



Wake Forest Board of Commissioners Work Session Meeting Minutes

The Wake Forest Board of Commissioners met on **Tuesday, November 9, 2023**, at **6:00 p.m.** in the Board Room at Wake Forest Town Hall, 301 S Brooks Street.

Mayor Jones called the meeting to order at 6:00 p.m.

Commissioners Present: Mayor Vivian A. Jones, Commissioner Jim Dyer, Commissioner Chad Sary, Commissioner Keith Shackleford, Commissioner Nick Sliwinski, and Commissioner Adam Wright.

Commissioners Absent: None.

Staff Members Present:

Town Manager Kip Padgett
Assistant Town Manager Candace Davis
Assistant Town Manager Allison Snyder
Town Attorney Hassan Kingsberry
Legal Services Intern Aaliyah Lecompte
Town Clerk Theresa Savary
Planning Director Courtney Tanner
Assistant Planning Director Jennifer Currin
Organizational Performance Director
Lisa Hayes

Downtown Development Director
Jennifer Herbert
Downtown Development Specialist
Camryn Gutierrez
Public Facilities Specialist Stephen Carpenter
Senior Civil Engineer Chris Glass
Assistant Stormwater Engineer Nick Nolte
Finance Director Samantha Sanchez
Captain Brandon High

1. Presentations

Presentation of LEGISLATIVE CASE RZ-23-02, Stadium Drive Mixed Use, a rezoning filed by Williams Mullen to rezone 19.30 acres located at 0 Stadium Dr, being Wake County Tax PIN 1831957846 from Rural Holding District (RD) and Special Highway Overlay (SH1-O) to Neighborhood Mixed-Use Conditional District (NMX-CD) and Special Highway Overlay (SH1-O). Chairman of the Wake Forest Area Chamber of

Assistant Planning Director Jennifer Currin presented Case RZ-23-02, Stadium Drive Mixed Use. She reported that at the Board of Commissioners Meeting scheduled on November 21, 2023, the requested action was to act on the Plan Consistency Statement as well as act on the rezoning request. Ms. Currin shared a range of plans such as the aerial map, zoning map, land use plan, corridor commercial, and activity center.

Ms. Currin stated the Planning Board recommended approval at the October 10, 2023 Planning Board Meeting by a vote of 5-0. The Planning Board found it was consistent with the Comprehensive Plans and in the best public interest. The Planning Board made the following recommendations for the applicant to consider:

- Include more specificity to the public art commitment
- Provide a commitment to provide green infrastructure elements
- Better define how placemaking will be provided
- Provide a crosswalk across Stadium Drive
- Provide building renderings

Ms. Currin went on to share the existing conditions plan, master site plan, site data, TIA improvements, grading plans, landscaping plans, and zoning modifications.

Ms. Currin shared the proposed conditions as shown in the staff report (Attachment B). She highlighted the modifications made based on the recommendations made by the Planning Board. The developer has made an additional commitment of \$50,000 towards public art in their conditions. The developer indicated that between retail buildings 1 and 2, they would construct sidewalks of stamped concrete or paver stones, decorative crosswalks, and decorative lighting. Additionally, the developers indicated they'd work with NCDOT and provide a crosswalk across Stadium Drive from their development to the shopping center. At this time, the applicant has not committed to any green infrastructure improvements or building renderings that are not required as part of this process.

Staff recommends approval of the proposed conditional rezoning and finds it to be consistent with the Comprehensive Plan and in the best public interest for the following reasons:

1. The proposed zoning district is consistent with the Corridor Commercial Future Land Uses in the Community Plan.
2. The proposed rezoning supports Community Plan policies related to Activity Centers by providing a higher density along key corridors and activity centers.

3. The proposed rezoning support Community Plan policies related to Commercial Development by providing a multi-story mixed-use building commitment and creating a pedestrian-oriented shopping environment.
4. The proposed rezoning supports Community Plan policies related to Residential Character by creating a pedestrian-friendly environment.

Mayor Jones asked if the Board had any questions. No questions were heard.

- 1.2. Proclamation Recognizing Friday, November 24, 2023, as Plaid Friday and Saturday, November 25, 2023, as Small Business Saturday.

Mayor Jones read the proclamation into the record.

**NATIONAL COMMUNITY PLANNING MONTH
PROCLAMATION**

WHEREAS, change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and

WHEREAS, community planning and planners can help manage this change in a way that provides better choices for how people work and live; and

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in discussions regarding the future of their community; and

WHEREAS, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS, the month of October is designated as National Community Planning Month throughout the United States of America and its territories, and

WHEREAS, the American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our neighborhoods and environment; and

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning boards and other citizen planners who have contributed their time and expertise to the improvement of the Town of Wake Forest; and

WHEREAS, we recognize the many valuable contributions made by the professional community of the Town of Wake Forest and extend our heartfelt thanks for the continued commitment to public service by these professionals;

BE IT RESOLVED THAT, the month of October 2023 is hereby designated as "Community Planning Month" in the Town of Wake Forest in conjunction with the celebration of National Community Planning Month.

Mayor Jones presented the proclamation to Downtown Development Specialist Camryn Gutierrez and small business owner Johanna Trotter.

1.3. Presentation of Stormwater Utility Advisory Group Recommendations

Assistant Stormwater Engineer Nick Nolte introduced Michael Almquist a member of the Stormwater Advisory Group who helped develop the recommendation.

Mr. Nolte also introduced Trey Shanks with Freese and Nichols who helped guide them through the process.

Mr. Nolte and Mr. Almquist spoke about the Town's stormwater needs, and the Stormwater Utility Advisory Group recommendations including service level, fee structure and rates, fee assessment mechanism, and the next steps.

Mayor Jones asked if it was \$10 million per year for capital projects. Mr. Nolte stated it's \$10 million over 10 years.

Commissioner Sary asked how the project is being prioritized. Mr. Nolte said they may go to the advisory group they currently have to help them steer and prioritize the projects. They may also reach out to a consultant to help prioritize criticality needs.

Commissioner Sliwinski asked if any opportunities or programs would be rolled out to help citizens who can't afford a tax increase. Mr. Nolte stated there currently is no program but it's something they'll explore. He said they do have intentions to provide services for people who can't afford that utility.

Mayor Jones asked if the Board had any more questions. No further questions were heard.

1.4 Presentation of reimbursement agreement between the Town of Wake Forest and Taylor Morrison of Carolinas, Inc.

Senior Civil Engineer Chris Glass discussed the upcoming reimbursement agreement. Taylor Morrison of Carolinas, Inc. provided a cost estimate of \$473,960.00, and staff reviewed and thought it was a very reasonable cost.

Mayor Jones asked if there were any questions. No questions were heard.

1.5 Presentation of Community Plan Amendment related to the Wake Forest/Raleigh Utility Merger Agreement (CPA-23-03)

Planning Director Courtney Tanner provided an overview of CPA-23-03: Comprehensive Plan Amendment.

Ms. Tanner stated that the Planning Board recommended denial with a vote of 4-1. The Planning Board also stated if the Board of Commissioners should decide to move forward with the amendment: Consider adding a land use option that is more rural than Conventional Residential to the Community Plan if the Community Plan is amended.

Ms. Tanner stated staff recommendation is approval of the proposed Comprehensive Plan Amendments for the following reasons:

- Provides guidance to the Town as to the appropriate zoning should a property owner request municipal water and/or sewer.
- Articulates how conservation design principles should be prioritized to help maintain water quality, protect valued habitat and ecosystems, and design within the context of environmental features and assets.
- Advises that any development of the area should incorporate pedestrian and bicycle trails and connections that enhance access to the reservoir.

Ms. Tanner answered questions regarding parks and open spaces.

Commissioner Sliwinski said, as to the Planning Board's recommendation, is there a classification that would be more rural and less dense than General Residential 3. Ms. Tanner replied it's important they don't mix up zoning districts and the land use map. Commissioner Sliwinski said it is his understanding this is to give guidance to staff on what the Town would like to see if someone wanted to be annexed in and build

conventional residential. He said they want the conservation and all the watershed protection, correct. Ms. Tanner stated that is the goal.

Commissioner Sary said it gives them the means to have some type of say and what can potentially happen out there.

Mayor Jones asked if there were any further questions. No further questions were heard.

1.6 Wake Forest Downtown Plan: Houseal Lavigne (Consultant) Presentation

Assistant Planning Director Jennifer Currin introduced Nik Davis with Houseal Lavigne.

Mr. Davis reviewed the planning process, the visioning workshops recap, the existing conditions overview, the existing land use, and the development overview.

Ben King with Noell Consulting Group spoke about the market analysis and the Municipal Service District (MSD) analysis and evaluation.

Jared Draper provided an overview of the transportation and parking assessment.

Commissioner Sary asked if they've taken the parking deck project into consideration with their recommendations. Mr. Draper replied, currently they're not at recommendations but will consider it when they get there.

Tenecia Jones with LS3P discussed the building fabric and public realm assessment.

Mr. Davis discussed the next steps of the project. He shared there is still an opportunity for the public to participate in the survey. It will be available on the Town's website for at least until the end of November 2023.

Mayor Jones said it is interesting and exciting to see what they come up with. She appreciates all the work and said it'll be fun seeing it develop.

No further questions or comments were heard.

2. Discussion of Monthly Financial Report

2.1. Monthly Financial Report

Received.

3. Review of Draft Agenda for Upcoming Regular Meeting

3.1. Review of Draft Agenda for Upcoming Regular Meeting

The draft agenda was reviewed.

Town Manager Padgett stated one item needs to be added to the consent agenda:
Resolution to approve a transaction with JP Morgan for the Street Resurfacing Project.

4. Other Business

4.1. Consideration of LEGISLATIVE CASE RZ-21-08, Joyner Property, a rezoning filed by McAdams Company to rezone 124.68 acres located at 1180 and 1200 (portion) Club Villas Dr, being Wake County Tax PINs 1841091336 and 1831895139 (portion) from General Residential 3 Planned Unit Development* (GR3 PUD*); Falls Lake Watershed Protection Overlay (FL-WMA); and Special Highway Overlay (SH1-O) to General Residential 10 Conditional District (GR10-CD); Falls Lake Watershed Protection Overlay (FL-WMA); and Special Highway Overlay (SH1-O). (*While these parcels are labeled as GR3 (PUD), the parcels are not subject to any PUD regulations as the PUD regulations were removed when SU-99-02-01 was approved. Due to the zoning map label, staff will refer to the current zoning as GR3 PUD until such time the official zoning map is amended to remove the PUD text.)

Assistant Planning Director Jennifer Currin shared a little history about the Joyner Property. The Planning Board recommended disapproval by a vote of 4-1 at their September 12, 2023 meeting. Ms. Currin said the Planning Board made several requests for the applicant to consider if the Board of Commissioners were to consider approval. There was a public hearing held on October 17, 2023, and a motion for disapproval was made by the Board of Commissioners, which failed by a vote of 2-3. The Board made action to table the case until the November 9, 2023, Board of Commissioners Work Session.

Since the public hearing, the applicant has proposed the following:

- Condition #13 kept by applicant (reduction in SHOD buffer)
- Condition #14 kept by applicant (reduction in SHOD setback)
- Condition #17 revised to remove Clubhouse Villas HOA as recipient of Park #1 as requested by that HOA
- Condition #19 revised to be consistent with staff's recommended language for Phase II report
- Condition #20 removed (no-right turn sign request)
- Condition #22 removed (Club Villas Drive cross-section request)
- Condition #23 added that developer would incur cost of Community Plan Amendment

Staff's recommendation is still for denial since the rezoning and master plan are inconsistent with the Comprehensive Plan, and UDO waivers are requested.

Ms. Currin stated if the Board of Commissioners were to approve the rezoning request, staff recommends only accepting Conditions 1-12 and 15-23.

Commissioner Shackleford disclosed that his firm was consulted to clarify who the proper owner and who the grantee should be on the deed.

ACTION:

Mover: Commissioner Sliwinski moved to deny Case RZ-21-08, Joyner Property with the inconsistency statement.

Seconder: Commissioner Wright.

Vote: Motion carried 3-2 to deny.

Aye

Commissioner Sliwinski
Commissioner Wright
Commissioner Shackleford

Nay

Commissioner Sary
Commissioner Dyer

Commissioner Sary appreciates all the effort that's been made in the correspondence and meetings over the existence of this project. He spoke about the likely outcomes of what could happen on the property.

4.2 CIP Project Tracker

Received.

4.3 Strategic Plan

Received.

4.4 Consultation with the Town Attorney, N.C.G.S. § 143.318.11(a)(3)."

ACTION:

Mover: Commissioner Sary made a motion to go into closed session at 7:46 p.m.

Second: Commissioner Wright.

Vote: Motion carried 5-0.

The Board returned from closed session at 8:31 p.m.

ACTION:

Mover: Commissioner Dyer made a motion to approve the acquisition of the permanent wall easement and temporary construction easement at 1500 Heritage Garden Street for the South Franklin Street Widening project.

Second: Commissioner Wright.

Vote: Motion carried 5-0.

ACTION:

Mover: Commissioner Wright made a motion to approve a resolution of the Board of Commissioners regarding the acquisition of the permanent wall easement and temporary construction easement at 1504 Heritage Garden Street for the South Franklin Street Widening project.

Second: Commissioner Sary.

Vote: Motion carried 5-0.

ACTION:

Mover: Commissioner Sary made a motion to approve the resolution of the Board of Commissioners regarding acquisition of a permanent wall easement and temporary construction easement at 1508 Heritage Garden Street for the South Franklin Street Widening project.

Second: Commissioner Sliwinski.

Vote: Motion carried 5-0.

ACTION:

Mover: Commissioner Wright made a motion to approve a resolution of the Board of Commissioners regarding acquisition of a permanent wall easement and temporary construction easement at 1512 Heritage Garden Street for the South Franklin Street Widening project.

Second: Commissioner Sary.

Vote: Motion carried 5-0.

ACTION:

Mover: Commissioner Wright made a motion to approve a resolution of the Board of Commissioners regarding acquisition of a permanent wall easement and temporary construction easement at 1516 Heritage Garden Street for the South Franklin Street Widening project.

Second: Commissioner Sliwinski.

Vote: Motion carried 5-0.

5. Commissioner Reports

Commissioner Dyer attended the Historic Preservation Commission and will attend the Veteran's Memorial Event.

Commissioner Wright had no report.

Commissioner Sliwinski shared they had a debrief on the Mental Health Wellness Fair that was held on October 21st and shared there were 183 participants. He thanked Lisa Hayes, Andrew Brown, the vendor advocates who were there, and the staff at the Renaissance Centre.

Commissioner Shackleford had no report.

Commissioner Sary attended the Central Pines Regional Council in October. He attended the groundbreaking for the new Bus Rapid Transit (BRT) Station in Raleigh. He thanked all the Veterans. He stated that he takes issue with the comments that there's no transparency or opportunities for people to be involved. He thinks the Town is doing a great job.

Mayor Jones congratulated Jeanette Johnson for receiving the Garby Award for the North Carolina Chapter of the Solid Waste Association of North America. She also

thanked Marvin Weathers for speaking at the Success North Carolina Conference. She thanked Olivia Atkinson for her work in specialized programs. She said the Citizens Academy finished and is a great program and is another way we are giving information to the citizens. Mayor Jones also extended her gratitude to staff who assisted with the Halloween Boo Bash, public needs for the PRCR Plan, and the dance festival. Mayor Jones attended the BW Wells Annual Meeting, and the 100th Birthday Bash at Wake Forest Elementary School.

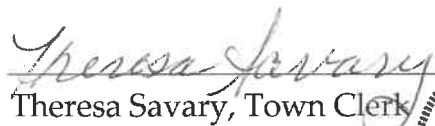
Town Manager Kip Padgett thanked Public Facilities for lighting up Town Hall in honor of Veteran's Day.


6. Adjournment

The Board of Commissioners adjourned the meeting at 8:43 p.m.

Duly approved in open session this 19th day of December 2023.

(ATTEST)


Theresa Savary, Town Clerk


Vivian A. Jones, Mayor

