

**PLANNING BOARD**  
**Minutes**  
**January 5, 2017**

Present: Kenny Waldroup, Laura Johnson, Gene Blount, Sam Hayes, Larry Ray, Julie Spriggs-Planning, Toby Hampson-Town Attorney, Joe Moore-Town Manager, Chris Ray-Public Works

Absent: David Covington

Recused: Darrell Jones

Kenny Waldroup called the meeting to order at 7:00pm.

*SU 2017-01—Barrington Subdivision*

Kenny Waldroup asked if there was any exparte communication that needed to be shared with the rest of the Board. There was none.

Kenny Waldroup stated that he was an employee of the City of Raleigh and he shared that he informed the Development Review Group that he was unable to discuss the case with them prior to the meeting. He continued by saying that he did not think it was a conflict but wanted to share the information with the Board for full disclosure. Kenny Waldroup stated that he would be able to make a full and impartial decision based solely on the evidence presented at the meeting.

Gene Blount said that he heard quite a few comments that made good sense but he needed a clear definition of how the Board was to make their decision based on the evidence. He said that he did not want to make an emotional decision but saw it as an emotional topic. Toby Hampson explained that the Board was bound to make their decisions based on the findings of fact applicable to the special use permit and to apply the evidence presented to each of the findings of fact. If the Board saw that the findings of fact were found to be true based on the evidence then they would need to approve the special use permit. If the Board found that specific evidence was contrary to a finding of fact that they could point out and rely on then they would need to deny for the failure to meet the finding of fact.

Julie Spriggs presented the findings of fact that were admitted into evidence.

Kenny Waldroup said that the choices before the Board were denial with specific findings and stated reasons, approval without condition, approval with conditions or table for further discussion. There were a total of 84 conditions of which five were not agreed to by the applicant. It was recommended that they review the conditions in question first.

Julie Spriggs presented the conditions and reviewed staff's recommendation and the applicant's recommendation.

The following conditions were in question:

Condition 45

Staff was proposing the following: All streets within the Barrington Subdivision shall be public and in accordance with the latest version of the Town of Zebulon Street and Storm Drainage Standards and Specifications Manual specifications.

The developer was proposing: All roads serving Single Family detached and Paired Single Family lots shall be public. Townhome units will be served by private roads and/or parking lots.

Condition 31

Staff was proposing: Greenway Trail (Corridor #2 – Parks Village Road): The portion of Corridor #2 from the intersection of Old Bunn Road running north along Parks Village Road shall be located on the east side of Parks Village Road. A ten foot (10') wide greenway shall run continuously along Parks Village Road and must include a minimum of one pedestrian crossing and greenway trail to the culvert under US Highway 64.

The Developer was proposing: The portion of Corridor #2 from the intersection of Old Bunn Road running north along Parks Village Road shall be located on the east side of Parks Village Road. A ten foot (10') wide greenway shall run continuously, within the project limits, along Parks Village Road and must include a minimum of one pedestrian crossing to the culvert under US Highway 64. Builders will pay at the time of each Building Permit an assessment of \$225.00 towards the construction of the future culvert under US 64. Total assessment for the development will be paid no later than thirty-six (36) months after approval of Phase 1 final plats.

Condition 33

Staff was proposing: Greenway Trail (Corridor #2 – US Highway 64 Culvert): A greenway connector culvert crossing for US Highway 64 to open space on west side of US Highway 64 which shall be a twelve foot by twelve foot (12' x 12') concrete box culvert to include lighting shall be installed.

The Developer was proposing: Builders will pay at the time of each Building Permit an assessment of \$225.00 towards the construction of the future culvert under US 64. Total assessment for the development will be paid no later than thirty-six (36) months after approval of Phase 1 final plats.

Condition 34

Staff was proposing: Greenway Trail (Corridor #2 – US Highway 64 Culvert) Timeline: Culvert crossing for US Highway 64 and open space on west side of US Highway 64 must have engineered approved plans thirty-six (36) months after approval of the Phase 1 Final Plat and construction approval no later than eighteen (18) months after the approval of the plans.

The Developer was proposing: Builders will pay at the time of each Building Permit an assessment of \$225.00 towards the construction of the future culvert under US 64. Total assessment for the development will be paid no later than thirty-six (36) months after approval of Phase 1 final plats.

Sam Hayes asked if he understood correctly if it was 264 or 64. Julie Spriggs explained that it was under Hwy 64 but there was a culvert that had to be located at Hwy 264.

Larry Ray asked if the culvert crossing under Hwy 64 was a specific part of the development. Julie Spriggs explained that was how staff was proposing it. Larry asked if it had been in the works prior to the development application. Julie explained that it was an approved part of Corridor Two of the Greenway

Master Plan, but the plan did not dictate who would be responsible for paying for the improvements. Staff was proposing that the developer was responsible because the plan stated it needed to be constructed and it ran through the Barrington Subdivision. Larry Ray asked where the balance of the construction costs would come from if the developer was investing approximately \$180,000 and the total cost was \$1 million. Julie stated that Board of Commissioners would have to make that decision.

Sam Hayes asked if the crossing have to be a culvert or could the crossing be by some other means. It seemed like the most economical and responsible means was what it should be. The greenway expert of Mike Sarasky with AMT was asked to come forward and answer that question. Since the crossing was near a creek it would work better with a culvert under the roadway than a bridge. Julie reviewed the map and the location of the greenway in question.

Joe Moore stated that he needed to clarify that with regard about how the difference would be made up and wanted to share specifics. If the culvert was not paid in full by the Barrington Subdivision then the Board of Commissioners would have to decide if they would fund the remainder. Another option would be that the developer presented an idea that would be a policy change and that would be where all other developments in that watershed would be responsible for providing a pro rata share of the cost. It would be a policy setting precedence that the Board of Commissioners would have to put into place. The Town of Zebulon tax payers would pay for it or future development within that watershed would have to pay for it.

Sam Hayes asked if there was a greenway assessment fee for new developments. Joe Moore stated that there was not one currently. Policy would have to be established if that was the way the Board wanted to go.

Larry Ray asked if the only purpose of the culvert was to access that open space. Julie said it was to access the greenway corridor on the other side, which was part of the development and were utilizing it as part of their open space percentages. Larry Ray said they could open up some space on the other side and not have the culvert. Julie said that was not correct unless the developer subdivided that part of the parcel out of the subdivision. Then they would have to put open space somewhere else in the subdivision.

#### Condition 66

Staff was proposing: Garages: All homes (single family, paired single family, townhomes) within the subdivision shall have at least a one-stall garage.

The Developer was proposing: No less than eighty percent (80%) of single and paired family homes, and no less than fifty percent (50%) of townhomes shall have at least a one-stall garage.

Kenny Waldroup read from the quasi-judicial requirements for the decision.

Larry Ray asked if the plans had anything in them that discussed garages. Julie Spriggs stated that the precedence was set by the conditions placed on other special use permits where a garage was required, which included Shepard's Park, Weaver's Pond, and several others. Sam Hayes asked about the requirement for townhomes. Julie Spriggs said that there had not been a subdivision with townhouse so it was a little different.

Planning Board  
Minutes  
January 5, 2017

Condition 45 dealing with the internal roads and whether the roads should be public or private was discussed by the Board. Gene Blount said that they should all be public in his opinion. Sam Hayes asked if the roads in the townhome subdivision were public or private. Toby said that they were moving to evidence taking and not clarification and the Board needed to stick to town policy and applications. Sam said that was the point of the question as to whether the Town had made the requirement and set a policy or precedent previously. Julie Spriggs said that the staff report spelled out the problems staff saw with mixing public and private roadways in the same development.

Gene Blount made a motion, second by Larry Ray that all roadways should be public. There was no discussion and the motion passed unanimously.

Condition 33, Kenny Waldroup stated that he thought it was unusual that a developer should be required to fully fund a very expensive project with the culvert and the greenway. He stated he was concerned that the developer's recommendation moved from the realm of a condition into the realm of establishing a policy. Kenny thought that the developer's suggestion in general was the preferred method to ensure there was a crossing and the costs were fairly distributed within the corridor and new projects that would take advantage of the amenity.

Laura Johnson said that it appeared the developer was passing the \$225 fee onto the home buyer and they were not paying it anyway. Sam Hayes stated that the developer would pass the cost onto the home buyer either way, but he was in the same place as Kenny Waldroup. Sam thought it would be a good greenway policy but did not think that they were in the place to make that a condition. Toby Hampson explained that the Planning Board was an advisory board and could make a recommendation that the Board of Commissioners look into establishing a policy stating as such.

Sam Hayes made a motion that the Board of Commissioners look into establishing a greenway assessment policy for developments coming into the Town of Zebulon.

Larry Ray asked where the 4,429 homes came from. Julie Spriggs stated that it came from the Beaverdam Creek Outfall project which would allow for that many homes to tie into the system. Larry asked if that was for existing and proposed new homes. Julie Spriggs said that it took into account new and existing homes but most were new construction and the greenway ran along the outfall. Larry said that it was a big assumption that all those homes would be built and that it would even be all home and no businesses.

Larry Ray asked what happened if it was only 3000 homes but a policy was established for over 4000 homes. Sam Hayes stated that was not a fair question to staff because the Planning Board did not set policy the motion was to recommend to the Board of Commissioners that they should look at setting a policy. Toby Hampson gave some suggestions as to what the position of the Planning Board was on the condition specifically and second clarify what the recommendation was globally going forward.

Sam Hayes restated his motion, second by Laura Johnson to accept the condition of the developer for a fee of \$225. The motion passed with a vote of 4-1 with Kenny Waldroup, Laura Johnson, Sam Hayes and Larry Ray voting in favor and Gene Blount voting in opposition.

Planning Board  
Minutes  
January 5, 2017

Sam Hayes made a motion that they recommend a similar policy to the Board of Commissioners for consideration for a greenway fee to be put in place for all future development. The motion died for lack of a second.

Larry Ray asked about the fees in question and what they would be spent on. Sam said that his intent was that they would be spent on the greenway projects in general. Toby Hampson explained that the motion failed for lack of a second and that the topic could be on a future agenda for the Planning Board to discuss. The Board asked staff to include that on a future agenda for consideration and discussion.

Condition 34 - Julie stated that part of it was handled with the previous motion and fee but a motion to address the time frame for making the payments could be made. Kenny Waldroup stated that the previously approved motion implied that the Board was in favor of the developer's recommendation.

Sam Hayes made a motion, second by Laura Johnson to accept the developer's recommendation. There was no discussion and the motion passed with a vote of 3-2 with Kenny Waldroup, Laura Johnson and Sam Hayes voting in favor and Gene Blount and Larry Ray voting in opposition.

Condition 31 – Julie Spriggs reviewed the recommendation made by staff and the developer. Larry Ray asked what the difference was in the two proposals and Julie said that staff was proposing a 10' wide greenway that would run continuously along Parks Village Road and the developer was proposing there would be a gap on the property that was outside the limits of the development. Kenny Waldroup asked if they were requesting a condition that the developer was not able to provide if they did not own the property. Julie stated that there was a right of way along Parks Village Road but it would jut out and not be straight. There was discussion about Corridor 2 of the greenway and the developers reasoning.

Kenny Waldroup made a motion, second by Larry Ray to accept staff's proposed condition 31. There was no discussion and the motion passed unanimously.

Condition 66 dealing with garages was discussed. Laura Johnson asked if there was going to be on street parking. Staff was unable to answer that question. Kenny Waldroup asked for a clarification of whether the Town's Transportation Plan allowed for street side parking for future development. Julie Spriggs stated that she thought it depended on whether the street widths were sufficient to allow for safety vehicles to pass with vehicles on the roads. Sam Hayes said that he had no problem with requiring all single family homes being required to have a garage so he recommended a compromise that 50% for townhomes would be fine.

Sam Hayes made a motion, second by Laura Johnson that all single family and paired homes had to have a one stall garage and at least 50% of all townhomes had to have a one stall garage. The motion passed with a vote of 4-1 with Kenny Waldroup, Sam Hayes, Laura Johnson and Larry Ray voting in favor and Gene Blount voted in opposition.

There was discussion of findings of fact and Gene Blount stated that he left the public hearing feeling that the project would harm the surrounding properties. Kenny Waldroup asked if the Board was at a place where they could make a recommendation either for or against on the project. Sam Hayes asked if there were any issues with the 84 conditions being proposed. There were none expressed. Toby Hampson clarified that a motion to approve the special use permit would suggest that the Board thought

the evidence was sufficient that the findings of fact had been met. If the Board voted in opposition then they would have to state the finding of fact that had not been met by the evidence presented with a specific explanation.

Laura Johnson brought up the choices for denial and they were discussed. Kenny Waldroup asked if anyone saw anything in the record that they wanted to explore. Gene Blount said that he did not think the evidence presented met the requirements of “B - that the special use would not substantially injure the value of the adjoining or abutting properties.” Kenny asked Gene to share specifics on that point.

Gene Blount explained that the quality of life for some of the adjoining property owners would be changed based on the fact they would not be able to continue to utilize their property as they had in the past; and another property owner had plans for development that would cause issues based on the development as proposed. Sam Hayes said he understood what Gene was saying and said their role was to look at it objectively and gave his opinion on what Gene explained. Larry Ray said that he agreed with Gene and explained that the fact that the other property owners wanted to work with and compromise with the developer but it appeared that the developer was unwilling to work with any of the adjoining property owners. Larry said that he was terribly disappointed that could not happen. Toby Hampson said that the key piece was what did the evidence in the record show.

Sam Hayes made a motion, second by Laura Johnson to recommend approval, to the Board of Commissioners, of SU 2017-01 for 264 Investments with the 79 conditions as presented and the five conditions amended by the Planning Board for a total of 84 conditions which were as follows:

Stipulations Specific to the Development

1. Recordation: Special use permit and updated Illustrative Land Plan must be recorded with the Wake County Register of Deeds.
2. Illustrative Land Plan: Special use permit and an updated Illustrative Land Plan addressing the approved special use permit conditions and applicable timelines shall be submitted no later than ninety (90) days following approval.
3. Site Plan: Site plan review and approval by the Zebulon Technical Review Committee (ZTRC) shall be required.
4. Site Plan (Phasing): Site plan review by the ZTRC may be submitted by phase or through submittal of an overall development plan. If a phased approach is preferred, phases shall require a separate submittal. The applicant may group phases together and phases may be submitted out of numerical order as shown on the recorded Illustrative Plan.
5. Site Plan (Greenways): Greenway trails such as the Beaverdam Creek Sewer Outfall Connector and Corridor #2 may submit separate site plans for each individual phase for review and approval by the ZTRC.
6. Adopted Plans/Policies: All town ordinances, plans, and adopted policies shall be adhered to and enforced by the ZTRC in addition to the special use permit approved conditions.
7. Lot Sizes (Single Family Dwellings): The minimum lot sizes for single family detached dwellings shall be 5,400 square feet.

8. Lot Widths: The minimum lot widths for each residential use type shall be as follows:

<i>Land Use Type</i>	<i>Minimum Lot Width</i>
Single Family Detached Dwelling	45'
Paired Single Family Dwellings	22'
Townhomes	16'

9. Signage (Main Entrance): One main entrance monument sign will be allowed along Old Bunn Road and shall be made of brick, stone, or masonry material. Signage shall not exceed sixty-four square feet (64 SF) and must be setback at least ten feet (10') from the public right-of-way.
10. Signage (Secondary Entrances): Up to a total of four (4) secondary entrance monument signs are allowed along Old Bunn Road and Parks Village Road and shall be made of brick, stone, or masonry material. Each secondary entrance monument shall not exceed thirty-two square feet (32 SF) and must be setback at least ten feet (10') from the public right-of-way.

Stipulations Specific to the Homeowner's Association

11. Homeowner's Association: All owners of developable lots shall immediately become members of the Homeowner's Association.
12. Homeowner's Association: A Declaration of Covenants, Conditions, and Restrictions (CC&R) and bylaws for the Homeowner's Association shall be reviewed, approved and recorded with the Phase I final plat.
13. Homeowner's Association: Homeowner's Association, or if applicable a Homeowner's Association management firm, shall be in place to enforce and abate all community association covenants, conditions, and restrictions.
14. Homeowner's Association: Homeowner's Association, or if applicable a Homeowner's Association management firm, shall enforce tall grass, trash, debris and rubbish along with the removal of any junked, abandoned, or nuisance automobiles as defined by the adopted town ordinances.
15. Homeowner's Association: Homeowner's Association, or if applicable a Homeowner's Association management firm, shall be responsible for the maintenance and upkeep of all open space and improvements built therein, landscaped center islands, roadway medians, or roundabouts located throughout the development.
16. Homeowner's Association: Homeowner's Association, or if applicable a Homeowner's Association management firm, shall be responsible for the maintenance and upkeep of all drainage easements and Detention/Retention/Water Quality Pond Areas as described in the Town of Zebulon Street and Storm Drainage Standards & Specifications Manual.

Stipulations Relating to Setbacks

17. Setbacks (Old Bunn Road and Parks Village Road): All residential lot lines (single family, paired single family, townhomes) shall be setback at least thirty feet (30') from Old Bunn Road and Parks Village Road.
18. Setbacks (US 64 and 264 Highways): All residential lot lines (single family, paired single family, townhomes) shall be setback at least fifty feet (50') from US 64 and 264 Highways.
19. Setbacks (Residential Buildings): Setbacks shall be measured from the lot line to the building wall. Building eaves, at-grade patios, and at-grade stoops shall be allowed in the setback area. Decks,

porches or other building extensions shall not be permitted in the setback area. The minimum setbacks from the lot lines to the buildings for each residential use type shall be as follows:

<i>Land Use Type</i>	<i>Minimum Front Setback</i>	<i>Minimum Side Setback</i>	<i>Minimum Side Setback (Adjacent to Street)</i>	<i>Minimum Rear Setback</i>
Single Family Dwelling	20'	5'	15'	20'
Paired Single Family Dwellings	20'	5'	15'	20'
Townhomes (Internally Served)	15' (From Sidewalk)	15' (Building to Building)	15'	20'
Townhomes (Street Access)	15'	15' (Building to Building)	15'	20'

Stipulations Relating to Recreation Amenities

20. Recreation Amenities: All recreation amenities shall be detailed on a site plan and recreation master plan to show the location and proposed use of all parks, open spaces, and passive recreation areas. This plan will be reviewed and approved by the Zebulon Technical Review Committee.
21. Recreation Amenities: Permits for the construction of the community building, bathhouse with bathrooms/showers, junior Olympic swimming pool, sundeck, parking lot, bike racks, and playing field shall be pulled prior to the issuance of the 100th Certificate of Occupancy for homes within the development or within twenty-four (24) months following the issuance of the final plat for Phase I of the development, whichever comes first.
22. Recreation Amenities: A Certificate of Occupancy must be issued for the community building, bathhouse, and pool prior to the issuance of the 150th Certificate of Occupancy for homes within the development or within thirty-six (36) months following the issuance of the final plat for Phase I of the development, whichever comes first.
23. Junior Olympic Pool: Minimum specifications for the pool shall include seventy-five-foot (75') long lanes with a minimum of six (6) swimming lanes each being seven feet (7') wide. Pool shall include a zero-entry area with a minimum size measuring twenty-five feet (25') by forty-five feet (45'), or a minimum area of 1,125 square feet.
24. Playing Field/Equipment: The recreation area shall be a minimum of four (4) acres. Playground equipment shall be included for toddlers ages 2-5 and children ages 5-12. A minimum of two (2) bike racks holding eight (8) bikes each shall be provided. A minimum of two (2) benches, two (2) trash receptacles and one (1) dog waste station shall be provided. The playing field shall be a minimum of half an acre. A pair of soccer goals shall be installed on the playing field.

Stipulations Relating to Greenways

25. Greenway Trail (General): The public greenway trail is to be in accordance with the latest version of the Town of Zebulon Street and Storm Drainage Standards and Specifications Manual and the latest version of the Town of Zebulon Greenway, Bicycle, and Pedestrian Master Plan specifications.



Greenway engineered drawings are required to be submitted with each phase of construction to the Zebulon Technical Review Committee for approval. Zebulon Technical Review Committee approved engineer drawings for the proposed public greenway trails and associated trailhead connections will be required prior to final plat approval for each phase.

26. Greenway Trail (General): Installation and dedication of the required public greenway trails and trailhead connection improvements must be completed prior to final plat approval for each phase of construction. Upon dedication and acceptance, all maintenance of the public greenway trails and trailhead connections will be the responsibility of the Town of Zebulon.
27. Greenway Trail (Beaverdam Creek Connector): A complete design for a minimum ten-foot (10') public greenway trail with a minimum twenty-foot (20') wide public greenway easement and associated trailhead connections along Beaverdam Creek adjacent to phases 32, 33, and 34 as shown in the recorded Illustrative Plan shall be engineer designed, approved by ZTRC, and installed.
28. Greenway Trail (Beaverdam Creek Connector): A minimum of three (3) greenway trailhead connections for the single family residential area adjacent to phases 32, 33, and 34 as shown on the Illustrative Plan shall be provided at each cul-de-sac near the greenway trail based on a minimum pavement width of ten feet (10') and a minimum 6.25-ton load capacity for any necessary bridges or boardwalks.
29. Greenway Trail (Beaverdam Creek Connector) Timeline: The greenway along the Beaverdam Creek Sewer Outfall adjacent to the single family residential phases 32, 33, and 34 as shown in the recorded Illustrative Plan must have design plan approval no later sixty (60) months after approval of the special use permit and construction approval not later than seventy-two (72) months after approval of the special use permit.
30. Greenway Trail (Corridor #2 – Parks Village Road): South of Old Bunn and Parks Village Road, the portion of greenway that will connect under US Highway 264 (to Wal-Mart) will require an approved sealed engineer estimate for construction (not to include the culvert under US Highway 264). Following approval of the engineer's estimate, a fee-in-lieu will be required for half of the approved estimate. A ten foot (10') wide easement with an adjacent five foot (5') wide construction easement shall be dedicated to the Town of Zebulon. Fee-in-lieu payment shall be paid no later than twelve (12) months following the special use permit's approval.
31. Greenway Trail (Corridor #2 – Parks Village Road): The portion of Corridor #2 from the intersection of Old Bunn Road running north along Parks Village Road shall be located on the east side of Parks Village Road. A ten foot (10') wide greenway shall run continuously, within the project limits, along Parks Village Road and must include a minimum of one pedestrian crossing to the culvert under US Highway 64. Builders will pay a fee in lieu instead of constructing a sidewalk not within the project limits.
32. Greenway Trail (Corridor #2 – Parks Village Road) Timeline: Parks Village Road portion of Corridor #2 must have construction approved and completed as part of the final plat approval for the adjacent phases 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 as shown in the recorded Illustrative Plan.
33. Greenway Trail (Corridor #2 – US Highway 64 Culvert): Builders will pay at the time of each Building Permit an assessment of \$225.00 towards the construction of the future culvert under US 64. Total assessment for the development will be paid no later than thirty-six (36) months after approval of Phase 1 final plats.
34. Greenway Trail (Corridor #2 – US Highway 64 Culvert) Timeline: Builders will pay at the time of each Building Permit an assessment of \$225.00 towards the construction of the future culvert under US 64. Total assessment for the development will be paid no later than thirty-six (36) months after approval of Phase 1 final plats.

35. Greenway Connectivity: Connectivity to greenways shall be provided with each phase. This shall be accomplished through trailheads, sidewalks, and internal trail connections as specified in Barrington Special Use Application dated September 28, 2016. All internal trail connections shall be designated as open space and maintained by the Homeowner's Association, or if applicable a Homeowner's Association management firm.

Stipulations Relating to Transportation

36. Intersection driveways (Old Bunn Road): Intersection driveways shall be consolidated such that there are no more than two (2) full access intersection driveways and two (2) right-in/right-out intersection driveways along Old Bunn Road with appropriate channelization, center median island, and handicap accessibility.
37. Intersection driveways (Parks Village Road): Intersection driveways shall be consolidated such that there are no more than two (2) full access intersection driveways along Parks Village Road with appropriate channelization, center median island, and handicap accessibility.
38. Turn Lanes: The Transportation Impact Analysis (TIA) by Ramey Kemp and Associates dated October 2016 and sealed November 1, 2016, recommends auxiliary turn lanes at the intersection of Parks Village Road and Old Bunn Road, and Old Bunn Road and Site Drive #10. All turn lanes as recommended in the TIA will be required to have a minimum of one hundred feet (100') of storage.
39. Turn Lanes: Additional turn lanes at the intersection of NC 97 Highway and Old Bunn Road shall be installed. The southbound right turn lane shall have a minimum of one hundred feet (100') of full width storage and the eastbound left turn lane shall have a minimum of one hundred fifty feet (150') of full width storage. Off-site roadway improvements shall have site plan design approvals and construction approvals prior to the issuance of the 500th Certificate of Occupancy for the development or when the TIA requires the improvement, whichever comes first.
40. Turn Lanes: Additional turn lanes at the intersection of Old Bunn Road and Shepard School Road shall be installed. A westbound left turn lane with a minimum of one hundred feet (100') of full width storage on Old Bunn Road at Shepard School Road shall have site plan design approvals and construction approvals prior to the issuance of the 500th Certificate of Occupancy for the development or when the TIA requires the improvement, whichever comes first.
41. Traffic Impact Analysis Recommendations: Recommendations from the TIA by Ramey Kemp and Associates dated October 2016 and sealed November 1, 2016 will be incorporated into site plan review by the ZTRC for conformance with Town and NCDOT standards.
42. Additional Right-of-Way (Parks Village Road): Dedication of additional right-of-way along Parks Village Road shall be included with each final plat. Dedication amounts may vary depending on current widths; however, the total amount shall be required to equal a total right-of-way width of a minimum of seventy feet (70') or as directed by the North Carolina Department of Transportation.
43. Additional Right-of-Way (Old Bunn Road): Dedication of additional right-of-way along Old Bunn Road shall be included with each final plat. Dedication amounts may vary depending on current widths; however, total amount shall be required to equal a total right-of-way width of a minimum of one hundred feet (100') or as directed by the North Carolina Department of Transportation.
44. New Roadways: Installation and dedication of any roadway infrastructure, improvements, or right-of-way widths for any and all phases of the development as shown on the Illustrative Land Plan for Barrington Subdivision shall be in accordance with the latest version of the Town of Zebulon Street and Storm Drainage Standards and Specifications Manual specifications. Engineer certification of the

roadway must be provided by a licensed engineer with acceptable bonding information during the final plat process for the development.

45. Public Roadways: All streets within the Barrington Subdivision shall be public and in accordance with the latest version of the Town of Zebulon Street and Storm Drainage Standards and Specifications Manual specifications.
46. Curb and Gutter: All curb and gutter installations throughout the subdivision and along all rights-of-way should be in accordance with the latest version of the Town of Zebulon Street and Storm Drainage Standards and Specifications Manual specifications.
47. Bonding: Developer is responsible for posting a bond for final roadway, sidewalk or amenities improvements for each phase prior to the issuance of the first building permit. Developer is fully responsible for all necessary roadway repairs of dedicated streets prior to final overlay and striping. Regardless of residential construction progress the final overlay of dedicated streets shall be over-laid within eighteen (18) months of the original roadway acceptance date for that phase.
48. Sidewalks: Each street within the subdivision will be required to have a five foot (5') wide sidewalk on one side of the street.
49. Sidewalks: Installation of five foot (5') wide sidewalks is required along both sides of Old Bunn Road. Sidewalks shall be continuous and not interrupted along the interior roadway development perimeters or as directed by the North Carolina Department of Transportation. Installation of five foot (5') wide sidewalks is required along both sides of Parks Village Road. Sidewalks shall be continuous and not interrupted along the interior roadway development perimeters or as directed by the North Carolina Department of Transportation. Installation of a minimum ten-foot (10') public greenway along the east side of Parks Village Road shall fulfill this requirement for the east side of Parks Village Road. Optional fee-in-lieu for portions of the sidewalk with design complications associated with offsite improvements may be considered at technical review.
50. Pedestrian Crossing: Pedestrian crossings across Old Bunn Road and Parks Village Road shall be in accordance with the latest version of the North Carolina Department of Transportation's specifications. Each roadway shall have at least one pedestrian crossing.
51. Street Signage: All street signage shall be decorative and must be in accordance with the latest version of the Town of Zebulon Street and Storm Drainage Standards and Specifications Manual specifications.
52. Street Lights: The developer is responsible for coordination with Duke Energy on the lighting plan layout; however, the Town of Zebulon will be approving the lighting plan.
53. Street Lights: The developer is responsible for paying the current Duke Energy fee per pole to the Town of Zebulon prior to installation.
54. Street Lights: All street lights shall be decorative and must in accordance with the latest version of the Town of Zebulon Street and Storm Drainage Standards and Specifications Manual specifications.
55. Street Lights: All street lights shall be decorative Mitchell 50 Watt Series LED unless otherwise specified and authorized by the Town of Zebulon Public Works Director.
56. Street Lights: All street lights shall be a minimum of 125 linear feet with a maximum of 140 linear feet apart with alternate spacing on either side of the street.
57. Entrances: All entrances shall be reviewed and approved by the Town of Zebulon and the North Carolina Department of Transportation during the appropriate site plan approval process.
58. Driveways: All individual driveways shall be concrete and able to accommodate at least two vehicles outside of the public right-of-way (inclusive of the garage) and should be in accordance with the latest version of the Town of Zebulon Street and Storm Drainage Standards and Specifications Manual specifications.

59. Driveway Restrictions: No driveways to individual lots should be located within the circulating roadway of any internal roundabouts and should be located as far away from the entrance to the circulating roadway as practical.
60. Additional Parking: Local streets shall incorporate off-street parking where practical.

Stipulations Relating to Landscaping/Buffers

61. Open Space: All lands within areas required to be maintained as open space by the Homeowner's Association, or if applicable a Homeowner's Association management firm, shall be protected by a permanent conservation easement and restrictive covenant, prohibiting further development, and recorded upon final plat approval as "Open Space".
62. Streetscaping: Old Bunn Road and Park Village Road shall have streetscaping along both sides of each street. A minimum of one large shade tree every thirty-five feet (35') with at least five (5) bushes minimum three (3) gallon container and eighteen inches (18") in height must be planted three feet (3') apart. As submitted in the special use application the frontages along Old Bunn Road shall have a unified opaque buffer consisting of shade trees with a minimum caliper of three inches (3") shall be placed every fifty feet (50') on center, with groupings of three (3) ornamental trees eight to ten feet (8'-10') high placed one hundred fifty feet (150') on center and a continuous double row of evergreen/flowering shrubs. All spacing requirements allow for field adjustments to address obstructions.
63. Streetscaping: Street trees shall be planted a minimum of one hundred feet (100') on each side of all local and residential collector streets with alternating spacing and shall be planted within a landscape easement. Trees shall be deciduous and shall be a minimum size of two and a half inches (2.5") caliper at time of planting. Tree varieties shall be approved by the Technical Review Committee.
64. Lot Tree Requirement: One deciduous shade tree shall be planted in the front yard of each single family and paired single family home with a minimum caliper of two and a half inches (2.5") at time of planting.
65. Landscape Buffer (Property Perimeters): A fifteen foot (15') wide Type "A" landscape buffer with three inch (3") caliper trees shall be installed along all outer property perimeters except in areas where greenway easements are dedicated along the perimeter. Preservation of any existing trees are encouraged and may be used as a credit toward the buffer requirement.

Stipulations Relating to Architecture

66. Garages: One-hundred percent (100 %) of all homes single family and paired single family, and at least fifty percent (50%) of all townhomes within the subdivision shall have at least a one-stall garage.
67. Building Materials: Exterior building materials will be brick or stone veneer, vinyl or fiber cement (such as hardieplank) siding.
68. Building Façade: Fifty percent of all homes (single family, paired single family, townhomes) must have a front façade comprised of brick or stone equal to a minimum of twenty-five percent (25%) overall coverage.
69. Foundations: Foundations will be slab on grade, stem wall, crawl space or basement as determined by the site grading and topography or as determined by the builder.

70. Housing Square Footage: The minimum heated square footage for each residential use type shall be as follows:

<i>Land Use Type</i>	<i>Minimum Heated Square Footage (SF)</i>
Single Family Detached Dwelling	1,400 SF
Paired Single Family Dwellings	1,400 SF
Townhomes – Two (2) Bedrooms	1,000 SF
Townhomes – Three (3) Bedrooms	1,250 SF

71. Housing Type Percentages: The maximum unit count for the development shall not exceed 837 and the minimum and maximum percentages of the housing types shall be as follows:

<i>Land Use Type</i>	<i>Minimum</i>	<i>Maximum</i>
Single Family Detached Dwelling	25%	100%
Paired Single Family Dwellings	8%	50%
Townhomes – Two (2) Bedrooms	1%	20%
Townhomes – Three (3) Bedrooms and above	25%	50%

Stipulations Relating to Environment

72. Environmentally Sensitive Areas: No unauthorized disturbances of environmentally sensitive areas as defined by U.S. Army Corps of Engineers, NCDEQ, Wake County Environmental Services and the Town of Zebulon Planning Department.
73. Floodplain: No portion of any lot shall contain wetlands, riparian buffers, floodplain or floodway.
74. Rock Formations: Rock outcropping appearing above the surface prior to construction in the pre-determined Open Space areas shall be preserved.

Stipulations Relating to Utilities

75. Water and Sewer Allocation: Water and sewer allocation shall be authorized during the final plat process. Allocation requests shall be limited to 50,000 gallons per day (GPD) with a not to exceed amount of 200 dwelling units per phase.
76. Solid Waste and Recycling: All homes (single family, paired single family, townhomes) within the subdivision will receive trash collection and recycling services.
77. Yard Waste and Leaf Collection: Only single family and paired single family dwellings will receive yard waste and leaf collection. Yard waste and leaf collection for townhomes must be provided by the Homeowner’s Association, or if applicable a Homeowner’s Association management firm.
78. Storm Drainage Infrastructure: Certification of the storm drainage infrastructure must be provided by a licensed engineer. Bonding will be applied to drainage structures not completed prior to final plat recording. Best Management Practices (BMP’s) are not converted from erosion control to permanent stormwater devices until most of the home construction is complete. BMP certification will be completed as directed by the Stormwater Administrator.
79. Water, Sewer and Pump Station Improvements: All water, sewer and pump station improvements will be reviewed and approved by the City of Raleigh Public Utilities during the Zebulon Technical Review Committee site plan review process. The utility improvements must be in accordance with the City of Raleigh adopted plans, policies, ordinances, and handbook requirements.

80. Beaverdam Creek Sewer Outfall Fee: Payment of a fee for the Beaverdam Creek Sewer Outfall project (currently approximated to be \$1,614.09 per dwelling) will be required to be paid prior to the building permit issuance for each lot. Listed below is the method of calculation for each lot's proportional share to the Beaverdam Creek Sewer Outfall project:

<b>Title</b>	<b>Calculation Method</b>	<b>Value</b>
Flow capacity for the Beaverdam Creek Sewer Outfall project	1,107,301 gallons per day (GPD)	<b>1,107,301 GPD</b>
Average household wastewater flow per day	250 gallons per day (GPD)	<b>250 GPD</b>
Total project cost (estimated)	<ul style="list-style-type: none"> <li>• \$6,500,000 – based on City of Raleigh Public Utilities construction bid subtotal</li> <li>• \$324,800 - Engineering Budget</li> <li>• \$324,000 - Land Acquisition</li> <li>• Project Total = <b>\$7,148,800</b></li> </ul>	<b>\$7,148,800</b>
Number of total homes in Barrington (all phases)	837 homes	<b>837 homes</b>
Total number of homes served by the Beaverdam Creek Sewer Outfall project	1,107,301 outfall capacity / 250 GPD per home = <b>4,429 homes served</b>	<b>4,429 homes</b>
Total cost per home (estimated)	\$7,148,800 project cost / 4,429 homes served	<b>\$1,614.09 cost per home</b>
Barrington homes that will need to contribute to the Beaverdam Creek Sewer Outfall project	<b>837 homes in Barrington will need to contribute to the Beaverdam Creek Sewer Outfall project</b>	<b>837 homes</b>
Total amount Barrington subdivision will need to contribute to the Beaverdam Creek Sewer Outfall project (estimated)	\$1,614.09 cost per home x 837 homes = <b>\$1,350,993.33 amount needed to contribute toward the Beaverdam Creek Sewer Outfall project</b>	<b>\$1,350,993.33</b>

The Town will review during its annual budget process the annual estimates or actual construction costs and will adjust its fee accordingly to ensure the Town is receiving full cost reimbursement and the developer is treated reasonably to respect the cost.

Stipulations Relating to Mailbox Kiosk

81. Mailbox Kiosk: Installation and maintenance of mailbox kiosks shall be accordance to the United States Post Office standards. Access and parking for the mailbox kiosk site should be in accordance

with the latest version of the Town of Zebulon Code of Ordinances and the Street and Storm Drainage Standards and Specifications Manual specifications.

82. Mailbox Kiosk: A mailbox kiosk shall be installed prior to final plat approval. There shall be a minimum of three (3) mailbox kiosks installed for the development. One serving the development area bounded by US Highway 64 and Parks Village Road, one serving the development area bounded by Old Bunn Road and Parks Village Road, and one serving the development area bounded by Old Bunn Road and US Highway 264.

Stipulations Relating to Fire Code and Blasting

83. Fire Code: Development must comply with the 2012 NC Fire Prevention Code or current edition adopted for use by the Town of Zebulon. This includes, but is not limited to, the access roadway requirements, hydrant locations, and blasting.
84. Blasting: Blasting operations shall be conducted in accordance with the provisions of the NC Fire Prevention Code.

There was no discussion and the motion passed with a vote of 3-2 with Kenny Waldroup, Laura Johnson and Sam Hayes voting in favor and Gene Blount and Larry Ray voting in opposition.

There was no further discussion.

Gene Blount made a motion, second by Sam Hayes to adjourn. There was no discussion and the motion passed unanimously.

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Date

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Kenny Waldroup—Vice Chairman

SEAL

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Lisa M. Markland, CMC—Town Clerk