

The Wake Forest Board of Commissioners met Tuesday, Nov. 19, 2019. Mayor Vivian Jones and four of the five Town Commissioners were present. Commissioner Anne Reeve was unable to attend.

An overview of the Board's actions is provided below. To access the complete agenda, visit the [Town's website](#).

Board of Commissioners meeting summaries are issued from the Communications & Public Affairs Department following the Board's monthly meetings, which are typically scheduled on the third Tuesday of each month. To receive each month's meeting summary via email, sign up for [E-Notifier](#).

Please note: This summary should not be viewed as official minutes. To request the official meeting minutes, contact Town Clerk [Deeda Harris](#).

Presentations

- A. Presentation by Cherry Bekaert LLP of fiscal year ended June 30, 2019 Comprehensive Annual Financial Report (CAFR).

Public Hearings/Public Comment

Public hearing on a contiguous annexation petition submitted by: Tryon Investment Partners II, LLC; Pearce Heirs Farm, LLC; Farm, LLC; Herman Pearce Jr.; Eva Lillie Pearce Clontz; Floyd Joseph Clontz Jr.; Marthan Neville and Ronnie Harris; and Pensco Trust Company Custodian FBO for property near the 1700 block of Averette Road. Frank McCoy spoke against the annexation and expressed an interest in participating in the process. Tommy Craven spoke in favor of the annexation.

Public hearing on a petition requesting contiguous annexation submitted by Moffat Properties LLC for property located at 0 Burlington Mills Road and adjacent right-of-way. No one spoke and the Board approved the petition.

Public Comment

No one spoke during public comment.

Consent Agenda

- A. Approval of a Resolution of Intent to close a portion of Wrigley Drive;
- B. Approval of a Resolution to Name Review Officers in Wake County and Franklin County for the Town of Wake Forest;
- C. Approval of updated tax billing and collection contract with Franklin County
- D. Approval of a Resolution Considering the Exchange of Property Between the Town of Wake Forest and the Wake Forest American Legion Post 187
- E. Approval of a Resolution Adopting the 2019 update to Wake County Multi-Jurisdictional Hazard Mitigation Plan
- F. Approval of a Contract for Supplemental CEI Funds on Stadium Drive (U-5515) Complete Streets Project

Waiver of the NC Code of Ordinances - Sec.20.2. Public Consumption, Possession, etc. of Alcohol. 2020 Friday Night on White

During the six Friday Night on White events (2020 Series – April through September), The Town of Wake Forest, Downtown Development Department, requested a waiver of the alcohol ordinance to allow the

event sponsor to sell or serve alcohol to customers in an approved, clear container. It would further allow event visitors to carry and consume said beverages within the contained event area. The Board approved the waiver.

Averette Road Planned Unit Development

Consideration of Action on LEGISLATIVE CASE RZ-18-13, Averette Road Planned Unit Development (PUD): Request filed by Priest, Craven and Associates to rezone approximately 271.8 acres located near the 1700 block of Averette Rd. from Conditional Use General Residential-10 (CU GR-10), Residential-30 Wake County (R-30 WC) and Residential-40 Watershed Wake County (R-40 W WC) to Planned Unit Development Conditional District (PUD CD). The Planning Board, at its meeting on Oct. 1, 2019, voted 8-1 to find the request inconsistent with the Community Plan and recommend denial of the zoning map amendment (rezoning) request. Per Unified Development Ordinance (UDO) Section 15.14.2.E, when the Planning Board makes a negative recommendation, the petitioner can request a public hearing within 45 days of the Planning Board's decision to be held by the Board of Commissioners. At the Oct. 15, 2019, Board of Commissioners (BOC) meeting, the Commissioners decided not to take final action on RZ-18-13 until the 45-day window had expired in accordance with UDO Section 15.14.2.E. Nov. 15, 2019, was 45 days from the Oct. 1, 2019, Planning Board meeting. Therefore, the BOC could act on RZ-18-13 at its regularly scheduled meeting on Nov. 19, 2019. UDO Section 15.14.2.E also specifies that a $\frac{3}{4}$ majority vote by the BOC is required when the Planning Board makes a recommendation of denial. On Nov. 14, 2019, the applicant submitted a request for a public hearing before the BOC in accordance with UDO Section 15.14.2.E. The applicant also noted that changes are forthcoming to the plan; requested that staff review the plans first to ensure compliance with the UDO; and the BOC refer the rezoning request back to the Planning Board for further consideration at a new public hearing. To date, staff has not received a revised plan for review. In either scenario (if the public hearing was held at the Board of Commissioners meeting or if the Board of Commissioners voted to refer the case back to the Planning Board for consideration based on the changes outlined in the applicant's letter), staff would recommend that a public hearing date be scheduled once staff received and reviewed the revised master plan for compliance with the UDO. New public hearing notifications would occur for either meeting.

Greenway Village at Heritage

The Board approved LEGISLATIVE CASE RZ-19-07, Greenway Village at Heritage: Request filed by Site Collaborative Inc. to Rezone 10.08± Acres located at 1891 S. Franklin St. from Residential Mixed-Use District (RMX) and Neighborhood Business District (NB) to Residential Mixed-Use Conditional District (RMX-CD). The Planning Board, at its Nov. 7, 2019, meeting, voted 7-0 to recommend approval of the zoning map amendment (rezoning) request.

Rezone 9.16± acres at 2601 Cliff Lane

The Board approved LEGISLATIVE CASE RZ-19-12: a Zoning Map Amendment request filed by Mitchell Design Group to rezone 9.16± acres located at 2601 Cliff Lane from Rural Holding District (RD) to Highway Business Conditional District (HB-CD).

Extension or Rescission of the Conditional District approval for 1628 S. Main St.

The Board of Commissioners approved the 1628 S. Main Street rezoning, RZ-15-01 on May 20, 2015. Per UDO Section 15.15, either a building permit or a construction permit must be obtained within two years from the date of rezoning approval. No construction drawings have been approved or building permits obtained within the two-year timeframe. Anderson Marlowe submitted a request to extend the

conditional district to Dec. 20, 2020, as they complete their construction drawings. The Board voted to extend the conditional district to Dec. 20, 2020.

2009 General Obligation Refunding Bonds

The Town has slightly over \$4 million remaining on the 2009 Public Improvement General Obligation Bonds. The bonds were callable Feb. 1, 2019, which means they can be refunded (or refinanced at a lower rate) any time after that date. The current interest rate on these bonds range from 2%-4%. In the current market, the Town has an opportunity to refund (refinance) these bonds and obtain substantial savings over the remaining life through 2030. The Town received 13 bids with interest rates ranging from 1.79%-3.25%. Our financial advisors along with staff is recommending accepting the proposal from Benchmark Community Bank with a rate of 1.79%. The net present value of the savings is \$318,576. Attached is a summary prepared by Davenport and Company, our financial advisors along with required actions/documents for your consideration prepared by Womble Bond Dixon, our bond counsel. The LGC will formally consider approval of this financing at its meeting on Dec. 3. The Board of Commissioners will consider approval of the bond issuance and sale resolution at their meeting on Dec. 17 and staff anticipates closing on the refinancing Dec. 23. The Board voted to approve accepting the proposal from Benchmark Community Bank.

Support of Rail Corridor

The Board approved a resolution supporting the Rail Corridors referred to as S-Line and SA-Line for the benefits of higher speed rail, improved freight movement, improved commuting times and economic development.

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