

APPROVED

TOWN OF APEX PLANNING BOARD MEETING MINUTES MONDAY, JULY 8, 2024 4:30 P.M.

The Apex Planning Board met on Monday, July 8, 2024 at 4:30 PM in the Council Chambers at Apex Town Hall, located at 73 Hunter Street in Apex, North Carolina.

This meeting was open to the public. Members of the public were able to attend this meeting in-person.

[ATTENDANCE]

Board Members

Tim Royal, Vice-Chair, ETJ Member

Keith Braswell

Sarah Soh

Alyssa Byrd

Daniel Khodaparast

Jeff Hastings, Wake County Non-Corporate Limits and Non-ETJ Representative

Absent: Tina Sherman, Chair, Steven Rhodes, Preston Mitchell

Vacant, Apex Historical Society Representative (non-voting)

Town Staff

Planning Director Dianne Khin

Current Planning Manager Amanda Bunce

Senior Planner June Cowles

Planner II Shelly Mayo

Planner II Lauren Staudenmaier

Lead Planning Technician Jeri Pederson

All other staff members will be identified appropriately below

[COMMENCEMENT]

Vice-Chair Royal called the meeting to order at 4:30p.m. and Board Member Braswell led the invocation. Vice-Chair Royal then asked everyone to stand for the Pledge of Allegiance.

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[ITEMS OF INFORMATION]

Director Khin said there were no consent items this month and the June 10th meeting minutes will be provided next month.

Director Khin said for New Business Item No. 1 regarding the Veridea Pattern Book, there is no quorum for a motion as some people would need to be recused, and it will be heard on the August 12th meeting.

[PUBLIC COMMENT]

First to speak was **Elizabeth Stitt** of 3113 Friendship Road

"I am here with a group of four people. So, I am going to need more than 3 minutes, but I won't need 9 minutes. So, what was on the posted agenda was the Veridea pattern book, which is now under the new business item. So, this is the time that we can have some comment. What we found very interesting about the pattern book is if you look at the pattern book on Page Six of the attachment that was made available to the public, you have the Town of Apex, you have the developer, you have paid consultants, but you didn't have the community involved in this pattern book. And we found that to be a little concerning. We also found it concerning that there wasn't actually a legal ad for the public hearing that was posted on the agenda. And yes, we're still trying to learn when there's a 10-day legal ad and when there's not. But when you look at this pattern book, it's 86 pages long and it proposes many changes to the UDO. And I'm not here to say it's bad changes because we have not had time to review it, but we were just really surprised that this type of document would come in from the Planning Board without there being some additional public meetings. And we go back and we reference our experience with the Western Big Branch study area that they are working on. You know, we're about 1800 acres and Veridea is about 900 acres. There's been five public meetings that the planning department has had with us and we greatly appreciate that type of participation. But we are very interested as what's going to happen with Veridea because it's our properties that the town needs in order to put the force main in to deliver sewer to Veridea. And so, when you're impacting my property for a development, I'd like to at least understand the implications of handing over all of this authority to a responsible person within the pattern book. It seems that there's a lot of changes to the UDO and again, the planning board agenda wasn't posted until Wednesday. Thursday was a holiday, holiday weekend. I did not look at it until today. But there seems to be a lot of changes and it raises questions of is it keeping with Apex's small-town character, or is it setting a precedent to really change the dynamics of our community. Is this setting a precedent for the next developer to come in with a pattern book. I'm not opposed necessarily to neighborhood overlay districts because we're trying to get one for our area to protect and control what happens in our community to have a quality of life that we bought into years ago. And that was actually advertised in all of the different Apex planning board maps and all. So, you go look at the past used to be equestrian horses were shown on all of the ads that were put out. You no longer see that. That stopped around 2019. So, our communities playing catch up a little bit that the town has changed on us. And so, we're, that's why we're like, hey, we're concerned

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about which changes is happening in Veridea. Now, Joe Graziose with RXR Realty, he's got my phone number, he's got my e-mail address. The town does, a number of you guys do. It just seems that something this big for 900 acres that's going to impact my property. There should be something more than just an agenda item. There needs to be more public meetings. There needs to be a workshop. I need someone to sit down and explain the 86 pages to me. I can't go to the town's UDO and compare every single line in that many pages. It's just too big, too hard. So, I know that the public hearing is probably going to be at the next meeting, but I just wanted you guys to understand that we need a little more due diligence. You know, this is America where we're supposed to participate. We want to participate. I'm just asking you to give us the opportunity to participate. Thank you."

Vice-Chair Royal asked if there were any resources to direct Ms. Stitt to.

Ms. Bunce said she would follow up with Ms. Stitt to provide her information and answer any questions she may have between now and August.

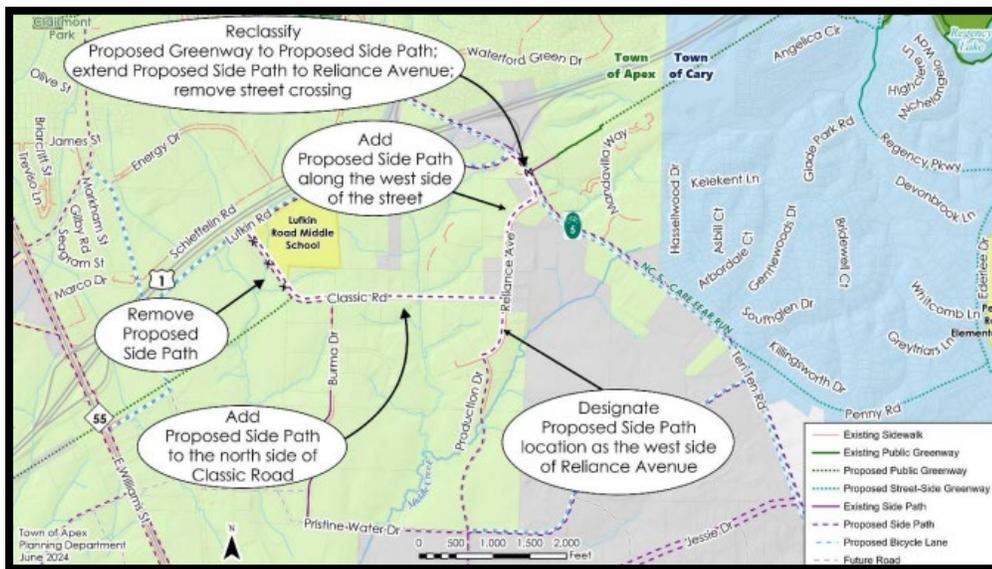
[PUBLIC HEARING]

ITEM NO. 1 - PUBLIC HEARING AND POSSIBLE MOTION REGARDING ADMENTMENTS TO THE APEX TRANSPORTATION PLAN AND THE MIDDLE CREEK GREENWAY

Angela Reincke, Parks Planning Manager, said the purpose of this meeting is to consider possible motion regarding amendments to the Transportation Plan related to the Middle Creek Greenway. She said the proposed amendments include changes along Reliance Avenue, Classic Road, and Ten-Ten Road which established the Middle Creek Greenway Corridor route through Apex and identifies connections to the Middle Creek Corridor. She said the Middle Creek Greenway is part of the Great Trail State Plan and provides connectivity from Holly Springs through Apex to the Town of Cary. The route being recommended was identified through a Greenway Feasibility Study, which was funded through a grant from the NCDOT. The first recommendation is to remove the current designation of the route from Pristine Water Dr, Burma Dr, Classic Rd, Lufkin Rd and Ten Ten Rd and to designate the Middle Creek Greenway corridor to follow Production Dr, Reliance Ave, and Ten Ten Rd. She said the amendments include: 1) removing proposed side path from the south side of Classic Rd from Lufkin Rd to the proposed greenway which connects west to Hwy 55 S, 2) adding proposed side path to the north side of Classic Rd, 3) adding proposed side path along the west side of Reliance Ave from Ten-Ten Rd to Classic Rd, 4) designating a proposed side path location on the west side of Reliance Ave, south of Classic Rd to the intersection with Production Dr, and 5) reclassify proposed Greenway to proposed side path and extending proposed side path to Reliance Ave along Ten Ten Road. The amendments were presented to the Parks, Recreation, and Cultural Resources Advisory Commission at their May 28th meeting and were unanimously recommended for approval.

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[SLIDE-1]



Board Member Khodaparast asked if there is going to be a side path or accessibility of some kind to Lufkin Road Middle School.

Ms. Reincke said there will be a side path along the north side of Classic to Lufkin Middle's property. She said she met with the school principal and talked about potentially coming in to the backside near the parking lot of their school.

Vice-Chair Royal asked what the reasoning behind the change in moving the side path from where it was to the new location.

Ms. Reincke said staff requested the feasibility study grant money to study the corridor and the alignment because the trail is now on the Great Trail State Plan. She said it's providing more of a connection between downtown Holly Springs, downtown Apex and the Swift Creek Greenway, which all links to the Cary downtown as well. She added the intent has always been to go through a non-residential area. She said this recommendation was the most direct, safest and provided connectivity route that came out of the study. She said staff did ensure that Classic Road provides East to West so in the future if the town was to compute the corridor along paralleling US-1 that goes east to west, the town would also be able to make the connection.

Board Member Soh asked if there are any environmental impacts with the small creek that's running east to west.

Ms. Reincke said it's Middle Creek. She said it would consist of widening or either expanding a sidewalk to a full 10-foot width.

Vice-Chair Royal asked for clarification that this was grant money.

Ms. Reincke said the study was done with grant money and it does set the town up potentially for funding for design and potentially construction.

Board Member Byrd asked that the removing side path was on the west side of the road in regards to Classic Road.

Ms. Reincke said yes, and that it will continue in front of Lufkin. She said there is also a side path along Burma Drive, somewhat constructed all the way down to Pristine Waters.

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Board Member Soh asked if the future plan is to meet Hwy 55 on the west side.

Ms. Reincke said the current plan shows greenway alignment that would go to Hwy 55. She said staff will have to work with the Town of Cary and Duke Energy to connect that along the same corridor in both directions as it follows the large overhead transmission line.

Vice-Chair Royal opened the public hearing, and with no signups, closed the public hearing and asked the board for any further questions.

A **motion** was made by **Board Member Khodaparast** and seconded by **Board Member Byrd** to approve the amendments to the Apex Transportation Plan related to the Middle Creek Greenway.

VOTE: UNANIMOUS (6-0), with Chair Sherman, Board Member Rhodes, and Board Member Mitchell absent.

[NEW BUSINESS]

ITEM NO. 1 - VERIDEA PATTERN BOOK

Vice-Chair Royal said this item will be heard at the August meeting due to a lack of a quorum for this item.

ITEM NO. 2 - VARIOUS AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE (UDO)

Amanda Bunce, Current Planning Manager, said there are four sets of amendments to the UDO. She provided the purpose for and summary of each set of amendments which include the following: 1) Amendments to Sec. 2.3.4 *Board of Adjustment* in order to update language related to participate by alternates; 2) Amendments to Secs. 2.1.3 *Planning Board*, 2.1.3 *Board of Adjustment*, 2.1.4 *Transit Advisory Committee*, and Sec 2.1.10 *Housing Advisory Board* in order to add clarity on voting requirements; 3) Amendment to Sec.2.3.12.C *Appeals, Procedures* in order to change the vote needed to reverse a contested decision or interpretation from four-fifths to a majority in accordance with State Law. 4.) Amendment to Sec. 5.2.5 *Bulk Measurement and Requirements* in order to revise the calculation of built-upon area to refer to definition of the term in Sec. 12.2 *Terms Defined*.

A **motion** was made **by Board Member Soh** and seconded by **Board Member Braswell** to approve the various amendments to the Unified Development Ordinance (UDO).

VOTE: UNANIMOUS (6-0), with Chair Sherman, Board Member Rhodes, and Board Member Mitchell absent.

[ADJOURNMENT]

Vice-Chair Royal asked for a motion to adjourn.

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A **motion** was made by **Board Member Soh** and seconded by **Board Member Hastings** to adjourn the Planning Board meeting at **4:52 PM**.

VOTE: UNANIMOUS (6-0), with Chair Sherman, Board Member Rhodes, and Board Member Mitchell absent.

Tim Royal
Planning Board Vice-Chair

Jeri Pederson
Lead Planning Technician

Submitted for approval by Lead Planning Technician Jeri Pederson and approved on August 12, 2024.