

APPROVED

TOWN OF APEX PLANNING BOARD MEETING MINUTES MONDAY, October 14, 2024 4:30 P.M.

The Apex Planning Board met on Monday, October 14, 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. The recording of this meeting can be viewed here:

https://www.youtube.com/watch?v=CGj495v8_f4.

[ATTENDANCE]

Board Members

Tina Sherman, Chair

Tim Royal, Vice-Chair

Keith Braswell

Steven Rhodes

Sarah Soh

Alyssa Byrd

Daniel Khodaparast

Preston Mitchell

Jeff Hastings (Wake County Representative)

Vacant: Apex Historical Society Representative

Town Staff

Planning Director Dianne Khin

Current Planning Manager Amanda Bunce

Planner II Shelly Mayo

Planner I Joshua Killian

All other staff members will be identified appropriately below

[COMMENCEMENT]

Chair Sherman called the meeting to order at 4:30p.m., she recognized Indigenous People's Day and then called for a moment of silence and led the Pledge of Allegiance.

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[ITEMS OF INFORMATION]

Director Khin shared that the draft “Western Big Branch Area Plan: Encompassing Portions of the Friendship and New Hill Communities” is available for review on the Town’s website. She shared that the Planning Board public hearing will be Monday November 4, 2024 at 4:30 p.m. and the Town Council public hearing will be on Thursday November 21, 2024 at 6 p.m. She shared that following the adoption of the plan there would be amendments to the 2045 Land Use Map and the 2045 Transportation Plan Map.

[PUBLIC COMMENT]

Chair Sherman opened the floor for anyone to speak on non-agenda items and with no sign-ins the public comment time was closed.

[CONSENT]

Chair Sherman asked for a motion to approve the meeting minutes from the September 9, 2024 Planning Board meeting.

A **motion** was made by **Board Member Hastings** and seconded by **Board Member Soh** to approve the meeting minutes.

VOTE: UNANIMOUS (9-0)

[PUBLIC HEARINGS]

Chair Sherman opened Public Hearings. She explained the new process for Public Hearings. She said that staff would give a presentation and applicants wanting to speak would sign up and have the same time limitations applicable to the public. She said that once all comments were made, comments from the Public Hearing would go to the Board for discussion, and if any questions during the discussion period could be addressed at that time the applicant or staff would do so. She said that this was to streamline the process and offer an opportunity for both the applicant and community to engage in discussions.

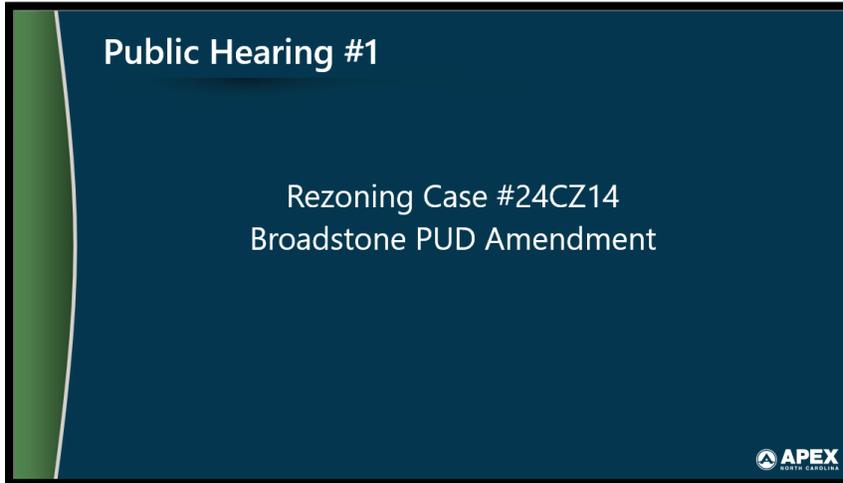
ITEM NO. 1 - REZONING CASE NO. 24CZ14 Broadstone PUD Amendment

Joshua Killian, Planner I, presented possible motion regarding amendments to the Broadstone Station PUD. The applicant, Angel Management, Inc. seeks to rezone approximately ±5.84 acres from Planned Unit Development-Conditional Zoning (PUD-CZ

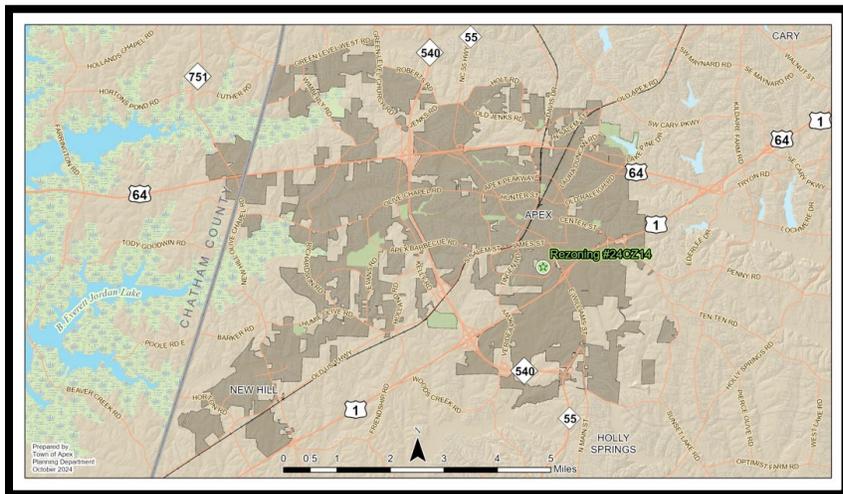
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#19CZ03) to Planned Unit Development-Conditional Zoning (PUD-CZ). The proposed rezoning is located at 0 South Hughes St (SW corner of Hughes St and Apex Peakway). The proposed rezoning is consistent with the 2045 Land Use Map. Planning Staff recommends approval of the amendments.

[SLIDE 1]



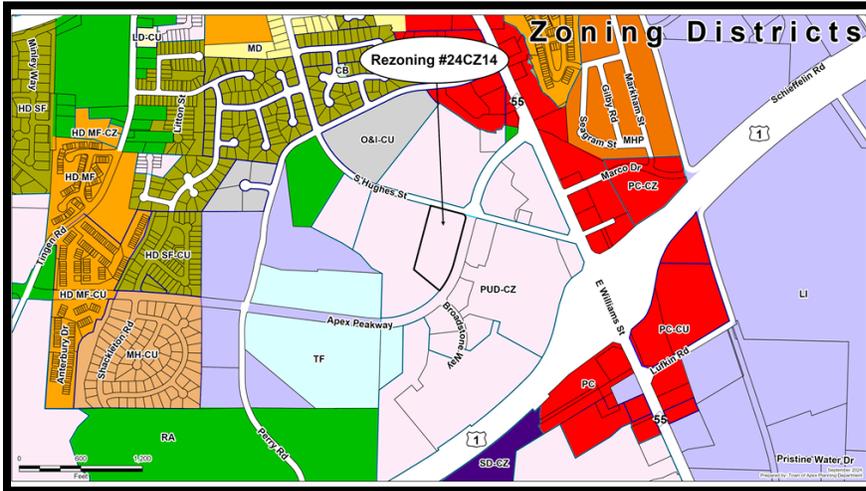
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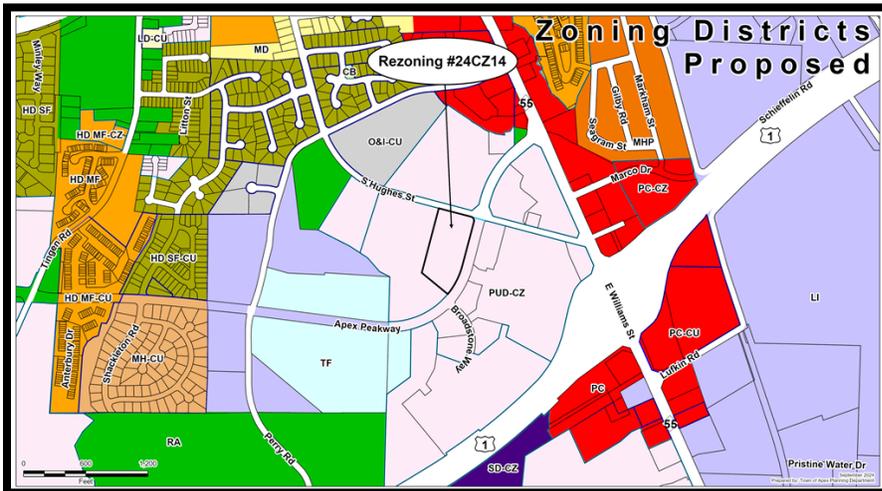
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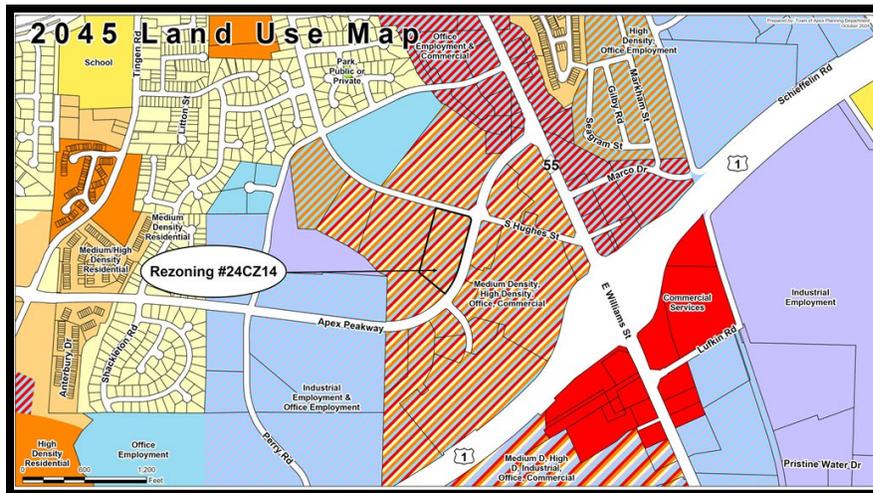
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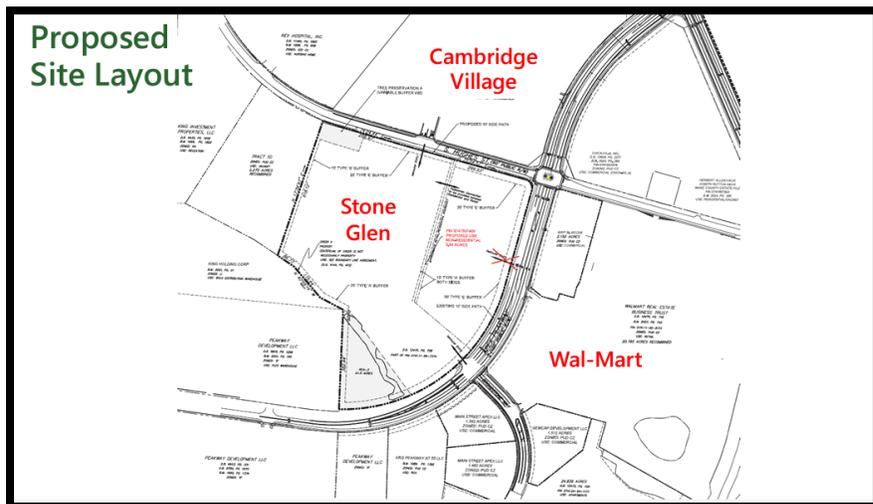
[SLIDE 5]



[SLIDE 6]



[SLIDE 7]



[SLIDE 8]

Proposed PUD changes

Proposed Non-Residential Uses:

- 4.3.2 Public/Civic Uses**
 - Assembly Hall, Nonprofit
 - Government Service
 - Veterinary Clinic or Hospital
- 4.3.3 Utilities**
 - Communication Tower, Stealth (Camouflage)
 - Utility, Minor
- 4.3.4 Recreational Uses**
 - Greenway
 - Park, passive
 - Recreation facility, private
- 4.3.5 Commercial Uses**
 - Food and Beverage Service
 - Restaurant, drive-through*
 - Restaurant, general
 - Office and Research
 - Medical or dental clinic or office.
 - Medical or dental laboratory.
 - Office, business or professional.
 - Public Accommodation
 - Bed and breakfast.
 - Hotel or motel

- Retail Sales and Service
 - Barber and beauty shop
 - Book store
 - Convenience store
 - Financial institution
 - Floral shop
 - Greenhouse or nursery, retail
 - Grocery, general
 - Grocery, specialty
 - Health/fitness center or spa
 - Laundromat
 - Newsstand or gift shop
 - Personal service
 - Pharmacy
 - Printing and copying service
 - Real estate sales
 - Retail sales, general
 - Studio for art

APEX
SOUTH CAROLINA

[SLIDE 12]

Proposed PUD changes

Added Transportation Zoning Conditions:

1. Driveway Access: Vehicular access to PIN 0741557469 shall be exclusively from Emerald Pines Avenue (accessing Apex Peakway) and Amethyst Crest Way (to Sapphire Hill Street, accessing South Hughes Street).
2. South Hughes Street Improvements: Developer shall widen South Hughes Street for the length of the road frontage of PIN 0741557469 to a minimum 41-foot curb and gutter section with a 10-foot Side Path that ties to existing curb at the western boundary of the property.



[SLIDE 13]



Mr. Killian asked if there were any questions.

Chair Sherman asked if this the drive-thru standard was only related to restaurants and not areas where you can drive up, like at a hotel.

Mr. Killian said yes.

Chair Sherman asked if the stand along restaurant would restrict a restaurant from being on site or would it restrict where it would be on the site.

Mr. Killian answered that it would only apply to restaurants with a drive-thru.

Board Member Byrd asked for educational purposes, what was the purpose of the setback.

Mr. Killian said that it was to pull the heavier car uses from the corner and bring it into the parcel.

Board Member Royal asked if there were any height limitations for the hotel use.

Mr. Killian said that there were no zoning conditions within this PUD amendment limiting height, but there may have been for the original PUD.

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Ms. Bunce, Current Planning Manager, said the maximum height for the use hotel is six stories. She said that for this site height would likely be limited by parking.

Chair Sherman opened the Public Hearing.

First to speak was **Matthew Carpenter** with Parker Poe at 301 Fayetteville Street:

"As Joshua explained, the purpose of the amendment is to allow the development of a hotel and some retail commercial out parcels. To give you a little more context about the way the PUD has progressed over the years, I believe it was originally approved PUD in 2007 or around that time and has been amended at least twice since then, in 2010 and 2019. The 2019 amendment was the most recent and it was brought by DHIC for the Stone Glen Apartments. And so the commercial designation was actually on their property before they brought the amendment and it was hotel, office, retail is how it was written on the plan. When they moved that designation off their property to develop the affordable housing project, they moved it onto this property but dropped the first two labels, so it just said retail. But then the hotel is still permitted use in the PUD documents. We initially had some confusion about whether the hotel was permitted or not, and we thought it would be cleaner to bring the PUD amendment to make it clear that it is permitted and get that cleaned up. But as we've gone through that process, we were able to improve the zoning. Right now, it's just a general retail designation which allows that long list of uses that Joshua mentioned and so in working with staff, staff identified several uses that don't make sense here, so we've excluded those. And then the second thing we done was to respond to the concerns about the drive-thru, which are mostly related to the Chick-fil-A at the northeastern corner of the intersection. If I remember their site plan correctly, their drive aisle goes around the intersection, so when you drive through it will be a very car-oriented landscape when you drive through and the goal was not to have that on our site as well, so to push drive-throughs down to the southern portion of our site, we did want to leave the ability for like a multi-tenant drive-thru a little bit closer to the intersection, that's like Starbucks or Dunkin, and it's a little less intense a smaller drive-thru not like a NASCAR Chick-fil-a drive-throughs. And so those are the main improvements we've been able to make with those changes and the permitted uses the request is consistent with the land use map, which targets this as a mixed use area and so for that reason, we respectfully request your recommendation for approval. Thank you."

Chair Sherman closed the Public Hearing with no one else to speak. She then brought the item back to the Board for discussion and possible motion.

Board Member Royal asked what the plan for the hotel was with regard to parking and height.

Jeff Roach, Peak Engineering and Design, thanked the Board for letting him come talk. He said that they are still working with the applicant. He said there would be some space on the Peakway and there could be restaurant space. He said that once the hotel is designed that will determine how much space would be left for office or restaurant space. It will be all

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surface parking, so it's a balance between all of the uses. He said that this hotel might be 5 stories like another the applicant is building in Macgregor.

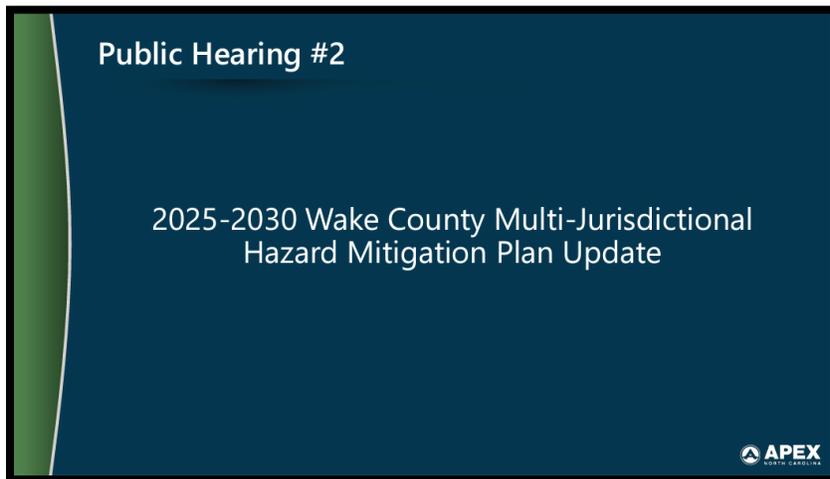
A **motion** was made by **Board Member Byrd** and seconded by **Board Member Mitchell** to approve Rezoning Case #24CZ14 Broadstone PUD Amendment.

VOTE: UNANIMOUS (9-0)

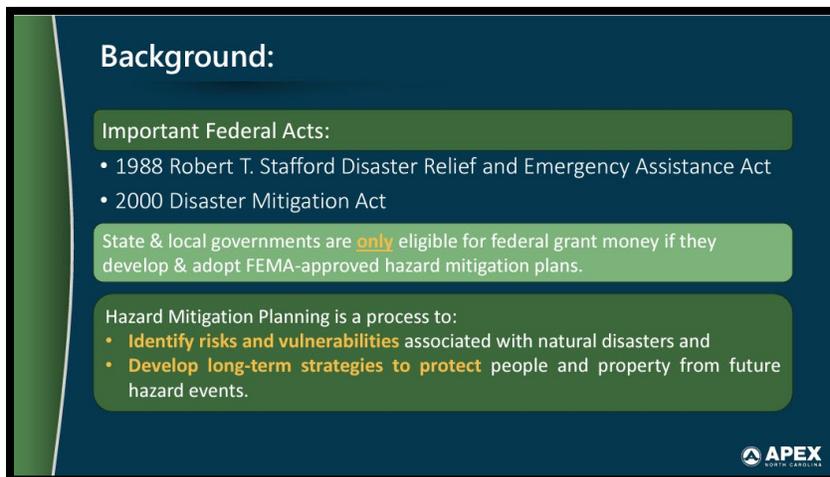
ITEM NO. 2 - 2024 Wake County Multi-Jurisdictional Hazard Mitigation Plan Update

Shelly Mayo, Planner II, presented the 2024 Wake County Multi-Jurisdictional Hazard Mitigation Plan Update and summarized the purpose and need for the plan. The document includes an Action Plan with an outline of mitigation actions as well as a Capability Assessment. This Plan will be in place for five years. Town staff recommend approval.

[SLIDE 1]



[SLIDE 2]



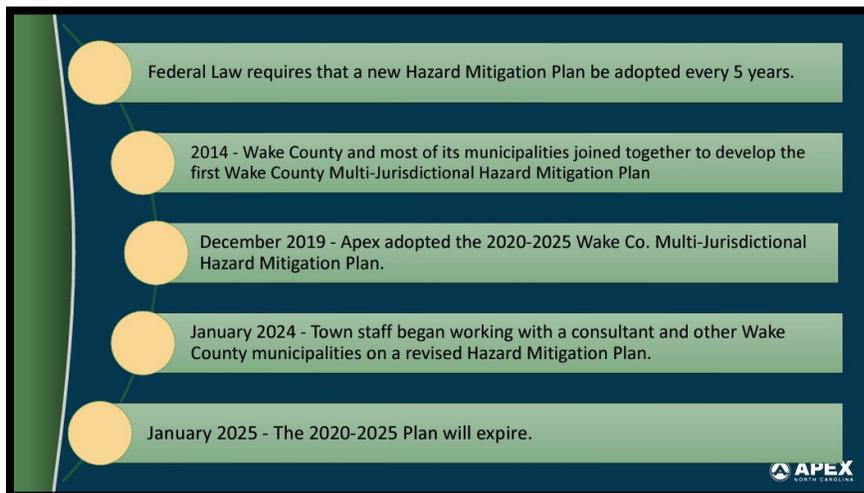
[SLIDE 3]



[SLIDE 4]



[SLIDE 5]



[SLIDE 6]

Department	Committee Designee(s)
Budget & Performance Management	Amanda Grogan, Director & Jessica Hoffman, Budget Analyst
Building Inspections & Permitting	Jeff Nance, Code Enforcement Officer I
Communications	Stacie Galloway, Director
Community Development & Neighborhood Connections	Rebekah Shamberger, Housing Specialist
Diversity, Equity & Inclusion	Linda Graham Jones, Director & Celeste Sherer, Coordinator
Economic Development	Joanna Helms, Director
Electric Utilities	Eric Neumann, Director & Rodney Smith, Technical Services Manager
Fire Department	David Dillon, Deputy Fire Marshall Taylor Sanchez, Emergency Management Coordinator
Human Resources	Amber Bobbitt, Safety & Risk Manager
IT	Michael Smith, Analyst
Office of the Town Clerk	JP Parris, Legislative Assistant
Parks, Recreation, & Cultural Resources	Brian Barnes, Parks Operations Manager
Planning	Dianne Khin, Director & Shelly Mayo, Planner II Amanda Bunce, Current Planning Manager & Will Brown, GIS Analyst
Police Department	Matt Hunter, Senior Police Captain & Justin Rosser, Police Captain
Public Works	Heather Cashwell, PW Operations Manager
Transportation & Infrastructure Development	Adam Stephenson, Transportation Engineering Manager
Water Resources	Jonathan Jacobs, Assistant Director Jessica Bolin, Stormwater Engineering Manager

[SLIDE 7]

Completed Action Items:

Department:	Action Item:
Fire	Construct Public Safety Station #6 Create a situational awareness dashboard in the Emergency Operations Center.
Planning	Update the UDO and DDM to incorporate proper species selection and practices for planting and maintenance into the landscape ordinance. Update the UDO to add separation standards between daycares and hazardous uses Update the UDO to add separation standards for the use "gas and fuel, wholesale"
Water Resources	Implement the Stormwater Utility Fee & program.



[SLIDE 8]

New Action Items:

Department:	Action Item:
Electric Utilities	Upgrade the East Williams St. Substation - Add two 40 MVA Power Transformers Construct new feeder lines in strategic locations to tie electric substations together & move power around town during emergencies.
Fire	Renovate Fire Station 3 Construct Public Safety Station #8
Information Technology	Camera Project in downtown & Town Campus (joint w/ Fire & Police)
Parks	Big Branch Greenway Reedy Branch Greenway (Abbingtone-Kelly Road West to Goliath Lane) Middle Creek Greenway (Gladstone North to Center Street)
Police	Police Department Addition & Renovation – add office space



[SLIDE 9]

New Action Items:

Department:	Action Item:
Transportation & Infrastructure Dev.	GPS Emergency Vehicle Preemption - allow emergency vehicles to interrupt normal traffic signal timing during an emergency.
	Justice Heights St. Extension
	Apex Peakway North Widening (Center St to Old Raleigh Rd)- widen from a 2- to 4-lane road to handle congestion.
	Pristine Water Drive Connector (Pristine Water Dr. to Lufkin Rd)
Water Resources	Sanitary Sewer Condition Assessment
	Stormwater System Condition Assessment
	New 1.5-million-gallon Water Tower (Pleasant Park)



[SLIDE 10]

Capability Assessment:

This year, one of the biggest changes to the Action Plan was moving any “ongoing” items to the capability assessment. In May 2023, FEMA issued new guidance in the updated “Local Mitigation Planning Handbook” which states:

“Keep in mind how capabilities and mitigation actions differ. Once implemented, mitigation actions can become a capability. Participants should create mitigation actions that build on and improve their capabilities. These actions should increase an existing capability or add a new one. Existing, routine capabilities the participants already have are not mitigation actions. This includes ongoing maintenance programs that are already started and on schedule.



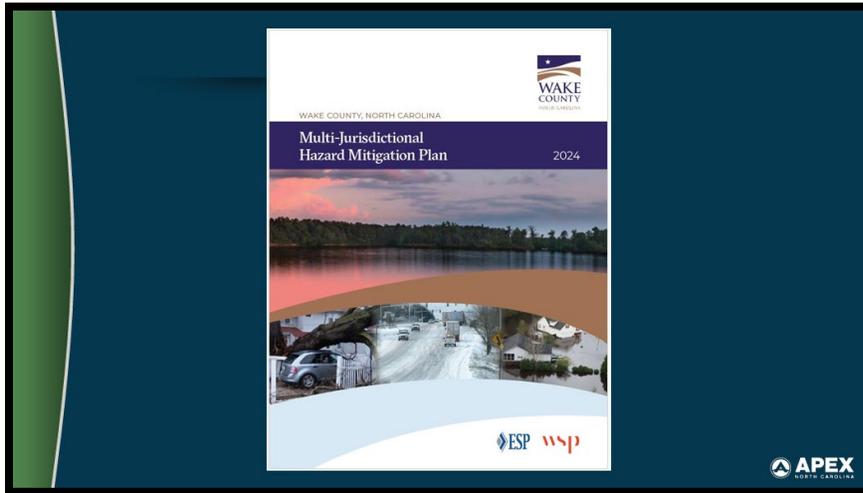
[SLIDE 11]

Capability Assessment:

Capability:	Lead Dept:
Keep Town website updated with information about Shearon Harris Siren Testing.	Communications
Tree trimming along all electric lines in the event of tornado or hurricane.	Electric (Powerline Forester)
Continue to use "Neighbors Helping Neighbors" program to help low-income Apex Utility customers pay their utility bills.	Finance Dept. & Non-profit partners
Use social media to inform residents about local hazards.	Planning Dept. & Communication Dept.
Salt & brine local roads before a severe winter storm & plow after snow and ice fall.	Public Works (Streets Division)
During development review, ensure new development complies with floodplain development restrictions listed in UDO Section 6.2 Flood Damage Prevention Overlay District.	Water Resources (Stormwater)
Incorporate GIS data and risk analysis into the development review process.	Fire Dept. & Planning Dept.



[SLIDE 12]



Ms. Mayo said that she would be glad to answer any questions.

Chair Sherman opened the Public Hearing and closed the Public Hearing with no one to speak.

Chair Sherman brought it back to the Board for discussion and a possible motion.

Board Member Byrd said that this was a great job for the work put into this presentation.

A **motion** made by **Board Member Byrd** and seconded by **Board Member Hastings** to approve the 2024 Wake County Multi-Jurisdictional Hazard Mitigation Plan Update.

VOTE: UNANIMOUS (9-0)

Jeff Roach requested that the Chair re-open the Public Comment time to allow him to share comments on the new time limits for presentation by applicants.

Chair Sherman said yes.

Mr. Roach said that three minutes would not be long enough for the developers to explain a larger project. He asked that be taken into consideration to allow the developers to give the information that is needed.

Chair Sherman said that the 3 minutes will be just like the community unless the applicant brings additional people, then there would be 9 minutes. She said that typically 3-9 minutes should be enough time. She said that she has asked for additional feedback in the past. She said that she does not want to limit information and conversation. She said that it is to prevent duplication and to streamline. She said that if it didn't work, she would change this process. She said that the Board would work with the developer and speaker.

Mr. Roach said thank you.

[ADJOURNMENT]

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A **motion** was made by **Board Member Byrd** and seconded by **Board Member Soh** to adjourn the Planning Board meeting at 5:13 p.m.

VOTE: UNANIMOUS (9-0)

Tina Sherman
Planning Board Chair

Jeri Pederson
Lead Planning Technician
Submitted for approval by Jeri Pederson and approved on 11/04/2024.