

APEX ENVIRONMENTAL ADVISORY BOARD MEETING MINUTES

Meeting Date:
September 15, 2022
6:00p.m.



In-Person Meeting
Apex Town Hall Room 3A

ENVIRONMENTAL ADVISORY BOARD MEMBERS:

Katie Schaaf, Chair
Suzanne Mason, Vice Chair
Patrick Adams
Adam Efird
John Garrison

Bill Jensen
Jason Maynard
Kim Pierson
Greg Reger

Call to Order & Roll Call

The Environmental Advisory Board (EAB) meeting was called to order by Chair Katie Schaaf at 6:01p.m. Members present included Chair Schaaf, Vice Chair Suzanne Mason, and Board members Patrick Adams, John Garrison, Adam Efird, Bill Jensen, and Greg Reger. Board members Jason Maynard and Kim Pierson were absent.

Councilmember Cheryl Stallings was in attendance. Town staff members present were Current Planning Manager Amanda Bunce, Stormwater Engineering Manager Jessica Bolin, Public Works Director John Mullis, Housing Program Manager CJ Valenzuela, and non-voting staff secretary Sustainability Coordinator Megan Pendell. The meeting was open to members of the public.

Approval of Minutes

Chair Schaaf asked the Board if there were any comments on the Meeting Minutes from August 18, 2022. Board member Garrison made a motion to approve the Minutes, seconded by Board member Reger, Chair Schaaf and Board member Adams both abstained, and the motion passed unanimously.

Announcements & Open Discussion

Staff member Pendell introduced Public Works Manager John Mullis and welcomed back Housing Program Manager CJ Valenzuela. She also reminded the Board that the bi-annual Special Committee Meeting between the EAB, Tree Citizens Advisory Panel (CAP), and Bee City Committee is scheduled for Tuesday, October 4th at 6:30pm. An agenda will be shared with members soon.

Committee Updates: Tree CAP & Bee City Committee

The Tree CAP submitted their comments on the EAB Suggested Environmental Zoning Conditions list, which Planning staff is now reviewing. The Plant the Peak program has launched for its second year with 126 trees available by application.

Upon review, Bee City Committee voted to approve the Conditions list as is. Apex Girl Scout Troop 779 successfully completed their Silver Award project at the Nature Park Pollinator Garden.

Development Updates: Town Council Meeting Rezoning Results

Staff member Pendell shared that this Agenda item has been added as a recurring item for Town staff to share the results of relevant projects that the EAB had provided. Board members can expect updates starting at the next meeting.

Workgroup Updates: UDO Amendment Workgroup

Vice Chair Mason reported that there are no updates at this time.

Housing Advisory Board Presentation

Staff member Valenzuela reintroduced himself and stated his purpose here tonight to share updates from the Housing Advisory Board (HAB) and potential involvement from the EAB. Among a number of other projects from the Affordable

Housing Plan (AHP), housing staff along with planning staff are providing technical assistance to the HAB for purposes of designing a draft Affordable Housing Incentive Zoning Policy. The proposed voluntary (non-mandatory) Policy would be applicable through the rezoning and Planned Unit Development (PUD) approval process.

With direction from Town Council through the adopted AHP, the HAB is in the process of designing a draft Policy which would provide a menu of applicant (i.e. developer/builder) incentives to choose from in exchange for providing a certain percentage of affordable housing units and/or lots on-site. One of the goals of the draft Policy is to offer applicants a menu of incentives as a mechanism to help offset applicant revenue loss for the costs of providing affordable housing units on-site. Staff member Valenzuela presented the research process and strategy as well as the resulting list of ten (10) proposed Policy incentives. The sixth proposed Policy incentive as shown in his presentation was environmentally-related: Resource Conservation Area (RCA) Reduction Zoning-Based (up to a 10% reduction in required RCA). He communicated that the HAB wants to work collaboratively with the EAB and receive their feedback on the draft Policy, recognizing that some of the proposed incentives on the current draft Policy, such as a reduction in required RCA, are contradictory to recommendations typically given to developers by the EAB. Staff member Valenzuela reiterated that the list of incentives is not finalized and subject to change based on additional feedback received from the HAB, EAB, Planning Board, and Town Council.

EAB Feedback

- Chair Schaaf expressed her appreciation for the presentation. She also expressed her concern about the sixth proposed incentive (RCA reduction), and that the Town Advisory Boards should be working in concert together and sharing the same goals. She added that the sixth proposed incentive makes her feel uncomfortable because it directly contradicts the efforts of the EAB. Staff member Bunce added that it was important to mention that these incentives would not kick in for just one unit. Staff will review the incentives in context of the project on a case-by-case basis, just as they currently do with EAB recommendations. She acknowledged that there are competing interests, but both are valuable. Staff member Valenzuela contributed that Town Council has the final say on recommendations and incentives. The incentives are in part an effort to help reduce negotiations with the developers at Town Council meetings.
- Board member Adams brought up the fourth proposed initiative: Reduced Building Setbacks Zoning-Based. Staff member Bunce mentioned that this incentive will be dependent on the layout of the subdivisions. Vice Chair Mason added that she was concerned about this incentive as it reduces the area available for plantings.
- Board member Garrison circled back to the sixth proposed incentive and agreed with Chair Schaaf, expressing his concern. He asked where in the rezoning request process the HAB would be to present the incentives to developers and whether the EAB would be informed of which incentives have been approved. Staff member Valenzuela mentioned that developers will need to apply for the incentives upfront and staff member Bunce added that developers would have the ability to meet with Town housing staff during the application submittal stage to get information on the Policy's applicability, a step after the developers meet with the EAB.
- Councilmember Stallings added that there are often competing interests and sometimes Town Council needs to make difficult decisions. Ideally, Town Council would get to approve all recommendations from both the EAB and HAB every time, but that is not always realistic. Perspectives from neighbors and residents also need to be considered.
- Staff member Bunce circled back to the sixth proposed initiative, stating that an RCA reduction, if criteria are met, technically already exists as an option in the Unified Development Ordinance (UDO). RCA takes up land area, which is one of the greatest costs to development, and so reduction can be used to offset costs incurred for other environmental efforts. Staff member Valenzuela added that it would be rare for a development to qualify for all ten (10) of the proposed Policy incentives within a single development.

Staff member Valenzuela stated that Town Administration has requested that he coordinate with the EAB to do their own research and decide on whether a list of potential EAB incentives to offer similar to the HAB incentives would make sense. The goal would be to receive feedback from the Board by the Town Council Retreat in January 2023. Town Administration has mentioned that a third-party facilitator will likely be introduced to help facilitate the incentive proposals. Board members thanked Staff member Valenzuela for his presentation.

Pre-Application Meeting: Apex Yard Waste Transfer Station Site

The project representatives for Apex Yard Waste Transfer Station Site, a rezoning initiated by Town of Apex operations, were Staff member Bunce and John Mullis, the Apex Public Works Director. Staff member Bunce began with a presentation and showed the parcel map.

Items and questions discussed with the Board include:

- Board member Garrison inquired about any lighting plans. Director Mullis explained the specific use of the site and that he was unsure if lighting would be required. Board member Garrison made a recommendation on lighting if applicable.
- Councilmember Stallings asked about the final destination of the yard waste. Director Mullis explained that the yard waste would be transported to Holly Springs.
- Vice Chair Mason inquired about the west and south side buffers, especially with no buffer planned for the east side. Staff member Bunce explained the zoning requirements and reasoning behind the reduced buffer widths. Vice Chair Mason expressed her concern about the lack of requirement for a buffer on the east side of the parcel due to the forested and natural state of the adjacent property. The Town stated that there was not a strong need for a perimeter buffer on that side since there is little to no chance for the adjacent property to use the portion of their property between the riparian buffer and the Town's property. She added to her concern that this action could set a precedent for other applicants who have property adjacent to buffered areas to do the same.
- Vice Chair Mason also asked about the need for a UDO amendment. Staff member Bunce explained that the Council would be reviewing a UDO amendment to add the yard waste transfer use and associated use standards to the Ordinance as it currently does not exist. The use would be classified as a Class 6 use for buffer purposes. The proposal is to allow the use in the Light Industrial zoning district subject to approval of a special use permit.
- Vice Chair Mason inquired about whether the Town was considering tree replacements being that the parcel in question is currently forested. Staff member Bunce explained that the Town has current programs in place to plant trees already, including the Plant the Peak program. She explained that due to the nature of the proposed use, there is no opportunity to replant trees onsite.
- Board member Jensen asked whether the required stormwater control measure (SCM) could be sized to handle the 25-year storm. Staff member Bunce shared that this would be considered during design.

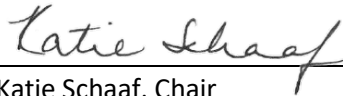
Summary of Recommendations:

- Replace tree canopy lost to this project.
- Increase design storm for the retention pond for pre- and post-attenuation requirement to at least the 25-year storm.
- Include International Dark Sky Association compliance standards.
 - Outdoor lighting shall be shielded in a way that focuses lighting to the ground.
 - Lighting that minimizes the emission of blue light to reduce glare shall be used.
 - Lighting with a color temperature of 3000K or less shall be used for outside installations.

Board member Garrison made a motion to approve the rezoning recommendations, seconded by Board member Mason, voted no by Board members Adams and Jensen, and the motion passed with a 5-2 vote.

Adjourn

Board member Jensen made a motion to adjourn the meeting, seconded by Board member Adams. The motion was approved unanimously and the meeting adjourned at 7:20p.m.



Katie Schaaf, Chair

ATTEST:



Megan Pendell, non-voting staff secretary