



Wake Forest Board of Commissioners Work Session Meeting Minutes

The Wake Forest Board of Commissioners met on **Tuesday, September 5, 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 Shackelford, 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/Chief
Financial Officer Aileen Staples
Town Attorney Hassan Kingsberry
Town Clerk Theresa Savary
Finance Director Samantha Sanchez
Planning Director Courtney Tanner
Assistant Planning Director Jennifer Currin

Engineering Director Joe Guckavan
Senior Planner Tim Richards
Senior Planner Kari Grace
Planner II Emma Linn
Manager Brad West
Facilities Steven Carpenter
Facilities Director Mickey Rochelle
Police Chief Jeff Leonard
Fire Chief Ron Early

1. Presentations

1.1 Proclamation Recognizing Constitution Week, September 17 - 23, 2023.

Mayor Jones recognized Constitution Week, September 17 – 23, 2023.

PROCLAMATION CONSTITUTION WEEK

WHEREAS, September 17, 2023 marks the two hundred and thirty-sixth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

WHEREAS, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

WHEREAS, public law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;

NOW, THEREFORE, I, Vivian A. Jones, by virtue of the authority vested in me as Mayor of the Town of Wake Forest, North Carolina, and the Board of Commissioners do hereby proclaim the week of

“SEPTEMBER 17 THROUGH SEPTEMBER 23 CONSTITUTION WEEK”

in the Town of Wake Forest, and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

Mayor Jones said the proclamation would be sent to the General James Moore Chapter, Daughters of the American Revolution (DAR).

1.2. Presentation on AGNC, LLC and Town of Wake Forest Reimbursement Agreement for Downtown Streetscape Improvements on N White Street and E Roosevelt Avenue.

Planning Director Courtney Tanner presented the Reimbursement Agreement with AGNC, LLC, and the Town of Wake Forest. Ms. Tanner explained the agreement is for Downtown Streetscape Improvements on N. White St. and E. Roosevelt Ave. that exceed what is required in the Town's Unified Development Ordinance (UDO) as well as the Town's Comprehensive Transportation Plan. The streetscape improvements are similar to what you see along S. White St. being brick-paved wider sidewalks, pedestrian scale lighting, benches, and other amenities along those lines. Ms. Tanner noted those were identified in the Town's Capital Improvement Plan (CIP) and under state law they can enter an agreement for a developer to install those on behalf of the Town and the Town will reimburse them. Ms. Tanner stated they're deducting what would've been the developer's requirements from that amount and will exceed a little over three million dollars to install along Spring St. heading south on N. White St. going around the CVS Store, over to the Food Hall.

No questions were asked.

1.3. Presentation of Proposed Ordinance Adding Chapter 30; Article IV Parking, Stopping, and Standing Section 30-164 Enforcement of Temporary Parking Restrictions.

Engineering Director Joe Guckavan brought before the Board a request to approve a text amendment for Chapter 30 for language to allow the Town to enforce temporary no parking restrictions. There would be signs placed on the streets with the date and times no parking is allowed as well as door hangers and letters that would go out on those occasions. Mr. Guckavan stated in addition to this operation, the language was intentionally written broad enough that if there were special events or other circumstances in the Town that needed temporary no parking, they would have the language to allow that.

No questions were asked.

1.4 Unified Development Ordinance Comprehensive Update Work Session #4 with Consultants.

Senior Planner Kari Grace explained the section brought before the Board this evening will be getting into the Development Standard Regulations. Ms. Grace noted this presentation will be posted online on the project webpage after the meeting by the end of the week along with all the other presentations that have been held so far.

Consultant Jackie Berg with Houseal Lavigne provided a high-level overview of the following preliminary Chapters of the Unified Development Ordinance:

- Chapter 4 – General Development Standards
- Chapter 6 – Building Design Standards
- Chapter 8 – Tree Protection, Buffers, and Landscaping
- Chapter 9 – Access and Mobility
- Chapter 10 – Outdoor Lighting

Commissioner Wright asked how standard is a 15' retaining wall in other communities. Ms. Berg replied it's a pretty common number. Ms. Berg mentioned that Ms. Grace had done some research looking into existing retaining walls in the community and had found that to be a consistent number.

Mayor Jones asked if all the qualifiers for Residential Infill Development aren't met would it still be an infill Ms. Grace said they welcome any feedback on this but explained one of the ideas they tried to capture is infill is typically small-scale.

Ms. Grace spoke about the following qualifiers. Infill development includes development that meets the following qualifiers:

1. A development site less than five acres in area; and
2. Development on a block that is 80% or more built out; and
3. Development on a lot with existing water mains along the development site frontage or
4. Development on a lot that was platted more than 20 years prior to the adoption of this UDO and not developed.

Mayor Jones asked what if the development is only 75% built out. Ms. Grace said they can continue looking at the parameters and ensure they're not excluding too many properties.

Commissioner Sary said these are pretty typical infill standards and asked what would happen if a house burned down in an older neighborhood, and how that would be affected. Ms. Grace replied if lot lines are not changing, or the lot isn't being subdivided they'd be required to submit a permit and no additional approval would be required. Ms. Grace said the setbacks would be applicable. Commissioner Sary wouldn't encourage that because if someone had a small lot and couldn't meet the setbacks.

Commissioner Wright asked if adult trees are being replaced with the same size trees. Ms. Grace replied they're proposing to increase the minimum size the trees need to be at the time of installation; however, it's not a great increase. Ms. Grace said a larger tree doesn't establish well and it's hard to find grown trees.

Commissioner Wright asked how many years it would take to provide tree canopy coverage on trees being required. Ms. Grace said it would be difficult to estimate but offered to provide him with more information at a later date.

Commissioner Sary asked if there's going to be a minimum lot size or a percentage of trees allowed on a parcel without requiring a tree survey. Ms. Berg stated it would require the new development on that lot to get a survey regardless of the size of the parcel, but they can consider some type of threshold or limit. Commissioner Sary said that would be sensible and whatever is reasonable, and rationale makes sense.

Commissioner Wright said one of the things that came about in the preliminary report was that citizens want to see more landscaping in parking lots. He said parking lots produce a lot of heat and anything that can be done to offset the heat that parking lots produce would be beneficial.

Commissioner Sary believes a lot of it has to do with the placement and type of species. He said the goal is to have the whole parking lot covered with shade. He said sometimes less is more when it comes to shade.

Commissioner Sliwinski asked if sight lines were considered at the entrance and exit of parking lots. Ms. Berg replied, yes.

Mayor Jones said she's been talking about taking away the minimal parking requirements based on things she's learned recently about downtown. She asked if they should have minimum requirements in the downtown. Ms. Berg stated the downtown environment is the least likely area for a community to require parking.

Ms. Berg provided the following update on the next steps:

- Anticipated Draft UDO Part 4 Content
 - Chapter 5 Subdivision Standards
 - Chapter 7 Parks and Open Space Standards
 - Chapter 11 Natural Resource Protection Standards
 - Chapter 12 Sign Standards
 - Chapter 13 Performance and Maintenance
 - PUD standards (added to Chapter 2)

No further questions or comments were heard.

1.5 Presentation of Draft Wake Forest Public Transit Plan (CPA-23-02)

Planning Director Courtney Tanner said Jared Draper with Toole Design would be presenting the final draft of the Wake Forest Public Transit Plan. She said at the next meeting they'll have a few minor edits they had found in it that they included in the adoption process. She said at this point what they see is relatively intact with what would be adopted.

Jared Draper with Toole Design provided a presentation on the Wake Forest Public Transit Plan.

Commissioner Wright asked if there are options for advertisements on micro-transit vehicles to help reduce costs. Town Manager Padgett said if the Town is funding micro-transit the answer is yes, but if they're using federal funds, it may be subject to their guidelines.

Commissioner Wright stated there needs to be prioritization on installing shelters and lights at bus stops. He said it's a disservice to patrons and is something the Town should be providing.

Commissioner Wright said as far as the total number of buses, he suggested starting a bit slower with micro-transit and seeing how ridership does and if the demand is there, they can increase service.

Commissioner Sliwinski asked if the \$2 micro-transit fee going door-to-door would extend to Wakefield or if it would be for Wake Forest residents only. Mr. Draper said it would cover anywhere in the zone. Mr. Draper said the zone itself is something that would be refined in more detail once they're working with an operator.

Commissioner Sliwinski asked with the number of buses and the level of micro-transit service are they able to start at a lower level, and if there's enough interest and the need for it, how difficult is it to potentially add buses to the loop or add vehicles to the micro-transit zone. Planning Director Tanner said they can modify a route three to four times a year.

Commissioner Sliwinski asked would the new loops capture the needs of current riders. Mr. Draper replied they are capturing ridership that exists today as well as expanding to a place they believe would potentially add more ridership.

Mayor Jones asked if anyone currently taking the bus would have to change buses if they were going to Wakefield. Mr. Draper replied yes, they would transfer buses in Town to get to Wakefield.

Mayor Jones asked when they could apply for more funding through Wake Transit. Ms. Tanner said she'd have to get back to her with the answer.

Commissioner Dyer asked if Toole Design was part of consulting in any other communities in North Carolina that have micro-transit. He also asked if any of those communities had been in business for more than two years. Mr. Draper replied that Toole Design was not part of the consulting in other communities. Mr. Draper stated

they looked at three case studies for micro-transit and spoke with those communities and don't believe any of them have been in operation for more than two years.

Commissioner Sary asked where the Annual Operating Cost Statistics are being pulled from. Mr. Draper replied it's done by revenue hour cost. Mr. Draper said they're looking at the number of hours it costs on the low end and what it could be on the high end.

Mayor Jones asked what feedback was received from the Town of Wilson and Morrisville regarding the services they provide. Mr. Draper said he doesn't know if they had asked that question; specifically, but he did say everybody they've talked to was excited about micro-transit. He believes there are still challenges but in general, there's been really good feedback and other communities are starting to explore micro-transit.

Commissioner Dyer said in the definitions of riders there are youths and seniors. He asked if youths could ride by themselves and what age is considered a senior. Mr. Draper said all those things can be worked out with the contract. He said if you have a vendor, they may have certain regulations on who can and can't ride by themselves. Mr. Draper said he didn't have the answer but could find out.

1.6 Presentation and Discussion of Fire Impact Fees

Greg Grayson with NC Fire Chief Consulting provided an overview of the Fire Impact Fees and Mihaela Coopersmith with Raftelis provided an overview of the technical provisions of the analysis.

Commissioner Sary said he's all for the Planning Board review and asked Town Manager Padgett if they've done that before. Mr. Padgett stated it's in the local legislation.

Commissioner Sliwinski asked with the effective date being January 1, 2024 would that affect only applications that come in after the January 1, 2024 date. Ms. Coopersmith replied, yes.

No further questions or comments were heard.

1.7 Consideration of a Resolution to Enact an Ordinance Prohibiting Smoking and Use of Tobacco Products and Vapor Products in Town Buildings, in Town Vehicles, and on Town Grounds

Assistant Town Manager Candace Davis provided a presentation on the proposed ordinance language on Prohibiting Smoking and Use of Tobacco Products and Vapor Products in Town Buildings, in Town Vehicles, and on Town Grounds

Commissioner Sary asked when the signage would go up. Ms. Davis replied they would have to design and develop the signs first and then determine where the signs would be placed.

Commissioner Dyer suggested a warning for 1st offense and a \$100 violation thereafter.

Mayor Jones asked if the Town could enforce penalties on school property. Assistant Town Manager Candace Davis replied the Town could not enforce it on school property. Commissioner Dyer asked if the county has an ordinance for schools. Assistant Town Manager Davis replied, yes.

Commissioner Shackleford asked if the signage would have the penalty on it. Ms. Davis replied that the Town could include the penalty on the signage but not the amount; otherwise, the signage would need to be changed out if the violation amount changes. Commissioner Shackleford suggested putting "subject to fines" on the sign instead of an amount.

The general consensus of the Board was to impose a warning for 1st offense and raise the fine to \$100.

Commissioner Sliwinski asked if the proposed language of "on-town grounds" includes parking lots at the parks and someone sitting in their private vehicle in the parking lot. Town Manager Padgett replied, yes.

1.8 Wake Forest Public Art Commission 2023 Art Plan

Public Art Commission Chair Delphine Peller provided a presentation of the Draft Wake Forest Public Art Commission (PAC) 2023 Art Plan.

Commissioner Sary thanked the PAC members and appreciated all their time and effort in the public arts.

Mayor Jones thanked the PAC members for all their work.

Commissioner Shackelford commented that the Draft 2023 PAC Art Plan was wonderful and professionally done.

Commissioner Dyer asked for the date of the Professional Development Opportunity on Fostering Engagement. Ms. Peller replied that it will be held at the Renaissance Centre on Thursday, September 28, 2023 from 6 – 8 p.m.

Mayor Jones asked when the Art Program would be held. Ms. Peller said it would be held on Saturday, October 7, 2023 at 9:00 a.m.

1.9 Presentation of LEGISLATIVE CASE RZ-23-01, 4Rivers - Wake Forest Self Storage, a conditional rezoning filed by Rob Caudle on behalf of Franklin Village, LLC, to rezone 2.64 acres located at 0 Friendship Chapel Road, being Wake County Tax PIN 1850066925, from General Residential 10 (GR10) to Highway Business Conditional District (HB-CD).

Senior Planner Tim Richards provided a presentation on Case RZ-23-01, 4Rivers - Wake Forest Self-Storage located at 0 Friendship Chapel Rd.

Mr. Richards stated the following two additional conditions were proposed by the developer since the Planning Board Meeting on Monday, August 21, 2023:

- In addition to the requirements of UDO 5.6.2.C, the façade colors shall include a minimum of two compatible colors. All colors shall also complement the buildings located on PIN 1840972490 (Gateway Commons).
- The façade of building corners shall include enhanced architectural features to create a visual interest, and each building corner visible from public streets shall maintain a relation to each other but are not required to be identical. Building corners shall relate to each other with enhanced glass elements and accent colors.

Mr. Richards stated the Planning Board heard input from staff and the developer and those present who desired to speak. Following the Public Comment Session at the August 21, 2023 Meeting the Planning Board recommended denial 5-0. The Planning Board found the request inconsistent with the Comprehensive Plan.

Mr. Richards stated staff's recommendation is for disapproval of the rezoning as proposed and finds it to be inconsistent with the Comprehensive Plan and not in the public interest because it is inconsistent with the Community Plan direction for:

1. Neighborhood Commercial areas,
2. Activity Center areas,
3. Parking lots,
4. Screening and buffering, and
5. Community character.

Commissioner Wright disclosed he works for a self-storage company and said he'll try to be as impartial as he possibly can.

Commissioner Dyer remarked there seems to be a need for the facility and was intrigued that the statistics show that the Town of Wake Forest is short of storage facilities. Mayor Jones said she was also surprised that the Town is short of storage facilities.

Mayor Jones said the current zoning is General Residential 10 (GR 10) and the applicant is requesting a Highway Business Conditional District (HB-CD). She doesn't see why this is not a reasonable development for that corner. She said the applicant has proposed enhanced architectural standards and the neighbors weren't terribly opposed to it. She stated self-storage facilities are allowed in Neighborhood Business Districts with the approval of conditional zoning.

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 said there are three items needing to be added based on tonight's meeting:

- 4.C. Proposed Fire Impact Fees (Public Hearing Item)
- 4.D. General Public Comment (Public Hearing Item)

- 8.B. Consideration of Fire Impact Fees (Administration and Financial Item)
- 8.C. Tobacco Ordinance (Administration and Financial Item)

4. Other Business

No other business was presented.

5. Commissioner Reports

Commissioner Dyer congratulated Michelle Michael for receiving the 2023 Robert E. Stripe Award from the Preservation North Carolina. He shared that the Human Relations Council is preparing for Good Neighbor Day to be held on Saturday, September 16, 2023. He reminded everyone the Memorial Flag-Raising Ceremony is on Monday, September 11, 2023 at 11:00 a.m.

Commissioner Wright said the Technical Advisory Board Meeting did not meet quorum at their last meeting and he's asking if the Board can meet via Zoom. He said they would've been able to meet quorum if they were able to meet virtually. Attorney Kingsberry stated the Town has an electronic meeting policy that the Board adopted in April 2020 which brings all the Boards and Advisory Boards under that policy. Attorney Kingsberry stated during the State of Emergency, that is when virtual/remote meetings were allowed but after the State of Emergency was lifted, we have no authority for remote meetings.

Commissioner Sliwinski thanked those who attended the Concert in the Park at Joyner Park. He also thanked the PRCR Advisory Board for the Unplugged Event. He shared there would be another Concert in the Park on Sunday, September 10, 2023 at 5:30 p.m.

Commissioner Shackleford attended the National Alumni Association of Dubois High School Banquet on Saturday, September 2, 2023. He will be attending the Wake Forest Downtown Meeting on Wednesday, September 6, 2023.

Commissioner Sary again thanked the Public Arts Commission. He'll be at the Citizens Academy on Thursday, September 7, 2023. Friday, he'll host the last FNOW of the year on September 8, 2023. He shared there will be a South Main Street Corridor Study Open House on Wednesday, September 13, 2023 from 6:00 – 8:00 p.m. at 1839 S. Main St. at the Factory.

Mayor Jones thanked Sustainability Coordinator Jeanette Johnson for establishing the Sustainability 101 Classes. Mayor Jones thanked event organizer Brandon Wright for Wake Forest Comic-Con and said it was a great event. She met with Congresswoman Deborah Ross. Mayor Jones and Town Manager Padgett went with Mary Wills Bode and some chamber representatives to meet with Secretary Boyette and Joey Hopkins at NCDOT to discuss Capital Blvd. She attended NC Tap and the Dubois Alumni Meeting. Mayor Jones missed the August 15, 2023 Board of Commissioners Meeting because she was at the Electricities Conference. She attended a Triangle Community Coalition presentation in the Fenton Mixed-Use Development in Cary, NC.

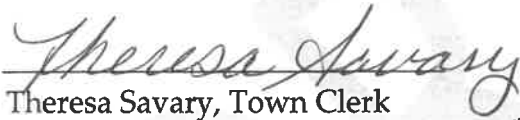
Town Manager Kip Padgett had no report.

6. Adjournment

The Board of Commissioners adjourned the meeting at 8:33 p.m.

Duly approved in open session this 17th day of October 2023.

(ATTEST)


Theresa Savary, Town Clerk


Vivian A. Jones, Mayor

