

**Zebulon Board of Commissioners**  
**Minutes**  
**March 6, 2017**

Present: Robert S. Matheny-Mayor, Curtis Strickland, Beverly Clark, Dale Beck, Don Bumgarner, Glenn York, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Greg Johnson-Parks & Recreation, Bobby Fitts-Finance, Tim Hayworth-Police, Mark Hetrick-Planning, Chris Ray-Public Works, Chris Perry-Fire, Eric Vernon-Attorney

Mayor Matheny called the meeting to order at 7:00pm.

**PLEDGE OF ALLEGIANCE**

The pledge of allegiance was let by Jacob Hodge from Wakelon Elementary School.

**APPROVAL OF AGENDA**

Commissioner Bumgarner made a motion, second by Commissioner Clark to approve the agenda as amended. There was no discussion and the motion passed unanimously.

**SCHOOL RECOGNITION**

Mayor Matheny recognized student Jacob Hodge and teacher Kimberly Messina both from Wakelon Elementary School.

**PUBLIC COMMENT PERIOD**

There was no present who wished to speak.

**CONSENT**

A. Minutes

Commissioner Strickland made a motion, second by Commissioner York to approve the minutes of the January 23, 2017 joint public hearing. There was no discussion and the motion passed unanimously.

Commissioner Strickland made a motion, second by Commissioner York to approve the minutes of February 6, 2017. There was no discussion and the motion passed unanimously.

Commissioner Strickland made a motion, second by Commissioner York to approve the minutes of the February 13, 2017 joint public hearing. There was no discussion and the motion passed unanimously.

Commissioner Strickland made a motion, second by Commissioner York to approve the minutes of the February 22, 2017 closed session. There was no discussion and the motion passed unanimously.

Commissioner Strickland made a motion, second by Commissioner York to approve the minutes of the February 22, 2017 work session. There was no discussion and the motion passed unanimously.

**B. Finance**

Commissioner Strickland made a motion, second by Commissioner York to approve the tax report for December 2016. There was no discussion and the motion passed unanimously.

Commissioner Strickland made a motion, second by Commissioner York to approve the financial statements. There was no discussion and the motion passed unanimously.

**C. General**

Commissioner Strickland made a motion, second by Commissioner York to adopt Resolution 2017-10. There was no discussion and the motion passed unanimously.

Commissioner Strickland made a motion, second by Commissioner York to adopt Ordinance 2017-15. There was no discussion and the motion passed unanimously.

Commissioner Strickland made a motion, second by Commissioner York to approve the quarterly reports for Parks & Recreation and Police. There was no discussion and the motion passed unanimously.

**BUDGET COMMENTS**

**A. General**

*Community Budget Updates*

Interact – Keri Christensen thanked the Board for their support in the previous year and were requesting \$1000 for the next fiscal year. Ms. Christensen reviewed some things that had been done in the 2016-2017 fiscal year that directly benefitted Zebulon residents. Ms. Christensen invited the Board to come and visit their facility and take a tour at any time.

East Wake Education Foundation – Shannon White thanked the Board for their support and gave an overview of their program explaining that the goal of the program was to make sure the children were ready for school when they entered kindergarten. The program was free of charge to all participants. About a third of the participants were from Zebulon and the funds received were used for curriculum and supplies. Finally, Mrs. White invited everyone to come to the annual Stars in the East performance to be held at East Wake High School.

North Carolina Family Council and Training Center – Camp I Can – Carnell Taylor stated that he was the Chairman of the Board and they were requesting funding for their program for the fiscal year 2017-2018. The academic summer camp had been operating for 25 years and had certified teachers that ran the program. Children across Wake County were eligible to attend the camp, but Zebulon children were the majority that attended. The funds being requested would be spent initially to help those that were not financially able to pay for the program and any remaining funds would be spent for supplies, food, field trips, staff and building needs.

MLK Breakfast – Annie Moore thanked the Board for the funding provided and that they had been a sponsor for the past 11 years. She also thanked the Mayor for speaking this past February where there were approximately 260 people in attendance. Ms. Moore asked that the Board consider funding their request for the next fiscal year.

Progressive Teamwork Outreach Ministries – Herbert Gray said that he was the Chairman and stated that for the last 12 years they sponsored a back to school jamboree that provided school supplies to needy children in the community. Mr. Gray said that the program had grown from 25 students to approximately 250 students. The group was asking for support to provide the children of Zebulon with the supplies they needed to begin the school year prepared. During the jamboree there were other organizations that would participate and last year a group came and handed out food. The ministry also had a food pantry available on Thursday's at 112 E. Church Street.

Zebulon Swimming Pool Association – Sherry Hayes stated that the pool had been around for 56 years and offered swim lessons to the community and the pool could be rented by anyone. A third of the annual budget was payroll to cover the cost for lifeguards who were mostly residents of Zebulon. The request for the fiscal year 2017-2018 was for \$1,000.

Zebulon Swim Team – Sherry Hayes stated that she was representing Barnanne Creech who could not be present. The team had been around for 20 years and was open to children ages 3-18 and taught children how to swim and compete at swim meets around the county. In the last six years three swimmers from the team had received college scholarships. The funds would be spent for supplies for swim meets.

## **OLD BUSINESS**

### **A. Administration**

#### *Community and Economic Development Update*

Denise Nowell updated the Board on the programs and areas of progress since the update in December 2016. A video was played that addressed the growth in Zebulon and the quality of life that people wanted when they moved to a community. It was considered to be a great tool that came out of the Zebulon Next meeting.

### **B. Planning**

#### *Weaver's Pond Phase 2D1-2—Final Plat Approval*

Julie Spriggs stated that all items necessary for plat approval had been received and with adoption of Resolution 2017-11 that would allow for acceptance of the roadways in that phase.

Commissioner Clark made a motion, second by Commissioner York to approve Weaver's Pond Final Plat for Phase 2D1-2. There was no discussion and the motion passed unanimously.

Commissioner Bumgarner made a motion, second by Commissioner Beck to approve Resolution 2017-11. There was no discussion and the motion passed unanimously.

Board of Commissioners  
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*SU 2017-02—Autumn Lakes Subdivision*

Julie Spriggs did not review the entire PowerPoint but reviewed that most of the conditions presented by staff were agreed to by the developer. Conditions 24 and 25 dealing with parks and recreation amenities were amended when presented at the joint public hearing that changed the time and phasing of the park requirements which was agreed to by the developer.

Condition 33 came from the TIA conducted by Ramey Kemp that dealt with turn lanes on Old Bunn Road for site drive one and site drive two. The developer made a recommendation to amend that condition.

Conditions 34 and 35 were for a fee in lieu for the installation of turn lanes at the intersections at either end of Old Bun Road. The developer made a recommendation and the Planning Board had its own recommendation which they would share in their report.

The Planning Board had a recommendation for greenway improvements to corridor 2, which staff did not have.

Mayor Matheny asked for Kenny Waldroup to share the Planning Board recommendations.

Kenny Waldroup stated that the Planning Board approved the special use permit with conditions by a vote of 6-0. There were 69 conditions without any questions. There were five conditions that were in question and those conditions were 24 and 25 which were agreed to by the developer and staff after the packet went out and the Planning Board agreed with those changes. Condition 33 the Planning Board was recommending to stay with the recommendation by staff. Conditions 34 and 35 the Planning Board was recommending using the developer's conditions with a slight amendment to remove the first four words of each which were "Subject to NCDOT requirements".

The Planning Board was recommending the addition of a requirement that would mimic the same language for the Barrington subdivision which dealt with the greenway culvert assessment for the greenway corridor two.

The final recommendation, but not a condition for Autumn Lakes, was that the Board of Commissioners consider enacting a policy that would create a greenway culvert assessment.

Mayor Matheny said that everyone was in agreement with conditions 24 and 25. The recommendation for conditions 34 and 35 to strike language, however Mayor Matheny did not see that in the documents presented. Julie Spriggs explained that what was in the conditions was what staff was presenting; there was a separate attachment for the recommendations from the developer and the Planning Board. There was discussion about why the Planning Board wanted to remove that language from 34 and 35 and it was explained that there could be a time when plans were submitted that the threshold would not be met to require the stated improvements. There was a desire that it not be contingent upon NCDOT.

Mayor Matheny asked for condition 33 to be reviewed again. Julie Spriggs showed the slide that depicted Old Bunn Road and showed the two drives and the request for turn lanes, but the developer did not want a turn lane for drive two. Mayor Matheny asked why there was a proposed change from the developer. Julie stated she did not know the developers reasoning. Mayor Matheny asked if the Planning Board agreed with staff's recommendations and both Kenny Waldroup and Julie Spriggs stated that was correct.

Mayor Matheny asked if there were any questions. There were none from the Board.

Mayor Matheny suggested that they work through the numbered conditions before handling those recommended by the Planning Board.

Mayor Matheny asked if there was any discussion on conditions 24 and 25. There was none.

Mayor Matheny asked if there was any discussion on conditions 33. Commissioner Beck stated that he thought they should go along with staff recommendations. The rest of the Commissioners agreed.

Mayor Matheny asked about conditions 34 and 35. Commissioner Clark stated that she thought they should follow staff's recommendation. The rest of the Commissioners agreed.

Mayor Matheny stated that the previous five conditions would be as recommended by staff and or the Planning Board.

Mayor Matheny referred the proposed Planning Board condition on the greenway culvert condition to Eric Vernon, Town Attorney, for his comments. Eric Vernon stated that the assessment for the greenway connectivity that came about from the Barrington Subdivision was not something that could be assessed to Autumn Lakes. The reason it could not be applied to Autumn Lakes was due to the fact there was not a Town of Zebulon policy to impose that type of impact fee and conditions had to be based on existing policies, ordinance or other goals of the Town. Since that condition could not be tied to a Town policy or ordinance it would not be allowed for Autumn Lakes and could possibly be considered illegal.

Commissioner Bumgarner made a motion, second by Commissioner Beck to approve SU 2017-02 with all the conditions as presented by staff. There was no discussion and the motion passed unanimously.

The conditions approved were as follows:

Stipulations Specific to the Development

1. Recordation: Special use permit and updated Illustrative Concept Plan must be recorded with the Wake County Register of Deeds.
2. Illustrative Concept Plan: Special use permit and an updated Illustrative Concept 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 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. Annexation: The development shall be annexed into Town limits prior to any approval for final plats.
  8. Lot Sizes (Single Family Dwellings): The minimum lot sizes shall be 4,800 square feet.
  9. Lot Widths: The minimum lot widths shall be fifty feet (50').
  10. 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.
  11. Signage (Secondary Entrances): One (1) secondary entrance monument sign will be allowed along Old Bunn Road and shall be made of brick, stone, or masonry material. The secondary entrance monument shall not exceed forty square feet (40 SF) and must be setback at least ten feet (10') from the public right-of-way.
  12. Signage (Stub-out Connections): Four (4) entrance signs will be allowed on the stub-out streets that provide interconnectivity to other developments. These signs shall be made of brick, stone, or masonry material, and shall not exceed ten square feet (10 SF) and must be setback at least ten feet (10') from the public right-of-way.

Stipulations Specific to the Homeowner's Association

13. Homeowner's Association: All owners of developable lots shall immediately become members of the Homeowner's Association.
14. 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.
15. 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.
16. 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.
17. 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.

18. 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

19. Setbacks (Old Bunn Road): All residential lot lines shall be setback at least thirty feet (30’) from Old Bunn Road.
20. Setbacks (US 64 Highway): All residential lot lines shall be setback at least thirty feet (30’) from US 64 Highway.
21. 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’, 12’ Aggregate	10’	20’

Stipulations Relating to Recreation Amenities

22. 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.
23. Recreation Amenities (Pond Trail): Tract 2 Phase 3 pond trail as shown on the Illustrative Concept Plan shall have a six to eight-foot (6’ - 8’) variable width private trail including a minimum of two (2) benches, two (2) trash receptacles and one (1) dog waste station.
24. Recreation Amenities (Pond Trail): Permits for the construction of the Tract 2 Phase 3 pond trail as shown on the Illustrative Concept Plan shall be pulled prior to the issuance of the 100<sup>th</sup> 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.
25. Recreation Amenities: Permits for the construction of the community pavilion and playground located on Tract 1 Phase 1 as shown on the Illustrative Concept Plan shall be pulled prior to the issuance of the 150<sup>th</sup> 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.

26. Playground Equipment: 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.

Stipulations Relating to Greenways

27. 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.
28. 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.
29. Greenway Trail (Corridor #2): 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 1 and 2 as shown in the recorded Illustrative Concept Plan shall be engineer designed, approved by ZTRC, and installed.
30. Greenway Trail (Corridor #2): A minimum of three (3) greenway trailhead connections for the single family residential area adjacent to Phases 1 and 2 as shown on the Illustrative Concept Plan shall be provided at each cul-de-sac near the greenway trails and one other connection based on a minimum pavement width of ten feet (10') and a minimum 6.25-ton load capacity for any necessary bridges or boardwalks.
31. Greenway Trail (Corridor #2) Timeline: The greenway along the Beaverdam Creek Sewer Outfall adjacent to phases 1 and 2 as shown in the recorded Illustrative Concept Plan must have design plan approval no later thirty-six (36) months after approval of the special use permit and construction approval not later than forty-eight (48) months after approval of the special use permit.
32. 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 Autumn Lakes Special Use Application dated November 2, 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

33. Turn Lanes: Review of the Transportation Impact Analysis (TIA) by Ramey Kemp and Associates dated November 2016 and sealed November 22, 2016, shows two site drives along Old Bunn Road. Site Drive #1 shall have an exclusive eastbound left turn lane with a minimum of 100 feet (100') full width storage. Site drive #2 shall have an exclusive westbound right turn lane with a minimum of one hundred fifty feet (150') of full width storage.
34. Turn Lanes: A fee-in-lieu shall be required for the additional turn lanes at the intersection of NC 97 Highway and Old Bunn Road. 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 a signed and sealed engineered construction estimate for the fee-in-lieu and fee-in-lieu paid prior to the issuance of the 330<sup>th</sup> Certificate of Occupancy for the development or when the TIA requires the improvement, whichever comes first.
35. Turn Lanes: A fee-in-lieu shall be required for the 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 a signed and sealed engineered construction estimate for the fee-in-lieu and fee-in-lieu paid prior to the issuance of the 330<sup>th</sup> Certificate of Occupancy for the development or when the TIA requires the improvement, whichever comes first.
36. Traffic Impact Analysis Recommendations: Recommendations from the TIA by Ramey Kemp and Associates dated November 2016 and sealed November 22, 2016 will be incorporated into site plan review by the ZTRC for conformance with Town and NCDOT standards.
37. 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.
38. 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 Concept Plan for Autumn Lakes 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.
39. Public Roadways: All streets within the Autumn Lakes 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.
40. 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.

41. 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.
42. Sidewalks: Each street within the subdivision will be required to have a five foot (5') wide sidewalk on one side of the street.
43. Sidewalks: Installation of five foot (5') wide sidewalks is required along the north side 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. Sidewalks shall be continuous and not interrupted along the interior roadway development perimeters or as directed by the North Carolina Department of Transportation. Optional fee-in-lieu for portions of the sidewalk with design complications associated with offsite improvements may be considered at technical review.
44. 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.
45. 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.
46. Street Lights: The developer is responsible for paying the current Duke Energy fee per pole to the Town of Zebulon prior to installation.
47. 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.
48. 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.
49. 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.
50. 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.
51. 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.
52. 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.
53. Additional Parking: Local streets shall incorporate off-street parking where practical.

Stipulations Relating to Landscaping/Buffers

54. 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".
55. Streetscaping: Old Bunn Road shall have streetscaping along the north side of the 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. 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.
56. 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.
57. Landscape Buffer (Property Perimeters): A ten-foot (10') wide Type "A" landscape buffer with two and a half inch (2.5") 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

58. Garages: All homes within the subdivision shall have at least a one-stall garage.
59. Building Materials: Exterior building materials will be brick or stone veneer, vinyl or fiber cement (such as hardieplank) siding.
60. Building Façade: Fifty percent of all homes must have a front façade comprised of brick or stone equal to a minimum of thirty-three percent (33%) overall coverage.
61. 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.
62. Housing Square Footage: The minimum heated square footage shall be 1,400 square feet.

#### Stipulations Relating to Environment

63. 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.
64. Floodplain: No portion of any lot shall contain wetlands, riparian buffers, floodplain or floodway.
65. 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

66. 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.

67. Solid Waste and Recycling, Yard Waste and Leaf Collection: All homes within the subdivision will receive trash collection and recycling, yard waste and leaf collection services.
68. 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.
69. 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.
70. 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 Autumn Lakes (all phases)	550 homes	<b>550 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>	<b>\$1,614.09 cost per home</b>

Autumn Lakes homes that will need to contribute to the Beaverdam Creek Sewer Outfall project	<b>550 homes in Autumn Lakes will need to contribute to the Beaverdam Creek Sewer Outfall project</b>	<b>550 homes</b>
Total amount Autumn Lakes subdivision will need to contribute to the Beaverdam Creek Sewer Outfall project (estimated)	\$1,614.09 cost per home x 550 homes = <b>\$887,749.50 amount needed to contribute toward the Beaverdam Creek Sewer Outfall project</b>	<b>\$887,749.50</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

- 71. 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.
- 72. Mailbox Kiosk: A mailbox kiosk shall be installed prior to final plat approval. There shall be a minimum of one (1) mailbox kiosk installed for the development.

Stipulations Relating to Fire Code and Blasting

- 73. 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.
- 74. Blasting: Blasting operations shall be conducted in accordance with the provisions of the NC Fire Prevention Code.

*SU 2017-03—Zebulon Green*

Julie Spriggs did not review the PowerPoint presentation but did review various points for the project. Julie explained that there was not a TIA for the development since it did not create 100 trips for the site, there were no greenway requirements for the site but there were recreation amenities. There was a maximum of 72 units, an office building, laundry facilities and a community building. The water and sewer allocation requested was 26,000gpd and during the TRC process if any allocation was not needed it would be returned to the Town of Zebulon for future allocation.

There would not be a pet waste station onsite since pets would not be allowed, so that condition was removed and the developer agreed to all other conditions as proposed.

Kenny Waldroup gave the Planning Board recommendation which was for approval with a vote of 3-2 for 44 conditions as recommended and there was one amended condition and one added condition.

The Planning Board agreed with the removal of condition 16 for the requirement of the pet waste stations since pets were not allowed and both the developer and staff were in agreement. The added condition was to clarify that there shall be a management association.

Commissioner Strickland asked about why the Planning Board wanted the management association. Kenny Waldroup stated that there was concern there was reliance within the conditions on a management association but there was no requirement for a management association and the Board wanted to have a foundation that required the management association. Commissioner Strickland asked if that meant there had to be someone onsite 24 hours per day. Julie Spriggs stated that during the public hearing the applicant did speak to the management of the site and that they would have to own, develop and maintain the site for 30 years according to the grant agreement. Some of the duties of the management association were stated as referenced by conditions seven through twelve.

Mayor Matheny asked about the dog waste station and asked if no pets would be allowed by visitors. Julie Spriggs stated that she did not know about visitors but they did state that if a person had a service animal they would install them at that time.

Commissioners Bumgarner and Strickland stated that they were concerned there was no onsite maintenance person or program. Julie Spriggs said that the Board had the ability to make that a condition or state that someone had to respond within a specific amount of time. Mayor Matheny said that he thought it would be too much to ask to have someone waiting onsite for something to happen. However, Mayor Matheny thought that having numbers posted and contracts with local vendors would be appropriate. Commissioners Beck and Clark thought it was too much to ask to have someone onsite for service but posting numbers was sufficient.

Commissioner Clark made a motion to approve SU 2017-03 with the conditions as listed. Mayor Matheny clarified as proposed by the Planning Board. Commissioner Clark agreed. The motion was seconded by Commissioner York. There was no discussion and the motion passed unanimously.

The conditions approved 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. Proposed Site Plan: Special use permit and an updated Proposed Site 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. 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.
6. Signage (Main Entrance): One main entrance monument sign will be allowed along Pony 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.

Stipulations Specific to the Management Association

7. Management Association: There shall be a Management Association. Office hours when staff will be present on-site shall be posted at the Community Building.
8. Management Association: A rental payment drop-box shall be designed to be theft-deterrent and well-lit for after-hour drop payments.
9. Management Association: Emergency maintenance service contact information shall be on-site at the Community Building.
10. Management Association: Management Association, or if applicable a 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.
11. Management Association: Management Association, or if applicable a 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.
12. Management Association: Management Association, or if applicable a 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

13. Setbacks (Residential Buildings): Setbacks shall be measured from the lot line. 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 shall be as follows:

<i>Land Use Type</i>	<i>Minimum Front Setback</i>	<i>Minimum Side Setback</i>	<i>Minimum Rear Setback</i>
Residential Multi-Family Dwelling	20'	10'	30'

Stipulations Relating to Recreation Amenities

14. 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.
15. Recreation Amenities: Permits for the construction of the community building, covered seating area, picnic area, tot lot and playground shall be pulled at the same time, included or separately, as permits for the construction of Phase I of the development.
16. Playground and Tot Lot Equipment: 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, and two (2) trash receptacles shall be provided.

Stipulations Relating to Transportation

17. Sidewalks: Installation of five foot (5') wide sidewalk is required along Pony Road. Sidewalks shall be continuous and not interrupted along the interior roadway development perimeters or as directed by the North Carolina Department of Transportation. The sidewalk shall be reviewed and approved by the Town of Zebulon and the North Carolina Department of Transportation during the appropriate site plan approval process. The sidewalk shall be dedicated to the Town of Zebulon after installation.
18. 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. The Management Association shall own and maintain all street signage.
19. 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.
20. 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.
21. 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.
22. Entrances: All entrances shall be reviewed and approved by the Town of Zebulon and the North Carolina Department of Transportation (NCDOT) during the appropriate site plan approval process. Approved encroachments and driveway permits will be required. Any conditions required by NCDOT as part of their approval process shall be reviewed and approved by the Town of Zebulon and the NCDOT during the appropriate site plan approval process.
23. Parking: All parking dimensions shall be in accordance with the latest version of the Town of Zebulon ordinances and specifications.
24. Parking: There shall be a minimum of 144 parking spaces, including those designated as ADA compliant, with a minimum of 3 parking spaces for the community building and 2



parking spaces for the mail kiosks. The community building and mail kiosks shall have a minimum of 1 ADA compliant parking space each.

25. Streets and Parking: The Management Association shall own and maintain all streets and parking as part of this development. All streets shall be labeled as private.

#### Stipulations Relating to Landscaping/Buffers

26. Open Space: All lands within areas required to be maintained as open space by the Management Association, or if applicable a management firm, shall be protected by a permanent conservation easement and restrictive covenant, prohibiting further development, and recorded upon recombination plat approval as "Open Space".
27. Streetscaping: Pony Road shall have streetscaping along the development side of the 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.
28. Landscape Buffer (Property Perimeters): A ten-foot (10') wide Type "A" landscape buffer with two and a half inch (2.5") caliper trees shall be installed along all outer property perimeters. Preservation of any existing trees are encouraged and may be used as a credit toward the buffer requirement.

#### Stipulations Relating to Architecture

29. Building Materials: Exterior building materials will be brick or stone veneer, vinyl or fiber cement (such as hardieplank) siding.
30. Building Façade: Fifty percent of all buildings must have a front façade comprised of brick or stone equal to a minimum of thirty-three percent (33%) overall coverage.
31. 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.

#### Stipulations Relating to Environment

32. 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.
33. Floodplain: No portion of any lot shall contain wetlands, riparian buffers, floodplain or floodway.
34. 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

35. Water and Sewer Allocation: Water and sewer allocation shall be authorized during the special use process. The industry standard is 250 GPD per two-bedroom unit and an additional 120 GPD per additional bedroom. 48 units are two bedrooms or less. 24 units will have three bedrooms. The community building will house the business office and

laundry facilities. Industry standards for the business office is 25 GPD per employee and 500 GPD per laundry machine. The allocation request shall be 26,000 GPD. Unused allocation shall be returned to the Town during the site plan approval process.

36. Dumpster Sites: Dumpster sites shall be located off parking areas.
37. Dumpster Sites: Dumpster sites shall be ADA accessible.
38. Dumpster Sites: Shall be screened in accordance with the latest version of Town of Zebulon ordinances and standards.
39. Yard Waste and Leaf Collection: Yard waste and leaf collection must be provided by the Manager's Association, or if applicable a management firm.
40. 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 Certificates of Occupancy. Best Management Practices (BMP's) are not converted from erosion control to permanent stormwater devices until most of the construction is complete. BMP certification will be completed as directed by the Stormwater Administrator. The Management Associate shall own and maintain all stormwater infrastructure and devices.
41. 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.

#### Stipulations Relating to Mailbox Kiosk

42. Mailbox Kiosk: Installation and maintenance of mailbox kiosks shall be accordance to the United States Post Office and ADA compliance 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. There shall be a minimum of two (2) parking spaces. A minimum of one (1) space of the two (2) parking spaces provided must be ADA compliant.
43. Mailbox Kiosk: A mailbox kiosk shall be installed prior to issuance of the first Certificate of Occupancy.

#### Stipulations Relating to Fire Code and Blasting

44. 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.
45. Blasting: Blasting operations shall be conducted in accordance with the provisions of the NC Fire Prevention Code.

Board of Commissioners  
Minutes  
March 6, 2017

### *Historic Preservation*

Mark Hetrick reviewed the history with historic preservation including information presented from State Historic Preservation, Capital Area Preservation and the Wake County Planning Department. The federal and local historic preservation programs were discussed and how those would affect the Town of Zebulon and the property owners.

There was an interlocal agreement that would designate the Wake County Historic Preservation Commission the authority to exercise the duties given to them by the Wake County Historic Preservation Ordinance. That authority would extend to the corporate limits of the Town of Zebulon and its ETJ, if approved.

Mark Hetrick discussed historic national registry with the federal government, local districts and landmarks. There would not be any obligation on the Town to have districts or landmarks.

There was discussion about how local districts would be established, who paid for the district and how that would affect the Town and the properties. It was explained that the State office had applied for a grant to do a survey in Zebulon on what could be part of a potential historic district. It was discussed that if a property owner were to receive federal funding for a project it could be subject to the requirements if it were in that area. The survey was more to assist the property owner with a national registry designation or landmark.

Mayor Matheny asked about the Town of Zebulon having representation on the Commission and it was explained that there was a minimum of nine and no more than 12 and currently there were 12 serving. Mark continued to explain that he was assured that when someone came off a Zebulon representative would be appointed.

Commissioner Clark made a motion, second by Commissioner Strickland to approve the historic preservation interlocal agreement. There was no discussion and the motion passed unanimously.

### **BOARD COMMENTS**

There were no comments.

### **MANAGERS REPORT**

Joe Moore stated that there would be a movie at the Community Center on Friday. On March 31<sup>st</sup> there would be pictures with the Easter Bunny at the Community Center from 4-6pm; April 1<sup>st</sup> would be the Easter Egg Hunt at the Municipal Complex at 10am. There would be a Transit Meeting to allow for citizen to provide input on the work plan at the Eastern Regional Center on March 29<sup>th</sup> from 4:30-7pm.

Bobby Fitts read the following budget transfers into the record.

Finance:

Moved \$1,000 from Insurance & Bonds to Contracted Services –Taxes.

Buildings & Grounds:

Moved \$500 from Fuel Expense to Cell Phones;

Fire:

Moved \$5,000 from Salaries to Part-time Salaries

Streets:

Moved \$800 from Contract Services to Snow/Ice Materials; Moved \$200 from Contract Services to Miscellaneous

Sanitation:

Moved \$5,000 to Contract Services-Solid Waste - \$4,000 from Salaries, \$500 from Group Insurance and \$500 from Retirement.

Stormwater:

Moved \$150 from Miscellaneous to Insurance & Bonds.

Commissioner Strickland made a motion, second by Commissioner Clark to adjourn. There was no discussion and the motion passed unanimously.

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Date

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Robert S. Matheny—Mayor

SEAL

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Lisa M. Markland, CMC—Town Clerk