

Zebulon
Joint Public Hearing
Minutes
May 10, 2021

Present: Robert S. Matheny, Beverly Clark, Annie Moore, Glenn York, Shannon Baxter, Larry Loucks, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Stacie Paratore-Deputy Town Clerk, Michael Clark-Planning, Meade Bradshaw-Planning, Chris Perry-Fire, Bob Grossman-Police, Sam Slater-Attorney

Planning Board Present: Gene Blount, Laura Johnson, Michael Germano, Jessica Luther, David Lowry, Stephanie Jenkins and Joshua Robinson

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

PUBLIC HEARING

A. Comprehensive Land Use Plan and Comprehensive Transportation Plan
Mayor Matheny opened the public hearing.

Michael Clark explained the plans would be separated into two parts with separate public comment periods. The Comprehensive Land Use Plan was the foundation for the Town's regulations and a guiding document to help officials and staff plan for the future.

The current Comprehensive Plan was adopted in 2008 and the Town had experienced major growth since the last update. Remy Kemp & Associates, Inc. was writing the Transportation Plan and Kendig Keast was writing the Land Use Plan.

The proposed plans were prepared over the past 18 months by a team of consultants with sufficient public input during the process and were reflective of those comments as well as best practices from across the country.

Michael Clark spoke about how input and information was gathered and used to build the plan and presented the Comprehensive Land Use Plan's highlights.

The following individual plan sections and goals for each were explained:

- Plan Introduction
- Land use and development
- Growth capacity
- Housing and neighborhoods
- Economic development
- Recreation and amenities
- Implementation
- Zebulon Today

The guiding principles of the plan were to keep Zebulon connected, grounded, balanced, prudent, collaborative and resilient.

The proposed future land use map was shown. Staff spoke about how the plan would be implemented and the roles and responsibilities of the Board of Commissioners, Planning Board, Town management and staff.

Gary Mitchell from Kendig Keast was present at the meeting if anyone had questions.

Mayor Matheny asked if either Board had questions about the Comprehensive Land Use Plan. There were none.

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

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

There was a question in the audience about obtaining a copy of the meeting presentation. Staff would have copies available.

Michael Clark spoke about how the Comprehensive Transportation Plan would be used. The plan allowed the Town to be more competitive to receive transportation related grants and worked alongside the Land Use Plan to ensure the transportation needs and network connections of the Town were met.

Public Involvement was used to draft the plan through Town Board sessions, Town Hall meetings, surveys, social media and focus groups.

The following individual plan sections and goals for each were explained:

- Zebulon Today
- Transportation, Vision, Values and Input
- Roadway Element
- Pedestrian and Bicycle Element
- Transit Element

The Roadway Facilities map was shown. The details on the map allowed the Town to work with future developers to show transportation needs and to work together to create connections.

Traffic calming elements such as bulb outs were shown. It was stated these elements would increase pedestrian safety and reduce traffic speed.

The plan concurred with the Northeast Area Study Plan. A construction design example for Pearces Road and Proctor Street and at Shepard School and Old Bunn Road were shown.

Commissioner Baxter asked about NCDOT's allowance of bulb outs on Arendell Avenue. Michael Clark stated the Town had not pursued the bulb outs with NCDOT yet, but several other municipalities had bulb outs on state roads.

There was discussion about how the stamped sidewalk was a traffic calming measure. The stamped sidewalk offered visual awareness. Studies have shown that visual and textual changes raised awareness and slowed traffic. Jessica McClure also spoke about the heightened awareness drivers had with stamped sidewalks.

Commissioner Baxter expressed concerns observing drivers not slowing down when they drove over the stamped crosswalk on Arendell Avenue.

Ms. McClure stated the stamped crosswalks used in conjunction with the bulb outs gave greater visibility for pedestrians and also trained the driver to slow down. Commissioner Baxter asked for information about other Towns that have used similar traffic calming measures.

Stephanie Jenkins expressed concerns about the proposed exit at Green Pace Road and Water Plant Road as well as the proposed two lane divided road and asked to have the road re-routed. Commissioner Baxter also expressed concerns about the proposed bypass.

Jessica McClure stated the alignment's intent was to connect point A to point B and there could be adjustments made to the plan. There was detailed discussion about the proposed bypass and other alignment options. The intent of the proposed bypass was to displace heavier vehicles from downtown.

Mayor Matheny asked if either Board had questions about the Comprehensive Transportation Plan. There were none.

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

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

Stacie Paratore read comments submitted by Elora Swann and Mary Byrne.

Angela Harper King stated she did not want Green Pace Road to become a four-lane road and expressed concerns about safety in nearby neighborhoods.

Henry Jenkins spoke about concerns of the bypass and asked the Town to find another route.

Patty Allen stated she was opposed to the bypass and asked the Town to find another route.

Herb McClure spoke about the traffic congestion issues in Town.

Wanda Harris Bennett stated the proposed exit off HWY 64 would impact her family's graveyard and asked the Town to re-route the bypass.

Frederick McDuffie spoke about the traffic congestion in Town and did not want Green Pace Road to be widened.

Jacqueline McDuffie spoke about the impacts the proposed bypass would have on nearby farmland.

Mike Tophany expressed concerns about the environmental impacts of the proposed bypass.

David Lowry asked for clarification about vehicle capacity. Jessica McClure stated the typical capacity for a two-lane road was 12,000 to 14,000 vehicles and Arendell Avenue was at approximately 26,000 vehicles per day.

Jessica McClure spoke about the methodology behind two lane and four lane designations.

David Lowry asked to have the current vehicle trip counts and typical capacity added to the report.

It was stated the Transportation Plan was a working plan and could be changed and amended.

David Lowry clarified that the lines on the map did not mean the road would be added or would be constructed in that exact area. The plan gave the possibility to widen a road or develop a road if needed. Jessica McClure stated that was correct.

Michael Clark stated if the line was shown on the map the Town could require a developer to construct the road. The plan gave guidance to require the improvements to be made by a future developer.

Commissioner Baxter asked if interchanges were required to be one mile apart. It was stated the one mile spacing was a guidance, but NCDOT would look at configurations and studies to determine the appropriate spacing.

There was a question about communications to the ETJ regarding Public Hearings. Mayor Matheny stated there was an ETJ representative on the Planning Board. Meetings were posted on the Town's website, social media, the local newspaper and at Town Hall.

Mayor Matheny asked if either Board had any more questions. There were none.

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

The Board took a five-minute recess at 8:37pm.

B. Project 4961187 – Pony Road Planned Development

Meade Bradshaw explained the applicant, TMTLA Associates, requested to rezone three parcels to a Planned Development (PD) district. The parcels located at 0 Harmonica Drive, 0 Mack Todd Road, and 705 Pony Road were approximately 166 acres and were currently zoned as Heavy Commercial (HC), Residential-2 (R2) and Residential-4 (R4) districts. The concept plan, aerial map, zoning map, land use map and site pictures were shown.

It was stated there would be four entrances total with two in the Pineview subdivision and two from Pony Road. Some of the proposed amenities were a greenway trail, amenity center, pool, open space, dog park and a tot lot.

Staff asked that the following outstanding issues be addressed:

- Commitment to the Residential Design Guidelines
- Traffic calming
- Timing of construction of the pool and amenity center
- Street sections meeting Emergency Medical Services roadway widths
- Language in the homeowner's covenants that no more than 10% of the dwellings will be rental units

The standards for a conditional rezoning were as follows:

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

Mayor Matheny asked if either Board had any more questions.

David Lowry asked for clarification regarding the lot size. Staff stated, under the UDO, a conservation subdivision allowed the lots to be reduced in size in exchange for more open space.

There was discussion about the setbacks, proposed green space and mass grading in the development.

It was stated, under the UDO, units less than 70 feet were required to be rear loaded. The homes would have rear access in the alleys.

David Lowry expressed concerns about the amount of asphalt in the development.

There was discussion about the allowable building materials.

Staff explained the Homeowner's Association would take over once the plat was recorded.

Commissioner Baxter inquired about the minimum setbacks. Meade Bradshaw explained single family detached homes were required to be a minimum of 20 feet from the public right-of-way. Single family attached homes would be loaded from the rear and would not have driveways. From the front door to the public sidewalk would be five feet.

Mayor Matheny asked if anyone wished to speak in favor.

Pam Porter, from TMTLA Associates, showed the development plan and map of the open space, which was a minimum of 50% of the development. Photos of the amenities were shown.

Ms. Porter explained the development included elevated building materials such as stone, brick and hardi plank. Some of the architectural standards were detailed.

Ed Sirgany, the Traffic Engineer for Summit Design and Engineering Services, prepared the traffic impact analysis for the development. Mr. Sirgany spoke about the improvements for each of the study intersections.

Commissioner Baxter asked for a copy of the traffic impact analysis.

Pam Porter spoke about the conditions offered.

In accordance with Section 2.2.6 of the Town of Zebulon Unified Development Ordinance and NCGS 160D-703, the following conditions were agreed upon for CZ 2020-06.

1. Uses shall be limited to single family detached, single family attached, and permitted accessory uses.
2. Minimum driveway stem length shall be 20'.
3. The portion of the new road (called out as Street A1 on the PD plans) to the Southland Road shall be a modified local road with a 60' right-of-way and 35' B-B.
4. Deviation from prescribed street sections to allow for a 60' Public ROW and 37' B-B for entrance in single family attached portion of the development to allow for the construction of a landscape median.
5. Pony Road – dedicate 20' of right of way. Build ½ of 44' paved section plus Proposed improvements in TIA document. Roadway section will include ditch and 5' wide sidewalk for the full length of property.
6. To minimize stream impacts at roadway crossings, roadway section for local streets shall be 26' back-to-back of curb. At Southland Drive, where a portion of roadway will be a modified local street, the roadway section shall be 31' back-to-back of curb at the stream crossing.
7. This project shall utilize mass grading.
8. Single family detached lots shall have a minimum lot size of 5,000 sf. and a minimum depth of 100'.
9. Single family attached lots shall have a minimum lot size of 1,700 sf. and a minimum depth of 75'.
10. Single family lots will have driveways off the local streets, with building setbacks of 20' from the right of way.
11. Landscape buffer – Natural riparian buffer would be provided along the boundary of single family detached units in lieu of a planted landscape buffer.
12. Minimum centerline radius for the proposed streets shall be 100' as this is the minimum allowed per NCDOT.
13. Three or four evergreen trees (depending on plant) shall be installed at 6' in height where there is an alley dead end in the single family attached portion of the development. Trees shall be any of the following varieties and may more than one type may be utilized based on availability of plant material. Groupings of trees shall be the

same species:

Plant Three:

- Emily Bruner Holly (Ilex x 'Emily Bruner')
- Green Giant Arborvitae (Thuja standishii x plicata 'Green Giant')
- Green Sport Western Red Cedar (Thuja plicata 'Green Sport')
- Oakleaf Red Holly (Ilex x 'Conaf')

Plant Four:

- Degroot's Spire Arborvitae (Thuja occidentalis 'Degroot's Spire')
- Compact Carolina Cherry Laurel (Prunus caroliniana 'Compacta')

14. Raised slab foundation shall be permitted.

15. Vinyl siding shall not be permitted but vinyl accents, such as windows, decorative trim, and other elements shall be permitted.

16. Where street trees cannot be located in the prescribed planting strip due to on-street guest parking, street trees shall be located in a 10' landscape easement on the adjacent

lot.

*All other applicable Unified Development Ordinance requirements shall remain as written and the requirements by other agencies will be reviewed and regulated at the time of Technical Review Committee review process.

Pam Porter addressed the previous questions asked during the meeting:

- The open space was mostly environmentally sensitive areas. The greenway trail would work around the wetlands.
- Mass grading would be done by groups of lots
- Alleys were required and gave different feel by walking out front door to the sidewalk.
- Building materials allowed were hard plank, brick and stone and would all look cohesive.
- Was not sure when the HOA would be turned over to the homeowners, but the representative from the development would have a better understanding of the approximate timeframe.

Commissioner Baxter inquired about the distance between the homes. Ms. Porter stated it depended on how the homes sat on the lot, but the smallest distance was 10 feet.

There was discussion about Green Giants being used for screening.

Commissioner Baxter suggested the applicant change the language regarding the amenity center from "include some" to "include all."

Gene Blount asked about the wood siding on the homes. Pam Porter clarified that there needed to be a minimum of 10% of brick or stone on each home front.

There was a question about the builder for the development. Bryant Spencer, from H&H Homes, stated H&H Homes would be the builder in the development. The plans would be modified to meet the Town's architectural standards.

The HOA documents would be submitted with the first plat and would define when the HOA would be turned over to the homeowners. This was typically done once the development was 75% completed.

Don Sever, with Southern Design and Engineering, had worked with the City of Raleigh and there were two pump stations that the development could connect to. One was on Southland Drive and the other was on Mack Todd Road and would have ample capacity.

Bryant Spencer stated he would work with staff on an amenity completion date. It was typically once a certain number of homes were finished.

Michael Germano asked if the mail kiosks were in other areas besides the amenity area. Pam Porter showed the three proposed mail kiosk areas and each would be free standing.

Pam Porter spoke about the traffic calming measures.

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

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

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

C. Project 511021 – Nedriga Bungalow Court

Meade Bradshaw stated the applicant was Capital Partners of North Carolina, LLC. The property address was 901 Mack Todd Road and was approximately 2.36 acres. The existing zoning was Light Industrial (LI) and the proposed zoning was Residential-4 (R-4). The vicinity map, zoning map and site pictures were shown. The development consisted of seven single family detached homes and would have two entrances at Mack Todd Road.

In accordance with Section 2.2.6 of the Town of Zebulon Unified Development Ordinance and NCGS 160D-703, the following conditions are agreed upon for request the proposed Conditional Rezoning Project #511021.

1. Reduction of the front setback from 20' to 15'
2. Reduction of the rear setback to 15' to 5'
3. Each shared driveway will be in common area maintained by the Homeowner's Association.

The standards for a conditional rezoning were as follows:

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

David Lowry expressed concerns about the 5' rear setback.

Jared Matthews, the engineer on the project, clarified there would be a 5' setback at each home and would be 10' apart. The homes would be between 2,400 sq. ft. and 2,500 sq. ft. Renderings of the homes would be included in the construction drawings.

Mayor Matheny asked if either Board had any more questions. There were none.

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


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

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

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

Adopted this the 2nd day of August 2021.




Robert S. Matheny—Mayor


Lisa M. Markland, CMC—Town Clerk