



# REGULAR TOWN COUNCIL MEETING

Tuesday, October 06, 2020 at 6:00 PM

Council Chamber at Apex Town Hall, 73 Hunter Street

## Council and Administration

Mayor: Jacques K. Gilbert | Mayor Pro Tem: Nicole L. Dozier

Council Members: Brett D. Gantt; Audra M. Killingsworth; Cheryl F. Stallings; Terry Mahaffey

Town Manager: Drew Havens | Assistant Town Managers: Shawn Purvis and Marty Stone

Town Clerk: Donna B. Hosch, MMC | Town Attorney: Laurie L. Hohe

In attendance were Mayor Jacques K. Gilbert, Mayor Pro Tem Nicole L. Dozier, and Council Members Brett D. Gantt, Audra M. Killingsworth, Cheryl F. Stallings, and Terry Mahaffey. Also in attendance were Town Manager Drew Havens, Assistant Town Manager Shawn Purvis, Town Clerk Donna B. Hosch (remotely), and Town Attorney Laurie L. Hohe.

## COMMENCEMENT

Mayor Gilbert called the meeting to order and read a statement of diversity and inclusion related to religion. Paster Keith Waler, New Light Church, gave the Invocation after which Mayor Gilbert led the Pledge of Allegiance.

## PRESENTATIONS

PR1 Jacques K. Gilbert, Mayor

Presentation of Service Award to Jack Clark

Mayor Gilbert stated Mr. Clark was participating via livestream. Mr. Clark was being recognized for his years of service as a board member on the Planning Board and Board of Adjustment and the sacrifices he'd made to move the Town forward. Mayor Gilbert read a plaque which Dianne Khin, Planning Director, accepted on his behalf.

PR2 Jacques K. Gilbert, Mayor

Presentation of National Wildlife Federation's Mayors' Monarch Pledge Proclamation  
Mayor Gilbert recalled the efforts made by those being recognized for bringing this effort forward, stating that it was an educational experience for him. The Mayor called forward Katie Thompson, teacher from Pine Springs Academy in Holly Springs, and three of her students. Mayor Gilbert read the Proclamation before presenting it to Ms. Thompson,

stating he was proud to lead the way in the presentation of such. Ms. Thompson stated we don't have enough of these butterflies in Apex. The Mayor recognized David Wood, Halle Cultural Arts Center Manager, who was also a part of this effort.

PR3 Jacques K. Gilbert, Mayor

Presentation of Indigenous Peoples' Day Proclamation

The Mayor called forward C.G. Richardson and Sarah Hamilton. Each member of the Council shared in the reading the Proclamation before its presentation to Ms. Richardson and Ms. Hamilton.

PR4 Jacques K. Gilbert, Mayor

Presentation of Energy Efficiency Day Proclamation

Each member of the Council shared in the reading of the Proclamation before Mayor Gilbert made presentation to Megan Pendall, Sustainability Coordinator.

PR5 Jacques K. Gilbert, Mayor

Presentation of Fire Prevention Week Proclamation

Mayor Gilbert called Fire Chief Keith McGee forward and read the Proclamation before making its presentation.

PR6 Jacques K. Gilbert, Mayor

Presentation of Cyber Security Awareness Month Proclamation

Mayor Gilbert called forward John Lanzer, on behalf of the IT Department, and read the Proclamation before making its presentation.

#### CONSENT AGENDA

CN1 Amanda Bunce, Current Planning Manager

Set Public Hearing for the October 20, 2020 Town Council meeting regarding Rezoning Application #20CZ10 109 Holleman Street. The applicants, Charles Duane Taylor, Jr and Sherry Bailey Taylor, sought to rezone approximately 0.24 acre located at 109 Holleman Street (PIN 0742305576) from Office and Institutional (O&I) to Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ).

CN2 Shannon Cox, Long Range Planning Manager

Resolution to correct the recorded name for a remnant of Laura Duncan Road between Hunter Street/Old Raleigh Road and Old Mill Village Drive in favor of the functional name, North Mason Street

CN3 Lauren Staudenmaier, Planner I

- Resolution Directing the Town Clerk to Investigate Petition Received, Certificate of Sufficiency by the Town Clerk, and Resolution Setting Date of Public Hearing for October 20, 2020 on the Question of Annexation – Apex Town Council's intent to annex Powell Property Holdings, LLC (The Upchurch) property containing 5.5021 acres located at 7213 Roberts Road, Annexation #698 into the Town's corporate limits
- CN4 Drew Havens, Town Manager  
Appointment of Darryl Lanier (108 Moss Mountain Way) to the Parks, Recreation, and Cultural Resources Advisory Commission to fill the remaining term of Lance Brown which ends on June 30, 2022; Jeff Hastings (3609 Friendship Road) to the non-voting Apex Historical Society Seat on the Planning Board with a term ending December 31, 2022; and Ryan Akers (805 Wasdell Way) to the non-ETJ/Corporate Limits Seat on the Planning Board with a term ending December 31, 2022
- CN5 Russell Dalton, Senior Transportation Engineer  
NCDOT Certification of Municipal Declaration to Enact Speed Limits and Request for Concurrence, State Ordinance Number 1078853 for a 25 mph speed limit along W Chatham Street (SR 1307) between Jones Street and Salem Street within Apex municipal limits. The current statutory speed limit is 35 mph for W Chatham Street within municipal limits. The request for concurrence is required by NCDOT before they can proceed with an ordinance enacting a 25 mph speed limit for the section noted.
- CN6 Drew Havens, Town Manager  
Ordinance amending various sections of the Town Code to make wording gender neutral
- CN7 Marty Stone, Assistant Town Manager  
Budget Ordinance Amendment No. 4 which appropriated funds to pay amounts due under the first amendment to the Utility Infrastructure Reimbursement Agreement with Pulte Home Company, LLC, Standard Pacific of the Carolinas, LLC, and Taylor Morrison of Carolinas, Inc. and which authorized a transfer of funds from the Water Sewer HB 463 Capital Fund to fund the payment
- CN8 Shannon Cox, Long Range Planning Manager  
Approval and authorization for the Town Manager to sign and execute the General Operating Agreement for Bus Operations – Community Funding Area Program for Wake Transit Fiscal Year 2021
- CN9 Shannon Cox, Long Range Planning Manager  
Approval and authorization for the Town Manager to sign and execute the Special Capital Funding Agreement for Bus Infrastructure – Community Funding Area Program for Wake Transit Fiscal Year 2021

CN10 Dennis Brown, Construction Project Manager  
Approval and authorization for the Town Manager to sign Consent to Use Easement Area for the Cardinal Pipeline Company easement through the Pleasant Park site

Mayor Gilbert called for a motion to adopt the Consent Agenda. Council Member Stallings made the motion; Council Member Killingsworth seconded the motion.  
The motion carried by a 5-0 vote.

#### REGULAR MEETING AGENDA

Council Member Gantt requested Public Hearing 11 be heard before Public Hearing 07. Town Manager Drew Havens requested that Unfinished Business 01 and New Business 01 be heard ahead of the Public Hearings.

Mayor Gilbert called for a motion to adopt the Regular Meeting Agenda. Council Member Killingsworth made the motion with the requested modifications;  
Council Member Mahaffey seconded the motion.  
The motion carried by a 5-0 vote.

#### PUBLIC FORUM

No one in attendance wished to speak during Public Forum.

Recorded comment from Gabriel Schiada was heard regarding the completion of the greenway connection between Kelly Road and Abbingtion through Sweetwater. She spoke of the parks and greenway bonds which have been passed for the greenways and for some greenways for which work has not been started. Finalizing the greenways would make it safer to get around Town without navigating automobile traffic.

#### UNFINISHED BUSINESS

UB1 Vance Holloman, Finance Director  
Resolution providing for the Sale and Issuance of Not to Exceed \$32,000,000 Taxable General Obligation Refunding Bonds, Series 2020  
Staff stated our application was approved to issue the bonds. The sale was anticipated to occur on October 27<sup>th</sup>, and we would experience \$3.6 million in savings.

Mayor Gilbert called for a motion. Council Member Killingsworth made the

motion to approve; Council Member Dozier seconded the motion.

The motion carried by a 5-0 vote.

#### NEW BUSINESS

NB1 Vance Holloman, Finance Officer

Resolution Authorizing the Execution and Delivery of a First Amendment to the 2014 Installment Financing Agreement and Related Documents in Connection with the Refinancing of the Outstanding 2014 Installment Financing Agreement and a Resolution Authorizing the Execution and Delivery of a First Amendment to the 2015 Installment Financing Agreement and Related Documents in Connection with the Refinancing of the Outstanding 2015 Installment Financing Agreement

Staff stated the bank has agreed to a rate modification which would lower both loans to 1.85%, resulting in over \$400,000 in savings.

Mayor Gilbert called for a motion. Council Member Killingsworth made the motion to approve the request; Council Member Stallings seconded the motion.

The motion carried by a 5-0 vote.

#### PUBLIC HEARINGS

PH1 Joanna Helms, Economic Development Director

Purchase of +/- 32 acres of the Cash Corporate Center located at 2100 Production Drive for \$1,905,792 for the purposes of Economic Development, and the subsequent approval of Capital Project Ordinance Amendment No. 2021-1 and Budget Ordinance Amendment No. 5

Staff gave a brief history of the agreement the Town entered into for Cash Corporate Center. There is a potential prospect who would need 30 acres to locate their business here which would satisfy the terms of our agreement. The proposed acquisition cost would be \$59,556/acre or \$1,905,792. Staff explained from where the funding would come and what the budget ordinance amendments would appropriate.

Staff stated the potential prospect is referred to as Project Delta, a large distribution and office operation. She presented statistics associated with the project from its size, to jobs, to capital expenditure. A rough sketch of the proposed location at the Center was shown. Staff stated this project is moving forward at a pretty rapid pace, noting it was not a done deal yet.

Mayor Gilbert declared the Public Hearing open. With no one wishing to speak, Mayor Gilbert declared the Public Hearing closed.

Mayor Gilbert called for a motion. Council Member Dozier made the motion to approve the request; Council Member Stallings seconded the motion.

The motion carried by a 5-0 vote.

PH2 Dianne Khin, Director of Planning and Community Development  
Ordinance on the Question of Annexation – Apex Town Council's intent to annex MFW Investments, LLC (Colby Crossing) property containing 7.578 acres located along a portion of the future connection of Colby Chase Drive between Merion and Pemberley subdivisions, Annexation #651, into the Town's corporate limits  
Staff stated the requestor asked for this Hearing to be continued to the November 4<sup>th</sup> Council Meeting due to ongoing issues.

Mayor Gilbert called for a motion. Council Member Mahaffey made the motion to continue the Hearing to November 4; Council Member

Gantt seconded the motion.

The motion carried by a 5-0 vote.

PH3 Dianne Khin, Director of Planning and Community Development  
Ordinance on the Question of Annexation – Apex Town Council's intent to annex Kimberly & Loomis Horton, III, Mary Elizabeth Horton, Dwight Marvin Wright, MFW Investments, LLC, and MFWIRA, LLC (Horton Park PUD) properties containing 101.356 acres located at 8140, 8252, 8306, and 8308 Smith Road; 0 East Williams Street; 0, 0, 0, 0, & 0 Dezola Street; and 5220 Jessie Drive, Annexation #687 into the Town's corporate limits.

Staff stated the requestor asked for this Hearing to be continued to the November 4<sup>th</sup> Council Meeting due to ongoing issues.

Mayor Gilbert called for a motion. Council Member Mahaffey made the motion to continue the Hearing to November 4; Council Member

Gantt seconded the motion.

The motion carried by a 5-0 vote.

PH4 Shannon Cox, Long Range Planning Manager  
Amendments to the Thoroughfare and Collector Street Plan map associated with recommendations from the regional Southwest Area Study led by the Capital Area Metropolitan Planning Organization (CAMPO)

Staff stated Friendship Road and Bosco Road (future Richardson Road extension) would be addressed this evening.

(1) For Friendship Road, an analysis was calculated which analyzed daily traffic. She spoke about future traffic volumes. All amendments were reviewed with Town departments, and the Planning staff recommended approval as there were generally no major concerns. There was a benefit as far as connectivity and mobility.

Staff stated that consequently there was substantial public comment prior to the Planning Board meeting related to the Catholic church, the concern being the amendment would impact their ability to expand in the future. Also, there were concerns about the proximity of the thoroughfare to their playing field and noise near a place of worship. Planning staff now no longer recommended the amendment – only the shift in the minor collector street. The Planning Board supported the Planning staffs' recommendation.

Responding to Council, staff explained why the change was initially made – it came from the study. Staff explained what would happen if Council rejected the amendment. Also explained was future traffic.

(2) For Bosco Road, a minor change was made in the alignment, and staff pointed out what was being recommended. Planning staff and the Planning Board recommended the amendment.

(3) Needs for additional capacity were the next set of amendments, and staff explained what these were. There was no recommendation from Planning staff, and staff explained why. Planning Board recommended the amendment. Responding to Council, staff spoke to right of way and number of lanes questions.

(4) Staff explained the Center Street and Ten Ten Road amendment which showed future 6-lanes with median and explained the reasons for this. Planning staff and the Planning Board recommended approval.

(5) The North Salem Street amendment was to upgrade to a future 4-lane road, and staff explained the reasons for this. Planning Board and Planning staff recommended the change.

Responding to Council, staff explained why Planning staff did not make recommendation on several of the items – staff wanted the decision to be in Councils' hands.

Mayor Gilbert declared the Public Hearing open.

Mr. Lee spoke about staff recommendation #1 and how he was finally able to communicate with his parents in their language because of attending the church. The church also helps others who want to learn the language as well as learning the rich cultural history.

Mayor Gilbert declared the Public Hearing closed.

Mayor Gilbert called for a motion. Council Member Killingsworth made the motion to approve amendment #1; Council Member Stallings seconded the motion.

Council explained why he was opposed to the amendment.

Council stated he felt Council's issues could be addressed in the future.

Council Members Killingsworth, Stallings, Dozier, and Mahaffey voted in the affirmative; Council Member Gantt voted in the negative.

The motion carried by a 4-1 vote.

Mayor Gilbert called for a motion. Council Member Mahaffey made the motion to approve amendment #2; Council Member Dozier seconded the motion.

The motion carried by a 5-0 vote.

Mayor Gilbert called for a motion. Council Member Killingsworth made the motion to approve amendment #3; Council Member Gantt seconded the motion.

Responding to Council, staff answered questions related to conceptual design.

Council felt that we would be jumping too early into this and explained his reasons for thinking so.

Council stated this would be more getting the plan on the books for State and Federal sources.

Council stated she was torn on this issue.

Council stated we have committed to a suburban feel in this area, thereby his supporting the amendment.

Council Members Killingsworth, Gantt, Dozier, and Stallings voted in the affirmative; Council Member Mahaffey voted in the negative.

The motion carried by a 4-1 vote.



Mayor Gilbert called for a motion. Council Member Mahaffey made the motion to approve amendment #4; Council Member Killingsworth seconded the motion. The motion carried by a 5-0 vote.

Mayor Gilbert called for a motion.

Council expressed concern about the expectation for more traffic as long as there was an historical context to the area.

Council also expressed concern about the historical context and future traffic.

Council stated he felt expanding the lanes would encourage more traffic and this not being the way we would want people to get around town. He was also concerned about the historical context.

Council also spoke about traffic.

Council expressed concern about traffic and non-support of the amendment as did an additional Council Member.

The Mayor expressed traffic concerns, stating that he wished to refer to staff on this. Staff provided additional comments about the traffic concern.

Staff stated there would be future planning for this and when it would be done, hoping the encouragement would be for traffic to use the Peakway.

Council Member Stallings made the motion to approve amendment #5; Council Member Killingsworth seconded the motion. Council Members Stallings, Killingsworth, Dozier, and Gantt voted in the affirmative; Council Member Mahaffey voted in the negative. The motion carried by a 4-1 vote.

PH5 Jenna Shouse, Long Range Planner II

Amend the Bicycle and Pedestrian System Plan map associated with a proposed greenway connection to the proposed Apex Friendship Elementary School Staff explained the purpose of the amendment. Staff, Planning Board, and the Parks, Recreation, and Cultural Resources Commission recommended approval. Responding to Council, staff answered connectivity questions.

Mayor Gilbert declared the Public Hearing open. With no one wishing to speak, Mayor Gilbert declared the Public Hearing closed.

Mayor Gilbert called for a motion. Council Member Stallings made the motion to approve the amendment; Council Member Dozier seconded the motion.

The motion carried by a 5-0 vote.

PH6 Jenna Shouse, Long Range Planner II

Amendment of the Bicycle and Pedestrian System Plan map to revise facility types and add future greenway connections associated with The Park at Wimberly Master Subdivision Plan (formerly The Park at Jordan)

Staff explained the purpose of the amendment. Staff, Planning Board, and the Parks, Recreation, and Cultural Resources Commission recommended approval.

Responding to Council, staff answered questions related to connections and easements and who would construct the greenway.

Mayor Gilbert called for a motion. Council Member Dozier made the motion to approve the amendment; Council Member Gantt seconded the motion.

The motion carried by a 5-0 vote.

PH11 Amanda Bunce, Current Planning Manager

Rezoning Application #20CZ08 Apex Friendship Elementary School. The applicant, Betty Parker for Wake County Public School System, sought to rezone approximately 5.762 acres from Planned Unit Development-Conditional Zoning (PUD-CZ) to Rural Residential-Conditional Zoning (RR-CZ). The proposed rezoning is located at 7901 Humie Olive Road.

Staff oriented Council to the site. A neighborhood meeting was held. Planning Board and staff recommended approval. Responding to Council, staff answered questions related to RCA.

Mayor Gilbert declared the Public Hearing open. With no one wishing to speak, Mayor Gilbert declared the Public Hearing closed.

Mayor Gilbert called for a motion. Council Member Killingsworth made the motion to approve the rezoning; Council Member Dozier seconded the motion.

Council directed questions to Betty Parker related to greenways, bike access, and the opportunity to work with the owners. She stated the project team committed to building

the greenway if there were sufficient funds and the proper conditions arose to do so, as there are mutual benefits. This had not been planned into the project.

Council stated we needed to keep in mind what was heard in the neighborhood meeting and communications with Council regarding safety, transportation, and traffic.

Council thanked everyone for addressing this major concern for him. With this change and the other school coming, we have made tremendous progress in addressing this.

The motion carried by a 5-0 vote.

PH7 Amanda Bunce, Current Planning Manager  
Ordinance on the Question of Annexation – Apex Town Council's intent to annex Henry Steven Kastelberg, Carol B. Heelan Irrevocable Trust c/o George Heelan, Edward and Deborah Peart and Jerfi and Lisa Cicin (Heelan PUD) property containing 141.732 acres located at 8824 & 8829 New Hope Farm Road, 0 Humie Olive Road and 3108 & 3120 Olive Farm Road, Annexation #676, into the Town's corporate limits

and

PH8 Amanda Bunce, Current Planning Manager  
Rezoning Application #19CZ21 Heelan PUD and Ordinance. The applicant, Jason Barron for Morningstar Law Group, sought to rezone approximately 141.732 acres from Wake Co. R-40W to Planned Unit Development-Conditional Zoning (PUD-CZ). The proposed rezoning is located at 8824 & 8829 New Hope Farm Road, 3108 & 3120 Olive Farm Road, and 0 Humie Olive Road.

Staff oriented Council to the site. Affordable housing and tree canopy conditions were added. The Parks, Recreation, and Cultural Resources Commission recommended the required land dedication. Staff and the Planning Board recommended approval. Responding to Council, staff answered questions related to RCA.

Jason Barron, Morningstar Law Group, representing the applicant, named the team members in attendance with him. He stated this would be the best fit to the Town's adopted rezoning plans. Mr. Barron stated he would touch on nine aspects of the request; he stated how each aspect satisfied the Standards. Responding to Council, Mr. Barron answered questions about affordable housing and what they would be offering.

Mayor Gilbert declared the Public Hearing open.

Recorded comments were heard:

Deborah Peart stated she supported the request as the developer was offering a lot of benefits to the Town. Apex would be proud to have this as part of their community.

Jim Rozboril expressed concern for the developers being allowed to cut down all of the trees in the area as it would ruin the atmosphere. We do not need to make Apex another Cary.

Nancy Davis spoke about the Town's allowing the development of neighborhoods near Apex Friendship High School. She supported the effort for its many benefits -- affordable housing, a conservation easement, and a greenway. This will help Apex maintain it's status as one of the best places in the country to live.

Steve Kastleberg stated he supported this project. There would be many benefits including road connections and greenways to the park and other neighborhoods. Considerations for solar power and affordable housing have also been made.

Bill Ahern, CEO, Habit for Humanity, Wake County, thanked Council for attending the recent showing of their affordable housing options. He stated he was in support of this unique opportunity. This is an innovative way of approaching affordable housing, and Mr. Ahern stated he hoped it would be adopted by other Wake County municipalities.

Mayor Gilbert declared the Public Hearing closed.

Council asked Mr. Barron if they would find another 5 lots for a minimum of 15 townhomes for affordable housing, which Mr. Barron stated they were agreeable to doing.

Responding to Council, Mr. Barron stated offsite stream crossing was a zoning condition which they could not make a commitment to as part of the zoning process.

Responding to Council, Mr. Barron spoke about the number of things that would be a possibility because of the large size of the project. He explained how Habitat would interact with the project, Council wanting to see people going in housing and not simply a donation going to Habitat.

Council stated affordable housing, the canopy cover, and the mitigation were exceptional aspects of the project. He asked staff to step in and find a calculation for affordable housing and canopy which could be more of a standard and what the contribution would be. He thanked Mr. Barron for offering to willingly go above and beyond.

Council also thanked Mr. Barron for their efforts related to affordable housing as well as the other conditions offered.

Council asked Mr. Barron to be aware of the construction noise for those living in the area.

Mayor Gilbert called for a motion. Council Member Killingsworth made the motion to adopt the Annexation Ordinance; Council Member Stallings seconded the motion.

The motion carried by a 5-0 vote.

Mayor Gilbert called for a motion. Council Member Stallings made the motion to approve the rezoning with the updated mitigation language, the updated affordable housing number, and the additional language for the non-profit funding option; Council Member Dozier seconded the motion.

The motion carried by a 5-0 vote.

Mayor Gilbert called for a ten-minute break.

PH9 Liz Loftin, Senior Planner

Rezoning Application #20CZ04 Kobra Tracts PUD. The applicant, WithersRavenel, sought to rezone approximately 24.63 acres for the properties located at 7500 Green Level Church Road & 7501 Jenks Road (PINs 0733102211 & 0732196422) from Rural Residential (RR) to Planned Unit Development-Conditional Zoning (PUD-CZ).

Staff oriented Council to the site. A neighborhood meeting was held. The applicant agreed to an additional condition related to solar, and concerns from adjacent property owners had been resolved. The Parks, Recreation, and Cultural Resources Commission recommended a fee in lieu. Affordable housing language had been added. Planning staff recommended approval with the offered conditions as did the Planning Board. Responding to Council about accessory dwelling units, the applicant stated they could add these.

Brendie Vega, WithersRavenel, read a letter from Tom Bebe, one of the owner representatives. The property had been in the family for decades and was no longer a working farm. He wanted to see if the development fit into the area, and he was in agreement with what had been proposed, especially with the extension of sewer. Mr. Bebe, on behalf of the owners, requested approval from Council.

Ms. Vega, representing the applicant, spoke about the uniqueness of this multi-generational project. The aspects of the project were outlined. Responding to Council, Ms. Vega spoke about driveway access.

Armando Echevarria, engineer for the project, spoke about sewer options.

The Town Manager clarified the Town's contribution to the affordable housing fund. Responding to Council, Ms. Vega spoke to their contribution to affordable housing. She stated they did not partner with Habitat since the project is very small and coordination of the project with Habitat may not have worked.

Mayor Gilbert declared the Public Hearing open.

No one in audience wished to speak.

Recorded comment from Raju and Mahi Gadirau was heard requesting a stop light vs. a roundabout at Jenks and Green Level Church Roads. It is hard to get out onto Kelly Road because of a curve and a hill. A roundabout would do a better job in providing safety.

Mayor Gilbert declared the Public Hearing closed.

Responding to Council, staff answered questions related to a traffic signal for which the Town is holding a bond.

Mayor Gilbert called for a motion. Council Member Killingsworth made the Motion to approve the rezoning with the added conditions; Council Member Gantt seconded the motion.  
The motion carried by a 5-0 vote.

PH10 Lauren Staudenmaier, Planner I

Rezoning Application #20CZ07 2309 Old US 1 Highway. The applicant, Rich Levert, sought to rezone approximately 1.60 acres located at 2309 Old US 1 Highway (PIN 0720985958), from Rural Residential (RR) and Tech/Flex-Conditional Zoning (TF-CZ #15CZ25) to Mixed Office-Residential-Retail-Conditional Zoning (MORR-CZ).

Staff oriented Council to the site. A neighborhood meeting was held. The Planning Board and staff recommended approval with conditions offered by the applicant. Responding to Council, staff answered questions related to access.

Jeff Roach, Peak Engineering Design, spoke about why the rezoning was being requested. At some point, there will be a traffic study. There was one non-conformity which would be addressed. Responding to Council, Mr. Roach answered questions related to zoning.

Mayor Gilbert declared the Public Hearing open. With no one wishing to speak, Mayor Gilbert declared the Public Hearing closed.

Mayor Gilbert called for a motion. Council Member Killingsworth made the motion to approve the rezoning; Council Member Dozier seconded the motion.

The motion carried by a 5-0 vote.

PH12 Amanda Bunce, Current Planning Manager

Various amendments to the Unified Development Ordinance as requested by Planning staff

Staff oriented Council to the amendments. Planning Board and staff recommended approval.

Mayor Gilbert declared the Public Hearing open. With no one wishing to speak, Mayor Gilbert declared the Public Hearing closed.

Mayor Gilbert called for a motion. Council Member Stallings made the motion to approve the amendments; Council Member Killingsworth seconded the motion.

The motion carried by a 5-0 vote.

OLD BUSINESS

There were no Old Business items for consideration.

CLOSED SESSION

There were no Closed Session items for consideration.

WORK SESSION

There were no Work Session items for consideration.

ADJOURNMENT

With there being no further business and without objection from Council, Mayor Gilbert adjourned the Meeting.

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Donna B. Hosch, MMC, NCCMC  
Town Clerk

ATTEST:

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Jacques K. Gilbert, Mayor

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