

TOWN OF FUQUAY-VARINA
PLANNING BOARD REGULAR MEETING
January 15, 2019

CALL TO ORDER

Chair Ed Ridpath called the regular meeting of the Fuquay-Varina Planning Board to order on January 15, 2019 at 7:00 p.m.

Board Members Present: Ed Ridpath (Chair)
Larry Smith
Jim Chandler
Barbara Marchioni
Michelle Peele
Andy Petty
Alex Rickard

Board Member(s) Absent: None

Others Present: Planning Director Samantha Smith
Adam Culpepper
Pam Davison
Slater Knox
Natalie McKinney
Akul Nishawala
Allyssa Stafford
Assistant Town Manager Mark Matthews
Town Attorney James Adcock

PLEDGE OF ALLEGIANCE

Chair Ed Ridpath led the Pledge of Allegiance.

APPROVAL OF THE MINUTES

Chair Ed Ridpath moved agenda items to reflect the following order, subsequent to the approval of the December 17, 2018 regular scheduled meeting minutes.

- Introduction of New Planning Board Members Item
- Election of Vice Chair
- Recognition of Ron Nabors for Service

Motion - Approve the minutes from the December 17, 2018 meeting of the Planning Board as presented.

MOTION: Barbara Marchioni
SECOND: Andy Petty
MOTION RESULT: Minutes Approved Unanimously 7-0

ADMINISTRATIVE REPORTS

Agenda Item No. 6.C: Introduction of New Planning Board Members

Purpose - The purpose of this agenda item is to introduce new members of the Planning Board.

Staff Comments - Staff and management would like to introduce two (2) new members to the Planning Board. Michelle Peele is joining the Planning Board as representation for the corporate limits. Jay Adcock has also been recommended for appointment by the Mayor and ratified by the Town Board, as a representative of the ETJ, upon Wake County Board of Commissioner appointment. Both members will serve a three (3) year term starting in January 2019 and running through December 2021. We look forward to their perspective and expect they will serve the Town and residents of Fuquay-Varina very well.

Added agenda Item: Election of Vice-Chair

Purpose - The purpose of this agenda item is to elect a new Vice-Chair to the Board.

BOARD NOMINATION AND ELECTION

Nomination - Larry Smith as the Planning Board Vice-Chair

MOTION: Barbara Marchioni
SECOND: Alex Rickard
MOTION RESULTS: Motion Passed Unanimously 6-0

Agenda Item No. 6.B: Recognition of Service on the Fuquay-Varina Planning Board - Ron Nabors

Purpose - The purpose of this agenda item is to recognize a member of the Planning Board for his service to the Town.

Staff Comments - Staff and management would like to take the opportunity to thank Ron Nabors for his dedicated service to the Planning Board and the Town of Fuquay-Varina. Mr. Nabors has served the Board since 2016 as a representative of the ETJ. He has served the Board and the Town faithfully, and his input and expertise will be missed.

ITEMS TABLED FROM PREVIOUS MEETINGS

Chair Ed Ridpath continued the meeting with stating that public hearings are a time for petitioners to present requests and for the public to state their concerns and voice opinions in favor of or in opposition to these requests. If you wish to speak, please come to the podium, sign in on the sheet provided, and state your name and address for the record before speaking regarding the request.

Agenda Item No. 3.A: Zoning Map Amendment - Timmons Group - 10212 and 10204 Fayetteville Road, and 3916, 3918, and 0 Hilltop Needmore Road - PINs 0688138207, 0688139036, 0688235515, 0688230732, and portion of 0688330428 - REZ-2018-18 - (ITEM TO BE TABLED)

RECUSAL: Jim Chandler
MOTION: Andy Perry

SECOND: Alex Rickard
MOTION RESULTS: Motion Passed Unanimously 6-0

Purpose - The purpose of this agenda item is continue the public hearing and table consideration of the requested zoning map amendment for a total of 26.05 acres, located at 10212 and 10204 Fayetteville Road, and 3916, 3918, and 0 Hilltop Needmore Road, from the Corridor Commercial (CC) Zoning District and the Corridor Commercial Conditional Zoning District (CC-CZD) to the Office & Institutional Conditional Zoning District (O&I-CZD)

Staff Comments – Planning Director Samantha Smith entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. The petition was submitted in September 2018 and originally scheduled for a public hearing in October. Subsequent to the October 2018 public hearing being scheduled, the petitioner requested to table until January 22, 2019. Subsequent to the October meeting the Planning Board adopted their 2019 calendar which moved the January 22, 2019 meeting to January 15, 2019. The petitioner requested prior to Friday to table until February 18, and on Friday the petitioner requested to table until March 18. The official letter was handed out to you. They have requested to table again in an effort to include more property in the zoning petition. It is more efficient to zone all of the property at the same time versus in separate matters. Staff is supportive of the request to table until March 18, 2019.

Motion – Continue the public hearing and table consideration of REZ-2018-18, a zoning map amendment at 10212 and 10204 Fayetteville Road and 3916, 3918, and 0 Hilltop Needmore Road, until the March 18, 2019 Planning Board meeting.

Board Member Alex Rickard asked if there is a limit on the number of times an item can be tabled.

Planning Director Samantha Smith replied, in this case, we will have to re-advertise because we will have to include the additional properties. Technically by statute, if you table and continue the hearing there is not a limit.

MOTION: Andy Petty
SECOND: Barbara Marchioni
MOTION RESULTS: Motion Passed Unanimously 6-0

Agenda Item No. 3.A Town Code Amendment - Town of Fuquay-Varina - Land Development Ordinance (LDO) Clean-Up Amendment #8 Environmental Protection - CTA-2018-10 - (WITHDRAWN)

Purpose - The purpose of this agenda item is to receive as information the request to withdraw a proposed text amendment to the Town Code of Ordinances, Part 9 Land Development Ordinance, Clean-Up Amendment #8 that addresses several areas for improvement regarding the Town's environmental protection standards.

Staff Comments – Planning Director Samantha Smith - Town staff and management continue to evaluate areas of improvement in the Land Development Ordinance (LDO). One area recently identified is Article I Environmental Protection Standards for improvements related to both clarity and content. Staff proposed an amendment and advertised a public hearing for the December 17, 2018 regular meeting of the Planning Board. Subsequent to advertising, staff determined that additional

evaluation and internal consideration was necessary. As such, staff recommended and the Planning Board voted to continue the public hearing and table consideration to the January 15, 2019 regular meeting. After further evaluation of the matters being considered, as well as the format of the Article and restructuring necessary within the Town Code, Town management and staff have withdrawn this amendment request in order to allow additional time to formulate a proposal.

Recommendation - No Action Required - Receive as Information.

Agenda Item No. 3.C Zoning Map Amendment - Gala Construction - 419 Washington Street - PIN 0656794216 - REZ-2018-21

Purpose - The purpose of this agenda item is to consider a requested zoning map amendment for a total of 0.10 acres, located at 419 Washington Street, from the Residential Medium Density (RMD) Zoning District to the Town Center Residential (TCR) Zoning District.

Staff Comments - Planner Allyssa Stafford entered the agenda abstract and supporting documents for this agenda item into the official record of the Town and presented background information pertinent to the text amendment.

Recommendation - Staff recommends approval of the proposed zoning map amendment. It is consistent with the 2035 Community Vision Land Use Plan and is reasonable and in the best interest of the public for the following reasons:

1. The requested zoning map amendment for Town Center Residential is consistent with the 2035 Community Vision Land Use Plan (LUP) Classification of Town Center Residential.
2. The requested zoning district supports infill development and reinvestment in downtown neighborhoods per the 2035 LUP's recommendation LU.4 - Encourage Infill Development & Redevelopment Inside Town Limits.
3. The requested zoning district is complementary to residential uses in the general vicinity.
4. The plot plan conditions identified by the petitioner promote community character and provide compatibility as it pertains to proximity to the railroad.

Public Hearing - The public hearing was opened to speakers in favor of the petition.

Public Hearing - The public hearing was closed with no speakers in favor of or opposition to the rezoning.

Motion - Recommend approval of REZ-2018-21, a zoning map amendment at 419 Washington Street, from the Residential Medium Density (RMD) Zoning District to the Town Center Residential (TCR) Zoning District. The proposed amendment is consistent with the 2035 Community Vision Land Use Plan and is reasonable and in the best interest of the public for the reasons identified by staff.

MOTION: Alex Rickard
SECOND: Larry Smith
MOTION RESULTS: Motion Passed Unanimously 7-0

PUBLIC HEARING

Agenda Item No. 4.A: Zoning Map Amendment - Mauldin-Watkins Surveying, PA - 313 S Fuquay Ave - PIN 0666060493 - REZ-2018-24

RECUSAL: Chair Ed Ridpath
MOTION: Andy Perry
SECOND: Alex Rickard
MOTION RESULTS: Motion Passed Unanimously 6-0

Purpose - The purpose of this agenda item is to consider a requested zoning map amendment for a total of 0.64 acres, located at 313 S Fuquay Avenue, from the Office & Institutional (O&I) Zoning District to the Town Center Residential (TCR) Zoning District.

Staff Comments – Senior Planner Akul Nishawala entered the agenda abstract and supporting documents for this agenda item into the official record of the Town and presented background information pertinent to the text amendment.

Recommendation - Staff recommends approval of the proposed zoning map amendment. It is consistent with the 2035 Community Vision Land Use Plan and reasonable and in the best interest of the public for the following reasons:

1. The requested zoning map amendment is consistent with the 2035 Community Vision Land Use Plan (LUP) Classification of Town Center Residential.
2. The requested zoning map amendment corrects an existing nonconforming use and allows the property owner to make necessary repairs on the storm-damaged residential structure.
3. The property has been in use as single-family residential for many years, and the proposed zoning provides for a continuation of this established use.
4. The requested zoning map amendment is consistent with the 2035 LUP's recommendation LU.4 — Encourage Infill Development & Redevelopment Inside Town Limits.
5. The requested zoning map amendment is compatible with the adjacent development and uses.

Public Hearing – The public hearing was opened to speakers in favor of the petition.

Wayne Mauldin – Mauldin Watkins Surveying, PA - Stated the subject property was damaged by large oak tree limbs that had fallen during a storm back in fall. The house has only been used for residential; however, the TCR zoning will allow for the office and institutional uses in addition to allowing the residential use to continue. Mr. Mauldin stated the purpose of the zoning is to replace the shed that the storm took down and offered to answer any questions.

Public Hearing – The public hearing was closed with no speakers in opposition to the zoning map amendment.

Motion - Recommend approval of REZ-2018-24, a zoning map amendment at 313 S Fuquay Avenue, from the Office & Institutional (O&I) Zoning District to the Town Center Residential (TCR) Zoning District. The proposed zoning map amendment is consistent with the 2035 Community Vision Land Use Plan and is reasonable and in the best interest of the public for the reasons identified by staff.

MOTION: Andy Petty
SECOND: Barbara Marchioni
MOTION RESULTS: Motion Passed Unanimously 6-0

Agenda Item No. 4.B: Zoning Map Amendment - Gala Construction - 220 and 228 Bridge St - PINs 0656790100 and 0656699194 - REZ-2018-25

Purpose – The purpose of this agenda item is to consider a requested zoning map amendment for a total of 0.25 acres, located at 220 and 228 Bridge Street, from the Town Center Residential (TCR) Zoning District to the Town Center Residential (TCR) Zoning District.

Staff Comments – Planning Director Samantha Smith entered the agenda abstract and supporting documents for this agenda item into the official record of the Town and presented background information about the property and preliminary subdivision.

Recommendation - Staff recommends approval of the proposed zoning map amendment. It is consistent with the 2035 Community Vision Land Use Plan and is reasonable and in the best interest of the public for the following reasons:

1. The requested zoning map amendment for Town Center Residential is consistent with the 2035 Community Vision Land Use Plan Classification of Town Center Residential.
2. The requested zoning district supports infill development and reinvestment in downtown neighborhoods per the 2035 LUP's recommendation LU.4 - Encourage Infill Development & Redevelopment Inside Town Limits.
3. The requested zoning district is complementary to residential and institutional uses in the general vicinity.

Public Hearing – The public hearing was opened to speakers in favor of the petition.

Jason Galarneau – Gala Construction – Thanked staff for taking the time to review and consider the petition again. He stated the discovery of the sewer easement was not expected and will look for those next time. Though he was surprised by the sewer easement, however, he was pleased with the outcome. Mr. Galarneau offered to answer any questions.

Public Hearing – The public hearing was closed with no speakers in opposition.

Board Questions – Chair Ed Ridpath asked about the statutory limitations since this was recently rezoned and how quickly can a property be rezoned?

Planning Director Samantha Smith replied that the provisions in the code prohibit rezoning a property within a 12-month period of rezoning the same property whether it was approved or denied unless the petition is substantially different from the original lot. Although the numbers are small this petition is half the numbers of lots from the original petition. She also believes the discovery of the sewer easement affects the petition substantially.

Motion - Recommend approval of REZ-2018-25, a zoning map amendment at 220 and 228 Bridge St, from the Town Center Residential (TCR) Zoning District to the Town Center Residential (TCR) Zoning District. The proposed amendment is consistent with the 2035 Community Vision Land Use Plan and is reasonable and in the best interest of the public for the reasons identified by staff.

MOTION: Larry Smith

SECOND: Barbara Marchioni
MOTION RESULT: Motion Passed Unanimously 7-0

Agenda Item No. 4 C Zoning Map Amendment - Alliance Behavioral Healthcare
- 400 W Ransom St - PIN 0656759298 - REZ-2018-26

Purpose - The purpose of this agenda item is to consider a requested zoning map amendment for a total of 5.0 acres, located at 400 W Ransom St, from the Office & Institutional Conditional Zoning District (O&I-CZD) to the Office & Institutional Conditional Zoning District (O&I-CZD) and corresponding land use plan amendment from Town Center Residential (TCR) to Civic & Institutional (CIV).

Staff Comments – Planning Director Samantha Smith entered the agenda abstract and supporting documents for this agenda item into the official record of the Town.

Recommendation - Staff recommends approval of the proposed zoning map amendment and corresponding land use plan amendment. They are consistent with the 2035 Community Vision Land Use Plan and reasonable and in the best interest of the public for the following reasons:

1. Although the requested zoning map amendment is not consistent with the 2035 Community Vision Land Use Plan designation of Downtown, the requested land use plan amendment to Civic & Institutional will match the proposed use more appropriately.
2. The requested zoning map amendment is consistent with the 2035 Community Vision Land Use Plan's Recommendation LU.4 – Encourage Infill Development & Redevelopment Inside Town Limits.
3. The conditions proposed by the petitioner effectively limit future development so that it is compatible with the surrounding uses.

Public Hearing – The public hearing was opened to speakers in favor of the petition.

Carol Wolff – 715 Soft Tree Ln, Durham – General Counsel to ABH – Stated that she was representing ABH for REZ-1018-26 the rezoning of 400 W Ransom Street five (5) acre parcel. Alliance plans to renovate the build for use as a short-term facility-based crisis urgent care for children and adolescents under the age of 21. Ms. Wolff provided a brief history of the property and reasoning for the rezoning from O&I CZD to O&I CZD. She added that Alliance is a local management entity and public managed care organization for Wake, Durham, Orange, Johnston and Cumberland Counties Since 2012. ABH manages mental health substance abuse and developmental disability services those residents that have Medicaid, that are uninsured or underinsured. Ms. Wolff provided the building's history since the 1960s. Ms. Wolff added that there were two (2) community meetings held for the property informing the attendees of the plan and conditions all of which were found acceptable. Ms. Wolff closed by stating that the zoning is justifiable and reasonable because is no change to the base zoning, the use proposed is permitted by the current O&I base zoning and the conditions imposed are reasonable and had the current conditions not being lost by the Town, there would be no need for a rezoning.

Rob Robinson – 308 Bolton Grant Dr – CEO for ABH – States that this is a new crisis facility, he thanked Town Manager Adam Mitchell and Planning Director Samantha Smith for the extra collaboration required to get a joint recommendation. Mr.

Robinson explained the importance of the project and the excitement of adding the facility to accommodate adolescents under the age of 21. He explained how the facility will be used and how this area was chosen. Mr. Robinson closed by stating the 60 new jobs this project will bring and thanked the Town for allowing the opportunity.

Cynthia Binanay - 2527 Sevier St, Durham – Chair for the ABH Board - Stated that AMH is committed to serving the community and individuals in the area to ensure that all needs are met. She added that as a parent of a child with mental health issues, had this facility been open the outcome of her son's situation would have been different.

Eileen McDonough - 624 Payton St, Raleigh – Project Architect for ABH - Re-iterated the agreed conditions for the zoning. She also explained that they plan to follow through to meet each of those conditions.

Sheila Reich - 106 Ballatore Ct, Cary – Executive Director for Youth Thrive – Stated that she was a social worker by profession and was in support of the zoning request. She provided statistics on mental issues and suicide among adolescents in Wake County. Mrs. Reich was appealing on the behalf of ABH as a parent; she felt that if her son had a medical issue that he could get sufficient care and would like to see the same access in the event of a mental health crisis.

George Corvin - 7500 Tanglewild, Raleigh – stated that he has been a physician in Wake County for the last 23 years and now sits on the board for ABH. He stated that this is the type of project that saves lives. This also represents a commitment to mental health access. He closed by stating that he felt Fuquay-Varina and neighboring Wake County residents will be pleased with the addition of this facility.

Annie Schmidt - 120 W Hargett St, Raleigh – Executive Director for NAMI Wake County – Provided additional statistics on mental health and suicide in adolescents. She added the importance of facilities and the non existence of them. Ms. Schmidt closed by asking the board to support the rezoning.

Andy Curios - 300 New Bern Ave, Raleigh – Wake Medical Health and Hospitals thanked the board for the opportunity to speak and explained the importance of the facility for pediatric patients. She closed by detailing the importance of having access here in Fuquay-Varina.

Tammy Commons - 300 Eno Dr, Holly Springs - stated that as an employee of ABM and a parent of a child with mental health issues, she is in support of this petition. She added that when a mental health crisis hit her family that she had to leave the area for care. She explained that most families would not have gotten care because of the distance of care. Mrs. Commons thanked the board for considering the motion.

Ashley Snyder - 2124 Trefoil Ln, Fuquay-Varina – Stated that she is a resident of Fuquay-Varina and she supports this rezoning. She felt it was a great opportunity for the Town because it will bring jobs, reduce crime and revitalize the area. She closed by saying it would be nice to have this facility in the area should she ever need it.

Brian Maxey - 2534 Brisbane Woods Way, Cary – Stated that he was a resident of Wake County and a social worked locally at the Southern Regional Center here in Fuquay-Varina. Mr. Maxey explained that this facility would alleviate some of the

medical hospital clogging and it would create a diversion from facilities that were not equipped to treat mental health needs. He closed by explaining how early intervention makes a difference in mental health patient outcomes.

Eric Harbour - 1011 W Saint Julian Pl, Apex – Lead for Child and Family Services Disability and Substance Abuse Services Division for The NC Department of Human Services – stated that he is in support of the program and his division was a major fundraiser and supporter of the program. He stated that this facility is a big part of the program’s plan and that is to keep the patients out of the medical emergency room. He closed by saying that this is a well-staffed and regulated facility that will be regulated by ABH and the State of NC.

Richard Hayner - 611 Coley Farm Rd, Holly Springs – Stated that he was speaking with a hometown perspective being a local and grew up just a few blocks from the facility. He added that he has worked with kids for 18 years and he lives, works and worships right here in Fuquay-Varina and would love to see this facility. Mr. Hayner stated that, from the professional side, he has seen the heat map of needs and understands the needs in this area.

Motion – Recommend approval of REZ-2018-26, a zoning map amendment at 400 W Ransom St, from the Office & Institutional Conditional Zoning District (O&I-CZD) to the Office & Institutional Conditional Zoning District (O&I-CZD) and corresponding land use plan amendment from Town Center Residential (TCR) to Civic & Institutional (CIV). The proposed zoning map amendment with the corresponding land use plan amendment is consistent with the 2035 Community Vision Land Use Plan and are reasonable and in the best interest of the public for the reasons identified by staff.

MOTION: Alex Rickard
SECOND: Andy Petty
MOTION RESULT: Motion Passed Unanimously 7-0

ADMINISTRATIVE REPORTS

Agenda Item No. 6.A: Staff Report

Chair Ed Ridpath encouraged all the board members to review the staff report.

ADJOURN

A motion was made to adjourn the meeting at 8:12 p.m.

MOTION: Andy Petty
SECOND: Barbara Marchioni
MOTION RESULTS: Motion Passed Unanimously 7-0

FUQUAY-VARINA, NORTH CAROLINA

Ed Ridpath, Chair

ATTEST:

Natalie McKinney, Clerk