

**Zebulon
Planning Board
Minutes
August 14, 2023**

Present: David Lowry, Laura Johnson, Genia Newkirk, Michael Germano, Domenick Schilling, Stephanie Jenkins, Peggy Alexander, Michael Clark-Planning, Stacie Paratore-Deputy Town Clerk, Adam Culpepper-Planning, Cate Farrell-Planning, Kaleb Harmon-Communications, Sam Slater-Town Attorney

David Lowry called the meeting to order.

APPROVAL OF AGENDA

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

ADOPTION OF MINUTES

Laura Johnson made a motion, second by Domenick Schilling to approve the minutes for February 13, 2023, March 13, 2023, and April 10, 2023. There was no discussion and the motion passed unanimously.

NEW BUSINESS

A. CZ 2023-03 1106 N. Arendell Avenue

Adam Culpepper stated this was a conditional rezoning request for a 3.51-acre parcel from Heavy Commercial (HC) to Heavy Commercial-Conditional (HC-C) District for the development of a convenience store with gasoline sales.

The standards under section 2.2.6.K for a conditional rezoning were:

1. Health, safety and welfare
2. Appropriate for location
3. Reasonable in the public interest
4. Concept plan consistent with regulations
5. Other relevant factors

The public hearing notification process was detailed. The aerial map, zoning map, future land use plan, timeline, concept plan and proposed elevations were shown. The applicant proposed the following conditions:

- Gasoline pumps between the building and street
- Façade requirements
- Construction of road and traffic improvements

Mr. Culpepper reviewed the façade requirements. The proposed plan showed the south wall with 29% transparency/glazing, west wall with 33% transparency/glazing and the east wall with no transparency provided.

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The proposed road improvements included:

- Eastbound right turn lane on Dogwood Dr.
- Westbound left turn lane on Dogwood Dr.
- Left turn lane on the US 64 Hwy off-ramp
- Retiming and signal upgrade at N. Arendell Ave. and Dogwood Dr. recessed behind the front of the home

Staff spoke about the Utility Allocation Policy points for the project. The applicant received a total of 60 points by doing full construction of the Jones Street right of way, wetland style stormwater control measures, and 10 native shade trees which was in addition to the landscaping requirements.

Domenick Schilling asked why the right turn lane off Arendell to Dogwood was tapered. Mr. Culpepper explained it was a deceleration lane to pull the driver out and prevent traffic collisions.

There was discussion about the truck turning radius from questions raised during the Joint Public Hearing. The turn was shown on a map and stated it met the standards required by NCDOT.

Michael Germano wanted to see the radius expanded at Dogwood and Jones because he felt the radius was tight for a regular car and would be a difficult turn for large trucks.

There was discussion about the wall glazing. Adam Culpepper explained that spandrel glass was not permitted in the project and was spelled out in the conditions.

Laura Johnson had concerns about the traffic at the intersection, especially the left turn from Dogwood to Arendell. Mr. Culpepper stated the TIA did have a dedicated left turn lane from Dogwood to Arendell and gave details about the TIA.

There was a question about having the gas pumps behind the building. Michael Clark explained by having the pumps behind the building promoted a more pedestrian oriented development.

David Lowry had concerns about the site being tight making it difficult for tank refills.

There was a question about the signal changes that were being made. Adam Culpepper stated there were additional signals added for the dedicated lanes and the applicant was responsible for those changes.

Michael Germano asked if DOT would allow another intersection that close to an interchange once Jones Street was completed. Michael Clark explained DOT required one mile separation from intersections on any limited access control highway. The closest interchange that could be added would be near Little River.

There was more discussion about vehicle congestion issues and concerns about trucks having difficulty making a right turn into the fueling area.

Tom Johnson, an attorney at Williams Mullen for the applicant, detailed the improvements the applicant was making to help with trucks turning in and out of the parcel.

Michael Germano asked about the status of the development on the other side of the Jones Street extension. Mr. Culpepper gave details of the development and stated the applicant was working to make sure the driveways lined up.

Michael Germano made a motion, second by Laura Johnson to recommend approval of CZ 2023-03 1106 N. Arendell Avenue. There was no discussion and the motion passed with a vote 6 to 1 with David Lowry, Laura Johnson, Genia Newkirk, Michael Germano, Stephanie Jenkins, and Peggy Alexander voting in favor and Domenick Schilling voting in opposition.

B. TA 2024-01 RV Park

Michael Clark stated this was a text amendment to Section 4.2.3 to allow for consideration of Recreational Vehicle Parks as part of a Planned Development request.

The standards under section 2.2.20.G for a text amendment were:

1. Public's Health, Safety and Welfare
2. Town's Adopted Policy Guidance
3. Not in Conflict
4. Changed Conditions
5. Demonstrated Community Need
6. Matter Not Present – UDO Adoption
7. Consistent with the Purpose and Intent
8. Logical and Orderly Development Pattern
9. Other Factors
10. No Adverse Impacts

Staff recommended approval of TA 2024-01 RV Park.

Domenick Schilling made a motion, second by Peggy Alexander to recommend approval of TA 2024-01 RV Parks. There was no discussion and the motion passed unanimously.

C. TA 2024-02 Drop-in Child Care

Cate Farrell stated this was a text amendment to Section 4.2.3 and Section 94 of the UDO to allow for consideration of a new use, "Child Care, Drop-In." The Town received interest from business owners in providing this this type of use. There was a comparison of child daycare centers and drop-in daycares. The drop-in daycares were to be used on an irregular basis, watch children for shorter periods, for parents running local errands and no outdoor space requirement.

The standards under section 2.2.20.G for a text amendment were:

1. Public's Health, Safety and Welfare
2. Town's Adopted Policy Guidance

3. Not in Conflict
4. Changed Conditions
5. Demonstrated Community Need
6. Matter Not Present – UDO Adoption
7. Consistent with the Purpose and Intent
8. Logical and Orderly Development Pattern
9. Other Factors
10. No Adverse Impacts

Staff recommended approval of TA 2024-02 Drop-in Child Care.

Michael Germano recommended adding use specific standards to the Text Amendment.

Michael Germano made a motion, second by Peggy Alexander to recommend approval of TA 2024-01 RV Parks as amended. There was no discussion and the motion passed unanimously.

D. TA 2024-03 Contractor Signs

Cate Farrell stated this was a text amendment to Section 5.11 and Section 9.4 of the UDO to allow for consideration of a new sign type “Contractor Signs.” The dimensional standards had a maximum height of 8’, maximum sign face area equal to 32 sq. ft. per side, and minimum setback from lot line of 10’. Durational standards were also added where they would be reviewed for all residential districts every two years and non-residential and mixed use district every year. The signs had to be removed once the development was determined to be complete. Cate reviewed the additional standards added to the text amendment.

The standards under section 2.2.20.G for a text amendment were:

1. Public’s Health, Safety and Welfare
2. Town’s Adopted Policy Guidance
3. Not in Conflict
4. Changed Conditions
5. Demonstrated Community Need
6. Matter Not Present – UDO Adoption
7. Consistent with the Purpose and Intent
8. Logical and Orderly Development Pattern
9. Other Factors
10. No Adverse Impacts

Staff recommended approval of TA 2024-03 Contractor Signs.

Laura Johnson made a motion, second by Michael Germano to recommend approval of TA 2024-03 Contractor Signs. There was no discussion and the motion passed unanimously.

E. TA 2024-04 Process Change

Adam Culpepper stated this was a text amendment to Article 2 of the UDO to revise and clarify site plan and construction drawing development review. The current plan and proposed plan

process were reviewed. The proposed plan would match what other area municipalities used and would make it an easier process for staff, TRC and developers.

Staff recommended approval of TA 2024-04 Process Change.

David Lowry asked if the preliminary plans would still include the elevations. Adam Culpepper explained if the applicant was not including a condition that was specific to the architectural standards, then the elevations would not be included.

Peggy Alexander made a motion, second by Stephanie Jenkins to recommend approval of TA 2024-04 Process Change. There was no discussion and the motion passed unanimously.

DEVELOPMENT UPDATES

Michael Clark provided development updates.

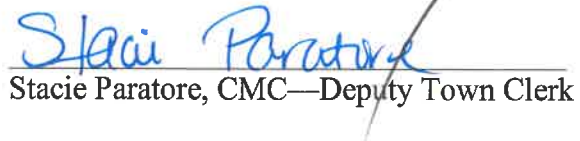
Laura Johnson made a motion, second by Michael Germano to adjourn. There was no discussion and the motion passed unanimously.

Adopted this the 9th day of October 2023.





David Lowry—Chair



Stacie Paratore, CMC—Deputy Town Clerk