

APPROVED MEETING MINUTES

TOWN OF APEX PLANNING BOARD MEETING MINUTES MONDAY, AUGUST 11, 2025 4:30 PM

The Apex Planning Board met on Monday, August 11, 2025 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 or watch online via the livestream on the Town's YouTube Channel. The recording of this meeting can be viewed here: <https://www.youtube.com/watch?v=jQVD53MGVBQ>.

[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)
Mary Petersen, Apex Historical Society Representative

Town Staff

Planning Director Dianne Khin
Assistant Planning Director Amanda Bunce
Long Range Planning Manager Shannon Cox
Senior Planner Long Range Jenna Shouse
Planner III Lauren Staudenmaier
Planner II Bruce Venable
Traffic Engineering Manager Russell Dalton

All other staff members will be identified appropriately below.

[COMMENCEMENT]

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

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[ITEMS OF INFORMATION]

Shannon Cox, Long-Range Planning Manager, introduced the new **Long-Range Planner II, Chris Watson**. She said this was his second week with the town and will be focusing on community engagement. She asked all to welcome Chris.

Planning Director, Dianne Khin introduced new **Planning Board Member, Mary Petersen**. She said that Mrs. Peterson has joined the Planning Board as a representative of the Apex Historical Society and her role on the Planning Board is to be a guiding voice for town officials regarding the town's Historical structures and geographic area while supporting the Apex Historical Society mission of preserving, protecting and promoting the history of Apex. She welcomed Mrs. Peterson.

Amanda Bunce, Assistant Planning Director, read an NCDOT press release about the culvert that failed on Olive Chapel Road issued on August 7th, at the request of **Chair Tina Sherman**.

Chair Tina Sherman noted that WRAL is reporting that NC DOT is expected to provide an update by September on the timeline to reopen the road.

Chair Tina Sherman shared that she will be resigning at adjournment on 8.11.2025 as she is returning to school. She stated that it has been a pleasure to serve the citizens of Apex.

[PUBLIC COMMENT]

Chair Sherman opened the floor for anyone to speak on non-agenda items, no one came forward, so public comment was closed.

[CONSENT]

Chair Sherman asked for a motion to approve the meeting minutes from the July 14, 2025 Planning Board meeting.

A **motion** was made by **Member Hastings** and seconded by **Member Soh** to approve meeting minutes from July 14, 2025, regular meeting.

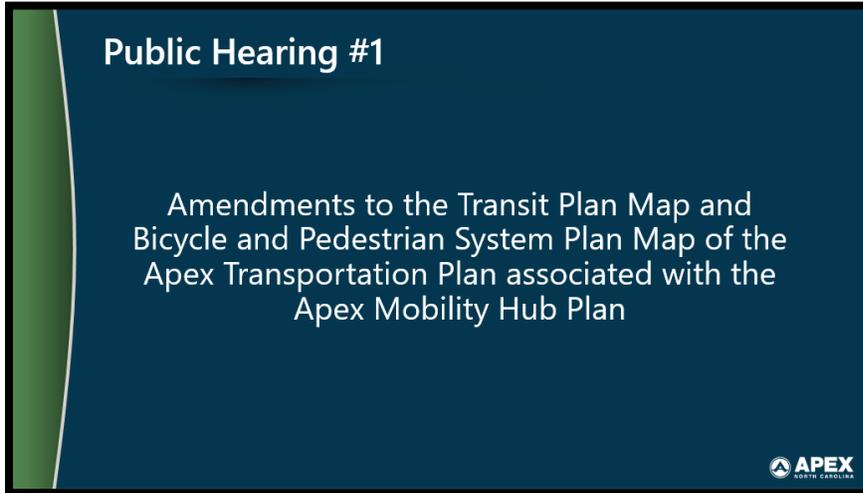
VOTE: UNANIMOUS (10-0)

[PUBLIC HEARINGS]

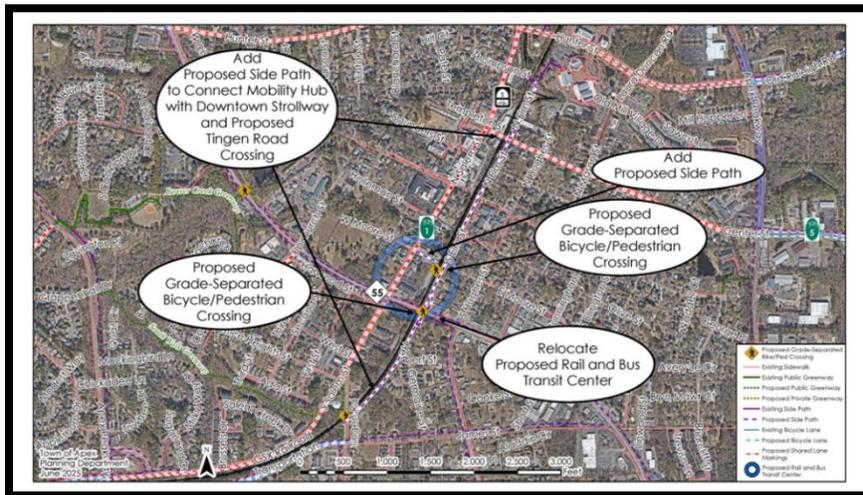
PH1 - ITEM NO. 1 - TRANSPORTATION PLAN AMENDMENTS

Shannon Cox, Long Range Planning Manager, presented a possible motion regarding amendments to the Transit Plan Map and Bicycle and Pedestrian System Plan Map of the Apex Transportation Plan associated with the Apex Mobility Hub. Planning staff recommended approval of the amendments.

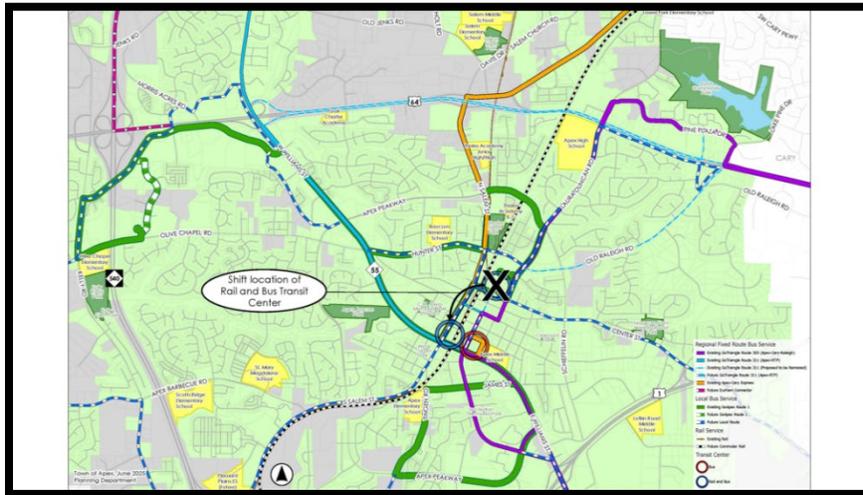
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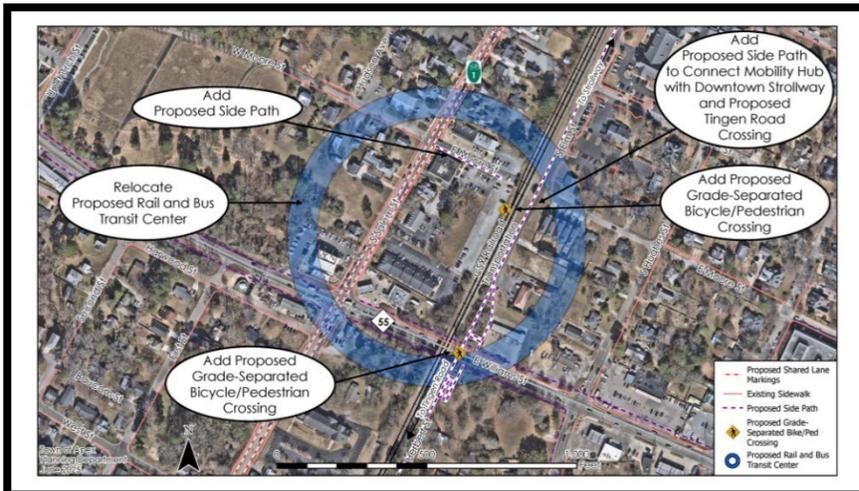
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[SLIDE 3]



[SLIDE 4]



Vice-Chair Royal said that the grade separations will take up quite a bit of space and asked if the space was already dedicated or would there need to have additional property acquired.

Ms. Cox said that many of these recommendations would require some type of property acquisition or easement. She said there would be more design work done in the future to be able to determine exactly what properties would be needed. She said that there would be discussions with the railroad, DOT, and adjacent property owners in some cases.

Member Byrd asked if there were any projects currently in review that this transportation project would impact.

Ms. Cox said that she was not aware of any projects currently.

Member Rhodes said that there was single-family development going along Elm Street by the railroad tracks.

Ms. Khin said that all but maybe one of those lots are developed.

Chair Sherman asked if the project was in the side path.

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Ms. Cox said that the side path location is proposed for the west side of Elm Street, so it would be adjacent to the railroad track side.

Chair Sherman asked how it will be communicated to property owners this information during the period where development has been approved and when it is underway and owners may or may not have taken possession of these lots yet.

Ms. Cox said there would be public review, public notification and public meetings.

Ms. Bunce verified that there was a house on the lot mentioned above and it is still owned by the builder, so the property ownership would not have changed since the communication went out.

Member Soh asked what the timeline would be for the Mobility Hub Plan.

Ms. Cox said that the Mobility Hub Plan proposes this in phases, and the first phase is not funded at this time.

Member Braswell asked for details of the current location where there is a CSX.

Ms. Cox said this was the most detailed study that has been done to date and how sites would function for possible passenger rail. She said that one of the details that came out was when a train is coming in or is stopped, how it would impact the downtown grid. She said at that location, there would need to be closure at multiple road crossings. She added that there were rail engineers working on the Mobility Hub plan and the function of the railroad there. Switches would be difficult to add the passenger station.

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

A **motion** was made by **Member Byrd** and seconded by **Member Mitchell** to recommend approval to the amendments to the Transit Plan Map, Bicycle and Pedestrian System Plan Map and the Apex Transportation Plan.

VOTE: UNANIMOUS (10-0)

ITEM NO. 2 - Rezoning Case #25CZ07 1211 Old Raleigh Road

Lauren Staudenmaier, Planner III, presented **Rezoning Case #25CZ07 1211 Old Raleigh Road**-The applicant, Dan Morse along with his agent Zak Shipman, Shipman Engineering, PLLC seek to rezone approximately ±6.40 acres from Residential Agricultural (RA) to Medium Density Residential-Conditional Zoning (MD-CZ). The property is located at 1211 Old Raleigh Road. The rezoning is consistent with the 2045 Land Use Map. Planning Staff recommended approval of the rezoning.

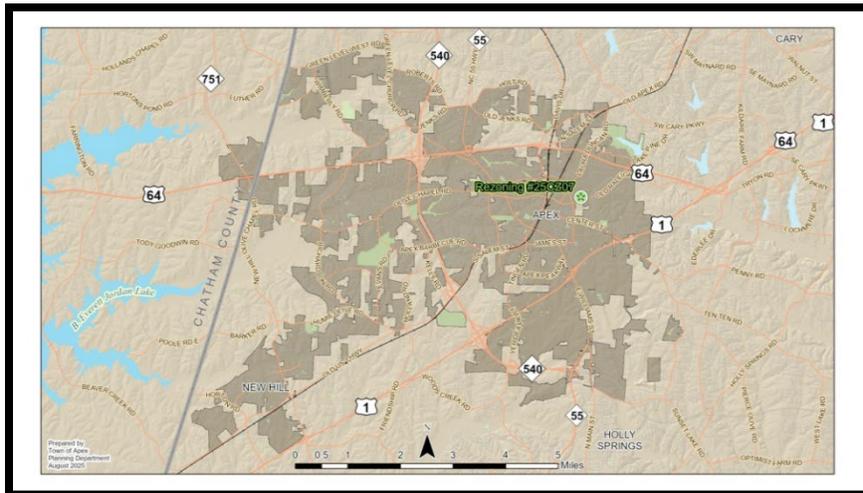
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Public Hearing #2

Rezoning Case #25CZ07
1211 Old Raleigh Road



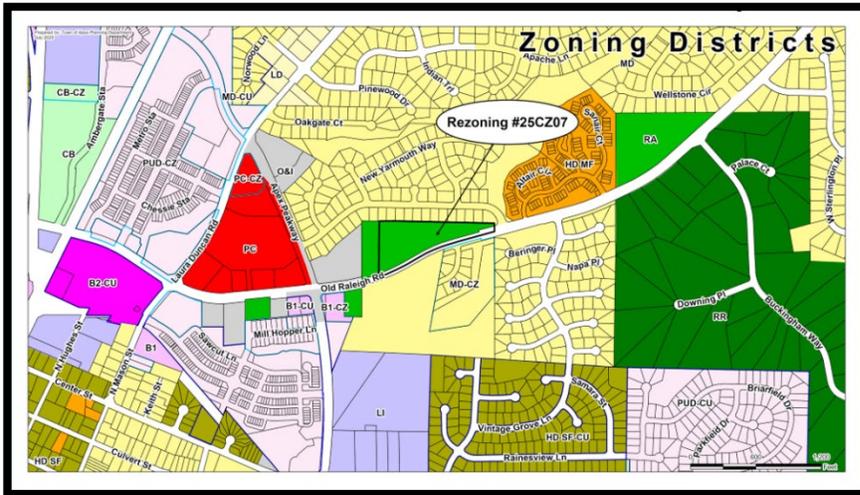
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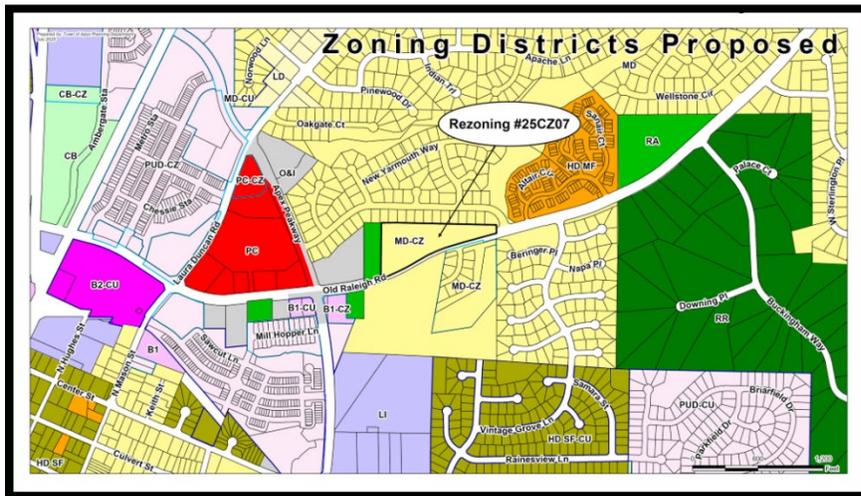
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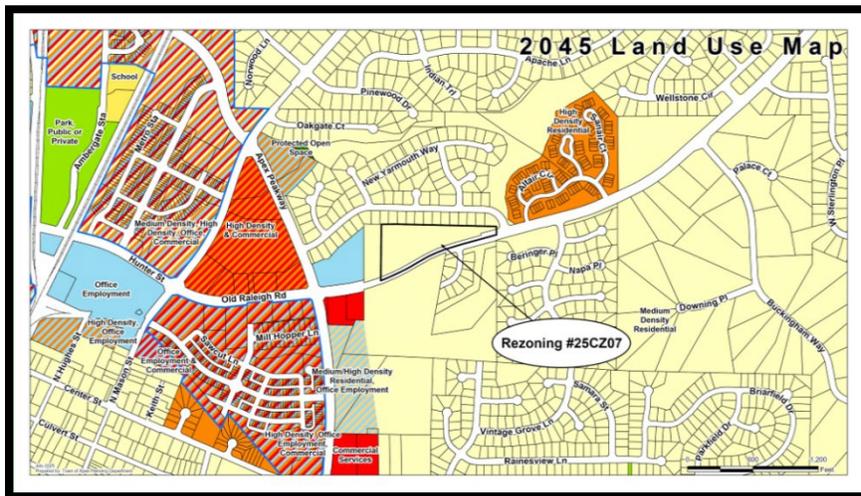
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[SLIDE 5]



[SLIDE 6]



[SLIDE 7]



[SLIDE 8]

Public Hearing Emails Received

- Colleen McDowell
- Chris and Maria Haire

APEX
NORTH CAROLINA

Ms. Staudenmaier asked if there were any questions.

Chair Sherman said that there was a concern around speed limit change at one of the neighborhood meetings and asked if there was any follow up with staff.

Ms. Staudenmaier said that she would confirm with Mr. Dalton to see if there had been any discussion.

Mr. Dalton said that there had not been a conversation about the speed limit change.

Chair Sherman opened Public Hearing and allowed the applicant to come up and speak.

Zak Shipman with Shipman Engineering representing the applicant spoke:

"I appreciate your consideration of this project today. Before I forget the speed limit conversation, we have not had that conversation yet. My understanding is that that process can be quite complicated. We can absolutely have that conversation before the Town Council

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meeting with Russell Dalton to discuss that speed limit change. As far as this project goes, we had a lot of feedback from the neighbors about preserving existing tree canopy and vegetation as well as capping the density, and so we've proposed a number of conditions that do just that. We're proposing more resource conservation area than is required by code. We're really capping that density. I think the density is allowed at six and we've conditioned it out at three. In practicality, we can only fit three lots on this property. So that if for some reason this rezoning goes through and for whatever reason it's not us that develops this, that density would be capped pretty low, but three lots is really all that this will fit. There's a fair number of wetlands and riparian buffers and surface waters and streams and those kinds of things, we're not proposing to touch any of those. Our intention is to leave the existing pond. We have no intention of draining it. The only consideration that we would have to make is if that dam is safe. If it's seeping or leaking or proposes some danger to downstream properties, we might have to do something to it, but as of right now, we have no intention of draining or touching that pond. Lauren touched on one of the conditions we've offered up about no development east or north of that riparian buffer. That really restricts the developable area of this site, and then it allows us to preserve as much existing vegetation and tree canopy as we can. I'm available to answer any questions. Dan Morse is the applicant. He's here with us tonight and we'll answer any questions you might have."

Chair Sherman opened up for discussion from the Board.

Member Byrd said that condition #10 says that in the event that you construct a public street, you would have to do a stub out, but it looks like in the preliminary plans, that is not correct.

Mr. Shipman said that was correct, there is no room to put a street and there is no intention of putting in a public street.

Member Khodaparast asked if there would be a fee in lieu or any widening?

Mr. Shipman said that if they have to do any widening it would be done in front of the three lots, and they would dedicate the right-of-way for the ultimate section for the rest of the frontage.

Chair Sherman said that she was concerned about the questions that came up at the neighborhood meeting about the speed limit hasn't been addressed and before this item goes to Council that this will be addressed. She asked if this property sits in a flood plain.

Mr. Shipman said that he didn't believe there were any flood zones on this property.

Chair Sherman asked Mr. Shipman to get some additional information on the flood plain.

Member Mitchell asked Chair Sherman for more information on the request to lower the speed limit on Old Raleigh Road.

Chair Sherman said when questions are raised at the neighborhood meeting then she expects the developer to come before the Board with those questions answered. She said that she takes these concerns very seriously.

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Member Byrd said that according to the town's road ownership on GIS that Old Raleigh Road is controlled by the State.

Member Mitchell said that just because this is a major thoroughfare doesn't mean that people should speed. It should be part of the conversation.

Chair Sherman said she appreciated Member Mitchell lifting this up and hopes that will be part of the conversation.

Mr. Shipman apologized for the oversight of this, and the conversation will be held right after this meeting.

Chair Sherman said that she did not expect the neighbors to know this information but expect that in our capacity they are informed.

Member Khodaparast asked when Old Apex Road would be widened.

Mr. Shipman said that he did not know the answer and deferred to Mr. Dalton.

Mr. Dalton said that there was no funding in the CIP so it could be beyond 10 years.

Chair Sherman called the next speaker.

Next to speak **Courtney Lemanski**, Secretary for the HOA of Shepherd's Vineyard:

"I am here to represent some of our residents about our concerns about the pond, about the streamway, that kind of thing. Actually, my house is just right here at the edge of Bridgeham Way, at one of the town easements that goes into the flood plain that is behind Shepherd's Vineyard. Shepherd's Vineyard Greenway is, and the creek behind it is, an unnamed tributary of Swift Creek. We accept waters from Food Lion, Grand Central Station, even this property. All goes behind Shepherd's Vineyard. While I hear there is a plan to leave the dam, leave the pond, that's all great. But what will we be doing about the thousands of gallons that will be coming into this flood plain? Shepherd's Vineyard already struggles with flooding down towards the end, which is about a mile down, because that's where we accept everyone else's. Because at one point for our community, it was just Food Lion, right? It was just a daycare, now it's just three houses, but we're still accepting all that water. We can't just accept more water. Some of our houses will flood. The town utility switchbacks, the primary switchbacks for Wellstone Circle, Apache Lane, Smokewood, and Chimney Hill are on our greenway that also accepts the water that would come downhill from this pond. I'm not saying that it's all of it. But I am saying that we can't just leave it and hope that it works, that we wait for the dam to go. Are there any provisions, like an escrow set aside for this dam for when it goes because of this excessive gallon? Is there any kind of repair work to this pond that we as residents and neighbors, that we can expect to see, especially with the widening, as well as a possibility of speeding? Being someone that lives so close to this property, I can tell you that this Apex Peakway where it meets Old Raleigh Road, that's where the little girl was hit on the Fourth of July. So, as far as not even stormwater runoff, but considering that widening with the speeding, it will help the stormwater and help with our safety in this particular part of the neighborhood. I guess my question being, what are our provisions for this pond, for this water, for the speed, ten years from now, fifteen years from now?"

Chair Sherman thanked the speaker and called the next speaker.

Next to speak **Bob Wolfe**, of 1002 Wellstone Circle:

"My concern in this project is density from two points of view. One, I go back before the Food Lion. So, I've been there for a long time. That's been a flood plain for a good number of years, forever. I've got friends that tell me they used to play down there when they were boys growing up here. It's always been marshy. The flooding has dramatically increased over the 30 years that I've been there. It's always been there, but we've been told time and time again that none of the development up here has anything to do with that flooding. Well, they just need to come down there and see it, because it didn't used to be this bad. And so now we're coming to bring in more development that's going to cause more flooding. Last week, the water was over a couple of bridges on our greenway. It was that bad. So, more density is going to create more problems. It's going to create more water runoff. And just as Courtney said, the backyards of some people's houses that back up to that are getting flooded already, and it can come all the way up into their houses if it continues to get worse. The second point on the density thing for me is, I can see maybe one or two houses there. But from what I remember years ago, all this development over here where all these townhouses are was originally supposed to be a mixed development of businesses with condominiums on the top. Somehow, and I never heard how or why, that got changed and now we have a monstrosity of nothing but townhouses over there that does not look good and we're concerned, as a neighborhood that backs up to all of this, about the density, about people coming in, even though it's supposed to be now you're saying three lots and that's it, of that being overturned somehow, because it's happened before and that's a problem. Not to mention the fact that it just doesn't look good. I'm on a board out in Snowmass, Colorado, and we're fighting some of the same things as far as density on a couple of issues out there, and I know that people don't always look at what's going on like that, and I actually used this as an example of density gone awry when I was speaking to that town council out there on behalf of our board. So, the density is a problem for the flooding issue, number one. But also, that's a nice residential area all along Old Raleigh Road out there and if we come in there and put more density and things on there, and that's not taken care of ahead of time in the planning where it specifically says that this has to be done this way, then we're just creating more problems and not helping the beauty of our area and our town. Thank you."

Chair Sherman thanked the speaker and called the next speaker.

Next to speak **Nick Bryant** of 1023 New Dover Road:

"I do back up directly to this property. Development is almost inevitable in Apex. Seeing some of the other projects that are happening specifically along Saunders Street with row houses and the potential for that to happen behind my own home, I'm not really excited about, so, for this project, I'm happy with the three units, I think that's a good approach.

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However, I'm learning tonight that the study in the pond may open that up in the future, and if that pond is opened up and drained, that only gives opportunity for more development, more homes. So instead of developing a third of the property, we're looking at two-thirds of the property, and therefore more runoff and more development. So, my concern is more around finding a way for moving forward, the HOA or whomever is in charge of the excess two-thirds of the property, that they can't develop that in the future. That's really my only concern. Thank you."

Chair Sherman thanked the speaker and called the next speaker.

Next to speak **Glenn Maass** of 1013 Wellstone Circle:

"Hello, my name is Glenn Maass and we've been here – I've been here in Apex for 30 years. We have a landscape company here in the town and we've been enjoying the town since day one. I'm also the president of the HOA for the community of Shepherd's Vineyard, which we have thousands of people there, and a lot of us are original to the subdivision here in Apex. I have a lot of concerns about this property. In fact, this is one of these properties that we've been praying would never be developed. This whole area here is actually historical. We tried to fight back even Edwards Creek because that's where the old grist mill used to be, and honestly, this whole section used to probably be the high point of Apex where the watershed starts on the top, and this pond here has been here probably before the town was here. This pond holds a lot of the water for that entire bank there and probably a lot around it and contributes to our creek, which goes to Swift Creek, which splits into the Neuse and Cape Fear River. Now the town, this is a new board, so I don't fault you, but I mean, I've been working here in this town for decades. My biggest pet peeve is a lot of times these ponds are covered up, and shame on them because they're not meant to be covered up, because a lot of them are there naturally, but anyway, this pond, we can't afford to cover it up and we don't even know how they're going to squeeze any development in this lot. But I am okay with the low impact because I understand that development has to happen. Now when I heard earlier you said, "medium density," we have been told "low density." So already we're getting concerned about the little jump in the language and also, some people understand it because I've talked to all the people that live over here and we were told that these are three lots and three houses, now it's three per lot. So sadly, we just have a lot of, I guess, mistrust and we just want the board to really be diligent on this one to try to save this property for low density and really be concerned about the buffers and really be concerned about trees. Most of these trees in here, several of them, I don't mean to bore you guys, but I'm a horticulturist. So, the trees have been there for hundreds of years. And if you take away the trees, you're going to have more runoff into that pond, which is really going to break that dam easily. But I'm going to leave it up to you guys to get your experts. I think we even tried to call out the EPA to see if they can come help us coordinate to see what we're up against. Anyway, I appreciate your time and just really, we want to babysit this because we're really worried about it. I only live up the road, just on the other side of Heatherwood, and we feel like there's

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a seven-acre lot there too that is residential and my fear is that someday that lot will be turned into a development and we'll be dealing with the same nonsense or worries that we have with this seven-acre lot and we just want the town maybe to try to save Old Raleigh Road because it is old and you have to leave some integrity in the town to beautification, trees, ponds and not just run it down and destroy it all. Thank you."

Chair Sherman clarified with Mr. Maass that the 2045 Land Use Map classifies this area as Medium Density Residential. She asked if there was anyone else that would like to speak.

Next speaker was **Warren Harvey** of 1015 New Dover Road:

"I live also backed up right to the pond there in that neighborhood and I appreciate both the planning board and the developer for the information we've gotten ahead of time, it's been really helpful. I just want to clarify a couple things I've heard from comments and then from the applicant, and that is my understanding is it is still being proposed for just three lots and not three per lot. I just want to clarify that and make sure I'm hearing the right thing because I would have some concern for that. And I would just say too, I think that pond has been, we live right up behind the pond and right on the stream that comes right behind our house. We have not had any flooding problems, I recognize that happens further down on our greenway, and I think that is something to take into consideration, but I feel like this pond really helps to spread that out and so I would also just be in favor of seeing the developers keep that pond and have some way to manage that because I do think it's an asset in that, but I also just wanted to ask the further clarification on the number of lots that are being proposed. Thank you."

Chair Sherman said that she believes it is three houses but wanted to verify this with Mr. Shipman.

Mr. Shipman clarified that there are only three houses and one unit per lot. He also verified that this property was not in a flood zone. He said that the intention with the pond is to leave it as it is and the only scenario where there would be any modifications to the pond is if it were seeping and it was a danger to residents or if burst and if it for whatever reason it had to be drained because the dam was unsafe, the natural drainage channel would reform and that channel would carry a riparian buffer as well. He said because of the riparian buffer condition, there could not be any development north. He said that there would be a storm water basin put in. He said that the discharge from the storm water pond will be engineered, and they would control the runoff and limit downstream impacts.

Chair Sherman asked what the flood zone is for this plan.

Mr. Shipman said that it is outside the 500-year flood plain.

Member Braswell asked if there were any trees on pond dam.

Mr. Shipman said that there may be some vegetation.

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Member Braswell said that the option may be to take the trees down so that it did not take out the dam. He said that he was not aware of any seepage issues but will need to get a full evaluation done but wanted to wait until the rezoning was in place.

Member Byrd asked for any dam evaluations that can be provided and if it is drained, she asked if that required an upgrade to the storm water control measures.

Mr. Shipman said that it would change the riparian buffers on site and gave an overview of what would happen.

Member Mitchell asked who would retain the other existing parcels where the wetlands are and the stream travels from west to east and falls into the pond.

Mr. Shipman said that there would be HOA created for the three lots only and the balance of that land would go to the homeowner's association. He said that area would be deeded as a private or common area and split with resource conservation area, and each of the homeowners will be assessed a fee that would go into a maintenance budget that would cover the liability of the pond.

Ms. Staudenmaier provided information related to how storm water will be reviewed during the process. She introduced Jessica Bolin, Stormwater Manger and asked that any follow-up questions be directed to Ms. Bolin.

Vice-Chair Royal asked what the limitations are to be able to maintain the dam.

Ms. Bolin said the dam is to be left untouched for safety reasons.

Vice-Chair Royal said that if the dam is left untouched and trees are growing in it, that could be detrimental.

Ms. Bolin said that is part of their entire evaluation that is needed before they get site plan approvals.

Chair Sherman asked if seepage was found what happened.

Ms. Bolin said that if the recommendation dam safety or the evaluation was to breach the dam and let the channel reform, that would be up to them, but whichever way the decide to go, staff would make sure that all regulations are followed and then wait 6 months to what forms and then 50' off of the new stream bank would be untouched.

Vice-Chair Royal asked once this goes through the design phase would this catch 100% of the runoff and then release it slowly.

Ms. Bolin said there is a point of analysis that staff will be looking at as plan reviewers as where the water leaves the site and at that point of analysis, it has to meet the precondition pre-development conditions for one-year storm, the 10-year storm, and the 25-year storm.

Vice-Chair Royal asked if there's more water being added to the property than what's being rained on there right now.

Ms. Bolin said that impervious service will be added and that is what needs to be treated with the SCM (Stormwater Control Measure) to meet that point of analysis to mimic the pre-development conditions.

Vice Chair Royal asked if there any ideas possible for any impervious surface like pavers instead of a standard driveway to minimize runoff.

Ms. Bolin said that there could be a requirement or a zoning condition that driveways are permeable pavements or pavers.

Member Mitchell said that staff and Board members generally understand the verbiage of stormwater and he asked if Ms. Bolin would address at a 101 level of how and why stormwater works as in the NC Law and not being able to prevent it and if water flows downhill you have to accept the water. He also asked for explanation of how that water is accepted and engineered in an area that is developed for residents.

Ms. Bolin said there are requirements in the UDO post-construction has to meet pre-construction flows, for the one-year, 10-year and 25-year storm in the basin at that point of analysis where water leaves the site. She said this is up to the design engineer to follow the UDO and the NC Stormwater design manual and Apex has accepted as their design manual.

Member Byrd said that there was some concern from the public about the use of the property. She asked if townhouses would be allowed.

Ms. Staudenmaier said that no townhouses would be allowed, it would be only for single family residential houses and accessory apartments that could be attached or detached such as a mother-in-law's suite.

Member Mitchell asked Ms. Staudenmaier to explain change of plan or plans and how this could happen for any concerns that may arise. He asked her to also explain the ordinance process and the legal strength behind what it means if a rezoning is approved and becomes law.

Ms. Staudenmaier said this is rezoned by the property owner and even if it was sold down the road and someone wanted to redevelop it, this would still only be allowed to have a single family and the attached apartment and if they wanted to build townhomes, it would have to go through the entire public process for approval and not just a staff administrative process.

Member Mitchell asked if this gets approved for the three lots by Council and then it was decided to add a fourth lot, what would be that process.

Ms. Staudenmaier said that once this is approved and then there was changed to add another lot, it would have to go through the pre-application process to review all of the conditions and other UDO, transportation, stormwater requirements.

Chair Sherman said that she did not recall if she had closed Public Hearing. She then closed Public Hearing and brought it back to staff for discussion and possible motion.

Member Hastings said that the concern that residents brought up was the conditions offered by Shipman Engineering, which was 3 homes, but realistically given the 3 units per acre with 30% set aside of gross parcel to be preserved as RCA, it is 12 homes. He said that the condition doesn't say maximum density of three units, it says three units per acre.

Mr. Shipman said that the goal is to put conditions that restrict development but still to have some flexibility if it is needed. He said the intent is only three lots, and 12 units will not physically fit.

Chair Sherman said that what is in writing is not what our intent is.

Mr. Shipman said that the site plan was meant as an illustration of what we intend to do and they understand that it is not binding and has not been reviewed. He said that the intent was to say we're trying to cut the density down from the medium density cap in order to say we want to demonstrate that they are trying to lower it.

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Chair Sherman asked if Member Hastings suggested maximum based on what is in the application 12 units could be on this property incorrect.

Mr. Shipman said that his assessment is correct for the maximum allowed.

Chair Sherman asked if Member Hastings assessment of maximum code allowed, not your intent, right.

Mr. Shipman said yes.

Chair Sherman asked if Mr. Shipman would put in writing that there would only be three units.

Mr. Shipman said that he would have to defer to his client.

The client said that the intent is to have three lots here.

Chair Sherman said that there could be a friendly amendment added.

Mr. Shipman said that a condition that says a three-lot maximum could be added.

Vice Chair Royal said that the SCM has to also be considered as a lot.

Ms. Khin said that is correct.

Vice Chair Royal asked if that is three units plus ADUs?

Ms. Bunce said three residential lots.

Chair Sherman asked if there was a motion to include this condition.

Member Byrd thanked Mr. Shipman for the willingness and openness with this being medium density allowing up to six units per acre and that he has cut this in half.

Mr. Shipman said that they would be adding the condition to limit three buildable lots.

Ms. Bunce said that the motion would indicate that the Board approves only if applicant amends the condition from three dwelling units per acre to three residential lots.

Member Mitchell said that this discussion about this item was very beneficial. He said that the number of units and the density for the resource conservation area is large but severely limits the developability of this site.

A **motion** was made by **Member Braswell** and seconded by **Member Soh** to recommend approval of Rezoning Case #25CZ07 1211 Old Raleigh Road with an additional condition to limit density to three residential lots.

VOTE: (9-1) Chair Sherman dissented

Chair Sherman noted that she has concerns about the site being developed based on the potential of the dam. She said that there were covered up ponds that have been dried up for 10 years. She is concerned about additional flooding although she appreciates the work done by Stormwater staff.

Member Mitchell asked **Chair Sherman** that when there are items with significant numbers of concerned citizens to identify, no matter what the vote is, that there are additional public hearing opportunities coming.

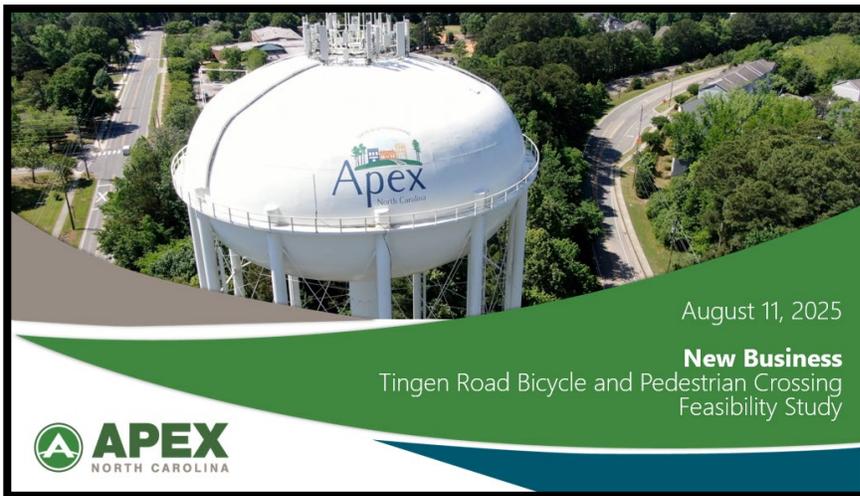
Chair Sherman gave the date of August 26th at 6 p.m. for the Council meeting for another time for speaking and she gave other ways to weigh in as well. She then moved to New Business.

[NEW BUSINESS]

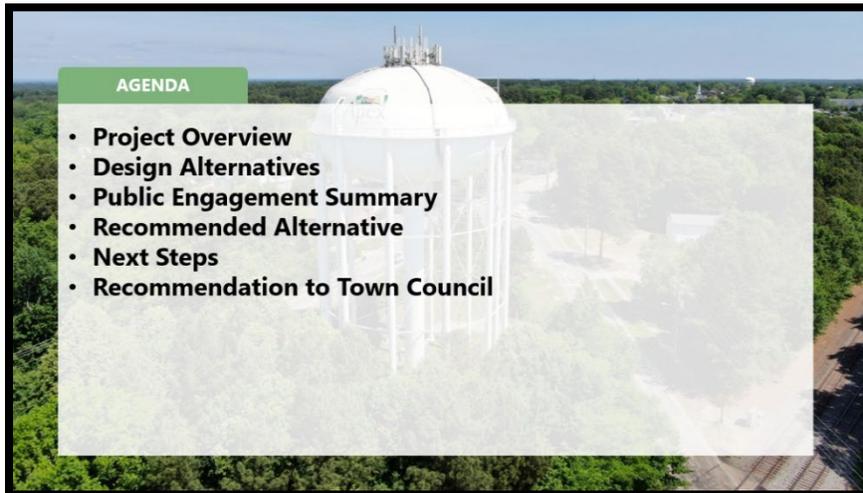
NB1 - Updates on Tingen Road Bicycle and Pedestrian Crossing

Jenna Shouse, Senior Long Range Planner and Russell Dalton Traffic Engineering Manager, presented updates on the BO-2416 Tingen Road Bicycle and Pedestrian Crossing. Staff requested the Board to consider a motion to recommend that Town Council select the tunnel alternative, identified as Alternative 4, as the preferred alternative for the grade-separated bicycle and pedestrian crossing of Tingen Road.

[SLIDE 1]



[SLIDE 2]



[SLIDE 3]



[SLIDE 4]

Project History

- The existing Tingen Road at-grade crossing of the railroad is required to be closed upon opening of the Apex Peakway Southwest Connector bridge.
- The bike/pedestrian bridge/tunnel is proposed to replace the closing vehicular crossing.
- State Transportation Improvement Project (STIP) BO-2416 is programmed for design funds.

A map of the BO-2416 Study Area in Chatham County, North Carolina. The map shows the study area in blue, with surrounding areas in green and grey. Key locations include Morrisville, Cary, Apex, and Holly Springs. The map also shows major roads like I-85 and I-77, and water bodies like Jordan Lake and MacGregor Downs Lake. A legend at the bottom identifies the Study Area, Apex Municipal Boundary, County Boundary, and Natural Area.

[SLIDE 5]

Feasibility Study Purpose

- Study the opportunity to maintain connectivity for cyclists and pedestrians across the CSX S-Line railroad tracks at/near the existing Tingen Road crossing
- Determine the relative need for this project and whether to move forward with final design

An aerial map of the study area with various landmarks labeled. The study area is outlined in red. Landmarks include Albright Funeral Home, St Mary's AME Church and Food Pantry, Town of Apex Water Tank, Apex Elementary, Masonic Lodge, and WPDE-TV 497 News. The map also shows the railroad tracks and surrounding residential areas.

[SLIDE 6]

Feasibility Study Purpose

- Study the opportunity to maintain connectivity for cyclists and pedestrians across the CSX S-Line railroad tracks at/near the existing Tingen Road crossing
- Determine the relative need for this project and whether to move forward with final design

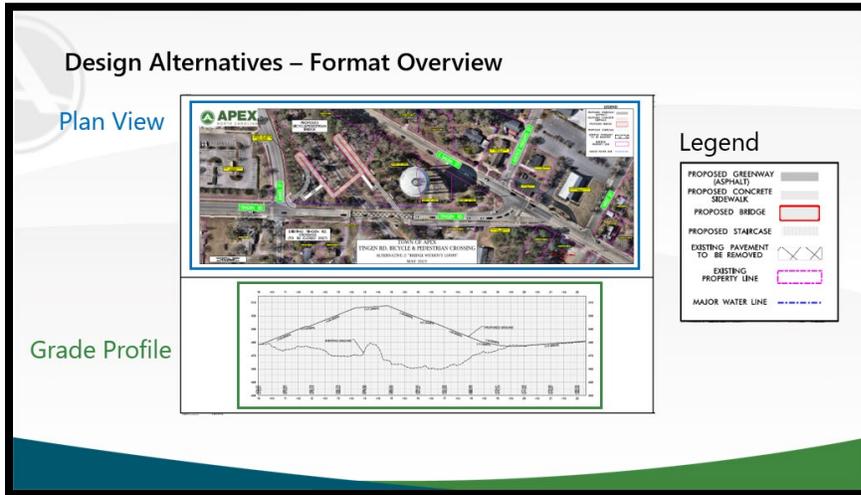


Russell Dalton, Traffic Engineer Manager gave this part of the presentation.

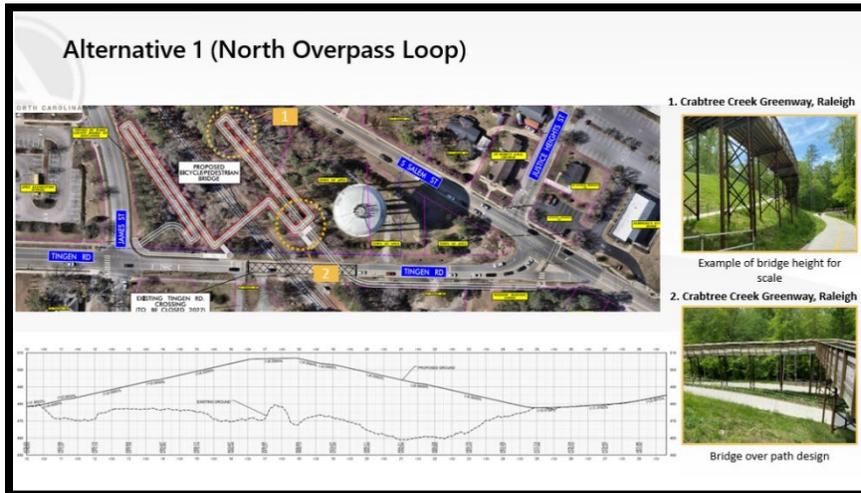
[SLIDE 7]



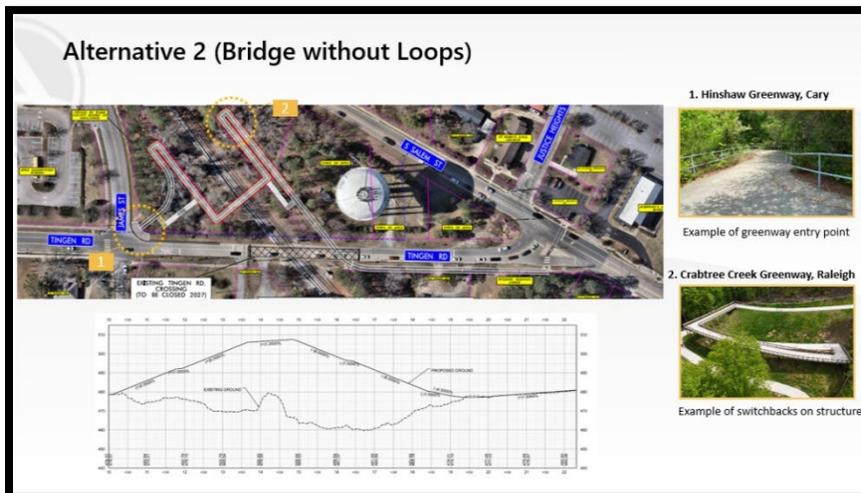
[SLIDE 8]



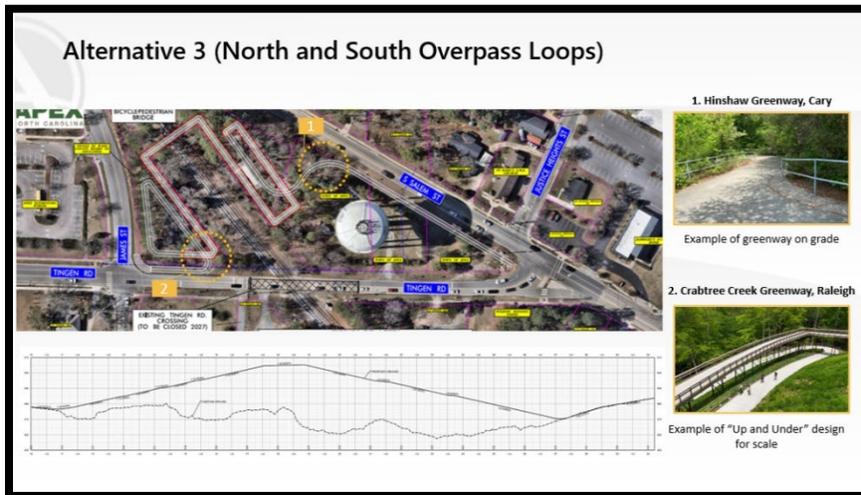
[SLIDE 9]



[SLIDE 10]



[SLIDE 11]



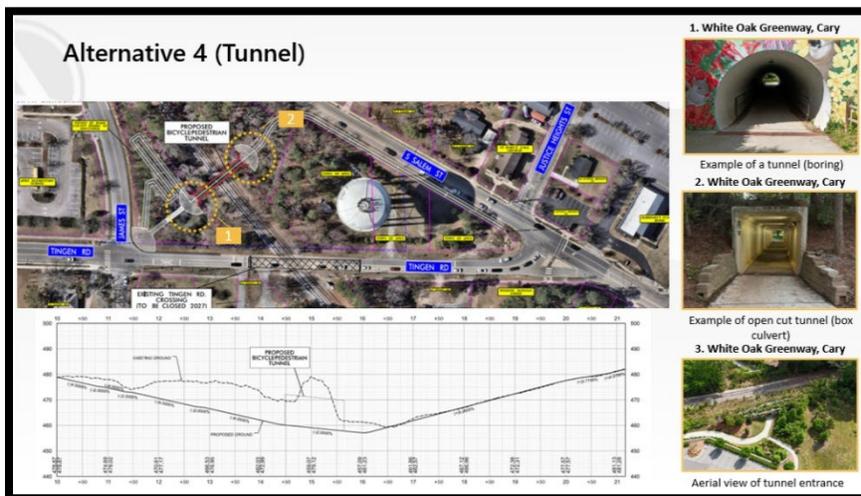
Member Mitchell asked Mr. Dalton to go through how to get through the signalized intersection again.

Mr. Dalton said that at Justice Heights Street and Tingen Road there is currently a crosswalk to cross Salem Street. He explained that there is a refuge island and then a yield-controlled pedestrian crossing so if you are on Tingen Road traveling toward downtown Apex, there is a slip right turn lane where you have to yield to pedestrians, so this is a combination of the two.

Member Mitchell asked if you were traveling from town on the right side of the street would you cross over into the refuge island.

Mr. Dalton said that in alternatives one and two that would be correct. He said in alternative three that there would have to be an additional crosswalk added.

[SLIDE 12]



[SLIDE 13]

| Comparison of Design Alternatives | | | | |
|--|-----------------------------|------------------------------|--|-------------------|
| Criteria | Alt. 1: North Overpass Loop | Alt. 2: Bridge Without Loops | Alt. 3: North and South Overpass Loops | Alt. 4: Tunnel |
| Structure Type | Bridge | Bridge | Bridge | Tunnel |
| Structure Length | 1285' | 660' | 930' | 105' |
| Length from James St. to S Salem St. (Bicycle and ADA) | 1880' | 1355' | 2020' | 1115' |
| Length from James St. to S Salem St. (Walk w/ Staircase) | 850' | 880' | 1520' | 780' |
| Maximum Grade | 5% (Moderate) | 8% (Steep) | 5% (Moderate) | 5% (Moderate) |
| Cost | Highest | Middle | Middle | Lowest |
| Northern Approach | Along Tingen Rd. | Along Tingen Rd. | Along S Salem St. | Along S Salem St. |
| Landings Required | 0 | 1 | 0 | 0 |
| Switchbacks | 4 | 2 | 2 | 2 |
| Tree Clearing Required | 1.9 Acres | 1.3 Acres | 1.9 Acres | 1.6 Acres |

Mr. Dalton asked if there were any questions.

Member Petersen asked about the lighting and if it would be well lit for safety.

Mr. Dalton said that it would be along the greenway route, and they could explore pedestrian scale lighting like ballad lighting or shorter pedestrian area lighting. He said that they would bring this up with the consultant for the next phase.

Member Soh asked if there could be solar powered lights be an option.

Mr. Dalton said that this could be explored as well.

Member Petersen asked without a cross walk, how involved is it to make it possible to cross Tingen Road or Salem Road in terms of pedestrian safety and has the feasibility of what's the best options for pedestrian safety been studied.

Mr. Dalton said that it has not been studied at this time, and the signal was originally installed as temporary traffic signal due to the volume that comes from Tingen Road, but Tingen Road will be closed to vehicular traffic. He gave other options that were being considered to address concerns about pedestrian safety.

Member Mitchell asked if the side path that traveled along the south side of Salem Street down towards that tank and beyond be the entry point from the intersection to where Salem Street bottoms out.

Member Byrd said that it does not go down that far, it is to the driveway by the water tower and not down to Salem Street.

Member Mitchell asked if Salem Street was a NC DOT road.

Mr. Dalton said that it was NC DOT.

Member Mitchell asked if there were plans to widen Salem Street in this area.

Mr. Dalton said there may be shoulder widening, but not street widening plans at this time.

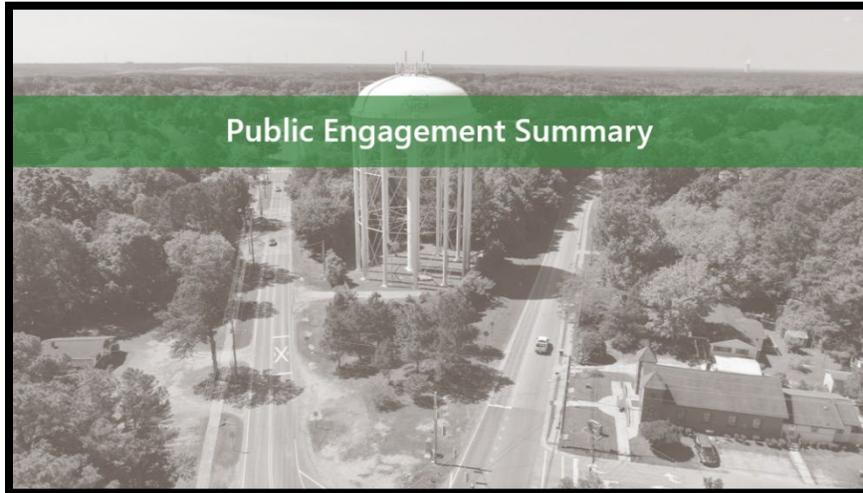
Member Mitchell said that because of the volume in this area at peak times, having the path close to the road may be uncomfortable. He asked if all of the property is owned by the town or NC DOT.

APPROVED | AUGUST 11, 2025 PLANNING BOARD MEETING MINUTES

Mr. Dalton said that the town owns the water tower property for all of the proposed alternatives. Further down Salem Street the town would have to acquire all or a portion of a parcel for all of the alternatives presented as well as the parcel on the other side of the railroad tracks, which is owned by Wake County Schools. He said during the design phase they would look at the verge utility strip width for pedestrians.

Ms. Shouse continued with the presentation.

[SLIDE 14]



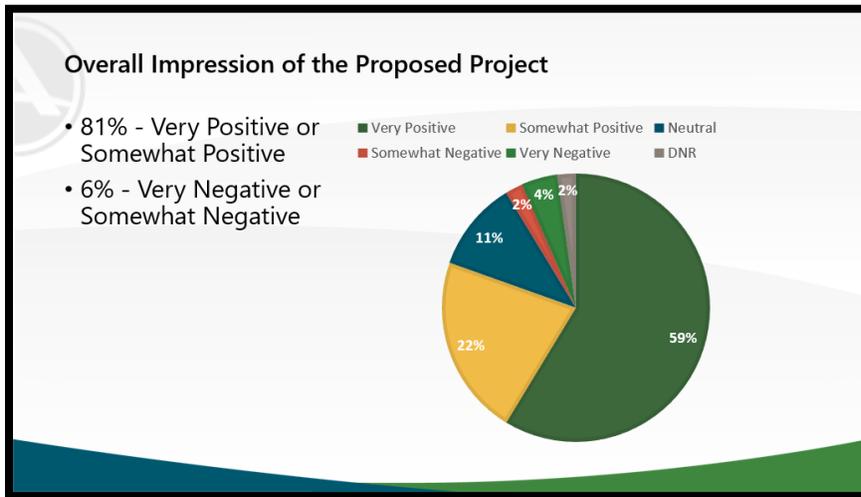
[SLIDE 15]

Design Charrette & Online Comment Form

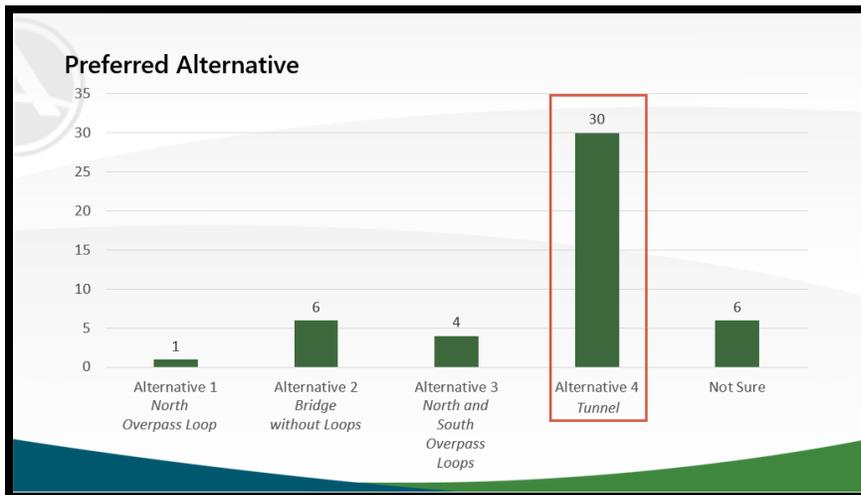
- May 22, 2025 Design Charrette
 - Stakeholder Meeting
 - 17 attendees
 - Public meeting
 - 46 attendees
 - 30 comment forms
- Online comment form June 3 – June 17, 2025
 - 17 respondents

A photograph showing a group of people in a room, likely a design charrette. They are standing around a table, looking at documents or displays. The room has a wooden floor and white walls. There are chairs and tables set up in the room.

[SLIDE 16]



[SLIDE 17]



[SLIDE 18]

- ### Summary of Public Comments
- Provide adequate lighting/visibility
 - Incorporate public art
 - Question of cost/investment given number of users
 - Provide a safe route to Apex Elementary School
 - Prefer the shortest path
 - Minimize steep grades
 - Provide connections to existing sidewalks and planned greenway
 - Maintain pedestrian crossings of S Salem St to Justice Heights St (currently signalized)

Ms. Shouse asked if there were any questions about public engagement.

Mr. Dalton continued with the presentation.

[SLIDE 19]



[SLIDE 20]

Staff Recommended Alternative – Tunnel (Alt. 4)

- Tunnel Alternative vs. all 3 Bridge Alternatives
 - Pros:
 - Most public support
 - Least anticipated cost
 - Shortest distance, least change in grade, and shortest structure
 - Less potential impact to water lines
 - Some comments considered it less of a visual impact to surrounding community
 - Cons:
 - Needs stronger justification to CSX
 - CSX may favor boring under vs. open cut with temporary railroad bridging
 - Boring would require a slightly longer/deeper route with potential drainage issues
 - Some comments cited concerns with safety/visibility and cleanliness

1. White Oak Greenway, Cary
 Example of a tunnel (boring)

2. White Oak Greenway, Cary
 Example of open cut tunnel (box culvert)

Mr. Dalton asked if there were any questions.

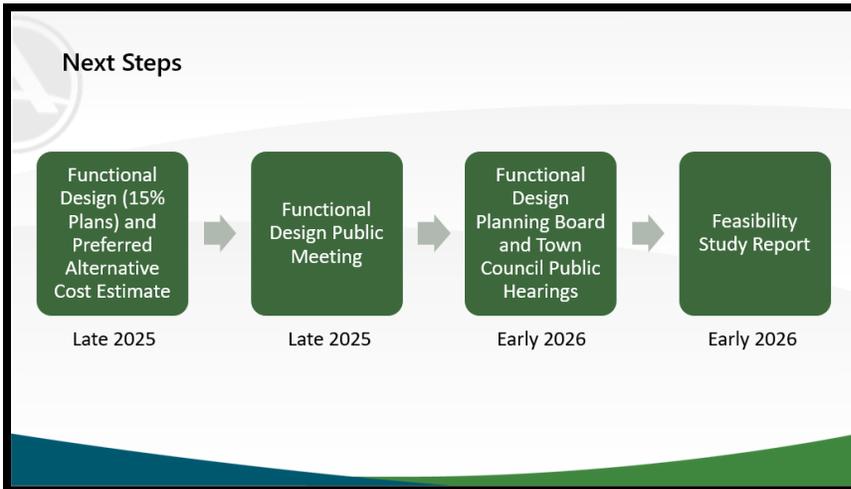
Member Rhodes asked if there were any mentions about if boring what the cost variance could be.

Mr. Dalton said boring may be comparable to or a little bit more expensive than doing open cut with jump spans and there is challenges with both. He said this will be something that will be talked with the consultant about if this moves to the next phase.

[SLIDE 21]



[SLIDE 22]

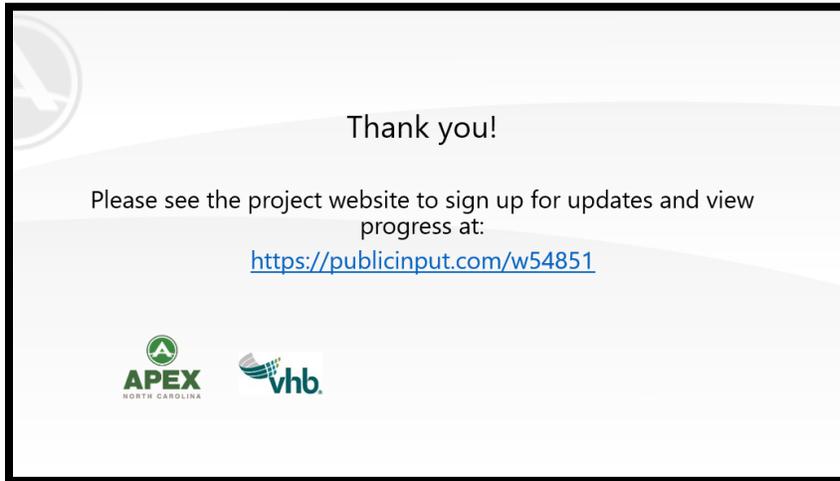


[SLIDE 23]

Possible Motion – Preferred Alternative – Tunnel (Alt. 4)

Motion to recommend that Town Council select the tunnel alternative (Alt. 4) as the preferred alternative for the grade-separated bicycle and pedestrian crossing of Tingen Road and proceed with functional design.

[SLIDE 24]



Chair Sherman asked if there were any other questions for Ms. Shouse or Mr. Dalton. She then brought the item back to the Board for discussion or possible motion.

Member Byrd said that this was good for the area and the additional connectivity opening up pathways for pedestrians.

Member Khodaparast said this potentially being a safe route to the schools was a benefit especially considering the tunnel is a shorter length.

A **motion** was made by **Member Khodaparast** and seconded by **Member Royal** to recommend approval of Alternative 4 (Alt4) for the grade separated bicycle and pedestrian crossing, attention road and proceed with functional design.

VOTE: UNANIMOUS (10-0)

NB2 - UDO Amendments

Bruce Venable, Planner II, presented various amendments to the Unified Development Ordinance (UDO). Planning staff recommends approval.

[SLIDE 1]

New Business #2

Possible motion regarding various amendments to the Unified Development Ordinance (UDO)



[SLIDE 2]

Amendment #1
Requested by Planning Staff

Amendments to Secs. 2.3.2 *Amendments to the Text of this Ordinance or Official Zoning District Map (Rezoning)*; 2.3.3 *Conditional Zoning Districts*; 2.3.4 *Planned Development Districts*; 2.3.5 *Special Use Permit*; 2.3.6 *Site Plan*; 4.4.2 *Public and Civic Uses*; 4.4.3 *Utilities*; 4.4.5 *Commercial Uses*; 4.5.1 *Accessory Uses and Structures*; 7.2.1 *Design Standards, Streets*; 7.5.4 *Required Improvements, Streets*; 7.5.7 *Storm Drainage*; 8.1.2 *Resource Conservation Area*; 8.3.9 *Off-Street Parking Alternatives*; 8.3.10 *Parking Structures*; 8.6.1 *Exterior Lighting, Purpose and Intent*; and 12.2 *Terms Defined*, in order to provide greater clarity regarding the UDO's requirements as they relate to surrounding uses and properties.



[SLIDE 3]

Amendment #1
Requested by Planning Staff

2.3.2 Amendments to the Text of this Ordinance or Official Zoning District Map (Rezoning)

- ... E) *Standards*
- ... 1) *Compatible with all surrounding uses.* Whether and the extent to which the proposed amendment is compatible with all existing and all proposed uses surrounding the subject land.
- ...

2.3.3 Conditional Zoning Districts

- ... F) *Legislative Considerations*
- ... 2) *Compatibility.* The proposed Conditional Zoning (CZ) District use's appropriateness for its proposed location and compatibility with the character of all surrounding land uses.
- ... 4) *Design minimizes adverse impact.* The design of the proposed Conditional Zoning (CZ) District use's minimization of adverse effects, including visual impact of the proposed use on adjacent lands; and avoidance of significant adverse impacts on all surrounding lands regarding trash, traffic, service delivery, parking and loading, odors, noise, glare, and vibration and not create a nuisance.



[SLIDE 4]

Amendment #1
Requested by Planning Staff

2.3.4 Planned Development Districts
...

F) *Standards*
In return for greater flexibility in site design requirements, Planned Development (PD) Districts are expected to deliver exceptional quality community designs that preserve critical environmental resources; provide high quality community amenities; incorporate creative design in the layout of buildings, Resource Conservation Area and circulation; ensure compatibility with **all** surrounding land uses and neighborhood character; provide high quality architecture; and provide greater efficiency in the layout and provision of roads, utilities, and other infrastructure. The Planned Development (PD) Districts shall not be used as a means of circumventing the Town's adopted land development regulations for routine developments.

1) *Planned Unit Development (PUD-CZ) District*
...

a) *Development parameters*
...

(v) The design of development in the PD Plan for PUD-CZ results in land use patterns that promote and expand opportunities for walkability, connectivity, public transportation, and an efficient compact network of streets. Cul-de-sacs shall be avoided unless the design of the subdivision and the existing or proposed street system in **all** the surrounding **areas of the proposed cul-de-sac** indicate that a through street is not essential in the location of the proposed cul-de-sac, or where sensitive environmental areas such as streams, floodplains, and wetlands would be substantially disturbed by making road connections.

(vi) The development proposed in the PD Plan for PUD-CZ is compatible with the character of **all** surrounding land uses and maintains and enhances the value of **all** surrounding properties.



[SLIDE 5]

Amendment #1
Requested by Planning Staff

...

d) Landscaping. The PD Plan for PUD-CZ shall demonstrate compliance with the standards of Sec. 8.2 *Landscaping, Buffering and Screening*, except that variations from these standards may be permitted where it is demonstrated that the proposed landscaping sufficiently buffers uses from each other, ensures compatibility with land uses on **all** surrounding properties, creates attractive streetscapes and parking areas and is consistent with the character of the area. In no case shall a buffer be less than one half of the width required by Sec. 8.2 or 10 feet in width, whichever is greater.

...

1) *Traditional Neighborhood District (TND-CZ)*
...

b) *Development Parameters*
...

(v) The design of development in the PD Plan for TND-CZ results in land use patterns that promote and expand opportunities for walkability, connectivity, public transportation, and an efficient compact network of streets. Cul-de-sacs shall be avoided unless the design of the subdivision and the existing or proposed street system in **all** the surrounding **areas of the proposed cul-de-sac** indicate that a through street is not essential in the location of the proposed cul-de-sac, or where sensitive environmental areas such as streams, floodplains, and wetlands would be substantially disturbed by making road connections.



Chair Sherman asked for information about the proposed cul-de-sac.

Mr. Venable explained that when evaluating the cul-de-sac, it is considered in not only the immediate area but also the impacts of transportation and mobility in surrounding areas. He said that there will not be cross-access so the cul-de-sac could limit connectivity, and all of the impacts should be considered before deciding if a cul-de-sac meets code requirements.

[SLIDE 6]

Amendment #1
Requested by Planning Staff

- (vi) The development proposed in the PD Plan for TND-CZ is compatible with the character of **all** surrounding land uses and maintains and enhances the value of **all** surrounding properties.
- ...
- (ix) Landscaping. The PD Plan for TND-CZ shall demonstrate compliance with the standards of Sec. 8.2 *Landscaping, Buffering and Screening*, except that variations from these standards may be permitted where it is demonstrated that the proposed landscaping sufficiently buffers uses from each other, ensures compatibility with land uses on **all** surrounding properties, creates attractive streetscapes and parking areas and is consistent with the character of the area. In no case shall a buffer be less than one half of the width required by Sec. 8.2 or 10 feet in width, whichever is greater.
- ...
- 3) *Major Employment Center (MEC-CZ) District*
 - ...
 - a) *Development Parameters*
 - ...
 - (iii) The design of development in the PD Plan for MEC-CZ results in:
 - ...
 - (g) A design that is compatible with the character of **all** surrounding land uses and maintains and enhances the value of **all** surrounding properties.



[SLIDE 7]

Amendment #1
Requested by Planning Staff

- ...
- c) *RCA and landscaping*. The PD Plan for MEC-CZ establishes a resource conservation area (RCA). The criteria used to establish the RCA shall comply with Sec. 8.1.2 *Resource Conservation Area*. Landscaping and illumination complies with the standards of Sec. 8.2 *Landscaping, Buffering and Screening*, and Sec. 8.6 *Exterior Lighting*, except that variations from these standards may be permitted where it is demonstrated that the proposed landscaping sufficiently buffers uses from each other, ensures compatibility with land uses on **all** surrounding properties, creates attractive streetscapes and parking areas and is consistent with the character of the area.
- ...
- e) *Public Facilities*
 - (iv) Detailed Design Guidelines are prepared for the PD Plan for MEC-CZ that shall control design guidelines for architecture, the development of open space, natural drainage areas, streets, utilities, and if appropriate, off-street parking and loading, landscaping and signage. The Detailed Design Guidelines shall ensure development proposed for the site is compatible with **all** surrounding land uses, maintains Apex's small-town character, and encourages compact development and interconnectivity to the greatest extent possible through the use of interrelated and linked pedestrian ways, bike ways and other transportation systems
- ...
- M) *Minor Deviations*
 - 1) *Height*. An increase of building height by not more than 10%, as long as the height increase is consistent with the contextual height of **all** the surrounding buildings and structures, the PD Plan and Article 9: Design Standards, or a detailed design plan (if appropriate).



[SLIDE 8]

Amendment #1
Requested by Planning Staff

2.3.5 Special Use Permit

- ...
- D) *Standards*
 - ...
 - 1) *Compatibility*. The proposed Special Use Permit shall be appropriate for its proposed location and compatible with the character of **all** surrounding land uses.
 - ...
 - 3) *Design avoids significant adverse impacts, avoids being a nuisance, and minimizes adverse impact*. The proposed Special Use Permit shall not have a significant adverse impact on **all** surrounding lands (including but not limited to) regarding trash, traffic service delivery, parking and loading, odors, noise, glare, visual impact, and vibration. The proposed Special Use Permit shall not create a nuisance. The proposed Special Use Permit shall be designed to minimize adverse effects of the proposed use on adjacent lands.
- ...
- E) *Conditions and Restrictions*

The Board of Adjustment may impose, in approving the Special Use Permit, such restrictions and conditions on such approval, the proposed use, and the premises to be developed or used pursuant to such approval, it determines are required by the standards of this Section to prevent or minimize adverse effects from the proposed use and development on **all** surrounding land uses. All conditions imposed on any special use shall be expressly set forth in the Special Use Permit.
- ...



[SLIDE 9]

Amendment #1
Requested by Planning Staff

2.3.6 Site Plan

A) *Purpose*
Site plan review is required by this Ordinance to ensure that the proposed layout and general design of proposed development complies with Article 8: General Development Standards, all other appropriate portions of this Ordinance, and the proposed development is compatible with all surrounding land uses.
...

4.4.2 Supplemental Standards, Public and Civic Uses
...
E) *Veterinary Clinic or Hospital*
...
2) Outdoor exercise and bathroom areas shall only be permitted according to the following conditions
...
b) Such areas within the Small Town Character Overlay District shall be buffered to ensure compatibility with all surrounding land uses by complying with the buffer standards of Sec. 8.2.6 *Buffering*.
...



[SLIDE 10]

Amendment #1
Requested by Planning Staff

4.4.3 Supplemental Standards, Utilities

A) *Chipping and Mulching*
...
5) *Buffered*. The operation shall be adequately buffered to ensure its compatibility with all surrounding land uses, and shall at a minimum comply with the buffer standards of Sec. 8.2.6.
...

B) *Communication Towers*
...
2) *Stealth Communication Tower*.
...
e) If co-location is impracticable, the new tower is designed:
...
(iv) To be consistent with the general character of all the surrounding area and land uses, in terms of height, bulk, texture and color;
...
3) *Camouflage Stealth Communication Tower*.
...
b) The structure shall be compatible with the architectural style and character of buildings/structures of the all surrounding area. A determination of architectural compatibility shall include, but not be limited to color, materials, and architectural style
...



[SLIDE 11]

Amendment #1
Requested by Planning Staff

C) *Electrical Power Facility*
An electrical power facility use shall comply with the following standards:
...
2) *Setback*. The proposed electrical power facility shall be setback a minimum of 100 feet from property lines and buffered to ensure it does not have an adverse impact on all surrounding land uses;
...
3) *Compatibility*. If deemed necessary to ensure land use compatibility with all surrounding uses, adequate setbacks, screening and buffering around the perimeter of the proposed electrical power facility use shall be provided at the time the facility is constructed or when surrounding development occurs.

F) *Recycling Plant*
A recycling plant use shall comply with the following standards:
1) *Location and buffers*. The proposed recycling plant shall be properly located and buffered to ensure compatibility with all surrounding land uses. To ensure compatibility with all surrounding uses, adequate setbacks, screening and buffering around the perimeter of the proposed recycling plant shall be required at the time the facility is constructed. Required minimum lot size, setbacks, screening and buffering shall include, but not be limited to the following:
...
G) *Utility, Minor*
...
2) *Compatibility*. The proposed minor utility shall be properly located and buffered to ensure compatibility with all surrounding land uses. If deemed necessary to ensure compatibility with all surrounding uses, setbacks, screening and buffering around the perimeter of the utility shall be required at the time the facility is developed.
...



[SLIDE 12]

Amendment #1
Requested by Planning Staff

H) *Sanitary Landfill*
A sanitary landfill use shall comply with the following standards:

1) *Location and buffers.* The proposed sanitary landfill shall be properly located and buffered to ensure compatibility with **all** surrounding land uses. To ensure compatibility with **all** surrounding uses, adequate setbacks, screening and buffering around the perimeter of the proposed sanitary landfill shall be required at the time the facility is constructed. Required minimum lot size, setbacks, screening and buffering shall include, but not be limited to the following:
...

I) *Land Clearing and Inert Debris Landfill*
A land clearing and inert debris landfill use shall comply with the following standards:

1) *Location and buffers.* The proposed land clearing and inert debris landfill shall be properly located and buffered to ensure compatibility with **all** surrounding land uses. To ensure compatibility with **all** surrounding uses, adequate setbacks, screening and buffering around the perimeter of the proposed landfill shall be required at the time the facility is constructed. Required minimum lot size, setbacks, screening and buffering shall include, but not be limited to the following:
...



[SLIDE 13]

Amendment #1
Requested by Planning Staff

J) *Wireless Support Structures and Wireless Communication Facilities*
Wireless support structures and wireless communication facilities to be located in a public right-of-way shall comply with the following standards:
...
2) *Definitions applicable to this Sec. 4.4.3.J.*
...
Least Intrusive Means: The method of designing potential wireless support structures or wireless communication facilities to minimize visual and aesthetic impacts, including camouflage and/or stealth elements and techniques suitable for the location, visual environment and **all** surrounding uses/structures. The Least Intrusive Means addresses a significant gap in the applicant's service while doing the least harm or disservice to the Town's purpose and objectives provided in Sec. 4.4.3.J.1.
...



[SLIDE 14]

Amendment #1
Requested by Planning Staff

4.4.5 Supplemental Standards, Commercial Uses
...
F) *Public Accommodation*

1) *Bed and breakfast.* A bed and breakfast use shall comply with the following standards:
...
g) One parking space shall be provided for each guest room. Parking shall not be permitted in the front yard. On-street parking shall be permitted on residential side streets. There shall be 20 feet of street frontage for every on-street parking space. On-site parking shall be screened with a landscaped buffer to reduce undue noise, odor or glare on **all** surrounding lands. Additional off-street parking for bed and breakfasts within a PUD-CZ Planned Unit Development District, a TND-CZ Traditional Neighborhood District, the SD-CZ Sustainable Development Conditional Zoning District, or a MORR Mixed-Office-Residential-Retail District shall be provided at the rate indicated for general restaurant uses if restaurant services are provided to non-guests.
...
h) The bed and breakfast shall be adequately buffered to ensure its compatibility with **all** surrounding land uses, and shall at a minimum comply with the buffer standards of Sec. 8.2.6; and
...



[SLIDE 15]

Amendment #1
Requested by Planning Staff

G) *Retail Sales and Service*
An establishment in the retail sales and service category may sell unfortified wine and malt beverages provided that the establishment meets all the requirements of an Alcoholic Beverage Control Commission permit.

3) *Farmer's market.* A farmer's market shall comply with the following standards:

- c) The boundaries of the farmer's market shall be adequately buffered to ensure its compatibility with **all** surrounding land uses, and shall at a minimum comply with the buffer standards of Sec. 8.2.6.

6) *Kennel*

- b) Outdoor exercise and bathroom areas shall only be permitted according to the following conditions:
 - (ii) Such areas within the Small Town Character Overlay District shall be buffered to ensure compatibility with **all** surrounding land uses by complying with the buffer standards of Sec. 8.2.6 Buffering.

9) *Laundromat.* A laundromat shall be designed to ensure that the windows and doors on the front and sides of the building shall be consistent and compatible in size and number with **all** surrounding land uses.



[SLIDE 16]

Amendment #1
Requested by Planning Staff

H) *Vehicle Repair and Service*

2) *Automotive service station.* An automotive service station use shall comply with the following standards:

- b) The operation shall be adequately buffered to ensure its compatibility with **all** surrounding land uses, and shall at a minimum comply with the buffer standards of Sec. 8.2.6.

4.5.1 Accessory Uses and Structures, Purpose
This Section authorizes the establishment of accessory uses and structures that are necessary and clearly incidental and subordinate to permitted uses and approved special use permits. Additional performance criteria are set forth in this Section for particular uses and structures in order to reduce potentially adverse impacts on **all** surrounding properties.



[SLIDE 17]

Amendment #1
Requested by Planning Staff

7.2.1 Design Standards, Streets

A) *Interconnectivity*

- 1) *Conformity with Advance Apex: The 2045 Transportation Plan.* The subdivision's street system shall conform to the Advance Apex: The 2045 Transportation Plan. In areas where no thoroughfares or collector streets are represented thereon, streets shall be designed and located in proper relation to existing and proposed streets, to the topography of the area, and to natural features such as streams, hills, and stands of trees. Residential streets should further be laid out in such manner as to encourage the flow of through-traffic at slow speeds, except upon major and minor thoroughfares. All proposed street designs shall provide for the appropriate projection of principal streets in **all** surrounding areas to permit reasonable access for **all** surrounding properties, both for current use and future subdivision. No private streets shall be allowed to be built within developments or subdivisions approved on or after October 15, 2002.

G) *Cul-de-sacs*

- 1) In general, cul-de-sacs shall be avoided unless the design of the subdivision and the existing or proposed street system in **all** the surrounding areas of the proposed cul-de-sac indicate that a through street is not essential in the location of the proposed cul-de-sac, or where sensitive environmental areas such as streams, floodplains, and wetlands would be substantially disturbed by making road connections.



[SLIDE 18]

Amendment #1
Requested by Planning Staff

7.5.4 Required Improvements, Streets
...
C) *Sidewalks*
...
2) ...
b) Where street interconnectivity is not provided (such as but not limited to cul-de-sacs) within the development plan, pedestrian connections shall be constructed. The pedestrian connection requirement does not apply when a connection between two (2) cul-de-sacs would not improve connectivity within the subdivision or to surrounding areas adjacent to the subdivision as determined by the Planning Director. The pedestrian connection shall be constructed according to the following:
...

7.5.7 Required Improvements, Storm Drainage
...
C) *Design of System Not Connected to Town System*
Where the municipal storm drainage system cannot feasibly be extended to the subdivision, a surface drainage system shall be designed to complement surface drainage systems on all surrounding properties.
...



[SLIDE 19]

Amendment #1
Requested by Planning Staff

8.1.2 Resource Conservation Area
...
F) *Development Activity Inside of the RCA*
...
3) Disturbance or construction activity may occur inside the RCA when construction is done in such a way as to protect significant resources with approval of the Planning Director for the following limited purposes:
...
b) The portion of stormwater wetlands and wet detention basins that include the constructed and planted wetland, basin area, vegetated, littoral shelf, and all of the surrounding interior embankments up to the top of dam elevation;
...
...



[SLIDE 20]

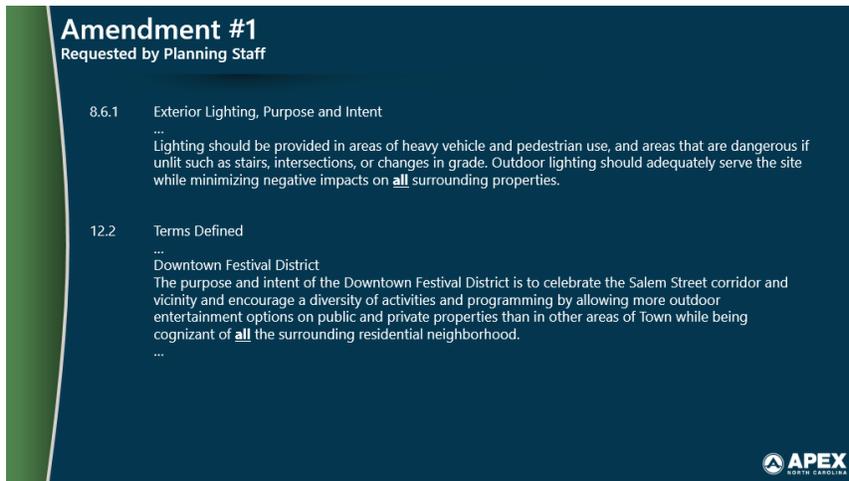
Amendment #1
Requested by Planning Staff

8.3.9 Off-Street Parking Alternatives
The Planning Director shall be authorized to approve alternatives to providing the number of off-street parking spaces required by the Off-Street Parking Schedules in accordance with this subsection.
...
E) *Other Eligible Alternatives*
For Minor and Major Site Plans and Master Subdivision Plans, the Planning Director may approve any other alternative to providing the requisite number of off-street parking spaces on the site of the subject development (including, but not limited to, a decrease in the number of proposed off-street parking spaces by not more than 10% from the minimum number of spaces otherwise required under Sec. 8.3) if the applicant demonstrates to the satisfaction of the Planning Director that the proposed plan will do at least as good of a job of protecting all surrounding neighborhoods, maintaining traffic circulation patterns, and promoting quality urban design as would strict compliance with the otherwise applicable off-street parking standards.
...

8.3.10 Parking Structures
A) *Design Requirements*
1) Parking Structures shall provide:
a) Adequate and uniform interior lighting without glare to all surrounding areas.
...
...



[SLIDE 21]



Mr. Venable said that it is felt that this is in line with current case law and asks that the Board recommend approval for the proposed zoning amendments.

Chair Sherman asked if there were any questions.

Member Byrd asked if this changes how the UDO is applied.

Mr. Venable said no it doesn't change how the UDO is applied, he said that most districts like the town of Wake Forest use the word surrounding to mean interpretively "all the areas".

A **motion** was made by **Member Byrd** and seconded by **Member Braswell** to recommend approval of the proposed UDO amendments.

VOTE: UNANIMOUS (10-0)

Vice-Chair Royal thanked **Chair Sherman** for her time and service to the Planning Board. The board gave a round of applause to **Chair Sherman**.

A **motion** was made by **Member Hastings** and seconded by **Member Royal** to adjourn the Planning Board meeting at 6:53 PM

VOTE: UNANIMOUS (10-0)

Tim Royal
Planning Board Vice-Chair

Jeri Pederson
Lead Planning Technician

Submitted for approval by Jeri Pederson and approved on September 08, 2025 (consent).