



Planning and Zoning Board Meeting July 12, 2018 at 6:30 pm

MINUTES

Attendance

Board members present for the meeting were:

Chairman Peter Prichard

Vice Chairwoman Harlean Botha

Member Lee Langston

Member Rob Taylor

Member Tim Toterhi

Member Sanjay Acharya, Alternate

Member Catherine Willis, Alternate (arrived after meeting was called to order)

Board members absent for the meeting:

None

Town Council members present:

TJ Cawley, Mayor

Steve Rao, Councilman

Liz Johnson, Councilwoman

Staff members present for the meeting were:

Martha Paige, Town Manager

Courtney Tanner, Planning Director

Benjamin Howell, Long Range Planning Manger

Michele Stegall, Current Planning Manager

Kari Grace, Planner II

Eliot Ward, Planner I

Marty Saunders, Secretary to the Board

1. Call to Order

Chairman Peter Prichard called the meeting to order at 6:31 pm.

2. Invocation

Member Taylor opened the meeting with the invocation.

3. Adoption of Agenda

There were no changes made to the agenda.

4. Adoption of Minutes

Member Langston made a motion to approve the June 14, 2018 meeting minutes. Vice Chairwoman Botha seconded the motion, which passed unanimously.

5. Presentations

None

6. Public Address

Daniel Pope, 105 Millicent Way, Morrisville, NC, came forward (along with approximately 5 citizens) to speak on behalf of the Breckenridge community. He presented a power point addressing his community's concerns with the Millicent Way Extension as recommended in the Draft Comprehensive Transportation Plan Update. The key issues were: increased school traffic, police presence, character of the neighborhood and costly improvements related to stream.

7. Old Business with Public Comment

None

8. Old Business

8a. Draft Comprehensive Transportation Plan (CTP) Update

Benjamin Howell, Long Range Planning Manager, began his presentation by reviewing the questions from the Planning and Zoning Board. The questions and answers are as follows:

1. What streets will cars use to access Parkside Elementary?
 - Carpool traffic will enter the school site via a driveway on Parkside Valley Drive.
 - Carpool traffic will exit the school site via a new driveway on Little Drive.
 - Buses, staff and visitors will enter and exit the school site via a new driveway on Little Drive.
2. Is parking at the school site adequate?
 - The school site has been designed to NCDOT standards so that all carpool traffic will remain on the site and off public roads.
3. Table 3-2, Street Design Guide – Town Hall Drive has two street classifications (Minor Thoroughfare and Collector). Should the entirety of Town Hall Drive be classified as a Collector?
 - Town Hall Drive has two classifications, and is appropriately classified.
 - McCrimmon Parkway to Morrisville-Carpenter Road is a 4-lane, median-divided facility connecting two Major Thoroughfares
 - North of McCrimmon Parkway: undivided road connecting neighborhood thoroughfares
4. Clarification of Cross-Section and Speed Limits for Town Hall Drive
 - The Town Hall Drive Cross-Section and Speeds in the plan are:
 - Modified 4A Cross-Section – narrow lanes and a narrow median
 - Speed limits found in Table 3-2 are the maximum allowable posted speed limits for each cross-section.
5. Definitions of Near-, Mid- and Long-Term for Tables 5-6 and 5-8?
 - Terms are defined on Page 5-3, and applicable to Tables 5-6 and 5-8. The terms are defined as:
 - Near-term: less than 15 years
 - Mid-term: 15-24 years
 - Long-term: 25 or more years

Mr. Howell went on to add that the staff recommends approval of the June 6, 2018 Draft Comprehensive Plan Update with the following modifications:

1. Revise Figure 5-3 to show the Carolina Street extension, Foxglove Drive extension, and Town Hall Drive Roundabout as committed projects.
2. Add hyperlinks in the text of the document to link terms that are defined in the Glossary to Appendix A

After the Planning and Zoning Board forwards a recommendation to Town Council, the first presentation to Town Council would take place at the August 14, 2018 meeting. The Public Comment Portal would re-open once Town Council begins their review.

Town Council would hold a pre-meeting open house as well as two public hearings. These meetings will be advertised by way of press releases, the Town website, social media and sending out emails to the Town email lists, homeowners associations and stakeholders.

Vice Chairwoman Botha asked about the recommendation for Millicent Way. *Mr. Howell* confirmed that the Millicent Way Extension was classified as a long-term project with a recommendation to study the possible roadway or greenway extension for Millicent Way.

Member Willis added that she has been a long term proponent for neighborhood connectivity. She supports connections for residents who work in RTP as well as within neighborhoods. She does not believe options should be limited.

Chairman Prichard wanted to acknowledge that traffic is the biggest issue in the community and that a lot of work went into the Comprehensive Transportation Plan Update document.

MOTION: *Vice Chairwoman Botha* made a motion to send to Town Council a recommendation of approval of the Comprehensive Transportation Plan Update with the staff recommended modifications. *Member Langston* seconded the motion, which passed unanimously.

9. New Business – Public Comment

9a. Items related to Proposed Text Amendments to the Unified Development Ordinance related to the Burial of Overhead Utility Lines (AMN 18-01)

Michele Stegall, Current Planning Manager, outlined the ordinance history of underground installation of overhead utilities. In 2014, with the update of the Unified Development Ordinance (UDO), all overhead utility lines for a new development were required to be placed underground. This requirement previously only applied to Master Plans and Planned Developments.

The requirement is coming in conflict with Duke Energy's policy for undergrounding which looks at the length of the line and the equipment on the line. Their policy is not to underground lines less than 1000 feet in length. However, depending on the equipment on the line they have buried lines less than 1000 feet in length and objected to the burial of some lines over 1000 feet in length. An administrative waiver is available in the UDO. However, the standard for approval is difficult to meet. Therefore, the developer is often caught in the middle unable to comply with both Town Code and Duke Energy's policy. Town staff has been meeting with Duke Energy to discuss alternatives. These discussions are heading in the direction of finding a compromise that would allow longer segments of existing overhead utilities to be buried at one time and the

development of a Town Utility Master Plan. In the meantime, there are development applications that do not meet the Code and cannot be approved as designed.

Therefore, staff is recommending an amendment to the UDO to allow Alternative Equivalent Compliance (AEC) applications to be submitted for the required burial of overhead utilities. This is a quasi-judicial process with applications reviewed by the Planning and Zoning Board and Town Council. *Mrs. Stegall* reviewed the standards for approval and noted that they are not as difficult to meet as the standards for a variation. A new AEC standard is also proposed that the request would not negatively impact public health and safety.

One of the standards for approval is that a public benefit is provided. A payment-in-lieu (PIL) to the Town's Street Enhancement program is proposed to be added as one of the permitted public benefits that could be offered by an applicant. The PIL could be used to install the utilities underground at a later date when longer segments can be done at once possibly in coordination with developments on adjacent properties or in coordination with a road improvement project.

The existing administrative waiver is also proposed to be eliminated. This change would ensure consistency and fairness as all applications would be reviewed by Council rather than having some requests reviewed by Council and others reviewed by staff. The waiver has also been ineffective and not widely used. *Mrs. Stegall* stated the proposed amendments would also exempt transmission lines with a voltage of 115kV or greater from the undergrounding requirement.

The benefits of underground utilities provide for the public health and safety. Police Chief Andrews and former Fire Chief Jenkins were involved in early discussions about this issue and expressed support for undergrounding as downed power lines can impact emergency response, impede efforts to get information out to citizens, and can hamper residents from reaching others if they need assistance. Undergrounding utilities also has aesthetic benefits. The estimated cost for a 3-phase system is \$400 per lineal foot and \$600 per lineal foot for a 3-phase in duct. The costs are about four times less for a single phase facility.

The applicant would be responsible for submitting the AEC application and proposing what they believe would constitute equivalent compliance for installing underground utilities. As an example, *Mrs. Stegall* indicated that an application might propose to relocate the overhead utilities somewhere else on the site where the aesthetic streetscape impact would be minimized and the concern of downed wires on a roadway eliminated or that emergency generators might be proposed. She also indicated that partial PIL might be an option if proposed in conjunction with other alternatives. Some Board members expressed concern over such alternatives.

Mrs. Stegall recognized Marty Clayton with Duke Energy who was in the audience and thanked him for the work Duke Energy has done to date in cooperation with staff in an effort to find a compromise that meets the main objectives of both parties.

Chairman Prichard asked why this amendment is coming forth now, since the requirement to install underground utilities has been in place for several years. *Mrs. Stegall* responded that staff is seeing development applications that cannot meet requirements for a waiver.

The Chairman then opened the floor to public comment.

- **Ed White** of 8320 Society Place, Raleigh, NC. Mr. White stated that he does support this amendment since it provides an alternative solution to the existing requirements. In general, he does support the installation of underground utilities.
- **Marty Clayton**, Government and Community Affairs District Manager with Duke Energy. He appreciates the spirit of cooperation working with the Town staff. Duke builds and maintains the system as a whole.

The public comment session was closed at 7:28 pm.

Member Acharya wanted to better understand how the 1000 linear feet is measured. *Mrs. Stegall* explained that the length of an underground project included the distance needed to remove the poles on the property, or in the right-of-way. It was not necessarily based on the frontage of the development site, as it could extend to the poles on either side of a property or across the street if a line needed to be bored under a road to meet the requirement. *Member Acharya* said he had problems with Duke Energy dictating what the Town can do.

Member Taylor inquired more about the AEC process. He also wanted to know what the timeline would be to develop a Master Plan. *Mrs. Stegall* explained that the AEC process would be a quasi-judicial process, and would be reviewed by the Planning and Zoning Board as well as the Town Council. Findings of fact would be required. The amendment would allow applications to be submitted for underground utility installations as applications can only be submitted for specific code requirements. She also added that staff is in discussions with Duke about preparing a Master Plan for burial which could take several months to develop and which is anticipated to include Town Council input at some point. Not all projects would need to go through the AEC process, since some utilities could be buried in conjunction with development if Duke's policy is met.

Vice Chairwoman Botha thought Duke Energy was being allowed too much leeway. Only extraordinary circumstances should be considered. She indicated that it would be helpful to the Planning and Zoning Board if a third party could help evaluate the request as an alternative. *Mrs. Stegall* stated that staff could look into allowing for a third party review.

Member Langston was concerned about the unintended consequences that would saddle the Town with the costs. It would be desirable to be able to lay the underground lines prior to the installation of sidewalks or landscaping. *Mrs. Stegall* noted that staff has already begun to work with Duke Energy to ensure that the easement they would need in a front yard to underground is established prior to plan approval with the buffer then starting outside the easement. This is to ensure that the area needed to underground is set aside regardless of if the undergrounding were to occur during development or at a later date.

Member Toterhi felt that anything other than underground utilities is a concession. This should not be an alternative. PIL makes sense as a stopgap measure; however, the cost today would not be the cost tomorrow. He was concerned about the lost value. *Mrs. Stegall* indicated that a 100% PIL is proposed as the alternative, and per Code the alternative should be equivalent.

Member Willis asked if the Town would collect the PIL funds. *Ms. Stegall* replied that the Town would collect the PIL. She also added that staff and Duke Energy are working on formulating the Master Plan and hoping to establish the boundaries of undergrounding projects. When and where the money would be used would ultimately be a Town Council decision.

Chairman Prichard felt strongly about developers being required to install underground utilities. He further asked about the quasi-judicial process, and worried it would limit a citizen's ability to speak. He suggested that a legislative process might be more appropriate.

Member Willis wanted to know who would pay the extra cost during installation, such as replacing landscaping, when the utility work is completed. *Chairman Prichard* replied that the Town would pay for the installation with PIL funds.

Member Taylor wanted to know if there are similar case studies. *Member Acharya* wanted to know what the challenges are, other than the cost. *Mrs. Stegall* informed the Board that the Town and Duke Energy who is governed by the Utilities Commission each have their own authority. At this time, Duke is not permitting the installation due to their policy.

Marty Clayton came forward to the podium, and stated that Duke Energy is prohibiting the installation. Duke represents all customers statewide, not just Morrisville. Duke's standard is for overhead utilities, converting to underground installation is not a developer decision. Cost and rates are considerations when providing services.

Member Willis wanted to see how the Master Plan would work. She wanted to know if the Master Plan would resolve how the PIL could be used. *Mrs. Stegall* recommended against waiting on the Master Plan to make a recommendation, since it is expected to be a multi-month process. Staff does not want to be in the position where plans have to be denied.

Member Taylor wanted to know if this would result in fixing the situation of a parcel by parcel process. *Mrs. Stegall* felt it would ultimately benefit the Town. *Member Taylor* likes that there will be a "voice" in the process, to determine if the proposal is right or wrong, and he could support this option.

Mrs. Stegall added that many developers would start this process beginning at the pre-development phase.

Member Acharya still felt like the 1000 feet seems like an arbitrary number.

Mr. Clayton explained that this is Duke Energy's statewide policy. Duke is a state regulated utility. Individual projects do not dictate the policy. He felt like the creation of a Master Plan would be a good trade off. He understands the reliability issue related to underground utilities.

Member Langston believes that the Town is trying to get to an overall plan, not something piecemeal. He did add that the PIL would make some projects feasible in the long term.

Chairman Prichard wanted to know what the impact would be if there was no action at this meeting. *Mrs. Stegall* replied that there is one development application in the system now that would be affected by a delay but that this is an important issue and if the Board wanted staff to

do additional research and bring back more information at the next meeting that staff would be happy to. There needs to be some kind of amendment in place to address current development projects.

Member Taylor agreed that it would be better to accept the PIL and partner with Duke Energy. He could support the amendment going forward. *Member Langston* agreed.

Member Acharya stated that he wants Duke Energy to oversee the PIL funds and installation of underground utilities. *Mrs. Stegall* responded that having the PIL go to the Town would give the Town more control of the process. The PIL payment would be a condition of a Town approval; therefore, better able to account for how the funds would be used. *Member Taylor* commented that he thinks the PIL would make some projects feasible.

Member Willis would like to see a map before the next meeting of what feeder lines are below and above ground. *Mr. Clayton* responded that it is not feasible to provide a map in that time frame. A Master Plan would ultimately look at that information.

MOTION: *Member Langston* made a motion, as required by General Statute 160A-383, that the Planning and Zoning Board finds that the proposed UDO text amendments are consistent with the Comprehensive Plan and in public interest, because the proposed amendments support the following policies in the Town's adopted Land Use Plan:

- a. Policy 1A: Promote growth and development that contributes to and builds upon the Town's overall image as a well-planned, attractive, livable, and unique community in the Triangle Region.
- b. Policy 1F: Implement strategies that minimize threats to life and property from natural and man-made disasters.
- c. Policy 2A: Promote development that fosters a sense of place by improving the character of the built environment, including visually appealing buildings, streetscapes, amenities, and public spaces.

As well as GOAL 4: Public safety readiness of the Town Strategic Plan to "*Provide a safe and secure community through prevention, education, readiness and response*", specifically Objective 4.3 which is to "*React responsively to the public safety needs of the community*"

As a result, the text amendments are consistent with the Town of Morrisville's adopted plans and are reasonable and in the public interest.

Therefore, he recommended that the Planning and Zoning Board recommend approval to the Town Council of Resolution 2018-247-0 of the Morrisville Town Council Pertaining to the Adoption of a Plan Consistency Review Statement for Text Amendments to the Unified Development Ordinance Related to the Burial of Overhead Utility Lines (AMN 18-01). *Member Taylor* seconded the motion. The vote was 3 – 2 in favor of the motion. (Langston, Taylor and Prichard in favor; Botha and Toterhi against the motion)

Member Langston made a motion that the Planning and Zoning Board recommend approval to the Town Council of Ordinance 2018-247-0 of the Morrisville Town Council Approving Text Amendments to the Unified Development Ordinance related to the Burial of Overhead Utility Lines (AMN 18-01). *Member Taylor* seconded the motion. The vote was 3 – 2 in favor of the motion. (Langston, Taylor and Prichard in favor; Botha and Toterhi against the motion)

A recess was taken at 8:40 pm
The meeting resumed at 8:54 pm

9b. Items Related to the Proposed Amendment of the Land Use Map for 1107, 1109 and 1113 Morrisville-Carpenter Road and O Davis Drive (LUP 18-02 and REZ 18-02)

Ms. Kari Grace, Planner II, presented requests for Land Use Plan and Zoning Map Amendments for property located at 1107, 1109 and 1113 Morrisville-Carpenter Road and O Davis Drive. The applicants, WP East Acquisitions, LLC, are requesting a conditional rezoning for four parcels located near the southwest corner of Morrisville-Carpenter Road and Davis Drive. These properties are currently zoned Low Density Residential (LDR). The requested change to the land use plan designation is Neighborhood Activity Center (NAC). The applicant is requesting a change to the Conditional-Neighborhood Activity Center (C-NAC) zoning district.

The properties located to the north are zoned NAC, to the east are zoned NAC and LDR. The property to the south is located in the Town of Cary and is zoned Conditional Multi-Family Residential. The property to the west is also in the Town of Cary and is zoned Major Planned Development District.

The total area of the site is 19.84 acres (four parcels). The applicant's intent is to develop this property as multi-family, with a live/work component. There are a number of conditions related to uses that would be excluded, an added feature such as an outdoor play area, and the live/work component to provide some mixed use component. There are several conditions related to driveway access, cross access and connectivity, including payment-in-lieu offered for vehicular and pedestrian cross access to the adjacent properties and for improvements at the Morrisville-Carpenter Road/Davis Drive and Morrisville Parkway/Davis Drive intersections. No connections would be made to Davis Drive at this time. However, a condition is proposed to facilitate cross access through the adjacent CVS property to provide access to Davis Drive. Approximately 8 acres of the site on the southern portion of the property would be preserved for open space; much of it is located in the floodplain. The Towns of Cary and Morrisville show a future greenway along the southern property line in adopted Plans. An easement is offered in one of the conditions to accommodate future construction of the greenway.

The staff recommends approval of these requests with conditions proposed by the applicant.

Chairman Prichard then opened the public comment session at 9:09 pm.

- **Carter Siegel**, 521 E. Morehead Street, Charlotte, NC. He is with Wood Partners Real Estate Company and has done work in the Carolinas during the last twenty years. His company was the developer for The Bristol in Park West Village. From a multi-family standpoint, their company is considerate and thinks about how they approach development. A market study was prepared to determine the highest and best use of the subject parcels. Office and retail were determined not to be viable uses, and therefore,

multi-family was the best use from an economic and transportation standpoint. They have met with the adjacent property owners and are sensitive to their concerns.

- **Michael Birch**, with Long Leaf Law Partners, 2235 Gateway Access Point, Raleigh, NC. *Attorney Birch* was representing the petitioner. He believed the land use plan amendment would be consistent with nearby intersection quadrants and the two adjacent intersections. The proposed development would provide residential units close to goods and office uses. To address the intent of the NAC, the added live/work space would meet the entrepreneurial spirit encouraged in Morrisville. This development would also include a large tree preservation area, thus not impacting the nearby stream.
- **Grover Lewter**, 3525 Davis Drive, Morrisville, NC. Mr. Lewter stated that the environment is of concern, especially the animals on this land. Overall, he supports the development.
- **Dennis St. Andrew**, 110 Ivy Tree Place, Cary, NC. He believes the proposed change is too drastic due to the nearby low density residential homes. A change from three existing residential properties to four 5-story apartment buildings would be too intense. He stated that the traffic situation on the existing road is already terrible. The increased illumination from the new development would be overwhelming. Lastly, he does not think the proposed buffer is adequate.
- **John McDunn**, 209 Magnolia Bloom Court, Cary, NC. He stated that his main concern is with drainage, since there are two streams at the bottom of Magnolia Bloom Court. He has contacted Joshua Baird, Town of Morrisville Stormwater Engineer, to answer many of his questions. He is concerned with children going to the stream after major rain events. He has lived in Carpenter Village for eight years and expects the surrounding development to be harmonious with the neighborhood. He would expect a more gradual transition to his neighborhood. He compared the proposal to Grace Park. He is not convinced that the demand would support this kind of development.

The public comment session was closed at 9:28 pm.

Vice Chairwoman Botha then asked *Mr. Siegel* if the buildings would be five stories. *Mr. Siegel* responded that each building would be four stories with a walkout basement level. It would be similar to The Bristol.

Ms. Grace explained that with the current zoning of LDR, single-family detached would be permitted. Under NAC, townhomes and multi-family would be permitted. *Vice-Chairwoman Botha* felt there was an abundance of townhome developments currently in Town.

Chairman Prichard wanted to know what the Planning and Zoning Board's involvement would be moving forward if the rezoning was approved. *Ms. Grace* explained that since the development has more than 50 units, the site plan would come back to the Planning and Zoning Board and Town Council for a decision as an administrative process.

Member Taylor had questions regarding the proposed buffer and fence. *Ms. Grace* responded that the riparian buffer would be 50 feet on each side of the stream; therefore, a 100 foot buffer would be provided. In addition, the Code requirement for the NAC perimeter buffer would be a 'Type C' 20 foot planted buffer, or reduced to 15 feet when a fence is used.

Member Taylor stated that he believes the community as a whole needs more dense housing. He does understand the concerns of the adjacent property owners.

Member Acharya asked about the stub to the adjacent property to the east. *Ms. Grace* explained that Condition 4 states that a stub would be constructed to the property line, or a payment-in-lieu and a construction easement for cross access provided so a connection could be constructed in the future. In addition, payment-in-lieu for the cross access for the portion on the adjacent property is offered as a condition. This would require the cooperation of CVS. There is on-going discussion with CVS regarding cross access.

Director Tanner stated that as a condition of CVS's site plan approval, cross access is required at a mutually agreed upon location. Currently, CVS is not complying, and enforcement measures are being pursued.

In response to questions from *Member Acharya* regarding driveway spacing, *Ms. Grace* explained that required driveway spacing on a thoroughfare is 400 feet, but the UDO does allow for a reduction of 20%. *Ms. Grace* added that the applicant is proposing the reduction, which would be 320 feet apart, for the two access points.

Mr. Howell explained that in the Town regulations, driveway spacing is established to provide access management. However, since Morrisville-Carpenter Road is a State maintained roadway, NCDOT has control over the roadway access. In this case, the applicant submitted a Transportation Impact Analysis to look at the spacing of the driveways. It appears that NCDOT would be satisfied with the 320 foot driveway spacing.

Earl Llewellyn, Traffic Engineer with Kimley-Horn and Associates, stated that they prepared the Transportation Impact Analysis for this project, which was reviewed by Town staff, the Town's consultant and NCDOT. The design would be to address the best alignment with Bethany Village and provide for right in, right out and full movement traffic. The safest locations for the driveways would have to be determined.

Member Acharya had questions regarding parking. *Ms. Grace* explained that parking requirements are addressed during site plan review. Live/work parking requirements are different than those of multi-family dwellings.

Member Willis asked if the units will be condominiums or strictly rental units. *Mr. Siegel* explained that the applicant plans to build, own and operate the buildings as apartments. Similar to The Bristol, there will not be a parking deck for this project.

Member Toterhi wanted an estimate of the total number of cars on this site. *Ms. Grace* displayed information regarding vehicular trips on this site. There would be approximately 284 units in this development. *Member Toterhi* was concerned about the potential number of vehicles accessing Davis Drive through the CVS site. The cars will only directly leave this site using

Morrisville-Carpenter Road. *Ms. Grace* explained that the applicant is proposing to not have a direct connection onto Davis Drive due to the environmental features located on the south side of the property and instead work towards cross access with CVS.

After reviewing the Permitted Use Table in the UDO, *Member Langston* questioned the alternative uses if the live/work component does not work. *Ms. Grace* explained that a minor modification might be required if a different use were proposed later and could be handled at the staff level.

Member Langston also asked about the payment in lieu (PIL) for the Morrisville-Carpenter Road turn lane. *Mr. Howell* stated that payment is required prior to construction; however, he could not give a timeframe for the actual road improvements. Improvements could possibly be done in conjunction with the larger Morrisville-Carpenter Road project but would more likely occur when future development in the vicinity takes place.

Member Langston questioned the topography of this property in relation to the adjacent single family dwellings. *Member Taylor*, as an example, wondered if the building closest to the nearby homes could be limited to 4-stories. *Mrs. Stegall* explained the maximum height permitted is 50 feet in the NAC district. Requests for additional conditions must be agreed upon by the developer.

Chairman Prichard had a question regarding mitigation for the increased traffic for this kind of development. *Mr. Howell* explained that an additional lane would have to be constructed along the front of the project in addition to a contribution of PIL toward half the cost of a planted median as well as sidewalk, curb and gutter. *Chairman Prichard* asked if they could extend the sidewalk along to Carpenter Village. *Mr. Howell* said that the sidewalk will be extended. Traffic from the proposed development would only make up approximately 3% of the traffic at the Morrisville-Carpenter Road/Davis Drive intersection. A signal would not be needed initially immediately in front of the development at the proposed full access driveway, because it would most likely not meet NCDOT warrants for a traffic signal, which is necessary for NCDOT approval.

Chairman Prichard wanted verification that utilities would be installed underground. *Ms. Grace* replied that they would be required to be installed underground per the UDO.

Chairman Prichard also addressed the location as being a gateway to the community. Would there be a “theme or style” for the development? *Ms. Grace* stated that the UDO does not address a specific design or architectural style, it is focused on variations of colors or features. *Chairman Prichard* suggested the developer look at the four quadrants of the Town to pull something to unify the development. He confirmed that the developer had ruled out retail, office and finally, single family as not being economically feasible.

Member Langston added that since there are no topographic lines on the site, it is difficult to see how the buildings would appear from the western side of the site. *Mr. Siegel* explained that the buildings would be stepped down the existing slope, like stadium seating. *Vice Chairwoman Botha* commented that the residents of the apartments would be looking down on the homes below. *Mr. Siegel* did remind the Board that there would be a tree buffer on that side of the property.

Member Taylor asked if the building shapes were changed, could one building be removed. *Mr. Siegel* replied that it wasn't economically feasible to make that change. The layout was condensed to make the site denser to preserve the southern area.

Joshua Baird, Stormwater Engineer, explained the detention regulations for this site, which are the same regardless of the zoning or use.

Chairman Prichard asked if there were any other uses that could be excluded with the conditions of this rezoning. *Ms. Grace* explained that recommendations could be made, but the applicant would have to amend their application to include the changes. The NAC does propose a mix of uses.

Mr. Siegel would like to move forward on this project as soon as possible.

Director Tanner commented that if the Planning and Zoning Board needed additional time, staff would need comments or concerns by July 20th. That allows time for staff to meet with the applicant to address these issues.

Concerns of the Planning and Zoning Board included the height of the buildings, transportation issues as well as the potential uses.

MOTION: *Vice Chairwoman Botha* made a motion to table the proposed amendments to the Land Use Plan and the Zoning Map for the property located at 1107, 1109 and 1113 Morrisville-Carpenter Road to the Board's next meeting on August 9, 2018. *Member Toterhi* seconded the motion. The motion passed 3 – 2 in favor. (*Members Langston and Taylor* voted no)

9c. Request to Amend the Land Use Plan and Zoning Map for a portion of 3045 Carrington Mill Boulevard (LUP 18-03 and REZ 18-04)

Eliot Ward, Planner I, presented the request to amend the Land Use Map and Zoning Map amendment for a portion of 3045 Carrington Mill Boulevard. The Planning Department initiated this request to change the zoning district and Land Use Map designation to High Density Residential. This would correct a mapping error on the zoning map. This will allow for continuity with the Town wide zoning. The site is owned by the Sorrel at Perimeter Park apartments.

Chairman Prichard opened the public comment session. No one came forward to speak, therefore, the public comment session was closed.

Motion: *Vice Chairman Botha* recommended that the Planning and Zoning Board recommend approval to the Town Council of Resolution 2018-255-1 Pertaining to the Amendment of the Land Use Plan for a Portion of the Property Commonly Known as 3045 Carrington Mill Boulevard and located in the vicinity of Carrington Mill Boulevard and Slater Road to the High Density Residential (LUP 18-03).

As required by General Statute 160A-383, the Planning and Zoning Board finds that the requested Zoning Map Amendment is consistent with the Comprehensive Plan and is in the public interest, because the majority portion of the properly commonly known as 3045 Carrington Mill Boulevard and specifically identified by Wake County PIN 0757-00-1338 and

Durham County 0747-03-90-9495, has already been zoned to the High Density Residential (HDR) zoning district and identified for High Density Residential use.

As a result, the requested zoning map amendment is compatible with the existing uses surrounding the subject portion of the property and will result in a logical and orderly development pattern. Thus, the zoning map amendment is reasonable and in the public interest.

Therefore, *Vice Chairwoman Botha* recommended that the Planning and Zoning Board recommend approval to the Town Council of Resolution 2018-255-0B Pertaining to the Adoption of a Plan Consistency Review Statement for a Proposed Zoning Map Amendment for a Portion of Property Commonly Known as 3045 Carrington Mill Boulevard and Located in the Vicinity of Carrington Mill Boulevard and Slater Road to the High Density Residential District (REZ 18-04).

Vice Chairwoman Botha further recommended that the Planning and Zoning Board recommend approval to the Town Council of Ordinance 2018-255-0 Approving a Zoning Map Amendment for a Portion of Property Commonly Known as 3045 Carrington Boulevard and Located in the Vicinity of Carrington Mill Boulevard and Slater Road to the High Density Residential Zoning District (REZ 18-04). The motion was seconded by *Member Langston*, and approved unanimously.

10. New Business

10a. Adoption of 2018 Revised Planning and Zoning Board Schedule

Director Tanner explained that the first change, August 23, 2018, is for a work session on the Future Land Use Plan Update. The second change is to change the meeting date from September 13th to the 6th, due to the NC American Planning Association conference scheduled for that week. This conference is an opportunity for staff to earn required continuing education credits. Therefore, these amendments to the schedule were requested. *Members Willis and Toterhi* would not be able to attend on those dates.

Motion: *Member Langston* made a motion to accept the revised 2018 meeting schedule as presented. *Vice Chairwoman Botha* seconded the motion, which passed unanimously.

11. Staff Comment

11a. June Planning Newsletter

Director Tanner informed the Board that there were no new site plans, subdivision plats or construction drawing submitted. The Town Place Suites by Marriot site plan was administratively approved.

The other significant items that occurred were the launching of Map.Social and the Public Outreach that took place at Springfest for the Land Use Plan, Transportation Plan and Active Kids Strategic Plan.

12. Planning and Zoning Board Comments

Chairman Prichard acknowledged the Planning staff for their guiding the Transportation Plan through the process.

Director Tanner in turn thanked the Planning and Zoning Board for the thought and energy they put into the Comprehensive Transportation Plan Update.

13. Upcoming Term Expirations

None

14. Upcoming Events

None

15. Adjournment

Member Langston made a motion to adjourn the meeting. *Vice Chairwoman Botha* seconded the motion, which was passed unanimously.

The meeting adjourned at 10:40 pm

Peter Prichard,
Planning and Zoning Board Chair

Marty Saunders,
Secretary to the Board

Date

Date