

REGULAR BOARD OF COMMISSIONERS MEETING

TOWN OF WAKE FOREST, NORTH CAROLINA

August 16, 2005

Mayor Jones called to order a regular meeting of the Board of Commissioners at 7:00 p.m. Present were Commissioners Stephen Barrington, Velma Boyd-Lawson, Rob Bridges, David Camacho, and Chris Malone as were Town Manager Williams, Town Clerk Wilson, Deputy Town Manager O'Donnell, Planning Director Russell, Planner Sary, Planner Ayers, Engineering Director Keravuori, Town Engineer Miles, Chief Harrington, Parks and Recreation Director Simpson, and Town Attorney Vernon.

Mayor Jones led everyone in the Pledge of Allegiance.

1. Approval of agenda.

Mayor Jones reported that Rob Craig, Pastor of North Wake Baptist Church, has requested that Item 6.A. be removed from the agenda for consideration.

ACTION: Commissioner Camacho made a motion to approve the agenda as amended. Commissioner Boyd-Lawson seconded the motion, which carried unanimously (5-0).

2. Approval of minutes.

A. Meetings held July 12, 2005 (Work Session and Joint Public Hearings), and July 19, 2005 (Regular Board of Commissioners Meeting).

ACTION: Commissioner Barrington made a motion to approve the minutes of meetings held July 12, 2005 (Work Session and Joint Public Hearings), and July 19, 2005 (Regular Board of Commissioners Meeting). Commissioner Boyd-Lawson seconded the motion, which carried unanimously (5-0).

3. Presentations.

None.

4. Public hearings / Public Comment.

A. Public hearing to receive public comment on a proposed 2-hour parking limit zone for the areas surrounding Wake Forest Rolesville High School and Southeastern Baptist Theological Seminary. The area includes: North Main

Street from North Avenue to West Cedar Avenue, North College Street from
North Avenue to West

Cedar Avenue, North Wingate Street from North Avenue to West Cedar Avenue, Rock Springs Road from Stadium Drive to West Juniper Street, West Pine Avenue from North Main Street to Rock Springs Road, West Juniper Avenue from North Main Street to Daniel Court.

At 7:10 p.m., Mayor Jones opened the public hearing to receive public comment on a proposed 2-hour parking limit zone for the areas surrounding Wake Forest Rolesville High School and Southeastern Baptist Theological Seminary. The area includes: North Main Street from North Avenue to West Cedar Avenue, North College Street from North Avenue to West Cedar Avenue, North Wingate Street from North Avenue to West Cedar Avenue, Rock Springs Road from Stadium Drive to West Juniper Street, West Pine Avenue from North Main Street to Rock Springs Road, West Juniper Avenue from North Main Street to Daniel Court.

Mayor Jones recognized the following persons who spoke in favor of the 2-hour parking limit:

Ms. Beverly Whisnant - 812-B Brewer Avenue, who said that she is the Chairman of the Historic Preservation Commission. She reported that the Commission is in favor of the 2-hour parking limit. She said that several residents on North Main Street had met with Chief Harrington and Town Engineer Miles with their concerns which includes parking on North Main Street and well as traffic issues (large trucks).

Mr. Don Bates - 409 North Main Street - who spoke saying he was representing the residents as well as daily visitors that live/travel on North Main Street. Ms. Crista Dowda and Ms. Louise Howard gathered a list of those residents along North Main Street with reference to setting a 2-hour parking limit along both sides of North Main Street with hours 8 a.m. until 6 p.m. - Monday through Friday. He reported that among the respondents: 95% had concerns with parking; 95% had concerns with traffic/safety/speed and 90% had concerns with the appearance of the median. Mr. Bates reported that some of the homes/residences do not have individual driveways. He said that another concern is the older/disabled residents who are unable to unload in front of their residence. Students (seminary/school) have been known to park in driveways and go to class. He reported that the residents had met with Ryan Hutchison of the Seminary as well as Chief Harrington. Mr. Hutchison reported that seminary students have a parking space available to them. Mr. Bates said that the seminary has a security officer that is willing to work with the Town to help enforce the parking situation on North Main Street and Chief Harrington reported that he hopes to have a part-time parking enforcement officer hired no later than October 1, 2005. Mr. Bates also reported that the Historic Preservation Commission had researched other historic districts such as: Old Salem located in Winston Salem, NC; Charleston, SC; and Savannah, GA. He suggested that the Town of Wake Forest restrict parking to 2 hours and issue special parking stickers to the residents of the affected areas. Maintain a Town of Wake Forest police officer as well as the seminary officer. He said the HPC is in support of the recommendations.

Ms. Cindy McGuire - Clarincarde Court - who spoke asking if the Meet-in-the-Street or other special occasions would fall under the parking limits or would special waivers be given in order to attract crowds. Town Manager Williams reported that most parking restrictions are Monday through Friday - not on weekends.

At 7:18 p.m., there being no one else to speak to this item, Mayor Jones closed the public hearing.

ACTION: Commissioner Malone made a motion to approve an ordinance establishing a 2-hour parking limit of 8 a.m. - 5:00 p.m., Monday through Friday, for the areas surrounding Wake Forest Rolesville High and Southeastern Baptist Theological Seminary effective October 1, 2005 with criteria as listed below. Commissioner Camacho seconded the motion, which carried unanimously (5-0) resulting in the following ordinance:

ORDINANCE 2005-40

ORDINANCE AMENDING CHAPTER 30 SECTION 30-243
SCHEDULE II. PARKING PROHIBITED BETWEEN CERTAIN
HOURS OF THE CODE OF ORDINANCES OF THE
TOWN OF WAKE FOREST, NORTH CAROLINA
(Body of ordinance contained in Ordinance Book 19)

1. Permit Display

Two (2) placards will be provided to each residence within the controlled parking zone. The permit shall be hung from the residents rear view mirror at all times while the car is parked in the controlled parking zone.

2. Eligibility

A resident of the controlled parking zone is eligible to receive two (2) residential permits. The Town shall verify the residence address of person(s) obtaining the placards and shall record on the back of the placards the license number of the vehicle. As proof of residency the Town may require a utility bill, notarized affidavits from the landlord, automobile registration and other documentation deemed necessary showing an address within the controlled parking area. Any health care provider who provides regular medical or health services for more than two (2) continuous hours to persons residing within the controlled parking zone may apply to the Town for a parking placard.

3. Restrictions

- a. It shall be considered a violation of the Code of Ordinances for any person to falsely represent themselves as eligible for a residential parking placard or to furnish any false information in an application to the Town in order to obtain an residential parking placard.
- b. The Town is authorized to revoke the residential parking placard of any resident found to be in violation of this section, and, upon written notification thereof, the resident shall surrender the placard to the Town.

4. Signs

When signs are erected adjacent to streets in the controlled residential parking zone, no person shall park a vehicle for longer than two (2) hours between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, unless said vehicle has a properly displayed residential parking permit placard for the controlled parking zone in which the car is parked. The residential parking permit placard shall not guarantee or reserve to the holder and parking space within the designated controlled residential parking zone.

C. Public Comment.

Ms. Cindy McGuire - Clarincarde Court - who spoke requesting that a change be made in the mailings of notification of joint public hearings. She reported that she and her neighbors had received a letter concerning a public hearing that affected their neighborhood. She said the letter was received on Tuesday before the public hearing the following Tuesday. Ms. McGuire said she feels that is not enough time for neighbors to get together to discuss what is going on. She suggested a 15-day rule, which would give residents more time to respond. She also reported that the signs placed on the properties do not specify date of meeting, time of meeting nor the location of the meeting.

Consensus of the Board of Commissioners was to discuss this item at its work session on September 6, 2005 or possibly discuss it at the Board Retreat on August 27, 2005.

5. Consent Agenda.

ACTION: Commissioner Barrington made a motion to approve the Consent Agenda Items as submitted. Commissioner Bridges seconded the motion, which carried unanimously (5-0).

- A. **Approval of tax releases (documentation on file in Town Clerk’s Office).**
- B. **Approval of approval of Subdivision Review: North Wake Business Park.**

6. Legislative Items.

- A. **Consideration of approval of request received from North Wake Baptist Church to use the grounds at the Wake Forest College Birthplace for an outdoor service (copy of letter on following page requesting that this item be removed for consideration).**

7. Planning Items.

- A. **Consideration of approval of Capital Area MPO Memorandum of Understanding (documentation on file in Town Clerk’s Office).**

ACTION: Commissioner Camacho made a motion to approve the Capital Area MPO Memorandum of Understanding. Commissioner Boyd-Lawson seconded the motion, which carried unanimously (5-0).

- B. **Consideration of approval of Case RZ-05-13: A request filed by Jim Adams, Millridge Company, to rezone 64.572 acres from I, Industrial District and R-40W, Residential-40 Watershed Protection District to Conditional Use HB, Highway Business District for property located at 12415 Capital Boulevard (US-1), being Tax PINs 1831-64-6036, 1831-64-4698 & 1831-53-6699.**

ACTION: Commissioner Barrington made a motion to approve Case RZ-05-13: A request filed by Jim Adams, Millridge Company, to rezone 64.572 acres from I, Industrial District and R-40W, Residential-40 Watershed Protection District to Conditional Use HB, Highway Business District for property located at 12415 Capital Boulevard (US-1) as recommended by the Planning Board subject to the conditions listed below. Commissioner Malone seconded the motion, which carried unanimously (5-0) resulting in the following ordinance:

ORDINANCE 2005-41

**ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF THE TOWN OF WAKE FOREST, NORTH CAROLINA**

(Body of ordinance contained in Ordinance Book 19)

- Conditions: 1. Dedication of two to 2.5 acres to the Town of Wake Forest for a future fire station.

2. Provide road improvements as outlined in the Wake Forest Transportation Plan.

3. Annexation of property not currently within Corporate Wake Forest.
4. Hold a neighborhood meeting prior to submitting a site plan for review by the Planning Board and Board of Commissioners.

C. Consideration of approval of Case RZ-05-14: A request filed by Priest, Craven & Associates, Inc. to rezone 13.11 acres from RD, Rural Holding District and I, Industrial District to Conditional Use R-5, Residential-5 District for the property located at 1120 Chalk Road , being Tax PIN 1850-14-2106.

ACTION: Commissioner Barrington made a motion to approve Case RZ-05-14: A request filed by Priest, Craven & Associates, Inc. to rezone 13.11 acres from RD, Rural Holding District and I, Industrial District to Conditional Use R-5, Residential-5 District for the property located at 1120 Chalk Road as recommended by the Planning Board subject to the conditions as listed below. Commissioner Bridges seconded the motion, which carried unanimously (5-0) resulting in the following ordinance:

ORDINANCE 2005-42

ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF THE TOWN OF WAKE FOREST, NORTH CAROLINA

(Body of ordinance contained in Ordinance Book 19)

- Conditions:
1. No driveway access from lots onto Chalk Road.
 2. Provide right-of-way dedication, road widening, and sidewalk construction of Chalk Road per the Wake Forest Transportation Plan.
 3. Dedication 0.95 acres of open space along Smith Creek to Town of Wake Forest for future greenway usage. Value of dedication shall be credited towards recreation facility fee.
 4. Twenty-five (25) foot landscape buffer along rear of lot 1-7 shall use existing vegetation as well as supplemental plantings to meet the buffer requirements.
 5. Provide additional form of sound proofing (berm, fence, retaining wall, etc.) in combination with the required landscaping buffer along the rear of lots 1-7 per submitted/attached drawing (documentation on file in Town Clerk's Office).
 6. Conservation easements shall be recorded on all Neuse River Riparian Buffers, 100-year flood plains and floodway.

- D. Consideration of approval of Case RZ-05-15: A request filed by Heritage Club Properties, LLC to rezone 12.07 acres from RD, Rural Holding District to R-20, Residential-20 District for property located in the 1100 block of Chalk Road, west side, being Tax PIN 1850-04-4265.**

ACTION: Commissioner Barrington made a motion to approve Case RZ-05-15: A request filed by Heritage Club Properties, LLC to rezone 12.07 acres from RD, Rural Holding District to R-20, Residential-20 District for property located in the 1100 block of Chalk Road as recommended by the Planning Board. Commissioner Boyd-Lawson seconded the motion, which carried unanimously (5-0) resulting in the following ordinance:

ORDINANCE 2005-43

ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF THE TOWN OF WAKE FOREST, NORTH CAROLINA

(Body of ordinance contained in Ordinance Book 19)

8. Administration and Financial Items.

None.

9. Public Services Items.

- A. Consideration of approval of bids received for the roundabout at South Main Street.**

ACTION: Commissioner Barrington made a motion to award the contract to Lanier Construction Company for the construction of the roundabout at NC-98 and South Main Street (US-1A) and the widening of Stadium Drive only if accepted by the contractor. Commissioner Bridges seconded the motion, which carried unanimously (5-0).

10. Parks and Recreation Items.

- A. Consideration of approval of update to the Parks and Recreation Master Plan.**

Director Simpson reported that this item needed a public hearing which would be held at the September 6, 2005 Joint Public Hearings. Therefore, no action was required.

11. Public Safety Items.

12. Other Business.

ACTION: Commissioner Barrington made a motion to appoint Commissioner Camacho to the Water Resources Advisory Committee. Commissioner Boyd-Lawson seconded the motion, which carried unanimously (5-0) resulting in the following resolution:

RESOLUTION 2005-67

RESOLUTION APPOINTING MEMBER TO THE
WATER RESOURCES ADVISORY COMMITTEE
OF THE TRIANGLE J COUNCIL OF GOVERNMENTS
(Body of resolution contained in Resolution Book 23)

13. Closed Session: N.C.G.S. 143-318.11(a)(5) Land Acquisition Property adjacent to Heritage High School Site.

ACTION: At 8:22 p.m., Commissioner Boyd-Lawson made a motion to go into Closed Session pursuant to N.C.G.S. 143-318.11(a)(5) Land Acquisition Property adjacent to Heritage High School Site. Commissioner Malone seconded the motion, which carried unanimously (5-0).

At 8:34 p.m., Commissioner Boyd-Lawson made a motion to return to the regular meeting. Commissioner Barrington seconded the motion, which carried unanimously (5-0).

14. Adjournment.

ACTION: At 8:35 p.m., Commissioner Bridges made a motion to adjourn the meeting. Commissioner Boyd-Lawson seconded the motion, which carried unanimously (5-0).

Town Clerk

Mayor