

Zebulon Board of Commissioners
Minutes
September 8, 2015

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

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

APPROVAL OF AGENDA

Mayor Matheny called for approval of the agenda.

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

PUBLIC COMMENT PERIOD

Rosa Wilkins came forward and spoke about the problems on Barbee Street and the eye sores that made the area look bad. Ms. Wilkins wanted to present a petition and pictures and asked that the area be cleaned up.

PRESENTATION

Mayor Matheny presented a resolution to Milton Bryant in honor of his retirement from the Fire Department.

Commissioner Beck made a motion, second by Commissioner Clark to adopt the resolution of retirement in honor of Milton Bryant. There was no discussion and the motion passed unanimously.

CONSENT

A. Minutes

Commissioner Clark made a motion, second by Commissioner Strickland to approve the minutes of August 3, 2015. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Strickland to approve the minutes of the January 12, 2015 joint public hearing. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Strickland to approve the minutes of the August 18, 2015 joint public hearing. There was no discussion and the motion passed unanimously.

B. Finance

Commissioner Clark made a motion, second by Commissioner Strickland to approve the tax report for June 2015. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Strickland to approve ordinance 2016-11. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Strickland to approve resolution 2016-04. There was no discussion and the motion passed unanimously.

OLD BUSINESS

Mayor Matheny stated that he did have someone contact him about the special use permit and wanted to relay that there was ex parte communication but it would in no way influence his ability to make an unbiased decision.

A. Planning

SU-2015-04—Shepard's Park Amendment

Mark Hetrick gave a PowerPoint presentation dealing with the request to amend the special use permit for Shepard's Park subdivision which would have approximately 302 homes on the site. There were changes to the original conditions presented and the worksession that the Board had to discuss the conditions in detail.

The choices for approval or denial were reviewed by Mark so that the Board was clear on their choices.

Mark stated that condition number 31 was separated into five different conditions so that it was easier to read and understand. Mark reviewed the roadway access into the subdivision and the secondary entrance on Old Bunn Road. It was the intent to have no curbside parking on the main street but it was not added to the list of conditions formally by the Board.

Commissioner Beck stated that he thought that the alleyway might need to be discussed again and could be the best solution. Mayor Matheny said that the question was whether he was ok with no parking on the main street coming into the subdivision. The Commissioners were ok with not allowing parking on the main roadway into the subdivision.

Mark discussed that condition four dealing with the greenway was separated into two conditions as well. It was just a formatting change but not a change to the content.

The conditions submitted for approval by staff are as follows:

Stipulations Specific to the Development

1. Site Plan: Site plan review by the Zebulon Technical Review Committee.

2. Homeowner's Association: All owners of developable lots shall immediately become members of a Homeowner's Association whose responsibility will include maintenance of all open space and improvements built therein.
3. 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. Such enforcement may include, but is not limited to, tall grass, trash, debris and rubbish along with the removal of junked, abandoned, or nuisance automobiles as defined by the most recent adopted Town ordinances.
4. 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 provided landscaped center islands, roadway medians, or roundabouts located throughout the development.
5. Lot Sizes: The minimum and average lot sizes will be as shown on the Conceptual Plans for Shepard's Park Subdivision dated June 2, 2015.
6. Setbacks: All residential uses shall be setback at least twenty-five (25') from Old Bunn Road and shall be screened from Old Bunn Road as shown on the Conceptual Entrance Plan for Shepard's Park Subdivision dated June 2, 2015.
7. House Square Footage: The minimum heated square footage for each house will be no less than 1500 square feet.
8. Reserved Future Development Areas: Any areas listed as "Reserved Future Development" and developed as single-family detached dwellings will be subject to the conditions stated within this special use permit. Plat approvals will be reviewed and approved per the Zebulon Code of Ordinances and adopted Plans. Uses other than single-family detached dwellings will be issued a permit in compliance with the adopted permitted uses table.

Stipulations Specific to Recreation Amenities

9. Recreation Amenities: All recreation amenities need to be detailed on a site plan and recreation master plan to show the location and proposed use of parks, open space, and passive recreation areas. This plan will be reviewed and approved by the Zebulon Technical Review Committee. Permits for the construction of the cabana with restrooms and pool shall be picked up prior to the issuance of the 45th Certificate of Occupancy for homes within the development. A Certificate of Occupancy must be issued for the cabana with restrooms and pool prior to the issuance of the 60th Certificate of Occupancy for homes within the development or within 36 months following the issuance of the final plat for Phase I of the property, whichever comes first.
10. Greenway Trail (Beaverdam Creek): A complete design for a minimum twenty foot (20') wide public greenway trail and associated trailhead connections along Beaverdam Creek with trailhead connections at each cul-de-sac is required based on a minimum pavement width of ten feet (10') and a minimum 6.25 ton load capacity for any necessary bridges or boardwalks. 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 specifications. Approved engineer drawings for the proposed Beaverdam Creek

public greenway trail and associated trailhead connections will be required prior to Phase 2 final plat approval.

11. Greenway Trail (Beaverdam Creek Connector): Installation and dedication of the required Beaverdam Creek public greenway trail and trailhead connection improvements must complete prior to final plat approval for each individual phase's construction. Upon dedication and acceptance, all maintenance of the Beaverdam Creek public greenway trail and trailhead connections will be the responsibility of the Town.

Stipulations Specific to Transportation

12. Existing Roadways: Completion of any roadway infrastructure and right-of-way widths for Phase I as shown on the Conceptual Plan as-built drawings for Shepard's Park Subdivision dated June 2, 2015 needs to be completed as originally designed and as partially installed. Prior to acceptance and dedication by the Town, all improvements must be in accordance with the Town's transportation engineer (Volkert, Inc.) findings detailed in a letter dated July 6, 2015. Engineer certification of the roadway must be provided by a licensed engineer with acceptable bonding information prior to the issuance of a final plat for the development.
13. New Roadways: Installation and dedication of any roadway infrastructure, improvements, or right-of-way widths for Phase 2 and any subsequent phases as shown on the Conceptual Plans for Shepard's Park Subdivision dated June 2, 2015 to be in accordance with the latest version of the Town of Zebulon Street and Storm Drainage Standards and Specifications Manual specifications. Prior to acceptance and dedication by the Town, all improvements must be in accordance with the Town's transportation engineer (Volkert, Inc.) findings detailed in a letter dated July 6, 2015. Engineer certification of the roadway must be provided by a licensed engineer with acceptable bonding information prior to the issuance of a final plat for the development.
14. 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.
15. 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 18 months of the original roadway acceptance date. Prior to acceptance and dedication by the Town, all improvements must be in accordance with the Town's transportation engineer (Volkert, Inc.) findings detailed in a letter dated July 6, 2015.
16. Sidewalks: Each street within the subdivision will be required to have five foot wide sidewalk on one side of the street.
17. Sidewalks: Installation of five foot wide sidewalks along Old Bunn Road and Shepard School Road. Sidewalks along Shepard School Road shall be installed at time of development prior to the issuance of a certificate(s) of occupancy for the "Reserved Future Development" sites as shown on the Conceptual Plans for Shepard's Park Subdivision dated June 2, 2015.

18. Street Signage/Street Lights: All decorative street signage and street lights must be in accordance with the latest version of the Town of Zebulon Street and Storm Drainage Standards and Specifications Manual specifications. The developer is responsible for the coordination with Duke Energy on the lighting plan layout; however, the Town of Zebulon will be approving the lighting plan. The developer is responsible for paying the current Duke Energy fee per pole to the Town of Zebulon prior to installation.
19. Secondary Entrance: A secondary entrance shall be constructed along Old Bunn Road as part of Phase I and as shown on the Conceptual Plans for Shepard's Park Subdivision dated June 2, 2015. Any additional road connections on Shepard School Road for the parcels shown as Future Development will be reviewed and approved by the Town of Zebulon and the North Carolina Department of Transportation during the appropriate site plan approval process.
20. Center Median: The center median located at the main entrance shall be extended and connected to prevent U-turn movements prior to the first internal roundabout.
21. Center Island Connection: The "pork chop" shaped center island connection shall be made more predominate to prohibit U-turn and wrong way traffic movements at the first roundabout.
22. Driveways: All driveways shall be concrete and able to accommodate at least two vehicles outside of the public right-of-way and should be in accordance with the latest version of the Town of Zebulon Street and Storm Drainage Standards and Specifications Manual specifications.
23. Driveway Restrictions: Individual driveways to the main road for lots 38 through 42 shall be placed on the northern side of each lot as far away from the development's main entrance as possible.
24. Driveways: Driveways located off the secondary entrance shall be placed on the northern side of each lot or shall be shared driveways as far away from the development's secondary entrance as possible.
25. 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.
26. Curbside Parking Restriction: No curbside parking will be allowed along the main road entrance in front of lots 38 through 42. Additionally, no curbside parking will be allowed along the secondary road entrance for all lots located prior to the first intersecting internal street at lots 49 and 64.
27. Traffic Impact Analysis: A traffic impact analysis (TIA) must be provided for the entire development in accordance with the Town of Zebulon Code of Ordinances and adopted Transportation Plan. The TIA will be reviewed and approved during the Zebulon Technical Review Committee by the Town of Zebulon and North Carolina Department of Transportation.

Stipulations Relating to Landscaping and Architecture

28. Open Space: All lands within areas required to be maintained as open space by the Homeowner's Association shall be protected by a permanent conservation easement and

restrictive covenant, prohibiting further development, and recorded upon final plat approval as "Open Space".

29. Greenways Master Plan: Greenways are required to be established, built and maintained in accordance with the most recent adopted Greenways Master Plan for the Town.
30. Streetscaping: Along the main thoroughfare from the entrance to the second roundabout, a 15' landscape easement will be provided for aesthetics and screening purposes. Street trees will be planted every one hundred feet (100') on each side of the road with alternating spacing and shall be planted within the 15' landscape easement. Trees shall be deciduous and shall be a minimum size of 3" caliper at time of planting. Tree varieties shall be approved by the Technical Review Committee.
31. Landscaping: At time of development, a variable width Type "A" landscape buffer necessary to accommodate the proposed landscaping shall be installed along Shepard School Road and Old Bunn Road. An understory tree may be substituted for each canopy tree if the Land Use Administrator determines that there would be a conflict with overhead utility lines.
32. Landscaping: A 10' wide Type "A" landscape buffer shall be installed along the entire eastern property boundary.
33. Lot Tree Requirement: One deciduous shade tree to be planted in the front yard of each home with a minimum caliper of 2.5 inches.
34. Garages: All homes within the subdivision will be required to have a garage.
35. Building Materials: Exterior building materials will be brick, stone, vinyl or hardi-plank siding.
36. 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 overall coverage.
37. Foundations: Foundations will be slab on grade, crawl space or basement as determined by the site grading and topography.

Stipulations Relating to Environment

38. Environmentally Sensitive Areas: No unauthorized disturbances of environmentally sensitive areas as defined by U.S. Army Corps of Engineers, NCDENR, Wake County Environmental Services and the Town of Zebulon Planning Department.
39. Floodplain: No portion of any lot shall contain wetlands, riparian buffers, floodplain or floodway.
40. Rock Formations: Preservation as Open Space, any rock out cropping or rock formation that appears above the surface of the surrounding land.

Stipulations Relating to Utilities

41. Storm Drainage Infrastructure: Certification of the storm drainage infrastructure must be provided by a licensed engineer. Certification must be confirmed through video documentation provided to the Town. Certification must be provided and approved prior to the issuance of a final plat for the development.
42. 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 in addition to the agreed upon conditions as executed by both parties and provided in the letter dated May 19, 2015, between the developer and City of Raleigh.

43. Beaverdam Creek Sewer Outfall Fee: Payment of a fee for the Beaverdam Creek Sewer Outfall project (currently approximated to be \$1,167.31 per house) 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:

Title	Calculation Method	Value
Flow capacity for the Beaverdam Creek Sewer Outfall project	1,107,301 gallons per day (GPD)	1,107,301 GPD
Average household wastewater flow per day	250 gallons per day (GPD)	250 GPD
Total project cost (estimated)	<ul style="list-style-type: none"> • \$4,700,000 – based on City of Raleigh Public Utilities capital improvements project estimate • 10% contingency added • \$4,700,000 x 1.10 = \$5,170,000 	\$5,170,000
Number of total homes in Shepard's Park (all phases)	302 homes	302 homes
Total number of homes served by the Beaverdam Creek Sewer Outfall project	1,107,301 outfall capacity / 250 GPD per home = 4,429 homes served	4,429 homes
Total cost per home (estimated)	\$5,170,000 project cost / 4,429 homes served = \$1,167.31 cost per home	\$1,167.31 cost per home
Shepard's Park homes that will need to contribute to the Beaverdam Creek Sewer Outfall project	302 homes in Shepard's Park will need to contribute to the Beaverdam Creek Sewer Outfall project	302 homes
Total amount Shepard's Park subdivision will need to contribute to the Beaverdam Creek Sewer Outfall project (estimated)	\$1,167.31 cost per home x 302 homes = \$352,527.62 amount needed to contribute toward the Beaverdam Creek Sewer Outfall project	\$352,527.62

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.

Other Stipulations

44. Signage: Only one entry monument sign installed on Old Bunn Road will be allowed and shall be made of brick, stone, or masonry material that includes an identification sign not to exceed 32 square feet and must be set back at least 10' from the public right-of-way.
45. Cemetery: Installation and maintenance of any cemetery improvements, which would include a buffer around the cemetery that was a minimum of ten feet, a minimum four foot high decorative metal fence subject to approval by the Technical Review Committee (TRC), and provide a pedestrian easement for public access. Homeowner's Association, or if applicable a Homeowner's Association management firm, shall be in place to maintain all cemetery improvements built therein.
46. Mailbox Kiosk: Installation of mailbox kiosk per 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.
47. Mailbox Kiosk: Mailbox kiosk should be constructed consistent with the design as shown on the Conceptual Plans for Shepard's Park Subdivision dated June 2, 2015 with a four foot (4') overhang and metal roofing to look like cedar shakes.
48. Fire Code: Development must comply with Section 503 and Appendix D of the 2012 NC Fire Prevention Code or current edition adopted for use by the Town of Zebulon.
49. Blasting: Blasting operations shall be conducted in accordance with the provisions of NFPA 495 and section 3307 of the NC Fire Prevention Code.
50. Blasting Survey: A pre-blast survey shall be required when blasting will occur within 1000 feet or less of a structure.
51. Blasting Insurance: The applicant requesting approval to blast shall provide a bond or submit a certificate of insurance in the minimum principal sum of \$100,000.
52. Blasting Notifications: All residents and businesses within 1000 feet of the blast shall be notified a minimum of 48 hours prior to the actual blast. This shall be accomplished by personal contact and if the resident is not home at that time a letter is to be sent by certified, return receipt mail. A log of all people contacted will be kept by the blasting company and available to town officials.

Commissioner Clark made a motion, second by Commissioner Beck to adopt SU-2015-04 with the conditions as presented by staff. There was no discussion and the motion passed unanimously.

BOARD COMMENTS

Mayor Matheny stated that there would be a reception for Joe Moore on September 24 from 5-7 in the lobby of the Town Hall building. Looking forward to the public attending

MANAGERS REPORT

Joe Moore stated that monthly movie night was Friday, September 11 at 6:30, Farmers Market would be on the 12th from 9-1, worksession was scheduled for September 23, Friends of Wakelon open house from 2-4 on September 25 and Zebulon Night Out was scheduled for October 13 from 6-9 at the Municipal Complex. There will be additional opportunities from the Parks & Recreation Department and Public Works at Zebulon Night Out this year.

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

10/5/15

Date


Robert S. Matheny—Mayor


Lisa M. Markland, CMC—Town Clerk

