

Zebulon Board of Commissioners
Minutes
September 9, 2019

Present: Robert S. Matheny, Curtis Strickland, Dale Beck, Don Bumgarner, Beverly Clark, Annie Moore, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Chris Ray-Public Works, Tim Hayworth-Police, Chris Perry-Fire, Sheila Long-Parks & Recreation, Bobby Fitts-Finance, Michael Clark-Planning, Meade Bradshaw-Planning, Eric Vernon-Town Attorney

Mayor Matheny called the meeting to order at 7:00pm.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Wakelon Elementary School student Malachi Roulach.

APPROVAL OF AGENDA

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

SCHOOL RECOGNITION

Mayor Matheny recognized student Malachi Roulach and Twanda Combs, both from Wakelon Elementary School.

PUBLIC COMMENT PERIOD

Mary Beth Carpenter from Preservation Zebulon spoke about the murder mystery dinner fundraiser scheduled for September 28 and encouraged everyone to attend. The memory project would be held in February or March 2020.

RECOGNITION

A. Greg Johnson Induction into the Tar Heel Leagues Hall of Honor

Mayor Matheny recognized Greg Johnson for his induction into the Tar Heel League Hall of Fame with 30 years of service as the Town of Zebulon's Parks and Recreation Director and his accomplishments with the Tarheel League.

B. Boys 11 – 12 year old Tar Heel District 4 Baseball Champions

Mayor Matheny recognized the 11-12 year old Tar Heel District 4 Baseball Champions.

PROCLAMATIONS

A. Firefighter Appreciation Week – September 8-14

Mayor Matheny read the proclamation recognizing Firefighter Appreciation Week as September 8 – 14, 2019.

Commissioner Beck made a motion, second by Commissioner Bumgarner to adopt the Proclamation for Firefighter Appreciation Week. There was no discussion and the motion passed unanimously.

PRESENTATION

A. Denise Nowell – Chamber of Commerce Update

Denise Nowell gave the first quarterly update on the business retention and expansion program between the Zebulon Chamber of Commerce and Town of Zebulon. The partnership focused on four key elements: business visitation, hosting the Zebulon Next conference, small business resource, and strengthening participation with economic development partners.

Denise stated the Town and Chamber worked together on projects and events and various examples were given. The meet the candidate's event was scheduled for September 12 from 5:30pm – 7:00pm at the Zebulon Chamber of Commerce.

CONSENT

A. Minutes

Commissioner Clark made a motion, second by Commissioner Moore to approve the minutes of the August 5, 2019 regular meeting. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve the minutes of the August 12, 2019 Joint Public Hearing. There was no discussion and the motion passed unanimously.

A. Finance

Commissioner Clark made a motion, second by Commissioner Moore to approve the tax report for May 2019. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve the financial report as of August 26, 2019. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-23 – Appropriation of Insurance Proceeds to repair Police vehicle. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-24 – use of forfeiture funds. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve the Quarterly Reports for Police and Parks and Recreation. There was no discussion and the motion passed unanimously.

OLD BUSINESS

A. Planning

1. Ordinance 2020-25 – Annexation Request for 1309 and 1333 Pearces Road
Meade Bradshaw explained the annexation request was for approximately 111 acres located at 1309 and 1333 Pearces Road and currently zoned as R-30. The aerial map, zoning map, future land use map, and site pictures were presented.

The Planning Board unanimously recommended approval at the August 26, 2019 Planning Board meeting.

Commissioner Strickland expressed concern about the annexation and how Town services might be affected.

Commissioner Beck made a motion, second by Commissioner Bumgarner to approve Ordinance 2020-25 based upon the consistency with the Town of Zebulon Comprehensive Plan, Zebulon Code of Ordinances, and any other official plan that was applicable. There was no discussion and the motion passed with a vote of four-one with Commissioners Beck, Moore, Clark and Bumgarner voting in favor and Commissioner Strickland voting against.

2. RZ 2019-08 – Rezoning Request for 1309 and 1333 Pearces Road

The request was to rezone the parcels located at 1309 and 1333 Pearces Road from Wake County R-30 to R-13.

The Planning Board unanimously recommended approval at the August 26, 2019 Planning Board meeting.

Commissioner Bumgarner made a motion, second by Commissioner Beck to approve RZ 2019-08 based upon the consistency with the Town of Zebulon Comprehensive Plan, Zebulon Code of Ordinances, and any other official plan that was applicable. There was no discussion and the motion passed with a vote of four – one with Commissioner Bumgarner, Clark, Beck and Moore voting in favor and Commissioner Strickland voting against.

3. SUP 2019-06 – Sidney Creek

Meade Bradshaw explained the property was approximately 215 acres zoned R-10 and located at 1701 Chamblee Road. The aerial map, zoning map, and site pictures were presented. The applicant was proposing an 822 lot subdivision. The conditions and various outstanding conditions were all presented.

The Planning Board recommended approval of the Special Use Permit with the proposed conditions including the outstanding items suggested by staff.

Meade presented the findings of fact and explained that the motion must be tied back to the findings of fact.

Mayor Matheny inquired about the sidewalks in the cul-de-sacs. Staff required sidewalks on both sides of the major streets and on one side in the small cul-de-sacs. Meade Bradshaw showed the development plan and where sidewalks in the cul-de-sacs were required. Meade asked if the Mayor wanted to see sidewalks all the way around a cul-de-sac. The Mayor stated he did want to see them all the way around and the Board discussed it.

Commissioner Strickland inquired about stoplights. Meade Bradshaw explained the TIA showed three areas for proposed stoplights 1) NC 39 and Old 264 2) the eastbound ramps at NC 39 and

US 264 and 3) the westbound ramps at NC 39 and US 264. Staff recommended 50% of the ramps and 100% of NC 39 and Old 264 would be the developer's responsibility.

There was clarification that there was no sidewalk requirement in the short cul-de-sacs.

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve SUP 2019-06 – Sidney Creek, since it has met the findings of fact and with staff conditions as follows. There was no discussion and the motion passed unanimously.

Conditions adopted by the Board were:

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 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 pool (minimum 3,480 square feet), swim pavilion (bathhouse), will be constructed and permits applied for prior to the 200th certificate of occupancy of any dwelling.
7. Installation of at least a fifteen (15') foot wide landscaped buffer along the perimeter of the subject property meeting. Existing trees will remain. Where there is not a tree line, a Type C buffer will be planted.
8. Installation of decorative street signs and streetlights 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.
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 Sidney Creek 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 Sidney Creek 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. Collector Streets - Street A, Street D, Street E
 - ii. Residential/local Street - Street B, Street C, Street G, Street I, Street J, Street K, Street L, Street M
12. Roadway Improvements:
 - NC 39 and 264 Westbound Ramps
 - i. Monitor the intersection for signalization and conduct a signal warrant analysis prior to the build-out of the proposed Sidney Creek development. This shall be completed prior to the recording of Phases 3, 4, or 5.
 - ii. If warrant analysis is met, construction and design cost are shared 50% developer/50% town/NCDOT. A fee in lieu payment shall be made before platting final phase.
 - NC 39 and 264 Eastbound Ramps
 - i. Monitor the intersection for signalization and conduct a signal warrant analysis prior to the build-out of the proposed Sidney Creek development. This shall be completed prior to the recording of Phases 3, 4, or 5.
 - ii. If warrant analysis is met, construction and design costs are shared 50% developer/50% town/NCDOT. A fee in lieu payment shall be made before platting final phase.
 - NC 39 and Old US 264 Alternate
 - i. Dedicate right-of-way meeting ½-5 Lane Highway cross section as referenced in the Transportation Plan.
 - ii. Utilizing the existing pavement width, provide an exclusive westbound left-turn lane with maximized (approximately 50 feet) storage and appropriate taper and an exclusive westbound right-turn lane with maximized (approximately 125 feet) storage and appropriate taper and deceleration length. Appears to already to be in place. See aerial Photo.
 - iii. Utilizing the existing pavement width, provide an exclusive eastbound left-turn lane with maximized (approximately 50 feet) storage and appropriate taper and an exclusive eastbound right-turn lane with maximized (approximately 100 feet) storage and appropriate taper and deceleration length.
 - iv. Extend the existing southbound right-turn lane with a minimum of 100 feet of storage and appropriate taper and deceleration length.
 - Chamblee Road and Street A
 - i. Construct the westbound approach (Street A) with one ingress lane and one egress lane.
 - ii. Provide stop-control for the westbound approach.
 - iii. Dedicate right-of-way meeting ½-80' section along the entire Chamblee

frontage

- NC 39 and Street A
 - i. Dedicate right-of-way meeting ½-5 Lane Highway cross section as referenced in the Transportation Plan.
 - ii. Construct the eastbound approach (Street A) with one ingress lane and two egress lanes.
 - iii. Provide stop-control for the eastbound approach.
 - iv. Construct an exclusive northbound left-turn lane with a minimum of 50 feet of storage and appropriate taper and deceleration length.
 - v. Construct an exclusive southbound right-turn lane with a minimum of 150 feet of storage and appropriate taper and deceleration length.
- 13. Storm Drainage Infrastructure: a licensed engineer must provide Certification of the storm drainage infrastructure. Certification must be provided, reviewed, and approved prior to the issuance of a final plat for each phase.
- 14. Greenway Path Chamblee Road – 10' Asphalt path/sidewalk is required along the entire road frontage of Chamblee Road as part of the roadway/Street A connection to Chamblee Road.
- 15. Greenway Path NC Hwy 39– 10' Asphalt path/sidewalk is required along the property road frontage on Hwy 39 and connect to Five County Stadium Property Line. Construction shall be completed as part of the roadway improvements for site 2/Road A entrance improvements along Hwy 39.
 - Construction scope parameters:
 - curb and gutter with adjacent 10-foot wide asphalt path per NCDOT standards or a block retaining wall with 10-foot path with graded drainage swell.
 - 10' Greenway path at railroad shall be at grade with appropriate required signage.
 - Easement Acquisition if needed will be within 110% of appraised value for such easement.
 - Crosswalk striping as needed with appropriate H/C ramps
 - Fee-in Lieu payment will be considered if at grade crossing is not permitted by Railroad agency or cost of easement acquisition exceed 110% of appraised cost.
- 16. Greenway Trail: Greenway, Bicycle, and Pedestrian Master Plan: Greenways are required to be established, built and maintained in accordance with the most recent adopted version of the Town of Zebulon Greenway, Bicycle, and Pedestrian Master Plan. The public greenway trail is to be in accordance with the latest version of the Town of Zebulon Street and Storm Drainage Standards and Specifications Manual and Town of Zebulon Greenway, Bicycle, and Pedestrian Master Plan specifications. A complete design for a minimum ten-foot (10') public greenway trail with a minimum twenty-foot (20') wide public greenway easement and associated trailhead connections along Little Creek. Greenway trailhead connections shall be provided at each cul-de-sac near the greenway (Street G, C, I). Greenway trail based on a minimum pavement width of ten feet (10') and a minimum 6.25-ton load capacity for any necessary bridges or boardwalks. Greenway engineered drawings are required to be submitted with each phase of construction to the Technical Review Committee for approval. Installation and dedication of the required Little Creek public greenway trail and trailhead connection improvements must be completed prior to final plat approval for each individual phase's construction. Upon dedication and acceptance, all maintenance of the Little Creek public greenway trail and trailhead connections will be the responsibility of the Town.

17. Greenway Connectivity: Connectivity to greenways shall be provided at 3 locations. This shall be accomplished through trailheads, sidewalks, and internal trail connections. All internal trail connections shall be designated as common area and maintained by the Homeowner's Association, or if applicable a Homeowner's Association management firm. A 10' wide asphalt path connecting the Recreation Center and the public Little Creek Trail as part of the recreation amenity construction.
18. Greenway Amenities: Developer to provide benches, trash receptacles, pet waste stations, signage, trail head landscaping to provide screening from residential homes. Once these amenities have been installed, the Town of Zebulon will be responsible for the maintenance of these amenities. Landscaping shall be either 1-tree or 2-shrubs planted 30' on center.
19. 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.
20. Setbacks: single-family detached – front – 20', side – 6.5', rear, 15' corner side - 20'; Townhome – front – 20', building to building – 12', rear – 15', corner side – 20'
 - Architectural projections may encroach 1.5' into the side yard setback.
21. 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.
22. All dwellings within the subdivision will be required to have a garage.
23. All dwellings will have a minimum driveway length of 18' measure from the right-of-way.
24. All buffers will be located in open space/common areas.
25. Streetscape:
 - All residential streets shall have a 4' tree lawn between the curb and the sidewalk. If sidewalk is not required along that section of street, then the trees should be planted between 2-5 feet behind the curb.
 - A 100' in width buffer will be provided along NC 39.
 - A 30' buffer will be provided along Chamblee Road.
 - Another streetscape may be approved by staff along Chamblee Road or NC Hwy 39 if the standard does not require trees located in the right-of-way.
 - Trees should be considered shade trees and deciduous, planted 40' on center.
26. Pocket Parks: A minimum of six Pocket Park Areas will be constructed throughout the development. These Pocket Parks will be a choice with a combination of butterfly gardens with benches, athletic fields, fire pit locations, playground equipment (to be approved by Parks and Recreation Director), etc.
27. Model Homes: Must meet Wake County ADA standards and provide paved parking areas.
28. Exterior Elevations:
 - Masonry component to dwellings
 - i. 100% of the single-family detached (not age targeted).
 - ii. 50% of townhome cluster (ie: if the cluster is 6 attached townhome units, 3 units will have the masonry component).

- iii. 30% of the single-family detached (age targeted).
 - 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.
 - 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.
29. Street Stubs will be required to the following properties:
- Wake County Pin Number Pin Number – 2715101559 (Deed Book 001789 PG 00402)
 - Wake County Pin Number – 2715327642 (Deed Book 013337 PG 00895)
 - Either:
 - i. Johnston County id – 11M01012F (Book 05068 PG 0419)
 - ii. Johnston County id – 11M01009B (Book 00524 PG 0615)
 - iii. Johnston County id – 11M01007 (Book 01473 PG 0408)
 - iv. A parcel not listed which is adjacent to the subject property located within Johnston County
30. Open Space/Common Area: 40% of the development will be open space/common area
31. Signage: Will be located in open space/common area at the entrance of the subdivision.
32. 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.
33. Bonding: Developer is responsible for posting a bond for final roadway, sidewalk or amenities improvements 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.
34. Driveway Restrictions: No driveways to individual lots should be located within the circulating roadway of any internal roundabouts and should be located as far away from the entrance to the circulating roadway as practical. No driveway entrances within 100' from the entrances of Chamblee and Hwy 39.
35. 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.

Outstanding Items Recommended by Staff

- Sidewalk locations on both sides of all streets
- Exterior Elevations:

- 30% Masonry component to front façade of the dwellings
 - 100% of the single-family detached (not age targeted).
 - 50% of townhome cluster (ie: if the cluster is 6 attached townhome units, 3 units will have the masonry component).
 - 30% of the single-family detached (age targeted).
- All elevations must have windows on all exterior sides of dwellings.
- Traffic Impact Analysis Recommendation
 - Monitor the intersection of NC Hwy 39 and Old US 264 for signalization and conduct a signal warrant analysis prior to the build-out of the proposed Sidney Creek development.
 - This shall be completed prior to the recording of Phases 3, 4, or 5. If warrant analysis is met, Construction and design cost are 100 % by the developer. The construction shall be completed prior to the platting of the final phase.
- Greenway Path NC Hwy 39– 10’ Asphalt path/sidewalk is required along the property road frontage on Hwy 39 and connect to Five County Stadium Property Line. Construction shall be completed as part of the roadway improvements for site 2/Road A entrance improvements along Hwy 39.
 - i. Construction scope parameters:
 - curb and gutter with adjacent 10-foot wide asphalt path per NCDOT standards or a block retaining wall with 10-foot path with graded drainage swall.
 - 10’ Greenway path at railroad shall be at grade with appropriate required signage.
 - Easement Acquisition if needed will be within 110% of appraised value for such easement.
 - Crosswalk striping as needed with appropriate H/C ramps
 - Fee-in Lieu payment will be considered if at grade crossing is not permitted by Railroad agency or cost of easement acquisition exceed 110% of appraised cost.
- Greenway Amenities: Developer to provide benches, trash receptacles, pet waste stations, signage, trail head landscaping to provide screening from residential homes. Once these amenities have been installed, the Town of Zebulon will be responsible for the maintenance of these amenities. Landscaping shall be either 1-tree or 2-shrubs planted 30’ on center.

4. SUP 2019-07 – Weavers Ridge

Meade Bradshaw explained the property located at 2340 Zebulon Road was approximately 34 acres and zoned R-10. The aerial map, zoning map, and site pictures were presented.

The Planning Board recommended approval of the Special Use Permit with the proposed conditions including the outstanding items suggested by staff.

Meade presented the findings of fact and explained that the motion must be tied back to the findings of fact.

There was discussion about road improvements. Meade explained that staff recommended the applicant improve 50% of three lanes along the Town property and watershed. The applicant proposed an alternative plan and staff agreed with the proposed plan with the applicant providing 100% of the three lane road along the Town portion.

There was discussion about sidewalks along the road and the speed limit along that road as well. The subdivision would connect to Weavers Pond once completed and the roads would be considered residential collector streets.

Commissioner Bumgarner made a motion, second by Commissioner Beck to approve SUP 2019-07 – Weavers Ridge with staff conditions as amended since it has met the findings of fact and with staff conditions as follows. There was no discussion and the motion passed unanimously.

Conditions approved by the Board

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. Any landscaping located within the right-of-way shall be considered common area.
 - 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 lot shall contain wetlands, riparian buffers, floodplain or floodway.
5. Development must comply with Appendix D of the 2000 International Fire Code.
6. A 75' in width buffer will be installed along Zebulon Road. 1 deciduous tree and 8 shrubs will be planted every 30'.
7. Install improvements required on Zebulon Road in accordance with the requirements of the Transportation Impact Analysis.
 - Northbound right turn lane 100' of storage. This will be required to be constructed/shown with the 1st submitted phase for TRC Review.
 - Southbound left turn lane 150' of storage. This will be required to be constructed/shown with the 1st submitted phase for TRC Review.
8. A 5' sidewalk will be required along Zebulon Road. If the sidewalk is outside of the NCDOT right-of-way, then the sidewalk installation should be in accordance with the latest version of the Town of Zebulon Street and Storm Drainage Standards and Specifications Manual specifications and a dedicated sidewalk easement will be required.
9. No driveway will be located within 100' of Zebulon Road.

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10. Model Homes: Must meet Wake County ADA standards and provide paved parking areas.
11. 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.
 - Will meet USPS standards. If a kiosk shelter is required by USPS, the shelter will be constructed using materials consistent with the neighborhood.
12. All dwellings within the subdivision will be required to have a garage.
13. All dwellings will have a minimum driveway length of 18' measure from the right-of-way.
14. A 30-foot wide buffer will be provided around the eastern and southern property lines of the subdivision utilizing existing vegetation. Where the existing vegetation cannot be saved, a Type A standard will be planted.
15. All buffers will be located in open space/common areas.
16. Streetscape: All residential streets shall have a 4' tree lawn between the curb and the sidewalk. If sidewalk is not required along that section of street, then the trees should be planted between 2- 5 feet behind the curb. The tree spacing shall be one tree per lot, but located in the tree lawn. Trees should be considered shade trees and deciduous.
17. Installation of decorative street signs and streetlights 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. Signs should be installed prior to lot recordation.
18. 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.
19. 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. Collector Streets - Street A from Arendell to Golden Plum Drive shall be constructed to Collector streets standards.
20. See Existing Weavers Pond SUP – Water Pressure Requirement Language – 50 Psi @ Meter
21. To get required dwelling unit count, the adjacent parcel (PIN # 1796577710; BM2017 PG 01330) must be incorporated into the development and recorded as common area/open space. This parcel may be developed as an amenity area.
22. Bonding: Developer is responsible for posting a bond for final roadway, sidewalk or amenities improvements 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 overlaid within eighteen (18) months of the original roadway acceptance date for that phase.
23. 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.
24. A street connection will be made to the Golden Plum Lane in Weavers Pond Phase 5 as shown on the concept plan. This will be constructed prior to lot recordation.
25. The traffic signal at Pippin Road and NC HWY 96 should be installed prior to 1st Certificate of Occupancy.
26. 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 be 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.

27. Greenway: A new greenway shall be constructed throughout the development. Connectivity to the existing greenway from the adjacent north to the school to the adjacent south shall be provided. This connection should be a 10' wide asphalt path within a 20' greenway easement. Greenway Amenities: Developer to provide benches, trash receptacles, pet waste stations, signage, trail head landscaping to provide screening from residential homes. Once these amenities have been installed, the Town of Zebulon will be responsible for the maintenance of these amenities. Landscaping shall be either 1-tree or 2-shrubs planted 30' on center.
28. Amenity Area: Area will be minimum of one acre consisting of playground equipment, athletic field, picnic shelter, benches, parking area, benches, picnic tables, and pet waste stations.
29. Exterior Elevations:
 - Masonry component to dwellings
 - i. 100% of the single-family detached (not age targeted).
 - ii. 50% of townhome cluster (ie: if the cluster is 6 attached townhome units, 3 units will have the masonry component).
 - 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.
 - 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.
30. Construct the eastbound approach (Street A) with one ingress lane and two egress lanes.
 - i. Provide stop-control for the eastbound approach.
 - ii. Construct an exclusive northbound right-turn lane with a minimum of 50 feet of storage and appropriate taper and deceleration length.
 - iii. Construct an exclusive southbound left-turn lane with a minimum of 150 feet of storage and appropriate taper and deceleration length.

Outstanding Items

- Sidewalk locations on both sides of all streets
- 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.
- Exterior Elevations:
 - 30% Masonry component to dwellings
 - 100% of the single-family detached (not age targeted).
 - 50% of townhome cluster (ie: if the cluster is 6 attached townhome units, 3 units will have the masonry component).
 - 30% of the single-family detached (age targeted).
 - All elevations must have windows on all exterior sides of dwellings.
- Zebulon Road:
 - AMENDED: Construct the entire 3-Lane Divided as referenced in the Multimodal Transportation Plan with sidewalks and bikeways along entire property frontage of Arendell located within the Town limits.
- Model Homes: Must meet Wake County ADA standards and provide paved parking areas.
- Greenway: A new greenway shall be constructed throughout the development. Connectivity to the existing greenway from the adjacent north to the school to the adjacent south shall be

provided. This connection should be a 10' wide asphalt path within a 20' greenway easement. Greenway Amenities: Developer to provide benches, trash receptacles, pet waste stations, signage, trail head landscaping to provide screening from residential homes. Once these amenities have been installed, the Town of Zebulon will be responsible for the maintenance of these amenities. Landscaping shall be either 1-tree or 2-shrubs planted 30' on center.

5. SUP 2019-09 – Zebulon Green

Michael Clark explained the request was to re-obtain a special use permit for a 72-unit apartment complex located at 451 Pony Road. The Planning Board unanimously recommended approval with the original approved conditions from 2017.

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve SUP 2019-09 – Zebulon Green with staff conditions as follows and the findings of fact have been met. There was no discussion and the motion passed unanimously.

Conditions approved by the Board

1. Recordation: Special use permit and updated Illustrative Land Plan must be recorded with the Wake County Register of Deeds.
2. Proposed Site Plan: Special use permit and an updated Proposed Site Plan addressing the approved special use permit conditions and applicable timelines shall be submitted no later than ninety (90) days following approval.
3. Site Plan: Site plan review and approval by the Zebulon Technical Review Committee (ZTRC) shall be required.
4. Site Plan (Phasing): Site plan review by the ZTRC may be submitted by phase or through submittal of an overall development plan. If a phased approach is preferred, phases shall require a separate submittal. The applicant may group phases together and phases may be submitted out of numerical order as shown on the recorded Illustrative Plan.
5. Adopted Plans/Policies: All town ordinances, plans, and adopted policies shall be adhered to and enforced by the ZTRC in addition to the special use permit approved conditions.
6. Signage (Main Entrance): One main entrance monument sign will be allowed along Pony Road 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.

Stipulations Specific to the Management Association

7. Management Association: There shall be a Management Association. Office hours when staff will be present on-site shall be posted at the Community Building.
8. Management Association: A rental payment drop-box shall be designed to be theft-deterrent and well-lit for after-hour drop payments.
9. Management Association: Emergency maintenance service contact information shall be on-site at the Community Building.
10. Management Association: Management Association, or if applicable a management firm, shall enforce tall grass, trash, debris and rubbish along with the removal of any junked, abandoned, or nuisance automobiles as defined by the adopted town ordinances.

11. Management Association: Management Association, or if applicable a management firm, shall be responsible for the maintenance and upkeep of all open space and improvements built therein, landscaped center islands, roadway medians, or roundabouts located throughout the development.
12. Management Association: Management Association, or if applicable a management firm, shall be responsible for the maintenance and upkeep of all drainage easements and Detention/Retention/Water Quality Pond Areas as described in the Town of Zebulon Street and Storm Drainage Standards & Specifications Manual.

Stipulations Relating to Setbacks

13. Setbacks (Residential Buildings): Setbacks shall be measured from the lot line. Building eaves, at-grade patios, and at-grade stoops shall be allowed in the setback area. Decks, porches or other building extensions shall not be permitted in the setback area. The minimum setbacks from the lot lines shall be as follows:

<i>Land Use Type</i>	<i>Minimum Front Setback</i>	<i>Minimum Side Setback</i>	<i>Minimum Rear Setback</i>
Residential Multi-Family Dwelling	20'	10'	30'

Stipulations Relating to Recreation Amenities

14. Recreation Amenities: All recreation amenities shall be detailed on a site plan and recreation master plan to show the location and proposed use of all parks, open spaces, and passive recreation areas. This plan will be reviewed and approved by the Zebulon Technical Review Committee.
15. Recreation Amenities: Permits for the construction of the community building, covered seating area, picnic area, tot lot and playground shall be pulled at the same time, included or separately, as permits for the construction of Phase I of the development.
16. Playground and Tot Lot Equipment: Equipment shall be included for toddlers ages 2-5 and children ages 5-12. A minimum of two (2) bike racks holding eight (8) bikes each shall be provided. A minimum of two (2) benches, and two (2) trash receptacles shall be provided.

Stipulations Relating to Transportation

17. Sidewalks: Installation of five foot (5') wide sidewalk is required along Pony Road. Sidewalks shall be continuous and not interrupted along the interior roadway development perimeters or as directed by the North Carolina Department of Transportation. The sidewalk shall be reviewed and approved by the Town of Zebulon and the North Carolina Department of Transportation during the appropriate site plan approval process. The sidewalk shall be dedicated to the Town of Zebulon after installation.
18. Street Signage: All street signage shall be decorative and must be in accordance with the latest version of the Town of Zebulon Street and Storm Drainage Standards and Specifications Manual specifications. The Management Association shall own and maintain all street signage.

19. 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.
20. Street Lights: All street lights 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.
21. Street Lights: All street lights shall be decorative Mitchell 50 Watt Series LED unless otherwise specified and authorized by the Town of Zebulon Public Works Director.
22. Entrances: All entrances shall be reviewed and approved by the Town of Zebulon and the North Carolina Department of Transportation (NCDOT) during the appropriate site plan approval process. Approved encroachments and driveway permits will be required. Any conditions required by NCDOT as part of their approval process shall be reviewed and approved by the Town of Zebulon and the NCDOT during the appropriate site plan approval process.
23. Parking: All parking dimensions shall be in accordance with the latest version of the Town of Zebulon ordinances and specifications.
24. Parking: There shall be a minimum of 144 parking spaces, including those designated as ADA compliant, with a minimum of 3 parking spaces for the community building and 2 parking spaces for the mail kiosks. The community building and mail kiosks shall have a minimum of 1 ADA compliant parking space each.
25. Streets and Parking: The Management Association shall own and maintain all streets and parking as part of this development. All streets shall be labeled as private.

Stipulations Relating to Landscaping/Buffers

26. Open Space: All lands within areas required to be maintained as open space by the Management Association, or if applicable a management firm, shall be protected by a permanent conservation easement and restrictive covenant, prohibiting further development, and recorded upon recombination plat approval as "Open Space".
27. Streetscaping: Pony Road shall have streetscaping along the development side of the street. A minimum of one large shade tree every thirty-five feet (35') with at least five (5) bushes minimum three (3) gallon container and eighteen inches (18") in height must be planted three feet (3') apart.
28. Landscape Buffer (Property Perimeters): A ten-foot (10') wide Type "A" landscape buffer with two and a half inch (2.5") caliper trees shall be installed along all outer property perimeters. Preservation of any existing trees are encouraged and may be used as a credit toward the buffer requirement.

Stipulations Relating to Architecture

29. Building Materials: Exterior building materials will be brick or stone veneer, vinyl or fiber cement (such as hardieplank) siding.
30. Building Façade: Fifty percent of all buildings must have a front façade comprised of brick or stone equal to a minimum of thirty-three percent (33%) overall coverage.

31. Foundations: Foundations will be slab on grade, stem wall, crawl space or basement as determined by the site grading and topography or as determined by the builder.

Stipulations Relating to Environment

32. Environmentally Sensitive Areas: No unauthorized disturbances of environmentally sensitive areas as defined by U.S. Army Corps of Engineers, NCDEQ, Wake County Environmental Services and the Town of Zebulon Planning Department.
33. Floodplain: No portion of any lot shall contain wetlands, riparian buffers, floodplain or floodway.
34. Rock Formations: Rock outcropping appearing above the surface prior to construction in the pre-determined Open Space areas shall be preserved.

Stipulations Relating to Utilities

35. Water and Sewer Allocation: Water and sewer allocation shall be authorized during the special use process. The industry standard is 250 GPD per two-bedroom unit and an additional 120 GPD per additional bedroom. 48 units are two bedrooms or less. 24 units will have three bedrooms. The community building will house the business office and laundry facilities. Industry standards for the business office is 25 GPD per employee and 500 GPD per laundry machine. The allocation request shall be 26,000 GPD. Unused allocation shall be returned to the Town during the site plan approval process.
36. Dumpster Sites: Dumpster sites shall be located off parking areas.
37. Dumpster Sites: Dumpster sites shall be ADA accessible.
38. Dumpster Sites: Shall be screened in accordance with the latest version of Town of Zebulon ordinances and standards.
39. Yard Waste and Leaf Collection: Yard waste and leaf collection must be provided by the Manager's Association, or if applicable a management firm.
40. 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 Certificates of Occupancy. Best Management Practices (BMP's) are not converted from erosion control to permanent stormwater devices until most of the construction is complete. BMP certification will be completed as directed by the Stormwater Administrator. The Management Associate shall own and maintain all stormwater infrastructure and devices.
41. 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.

Stipulations Relating to Mailbox Kiosk

42. Mailbox Kiosk: Installation and maintenance of mailbox kiosks shall be accordance to the United States Post Office and ADA compliance standards. Access and parking for the mailbox kiosk site should be in accordance with the latest version of the Town of Zebulon

Code of Ordinances and the Street and Storm Drainage Standards and Specifications Manual specifications. There shall be a minimum of two (2) parking spaces. A minimum of one (1) space of the two (2) parking spaces provided must be ADA compliant.

43. Mailbox Kiosk: A mailbox kiosk shall be installed prior to issuance of the first Certificate of Occupancy.

Stipulations Relating to Fire Code and Blasting

44. Fire Code: Development must comply with the 2012 NC Fire Prevention Code or current edition adopted for use by the Town of Zebulon. This includes, but is not limited to, the access roadway requirements, hydrant locations, and blasting.
45. Blasting: Blasting operations shall be conducted in accordance with the provisions of the NC Fire Prevention Code.

6. Ordinance 2020-26 – Proposed Text Amendment to Chapter 152: Zoning Code

Michael Clark explained the amendments to revise the existing special use permit regulations and apply regulations to allow for conditional zoning and planned developments. The text amendments would simplify the development process, create transparency, and become more in line with surrounding communities.

The Planning Board voted unanimously to recommend approval.

Mayor Matheny inquired about special use permit expirations. State statute allowed for special use permits to have a two year vested period. The Town ordinance was one year and was changed to two years in the proposed Unified Development Ordinance to remain consistent with state statute.

Commissioner Clark made a motion, second by Commissioner Strickland to approve Ordinance 2020-26 – Text Amendment to Chapter 152: Zoning Code. There was no discussion and the motion passed unanimously.

B. Administration

1. Planning Board Appointment

Mayor Matheny explained there were two candidates Jessica Luther and Edward Sander. Jessica Luther presented her interest and qualifications to the Board at the August worksession. Edward Sanders was not present at the worksession.

Commissioner Bumgarner made a motion, second by Commissioner Clark to appoint Jessica Luther to the Planning Board. There was no discussion and the motion passed unanimously.

NEW BUSINESS

A. Public Works

1. Ordinance 2020-27 – Little River Dam Archaeological and Architecture Surveys

Chris Ray asked the Board to consider funding for the Little River Dam archaeological and architectural surveys. It was explained FEMA and NC State Historic Preservation Office (SHPO) asked for an archaeological and architecture surveys to identify any historic structures and evaluate the significance of cultural sites in the project area.

The project was estimated to cost \$35,500 and would be reimbursed by FEMA as long as the procurement process was consistent with the Uniform Guidance Act since the surveys were necessary to accomplish the repairs.

There was discussion to confirm that the cost of the work proposed would be reimbursed by FEMA even if the Town did not receive funding from FEMA for the project. There was also discussion on how SHPO became involved with the project. Chris explained that FEMA requested that we work with SHPO.

Commissioner Strickland made a motion, second by Commissioner Clark to approve Ordinance 2020-27. There was no discussion and the motion passed unanimously.

2. Streetscape Match Grant Request – Zebulon Downtown Arts Council

Chris Ray presented a request for a streetscape match of \$1,000 from the Zebulon Downtown Arts Council (ZDAC) for a mural on Whitley Galleries. Staff stated the request was consistent with the Town's Streetscape Match Policy.

Mayor Matheny asked about the message of the mural. Dallas Pearce, the Chair from ZDAC, explained the hands represented the older generation giving to the younger generation and passing on traditions.

Commissioner Strickland made a motion, second by Commissioner Clark to approve the Streetscape Match Grant to the Zebulon Downtown Arts Council. There was no discussion and the motion passed unanimously.

BOARD COMMENTS

No comments from the Board.

MANAGER'S REPORT

Movie night was Friday, September 13 with the movie Wonder Park.

Tim Hayworth introduced new police officer Joseph Morris.

CLOSED SESSION

Mayor Matheny explained the Board needed a motion to go into closed session as permitted by NC GS § 143-318.11(a)(5) for the purpose of property acquisition and NC GS § 143-318.11(a) for the purpose of discussing personnel.

Commissioner Bumgarner made a motion, second by Commissioner Clark to go into closed session as permitted by NC GS § 143-318.11(a)(5) for the purpose of property acquisition and NC GS § 143-318.11(a) for the purpose of discussing personnel. There was no discussion and the motion passed unanimously.

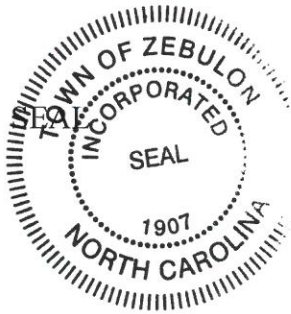
NOTE: In closed session Commissioner Strickland made a motion, second by Commissioner Beck to come out of closed session. There was no discussion and the motion passed unanimously.

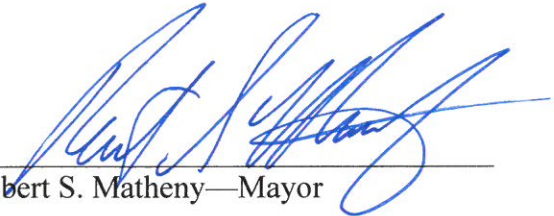
Board of Commissioners
Minutes
September 9, 2019

Commissioner Clark made a motion, second by Commissioner Bumgarner to award the Town Manager a 3.5% raise. There was no discussion and the motion passed unanimously.

Commissioner Beck made a motion, second by Commissioner Bumgarner to adjourn. There was no discussion and the motion passed unanimously.

Adopted this the 7th day of October, 2019.




Robert S. Matheny—Mayor


Lisa M. Markland, CMC—Town Clerk