

**Zebulon  
Planning Board  
Minutes  
May 10, 2021**

Present: Gene Blount, Laura Johnson, Joshua Robinson, Michael Germano, Jessica Luther, Stephanie Jenkins, David Lowry, Joe Moore-Town Manager, Michael Clark-Planning, Meade Bradshaw-Planning, Lisa Markland-Town Clerk, Stacie Paratore-Deputy Town Clerk, Sam Slater-Town Attorney

Gene Blount called the meeting to order at 9:53pm.

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

David Lowry made a motion, second by Jessica Luther to approve the April 19, 2021 and April 22, 2021 minutes. There was no discussion and the motion passed unanimously.

**NEW BUSINESS**

**A. Comprehensive Land Use Plan**

Michael Clark explained 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.

Michael Germano made a motion, second by Jessica Luther to recommend approval of the Comprehensive Land Use Plan. There was no discussion and the motion passed unanimously.

Laura Johnson made a motion, second by Stephanie Jenkins to recess the meeting to May 17, 2021 at 6:00pm. There was no discussion and the motion passed unanimously.

The meeting was resumed on May 17, 2021 at 6:00pm by Chairman Gene Blount.

Laura Johnson made a motion, second by Stephanie Jenkins to amend the agenda to move the Comprehensive Transportation Plan as item E. There was no discussion and the motion passed unanimously.

**B. Project 4961187 – Pony Road Planned Development**

Meade Bradshaw explained the applicant, Pamela Porter with 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 total and were currently zoned as Heavy Commercial (HC), Redidential-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.

The applicant addressed the outstanding issues raised at the May 10, 2021 Joint Public Hearing:

1. Additional horizontal traffic calming throughout the development including but not limited to additional curvature in the roadway alignments, and mini-circles or roundabouts at significant intersections.

**Response: We are committed to providing additional traffic calming measures which may include: mini-circles, roundabouts, or other measures at significant intersections throughout the development. We commit to work with Town staff and the Technical Review Committee to determine best measures for individual intersections.**

2. A confirmation that the Residential Guidelines of Sec. 5.2.4 will be met with listed exclusions and the architectural details will exceed what would otherwise be required within the UDO.

**Response: We commit to exceed the architectural requirements in Section 5.2.4 of the UDO. We will work with Town Planning and Building staff to provide additional architectural features with the exception of Section 5.2.4.E.3.e. Garage doors will not be required to be located at least two or more feet behind a front porch or the primary entrance to the dwelling.**

3. All street sections will accommodate EMS and maintenance vehicles.

**Response: We commit to all street sections within the development shall accommodate EMS and maintenance vehicles.**

4. In the Homeowners Covenants there is language that no more than 10% of the homes with Certificates of Occupancy will be rental units.

**Response: We commit to adding language to the HOA documents stating no more than 10% of the units with a CO shall be rental units.**

5. A threshold on when the pool/amenity center will be constructed (i.e. number of dwellings that have received Certificate of Occupancy will be limited until particular amenity features are constructed.)

**Response: We commit to a condition that the pool/amenity center will be constructed as part of the second Phase of development.**

Additionally, we are committing to the following items:

1. We will remove Green Giant Arborvitae from the list of plants noted in proposed zoning condition #13.
2. We will update the language for the amenity center to the following: The amenities center where clubhouse is located shall include the following items: fitness center, fire pit, seating area.

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 asked who would be responsible for the grading after the development was complete. Brian Spencer of RHH Land Investors stated the individual homeowners were responsible for their own lots once completed and the Homeowner's Association was responsible for the drainage plan.

Jessica Luther inquired how much of the 83 acres of open space was usable area. Pam Porter from TMTLA Associates stated 78.82 acres was unapproved space since it was mostly wetlands and flood plain. Roughly five acres was green space. It was stated the developer would construct the greenway trail as part of the second phase.

There was discussion about the connections to the Pineview subdivision and when the connections would be completed.

There was discussion about the connection to Azalea Drive requiring a stream crossing. The crossing would be evaluated during the permitting process.

David Lowry expressed his concerns about the neighborhood stating there was not much green space.

Michael Germano stated the green space was a conscious use of the land and did not see any standout issues with the neighborhood.

Pam Porter stated this was a cluster neighborhood to keep the houses close together so the environmentally sensitive areas were not impacted.

Michael Germano made a motion, second by Jessica Luther to recommend approval of Project 4961187 – Pony Road Planned Development. There was no discussion and the motion passed with a vote 6 to 1 with Gene Blount, Laura Johnson, Joshua Robinson, Michael Germano, Jessica Luther and Stephanie Jenkins voting in favor and David Lowry voting in opposition.

#### 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.

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 asked about the surrounding businesses. A church was to the North and a warehouse was located nearby. It was stated staff did not have concerns rezoning the property to Residential-4.

Michael Germano asked about how parking would be handled with certain lots. Meade Bradshaw stated staff required the Town's standard driveway length of 19ft. The plan would go through the Technical Review Committee to ensure it met all the Town's Unified Development Ordinance standards.

Jessica Luther made a motion, second by David Lowry to recommend approval of Project 511021 – Nedriga Bungalow Court. There was no discussion and the motion passed unanimously.

#### D. Zebulon Historic District

Michael Clark stated a non-profit group submitted a proposal to create a National Historic District in Zebulon. The history and background of the National Historic District was given. Details about the Zebulon Historic District and the process were explained. A public meeting was held on May 6 at the Zebulon Community Center.

The proposed Zebulon Historic District map was shown. The district included 239 resources ranging from 1906 to 1971. The proposal was done by Preservation Zebulon without input from the Town of Zebulon, Wake County Historic Preservation Commission and Zebulon residents.

The architectural differences in the proposed district were shown. The difference between contributing and non-contributing resources was explained.

The criteria, period of significance and additional guidelines were explained.

Whitley Galleries was excluded from the proposed district, whereas the Zebulon Swim Association pool was included as a contributing resource. It was stated federal funds could not be used for this

property for a use that would negate the historic integrity of the structure. If a property was not included in the district, it would not be eligible for any tax credits.

Michael Clark spoke about some of the Federal funding available to municipalities and how a Zebulon Historic District could affect receiving funding.

Staff looked at the age of structures in the proposed district and expanded the boundaries to see if resources could be captured. The Historic District alterations were shown on the map. Michael Clark explained the UDO included local districts where the Town could have multiple local districts that represent specific time periods and told the story of Zebulon.

The Board of Commissioners will make a recommendation to the National Registry Advisory Committee before their next meeting scheduled for July 11, 2021. The Wake County Historic District Commission formed a subcommittee to review the Town's historic nomination to review the application. The subcommittee will list their concerns with the proposed district and present them to the National Registry Advisory Committee at their July meeting.

Jessica Luther asked if there was an historic designation in the Town's zoning. Michael Clark explained there was a placeholder in the Unified Development Ordinance but there was not a local Historic District at this time.

There was a question if Preservation Zebulon involved the Town during the Historic District designation submittal process. Joe Moore explained Preservation Zebulon was notified on several occasions during the process to bring their work for submittal before the Board of Commissioners and Planning Board and did not.

Michael Clark stated he was very supportive of a Historic District. The Town needed to have adequate funding and the proposal needed to consider the comments of the Town, citizens and Wake County Historic Preservation.

It was explained the process if the Board of Commissioners asked National Registry Advisory Committee to table the nomination.

The Town was excluded from Preservation Zebulon's Public Hearing. On May 6, 2021, the Town held a public meeting with 29 in person attendees and 40 virtual attendees. At that meeting citizens expressed concerns about how the district was shaped and properties excluded from the district.

Michael Germano expressed concerns about having such a large historic area. There are architectural differences that should be represented in a Historic District.

Joshua Robinson spoke about the African American population and history not being represented in the Historic District.

David Lowry made a motion, second by Joshua Robinson to recommend the Board of Commissioners request the National Registry Advisory table the Zebulon Historic District nomination. There was no discussion and the motion passed with a vote 6 to 1 with Gene Blount,

Laura Johnson, Joshua Robinson, David Lowry, Jessica Luther and Stephanie Jenkins voting in favor and Michael Germano voting in opposition.

#### E. Comprehensive Transportation Plan

Michael Clark stated the Transportation Plan was necessary for the Town to receive funding and would be a guiding document for the Town. Staff spoke about how the Town used public involvement to aid in writing the plan by doing Town Board work sessions, Town Hall meetings, online surveys, surveys, social media events and focus groups.

The sections of the plan included:

- Chapter 1: Zebulon Today
- Chapter 2: Transportation Vision, Values, and Input
- Chapter 3 : Roadway Element
- Chapter 4: Pedestrian and Bicycle Element
- Chapter 5: Transit Element

The proposed roadway facilities map was shown. There was discussion and examples shown of two lane divided and four lane divided roads.

It was explained measures such a bulb outs and stamped crosswalks decreased the number of trucks and lowered the speed through downtown.

Certain roads in Town, such as Gannon Avenue and Arendell Avenue, were already exceeding DOT's average trips per day. There was discussion about how to move traffic from residential neighborhoods onto the highway. The Comprehensive Transportation Plan map proposed a two lane, median divided road with a potential interchange which would create a bypass. This would create more connectivity to freeways.

Michael Germano inquired about adding trip counts to the map. Jessica McClure would add the counts to the map.

It was stated the latest counts from NCDOT in the study were from 2018-2019.

There was discussion about traffic congestion and road capacity issues.

David Lowry inquired how many people participated in the online surveys. Staff stated they had roughly 100 respondents.

Stephanie Jenkins expressed concerns about the proposed bypass and interchange location and asked to have it removed from the proposed plan.

Joe Moore explained the purpose of the transportation plan. With the transportation plan, when developers came in to build a development, they would be responsible for widening existing roads or adding roads and examples of this were given.

There was interest expressed in having more time to look at other alignment options in the proposed plan.

Jessica Luther and David Lowry both stated that just because the line was shown on a map did not mean that was exactly where the bypass would be placed. It would have to go through many state and local departments before it would be approved and constructed.

There was discussion about alternate areas for the bypass to be located.

Michael Clark explained there were many factors in where a road would be placed. Feasibility studies would be done to determine the exact alignment at that time. NCDENR would also perform environmental studies in the area.

Joe Moore spoke about how environmental issues are addressed. When a developer went through the permitting process, if there were environmental issues the developer could mitigate the issues or pay the State to off-set the environmental impacts.

Jessica McClure explained the proposed plan incorporated CAMPO's plan which included the bypass. CAMPO can adjust their plan based on the Town's input.

There was discussion about an alternate bypass location that would be located just outside of Pony Road. Michael Clark explained he would need to talk to the Town of Wendell about a possible bypass location in that area since it went into their jurisdiction. It would require Wendell's transportation plan be modified to show the proposed bypass.

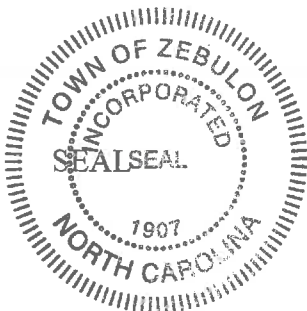
It was explained staff would work with future developers to find the most practical alignment for a particular development. As part of the Technical Review Committee, the Town would subcontract an engineering service to look long-term to ensure the traffic connectivity had minimal impact on existing neighborhoods.

Staff would obtain more information before the next Planning Board meeting about the feasibility of other route options.

Stephanie Jenkins made a motion, second by Laura Johnson to table the Comprehensive Transportation Plan. There was no discussion and the motion passed unanimously.

David Lowry made a motion, second by Laura Johnson to adjourn. There was no discussion and the motion passed unanimously.

Adopted this the 14<sup>th</sup> day of June 2021.



  
Gene Blount—Chair

  
Stacie Paratore, CMC—Deputy Town Clerk