

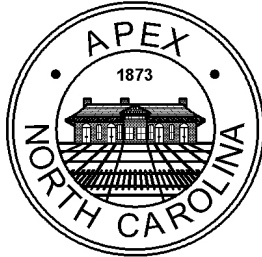
TOWN OF APEX, NORTH CAROLINA

Town Council Meeting Agenda for March 16, 2010

The Regular Meeting of the Apex Town Council scheduled for Tuesday, March 16, 2010, 7:00 p.m. will be held in the Council Chambers of the Apex Town Hall, 73 Hunter Street, Apex Town Campus.

Mayor Keith H. Weatherly will preside over the meeting.

Mayor:
Keith H. Weatherly



Council Members:
Bryan Gossage
Bill Jensen
Mike Jones
Lance Olive
Gene Schulze

Web site: www.apexnc.org

COMMENCEMENT

Call the meeting to order
Invocation
Pledge of Allegiance
Welcome

CONSENT AGENDA

All Consent Agenda items are considered routine, to be enacted by one motion with the adoption of the agenda and without discussion. If a Member of the Council requests discussion of an item, the item may be removed from the Consent Agenda and considered separately. The Consent Agenda will be set prior to taking action on the following items.

Mayor Weatherly will present the Consent Agenda to be set prior to taking action.

1. Minutes of March 2, 2010 Town Council meeting.
2. Minutes of February 26, 2010 Town Council Retreat.
3. Minutes of Adaptive Reuse Advisory Committee meetings: January 26, February 9 and 23, 2010.
4. Approve minor changes to existing rental and use policies related to Apex Community Center and Halle Cultural Arts Center.
5. Authorize Manager to execute General Release Agreement for stormwater maintenance bond no. 5022190 Portrait Homes, Old Mill Village, LLC. South Wake Bond.
6. Approve Apex Personnel Policy language: Section 7 Acceptance or Granting of Gifts and Favors.
7. Award contract for Economic Development Web Design to Liaison Design Group in the amount of \$8,000.00.
8. Award construction contract for Beaver Creek Greenway Phase 1C to Raleigh Paving and Grading for at a price not to exceed \$ 104,011.49; bid opening March 11, 2010.
9. Wake County Board of Commissioners tax report for Town of Apex approved and accepted in their regular session March 1, 2010.

End of Consent Agenda



REGULAR MEETING AGENDA

Mayor Weatherly will present the Regular Meeting Agenda to be set prior to taking action.

PUBLIC HEARINGS

Presenter: Brendie Vega, Principal Planner

Public Hearing # 01 – Conditional Zoning Case #10CZ02

Review: Planning Board met March 8, 2010 and unanimously recommends approval with conditions offered by applicant and recommended by staff; staff recommends approval with conditions noted by applicant.

Public Hearing and possible motion for Conditional Zoning Case #10CZ02 Aquiline Apex LLC; to rezone from Planned Unit Development to Planned Commercial Conditional Zoning, 48.062 acres located at 1528 E. Williams Street.

Presenter: Brendie Vega, Principal Planner

Public Hearing # 02 – Conditional Zoning Case #10CZ04

Review: Planning Board met March 8 and recommended denial of the proposed rezone with a vote of 4-3; denial related to poor access and circulation that would negatively impact adjacent properties; staff recommends approval with conditions noted by applicant.

Public Hearing and possible motion for Conditional Zoning Case #10CZ04 Lowes Food Stores, Inc.; to rezone from Neighborhood Business to Planned Commercial Conditional Zoning, .656 acres, located at 5400 Apex Peakway within the Olive Chapel Village Shopping Center.

Public Hearings # 03-A, # 03-B and # 03-C are proposed amendments to the Unified Development Ordinance; recommend separate consideration regarding each section.

Presenter: Lauren Simmons, Planner

Public Hearing # 03-A – UDO Amendments: Adaptive Reuse

Review: Adaptive Reuse Advisory Committee during various meetings formulated a recommendation to amend various sections of the UDO regarding Adaptive Reuse; Planning Board met March 8, 2010 and unanimously recommend approval of the proposed amendments as presented; staff recommends approval; certified public notice attached.

Public Hearing and possible motion regarding amendments to various sections of the Unified Development Ordinance, Adaptive Reuse and recommended by the Adaptive Reuse Advisory Committee.

Presenter: Michael Deaton, Environmental Programs

Public Hearing # 03-B – UDO Amendments: Watershed Protection Overlay Districts

Review: Public Works Environmental Programs recommends amendments to the UDO regarding Watershed Protection Overlay Districts; Planning Board met March 8, 2010 and unanimously recommends approval; staff recommends approval; certified public notice attached.

Public Hearing for various amendments to the Unified Development Ordinance recommended by the Environmental Programs and related to Watershed Protection Overlay Districts.

Presenter: Brendie Vega, Principal Planner

Public Hearing # 03-C – UDO Amendments

Review: Planning Board met March 8, 2010 and unanimously recommends approval; staff recommends various amendments to the UDO; certified public notice attached.

Public Hearing for various amendments to the Unified Development Ordinance recommended by the Planning Department.

End of Public Hearings



OLD BUSINESS

Presenter: Mayor Keith Weatherly

Old Business # 01 – 2010 Legislative Agenda

Review: Council at their March 2, 2010 meeting began preparation of a list of Legislative Agenda items to be considered by the NC General Assembly during their short session; additional items will be considered by Council to add to the list.

Consideration of the Town of Apex Legislative Agenda for the short session of the North Carolina General Assembly; possible motion to add additional item(s).

Presenter: Town Manager Bruce Radford

Old Business # 02 – Set Date for Council Work Session

Possible motion to set date for a Council Work Session to discuss the proposed Veridea project.

End of Old Business

PUBLIC FORUM

Public Forum allows the public an opportunity to address the Town Council.
Mayor Weatherly will recognize those who would like to speak at the appropriate time.
Large groups are asked to select a representative to speak for the entire group.
Your comments must be limited to 3 minutes to allow others opportunity to speak.

NEW BUSINESS

There are no New Business items to be considered.

CLOSED SESSION

Closed session to discuss eminent domain matters and receive legal advice on them.

WORK SESSION

No Work Session is scheduled.

ADJOURNMENT