to drainage structures not completed prior to final plat recording. Best Management Practices (BMP's) are not converted from erosion control to permanent stormwater devices until most of the home construction is complete. BMP certification will be completed as directed by the Stormwater Administrator.
27. All dwellings will have a minimum driveway length of 18' measure from the right-of-way.
28. All buffers will be located in common areas.
29. Streetscape:
  - All residential streets shall have a minimum 3.5' utility strip, sidewalk, and a shade tree as part of the residential street cross section.
  - Pearces Road shall have a Type A buffer.

30. Model Homes: Must meet Wake County ADA standards and provide paved parking areas.
31. Exterior Elevations:
  - A 24" masonry water table will be constructed on the front façade of all single-family detached dwelling units. An 18" masonry water table will be constructed on the front façade of all single family attached dwelling units
  - All elevations must have windows on all exterior sides of dwellings. All front windows should have shutters or trim. Corner side yard windows should be treated as a front elevation.
  - Single-family detached dwellings should not have the same elevation with parcels adjacent to or directly across the street as the subject parcel's elevation.
  - If 6.5' side yard setback, landscaping shall be provided at both front corners of each dwelling either planted at a rate of 2 shrubs spaced horizontally or along the sides of the homes. An understory tree can substitute for the 2-shrub requirement.
32. Street Stubs will be required to the following properties:
  - Wake County Pin Number Pin Number – 1797914808 (Deed Book 014676 PG 00016)
  - Wake County Pin Number 2707115040 – (Deed Book 016096 PG 01663)
33. Open Space/Common Area: A minimum of 20% of the development will be open space
34. Signage: add a note to the plans that signage will be a separate approval process.
35. Street Lights: The developer is responsible for coordination with Duke Energy on the lighting plan layout; however, the Town of Zebulon will be approving the lighting plan. The developer is responsible for paying the current Duke Energy fee per pole to the Town of Zebulon prior to installation. All streetlights shall be decorative and must in accordance with the latest version of the Town of Zebulon Street and Storm Drainage Standards and Specifications Manual specifications. All streetlights shall be decorative Mitchell 50 Series LED unless otherwise specified and authorized by the Town of Zebulon Public Works Director. All streetlights shall be a minimum of 125 linear feet with a maximum of 140 linear feet apart with alternate spacing on either side of the street.
36. Water, Sewer and Pump Station Improvements: All water, sewer and pump station improvements will be reviewed and approved by the City of Raleigh Public Utilities during the Zebulon Technical Review Committee site plan review process. The utility improvements must be in accordance with the City of Raleigh adopted plans, policies, ordinances, and handbook requirements.
37. Entrances: All entrances shall be reviewed and approved by the Town of Zebulon and the North Carolina Department of Transportation during the Technical Review Committee Process.
38. All residential units/lots are required to have an individual residential booster pump if the static water pressure at the meter does not meet or exceed 50 psi.
39. Street Name Continuity – Street A will be Golden Plum Lane and Street B will be Hunters Green Drive

40. Update street cross sections to reflect table 1 of the Street and Storm Drainage Specifications Manual.
41. Signage (Main Entrance): Main entrance monument signs will be allowed along Pearces Road at Street A and Weavers Pond Subdivision and Street A and shall be made of brick, stone, or masonry material. Signage shall not exceed sixty-four square feet (64 SF) and must be setback at least ten feet (10') from the public right-of-way to include landscaping. Signage approval will be the building permit phase for the sign.

B. SUP 2019-10 – 1701 N. Arendell Ave.

Meade Bradshaw explained the request was by Landstar Investment Group of NC, Inc. to obtain a Special Use Permit for an Internet Café located at 1701 N. Arendell Avenue. The property was zoned Heavy Business. The vicinity map, zoning map, pictures, and concept plan were presented. Staff determined the request was nonconforming based on Code of Ordinances Section 152.109. The site would be required to be brought up to current code compliance. Staff found the request did not meet finding of fact four.

The property would be required to comply with the Code of Ordinances before it could be occupied for any business. There was discussion on whether to allow Dallas Pearce's testimony from the September 23 Joint Public Hearing regarding the safety of the site. The attorney advised the Board it was their discretion on whether to permit the testimony. Stan Nowell stated Code of Ordinance 152.1466 Section G stated internet cafés could not be located within 1,000 feet of a school and felt the request did not meet finding of fact two. Shannon Baxter felt the request did not meet finding of fact one due to the unsafe location for the type of business. There were concerns expressed about the preschool located nearby and concerns about safety.

Shannon Baxter made a motion, second by Larry Ray to recommend denial of SUP 2019-10 – 1701 N. Arendell Ave. due to findings of fact one having not been met. There was no discussion and the motion passed unanimously.

C. Unified Development Ordinance

Michael Clark introduced Chad Meadows from CodeWright Planners, LLC. The Planning Board was provided an overview of the Unified Development Ordinance (UDO) draft. Chad Meadows gave the key changes of the UDO. The 10 articles: general provisions, procedures, districts, uses, development standards, subdivisions, nonconformities, enforcement, measurement and definitions, reviewing agencies were explained in detail to the Planning Board. Michael Clark stated there would be a draft in searchable format on the Town's website.

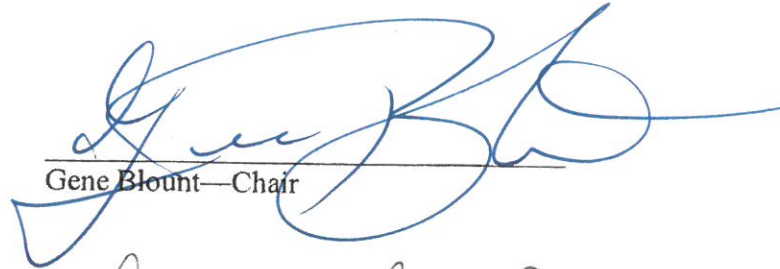
Chad Meadows gave the completion schedule for the UDO. The Public Hearing was scheduled for October 14<sup>th</sup>. The Planning Board would meet on October 21<sup>st</sup> for a possible vote on a recommendation to the Board of Commissioners who could then vote for adoption at the November 4<sup>th</sup> meeting. If approved at the November 4<sup>th</sup> meeting the effective date for the UDO would be January 1, 2020. There was some concern about the timeline and having enough time to review the UDO. Chad Meadows stated he was able to meet or answer any questions the Planning Board had about the UDO. The Planning Board was asked to email any questions to Michael Clark who would provide a detailed summary of the questions at the next meeting.

Planning Board  
Minutes  
September 23, 2019

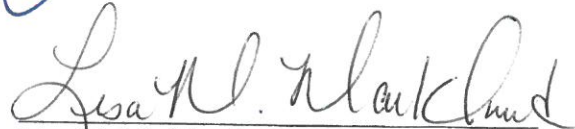
Michael Clark welcomed new Planning Board member Jessica Luther.

Shannon Baxter made a motion, second by Stephanie Jenkins to adjourn. There was no discussion and the motion passed unanimously.

Adopted this the 10<sup>th</sup> day of August, 2020..



Gene Blount—Chair



Lisa M. Markland, CMC—Town Clerk