

APPROVED

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

The Apex Planning Board met on Monday, November 4, 2024, at 4:30 PM in the Council Chamber 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=zVNhz0A4EEY>.

[ATTENDANCE]

Board Members

Tina Sherman, Chair

Tim Royal, Vice Chair

Keith Braswell

Sarah Soh

Alyssa Byrd

Daniel Khodaparast

Preston Mitchell

Jeff Hastings (Wake County Representative)

Absent: Steven Rhodes

Vacant: Apex Historical Society Representative

Town Staff

Planning Director Dianne Khin

Current Planning Manager Amanda Bunce

Senior Planner-Long Range Jenna Shouse

All other staff members will be identified appropriately below

[COMMENCEMENT]

Chair Sherman called the meeting to order at 4:30p.m., called for a moment of silence and led the Pledge of Allegiance.

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[ITEMS OF INFORMATION]

Planner Bunce introduced the new **Planner II, Bruce Venable** to the board.

Chair Sherman reminded everyone to vote.

[PUBLIC COMMENT]

Chair Sherman opened the floor for anyone to speak on non-agenda items.

The first speaker was **Dawn Cozzolino** of 3632 Bosco Rd:

"Good evening, everyone. So, I've talked in length at Town Council meetings about the seriousness of traffic crashes, congestion, aggressive driving, and I've actually presented a lot of facts on what the roadways look like, I've also documented, with the help of DOT crash data, but I put this together myself, the amount of crashes, the cost of those crashes, this is estimated costs and not lifelong, but 143 crashes, 263 vehicles, and \$1.2 million in estimated property damages, again, not lifelong, it's really a low-ball number, but this is our whole area of the New Hill Friendship Community, and these are all secondary roads. I don't believe you're aware of them, they're not under Apex's jurisdiction, they're under DOT, so they get lost in the shuffle, but this is really important, too. Again, DOT, right on their websites, there's monitoring stations and there's a code here, but I plotted this all in the chart and we actually have one on Old US1 Bosco Road, 4500, we've got Kelly Road, 19,000, we have NC55, 54,000. That's 2023 data. They do this data on secondary roads every two years. This data is readily available with a computer and a portal, no access needed. I've asked that Town Council consider the seriousness of crashes, and the reason is because you have committed to the Vision Zero plan, which is like no fatalities or the lowest amount you can get to, because of development, if it's not responsible, we're 100% dependent on cars out in Western Wake County, 100%. We've got capped schools, so people have to migrate through our community and their kids go to another school, so our three schools, Apex Elementary, Middle, and High, have all been capped since 2021. That means no more people in, okay, so they have to find a school somewhere else, even if they move to our community. You have over 3,200 construction permits or houses in development. All this is going on. What I plead with you is to consider safety in our community as number one, and we can do more. We can do more than what we're doing today, and what I've asked is, Randy, he's not here, he's usually at the Town Council, sorry, I'm looking for him. Hi, Jeff. What I would like is a response from the members of the staff and from the Town of Apex to address this very serious matter. And I'll give a quick story, because otherwise we're going to be at a zero vision. So, my parents came to visit. They're elderly, my mom can't walk. I did the whole car service thing to the airport because they left out of a big airport. I did the whole concierge thing, I paid for all that out of my pocket. They got a wheelchair, all that nice stuff, right? Got on the plane, nice sunny day, landed at RDU, you know, zip, zip out of there. You know how easy it is. I picked them up, we're driving home. I'm driving down Old US1 from the 540 South Salem exit, and I'm just

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ready to point out, you know, this development wasn't here this year, and that one wasn't there, and I'm right coming up to Friendship Road, you know that intersection we talk about a lot because there's a traffic light going to be put in that intersection. So yes, and I was just ready to point out my friend's Friendship Road, and there was a car next to me, it's a two-lane road, and a car, I guess just aggressive or in a rush, passed on a double lane, I was going 40. It's a 45-mile-per-hour road, he was head-on into our car with a vehicle with three people in the car. He almost hit us, but I slowed down, I hit my horn and stayed in my lane, but I'm telling you, our life flashed before us, and that was on a random Thursday, middle of the day, sunny, nothing going on, no weather conditions, nothing. So, I plead with you, we could do better when you plan, we need a traffic impact study for the area on these secondary roads. Thank you very much for your attention to this."

Chair Sherman thanked Ms. Cozzolino and asked if she had been in contact with Transportation staff about Vision Zero.

Ms. Cozzolino said that she had contacted the Wake County Sheriff because they don't have as much resources. She said that she gave them all of the information. She asked if there was something that the community could do. She asked if we could make this a safe corridor.

Chair Sherman asked if she had talked to Town staff.

Ms. Cozzolino said that she would and asked if it was Russell Dalton.

Chair Sherman said that it would be to Russell know.

Ms. Cozzolino said she would be happy to have a meeting.

Next speaker was **Elizabeth Stitt** of 3113 Friendship Rd:

"Tagging on to what Dawn was sharing about the traffic, we have been in touch with DOT and CAMPO, and one of the things that, I've had a long history with Russell and his team, the thing that makes it challenging, and I think even for you, is we have multiple jurisdictions. We have parts of our area that is in the corporate limits, part of it is ETJ, and part of it is Wake County. One of the things I discovered a year or two ago was that the traffic studies from Holly Springs, which is one-mile down Friendship Road, wasn't including the traffic that Apex had, and vice versa, and so, DOT worked with us and worked with Russell and his team and the Holly Springs team to say, 'Hey, you have to start considering everybody's traffic.' I think what doesn't get in front of you as a planning board is, you'll have a development that comes in, and I'm just going to pick on Peak Landing because it's relevant. It's got 70 homes, and so those 70 homes aren't going to generate enough traffic for a traffic study. But where it is and what's happening around it, the context, is really important so, we're going to try to start coming and helping bring some of the context, so even if that development itself doesn't need it, if you look at the way the hills go along Old US1, around Peak Landing, for instance, you have no line of sight. You've got to get up to a certain point

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before you see it, and vice versa. So, we want to try to help add some context so that when you're looking at development, you're understanding really what's happening. It's just not a traffic study, it is really the game of chicken that we play with our lives every day, trying to dart in and out of traffic, and yes, the stoplight is going to help, but all these developments that are right on Old US1, without stoplights, they're going to be darting in and out. So, this whole behavior is risky. So, that's where Dawn's doing the data. I'm going to just add the context. Thank you."

Chair Sherman thanked Ms. Stitt. She asked if there were any other speakers, with no speakers she closed Public Comment and moved to Consent.

[CONSENT]

Chair Sherman asked for a motion to approve the meeting minutes from the October 14, 2024 Planning Board meeting.

A **motion** was made by **Member Hastings** and seconded by **Member Soh** to approve the minutes from the October 14, 2024 Planning Board meeting.

VOTE: UNANIMOUS (8-0)

[PUBLIC HEARINGS]

ITEM NO. 1 - Western Big Branch Area Plan

Jenna Shouse, Senior Planner-Long Range, presented the *Western Big Branch Area Plan: Encompassing Portions of the Friendship and New Hill Communities*. The purpose of the Plan is to update the 2045 Land Use Map and 2045 Transportation Plan in the study area to reflect community input, regional needs, and the latest available data. If the Plan is adopted, staff will bring forward amendments to the 2045 Land Use Map and 2045 Transportation Plan to implement the Plan. Planning staff recommends adoption.

[SLIDE 1]



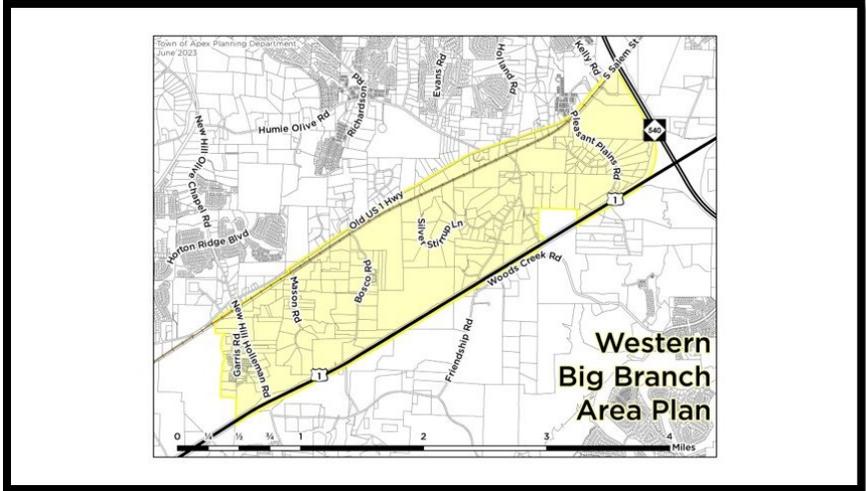
[SLIDE 2]

Overview

- Plan introduction, outcomes, and process
- Public engagement highlights
 - Planning Board & Town Council Updates in September 2023 & May 2024
- Draft Plan public input summary & resulting revisions
- Revised Draft Plan public input summary
- Staff-Recommended Plan recommendations
- Requested motion

APEX
NORTH CAROLINA

[SLIDE 3]



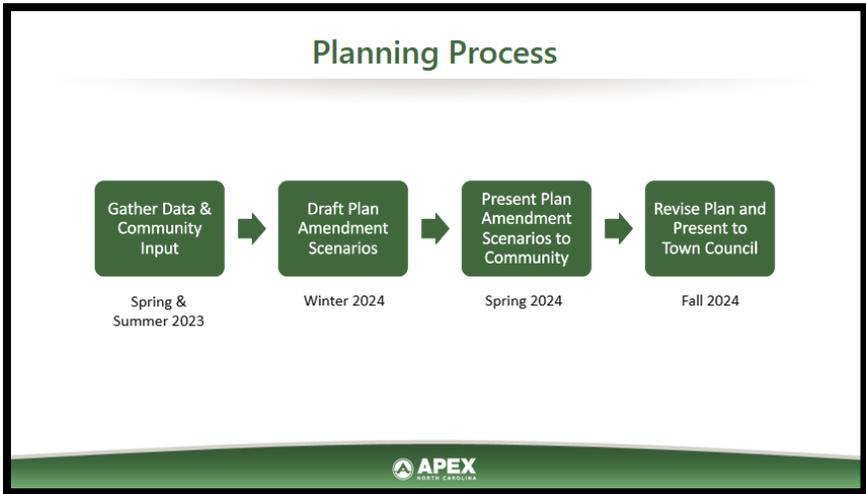
[SLIDE 4]

Plan Considerations & Outcomes

- Considerations
 - Substantial development around the study area
 - Property owners and residents request for involvement
 - Planning for Big Branch Pump Station and Force Main project underway
- Outcomes
 - Revisions to the 2045 Land Use Map and 2045 Transportation Plan
 - Additional Plan Recommendations



[SLIDE 5]



[SLIDE 6]

Public Engagement Statistics

- In-Person**
 - Five in-person meetings.
 - 266 attendees at the in-person public meetings.
- Plan Development**
 - 71 participants in the online survey on the draft vision & goals.
 - 81 participants in the survey on the three plan amendment scenarios and draft additional plan amendment recommendations.
 - 474 views of the recorded presentation on YouTube describing the plan amendment scenarios.
- Plan Document Review**
 - 29 participants in the online survey on the Draft Plan.
 - Zero participants in the online survey on the Revised Draft Plan. Emailed comments from one person and petition from 28 residents.

APEX
NORTH CAROLINA

[SLIDE 7]

Draft Plan Summary of Public Input

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graph LR; A[Draft Plan] --> B[Revised Draft Plan]; B --> C[Final Draft Plan]
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Draft Plan **Revised Draft Plan** **Final Draft Plan**

July 16 – August 7 September 5 – 22 *No Changes* Released October 3

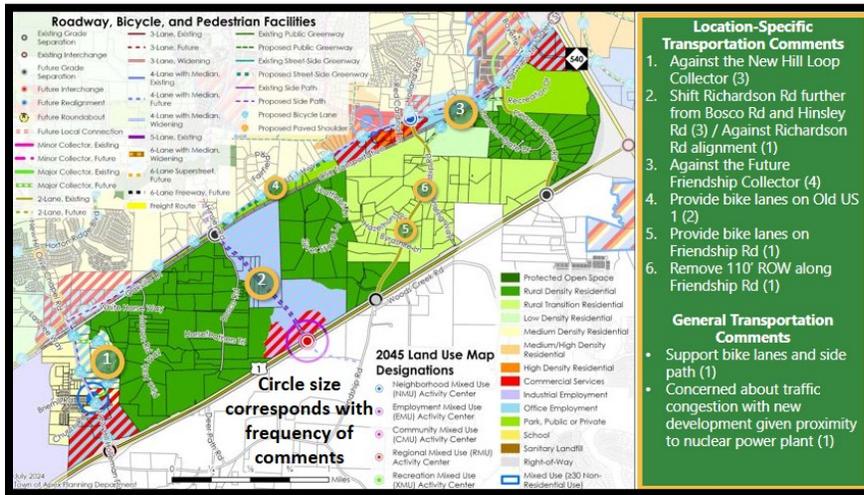
[SLIDE 8]

Comments on Additional Plan Recommendations

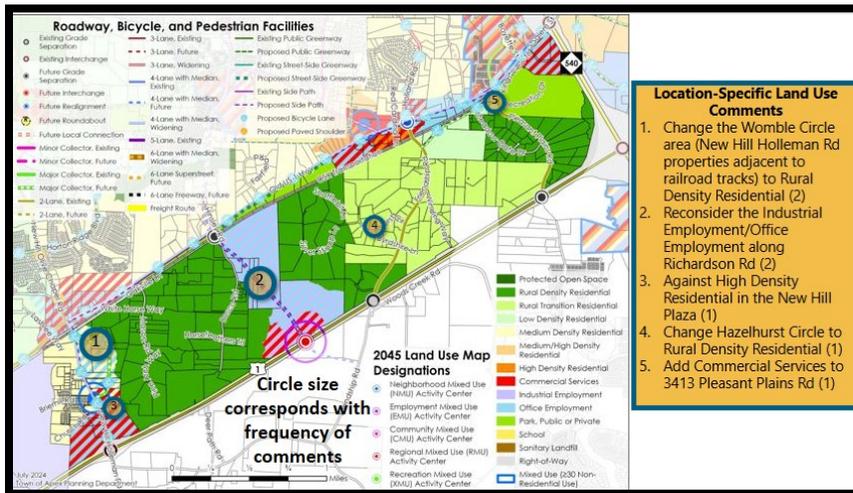
- Support the community-proposed overlay district
- A policy to encourage the preservation of forested areas does not address other environmental issues (climate change, impervious surface, light pollution, etc.)
- Allow VADs and EVADs in Apex
- Provide a 50-foot buffer between VADs/EVADs and new development
- Concerned about traffic and safety at the intersection of Friendship Road and Old US 1
- Economic development along the future Richardson Road corridor and at the future interchange benefits the developer rather than the community

APEX
NORTH CAROLINA

[SLIDE 9]



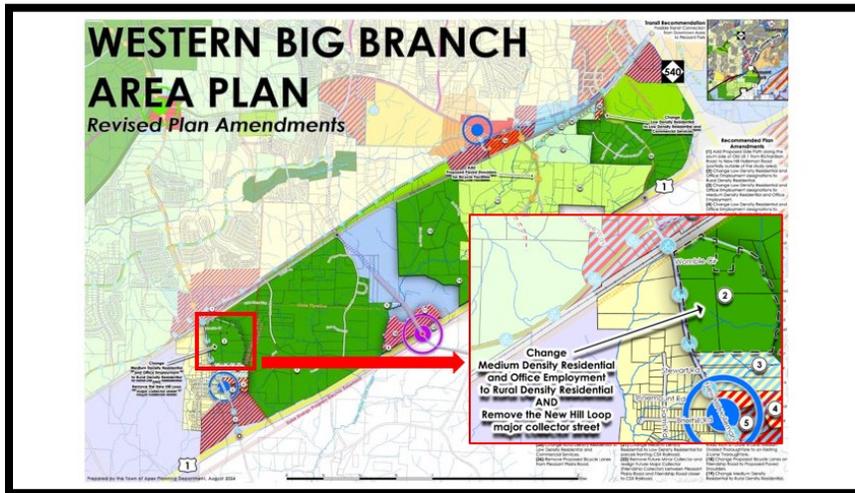
[SLIDE 10]



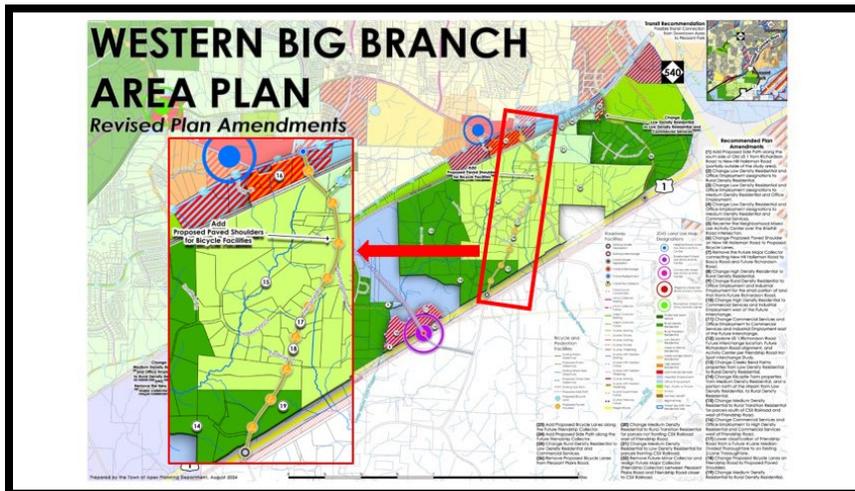
[SLIDE 11]

Revisions Made to the Draft Plan

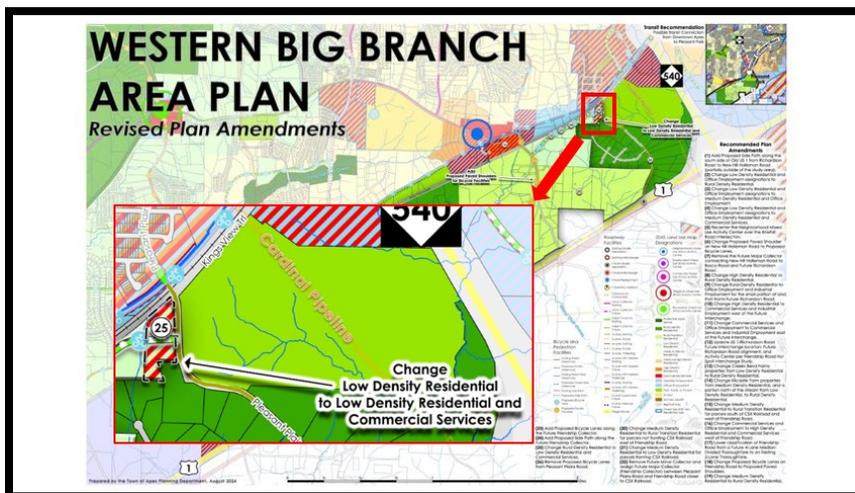
[SLIDE 12]



[SLIDE 13]



[SLIDE 14]



[SLIDE 15]

Additional Plan Recommendations & Text Revisions

- Additional Plan Recommendations
 - Add 4B: Coordinate with Wake County to allow Voluntary Agricultural Districts & Enhanced Voluntary Agricultural Districts within the Apex corporate limits & ETJ
- Plan document text
 - Remove references to Town water
 - Update Figure 6. Transportation Crashes to include all crash data in the study area from July 2019 – June 2024



[SLIDE 16]

Revised Draft Plan Summary of Public Input – New Comments

No proposed Plan revisions



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graph LR; A[Draft Plan] --> B[Revised Draft Plan]; B --> C[Final Draft Plan];
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Draft Plan: July 16 – August 7

Revised Draft Plan: September 5 – 22 *No Changes*

Final Draft Plan: Released October 3

[SLIDE 17]

Location-Specific Land Use Comment

- Against Commercial Services designation at 3413 Pleasant Plains Road (28)



[SLIDE 18]



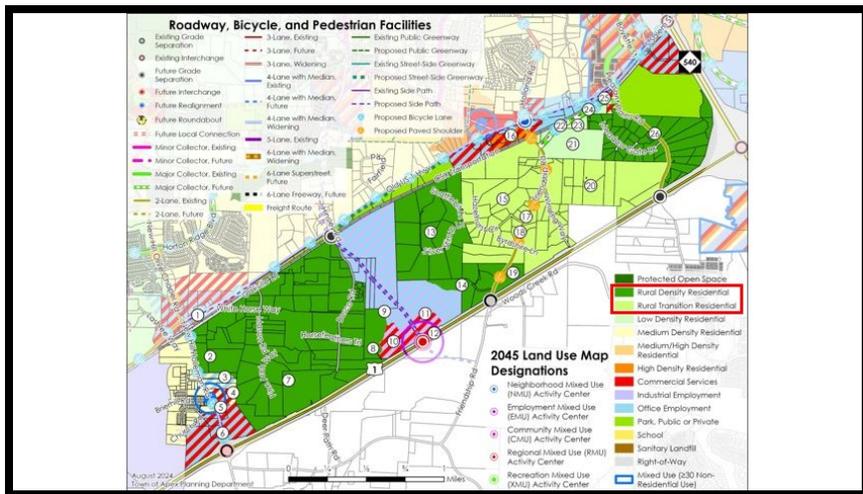
[SLIDE 19]

Plan Amendment Staff Recommendations

- Generally, low-intensity residential land uses, consistent with current conditions.
 - Primarily Rural Density Residential (1 unit per 5 acres) & Rural Transition Residential (1 unit per acre).
 - Where residential is recommended, lower densities than Wake County portions of study area.
- Anticipate limited roadway improvements due to land uses.
- Maintain future Richardson Road corridor as a key regional connection and economic development opportunity.
- Align Richardson Road/US 1 interchange consistent with regional Hot Spot Study.
- Revise Context Areas map, consistent with plan amendment revisions.

APEX
APRIL 2024

[SLIDE 20]



[SLIDE 21]

Additional Plan Recommendations

- Encourage agricultural business and agritourism.
- Encourage development of small-scale downtown near Humie Olive Road/Old US 1.
- Prepare a staff-recommended list of zoning conditions for rural areas for developers to consider.
- Study and potentially invest in turn lanes and a traffic signal at Friendship Road/Old US 1.
- Conduct a feasibility study to improve access to Pleasant Park.
- Review best practices and develop a policy to encourage the preservation of forested areas.



[SLIDE 22]

Planning Board Requested Motions

Recommend adoption of the Final Draft of the *Western Big Branch Area Plan: Encompassing Portions of the Friendship and New Hill Communities*.



Ms. Shouse said that she would answer any questions that the Board may have.

Chair Sherman asked for clarification if this presentation was for recommendations that is going to Town Council and based on the approval this item will come back to make changes 2045 Land Use Map.

Ms. Shouse said that was correct.

Vice-Chair Royal asked for number 25 to change the Rural Density Residential to Low Density Residential and Commercial Services to support Pleasant Park if staff had examples of a type of business that would support that.

Ms. Shouse said that there were not any details, and it would be determined at rezoning.

Ms. Khin said that they would not want a drive-through restaurant as an example, but that it would be determined at the time of the proposal.

Vice-Chair Royal said he heard there had been talk about the potential of a hotel on that site.

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Ms. Khin said they had not heard anything about a hotel and that it would not be appropriate being that most hotels were built at five stories.

Board Member Mitchell suggested looking at as they proceed, whether or not agritourism would be available or appropriate in this area based on the fact that there is no policy for farming, no category for farming. He suggested that the statutory definition of agritourism be checked since that requires the property to be a farm. He said that most of the rural policies are residentially related, and they are probably going to be developed in some rural fashion but single family and probably not actually active agriculture. He said he would like for the agritourism definition and the statutory definitions of farmland to be checked into. He said that on map ID 18 - the proposed removal of the bicycle lane, something to contemplate is that this area is often not cleaned or maintained by DOT or the municipality when it is switched from a dedicated lane to just a wide shoulder. He asked what the plans for signage would be.

Ms. Shouse said that this may be in the plan but could explain why it changed from a bike lane to a wide shoulder.

Board Member Mitchell asked how it would be safe for cyclists if it is a cycling destination.

Ms. Shouse said that signage would be important when there is a paved shoulder. She said that in Appendix G or H that there is a review of the UDO that looks at the different agritourism uses and wedding venues are not one that is considered.

Board Member Soh asked about the additional plan recommendations to provide a 50' buffer between VADs and new development is different noted on the UDO or is this new.

Ms. Shouse said that this is a new requirement.

Ms. Bunce said that it's not if a VAD or an EVAD is allowed but if there was a property that was in a voluntary ag district then developing property adjacent to it would have to provide a wider perimeter buffer to help protect the character and have some separation between the new residential development and existing ag use.

Board Member Mitchell asked about the water and sewer connections in this area and who would be served by well and septic.

Ms. Shouse said that there is not access to water and sewer in most of the study area.

Board Member Mitchell said that was helpful.

Mr. Hastings asked if in the ES1 table page 8 - Quality of Life - #3, should that refer to a future Richardson Road US 1 interchange due to Friendship Road is not having an interchange at US 1.

Ms. Shouse said that it is the same location at the Hot Spot Study handled by CAMPO.

Board Member Braswell asked for clarification if 3113 Pleasant Plains proposed commercial.

Ms. Shouse said yes.

Board Member Byrd asked if it would require rezoning after land use amendments.

Ms. Shouse said yes.

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Chair Sherman thanked Ms. Shouse and the staff's work and the Community engagement. She opened Public Hearing.

The first speaker was **Dawn Cozzolino** of 3632 Bosco Rd:

"Thank you very much, Amanda, Diane, and Jenna, for all the hard work we put together a more comprehensive presentation. Obviously, it can get into this type of situation, but we have a lot of small businesses in the area, and to your question, Preston, actually, Finegan Run is right on Mason Road, and it is a wedding venue. It's no nuisance at all, they have beautiful horses, a pond, and it's across from an equestrian stable that teaches high-level evening, and that's run by a small business owner who has two properties. We also have a dog agility training facility, a koi pond with an 80,000-gallon tank of specialty koi fish, and numerous other businesses and we even have actual food produce made here, so we're actually a thriving community. I know it kind of sounds like you're treating us as if we should look like a city, but we're not a city. So, I just wanted to explain the map here because two-dimensional maps get us into a lot of trouble. Just to go back to all of this, keep in mind that with a traffic light, there have been 32 accidents in the last five years, with over \$400,000 in damages, even with a light. So, when you're adding commercial there, just keep that in mind. So, why are two-dimensional maps not good? We oppose Richardson Road, why? Because it goes through 30 properties, homes, graveyards, things like that. Imagine your house being taken for a road. Talk about a nuisance! The road is not like a little road out here. It's 120 feet wide, two lanes on either side, plus off and on ramps, and it's a grade separation so it's up in the air, it's a bridge. It's not like a little road, it's a bridge. We don't have one single road in this area that is that big to generate that amount of volume. Imagine tractor trailers and everything else, and the accidents and crashes and the noise. So, we would want, you know, sound barriers and all those expensive things to be put in every ounce of that road, but we're asking if there's a better way to move it, or maybe even use the easement. I don't know why that wasn't considered in the development, but they're going to have property right there where that road could go. So, we're not looking for the road because you want to connect or you want to develop, but because we are 100% well water and proud of it, and we're on septic systems. It's not an easy life, but we appreciate our environment, and I just want to correct you, Jenna, just because you used the word access, that's incorrect. That means like, oh, I just don't want to hook it up and be part of Apex, no, we actually are not bias to your system, nor would we want to connect, but we do not have access. There is 0% access for all you developers out there, there's no access to water or sewer systems, so I just want to be so clear on that and this is what the roads look like, and I know they're charming, but they're commuting roads for people to get to and from their work, to the grocery store, to pick up their kids. It's not a hobby road, you know, this is people living here that want peace and privacy and their freedoms. So, it's very important I think to help you visualize, I invite you to come out to this area because it's really special, and we're diverse, and we're very different from you all, but we really love where we live and we love our neighborhood. Thank you."

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Chair Sherman thanked Ms. Cozzolino and invited the next speaker.

Next to speak was **Elizabeth Stitt** of 3113 Friendship Rd:

"All right, I'm going to jump through a bunch of topics really quick since I have three minutes. First of all, a quick thank you, I would give a more appropriate thank you, but three minutes doesn't give enough time, but I did want to start with thank you. So, we actually formed a Community Council, where we have a street representative off of each of the streets representing their neighborhoods. So, the recommendations and the comments that we brought to the town was based on our actual input from our particular streets, and we hired a land use attorney who was advising us on how to approach all of this. Happy to have any sidebar conversation with anyone. We asked for many things that we didn't get, but this is a good start. It's progress towards what we had asked. So, a couple of things, up until 2019, Apex marketed our area out here as equestrian friendly, so, there are many equestrian farms out there. There's actually several equestrian communities where their HOAs and Covenants say they cannot sell off or subdivide, and their Covenants renew automatically. So, we took and we mapped it out, and said, okay, who's in the voluntary Ag District programs, who's in HOAs that automatically renew. There really isn't much developable land out there, so where there may be needs for housing, our area is not necessarily the solution to Apex's problem, because Apex marketed us as equestrian, we came out there as equestrian, we have our horses and cows, and so we built this community that now, we hear comments that are designed to maybe dismantle the communities that we've invested in. So, I would love to have more conversations to bring you up to speed on some of that. So, bike lanes on Friendship Road, I toured Friendship Road with Brandon Jones, and we talked about the bike lanes initially and the way our country road is built, he says there is no way to add a wider shoulder or to do bike lanes because the ditches fall too far off, and even as one property at a time may develop, you're not going to have a safe roadway. You can't add that on one parcel without doing the whole section, and when you develop one side at a time or one parcel at a time, you're never going to get your bike lanes. So, he shot me down in the very beginning, so I just wanted to share that out. All right, and let's see--21 seconds left--let's see what else I had on my list. Um, let's see here, horse farms, setbacks, land use attorneys, and in terms of the 50 feet around the voluntary Ag district, so my property is a voluntary Ag district, my cows are on a voluntary Ag district, I have electric fence not quite up to the property line, but next to me where my cows are, there's a church that wants to come in and so they need to control their young kids not to come and mess with my bulls or my cows. There's a safety issue, and the current UDO allows construction too close to the property line. That was the request from Wake County, because we are trying to preserve some of the farmland, and we want people to just stay safe. Thank you."

Chair Sherman asked if there was anyone else that would like to speak. She brought this back to the Board and a possible motion.

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Mr. Hastings said that for transparency, page 3, #19 was moved to Rural Residential based on the property owner's request. He said that it is his farm and there is no financial gain for him talking about this. He said that he is in the Enhanced Voluntary Ag district that prevents subdivision for 10 years. He said that a Voluntary Ag District can go down and pull their Ag district if they want to subdivide. He said that he is in support of a 50' buffer. He said that he has cows and horses and there is always a concern for safety. Regarding the bike lane, he said that being on Friendship and US 1 it would be hard to have a bike lane. He said he would like to see shoulders be safer for bikes.

Chair Sherman asked staff if Mr. Hastings would need to recuse himself.

Ms. Khin said that this is a guidance document and not a rezoning.

Chair Sherman said she wanted to check.

Mr. Hastings said thank you.

Board Member Royal said that he did not support bike lanes, and he would like Council to reconsider before finalizing and have more effort put on Friendship. He said that overall, this was a decent plan, but he would like to see more thought into this before saying yes.

Chair Sherman requested a 5-minute recess.

A **motion** was made by **Member Byrd** and seconded by **Member Hastings** for a 5-minute recess.

VOTE: UNANIMOUS (8-0)

After the 5-minute recess, a **motion** was made by **Member Byrd** and seconded by **Member Soh** to reconvene.

VOTE: UNANIMOUS (8-0)

Chair Sherman asked if there was a possibility of striking the bike lanes from the plan.

Ms. Shouse clarified that the plan includes paved shoulders so if development were to come to Friendship Road that they would ask for regular shoulders.

Board Member Royal asked if that is just a difference in striping. He said they weren't trying to encourage more travel on this tight road.

Ms. Shouse said that typically with a bike lane there is a curb and gutter but that this is a rural section so it would already have a shoulder for cyclists. She said the overall shoulder would not change.

Board Member Royal asked if the difference was curbing.

Ms. Shouse said that adding paved shoulders doesn't change the plans for this roadway.

Board Member Royal said this helps clarify.

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Board Member Mitchell asked how the shoulder would be maintained for safety for cyclists.

Chair Sherman asked how they would maintain the safety and what safety precautions would be taken.

Ms. Shouse said that signage would be important to make sure vehicles are aware cyclists may be on the roadway.

Chair Sherman said that she was excited about the conversations and a start of a plan and that conversations would continue. She is excited that the neighbors continue to be engaged.

Board Member Braswell thanked the staff for a wonderful job.

Board Member Mitchell said that it is always hard for proposal for new roadways. He said being proactive or reactive is what this Board is doing. He said he supports the plan and the motion.

A **motion** was made by **Member Braswell** and seconded by **Member Byrd** to approve the *Western Big Branch Area Plan: Encompassing Portions of the Friendship and New Hill Communities*.

VOTE: UNANIMOUS (8-0)

[ADJOURNMENT]

A **motion** was made by **Member Soh** and seconded by **Member Royal** to adjourn the Planning Board meeting at 5:35 p.m.

VOTE: UNANIMOUS (8-0)

Tina Sherman
Planning Board Chair

Jeri Pederson

Lead Planning Technician

Submitted for approval by Jeri Pederson and approved on 12/09/2024.