

**Zebulon Board of Commissioners**  
**Minutes**  
**April 1, 2024**

Present: Mayor Glenn York, Quentin Miles, Amber Davis, Jessica Harrison, Shannon Baxter, Beverly Clark, Joe Moore-Town Manager, Lisa Markland-Human Resources Director, Chris Ray-Public Works, Bob Grossman-Police, Wayne Dupree-Fire, Sheila Long-Parks & Recreation, Bobby Fitts-Finance, Michael Clark-Planning, Kaleb Harmon-Communications, Eric Vernon-Town Attorney

Mayor York called the meeting to order at 6:00pm.

**PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by student Adam Khalioui.

**APPROVAL OF AGENDA**

Mayor York moved Cell Tower Lease Extension and New Blue CARE Program – Appropriation Grant Proceeds – Ordinance 2024-38 from consent to New Business and added USDA Grant Resolution 2024-20 to New Business.

Commissioner Baxter made a motion, second by Commissioner Davis to approve the agenda as amended. There was no discussion and the motion passed unanimously.

**SCHOOL RECOGNITION**

Mayor York recognized student Adam Khalioui and teacher Porscha Lennon from Zebulon Elementary School.

**PUBLIC COMMENT**

Domenick Schilling spoke about concerns he had about how growth was being handled. The Board was encouraged to trust the plans that were created to guide the growth of the Town.

Susan Pearce spoke about the need for transparency and fairness and had concerns about the write in votes from the Planning Board that took place at the March meeting. The Board was encouraged to set guidelines for fair voting procedures.

**CONSENT**

*A. Minutes*

Commissioner Harrison made a motion, second by Commissioner Miles to approve the February 12, 2024 Joint Public Hearing minutes. There was no discussion and the motion passed unanimously.

Commissioner Harrison made a motion, second by Commissioner Miles to approve the February 13, 2024 regular meeting minutes. There was no discussion and the motion passed unanimously.

Commissioner Harrison made a motion, second by Commissioner Miles to approve the Wake County tax report for January 2024. There was no discussion and the motion passed unanimously.

Commissioner Harrison made a motion, second by Commissioner Miles to approve the Mack Todd Road Water Line: Easement Dedication. There was no discussion and the motion passed unanimously.

**OLD BUSINESS**

*A. Planning*

i. 321 Hospital Road – Ordinance 2024-37

Adam Culpepper explained this was a tabled item from the March 4, 2024 meeting and presented the zoning map amendment request for 321 Hospital Road to rezone the .34 acres from Office Institutional (OI) to General Commercial (GC).

The standards under section 2.2.25.J for a rezoning were:

1. Health, Safety and Welfare
2. Appropriate for location
3. Reasonable in the public interest
4. Other relevant factors

The public hearing notification process was detailed. The zoning map and future land use plan was shown. The Planning Board recommended approval at their February 12, 2024 meeting.

Cyrus Stacey stated he and his business partner owned three properties and two businesses in Town and gave details of the project.

Commissioner Baxter asked about the closing date. Mr. Stacey explained the date was different because the date was moved.

Commissioner Clark made a motion, second by Commissioner Harrison to approve Ordinance 2024-37. There was no discussion and the motion passed unanimously.

ii. Zebulon South Planned Development – Ordinance 2024-39

Michael Clark presented the planned development request to develop 320 residential units on 118.62 acres at 751 S. Wakefield Rd, 700 S. Arendell Ave., 0 S. Wakefield St., and 0 S. Arendell Ave.

The standards under section 2.2.25.J for a planned development were:

1. Health, Safety and Welfare
2. Appropriate for location
3. Reasonable in the public interest
4. Other relevant factors

The aerial map, zoning map, future land use plan, timeline, and concept plan were shown. The applicant received 68 points under the Town's Utility Allocation Policy. The applicant was proposing to dedicate a portion of the property for a proposed future fire station.

Mr. Clark explained the conditions that exceeded the UDO requirements:

- All detached rear loaded homes shall have a sidewalk connection from the front door to the public sidewalk (Condition 7).
- The clubhouse and pool shall be completed before the 150<sup>th</sup> Certificate of Occupancy (Condition 8).
- Zebulon South will apply a maximum 35% impervious surface requirement (Condition 9).
- Provide a minimum 15% Tree Save (Condition 10)
- One bus stop area, including a shelter, a bench, a trash can, and at least 5 bicycle spaces shall be provided with the second phase of development (Condition 12).
- A single family detached home shall be developed and donated as part of Built to Honor, Wounded Warrior Homes, Operation Coming Home, Operation Finally Home, or similar organization providing homes to veterans (Condition 14).

The conditions meeting the UDO included:

- All Road Improvements on a DOT road will be approved by NCDOT (Condition 11)
- Some of the following amenities will be included:
  - a minimum of two larger parking spaces designed for food trucks or delivery vehicles (mobile vendors), with an electrical outlet available;
  - one covered seating area with at least 10 designated public seating spaces will be provided adjacent to the Mobile Vendor spaces.
  - at least one outdoor grill will be provided adjacent to the covered seating area.
- Greenway Alignment will be reviewed and approved by TRC during construction drawings.
- The grave site(s) located at 0 N Arendell Ave (PIN 2705513114) shall be relocated prior to approval of construction drawings

The conditions deviating from the UDO included:

- Minimum driveway stem length shall be 20' (Condition 2).
- Single family detached rear load lots shall have a minimum lot size of 4,800sf (Condition 3)
- Single family detached front load lots shall have a minimum lot size of 6,000sf (Condition 4)
- Single family attached lots shall have a minimum lot size of 1,260sf (Condition 5)
- The minimum lot width for front loaded lots shall be 50' reduced from 70' (Condition 6)

The road improvements would include:

- NC-96 / Site Access 1:
  - 50-foot southbound right-turn lane (with appropriate taper)
  - 100-foot IPS (Internal Protected Stem) along Site Access 1\*\*
- NC-96 / Site Access 2:
  - 50-foot southbound right-turn lane (with appropriate taper)
  - 100-foot IPS along Site Access 2\*\*
- South Wakefield Street / Site Access 3:
  - 50-foot southbound left-turn lane (with appropriate taper)
  - 100-foot IPS along Site Access 3\*\*
- Wakefield/Morpheus Bridge Road:
  - Review and construct safety improvements

Staff explained the developer dedicated 2.1 acres at the north end of the site and to do all the road improvements. Chief Perry gave details on the preliminary design that was done for the property and explained the location was consistent with the Fire Department's needs. The developer would donate the land at the time of plat.

Additional enhancements included 50% open space, 15% tree save, enhanced landscape buffers, additional amenity features.

Staff stated there had been concerns about traffic, but the volumes were lower than anticipated and delays were just seconds.

Ashley Terrazas Honeycutt, the attorney for the applicant, introduced those who were in attendance at the meeting and could give details about the proposed development.

Rob Rudloff spoke about Poulte Homes and their vision for the community. There was discussion at the last meeting regarding rentals and a condition was added to only allow 20% of homes to be rental homes. The amenities were reviewed including a greenway trail, on street parking, a centralized bus location, a pool and a mobile vendor space. There was discussion at the Joint Public Hearing about adding items for teens so yard games were also added to the amenity plan.

Commissioner Baxter asked about exercise equipment in the amenity plan. Rob Rudloff explained three exercise stations were added along the trails.

Commissioner Baxter stated a Poulte representative said they committed to building 1% of affordable housing in other communities and that would be 3.2 homes for the proposed community.

Ashley Honeycutt Terrazas reviewed the updates to the plan including donating the land to the Town even if it was not used for a Fire Station. Information about road improvements was given and it was explained the developer was complying with 25' driveway length requirements. Another update included increasing the HOA requirements to have two on the Board at each phase for a total of six representatives. As requested by the Board, there would be three affordable rear-loaded townhomes for low-income families and each townhome would be on a different street in the neighborhood.

There was information given about the roadway safety improvements.

Staff spoke about the alternatives if the development did not move forward. A developer could construct 140 units on well and septic since it was located within the ETJ without any amenities and features. The home prices would increase, and the land would not be dedicated to the Town for a future Fire Department. The Town would not receive any tax revenue, transportation impact fees or Parks and Recreation fees.

The Planning Board voted 4 to 3 recommending denial at their March 11, 2024 meeting. Staff recommended approval of the Zebulon South Planned Development.

Commissioners Miles asked how the Planning Department justified adding another subdivision. Michael Clark explained staff looked at the area as a whole and it was a supply and demand issue. Without homes it would create an area where people could not afford to live.

Commissioner Baxter asked about the increase in wait times. Jeff Hochanadel, the traffic engineer, gave details of the traffic analysis. There was some queuing shown for traffic but did operate acceptably.

Commissioner Baxter asked about the buildout timeline. Rob Rudloff stated it would be approximately three years when the first residents would move in and discussed the timeline for the development. There were concerns expressed about the price of the homes being over \$500,000 and unaffordable.

Commissioner Baxter stated she was told by Mary Beth Carpenter there were six gravesites and wanted clarification. Ashley Honeycutt Terrazas explained cemetery relocation was regulated by the state and county. A historian and archaeologist was doing the work for them and explained how they searched for the gravesites.

The developer agreed to provide five affordable townhomes which would be over 1% of the homes in the development.

Commissioner Miles asked what staff was doing for economic development in that area. Michael Clark explained the Board of Commissioners adopted the Future Land Use Plan that showed the site as a residential area. Staff was following the guidelines of the adopted plan. The Economic Development specialist was working on an Economic Development Strategic Plan.

Commissioner Baxter made a motion, second by Commissioner Harrison to table Zebulon South Planned Development – Ordinance 2024-39 to the May 6, 2024 meeting to be able to consider the additional offer of affordable homes and presentation changes.

Commissioner Miles stated he wanted more time to assess the new information and a decision would be made in May.

There was no further discussion and the motion passed unanimously.

Mayor York stated there would be a five-minute recess.

The meeting reconvened at 8:03pm.

*B. Parks and Recreation*

i. 8K Kickoff Race – Resolution 2024-19

Sheila Long stated the race would take place on September 7, 2024, and the applicant was the Boys and Girls Club. The 8K and 3K routes were shown on a map. The route was moved off Arendell Avenue due to safety concerns that were voiced at the March 4 meeting when the Board tabled their decision. Staff met with the applicant and added volunteers to ensure a continuous line of

sight, safety education for participants and an emergency operations plan review with the committee prior to the event. The applicant requested a fee waiver for the event.

The request of the Town was the use of the municipal complex, temporary closures, and a fee waiver of the costs to the Town which would be \$1,146.70.

Commissioner Baxter asked about the total costs to use the municipal complex. The total of all fees was \$2,622.70 which would be the cost to the applicant if fees were waived.

There was discussion about adding special event standards and a fee waiver discussion to a future work session.

Commissioner Clark made a motion, second by Commissioner Miles to approve Resolution 2024-19 and to waive all fees for the event.

Commissioner Baxter asked staff to add special event standards to a future work session.

Commissioner Harrison reminded the Board to consider the services the groups provide to the community and each organization needs to be considered individually.

There was no further discussion and the motion passed unanimously.

## **NEW BUSINESS**

### *A. Planning*

#### *i. Public Hearing – 901 Proctor Street Annexation*

Adam Culpepper stated the applicant Shepard School LLC was requesting to have 7.19 acres at 901 Proctor Street annexed into the corporate limits. The public hearing notification process was detailed.

The annexation standards under section 2.2.2G were as follows:

1. Owner approval
2. Services can be provided
3. Debt obligations
4. Public health, safety and welfare

#### *ii. 901 Proctor Street Annexation – Ordinance 2024-40*

Mayor York opened the public hearing.

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

Mayor York asked if anyone wished to speak in opposition.

Nicholas Walton stated he was not in opposition but had concerns about the height of the building. Mr. Walton spoke about the high costs for skyscrapers.

Mayor York asked if anyone else wished to speak. There were none.

Mayor York closed the public hearing.

Commissioner Baxter asked for clarification about the height of the building. Adam Culpepper stated the building would be a one-story building.

Commissioner Miles made a motion, second by Commissioner Baxter to approve Ordinance 2024-40. There was no discussion and the motion passed unanimously.

*B. Fire*

i. Fire/EMS Station USDA Grant Acceptance – Resolution 2024-20

Chris Perry presented the acceptance of conditions related to US Congressionally directed spending grant funds of \$7,500,000 towards construction of a Fire/EMS station.

Commissioner Miles made a motion, second by Commissioner Davis to approve Resolution 2024-20. There was no discussion and the motion passed unanimously.

ii. Fire/EMS Station – Construction Manager at Risk (CMAR)

Chris Perry presented the authorization of Construction Management at Risk (CMAR) Services in the design and construction of the Fire/EMS Station project.

Commissioner Miles made a motion, second by Commissioner Baxter to approve Construction Manager at Risk (CMAR). There was no discussion and the motion passed unanimously.

iii. Fire/EMS Station – Memorandum of Understanding with Wake County  
(Ordinance 2024-41 and Ordinance 2024-42)

Chris Perry presented the amendment to the existing Memorandum of Understanding with Wake County dedicating funds to complete design of the Fire/EMS station project.

Commissioner Miles made a motion, second by Commissioner Clark to approve the Memorandum of Understanding with Wake County-First Amendment. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Harrison to approve Ordinance 2024-41. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Davis to approve Ordinance 2024-42. There was no discussion and the motion passed unanimously.

*C. General*

i. Cell Tower Lease Extension

Commissioner Miles asked about the lease term and if it could be shortened. Bobby Fitts stated the original agreement was signed in 1994 for a 15-year lease. In 2009 three five-year extensions were added and the new proposal would add another 15 years. Crown Castle requested 30 years and wanted longer terms. The Town was able to negotiate a 15-year lease extension.

Commissioner Miles made a motion, second by Commissioner Baxter to approve the Cell Tower Lease Extension. There was no discussion and the motion passed unanimously.

ii. New Blue CARE Program – Appropriation of Grant Proceeds – Ordinance 2024-38  
Commissioner Davis did not have any questions but wanted to give the Chief an opportunity to share the information. Jacqui Boykin gave an overview of the New Blue CARE Program.

Commissioner Miles asked how long the intern would be on staff. Internships lasted a semester each time and would be able to partner with colleges to give experiences to more people.

Commissioner Baxter asked how the success of the program would be gauged. Jacqui Boykin explained the program provided guidance and performance measures.

Commissioner Baxter made a motion, second by Commissioner Davis to approve Ordinance 2024-38 – the New Blue CARE Program – Appropriation of Grant Proceeds. There was no discussion and the motion passed unanimously.

### **BOARD COMMENTS**

Commissioner Clark stated she did not understand why the write-ins were done during the board appointment process and stated that type of action did not look good for the Board of Commissioners. Commissioner Clark encouraged the Board to be transparent to the community and asked staff to develop a policy for future board appointments.

Commissioner Harrison spoke about her experience at the National League of Cities conference. Staff was asked to bring back information on the Youth Council. Commissioner Harrison thanked Nicholas Walton for his comments and offered to help him with public speaking protocol.

Commissioner Baxter spoke about events coming up, voiced concerns about the newly installed dugouts not providing appropriate coverage from the sun and agreed there needed to be clear reasons for the board appointments. Citizens were encouraged to contact her if they wanted to discuss votes for the board appointments.

Commissioner Miles spoke about his reasons for the write-in votes for board appointments and also encouraged people to contact him with questions. Staff was asked to look at costs to add a bathroom at Gill Street Park.

Commissioner Clark stated Wyrick Robbins was having their 45<sup>th</sup> anniversary.

Mayor York thanked the Board for making approvals for the Town's first new fire station.

### **MANAGER'S REPORT**

Joe Moore asked for clarification about directives from the Board about an appointed board policy. There was consensus among the Board to have a board appointment policy.

Commissioner Miles asked to ensure everyone who applied was contacted in a timely manner.

Commissioner Harrison clarified that all the information needed to be complete and included with an application.



Lisa Markland further clarified that the application in question did not have the correct email address and the emails were being sent to the incorrect email address that was on the application. Staff reached out by phone, and the applicant said they would send in their license a week prior. The license was received by staff the day of the meeting. The applicant was fine with the application going before the Board at the May meeting since they had missed the deadline.

Commissioner Miles made a motion, second by Commissioner Davis to direct staff to analyze Gill Street Park for the installation of bathrooms.

Commissioner Baxter asked if staff could come back with the information in a reasonable amount of time. Joe Moore stated the information may not be ready before the budget but would be a budget amendment if they decided to move forward.

There was no further discussion and the motion passed unanimously.

Michael Clark gave a monthly development update.

Lisa Markland provided a Human Resource update.

Bobby Fitts reported the following budget transfers:

Administration:

Moved \$10,000 from Salaries to Contract Services – I.T.

**CLOSED SESSION**

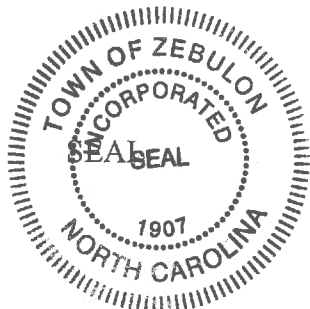
The Board needed a motion to go into closed session under NC GS 143-381.11(a)(5) for the purpose of discussing property acquisition.


Commissioner Miles made a motion, second by Commissioner Baxter to go into closed session. There was no discussion and the motion passed unanimously.

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

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

Adopted this the 3<sup>rd</sup> day of June 2024.



  
Glenn L. York—Mayor

  
Lisa M. Markland, CMC—Town Clerk