



## SPECIAL TOWN COUNCIL MEETING

WEDNESDAY, FEBRUARY 26, 2014

**William M. Sutton, Mayor**  
**Eugene J. Schulze, Mayor Pro Tempore**  
**William S. Jensen, Scott R. Lassiter, Nicole L. Dozier,**  
**and Denise C. Wilkie, Council Members**  
**Bruce A. Radford, Town Manager**  
**Donna B. Hosch, CMC, NCCMC, Town Clerk**  
**Henry C. Fordham, Jr., Town Attorney**

The Special Meeting of the Apex Town Council scheduled for Wednesday, February 26, 2014, at 5:15 p.m. was held in the Training Room on the third floor of Apex Town Hall, 73 Hunter Street

In attendance were Mayor William M. Sutton, Mayor Pro Tem Eugene J. Schulze, and Council Members William S. Jensen, Scott R. Lassiter, Nicole L. Dozier, and Denise C. Wilkie. Also in attendance were Town Manager Bruce A. Radford, Town Clerk Donna B. Hosch, and Town Attorney Henry C. Fordham, Jr.

### COMMENCEMENT

Mayor Sutton called the meeting to Order and led the Pledge of Allegiance.

### NEW BUSINESS

#### **New Business 01 : Town Council**

#### **Tingen Road – Discussion on possible O&I and commercial**

Staff stated this area is currently planned medium/high density residential. On the 2025 Land Use Map, it was planned Office and Institutional and Tech Flex. There was such little interest for O&I and TF that the Town was asked by developers to change this area to residential, and staff was not opposed to doing so at the time. Two additional areas could possibly be changed to Tech Flex, and there are developers interested in this. We need to strive for more mixed use where people can live and work in the same area. Planning explained the process by which the land use map could be changed.

COUNCIL MEMBER WILKIE MADE THE MOTION TO TAKE THIS MATTER BACK TO PLANNING FOR THEIR REVIEW.

Staff stated the map doesn't follow the current sewer plan; and if the Town wants to do this, it will have to spend money for a pump station in this area. Staff also explained the policy on sewerage following the sewer plan.

Consensus of Council was to send this to the Planning Board for consideration of Office Employment and Industrial Employment.

**64 West – Small area plans**

Council stated it was interested in seeing if staff can do some sort of conceptualization of what we would like to see in this area. This stems from a developer wanting to do 85% residential. We need to give guidance to developers which will make our lives easier. Staff stated this would be a labor-intensive task and pointed to a conceptualization that was done in January.

Council Member Lassiter left the meeting at 5:56 p.m.

Council briefly discussed guidelines which are given to developers and what happens when developers don't want to follow them. Staff went over mixed use guidelines and staff's understanding of what Council has wanted in the past. There is a difficulty in wanting to give guidance and flexibility at the same time. Council briefly discussed minimum acreage. The Town Attorney explained the legalities of minimum acreage as it relates to constitutional rights, rezonings and denial/acceptance of such, difficulties of non-mandatory policies and goals, and looking at successful case studies. Discussion on these subjects can continue at a later time.

MAYOR PRO TEM SCHULZE MADE THE MOTION TO PURSUE SETTING A GOAL OF 30% MINIMUM FOR NON-RESIDENTIAL  
IN MIXED USE AREAS. COUNCIL MEMBER DOZIER SECONDED THE MOTION.  
THE MOTION CARRIED BY A UNANIMOUS 5-0 VOTE.

Planning was directed to notify developers of this Council policy.

**Olive Chapel – Consider non-residential or office**

Council stated it mis-looked at the parcel and that it is fine with this. However, we could go down Kelly a ways and add parcels for O&I.

MAYOR PRO TEM SCHULZE MADE THE MOTION TO ADD TWO MORE LOTS SOUTH OF OLIVE CHAPEL AND ON THE WEST SIDE OF KELLY AS OFFICE EMPLOYMENT; COUNCIL MEMBER WILKIE SECONDED THE MOTION.  
THE MOTION CARRIED BY A UNANIMOUS 5-0 VOTE.

**New Hill Area – Discuss office designation**

Council stated there is a lot of housing in this area and the Plan says blocks of land for office or other uses should be reserved. If we block off for medium density housing, then we won't have a balance with business in that area. We can work with the New Hill folks and see what we can come up with.

Staff stated that another area they identified consisting of 209 acres was not on the 2025 plan. Council stated we should go for office and flex space in the area. Staff stated this would work because there is going to be sewer there; the question would be about cost. Discussion ensued on the effects of going over creeks and the possibility of another industrial area. Staff stated it did not see a problem if the area was designated all Office Employment and not Industrial Employment.

COUNCIL MEMBER JENSEN MADE THE MOTION FOR THIS TO GO TO THE PLANNING BOARD FOR CONSIDERATION OF THE AREAS BEING OFFICE EMPLOYMENT DESIGNATIONS WITHOUT ANY INDUSTRIAL EMPLOYMENT, TO INCLUDE AREAS NORTH OF THE CREEK; MAYOR PRO TEM SCHULZE SECONDED THE MOTION.  
THE MOTION CARRIED BY A UNANIMOUS 5-0 VOTE.

## ADJOURNMENT

With there being no further business,

MAYOR SUTTON ADJOURNED THE MEETING.

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Donna B. Hosch, CMC, NCCMC

Town Clerk

ATTEST:

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William M. Sutton  
Mayor