

TOWN OF FUQUAY-VARINA  
PLANNING BOARD REGULAR MEETING  
August 19, 2019

CALL TO ORDER

Chair Ed Ridpath called the regular meeting of the Fuquay-Varina Planning Board to order on August 19, 2019 at 7:00 p.m.

Board Members Present: Ed Ridpath (Chair)  
Jay Adcock  
Jim Chandler  
Barbara Marchioni  
Michelle Peele  
Andy Petty  
Alex Rickard (ALTERNATE)

Board Member Absent: None

Others Present: Akul Nishawala  
Pam Davison  
Josh Jurius  
Natalie McKinney  
Allyssa Stafford  
Slater Knox  
Asst Town Manager Mark Matthews  
Town Attorney James Adcock

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PLEDGE OF ALLEGIANCE

Chair Ed Ridpath led the Pledge of Allegiance.

Chair Ed Ridpath announce he would be moving Item 6A to follow immediately after the minutes.

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APPROVAL OF THE MINUTES

Motion - Approve the minutes from the July 15, 2019 meeting of the Planning Board as presented.

MOTION: Jay Adcock  
SECOND: Barbara Marchioni  
MOTION RESULT: Minutes Approved Unanimously 7-0

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Chair Ed Ridpath continued the meeting by 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. 6A:** Roger Henderson, the Planning Director of Ramey Kemp and Associates provided a presentation of the Southwest Area Study's final report, results, and recommendations.

Chair Ridpath expressed appreciation for the project.

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ITEMS TABLED FROM PREVIOUS MEETINGS

**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Hilltop Needmore Road - PINs 0688138207, 0688139036, 0688235515, 0688230732, and portion of 0688330428 - REZ-2018-18 - WITHDRAWN

Purpose - The purpose of this agenda item is to receive as information the petitioner's request to withdraw the zoning map amendment at 10212 and 10204 Fayetteville Road, and 3916, 3918, and 0 Hilltop Needmore Road, from the Corridor Commercial (CC) Zoning District, Residential Medium Density (RMD) Zoning District and the Corridor Commercial Conditional Zoning District (CC-CZD) to the Office & Institutional Conditional Zoning District (O&I-CZD).

Recommendation - No Action Required - Receive as Information

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**Agenda Item No. 3.B:** Zoning Map Amendment - Tri Pointe Homes - 6208 and 6212 Johnson Pond Road - PINs 0677280622 and 0677186533 - REZ-2019-13

Purpose - The purpose of this agenda item is to consider a requested zoning map amendment for a total of 20.9 acres, located at 6208 and 6212 Johnson Pond Road, from the Residential Agricultural (RA) Zoning District to the Residential Medium Density Conditional Zoning District (RMD-CZD).

Staff Comments - Senior Planner Akul Nishawala 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 the corresponding land use plan amendment, as they are consistent with the 2035 Community Vision Land Use Plan and are 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 Rural Residential, the requested land use plan amendment to Small-Lot Residential would allow for the proposed use of single-family residential while maintaining consistency with current development patterns along Johnson Pond Road. Further, the availability of water and sewer utilities and development patterns in the vicinity along Johnson Pond warrant and are more compatible with the Small-Lot Residential Classification.

2. The requested zoning map amendment is consistent with the 2035 Community Vision Land Use Plan's recommendation CF.1 - Invest in Existing Growth Areas.
3. Conditions proposed by the petitioner effectively limit future development so that it is compatible with the surrounding areas.

*Chair Ed Ridpath* questioned if there were any changes to the conditions as a result of the petition being tabled.

*Senior Planner Nishawala* confirmed there were some changes to density and lot sizes.

*Board Member Barbara Marchioni* requested an explanation of in-home small occupation.

*Senior Planner Akul Nishawala* explained that is a designated use for that zoning and just being spelled out in the description.

*Board Member Andy Petty* questioned the small lots conditions and provisions for a smoother transition. Senior Planner Akul Nishawala deferred him to the developer.

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

*Brendie Vega – 115 Mackenan Drive – Withers Ravenel* – stated there was a neighborhood meeting held on May 14, 2019 As a result; the petitioner has added townhomes and zero lots lines from the list of permitted uses. They also changed the density to 2.8 units per acre and increased the minimum lot size. There were also follow up conversations with Susan Walley and Jack Newson. A conversation with neighbor Mr. Robbins was attempted but not successful. Ms. Vega closed by offering to answer any questions.

*George Young – 1400 Sunday Drive - Tri Point Homes* – explained questions from the neighborhood meeting and his commitment to work with neighbors by shifting a few lot lines. Mr. Young explained that he was not going to make those commitments a part of his conditions. He feels overall the discussions were positive and he has followed up with everyone with concerns. Mr. Young closed by making a commitment to try and preserve the lake area.

*Board Member Andy Petty* expressed his concerns on the transition from 40,000 square foot lots to 6,400 square foot lots and this being the only time to establish condition for the property. He explained the need to have a better transition or wider buffers.

*George Young* replied that the plan is to screen and address the buffer requirements.

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

*Board Member Michelle Peele* questioned the entrance to the subdivision and the concerns of the nearby blind spot.

*Senior Planner Akul Nishawala* replied that the entrance would be established during the site plan process.

*Board Member Alex Rickard* stated the neighborhood meeting reports states that the entrance will be where the current driveway is, and clearing is being planned to allow better site distance.

*George Young* shared his conversations and commitments with DOT and neighbor on opposite street to clear vegetation with proper approvals from the Town and DOT.

*Board Member Andy Petty* stated that requesting a better transition is not out of the norm and is consistent with what we have requested in the past. Senior Planner Akul Nishawala agreed that we have done this in the past. Chair Ed Ridpath asked if this was part of the staff check list and is it normally added per the LDO. Senior Planner

*Senior Planner Akul Nishawala* replied from staff perspective, it is what we like to see as part of a petition. He recommended the board add this to the motion as an additional condition.

*Assistant Town Manager Mark Matthews* shared that the Planning Director and the petitioner are still working towards a resolution for the open space and alignment of lots due to the shape of the property and size of the project. He added the Town engineer is working with DOT and a neighboring property owner on a land dedication to help resolve all the moving parts. He also added the concern as to transition could best be addressed by a condition related to minimum lot size and/or width or open space where abutting the neighboring subdivision.

Motion – Recommend approval of REZ-2019-13, a zoning map amendment at 6208 and 6212 Johnson Pond Road, from the Residential Agricultural (RA) Zoning District to the Residential Medium Density Conditional Zoning District (RMD-CZD). The proposed amendment, with the corresponding land use plan 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. This motion includes the recommendation that the Board of Commissioners review and consider a condition regarding a better transition between the proposed parcels in the subject property and the Stillbreeze Manor Subdivision.

MOTION: Ed Ridpath  
SECOND: Andy Petty  
MOTION RESULTS: Motion Passed Unanimously 7-0

#### PUBLIC HEARING

**Agenda Item No. 3.C:** Zoning Map Amendment - Howling Wolf RES, LLC - 1913, 1941, 1979, 1806, 1812, 1916 Ken Drive and portion of 5906 Hilltop Road - PINs 0687079558, 0687068633, 0687056735, 0677957383, 0687052038, 0677967743, and portion of 0687260272 - REZ-2019-14

RECUSAL: Jim Chandler  
MOTION: Alex Rickard  
SECOND: Andy Petty  
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 109.212 acres, located at 1913, 1941, 1979, 1806, 1812, and 1916 Ken Drive and a portion of 5906 Hilltop Road, from the Residential

Agricultural Zoning District to the Residential Medium Density Conditional Zoning District (RMD-CZD).

Staff Comments – Senior Planner Akul Nishawala 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 the corresponding land use plan amendment, as they are consistent with the 2035 Community Vision Land Use Plan and are 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 designations of Rural Residential and Mixed-Density Residential, the requested land use plan amendment to designate all parcels to Mixed-Density Residential would provide a consistent land use plan designation to all properties subject to the rezoning. Of the two current land use plan designations, Mixed-Density Residential is most appropriate based on the availability of water and sewer, location along Hilltop Road, and ability to provide a mix of densities compatible with current and future development patterns in the area.
2. The requested zoning map amendment is consistent with the 2035 Community Vision Land Use Plan's recommendation CF.1 - Invest in Existing Growth Areas.
3. Conditions proposed by the petitioner provide for a range of lot sizes and effectively limit future development so that it is compatible with the surrounding areas.

*Board Member Michelle Peele* asked if the barricade at Ken Drive was to prevent construction traffic from going through the neighborhood and why the item was tabled.

*Senior Planner Akul Nishawala* replied yes, the barricade is to prevent construction traffic from going through the neighborhood. Akul added that staff received a lot of feedback from the neighborhood. The tabling of the item allowed the petitioner more time to address concerns, as a result conditions were revised. The revised conditions were included in what was presented.

*Chair Ed Ridpath* asked if the extension to Ken Drive is already designated and if it is up to the stub street and if it is private beyond that point.

*Senior Planner Akul Nishawala* replied yes, it dead ends but is going to be the access for all the properties. The entire stretch of Ken Drive is going to be an extension.

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

*Kippy Prevoznak – 5410 Trinity Road – Timmons Group* – stated she was in favor of the petition and available to answer any questions on behalf of the petitioner.

*David Lazzo – 2100 Cook Ridge Court* – stated he was part of the development team and available to answer any questions. He closed by commending staff on the explanation and efforts to getting them to where they are currently.

*Mark Taylor – 1812 Ken Drive* – stated he was the only living descendent of the Rowland property. Mr. Taylor provided some history of the property and expressed his desire to be responsible and do the right thing for his family as well as his neighbors. He recalled 50 years ago, there not being a single house nor subdivision there. Mr. Taylor closed by sharing his goal is to sell, develop, and move on and doing so without

ruffling too many feathers.

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

*Macey Ruble – 6101 Bramlette Court* – presented a statement created by him and a supporting neighbor of the Woodsong Subdivision. He explained that this combined presentation was an effort to show unity and to save time. Mr. Ruble began by stating he was not against development, but for smart development. Several concerns included the zoning change being inconsistent with the LUP, lot sizes, destruction of neighborhood character, endangered birds, and the dead-end street becoming an outlet. He closed by suggesting the minimum lot sizes be 30,000 square feet, developers pay for Ken Drive to be improved and the addition of sidewalks.

*Karl Peterson – 6033 Longhorn Drive* – stated that Dwight Rowland, Hilltop Road, and Ken Drive in their current status requires residents to move over to allow for garbage trucks and Federal Express to come through. Mr. Peterson mentioned several concerns inclusive but not limited to traffic, flood plain zones, a pond at 1913 Ken Drive, an overflow channel, fertilizer debris, property granted from King Charles, property built on slavery, insults from Linda Rowland, and the development only being about money.

*Graham Blake – 6109 Hope Lane* – stated the water table was a big concern for him and how his well water could be affected by the addition of this subdivision. He was concerned about the safety factor and that the thoroughfare would cause an increase in crime giving by criminals a secondary access or exit.

*Jennifer Norris – 6112 Bramlette Court* – expressed her love for the Woodsong neighborhood and that there is nothing like Woodsong. She explained her desire to retain the integrity of their neighborhood. Mrs. Norris closed by saying she and the 75 residents of Woodsong deserve to be protected in the process of this development.

*Wayne Lewis – 1500 Singletree Lane* – stated that he is not currently a resident but was 25 years ago. He stated he was tired of staff not doing what they said in 2017 by amending the LUP. He mentioned his concerns on traffic, rural character, development, density, open space, buffers and the continuous approval of subdivisions.

Public Hearing – The public hearing was closed with no additional speakers in opposition to the petition.

*Chair Ed Ridpath* requested clarification of the stormwater ordinance and endangered species.

*Engineering Specialist Jennifer Mitchell, CFM* explained the process and what happens when a development is presented. She went into detail on the pre-and-post development analysis, flood hazard soils and predevelopment conditions.

*Senior Planner Akul Nishawala* addressed the endangered species by stating that we do not want to violate any federal laws, if there is anything that can be done to mitigate the loss of habitat for the Red-Cockaded Woodpecker it would be investigated.

*Chair Ed Ridpath* asked for the current status of Ken Drive as it relates to the

ownership.

*Senior Planner Akul Nishawala* replied that is it a NCDOT road and maintenance is by NCDOT. He added that assuming the subdivision was developed under the county jurisdiction so the requirements were different from what the town requires.

*Chair Ed Ridpath* explained that annexations are voluntary and North Carolina law does not allow involuntary annexations. He also mentioned the ETJ representation understanding that ETJ residents do not get to vote in town elections nor do they pay town taxes however, they do have ETJ representation on the Planning Board.

*Board Member Alex Rickard* asked about the dash line on the transportation map, and if that would still be required as other projects come in. He asked whether the plan is to eventually create a loop.

*Senior Planner Akul Nishawala* confirmed the dashed line does represent a future stub street and it is required to remain a stub street until the neighborhood parcel gets developed.

*Board Member Alex Rickard* requested an explanation of the LUP showing LLR for the existing lots and then MDR for other lots.

*Assistant Town Manager Mark Matthews* explained that the general methodology for the 2035 LUP and that every parcel in the Town's entire Urban Service Area needed to have a designation. In this area the designation of LLR appeared to be due to those parcels not having frontage on Hilltop Road where utilities are available. If the assemblage included in this petition was one parcel at the time of the LUP, the appropriate and likely designation would have been MDR due to location with access to water and sewer utilities and Hilltop Road. It is

*Senior Planner Akul Nishawala* added that the LUP is a living document. He explained that zoning districts do not have just one standard density there is a range that allows for flexibility.

*Assistant Town Manager Mark Matthews* added to address topics that were discussed in the public hearing that there are a lot of things discussed in the LDO which provides clear requirements and a number of principles that the LDO is designed to advance. There are pages and sections that explain public safety, storm water management, environmental protection historic assets all of these things that staff uses to determine if a site plan or subdivision plan meets the LDO. Principles are used as a guide and a lens for what everything else is to be filtered through which are reviewed at subdivision level not rezoning level.

*Board Member Andy Petty* stated that the plan reveals about 200 houses. He asked whether this will trigger a TIA and whether a scoping meeting happened.

*Senior Planner Akul Nishawala* replied that one has not been done to his knowledge but he would check into it.

*Assistant Town Manager Mark Matthews* confirmed that one has not happened however, they expect one in advance of the site plan.

*Board Member Alex Rickard* stated that he appreciated the interconnectivity required

by the Town of Fuquay-Varina and Wake County. He added that people should know what it means when they buy a house that has a stub out to the adjacent property, however, he was a little concerned about the misinterpretation that may happen when the LUP is changed so often.

*Board Member Michelle Peele* commented that the only thing confirmed is that there will eventually be a connection through the Woodsong neighborhood but not exactly when.

*Senior Planner Akul Nishawala* agreed that a connection would be through the Woodsong Subdivision and the connection to Hilltop Road until other properties are developed.

*Board Member Michelle Peele* asked if there is a limit that would change the zoning density or lot size since the maximum density is three (3) and 14,500 square feet.

*Senior Planner Akul Nishawala* replied that the LUP is broad and it depends on the percentage of open space.

*Assistant Town Manager Mark Matthews* added that when there is a the RLD Classification, from a stormwater perspective you will eliminate stormwater requirements, curb and gutter.

Motion - Recommend approval of REZ-2019-14, a zoning map amendment at 1913, 1941, 1979, 1806, 1812, and 1916 Ken Drive and a portion of 5906 Hilltop Road, from the Residential Agricultural (RA) Zoning District to the Residential Medium Density Conditional Zoning District (RMD-CZD). The proposed amendment, with the corresponding land use plan 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 with the recommendation to adjust the transition condition so that the lots adjacent to the existing subdivision be larger than what is currently stated at 12,000 square feet.

MOTION: Andy Petty  
SECOND: Michelle Peele  
MOTION RESULTS: Motion Passed Unanimously 6-0

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Chair Ed Ridpath continued from tabled item to the public hearing by restating 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. 4.A:** Zoning Map Amendment - McKim and Creed - 3528 Wiltree Drive - PIN 0668979833 - REZ-2018-28

Purpose - The purpose of this agenda item is to consider a requested zoning map amendment for a total of 92.492 acres, located at 3528 Wiltree Drive, from the Wake County R-30 Zoning District to the Residential Low-Density Conditional Zoning District (RLD-CZD).



Staff Comments – Senior Planner Akul Nishawala 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 as 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 designation of Small-Lot Residential.
2. The conditions proposed by the petitioner effectively limit future development so that it is compatible with the surrounding uses.
3. The requested zoning map amendment is compatible with the adjacent development and uses.
4. The requested zoning map amendment is consistent with the 2035 Community Vision Land Use Plan's recommendation T.1 – Improve Street Connectivity.

*Board Member Andy Petty* questioned the buffer requirements and if there are LDO provisions that grant the Town authority for code management that will stop a homeowner from clearing the buffer in the event the property is sold.

*Senior Planner Pam Davison* replied yes, because it is platted as a requirement.

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

*Patty Hillburn – McKim and Creed* – stated the developer has gone above and beyond to meet with adjacent property owners not only at the neighborhood meeting but individually in some cases. McKim and Creed has been present as the engineers of the project to speak with adjacent property owners and with that closed by saying she is in favor of the development.

*Bruce Herbert – Mattamy Homes (Royal Oaks Homes)* – provided the history of the land acquisition and explained the work that has been done so far with the TIA and historic preservation study. He discussed the buffers, crawl spaces, lot sizes, streets, and hardy plank siding to ensure the value of the home. He closed by offering to answer any questions.

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

*Henry Werling – 3516 Wiltree Drive* – had concerns of conflicting information provided by staff and Patty Hilburn (McKim and Creed) for lot sizes and access to roads. He also added that the plans reveal clearcutting up to his lot. He asked the board to look at the transition from the project to the adjacent neighbors.

*Rachel Tuller – 5209 Sugg Court* – stated her concerns on the lot sizes and transition zones. She asked what defines RLD CZD because three (3) home per lot minimum. She is concerned based on the MDR requirements not adding to three (3) above mentioned homes per acre. She stated that adjacent lots are one (1) to five (5) acre lots and recommend that the development would match her ten (10) acre community. Ms. Tuller was concerned about the traffic because their 22 homes have 55 cars already. She added that because of the affluence of her neighborhood that each home would have 4 -5 cars so by adding 212 homes, the traffic would be too much since there are 54 houses required to be passed to get to the entrance. She mentioned

public safety issues recalling the event of a house fire that blocked traffic in and out due to limited access. Ms. Tuller added several more points about lot sizes, buffers, affluence and suggested that they will not be able to sell match box homes adjacent million-dollar homes and closed by suggesting one (1) acre lots or at maximum two (2) homes per acre with larger buffers to match adjacent properties.

*Ellen Werling – 3516 Willtree Drive* – stated her concerns of emergency access repeating the issue of the home that caught fire on August 11<sup>th</sup> last year. She added the concerns of the nuclear plant evacuation route and how the development would trap them in not allowing access to the evacuation route.

*Bridgette Rose – 3605 Scotchcroft Place* – identified her lot and shared similar concerns about lot sizes and the buffer. She explained her due diligence prior to purchasing her lot and had to make a judgement call based on the information available at the time. She is requesting larger buffers and larger lots be considered.

Public Hearing – The public hearing was closed with no additional speakers in opposition to the petition.

*Chair Ed Ridpath* – requested for the difference between average lot size and minimum lot size.

*Senior Planner Akul Nishawala* replied that Minimum is 10,000 square feet, the conditions state 2.6 units per acre.

*Chair Ed Ridpath* questioned special conditions for traffic.

*Senior Planner Akul Nishawala* said that one was not submitted with the petition.

*Board Member Andy Petty* emphasized that there is really not an option for construction traffic but wondered if there was a way to limit construction traffic with the Towns current codes.

*Assistant Town Mark Matthews* replied by indicating where the environmental features are on the property and the natural split that happens resulting in one side being built across from one access point and the other access being built in subsequent phases. He added that with the property layout there is a significant amount of engineering review. He discussed the connectivity and the environmental features and methods of access.

*Board Member Andy Petty* asked how utility construction for how water and sewer installation would be managed and not impact the lives since their lots are well established, vegetated with decorative headwalls.

*Senior Planner Akul Nishawala* replied that would be something that would need to be discussed with the subdivision process.

*Board Member Barbara Marchioni* asked what the buffer is.

*Senior Planner Akul Nishawala* confirmed the buffer requirement is 10 feet and the petitioner have 40 feet with the addition of a tree protection area in some places. The Site Plan is included as an exhibit in the zoning case to show the perimeter buffer as it relates to conditions.

*Assistant Town Manager Mark Matthews* added an explanation of why the site plan was included with this zoning petition.

Motion - Recommend approval of REZ-2018-28, a zoning map amendment at 3528 Wiltree Drive, from the Wake County R-30 Zoning District to the Residential Low-Density Conditional Zoning District (RLD-CZD). 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: Alex Rickard  
SECOND: Barbara Marchioni  
MOTION RESULTS: Motion Passed Unanimously 7-0

**Agenda Item No. 4.B:** Zoning Map Amendment - 511 Main LLC - 511 S Main Street - PIN 0656956305 - REZ-2019-16

Purpose - The purpose of this agenda item is to consider a requested zoning map amendment for a total of 0.39 acres, located at 511 S Main Street, from the Town Center Residential (TCR) 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.

Recommendation – staff recommends approval of the proposed zoning map amendment, as 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.

Public Hearing – The public hearing was opened and closed with no speakers in favor of or opposition to the petition.

Motion - Recommend approval of REZ-2019-16, a zoning map amendment at 511 S Main Street, 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: Michelle Peele  
SECOND: Jay Adcock  
MOTION RESULTS: Motion Passed Unanimously 7 - 0

**Agenda Item No. 4.C:** Zoning Map Amendment - First Capital Investments, LLC - 8900 Purfoy Road - PIN 0665568827 - REZ-2019-17

RECUSAL: Jim Chandler  
MOTION: Andy Petty  
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 24.89 acres, located at 8900 Purfoy Road, from the Wake County R-30 Zoning District to the Residential Medium Density Conditional Zoning District (RMD-CZD).

Staff Comments – Senior Planner Akul Nishawala 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. 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 is consistent with the 2035 Community Vision Land Use Plan designation of Small-Lot Residential.
2. An annexation petition, ANX-2019-12, is currently under review by the Town Board for the subject property and includes provisions for connection to public water. Annexation of the subject property necessitates application of the Town's zoning, and access to public water warrants the requested RMD-CZD Zoning District.
3. The requested zoning map amendment is consistent with the 2035 Community Vision Land Use Plan's recommendation CF.1 - Invest in Existing Growth Areas.
4. Conditions proposed by the petitioner effectively limit future development so that it is compatible with the surrounding areas.

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

*Kippy Provoznack – Timmons Group* – stated she was in favor of the petition.

*Larry Witek – 110 Lions Gate Drive* – stated he is the developer of this petition, and everything is pretty straight-forward and consistent with the LUP. He closed by offering to answer any questions.

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

Motion - Recommend approval of REZ-2019-17, a zoning map amendment at 8900 Purfoy Road, from the Wake County R-30 District to the Residential Medium Density Conditional Zoning District (RMD-CZD). 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: Alex Rickard  
SECOND: Jay Adcock  
MOTION RESULTS: Motion Passed Unanimously 6-0

**Agenda Item No. 4.D:** Town Code Amendment - Town of Fuquay-Varina - Land Development Ordinance (LDO) Amendment #10 - CTA-2019-02

Purpose - The purpose of this agenda item is to consider a proposed text amendment to the Town Code of Ordinances, Part 9 Land Development Ordinance, Amendment #10 that addresses several areas for improvement.

Staff Comments – Planner Allyssa Stafford 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 town code amendment. It is reasonable and in the best interest of the public, as it improves upon the Land Development Ordinance's intent to modernize, provide sustainability, and allows for ease of use and enforcement, specifically with regard to the Town's current standards.

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

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

*Wayne Lewis – 1500 Singletree Lane* – stated that he was not able to locate the changes mentioned in the staff presentation and felt that this was important enough to ensure that citizens had access to it prior to the meeting especially if it included substantial changes.

*Chair Ed Ridpath* – explained to Mr. Lewis that full information is not provided and if there is specific case information that is requested, citizens can meet with staff prior to the meeting.

Public Hearing – The public hearing was closed with no additional speakers in opposition to the petition.

Motion - Recommend approval of CTA-2019-02 Amendment #10, an amendment to the Town Code of Ordinances, Part 9 Land Development Ordinance, as presented and recommended by Town staff. The text amendment improves upon the Land Development Ordinance and is reasonable and in the best interest of the public for the reasons identified by staff.

MOTION: Andy Petty  
SECOND: Michelle Peele  
MOTION RESULTS: Motion Passed Unanimously 7-0

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OTHER BUSINESS

**Agenda Item No. 5.A:** Preliminary Subdivision Plat - Phillips Place - SUB-PR-2019-01

RECUSAL: Jim Chandler  
MOTION: Andy Petty  
SECOND: Alex Rickard  
MOTION RESULTS: Motion Passed Unanimously 6-0

Purpose - The purpose of this agenda item is to consider a preliminary subdivision plat submitted by The Timmons Group, called Phillips Place, located at 1033 S Fieldhaven Drive.

Staff Comments – Senior Planner Pam Davison entered the agenda abstract and supporting documents for this agenda item into the official record of the Town.

Recommendation – The proposed preliminary subdivision plat meets all Town requirements, as such staff recommend approval.

Motion - Recommend approval of the Phillips Place preliminary subdivision plat SUB-PR-2019-01, located at 1033 S Fieldhaven Drive, as presented and recommended.

MOTION: Michelle Peele  
SECOND: Barbara Marchioni  
MOTION RESULTS: Motion Passed Unanimously 6-0

**Agenda Item No. 5.B:** Preliminary Subdivision Plat - High Grove Oaks - SUB-PR-2018-17

Purpose - The purpose of this agenda item is to consider a preliminary subdivision plat submitted by McKim and Creed, called High Grove Oaks, located at 3528 Wiltree Drive.

Staff Comments – Senior Planner Pam Davison entered the agenda abstract and supporting documents for this agenda item into the official record of the Town.

Recommendation – The proposed preliminary subdivision plat meets all Town requirements, as such staff recommend approval.

Motion - Recommend approval of the High Grove Oaks preliminary subdivision plat SUB-PR-2018-17, located at 3528 Wiltree Drive, as presented and recommended, subject to annexation and associated zoning map amendment approval.

*Board Member Jim Chandler* commented that he likes the plan and understands what the Falcos went through to get this done. He added for the record that it doesn't matter how you get there as long as you get there.

*Board Member Andy Petty* commented that these are nice houses and nice people until you start messing with their yards and what they think is theirs.

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

**Agenda Item No. 5.C:** September Planning Board Meeting Date & Location

Purpose -  
The purpose of this agenda item is to consider rescheduling the September Planning Board meeting from September 16, 2019 to September 23, 2019 in order to conduct the meeting at the new Town Hall facility, located at 134 N Main Street.

Staff Comments – Assistant Town Manager Mark Matthews explained the current situation of the move to the new Town Hall location. There is not enough time to get set up for the first meeting in September. The first meeting is scheduled to be on September 17, 2019 with a dedication of the Town Hall. The options for the Planning Board meeting are to stay here for the September 16, 2019 meeting or take action to move the meeting date to September 23, 2019.

Recommendation – Staff recommends rescheduling the September Planning Board meeting from September 16, 2019 to September 23, 2019, in order to conduct the meeting at the new Town Hall facility, located at 134 N Main Street.

Motion - Reschedule the September Planning Board meeting from September 16, 2019 to September 23, 2019 in order to conduct the meeting at the new Town Hall facility, located at 134 N Main Street.

MOTION: Ed Ridpath  
SECOND: Barbara Marchioni  
MOTION RESULTS: Motion Passed Unanimously 7-0

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ADMINISTRATIVE REPORTS

**Agenda Item No. 6.C:** Staff Report

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


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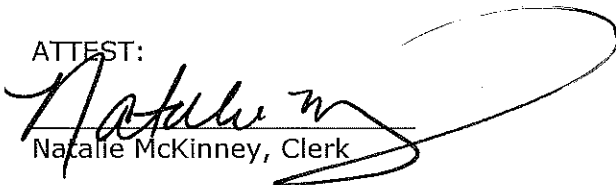
ADJOURN

A motion was made to adjourn the meeting at 10:44 p.m.

MOTION: Alex Rickard  
SECOND: Barbara Marchioni  
MOTION RESULTS: Motion Passed Unanimously 7-0

FUQUAY-VARINA, NORTH CAROLINA

  
\_\_\_\_\_  
Ed Ridpath, Chair

ATTEST:  
  
Natalie McKinney, Clerk