



**Town Board Regular Meeting**  
July 7, 2020 – 7:00 PM  
502 Southtown Circle, Rolesville, NC 27571

**Agenda**

**A. CALL TO ORDER**

1. Pledge of Allegiance
2. Invocation
3. Review of Agenda by the Board and Additions/Changes of Items of Business to the Agenda for Consideration.
4. Public Invited to be Heard – In addition, the Town Clerk will compile and read aloud all comments in the meeting that were received prior to its start. All comments will be made part of the permanent Official Record. To submit public comments prior to the meeting, complete a [Public Comment Submission Form](#).
5. Town Board Liaison Reports
  - Planning Board – Commissioner Medley
  - Parks & Recreation Advisory Board – Commissioner Vilga
  - Economic Development – Commissioner Sutton
  - Public Safety – Commissioner Wilson

**B. CONSENT AGENDA**

1. Minutes of the June 2<sup>nd</sup> and June 16<sup>th</sup> Town Board Meetings.
2. Proclamation Recognizing the Centennial of the 19<sup>th</sup> Amendment and the 100<sup>th</sup> Anniversary of the League of Women Voters.
3. Wake Transit Local Area Roles and Responsibilities Agreement (GoRaleigh Bus Service)
4. FY20-21 Budget Ordinance Amendment – Rollover Items from FY19-20
5. PR19-03 A-Master Mixed -Use Master Plan – CO/SUD District (Townhomes/Commercial)
  - a. A-Master Mixed -Use Master Plan – CO/SUD District (Townhomes/Commercial) Order Approval.
  - b. PR 19-03 A-Master Team Townhomes/Commercial Preliminary Subdivision Plat Approval.

The Town of Rolesville is committed to providing accessible facilities, programs and services for all people in compliance with the American with Disabilities Act. Should you need assistance or a particular accommodation for this meeting please contact the ADA Coordinator.

6. Approval of Rolesville Crossfit Order – Case SP19-04.

C. ITEMS OF BUSINESS

1. Community Input on Americans with Disabilities Act (ADA) Draft Transition Plan
2. Public Hearing (Legislative) – Case: ANX20-02 – Evans Property, 3608 Foxwild Lane.

D. COMMUNICATIONS

1. Town Attorney
2. Town Manager
3. Town Staff

E. ADJOURN TO CLOSED SESSION PURSUANT TO N.C.G.S 143-318.11(a)(4) TO DISCUSS MATTERS PERTAINING TO ECONOMIC DEVELOPMENT AND N.C.G.S. 143-318.11(a)(5) TO DISCUSS MATTERS PERTAINING TO POTENTIAL ACQUISITION OF REAL PROPERTY.

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**Town Board Meeting**  
June 2, 2020 – 7:00 PM  
502 Southtown Circle, Rolesville, NC 27571

## Minutes

### A. CALL TO ORDER

Present:

Mayor Ronnie Currin  
Commissioner Jacky Wilson  
Commissioner Paul Vilga

Mayor Pro Tem Michelle Medley  
Commissioner Sheilah Sutton  
Commissioner April Sneed

Also Present:

Town Manager Kelly Arnold  
Town Clerk Robin Peyton  
Planning Director Danny Johnson  
Police Chief Orlando Soto

Town Attorney Dave Neill  
Finance Director Amy Stevens  
Parks & Rec Director J. G. Ferguson  
Comm & Econ Dev. Mgr. Mical McFarland

1. Pledge of Allegiance

**Mayor Currin led the Pledge of Allegiance**

2. Invocation

**Commissioner April Sneed gave the invocation**

**Mayor Currin read aloud his most recent Mayor's Message which was sent out in an eBlast and posted on the Town website:**

**<https://www.rolesvillenc.gov/news/mayors-message-june-2>. His message touched on Memorial Day, the newly hung military banners on Granite Falls Boulevard, and the letter he signed along with 70 other North Carolina Mayors which spoke to the injustice in the death of George Floyd.**

3. Review of Agenda by the Board and Additions/Changes of Items of Business to the Agenda for Consideration.

**Moved by Commissioner Wilson to approve the meeting agenda as presented; seconded by Commissioner Sneed. Motion carried by unanimous vote.**

4. Introduction of New Employees – Julie Spriggs (Planner II) & Valencia Wagner (Intern).

**Mayor Currin introduced Julie Spriggs and Valencia Wagner by reading their bios and giving both an opportunity to speak.**

5. Public Invited to be Heard:

a. *Charles Flournoy, 100 Watkins Farm Road, Rolesville*

Mr. Flournoy stated his pleasure in the contents of this days eBlast which contained the Mayor's message and a letter from Rolesville Police Chief Soto's detailing plans to handle any current and future unrest. Mr. Flournoy also spoke about culverts on his neighbor's property which were notably clogged during recent heavy rains. In closing Mr. Flournoy described his cleaning out three culverts in the past despite recent hernia surgery.

b. *Gail Stallings, 1512 Rolesville Road, Wake Forest*

Ms. Stallings came to contest the calling for a Public Hearing on Case ANX20-03: Hopper Communities – Wheeler Property/Rolesville & Mitchell Mill Roads during both the COVID-19 restrictions and curfews instated during protests. Ms. Stallings reported that her numerous neighbors have great interest in the case but feel unable to come and speak freely.

B. CONSENT AGENDA

Prior to any motion on the consent agenda, Commissioner Medley asked the Town Attorney to explain the process for voluntary annexation following Ms. Stalling's comments under Public Comment.

**Moved by Commissioner Wilson to approve the Consent Agenda as presented and consisting of the following:**

1. Minutes of the May 5, 2020 Town Board Regular Meeting and May 19, 220 Town Board Regular Meeting.
2. Budget Amendment Ordinance 2020-BA-04: Budget Amendments for FY19-20.
3. City of Raleigh Utility Customer Assistance Program Renewal
4. GFL Contract Amendment for Recycling
5. Resolution 220-R-10: Resolution Accepting Streets According to Powell Bill Certified Statement.
6. Call for Public Hearing for July 7, 2020. Case: ANX20-02 – A Voluntary Annexation Petition Made by David Evans and Wife, 3608 Foxwild Lane.
  - a. Resolution 2020-R-11: Resolution Directing the Town Clerk to Investigate the Sufficiency of the Petition.
7. Direct Town Clerk to Investigate the Sufficiency of Voluntary Annexation Case ANX20-03: Hopper Communities – Wheeler Property/Rolesville & Mitchell Mill Roads.

**Following a question posed by Commissioner Sutton on the GFL Contract Amendment for Recycling regarding possible future increases, the motion was seconded by Commissioner Vilga and carried by unanimous vote.**

C. ITEMS OF BUSINESS

1. Public Hearing (Quasi-Judicial) Case: SUP19-02 – A-Master Team Mixed-Use Master Plan – CO-SUD District (Townhomes/Commercial) and Townhomes Detail Site Plan

Commissioner Wilson requested he be recused based upon his professional relationship with the development team involved in the case. Commissioner Wilson's

recusal was accepted by all board members and Commissioner Wilson departed from the council chambers.

Town Attorney Dave Neill read the following:

*Quasi-judicial hearings have characteristics similar to court proceedings. Quasi-judicial decisions must be based only on the evidence presented at the hearing and site visits by the board if any. Witnesses must testify under oath or affirmation. The parties have the right to cross exam the witnesses There is a right to present rebuttal evidence. The evidence provided by witnesses must be competent and material. North Carolina General Statute Section 160A-193 prohibits a person from giving opinions about scientific, technical and other specialized subjects, unless the person by knowledge, skill, experience, training or education is in fact an expert on the subject. A person wanting to give an opinion as an expert must first state his or her qualifications to be an expert. North Carolina General Statute 160A-393 specifically prohibits opinions that the use of a property in a particular way would affect the value of other properties or opinions that the increase in vehicular traffic, resulting from a proposed development, would pose a danger to the public safety unless the witness is an expert on the subject.*

- a. Is any member predisposed to vote in a particular way on this matter, such that their opinion is fixed and the evidence presented during this hearing is not likely to influence their decision?
- b. Has any board member here discussed this matter with either proponents or opponents or other outside this hearing?
- c. Is any member not able to make his or her decision on this matter solely based on the evidence presented at this hearing?

For the record, all members queried answered to the negative. Having received satisfactory answers from all board members to the questions posed by the Town Attorney, the Town Clerk swore in those persons wishing to provide testimony in the hearing.

#### Open Public Hearing

Mayor Currin opened by the public hearing on Case: SUP19-02 at 7:38 p.m.

#### Introduction by Staff

Planning Director Danny Johnson provided background and introductory information on the case to include alternate plans for ingress/egress from the townhomes to Rogers Road which is a departure from the plan to construct a connector street to S. Main Street.

The applicant was given opportunity to ask any remaining questions of staff. No questions were posed.

#### Evidence from Applicant

*Thurston Debnam, Smith Debnam, Attorneys at Law, 461 Six Forks Road, Raleigh*  
Mr. Debnam, attorney for the applicant, provided his credentials as pertains to land use cases and introduced Johnny Edwards, designer for the project under hearing.

*Johnny Edwards, PE, PLS, Owner & CEO of John A. Edwards & Company, Consulting Engineers and Land Surveyors, 333 Wade Avenue, Raleigh*

Mr. Edwards provided his credentials to be a material witness in the hearing and provide affirmative answers to the following questions from Debnam in order to establish the project having met the town's development requirements:

- a. Do all the streets within the property accommodate fire trucks and rescue vehicles?
- b. Are fire hydrants located throughout as required by ordinances?
- c. To the best of your knowledge, does the design of the development comply with all the public health and safety ordinances of the Town of Rolesville?
- d. To the best of your knowledge, does the proposed development or use generally conform with the Comprehensive Plan and other plans adopted by the Town of Rolesville?
- e. To the best of your knowledge, is the proposed development appropriately located with respect to transportation facilities, water and sewer supply, fire and police protection and similar facilities?
- f. Is the proposed development and use of this property generally in compliance with all applicable requirements of the ordinances of the Town of Rolesville?
- g. Debnam then asked Edwards how many projects he has supervised and engineered in his career that were in the Town of Rolesville to which Edwards responded 10 or 15.

Debnam introduced the traffic engineer following his comment that it was understood that the project did not require a traffic impact analysis or study but the developer decided that it was a good idea to have that anyway.

*Stephen Greene, PE, Ramey Kemp & Associates, 5808 Faringdon Place, Raleigh*

Mr. Greene provided his credentials and provided answers to the following questions posed to him by Debnam:

- a. Did your company undertake a traffic impact analysis?  
A: *We did a trip generation letter/consultation letter to the town staff and NCDOT.*
- b. Is it your understanding that the size of his project does not actually require such an analysis?  
A: *Correct, the trip generation showed that.*
- c. Are you familiar with the traffic pattern and plan that has been developed and proposed for this particular subdivision?  
A: *Yes sir.*
- d. In your opinion would the proposed development or use cause any undue traffic congestion or create a traffic hazard?  
A: *No sir.*

*Hal Perry, Developer, 6200 Falls of the Neuse Road, Raleigh*

Mr. Perry answered the following questions from Attorney Debnam in the following manner:

- a. What is your occupation and what has it been?

- A: *Real Estate broker for almost 35-years and a developer for approximately 20 of those. My primary developments are in residential although I have done commercial and some hotels.*
- b. Which projects have you developed in the town of Rolesville?  
A: *From memory Granite Crest, Granite Falls, Granite Ridge, The Grande at Granite Falls and Granite Falls Apartments, as well as Granite Falls Swim & Athletic Club.*
- c. In your occupation, as a real estate broker and as a developer are you familiar generally with real estate values in the town of Rolesville and surrounding area?  
A: *I am.*
- d. Is it your opinion that the proposed development would not substantially injure the value of adjoining properties?  
A: *That is my opinion, yes.*

Attorney Debnam completed the applicant evidence submission by stating that two plans for traffic handling have been submitted and the applicant/developer is fine with either.

#### Public in Favor

##### *Mike McCroy 5416 Thornburg Drive, Wake Forest*

Mr. McCroy voiced his being in favor of the townhome project but expressed his disapproval of the proposed connector street from the townhomes to S. Main Street on the basis of his being the owner of the *Coffee Lodge* which, in his statement, would be negatively impacted by high-speed cut throughs and pose difficulty for patrons to enter and exist.

Commissioner Sutton asked Mr. Johnny Edwards to address the applicant's and the plan's stance on saving trees. Mr. Edwards reported no commitment was made to save trees but that better trees were being included in the landscape plan than are currently existing on the property. Commissioner Sutton expressed her concern that the landscaping looks sparse on the South side of the property (along the tot-lot).

##### *Katina Beasley, 416 Leighann Ridge Lane*

Ms. Beasley expressed her concern for traffic and parking as a resident in the area. Mr. Hall Perry responded that the traffic will not affect Leighann Ridge Lane or Morgan Way, the two streets upon which Ms. Beasley indicated she traveled.

There being no one remaining to speak, Mayor Currin closed the public hearing on Case: SUP19-02 at 8:46 p.m.

**Moved by Commissioner Sutton to approve the project without the connector street to S. Main Street; seconded by Commissioner Medley. Motion carried by unanimous vote.**

Commissioner Jacky Wilson rejoined the board at the dais at this time.

2. Public Hearing Case: SP19-04 – Rolesville CrossFit Site Plan: Mayor Currin opened the public hearing on Case: SP19-04: CrossFit Site Plan at 8:50 p.m.

Town Attorney Dave Neill asked the following questions of the members of the Town Board:

- a. Is any member predisposed to vote in a particular way on this matter, such that their opinion is fixed and the evidence presented during this hearing is not likely to influence their decision?
- b. Has any board member here discussed this matter with either proponents or opponents or other outside this hearing?
- c. Is any member not able to make his or her decision on this matter solely based on the evidence presented at this hearing?

For the record, all members queried answered to the negative. Having received satisfactory answers from all board members to the questions posed by the Town Attorney, the Town Clerk swore in those persons wishing to provide testimony in the hearing.

Evidence from Staff

Planning Director Danny Johnson provided an historical overview and brief introduction for the case under public hearing.

Mayor Currin asked Mr. Johnson to clarify the parking as the building could conceivably be used for another purpose in future. Mr. Johnson responded that the proposed plans are stricter therefore plenty of parking would be available in future if the building were used for a purpose such as retail.

Evidence from Applicant:

*David Fothergill, Yates, McLamb and Weyher 434 Fayetteville Street, Suite 2200, Raleigh, N.C. 27601*

Mr. Fothergill, counsel for the applicant, stated that there was no further evidence to be submitted at this time and the applicant is present to answer any questions from the board and staff. The applicant chooses to rely on the presentation provided by staff as well as the previously submitted plans.

*Jon Frazier, Civil Engineer with FLM Engineering.*

In response to Commissioner Vilga's question, Mr. Frazier stated that there would be a mezzanine level that would comprise the second level of the building plan.

Commissioner Wilson asked if any blasting were to occur, that neighboring property owners would need to be notified of. Mr. Frazier responded that he did not anticipate having to do any blasting.

*Mark McArn, McArn Realty LLC, 403 N. Cheatham Street, Franklinton*

Mr. McArn responded to a question posed by Commissioner Medley regarding plans for a 100' riparian buffer to abate noise.

Town Manager Kelly Arnold had Mr. McArn confirm that there would be no loud music outside the building or garage area. McArn stated his agreement.

PUBLIC IN FAVOR

NONE

PUBLIC IN OPPOSITION  
NONE

There being no one remaining to speak, Mayor Currin closed the public hearing on Case: SP19-04 at 9:04 p.m.

**Moved by Commissioner Sutton to approve Case SP19-04; seconded by Commissioner Medley.**

**Commissioner Sutton provided a substitute motion to approve Case SP19-04, with the understanding that there will be no outdoor electronic speakers, seconded by Commissioner Medley. Motion carried by unanimous vote.**

The board took a brief recess at this time and returned to open session at 9:14 p.m.

3. Public Hearing: Economic Development Expenditures.

Mayor Currin opened the public hearing on Open Economic Development Initiatives at 9:14 p.m.

Introduction from Staff

Finance Director Amy Stevens provided information on the general statutes that govern the approval of Economic Development expenditures and adoption of the annual budget. Proposed Economic Development Initiative expenditures are just over \$146K for the purpose of business development and the implementation the Economic Development Strategic Plan.

PUBLIC IN FAVOR  
NONE

PUBLIC IN OPPOSITION  
NONE

No motion needed at this time as the expenditures are included as part of the proposed budget.

Mayor Currin closed public hearing on Economic Development Initiatives at 9:16 p.m.

4. Public Hearing: FY22-2021 Proposed Budget.

Mayor Currin opened the public hearing on the proposed budget at 9:16 p.m.

Finance Director Amy Stevens reported that the FY2020/21 proposed budget was created using the new Strategic Plan and includes planned use of fund balance in the amount of \$500K for land acquisition for possible future Public Works building depending on future economic situations. The board is being asked to perform the following in addition to adopting the proposed budget.

TB Meeting Minutes  
June 2, 2020

- a. Consideration of adoption of FY2020-2021 Proposed Budget Ordinance 2020-O-03
- b. Authorize Wake County Department of Revenue to Levy and Collect Property Taxes
- c. Consideration of Adoption of Capital Project Ordinance 2020-O-04: East Young Street Sidewalk #2
- d. Consideration of Adoption of Capital Project Ordinance 2020-O-05: Main Street Vision Plan

Closed Public Hearing 10:08 p.m.

**The board declined to act on adoption of the proposed budget choosing to table the matter for further discussion during its meeting on June 16<sup>th</sup>.**

D. ADJOURNMENT

**Moved by Commissioner Wilson to adjourn, seconded by Commissioner Medley. Motion carried by unanimous vote. Meeting adjourned at 10:09 p.m.**



**Town Board Regular Meeting**  
June 16, 2020 – 7:00 PM  
502 Southtown Circle, Rolesville, NC 27571

**MINUTES**

**A. CALL TO ORDER**

Present:

Mayor Ronnie Currin  
Commissioner Jacky Wilson  
Commissioner Paul Vilga

Mayor Pro Tem Michelle Medley  
Commissioner Sheilah Sutton  
Commissioner April Sneed

Also Present:

Town Manager Kelly Arnold  
Town Clerk Robin Peyton  
Planning Director Danny Johnson  
Police Chief Orlando Soto

Town Attorney Dave Neill  
Finance Director Amy Stevens  
Parks & Rec Director J. G. Ferguson  
Community & Econ. Dev. Mgr. Mical McFarland

1. Pledge of Allegiance

**Mayor Currin led the Pledge of Allegiance**

2. Invocation

**Commissioner Wilson gave the invocation.**

**Mayor Currin acknowledge recent events involving policing and racism and reported on recent meetings held where discussion focused on efforts to ensure the Rolesville Police Department continues to provide safe and fair police practices in the community. Future meetings will involve members of the community.**

**Mayor Currin continued his comments by remarking on the COVID-19 restrictions and status of the number of cases.**

3. Review of Agenda by the Board and Additions/Changes of Items of Business to the Agenda for Consideration.

**Moved by Commissioner Sutton to move Consent Agenda item number B.1. out for discussion to become item C.1. under Items of Business. The motion was seconded by Commissioner Sneed and carried by unanimous vote.**

**B. CONSENT AGENDA**

- ~~1. Call for Public Hearing for July 7, 2020. Case: TA20-01 R3 Zoning District – Add Single-Family Dwellings to Permitted Uses.~~
2. Call for Public Hearing for July 21, 2020. Case: TA20-03 Article 10 – Add Senior Housing Parking Standards.

**Moved by Commissioner Sutton to schedule the requested public hearing for Case: TA2-03 for July 21, 2020; seconded by Commissioner Wilson. Motion carried by unanimous vote.**

**C. ITEMS OF BUSINESS**

1. Call for Public Hearing for July 7, 2020. Case: TA20-01 R3 Zoning District – Add Single-Family Dwellings to Permitted Uses.

Commissioner Sutton voiced her opinion that the board should hold a work session on this and similar text amendments prior to calling for a public hearing. Commissioner Medley voiced her agreement. Town Manager Kelly Arnold reported on any future cases this may affect and the need to notify applicants that have submitted paperwork.

The Town Board called for a work session to be held on a Friday in order to discuss the matter and not hold up the applicant any further. It was advised that members of the Town of Rolesville Planning Board be present as well.

**Moved by Commissioner Sutton to schedule a work session on Case TA20-01 R3 Zoning District – Add Single-Family Dwellings for Permitted Uses for discussion with the Planning Board and consultants prior to scheduling a public hearing. The motion was seconded by Commissioner Medley and carried by unanimous vote.**

2. Public Hearing (Quasi-Judicial): Case SP20-02 Rolesville Rural Fire Department Site Plan.

Town Attorney Dave Neill read the following...

*Quasi-judicial hearings have characteristics similar to court proceedings. Quasi-judicial decisions must be based only on the evidence presented at the hearing and site visits by the board if any. Witnesses must testify under oath or affirmation. The parties have the right to cross examine the witnesses. There is a right to present rebuttal evidence. The evidence provided by witnesses must be competent and material. North Carolina General Statute Section 160A-193 prohibits a person from giving opinions about scientific, technical and other specialized subjects, unless the person by knowledge, skill, experience, training or education is in fact an expert on the subject. A person wanting to give an opinion as an expert must first state his or her qualifications to be an expert. North Carolina General Statute 160A-393 specifically prohibits opinions that the use of a property in a particular way would affect the value of other properties or opinions that the increase in vehicular traffic, resulting from a proposed development, would pose a danger to the public safety unless the witness is an expert on the subject.*

- a. Is any member predisposed to vote in a particular way on this matter, such that their opinion is fixed and the evidence presented during this hearing is not likely to influence their decision?
- b. Has any board member here discussed this matter with either proponents or opponents or other outside this hearing?
- c. Is any member not able to make his or her decision on this matter solely based on the evidence presented at this hearing?

For the record, all members queried answered to the negative. Having received satisfactory answers from all board members to the questions posed by the Town Attorney, the Town Clerk swore in those persons wishing to provide testimony in the hearing.

Commissioner Wilson disclosed that he had made a site visit.

Commissioner Sutton asked if Commissioner Wilson's being the board's liaison for Public Safety is a conflict of interest for the purposes of disclosure. Town Attorney Dave Neill voiced his appreciation for the question and clarified that, although it would qualify as him having particular knowledge or expertise, Commissioner Wilson remained free from concern

regarding conflict of interest.

Upon hearing satisfactory answers from the board members, the Town Clerk swore in those persons wishing to provide testimony.

Mayor Currin opened the public hearing on Case: SP20-02 at 7:22 p.m.

*Planning Director Danny Johnson*

Mr. Johnson provided the background and pertinent information on the case.

*Those in Favor*

Mr. Donnie Lawrence, Assistant Fire Chief for the Rolesville Rural Fire Department was present and provided a picture of the proposed building to be added to the existing site.

*Those in Opposition*

NONE

There being no one remaining to speak, Mayor Currin closed the public hearing on Case SP20-02 at 7:45 p.m.

**Moved by Commissioner Sutton to approve public hearing Case SP20-02, Rolesville Rural Fire Department Addition Site Plan with the condition of coming back to the Planning staff for approval of the landscape buffer. The motion was seconded by Commissioner Medley and carried by unanimous vote.**

3. Public Hearing (Quasi-Judicial): Case PR18-02 – Chandler’s Ridge Preliminary Subdivision Plat Administrative Review/Approval.

Town Attorney Dave Neill read the following....

*Quasi-judicial hearings have characteristics similar to court proceedings. Quasi-judicial decisions must be based only on the evidence presented at the hearing and site visits by the board if any. Witnesses must testify under oath or affirmation. The parties have the right to cross exam the witnesses There is a right to present rebuttal evidence. The evidence provided by witnesses must be competent and material. North Carolina General Statute Section 160A-193 prohibits a person from giving opinions about scientific, technical and other specialized subjects, unless the person by knowledge, skill, experience, training or education is in fact an expert on the subject. A person wanting to give an opinion as an expert must first state his or her qualifications to be an expert. North Carolina General Statute 160A-393 specifically prohibits opinions that the use of a property in a particular way would affect the value of other properties or opinions that the increase in vehicular traffic, resulting from a proposed development, would pose a danger to the public safety unless the witness is an expert on the subject.*

- a. Is any member predisposed to vote in a particular way on this matter, such that their opinion is fixed and the evidence presented during this hearing is not likely to influence their decision?
- b. Has any board member here discussed this matter with either proponents or opponents or other outside this hearing?
- c. Is any member not able to make his or her decision on this matter solely based on the evidence presented at this hearing?

For the record, all members queried answered to the negative. Having received satisfactory answers from all board members to the questions posed by the Town Attorney, the Town Clerk swore in those persons wishing to provide testimony in the hearing.

Upon hearing satisfactory answers from the board members, the Town Clerk swore in those persons wishing to provide testimony.

Mayor Currin opened the public hearing on Case: PR18-02 at 7:55 p.m.

*Planning Director Danny Johnson*

Mr. Johnson provided the history and pertinent information on the case.

#### EVIDENCE FROM APPLICANT

*Ken Edwards, Gwynn & Edwards PA, 5909 Falls of Neuse Rd, Raleigh*

Mr. Edwards, representative for the petitioner, thanked those present for opening the Chandler's Ridge case back up for consideration following a three-month delay. Edwards also stated appreciation for the town's social distancing precautions allowing for hearings to be conducted.

Edwards restated the following for the record:

- The project will include a 4% open space.
- There will be two separate routes for the Jones Dairy Road extension.
- Concessions being honored from the June 2019 neighborhood meeting.

*Teddy Whitley, Developer,*

Mr. Whitley provided a three- and one-half year history of his being involved in development in Rolesville as well as his attachment(s) to the community. Particular consideration has been given to building a low-density community and to the future Jones Dairy Road extension.

Whitley described the team of witnesses present to address any questions on the project and furnished additional details on the type of community planned.

Attorney Edwards asked Mr. Whitley the following questions to establish his qualifications as an expert witness with Mr. Whitley responding in kind:

1. How many developments have you been involved in in Rolesville and how many developments are you currently involved in in development stage:  
*In Rolesville we have worked on Elizabeth Springs Subdivision. (Whitley described his developments in Wake Forest, Fuquay-Varina and Johnston County that, with Rolesville encompasses roughly 1300 lots).*
2. Prior to becoming a developer, what other occupation did you enjoy?  
*After farming tobacco worked for IBM for one year before starting with Cisco Systems. Following that was real estate, then development.*
3. How long have you been involved in real estate?  
*Eight years.*
4. Do you have any opinion as to whether this project will substantially injure the value of any of the adjoining property?  
*My opinion would be that I would not believe it would. I feel we have put together a project that will probably be what Rolesville would like to see more of. Less density/larger lots.*

5. Do you also believe that the project itself is in harmony with the scale, codes, density and character of neighborhoods which surrounds it?  
*I absolutely believe that.*

Following her request, Mr. Whitley showed Commissioner Medley the location of the lots in relation to the Rolesville Baptist Church cemetery.

Commissioner Sutton requested a description of “cottage-style homes” proposed in the project along with price point and square footage.

*Pablo Reiter, Division President for Tarramor Homes, Raleigh*

Mr. Reiter provided his qualifications and directed his project summary to lot size, home styles, amenities and price points planned for the project. Reiter confirmed for Commissioner Wilson that the cottage homes will have two car garages.

Attorney Edwards asked Mr. Whitley the following questions to establish his qualifications as an expert witness with Mr. Whitley responding in kind:

1. As President of Tarramor Homes, do you have an opinion as to whether or not the proposed development would injure the value of adjoining properties?  
*I don't believe it will injure the value of any. It will right in line with the market or above the market.*
2. In addition to that, do you believe the use of the development will be in harmony with the scale, codes, density and character of the neighborhoods surrounding it.  
*Like I said before, we are offering a product that really doesn't exist which is a large lot that allows for pools and workshops and things that are just not available in current developments that are being offered.*

*Tyler Probst, Bateman Civil Survey, PC, 2524 Reliance Avenue, Apex*

Mr. Probst gave his credentials qualifying him to be an expert witness. Mr. Probst answered a question including trees to be saved and those protected by covenants, posed by Commissioner Sutton regarding trees that are to remain. Mr. Probst offered to put on the plat that the row of trees described as being on the cemetery property would not be disturbed.

Probst responded with specific stormwater mitigation plans in response to a question posed by Commissioner Vilga.

*Kevin Dean, Traffic Engineer, Kimley-Horn & Associates, 421 Fayetteville Street, Raleigh*

Mr. Dean provided his credentials. Dean reported that, based upon studies conducted, the project is not anticipated to generate more than 100 am or pm trips during peak hours which is the threshold for performing a traffic impact analysis. Coordination occurred between NCDOT and Town staff to determine necessary improvements to mitigate any perceived traffic impacts. Based upon that coordination the project includes a commitment for the construction of northbound right turn lanes on Young Street at site driveways and frontage widening required by the Town with sufficient widening for a center southbound turn lane when warranted.

Dean stated his professional opinion that the project is appropriately located with respect to transportation facilities and will not cause undo traffic congestion or create a traffic hazard.

PUBLIC IN OPPOSITION

*Betty Freeman, 524 Averette Road*

Portion of their property is behind the proposed project and that the Rolesville Baptist Church Cemetery installed Bradford Pear's about 12 years ago. These trees are reportedly on the project property. Freeman described how caskets in the cemetery floated in the distant past due to stormwater. Freeman asked if there would be assurance of that not happening again. Ms. Freeman also reported that she had seen more than one bad accident on the hill at the cemetery. Lastly, Ms. Freeman stated that something must be done to stop trespassers to her property.

*George Garcia, 524 Averette Road*

Mr. Garcia elaborated on the trespassers to his property to which the developer described the 1,091LF of fencing to be installed to mitigate trespassing on the adjacent property. Garcia requested specifics regarding the plans to extend Jones Dairy Road as one plan he stated seeing would divide his property. Garcia was informed that no further information could be provided until all potential routes had been reviewed by the Army Corps of Engineers followed by a town review of findings and ultimate decision as to the best route. Town Manager Kelly Arnold informed Mr. Garcia that the street could potentially be a Town-owned street as well and be subject to town planning, obligations and restrictions. The road would be funded and built by the Town. From the Town's perspective there is no schedule for building the extension.

*Laura Logan, 109 Watkins Farm Road*

Ms. Logan asked what kind of buffer, if any, would be constructed or left between the new development and existing homes fronting the property. The developer stated his intention to construct a 6' fence along lots 19-24 in Watkins Farms Subdivision to separate the two developments despite its not being required by town codes.

*Kevin Dean, Traffic Engineer, Kimley-Horn & Associates, 421 Fayetteville Street, Raleigh*

Addressing the board again, Mr. Dean reported that, without having done a traffic analysis, there is no incorporation of speed limits. Upon conducting an analysis, appropriate speed limits and lane widths are an important factor but the project only required a trip generation study revealing a formal analysis was not required. NCDOT and the Town look at appropriate speed limits when looking at road designs based upon most current standards.

*Tyler Probst, Bateman Civil Survey, PC, 2524 Reliance Avenue, Apex*

In response to a query from Commissioner Medley, Mr. Probst stated that the planned stormwater retention could potentially positively impact the currently existing properties.

There being no one remaining to speak, Mayor Currin closed the public hearing on Case: PR19-02 at 9:59 p.m.

**Moved by Commissioner Wilson to approve PR18-02 Chandler's Ridge Preliminary Plat subject to the Development Agreement with the addition of a 6' fence to be noted on the site plans behind lots 19-24, and a 1,000+' fence along the Garcia Freeman property, as well as a commitment to not disturb the Bradford Pear trees, nor their canopies on the Rolesville Baptist Church cemetery property. Motion was seconded by Commissioner Sutton and carried by unanimous vote.**

4. Public Hearing (Legislative): Chandler's Ridge Development Agreement.

Mayor Currin opened the public hearing on the Chandler's Ridge Development Agreement at

10:03 p.m.

Town Attorney Dave Neill provided an introduction to the hearing as well as the North Carolina General Statutes governing development agreements. Mr. Neill provided a comprehensive review of the development agreement under consideration and encompassing included benefits to the Town.

PUBLIC IN FAVOR  
NONE

PUBLIC IN OPPOSITION  
NONE

There being no one remaining to speak, Mayor Currin closed the public hearing on public hearing Case PR19-02 at 10:10 p.m.

**Moved by Commissioner Wilson that the Board approve the Development Agreement and adopt Ordinance # 2020-O-06 titled “Ordinance Adopting Development Agreement – Chandler’s Ridge; seconded by Commissioner Vilga. Motion carried by unanimous vote.**

5. Farm Site Master Plan

*Rachel Cotter, RLA, McAdams, 2905 Meridian Parkway. Durham*

Ms. Adams provided an update on the final Farm Site Master Plan for the benefit of the board members and those present. The board is being asked to consider adoption of the final plan which includes the estimated development and operating costs. Upon adoption the town can initiate 30% design completion and annexation of the property into town limits.

**Moved by Commissioner Wilson to adopt the Farm Site Master Plan as presented and direct staff to move forward with resolution of intent to annex the Farm property and begin working with McAdams on the 30% construction drawings. Also, direct staff to initiate annexation process for the entire property. The motion was seconded by Commissioner Vilga and carried by unanimous vote.**

6. Continued Discussion on Proposed 2020-20201 Budget.

The board is being asked to make a motion to adopt:

- The Budget Ordinance for the Fiscal Year Lasting from July 1, 2020 through June 30, 2021 *[amended to include \$25,000.00 for study of future staffing needs]*
- The Resolution Authorizing the Wake County Department of Revenue to Levy and Collect Property Taxes
- The Capital Project Ordinance for the East Young Street Sidewalk #2
- The Capital Project Ordinance for the Main Street Vision Plan

**Moved by Commissioner Wilson to adopt the 2020-2021 budget along with the amendments cited for fiscal year 2020/2021 as well as resolution to levy and collect taxes, capital project ordinance for the East Young Street Sidewalk #2 and capital project ordinance for the Main Street Vision Plan; seconded by Commissioner Medley. Motion carried by unanimous vote.**

Commissioner Wilson reported on the Town being in danger of losing the eleven full-time employees of the Rolesville Rural Fire Department unless they are absorbed by the Town and provided benefits. These employees are being lured by other entities like Wake County, etc. that are promising benefits.

Moved by Commissioner Sutton to cancel this year's fourth of July celebration in light of the COVID-19 pandemic and for the safety of our community and surrounding communities; seconded by Commissioner Medley. Motion carried by unanimous vote.

Commissioner Sutton brought up Columbus Day being changed to Indigenous Peoples' Day. Town Manager Kelly Arnold reported that the Town of Rolesville does not recognize Columbus Day.

## 7. ADJOURNMENT

**Moved by Commissioner Wilson to adjourn seconded by Commissioner Sutton. Motion carried by unanimous vote. Meeting adjourned at 11:09 p.m.**



## Proclamation of the Town of Rolesville

### Recognizing the Centennial of the 19<sup>th</sup> Amendment and the 10<sup>th</sup> Anniversary of the League of Women Voters

**WHEREAS**, the movement to enfranchise women began in July 1848, at a convention in Seneca Falls; and

**WHEREAS**, the women's suffrage movement led to the passage by Congress of the 19<sup>th</sup> Amendment to the Constitution of the United States in 1919 and was ratified by the states by the summer of 1920; and

**WHEREAS**, the National Women's Suffrage Association dissolved in 1920 to create the League of Women Voters of the United States for the purpose of educating voters and registering women to vote; and

**WHEREAS**, the League of Women Voters of Wake County first met on September 27, 1920; and

**WHEREAS**, approximately 120,0 North Carolina women registered to vote for the November 1920 election; and

**WHEREAS**, women today constitute a majority vote in North Carolina and in the United States, are running for office in greater numbers, and are more active in the election process than ever before in history.

**NOW THEREFORE BE IT RESOLVED**, that the Town of Rolesville recognizes the historic impact of the 19<sup>th</sup> Amendment on women's voting rights and on the civic life of women in our community, in North Carolina, and in the nation; and

**BE IT FURTHER RESOLVED**, that the Town of Rolesville recognizes the League of Women Voters of Wake County for their work to promote citizen engagement since their founding in 1920.

*The Constitution of the United States of America, Amendment XIX  
Women's Suffrage*

*The right of the citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.*

*Congress shall have the power to enforce this article by appropriate legislation.*

**IN WITNESS WHEREOF**, we have hereunto set our hands and caused the seal of the Town of Rolesville to be affixed this 3<sup>rd</sup> day of March, 2020.

\_\_\_\_\_  
Ronnie I. Currin, Mayor

ATTEST:

\_\_\_\_\_  
Robin E. Peyton, Town Clerk



## Memorandum

**To:** Mayor and Town Board  
**From:** Mical McFarland, Comm. & Econ. Development Manager  
**Date:** July 7, 2020  
**Re:** Consent Agenda Item #B.3. Wake Transit Local Area Roles and Responsibilities Agreement

### Background

Last fall, GoRaleigh began running the new 401x (Rolesville Express) bus service between Rolesville, Triangle Town Center, and Wake Tech Community College's northern campus. The bus stops at Town Hall and at New Bethel Baptist Church three times a day, Monday thru Friday. Since March and due to COVID-19, GoRaleigh had temporarily suspended service, but now the route is up and running again.

GoRaleigh has requested to enter into a municipal agreement, common practice when operating service routes in municipalities, outlining the roles and responsibilities of GoRaleigh and the Town. Some highlights are:

- Operations – GoRaleigh sets the route and trip schedule in consultation with the Town.
- Funding – GoRaleigh provides all funding, the Town does not contribute any funds.
- Fares – GoRaleigh determines the fare rates and bus pass system taking into consideration the Town's input.
- Maintenance – GoRaleigh agrees to maintain and upkeep all transit amenities associated with the route, including maintaining ADA accessible conditions.
- Marketing – GoRaleigh will provide brochures to assist the Town in the provision of information and to market the route.
- GoRaleigh continually assesses the route, tracking ridership and will provide periodic reports to the Town.

### Board Options

1. Vote to approve the agreement and have Town Manager sign
2. Vote to not approve the agreement

### Recommended Action

As Rolesville continues to grow and as the 401x GoRaleigh bus route offers residents an additional public transportation option, it is recommended the Town enter into an agreement with GoRaleigh to support the public bus service route.

### Attachments:

1. Wake Transit Local Area Roles and Responsibilities Agreement
2. Route 401x brochure

## **WAKE TRANSIT LOCAL AREA ROLES AND RESPONSIBILITIES AGREEMENT**

This Agreement ("Agreement") is made by and between **GoRaleigh Transit System** ("Transit Operator") and **Rolesville, North Carolina** ("Town") the foregoing may be individually referred to herein as "Party" and collectively referred to as "Parties" and Research Triangle Regional Public Transportation Authority, d/b/a GoTriangle ("GoTriangle") as the Administrator of the Triangle Tax District.

The Parties agree to provide, operate, fund and maintain a public bus service operating between the Transit Operator and the Town known as the Rolesville Express (hereinafter "Route 401X") with the respective responsibilities and duties of the Parties as listed below:

### **1. Term:**

The Agreement shall become effective upon execution by all Parties ("Effective Date"). The term of this Agreement shall be from the Effective Date until June 30, 2025 (5-year term). The Parties may extend the term for Route 401X, or may otherwise amend this Agreement, provided that any extension of the term of service or amendment shall be in writing and properly executed by the Parties.

### **2. Operations:**

- A. In the provision of Route 401X service, Transit Operator shall have the following responsibilities:
  1. Set the route, the schedule, the number of trips and the timing of these trips after receiving input from and consultation with the Town. Transit Operator agrees to provide at least 30 days written notice to the Town of any material change in the route, schedule, or operation of the route, unless otherwise agreed to by the Parties. In providing the route services, Transit Operator may select the transit provider at its sole discretion.
  2. Operate Route 401X on all weekdays during the year, except for holidays listed in **Exhibit A**, or as otherwise agreed in writing to by the Parties. Transit Operator agrees to provide annually a revised list of holidays, if applicable, during which time the Route will not be operated.
  3. Operate a bus service within the Town that includes stops nearest the downtown areas of Rolesville, NC, as well as the northern portion of Raleigh, NC.

### **3. Funding:**

GoTriangle as administrator of the Triangle Tax District shall reimburse the Transit Operator upon receipt of an invoice of eligible expenses associated with the implementation of Route 401X, as it relates to the Wake County Transit Plan. Eligible expenses will align with the revenue agreements produced by Wake County Transit Planning Advisory Committee (TPAC) and governed by the Inter-local Agreement between GoTriangle, Capital Area Metropolitan Planning Organization (CAMPO), Wake County and the associated local municipality.

### **4. Planning and Fare Policy:**

- A. The Parties agree that Transit Operator shall determine routing, bus stop locations, and schedules for Route 401X, set the fare and determine the bus pass system associated with this service. Transit Operator agrees to consult with Town staff in discussions regarding route planning, fares, and operations to maximize regional coordination. Transit Operator will respond to all communications and requests by Town within 15 days and provide feedback to Town on the operation of the service.
  
- B. Town will respond to all communications and requests by Transit Operator within 15 days and will provide any feedback to Transit Operator on the operation of the service, through any applicable communication method.

The schedule, routing, fare, or other operational characteristics of the service may be changed for the benefit of any party upon execution of a written amendment to this Agreement approved by each party's governing body.

### **5. ADA and Paratransit Requirements:**

The Transit Provider will provide paratransit service as required by applicable regulations or law within the ADA-required radius of its all-day fixed-route bus service, which Town-based paratransit passengers may use to make transfers regionally.

### **6. Maintenance:**

GoRaleigh (Transit Operator) agrees to maintain and upkeep all associated transit amenities associated with the route, including cutting or trimming of any vegetation; the cleanliness of the transit amenities, including the removal of litter and trash from trash receptacles; snow and ice removal; and maintain ADA accessible conditions.

**7. Marketing:**

GoRaleigh (Transit Operator) agrees to establish and implement a plan for marketing for the Route 401X, to design and print schedule brochures, and to provide such brochures to Rolesville (Town), and agrees where reasonably possible to assist the Town in the provision of information about and marketing of Route 401X. The parties agree to comply with, to the extent applicable, community engagement standards referred to in the Wake Transit Public Engagement Policy (“Engagement Policy”) and applicable federal and state standards.

**8. Termination for Failure to Perform (“Breach”):**

The Parties agree that in the event that a Party breaches any provision of this Agreement, within thirty (30) days of receipt of written notice from the non-breaching Party, the Party will cure the breach to the reasonable satisfaction of the non-breaching Party if the breach can be cured. If the breach is not timely cured, or cannot be cured, at the non-breaching Party’s election, the Agreement will terminate. The parties will cooperate on a winding down of the service, including reasonable notice to the public.

**9. Customer Information and Complaint Handling:**

- A. GoRaleigh (Transit Operator) agrees to provide current schedule and stop location information to the GoTransit Regional Information Center, which the Parties agree will serve as the primary point of contact for customer information about the Route 401X, and to respond to customer complaints about this service within 48 hours of receipt of the complaint, and to work to resolve the complaint within one week after receipt.
- B. GoRaleigh (Transit Operator) will provide timely information regarding Route 401X, including its current schedule and stop locations, to Rolesville (Town) and the GoTransit Regional Information Center.

**10. Performance Reporting:**

GoRaleigh (Transit Operator) shall report all Route 401X operating statistics to Rolesville (Town) and comply with the Wake Transit Operating Agreement for the designated project.

**11. Further Agreements**

The Parties agree that they will, from time to time, execute, acknowledge and deliver, or cause to be executed, acknowledged and delivered, such supplements or amendments hereto and such further instruments as may reasonably be required for carrying out the intention of this Agreement. The Parties agree to work together in good faith and with due diligence to provide for and carry out the purpose of this Agreement.

**12. Amendment:**

Any extension of the term of this Agreement and/or change to the content of this Agreement shall be by written amendment properly executed by all Parties.

**13. Notices:**

Any notice given pursuant to this Agreement shall be deemed given if delivered by hand or if deposited in the United States Mail, postage paid, certified mail, return receipt requested and addressed as follows:

If to Transit Operator: GoRaleigh Transit System

With a copy to: David Eatman, Assistant Director of Transportation  
4104 Poole Road  
Raleigh, NC 27610

If to the Town: Town of Rolesville

And with copy to: Kelly Arnold, Town Manager  
502 Southtown Circle  
Rolesville, NC 27571

If to GOTRIANGLE:

President and CEO  
GoTriangle  
P.O. Box 13787  
Research Triangle Park, NC 27709

And with a copy to:

General Counsel  
GoTriangle  
P.O. Box 13787  
Research Triangle Park, NC 27709

**14. Binding Effect:**

This Agreement shall be binding upon and inure to the benefit of the Parties and their agents, grantees, successors, and assigns.

**15. Dispute Resolution:**

In the event a dispute arises between the Parties to this Agreement concerning a question of fact in connection with the requirements of this Agreement or compensation therefore, the Parties agree to bargain in good faith towards a mutual resolution. If the Parties, after honest good faith negotiations, cannot reach an agreement, then either Party may adjudicate its dispute as allowed by North Carolina State Laws.

**16. Force Majeure**

The Transit Operator shall not be liable to the Town for any failure, delay or interruption of service or for any failure or delay in the performance of any obligation under this contract due to strikes, walkouts, acts of God, governmental restriction, enemy action, civil commotion, unavoidable casualty, unavailability of fuel or parts, pandemic or epidemic, or other similar acts beyond the reasonable control of the Transit Operator.

**17. Verification of Work Authorization; Iran Divestment Act**

All Parties, and any permitted subcontractors, shall comply with Article 2, Chapter 64, of the North Carolina General Statutes. The Parties hereby certify that they, and all permitted subcontractors, if any, are not on the Iran Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S §147-86.58.

**18. Companies Boycotting Israel Divestment Act Certification**

Contractor certifies that it has not been designated by the North Carolina State Treasurer as a company engaged in the boycott of Israel pursuant to N.C.G.S. 147-86.81.

**19. Payment of compensation** specified in this Agreement, its continuation or any renewal thereof, is dependent upon and subject to the allocation or appropriation of funds and resources to the City for the purpose set forth in this Agreement.

**20.** To the extent applicable, this Agreement is made subject to the terms and conditions

stated within any agreements entered into between the City of Raleigh, Capital Area Metropolitan Planning Organization (“CAMPO”), and Research Triangle Regional Public Transportation Authority, d/b/a GoTriangle (“GoTriangle”), as they may relate to the provision of transit services by the City of Raleigh.

*(SIGNATURE PAGE FOLLOWS)*

In witness where of the Parties hereto have caused this Agreement to be executed by their duly authorized officials

**RESEARCH TRIANGLE REGIONAL PUBLIC TRANSPORTATION  
AUTHORITY**

---

*President and CEO*

Approved as to Legal Form:

---

*General Counsel*

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act:

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*Sandra Freeman, Chief Financial Officer*

**TRANSIT OPERATOR  
GORALEIGH  
CITY OF RALEIGH, a North Carolina municipal Corporation:**

By: \_\_\_\_\_  
*Name: Ruffin L. Hall  
Title: City Manager*

ATTEST:

By: \_\_\_\_\_  
*Name: Gail G. Smith  
Title: Clerk and Treasurer for City of Raleigh*

APPROVED AS TO FORM:

\_\_\_\_\_  
*(Associate) City Attorney*

**NORTH CAROLINA  
CITY ACKNOWLEDGEMENT  
COUNTY OF WAKE**

This is to certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally came Gail G. Smith, with whom I am personally acquainted, who, being by me duly sworn, says that she is the City Clerk, and Ruffin L. Hall is the City Manager of the City of Raleigh, the municipal corporation described herein and which voluntarily executed the foregoing; that she knows the corporate seal of said municipal corporation; that the seal affixed to the foregoing instrument is said corporate seal, and the name of the municipal corporation was subscribed thereto by the said City Clerk and Treasurer and that the said seal was affixed, all by order of the governing body of said municipal corporation, and that the said instrument is the act and deed of said municipal corporation.

WITNESS my hand and official seal, this the \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_\_.

(OFFICIAL SEAL)

Notary Public: \_\_\_\_\_

Printed Name of Notary: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**TOWN OF ROLESVILLE**

By: \_\_\_\_\_

*Name: Kelly Arnold*

*Title: Town Manager*

ATTEST:

By: \_\_\_\_\_

*Name: Robin E. Peyton*

*Title: Town Clerk*

APPROVED AS TO FORM:

\_\_\_\_\_

*Town Attorney/Counsel*

\_\_\_\_\_

## **EXHIBIT A**

**GoRaleigh does not operate on the following holidays:**

Thanksgiving

Christmas

**GoRaleigh operates on Holiday Schedule for the following holidays:**

New Year's Day

Martin Luther King Jr.'s Day

Memorial Day

Independence Day

Labor Day

# ROUTE 401X Rolesville Express

## Outbound to Raleigh

See Inbound on Other Side

## Saliendo a Raleigh

Para rutas rumbo al centro ver el reverso

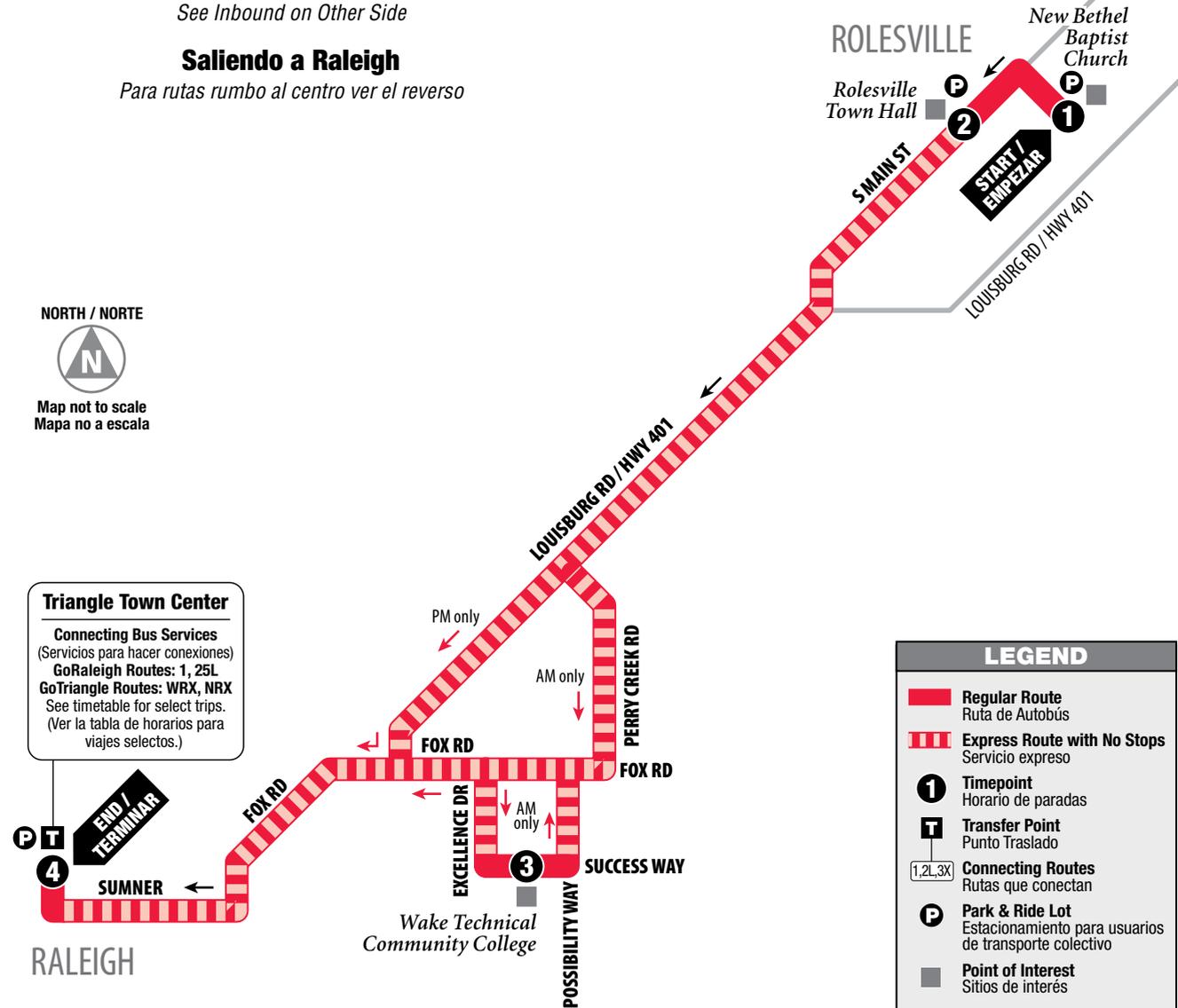
NORTH / NORTE



Map not to scale  
Mapa no a escala

### Triangle Town Center

Connecting Bus Services  
(Servicios para hacer conexiones)  
GoRaleigh Routes: 1, 25L  
GoTriangle Routes: WRX, NRX  
See timetable for select trips.  
(Ver la tabla de horarios para viajes selectos.)



### LEGEND

- Regular Route  
Ruta de Autobús
- Express Route with No Stops  
Servicio expreso
- Timepoint  
Horario de paradas
- Transfer Point  
Punto Traslado
- Connecting Routes  
Rutas que conectan
- Park & Ride Lot  
Estacionamiento para usuarios de transporte colectivo
- Point of Interest  
Sitios de interés

©2019, GoRaleigh  
Design by Smartmaps, Inc.

## Outbound to Raleigh

Saliendo a Raleigh

### MONDAY-FRIDAY / LUNES-VIERNES

	<b>1</b> New Bethel Baptist Church	<b>2</b> Rolesville Town Hall	<b>3</b> Wake Technical Community College	<b>4</b> Triangle Town Center Mail
AM	5:42 6:42 7:42	5:45 6:45 7:45	6:00 7:00 8:00	6:10 7:10 8:10
PM	5:30 6:30 7:30	— — —	— — —	5:54 6:54 7:54

Track your bus live, right now!  
Download the free app:  
**Translocrider.com**



GoRaleigh is proud to be a part of the National Safe Place Program. Every GoRaleigh bus is a Safe Place.

## INSTRUCTIONS / INSTRUCCIONES

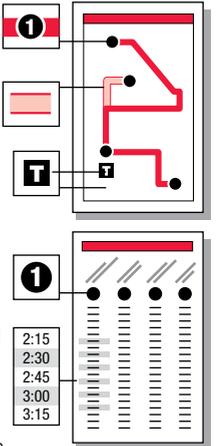
The bus stops here at listed times. Numbers on the map represent major stops; other stops are also available. (El bus hace paradas aquí de acuerdo al horario señalado. Los números en el mapa representan las paradas principales; hay otras paradas disponibles también.)

The bus travels here sometimes. See timetable beside the map for trips that travel this route variation. (El bus para por aquí algunas veces. Referirse a la tabla de horarios al lado del mapa para encontrar los viajes de esta ruta.)

The transfer point shows where routes intersect and transfers to other routes may be available. (El punto de traslado muestra dónde se intersecan las rutas y las transferencias disponibles a otras rutas.)

The bus stops at each of the times listed below the symbol. (El bus hace paradas a las horas señaladas debajo del símbolo.)

The timetable shows WHEN the bus stops. Shaded times indicate when a radial and local route meet. Transfers are timed so waiting is minimal. (La table de horarios muestra CUANDO el bus hace las paradas. Las horas en sombreadas indican cuando una ruta radial y local se intersecan. Las transferencias son cronometradas de manera que el tiempo de espera es mínimo.)



## FARES / TARIFAS

Fare Type	Full Fare	Reduced Fare <sup>1</sup>
One-Way Fare	\$1.25	\$0.60
Local Day Pass	\$2.50	\$1.25
7-Day Pass	\$12.00	\$6.00
31-Day Pass	\$40.00	\$20.00
Seniors Age 65 or Older & Children Age 12 or Younger	Free <sup>2</sup>	
Stored Value Card (Card has \$25.00 Value)	\$20.00	

Other GoPass and regional options are available.

### No Transfers Issued

<sup>1</sup> Persons with Disabilities, Medicare Card Holders and Teens 13-18:  
When paying a Reduced Fare a GoRaleigh ID must be shown.  
Teens 13-18 must show a current School ID or GoRaleigh ID.  
A Medicare Card and a valid ID may be used to secure a GoRaleigh ID.  
<sup>2</sup> Passengers 65 or Older, Children 12 or Younger:  
When paying a Seniors 65+ Free Fare a GoRaleigh ID must be shown.  
Children under 12 & over 60" tall must present a GoRaleigh ID.  
**To Obtain a GoRaleigh ID:** Call 919-996-3489 or visit the Information Booth at GoRaleigh Station during business hours.

Lost & Found 919-996-3869



919-485-RIDE (7433) • TTY: 800-735-2962  
www.goraleigh.org





## Memorandum

**To:** Mayor and Town Board  
**From:** Amy Stevens, Finance Director July 1, 2020  
**Date:** Budget Amendment, Agenda Item #B. 4.  
**Re:**

### Background

When FY19-20 ended on June 30, a number of projects begun during the fiscal year were incomplete. Since the funds for these projects were appropriated in the annual budget ordinance, funding lapsed on June 30. The unspent funds therefore return to the fund balance of the respective fund.

### General Fund

The projects still underway are:

- **Community Transportation Plan and Unified Development Ordinance Updates:** These two-year contracts total \$290,000. Of the original FY19-20 appropriation of \$140,000, \$101,785 remains unspent. Additional funds are included in the FY20-21 budget. The full two-year appropriation will be required to complete the contracts.
- **Rolesville-Wake Forest Transit Study:** This \$30,000 contract was delayed slightly by the COVID-19 response. Of the \$30,000 appropriation, \$13,307 is unspent. Grant reimbursements of \$15,000 from Wake County and \$7,500 from the Town of Wake Forest are expected at the completion of the project.
- **Heritage East Greenway Connector:** The project is underway and \$5,335 of the \$23,000 in funds received from the Heritage East HOA remain unspent.
- **Open Space & Greenway Plan Update:** This \$60,000 project is expected to get underway shortly. No new funds were appropriated for this purpose in FY20-21. This funding will be required to complete the project.

### Powell Bill

One of the streets identified for the resurfacing program this spring was Bowling Drive. Once the work began, the project took on greater complexity, particularly in regard to stormwater drainage in the area. Of the original \$235,055 appropriated for resurfacing projects in FY19-20, \$57,664 remains unspent for Bowling Drive. In addition, \$37,000 in new Powell Bill funding is requested for FY20-21 in order to complete the Bowling Drive project. The amendment is therefore for a total of \$94,664.

### Recommended Action

Make a motion to approve the ordinance to amend the 2020-2021 fiscal year budget ordinance.

Attachments:

- Ordinance to Amend the 2020-2021 Fiscal Year Budget Ordinance

**AN ORDINANCE TO AMEND THE  
2020-2021 FISCAL YEAR BUDGET ORDINANCE**

**BE IT ORDAINED**, by the Board of Commissioners of the Town of Rolesville, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2021:

1. *To appropriate funds for General Fund projects that began in FY19-20 but remained incomplete at the end of the fiscal year.*

		<u>Increase</u>
<u>Revenue</u>		
11-390-01	Fund Balance Appropriation	\$167,120
11-310-23	Federal/State Grants <i>Rolesville-Wake Forest transit study</i>	\$13,307
<u>Expenditure</u>		
11-490-51	Departmental Projects <i>Community Transportation Plan update</i>	\$44,510
11-490-51	Departmental Projects <i>Unified Development Ordinance update</i>	\$57,275
11-490-51	Departmental Projects <i>Rolesville-Wake Forest transit study</i>	\$13,307
11-620-30	Maintenance & Repair – Bldgs & Grounds <i>Heritage East greenway connector agreements</i>	\$5,335
11-620-51	Departmental Projects <i>Open Space &amp; Greenway Plan update</i>	\$60,000

This will result in a net increase of \$180,427 in both revenues and expenditures of the General Fund.

2. *To appropriate Powell Bill funds for the Bowling Drive resurfacing project that began in FY19-20 but remained incomplete at the end of the fiscal year. This appropriation includes \$57,664 unspent in FY19-20 and an additional appropriation of \$37,000.*

		<u>Increase</u>
<u>Revenue</u>		
11-390-02	Powell Bill Fund Balance Appropriation	\$94,664
<u>Expenditure</u>		
11-600-74	Resurfacing	\$94,664

This will result in a net increase of \$94,664 in both revenues and expenditures of the General Fund.

Adopted this 7<sup>th</sup> day of July 2020

---

Ronnie I. Currin  
Town of Rolesville Mayor

Attest: \_\_\_\_\_  
Robin E. Peyton  
Town Clerk



## Memorandum

**To:** Mayor and Town Board of Commissioners  
**From:** Danny Johnson, AICP, Planning Director  
**Date:** June 30, 2020  
**Re:** Case PR 19-03, A-Master Team Townhouses

Preliminary Subdivision Plat – Major Subdivision approval for 47 residential townhomes lots and one commercial lot located at Rogers Road and Grand Rock Way on a parcel of 7.44 acres, Wake County PIN # 1759707093.

### Background

A-Master Team, LLC, Property Owner/Developer,  
Johnny A Edwards, Professional Engineer, Applicant

### Request

A request for a preliminary subdivision plat approval (administrative) for subdivision for 47 residential townhouses lots and a commercial lot located on 7.44 acres zoned Commercial Outlay Special Use District (CO-SUD). On June 2, 2020, the Town Board of Commissioners approved the Mixed-Use Master Plan for 47 Townhomes on 5.99 acres and one commercial lot of 1.45 acres. The preliminary subdivision plat is following the SUP 19-02 Mixed Use Master Plan and Site Plan Approval for residential townhouses. The proposed Preliminary Subdivision Plat meets all the provisions of the Rolesville Unified Development with proposed private streets to be built to Town public street standards, off-street visitor and mail kiosk parking, required off-street parking for each townhouse unit, and the minimum required spacing between townhouse unit's driveways.

### Technical Review Committee and Planning Staff Recommendations.

The Technical Review Committee has reviewed the proposed Preliminary Subdivision Plat. It determined that it meets all the requirements of the UDO, City of Raleigh Public Utilities requirements, and reviewed by the Wake County Fire Marshal office with a recommendation for approval. The Planning Staff recommendation is the proposed Preliminary Subdivision Plat meets the standards of the Town's Unified Development Ordinance and recommends approval.

### Planning Board Recommendation

The Rolesville Planning Board at their meeting on June 22, 2020, voted unanimously to favorably recommend to the Town Board of Commissioners approval of PR 19-03 A-Master Team Townhouses, Preliminary Subdivision Plat.

### Recommended Action

I make a motion to approve the Preliminary Subdivision Plat for Case PR 19-03, A-Master Team Townhouses, as presented.

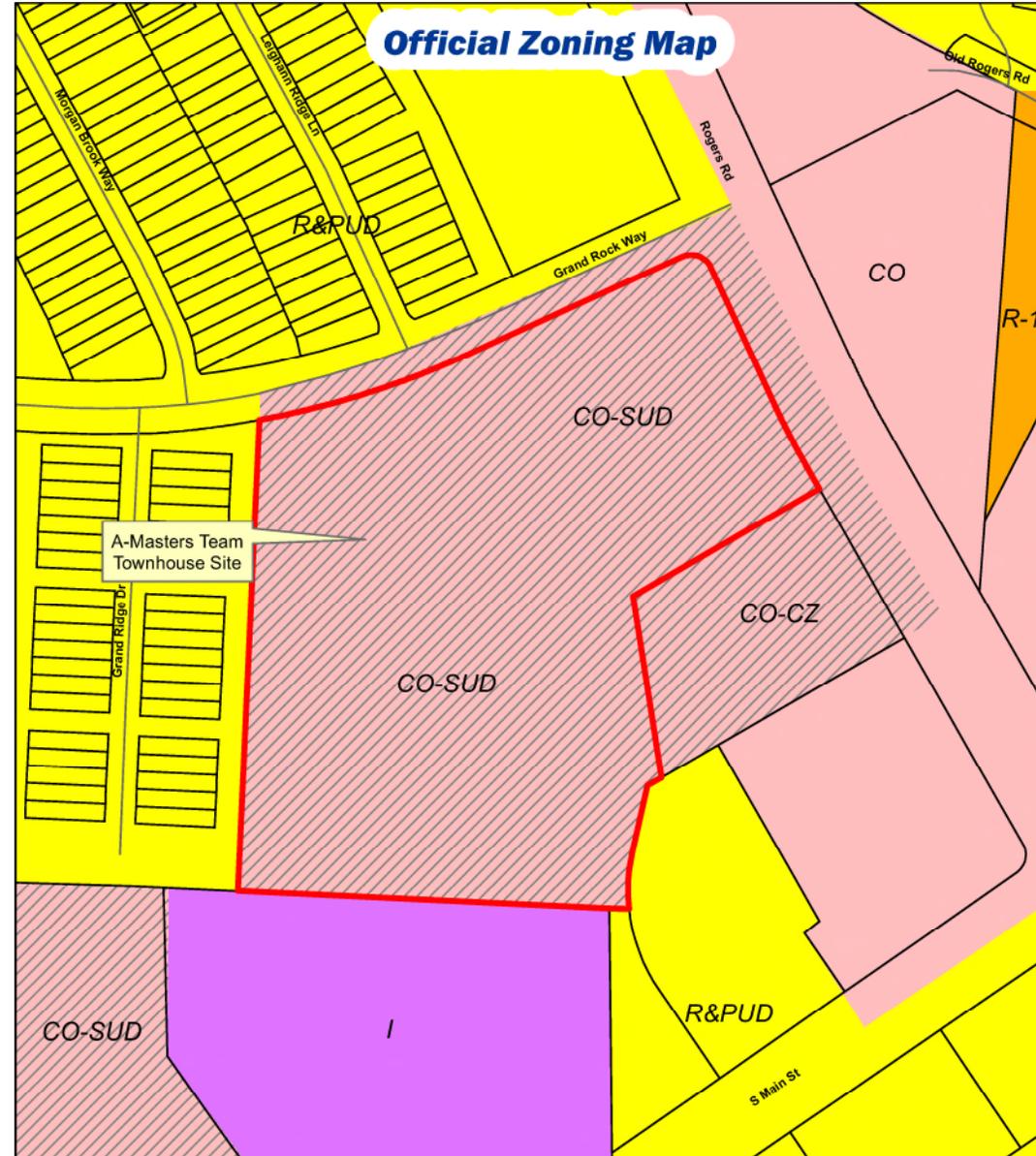
### Attachments:

PR 19-03 Location Aerial Map.

PR 19-03 A-Master Team (Townhouses), Preliminary Subdivision Plat.

PR 19-03 A-Master Team (Townhouses), Preliminary Subdivision Plat Application

# PR 19-03 A-Masters (Townhouses) Preliminary Subdivision Plat Request



 Subdivision Location



1 in = 150 ft





Case No. PR 19-03

Date 10/24/19

## Development Plan Review Application

Project/Development Name A-MASTER TEAM TOWNHOUSES

Application Type  Sketch Plan  Preliminary Plat  
 Construction Drawings  Final Plat

### Contact Information

Property Owner A-MASTER TEAM, LLC

Address 6200FALLS OF NEUSE RD, STE 10 RALEIGH NC 27609 City/State/Zip \_\_\_\_\_

Phone 919-865-9918 Email HALPERRY@REMC.US

Developer A-MASTER TEAM, LLC

Contact Name HAL PERRY

Address 6200 FALLS OF NEUSE RD City/State/Zip RALEIGH NC 27609

Phone 919-865-9918 Email HALPERRY@REMC.US

Design Engineering Company JOHN EDWARDS CO JAECO

Contact Name JOHNNY EDWARDS

Address 333 WADE AVE City/State/Zip RALEIGH NC 27605

Phone 919-828-4428 Email JOHNNY@JAECO.COM

### Property Information

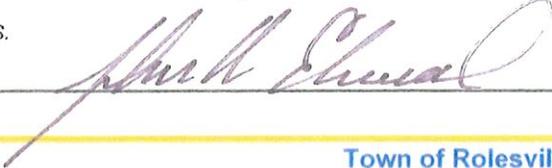
Wake County PIN(s) 1759707093 Address 151 GRAND ROCK WAY

Total Property Acreage 7.44 AC Total Phases 1

Total Lots 47 Average Lot Size 1820 SF

Smallest Lot Size 1820 SF Largest Lot Size 1820 SF

*I, as owner, developer, engineer, and/or agent, understand that I am responsible for all review fees due at the time of plan submittal. I understand that the Planning Department will not review my plans until I remit payment. I have read the Development Review Procedures, and I understand the review processes and requirements.*

Signature  Date 10/16/19

Town of Rolesville Planning

PO Box 250 / Rolesville, North Carolina 27571 / RolesvilleNC.gov / 919.554.6517

**STATE OF NORTH CAROLINA  
TOWN OF ROLESVILLE**

**BEFORE THE TOWN OF ROLESVILLE  
BOARD OF COMMISSIONERS  
SUP19-02**

**A-MASTER TEAM MIXED-USE MASTER  
PLAN – CO-SUD DISTRICT  
(Townhomes/Commercial) and Townhomes  
Detail Site Plan.**

**EVIDENTIARY HEARING  
FINDINGS OF FACT AND  
CONCLUSIONS OF LAW**

THIS MATTER COMING ON to be heard and being heard before the Mayor and Board of Commissioners of the Town of Rolesville (“the Board”) at its regularly scheduled meeting on June 2, 2020 upon the Application of A Master Team, LLC (“the Applicant”) for the issuance of a Special Use Permit to allow for both townhomes and commercial uses on the the property described in Exhibit “A”, attached hereto and incorporated herein by reference. The Board heard sworn testimony from Danny Johnson (Town Planning Director), W. Harold Perry (manager of Applicant); W. Thurston Debnam, Jr. (attorney for Applicant), Johnny Edwards, Jr., (professional engineer for Applicant) and Stephen Greene, (traffic engineer for Applicant).

The Board’s decision to approve the special use permit application is based on the Findings of Fact and Conclusions of Law set forth below:

### FINDINGS OF FACT

1. The Property which is the subject of the requested SUP contains approximately 7.44 at 151 Grand Rock Way (“the Property”).
2. The Property is located in an area designated for R & PUD and CO-SUD.
3. The Property is surrounded on the North, South and West by existing townhomes and on the East by vacant commercial property and on the South by Pineglow Industries.
4. The proposed use of the Property is forty-seven (47) townhomes on 5.99 acres on the western portion of the site and a commercial development tract containing 1.45 acres on the eastern portion of the site. All uses will be served by public water and sewer. There will be a United States Postal Service kiosk with two dedicated parking spaces. The overall density is 7.84 dwelling units per acre.
5. A Traffic Impact Study (TIA) was not required by the Town’s Unified Development Ordinance but the Applicant submitted one which was prepared by Ramey Kemp.
6. All streets within the Property are designed to accommodate fire trucks and rescue vehicles. Fire hydrants will be located throughout the Property as the required intervals. The stormwater control devices reflected on the plans are sufficient.
7. The design of the proposed development complies with all public health and safety ordinances of the Town of Rolesville.

### CONCLUSIONS OF LAW

Based upon the uncontroverted competent, substantial and material evidence appearing in the record of the proceeding at the Public Hearing and in the Application, the approval criteria of a Special Use Permit contained in the Town’s UDO have been met, more particularly:

1. That the proposed development and/or use of the Property will not materially endanger the public health or safety.
2. That the proposed development and/or use of the Property will not substantially injure the value of adjoining property.

3. That the proposed development and/or use of the Property will be in harmony with the scale, bulk, coverage, density, and character of the neighborhood in which it is located.
4. That the proposed development and/or use of the Property will generally conform with the Comprehensive plan and other official plans adopted by the Town.
5. That the proposed development and/or use of the Property is appropriately located with respect to transportation facilities, water and sewer supply, fire and police protection, and similar facilities.
6. That the proposed development and/or use of the Property will not cause undue traffic congestion or create a traffic hazard.
7. That the proposed development and use of the Property comply with all applicable requirements of this ordinance.

Based upon the Findings of Fact and the Conclusions of Law, the Applicant is entitled to approval of the requested Special Use Permit for the Property for both residential townhomes and commercial development on the eastern portion of the Property.

CONDITIONS OF APPROVAL

The Special Use Approval is made subject to the following conditions of approval outlined in Exhibit B and upon the condition that each element of the Master Plan be submitted to the Town through the site plan approval process for townhomes and single-family homes.

ACCORDINGLY, based upon the foregoing FINDINGS OF FACT and CONCLUSIONS OF LAW, the Town of Rolesville Board of Commissioners hereby approves the issuance of the Special Use Permit as set forth in application SUP19-02 subject to the conditions contained herein and upon the additional conditions contained in the attached Exhibit B.

THIS THE \_\_\_\_\_ DAY OF JUNE, 2020.

\_\_\_\_\_  
Town Clerk

EXHIBIT A

The real estate in question is identified as Wake County PIN number 1759.20-70-7093.

EXHIBIT B

(Conditions of Approval)

**SPECIAL USE PERMIT CONDITIONS:** Upon a motion made by Commissioner Sutton to approve the proposed project without requiring a connector street from the Property to S. Main Street; seconded by Commissioner Medley, the project was approved and the Special Use Permit shall be issued. Provided, further that the Applicant construct a street across its property that stubs out at its common boundary line with the current CVS Pharmacy parcel owned by DOITAL INVESTMENTS, LLC.

STATE OF NORTH CAROLINA  
TOWN OF ROLESVILLE

BEFORE THE TOWN OF ROLESVILLE  
BOARD OF COMMISSIONERS  
SP19-04

ROLESVILLE CROSSFIT’S APPLICATION )  
FOR SPECIAL USE PERMIT FOR A 6,700 )  
SQUARE FOOT FITNESS FACILITY WITH )  
ASSOCIATED SITE IMPROVEMENTS )  
LOCATED AT 850 GRANITE FALLS BLVD., )  
ROLESVILLE, NORTH CAROLINA )  
)  
)

**EVIDENTIARY HEARING, FINDINGS  
OF FACT, AND CONCLUSIONS OF  
LAW**

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This request from Rolesville Crossfit (the “Applicant”), pursuant to Rolesville Unified Development Ordinance (the “UDO”) Section 3.6.2, for approval of a Special Use Permit for a 6,700 square foot fitness facility with associated site improvements located at 850 Granite Falls Blvd., Rolesville, North Carolina (the “Property”), came before the Town of Rolesville Board of Commissioners (the "Board") for a quasi-judicial public hearing June 2, 2020 (the “Hearing”). The Applicant requested approval of its Special Use Permit, which was previously submitted to the Board on August 14, 2019.

Based upon testimony of the witnesses, documentary evidence, exhibits, and other evidence presented at the Hearing, the Board finds the Special Use Permit approved, with the Conditions set forth below. The Board’s decision to approve the Special Use Permit Application is based on the Findings of Fact and Conclusions of Law set forth below:

**FINDINGS OF FACT**

1. The Applicant is seeking Special Use Permit approval for a 6,700 square foot fitness facility with associated site improvements.

2. The Applicant submitted a Special Use Permit Application to the Town of Rolesville (the “Town”), requesting that the Town approve the development of a 6,700 square foot fitness facility with associated site improvements (the “Application”). The Application, plans, and other records pertaining to the Application are part of the record, and were specifically incorporated by reference into the record by the Applicant during the Hearing.
3. Notice has been provided as required by law.
4. Following advertisement, the Board conducted the Hearing, a quasi-judicial proceeding, on June 2, 2020.
5. At the Hearing, the Planning Director for the Town of Rolesville recommended to the Board that the Application be approved.
6. The Applicant and the Applicant’s Professional Engineer personally appeared at the Hearing and answered all questions to the satisfaction of the Board.
7. The future land use classification for the Property is Commercial, which is consistent with the request in the Application.
8. All applicable sections of the UDO are satisfied and met by the proposed plan.
9. The Applicant has agreed that the Property will not have permanent outdoor music speakers, and will not impair the currently established bike lane on Granite Falls Blvd.
10. As set forth in the Application, which was incorporated by reference into the record at the Hearing, the proposed development will not have a negative impact on the value of adjoining property; will not materially danger public health or safety; will be in harmony with the scale, bulk, coverage, density, and character of the neighborhood in which it is

located; will generally conform with the comprehensive plan and other official plans adopted by the Town; will not cause undue traffic congestion or create a traffic hazard; is appropriately located with respect to transportation facilities, water and sewer supply, fire and police protection, and similar facilities; and will comply with all applicable ordinance requirements.

11. No testimony was provided at the Hearing in opposition to the Application, and the Board voted unanimously to approve the Application.

### **CONCLUSIONS OF LAW**

Based upon the uncontroverted competent, substantial, and material evidence appearing in the record at the Hearing and in the Application, the approval criteria of a special use permit contained in Section 3.6.2 of the UDO have been met, specifically:

1. The proposed use of the Property will not materially endanger the public health or safety;
2. The proposed use of the Property will not substantially injure the value of adjoining property;
3. The proposed use of the Property will be in harmony with the scale, bulk, coverage, density, and character of the area or neighborhood in which it is located;
4. The proposed use of the Property generally conforms with the Comprehensive Plan and other official plans and manuals or documents adopted by the Town;

- 5. The proposed use of the Property is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar facilities;
- 6. The proposed use of the Property will not cause undue traffic congestion or create a traffic hazard; and
- 7. The proposed use of the Property will comply with all applicable requirements of the UDO.

Based upon the foregoing, the Applicant is entitled to APPROVAL of the requested Special Use Permit for the Property, with the CONDITIONS OF APPROVAL to include that the Property will not have permanent outdoor music speakers, and will not impair the currently established bike lane on Granite Falls Blvd.

Accordingly, based upon the foregoing FINDINGS OF FACT and CONCLUSIONS OF LAW and subject to the foregoing CONDITIONS OF APPROVAL, the Town of Rolesville Board of Commissioners hereby APPROVES the Special Use Permit for the Property.

This the \_\_\_\_\_ day of \_\_\_\_\_, 2020

\_\_\_\_\_  
TOWN CLERK



# Memorandum

**To:** Mayor and Town Board  
**From:** Amy Stevens, Finance Director  
**Date:** July 1, 2020  
**Re:** ADA Transition Plan Community Input, Agenda Item #C.1.

## Background

The Americans with Disabilities Act (ADA) is a federal law that provides protection to individuals with disabilities and provides them with equal opportunity in employment, government services, telecommunications, and in the goods and services provided by businesses.

Title II of the ADA applies to government services. People with disabilities must have an equal opportunity to participate in and benefit from a town's services, programs, and activities. Towns must make sure these services are available to people with disabilities, unless to do so would fundamentally alter the program or result in an undue burden.

While all governments are covered by the ADA, Towns with more than 50 employees must:

- Develop a written plan of identified modifications, with community participation
- Develop a grievance procedure
- Identify an ADA Coordinator

## Rolesville's Draft Plan

The NC Department of Transportation Office of Civil Rights has advised several smaller towns in North Carolina, including Rolesville, that they should proceed with development of an ADA Transition Plan. Over the past several months, Town staff have been learning about the ADA and developing the draft ADA Transition Plan. In addition, the Town hired Accessology, a firm which specializes in ADA compliance, to conduct a physical assessment of Town buildings and facilities that are accessible to the public.

The total cost of the accessibility improvements identified for Town buildings and facilities is about \$300,000. The Town plans to address these items through dedicated funding in the Capital Improvement Plan over the next ten years. The FY 20-21 budget includes \$7,500 to begin addressing the highest priority items. In addition, several of the Police Department items will be addressed in conjunction with the upcoming building expansion.

As a result of this effort, staff have already made some changes and have become more aware of the need to provide wide access to Town services. Moving forward, it will be an on-going effort to ensure that Town services, programs, and activities are accessible to individuals with disabilities.

The draft ADA Transition Plan has been sent to several community agencies (Alliance of Disability Advocates, Council on Developmental Disabilities, Raleigh Mayor's Committee for Persons with Disabilities, Raleigh Community Relations Administrator, and NC Vocational Rehabilitation Services) which specialize in serving individuals with disabilities. Tonight, additional community input is being sought to obtain feedback on this draft ADA Transition Plan.

## Recommended Action

No action at this time. The final version of the ADA Transition Plan will be brought before the Town Board at a later meeting for consideration of adoption.

Attachments:

- ADA Transition Plan (draft)

## **I. Introduction**

### **A. Americans with Disabilities Act\***

The Americans with Disabilities Act (ADA) is a civil rights law prohibiting discrimination against individuals based on disability. It was enacted July 26, 1990 and amended in 2008 with the ADA Amendments Act. It consists of five titles:

#### **1. ADA Title I: Employment**

Title I requires employers with fifteen or more employees to provide qualified individuals with disabilities an equal opportunity to benefit from the full range of employment-related opportunities available to others. It prohibits discrimination in recruitment, hiring, promotions, training, pay, social activities, and other privileges of employment. It restricts questions that can be asked about an applicant's disability before a job offer is made, and it requires that employers make reasonable accommodation to the known physical or mental limitations of otherwise qualified individuals with disabilities, unless it results in undue hardship.

Title I complaints may be filed with the U.S. Equal Employment Opportunity Commission (EEOC) within 180 days of the date of discrimination, or 300 days if the charge is filed with a designated state or local fair employment practice agency. Individuals may file a lawsuit in Federal court only after they receive a "right-to-sue" letter from the EEOC.

#### **2. ADA Title II: State and Local Government Activities**

Title II of the ADA pertains to the programs, activities and services provided by public entities. The Town of Rolesville must comply with this section of the Act, as it specifically applies to public service agencies. Title II states "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity".

Title II of ADA is companion legislation to two previous federal statutes and regulations. The Architectural Barriers Act of 1968 requires that facilities designed, built, altered or leased with Federal funds be accessible. Section 504 of the Rehabilitation Act of 1973 protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency. Title II of the ADA extended this coverage to all state and local government entities, regardless of whether they receive federal funding or not.

Public entities are not required to take actions that would result in undue financial and administrative burdens, but they are required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature of the service, program, or activity being provided. Requests for Accommodations and Title II concerns or complaints are handled by the ADA Coordinator.

Title II complaints may be filed with the Department of Justice within 180 days of the date of discrimination. In certain situations, cases may be referred to a mediation program sponsored by the Department. The Department may bring a lawsuit where it has investigated a matter and has been unable to resolve violations.

### **3. ADA Title III: Public Accommodations**

Title III prohibits discrimination by businesses and nonprofit service providers on the basis of disabilities in places of public accommodations, commercial facilities, and private entities that offer certain examination and courses related to educational and occupational certification. Public accommodations are private entities who own, lease, lease to, or operate facilities such as restaurants, retail stores, hotels, movie theaters, private schools, convention centers, doctors' offices, homeless shelters, transportation depots, zoos, funeral homes, day care centers, and recreation facilities including sports stadiums and fitness clubs. Transportation services provided by private entities are also covered by Title III.

Public accommodations must comply with basic nondiscrimination requirements that prohibit exclusion, segregation, and unequal treatment. They also must comply with specific requirements related to architectural standards for new and altered buildings; reasonable modifications to policies, practices, and procedures; effective communication with people with hearing, vision, or speech disabilities; and other access requirements. Additionally, public accommodations must remove barriers in existing buildings where it is easy to do so without much difficulty or expense, given the public accommodation's resources. All building permit applications for public accommodations are evaluated for their compliance with current ADA and North Carolina Accessibility Code Standards.

Complaints of Title III violations may be filed with the Department of Justice. In certain situations, cases may be referred to a mediation program sponsored by the Department. The Department is authorized to bring a lawsuit where there is a pattern or practice of discrimination in violation of Title III, or where an act of discrimination raises an issue of general public importance. Title III may also be enforced through private lawsuits. It is not necessary to file a complaint with the Department of Justice (or any Federal agency), or to receive a "right-to-sue" letter, before going to court.

### **4. ADA Title IV: Telecommunications Relay Services**

Title IV addresses telephone and television access for people with hearing and speech disabilities. It requires common carriers (telephone companies) to establish interstate and intrastate telecommunications relay services (TRS) 24 hours a day, 7 days a week. TRS enables callers with hearing and speech disabilities who use telecommunications devices for the deaf (TDDs), which are also known as teletypewriters (TTYs), and callers who use voice telephones to communicate with each other through a third party communications assistant. Many people who are Deaf or Hard of Hearing also use Video Relay Services and captioned telephones.

The Federal Communications Commission (FCC) has set minimum standards for TRS services. Title IV also requires closed captioning of federally funded public service announcements. For more information about TRS, contact the Federal Communications Commission.

### **5. ADA Title V: Miscellaneous Provisions**

Title V clarifies that both states and Congress are covered by all provisions of the ADA. It also provides for recovery of legal fees for successful proceedings pursuant to the Act and establishes a mechanism for technical assistance along with specific instructions to many federal agencies required to implement the Act. Additionally, Title V includes a provision prohibiting either (a) coercing or threatening or (b) retaliating against people with disabilities or those attempting to aid people with disabilities in asserting their rights under the ADA.

*\*Information for this Section of the Transition Plan is from the U.S. Department of Justice, [The ADA Guide for Small Towns](#)*

## **B. Agency Title II Requirements**

Under Title II of the ADA, the Town of Rolesville must meet these general requirements:

- Must operate programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities [28 CFR Sec. 35.150].
- May not refuse to allow a person with a disability to participate in a service, program or activity simply because the person has a disability [28 CFR Sec. 35.130 (a)].
- Must make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result [28 CFR Sec. 35.130(b)(7)].
- May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective [28 CFR Sec. 35.130(b)(iv) and (d)].
- Must take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others [29 CFR Sec. 35.160(a)].
- Must designate at least one responsible employee to coordinate ADA compliance [28 CFR Sec. 35.107(a)]. This person is typically referred to as the ADA Coordinator. The public entity must provide the ADA Coordinator's name, office address, and telephone number to all interested individuals [28 CFR Sec. 35.107(a)].
- Must provide notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II of the ADA to applicants, participants, beneficiaries, employees, and other interested persons [28 CFR Sec. 35.106]. The notice must include the identification of the employee serving as the ADA Coordinator and must provide this information on an ongoing basis [28 CFR Sec. 104.8(a)].
- Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints [28 CFR Sec. 35.107(b)]. This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process.

## **C. Plan Monitoring and Management**

This Transition Plan is considered a living document that will continue to be updated as conditions within the Town evolve. A review of the document will be conducted at least once per year, to identify any need for updates. Any substantive updates to the main body of this document will include a public comment period to continue the Town's public outreach efforts. The ADA Transition Plan will be updated and presented to Town Board every five years.

The Town of Rolesville recognizes that ADA compliance is an ongoing responsibility, which will require monitoring to identify future accessibility issues that may be encountered. For example, facilities that currently meet ADA requirements could fall out of compliance due to factors such as damage, disrepair, or changes within public rights-of-way. Therefore, an annual review of the status of the on-going monitoring/inspection program will correlate with the formulation of the yearly Capital Improvement Plan. Town employees and community stakeholders are encouraged to report any accessibility concerns or deficiencies that are identified.

## **II. Public Notice of Town Policy**

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990, the Town of Rolesville will not discriminate against qualified individuals based on disability in Town services, programs or activities. With the adoption of this Transition Plan, the Town Board of Commissioners adopts the following statement of policies:

### **A. Employment**

The Town does not discriminate based on disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the Americans with Disabilities Act (ADA).

### **B. Effective Communication**

The Town will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Town's programs, services, and activities, including qualified sign language interpreters and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

### **C. Modifications to Policies and Procedures**

The Town will make all reasonable modifications to policies and procedures to ensure that people with disabilities have an equal opportunity to enjoy all Town programs, services and activities.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a Town program, service or activity, should contact the office of the ADA Coordinator as soon as possible but no later than 48 hours before the scheduled event.

Complaints that a program, service, or activity of the Town of Rolesville is not accessible to persons with disabilities should be directed to the ADA Coordinator.

The ADA does not require the Town to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

The Town will not place a surcharge of fee on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

### III. Self-Evaluation

Under Title II of the ADA, public entities are required to perform a self-evaluation of their current services, policies, and practices with regard to accessibility. The goal of the self-evaluation is to verify that the agency is providing adequate accessibility and not adversely affecting the full participation of individuals with disabilities.

This self-evaluation should include a review of the agency's entire public program, including all facilities on public property and within public rights-of-way, in order to identify any obstacles or barriers to accessibility that need to be addressed.

The Town recognizes that overcoming accessibility challenges is a continuous effort. While some challenges may be addressed with minimal action and financial commitment, others require significant investment in both time and money. Short term actions may be taken by individual Town departments with funding allocated through the annual operating budget. Longer-term and more costly efforts are identified and managed through the Town's Capital Improvement Plan (CIP).

DRAFT

## **A. Communications, Information, and Facility Signage**

### **Inventory and Findings**

#### Employment Notices

Compliance with ADA requirements is reflected in the Town's Personnel Policy Manual, Article IV – Recruitment and Employment, Section 1 – Equal Employment Opportunity Policy: "...Applicants with physical disabilities shall be given equal consideration with other applicants for positions in which their disabilities do not represent an unreasonable barrier to satisfactory performance of duties with or without reasonable accommodation." The next update of the Personnel Policy will delete the word "physical" in order to better reflect actual practices.

#### Correspondence and Printed Documents

Future meeting notices, agendas, mailings, and public information (press releases, brochures, flyers, etc) should meet the following guidelines:

- Documents will use: no less than 12 point font; san serif font such as Arial, Calibri, Helvetica, or Tahoma; non-justified text; and no reverse type (white letters on black).
- Documents should include the statement: "The Town of Rolesville is committed to providing accessible facilities, programs and services for all people in compliance with the American with Disabilities Act. Should you need assistance or a particular accommodation for this meeting please contact the ADA Coordinator."

Where needed, the Town will provide large print documents or other specialized communication means for those with vision disabilities

#### Public Meetings

Individuals who are Deaf or Hard of Hearing should contact the Town Clerk no later than 48 business hours prior to a scheduled public meeting to facilitate the Town's provision of an interpreter for the duration of the public meeting.

Future PowerPoint presentations at public meetings should meet the following guidelines: no less than 18 point font; san serif font such as Arial, Calibri, Helvetica, or Tahoma; no blinking or flashing animations; hyperlink text should describe the directed website.

#### Website

The Town's website is designed with the creation of Alt Tags for all images and video. Users with vision impairments can 'mouse' over the image and then read the description through their enhanced technology.

The webpage allows users to use assistive technology (such as Braille reader, a screen reader, or text telephone) and provides contact information in the event that the format of any material on the website is inaccessible. We ask that individuals requesting an accommodation indicate the nature of their disability, the preferred format in which to receive the material, the web address of the requested information and their contact information.

## B. Public Buildings and Spaces

### Inventory

The Town has conducted a detailed accessibility evaluation of each of its building facilities based on ADA guidance, North Carolina State Building Code, and other established resources. Examples of these types of facilities include recreational areas, playgrounds, shelters, office buildings, parking areas and other types of public buildings and structures.

The Town of Rolesville is responsible for the following publicly accessible buildings:

Town Hall & Community Center	School Park Restroom & Concession Stand
Police Department	School Park Shelter
105A W Young Street Building	RMS Restrooms & Concession Stand
Main Street Park Restrooms	Mill Bridge Amphitheater
Main Street Park Picnic Shelters A-D	
Main Street Park Gazebo	
Main Street Park Playground	

Each public-access building and facility was reviewed for accessibility. The barriers were ranked according to priority and a cost estimate was made. The Town plans to address High priority items from this list over the next two years through funding in the Capital Improvements Plan. The remaining items will be addressed in priority order over the following years, with a goal of having all items complete within a ten-year period. Some items may receive accelerated funding, if they are associated with other planned projects and can be incorporated into project plans. The review also considered areas accessed by employees-only; those areas will be addressed as needed to provide reasonable accommodation.

### Findings

Area	Condition	Rank	Est Cost
<b>Town Hall &amp; Community Center</b>			
Parking	Cross slopes and running slopes of parking spaces	High	10,125
Southwest Exterior	Gutter slopes and cross slopes of ramps and sidewalks	Med-High	11,475
General	Non-compliant signage	Medium	1,350
Meeting Hall	Handrails	Medium	1,350
Men's Restroom	Door handles, coat hooks, toilet placement	Low-Med	2,401
Women's Restroom	Door handles, coat hooks, toilet placement	Low-Med	2,401
Men's Restroom (L)	Toilet paper rack, towel dispenser, clear floor space	Low-Med	5,401
Women's Restroom (L)	Door handle, towel dispense, side grab bar	Low	1,351
<b>Police Department</b>			
Parking	No accessible parking stall	High	2,025
General	Sign location	Medium	
General	Non-compliant signage	Medium	2,025
Lobby	Counter height	Medium	3,375
<b>105A West Young Street</b>			
Exterior	Cross slope, no accessible route	Medium	5,400
Entrance	Knob hardware, opening, pull side clearance	Medium	7,088
Main Room	Knob hardware, door opening, pull side clearance	Medium	7,088
Restroom	Non-compliant restroom.	Medium	8,775

<b>Main Street Park</b>			
Parking	Number of spaces, height of signage	Med-High	1,013
Trails	Cross slopes, running slopes, changes in level, no accessible route	Med-High	99,900
Shelter A	No accessible tables, no accessible route	Medium	2,025
Shelter B	Running slope, no accessible tables, no accessible route	Med-High	3,375
Shelter C	Cross slope, no accessible tables, no accessible route	Medium	3,375
Shelter D	Cross slope, no accessible tables, no accessible route	Medium	4,050
Playground 1	No accessible route	Medium	2,025
Playground 2	Cross slope, no transfer support	Medium	2,025
Gazebo	Cross slopes	Med-High	12,825
Men's Restroom	Toilet placement, rear grab bar, sink height	Medium	4,725
Women's Restroom	Rear grab bar, sink height, flush handle, coat hook	Low-Med	5,063
<b>Community School Park</b>			
Exterior	Abrupt level changes, cross slopes	Medium	9,450
Pavilion	Elevation change to grill	Medium	675
Men's Restroom	Door closure, door handle, coat hook, pipe insulation, push clearance	Low-Med	4,727
Women's Restroom	Flush handle, door closure, door handles, coat hook, pipe insulation, push clearance	Low-Med	6,752
Concession	Counter height, drinking fountains	Medium	8,100
<b>Rolesville Middle School</b>			
Parking	Access aisle, running slopes, cross slopes	High	20,925
Exterior	Sidewalk running slopes, cross slopes	High	8,775
<b>Mill Bridge Nature Park</b>			
Exterior	Cross slopes	Med-High	14,850
Amphitheater	No accessible route, no accessible seating	High	12,825

## C. Pedestrian Facilities and Public Rights-of-Way

### Inventory

Pedestrian facilities include structures such as sidewalks, curb ramps, pedestrian crossings, pedestrian signals and pushbuttons, and bus stops.

### Town-Maintained Streets

In order to bring pedestrian facilities to current ADA standards, the Town makes updates during scheduled street and utility improvement projects. As projects are carried out, pedestrian facilities impacted by these projects are designed and/or upgraded to current ADA accessibility standards.

### State-Maintained Streets

Pedestrian improvements on these streets requires external coordination with the North Carolina Department of Transportation (NCDOT) and the Capital Area Metropolitan Planning Organization (CAMPO). These external agencies maintain long-range planning and capital programming documents for a majority of the Town's transportation network. Coordination is necessary to ensure that planning and programming documents align with ADA compliance priorities.

The Town is currently coordinating with the North Carolina Department of Transportation to use funds from the Transportation Alternatives Program (TAP) to bring several curb ramps into compliance with current ADA standards through replacement and retrofit. That project is currently scheduled to have a March 2022 release date.

The following intersections have been requested for improvement:

- 303 N Main Street
- Bowling Drive at Main Street
- 213 N Main Street
- Williams Street at Main Street
- Perry Street at N Main Street
- School Street at N Main Street
- Redford Place Drive at N Main Street
- 408 S Main Street
- 410 S Main Street
- 413 S Main Street
- 414 S Main Street
- 415 S Main Street
- 420 S Main Street
- 500 S Main Street
- 501 S Main Street
- Storage Drive at S Main Street
- Wall Creek Road at S Main Street
- Southtown Circle at S Main Street
- Burlington Mills Road at S Main Street
- Village Waters Road at E Young Street
- Perry Street at E Young Street
- Pulley Street at E Young Street
- Scarborough Street at W Young Street
- Granite Falls Boulevard at W Young Street
- Cotton Paws Road at W Young Street
- Daniels Park Road at W Young Street
- Big Willow Way at W Young Street
- Magnolia View Lane at W Young Street

## **IV. Public Outreach**

Public entities are required to provide an opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process by submitting comments. Input from the community has been gathered and used to help define priority areas for improvements within the jurisdiction of the Town of Rolesville.

### **A. Public Comments from Website**

The Draft Transition Plan was made available for public comment on the Town's website at [www.RolesvilleNC.gov](http://www.RolesvilleNC.gov) and at the Rolesville Town Hall. The Town gave notice that the draft Plan was available for review and that a public input meeting was scheduled for July 7, 2020 at 7pm at Rolesville Town Hall for the public to hear the results of the self-evaluation as well as an opportunity to provide feedback.

### **B. Public Hearing**

This document was also presented to the Town Board on July 7, 2020. During this public meeting, staff briefed the Town Board on the results of the self-evaluation and conveyed the short and long-term strategies. The public was invited to comment during this public hearing.

### **C. Distribution to Community Agencies**

Staff also made contact with several groups in the region who provide service and support to persons with disabilities. This helped bring greater awareness of the draft Transition Plan, as well as aided in building relationships and local partnerships.

#### **Alliance of Disability Advocates**

3725 National Drive, Suite 105  
Raleigh, NC 27612

#### **Council of Developmental Disabilities**

NC Department of Health and Human Services  
820 South Boylan Avenue  
Raleigh, NC 27603

#### **Raleigh Mayor's Committee for Persons with Disabilities**

222 West Hargett Street  
Raleigh, NC 27601

#### **City of Raleigh, Community Relations Administrator & ADA Coordinator**

222 West Hargett Street  
Raleigh, NC 27601

#### **NC Vocational Rehabilitation Services**

4900 Waters Edge Drive  
Raleigh, NC 27606

## **D. Summary of Public Comments**

- Page 1: Good use of people first language such as using “individuals with disabilities.”
- Page 2: ADA Title IV: Might be helpful to mention that many Deaf people now use Video Relay Services, and many Hard of Hearing people use some type of captioned telephone.
- Page 2: ADA Title V: Suggest changing “the disabled” to “people with disabilities”.
- Page 3 & 5: Like how this plan is considered a living document and how “overcoming accessibility challenges is a continuous effort.”
- Page 3: Provide more description on how the plan will be updated over time and how the implementation will be reviewed for progress.
- Page 6: The “employment notice” should say people with disabilities instead of physical disabilities specifically.
- Page 6: Reword employment notice: “...in which their disabilities do not represent an unreasonable accommodation to allow for satisfactory performance...”
- Page 6: Public Meetings: Instead of “Individuals with impaired hearing,” use the term “Individuals who are Deaf or Hard of Hearing.” Consider offering real-time captioning or other accommodation in addition to an interpreter. Not all Deaf or Hard of Hearing people know sign language.
- Page 6: Note communication accommodations due to language barriers (e.g. English to Spanish).
- Page 6: Have you considered assisted listening devices that will always be on hand if needed?
- Page 6: Website: Consider making videos accessible to Deaf and Hard of Hearing people through captioning. Replace the term “Impaired users” with “Users with visual impairments”.
- Page 8: Main Street Park: Can apply for funding from The NC Parks and Recreation Trust Fund for assistance with funding accessibility improvements.
- Page 9: Define what is considered a pedestrian facility.
- Grievance Form: Like the form. Add what resolution the complainant is seeking to the form.
- Various: grammatical and wording suggestions.

## **V. Grievance Procedure**

### **Step 1. File the grievance**

Complete the ADA Grievance Form, or prepare a written grievance that includes the following:  
Name, address, and phone number of the person filing the grievance;  
Location of the alleged violation; and  
Description of the alleged violation and the remedy sought.

### **Step 2. Acknowledgement**

Town of Rolesville will send an acknowledgement within 12 working days of receipt of the grievance.

### **Step 3. Informal resolution**

Within 60 calendar days of receipt, Town of Rolesville will complete the investigation necessary to determine the validity of the alleged violation. If appropriate, the ADA Coordinator will arrange to meet with the grievant to discuss the matter and attempt to reach an informal resolution of the grievance. Any informal resolution of the grievance shall be documented in the ADA Coordinator file and the case will be closed.

### **Step 4. Written determination**

If an informal resolution of the grievance is not reached in Step 3, within 75 calendar days of receipt of the grievance, a written determination as to the validity of the complaint, and description of the resolution, if appropriate, shall be forwarded by ADA Coordinator to the Town Manager for approval.

### **Step 5. Final determination and resolution**

Town of Rolesville shall communicate the determination and resolution to the grievant within 90 calendar days of receipt of the grievance, unless the Town Manager authorizes additional time for further consideration of the grievance. Any authorized extension of time will be communicated to the grievant. Any request for reconsideration of Town of Rolesville's response to the grievance shall be at the discretion of the Town Manager. If the grievant is not satisfied with Town handling of the grievance at any stage of the process, or does not wish to file a grievance through Town of Rolesville's ADA Title II Grievance Procedure, the grievant may file a complaint directly with the U. S. Department of Justice or other appropriate state or federal agency.

Use of Town's grievance procedure is not a prerequisite to the pursuit of other remedies. The resolution of any specific grievance will require consideration of varying circumstances, such as the specific nature of the disability; the nature of the access to services, programs, or facilities at issue, the essential eligibility requirements for participation; the health and safety of others; and the degree to which an accommodation would constitute a fundamental alteration to the program, service, or facility, or cause an undue hardship to the Town of Rolesville. Accordingly, the resolution by the Town of Rolesville of any one grievance does not constitute a precedent upon which Town of Rolesville is bound or upon which other complainants may rely.

### **File Maintenance**

The Town of Rolesville ADA Coordinator shall maintain ADA Grievance files for three years.

**Town of Rolesville  
ADA GRIEVANCE FORM**

Name	
Address	
Phone	
Email	

Location of the Problem	
Description of the Problem and Remedy Sought	

I certify that the above statement is accurate and filled out to the best of my ability and knowledge.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Return completed form to:  
ADA Coordinator  
PO Box 250  
502 Southtown Circle  
Rolesville, NC 27571  
Phone: (919) 556-3506

## VI. Contact Information

### **ADA Title II Coordinator (external)**

In accordance with 28 CFR 35.107(a), the Town of Rolesville has designated the following individual to serve as ADA Title II Coordinator, to oversee the Town's policies and procedures:

Name: Mical McFarland  
Job Title: Community and Economic Development Manager  
Office Address: PO Box 250, 502 Southtown Cir, Rolesville, NC 27571  
Phone: (919) 556-3506  
Fax: (919) 556-6852  
E-mail: mical.mcfarland@rolesville.nc.gov

### **ADA Title II Coordinator (internal)**

In accordance with 28 CFR 35.107(a), the Town of Rolesville has designated the following individual to serve as ADA Title II Coordinator, to oversee the Town's policies and procedures:

Name: Dieva Hill  
Job Title: Human Resources Analyst  
Office Address: PO Box 250, 502 Southtown Cir, Rolesville, NC 27571  
Phone: (919) 556-3506  
Fax: (919) 556-6852  
E-mail: dieva.hill@rolesville.nc.gov



# Memo

**To:** Mayor and Town Board of Commissioners

**From:** Danny Johnson, AICP, Planning Director

**Date:** June 30, 2020

**Re:** ANX 20-02, David and Ashby Evans property, 3608 Foxwild Lane

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## **Summary Information**

The Town has received a voluntary annexation petition (Case ANX 20-02) for 1.972 acres located at 3608 Foxwild Lane into the Town of Rolesville Town Limits. As provided in G.S. 160A-31, the petition has been certified by the Town Clerk as to its sufficiency of meeting G.S. 160A-31. The Town Board of Commissioners accepted the Town Clerks Certification and schedule a public hearing for Tuesday, June 16, 2020 at 7:00 pm at the Board Chambers at Rolesville Town Hall. The Town Board of Commissioners may proceed with conducting the public hearing on the question of annexing the petition property into the Rolesville Town Limits.

## **Staff Recommendation**

Staff recommends holding the public hearing and approval of the annexation ordinance under G.S. 160A-31.

## **Relationship to Current Budget/Goals**

None

## **Suggested Motion:**

Motion to approve voluntary annexation of ANX 20-02, David and Ashby Evans, for 1.972 acres located at 3608 Foxwild Lane into the Rolesville Town Limits.

## **Attachments:**

ANX 20-02, David and Ashby Evans, Annexation Petition  
ANX 20-02, David and Ashby Evans, Annexation Location Map  
ANX 20-02, David and Ashby Evans, Annexation Ordinance  
ANX 20-02, David and Ashby Evans, Annexation Boundary Map



ANX 20-02  
3608 Foxwild Lane

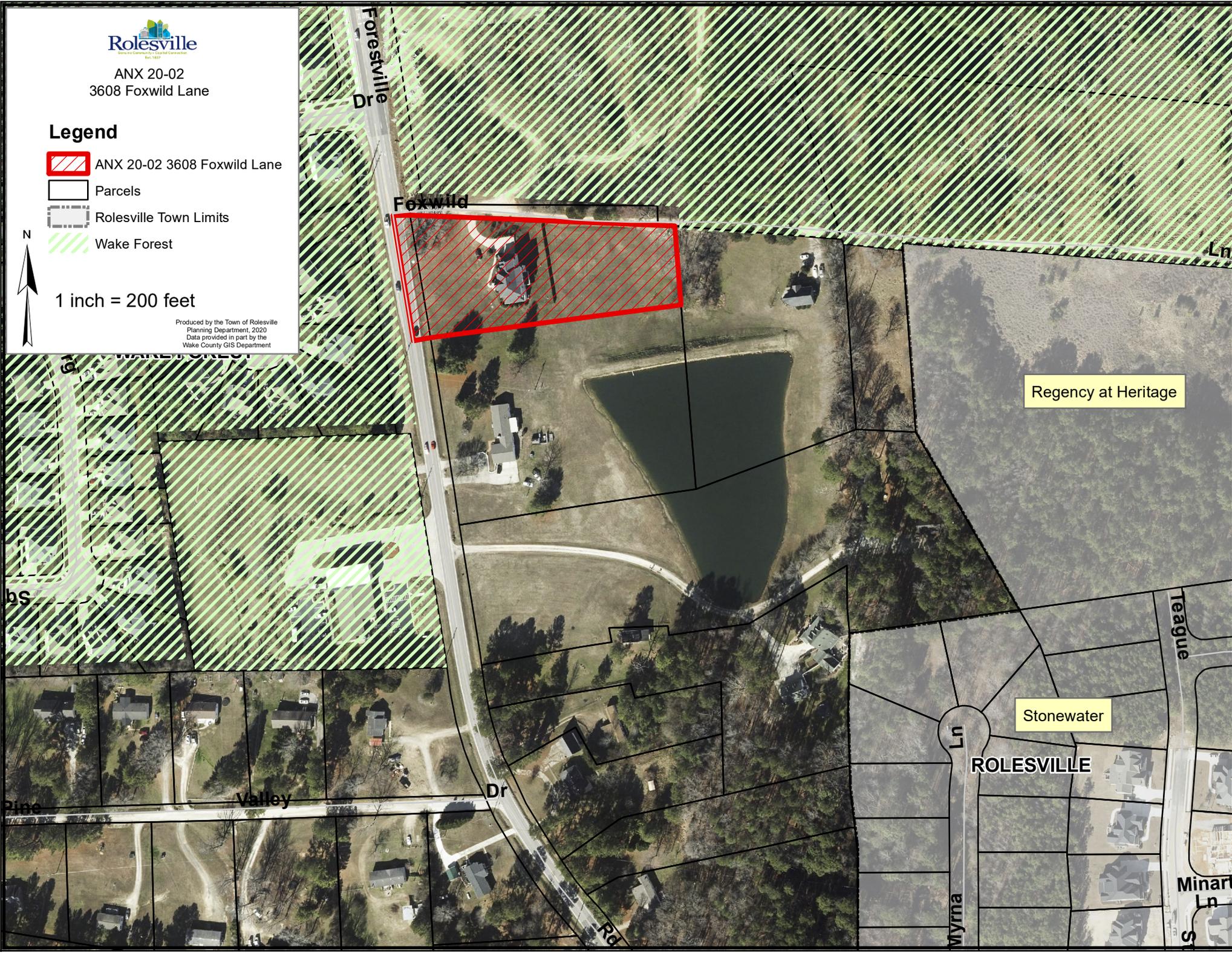
**Legend**

-  ANX 20-02 3608 Foxwild Lane
-  Parcels
-  Rolesville Town Limits
-  Wake Forest



1 inch = 200 feet

Produced by the Town of Rolesville  
Planning Department, 2020  
Data provided in part by the  
Wake County GIS Department



Regency at Heritage

Stonewater

ROLESVILLE

After Recording Mail to:      Town of Rolesville  
   P. O. Box 250  
   Rolesville, NC 27571

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS  
OF THE TOWN OF ROLESVILLE UNDER THE  
AUTHORITY GRANTED BY PART 1, ARTICLE 4A  
CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA

ORDINANCE 2020-O-04  
CASE ANX 20-02

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WHEREAS, the Mayor and Board of Commissioners for the Town of Rolesville, North Carolina has adopted a resolution under G.S. 160A-31 stating its intent to annex the area described below; and

WHEREAS, the petition has been certified by the Town Clerk as to its sufficiency of meeting G.S. 160A-31; and

WHEREAS, a public hearing on the question of this annexation was held in the Town Board Room at Rolesville Town Hall located at 502 Southtown Circle, Rolesville, NC 27571 at 7:00 pm or thereafter on June 16, 2020, after due notice; and

WHEREAS, the Mayor and Board of Commissioners finds that the proposed annexation meets the requirements of G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Commissioners of the Town of Rolesville, North Carolina that:

Section 1. By the authority granted by G.S. 160A-31, the following described non-contiguous property owned by the David and Ashby Evans is hereby annexed, made part of the Town of Rolesville effective as of July 7, 2020:

*BEGINNING AT AN EXISTING IRON BAR AT THE INTERSECTION OF FORESTVILLE ROAD AND FOXWILD LANE RIGHT OF WAY; LEAVING SAID RIGHT OF WAY THENCE S 80°11'56" E A DISTANCE OF 458.79' TO AN EXISTING IRON PIPE; THENCE S 02°40'55" W A DISTANCE OF 139.19' TO A NEW IRON PIPE; THENCE N 89°59'43" W A DISTANCE OF 467.83' TO A POINT IN THE CENTERLINE OF FORESTVILLE ROAD; THENCE N 02°15'15" W A DISTANCE OF 222.62' ALONG THE CENTERLINE OF FORESTVILLE ROAD; THENCE S 80°11'56" E A DISTANCE OF 31.46' TO AN EXISTING IRON BAR; WHICH IS THE POINT OF BEGINNING, HAVING AN AREA OF 85,890 SQUARE FEET, 1.972 ACRES MORE OR LESS SHOWN ON AN ANNEXATION BOUNDARY MAP, TITLED ANNEXATION MAP FOR DAVID EVANS AND ASHBY EVANS PREPARED BY CAWTHORNE, MOSS & PANCIERA, P. C. RECORDED IN BOOK OF MAPS \_\_\_\_, PAGE \_\_\_\_.*

Section 2. That the Mayor and Board of Commissioners directs a duly certified copy of this ordinance and annexation boundary map be submitted for filing to the Office of the Register of Deeds of Wake County and the Office of the Secretary of the State of North Carolina.

Adopted this 7<sup>th</sup> day of July 2020

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Ronnie I. Currin  
Town of Rolesville Mayor

## **CERTIFICATION**

I, Robin E. Peyton, Town Clerk for the Town of Rolesville, North Carolina, do hereby certify the foregoing to be a true copy of an ordinance duly adopted at the meeting of the Town Board of Commissioners held on this 16th day of June 2020.

---

Robin E. Peyton  
Town Clerk

I, MICHAEL A. MOSS CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY PERFORMED UNDER MY SUPERVISION FROM REFERENCES AS NOTED HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION SHOWN IN THE REFERENCES, THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS GREATER THAN 1:10000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED; WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL.

THIS 17<sup>TH</sup> DAY OF JUNE A.D. 2020.



Michael A. Moss L-3794  
PROFESSIONAL LAND SURVEYOR LICENSE NUMBER

THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.

Michael A. Moss L-3794  
PROFESSIONAL LAND SURVEYOR LICENSE NUMBER

ROLESVILLE, NORTH CAROLINA  
I, \_\_\_\_\_ REVIEW OFFICER  
OF THE TOWN OF ROLESVILLE, CERTIFY  
THAT THE MAP OR PLAT TO WHICH THIS  
CERTIFICATION IS AFFIXED MEETS ALL  
STATUTORY REQUIREMENTS FOR RECORDING.

DATE \_\_\_\_\_ REVIEW OFFICER

ANNEXATION EXEMPT CERTIFICATE

I HEREBY CERTIFY THAT THIS ANNEXATION MAP IS APPROVED FOR RECORDING, AND IS EXEMPT FROM THE ROLESVILLE UNIFIED DEVELOPMENT ORDINANCE.

\_\_\_\_\_  
SUBDIVISION ADMINISTRATOR DATE



LINE TYPE LEGEND

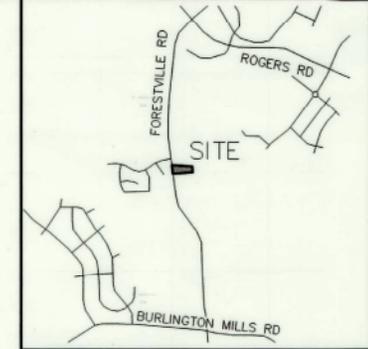
---	PROPERTY LINE - LINE SURVEYED
---	RIGHT-OF-WAY ADJOINING LINE - LINE NOT SURVEYED
---	OVERHEAD LINE
---	BUILDING SETBACK EASEMENT
---	BUFFER
---	FLOOD HAZARD SOILS

LINE TABLE

LINE	LENGTH	BEARING
L-3	7.19'	N 05°05'00" E



ADOPTED FROM B.M. 2018, PG. 2288



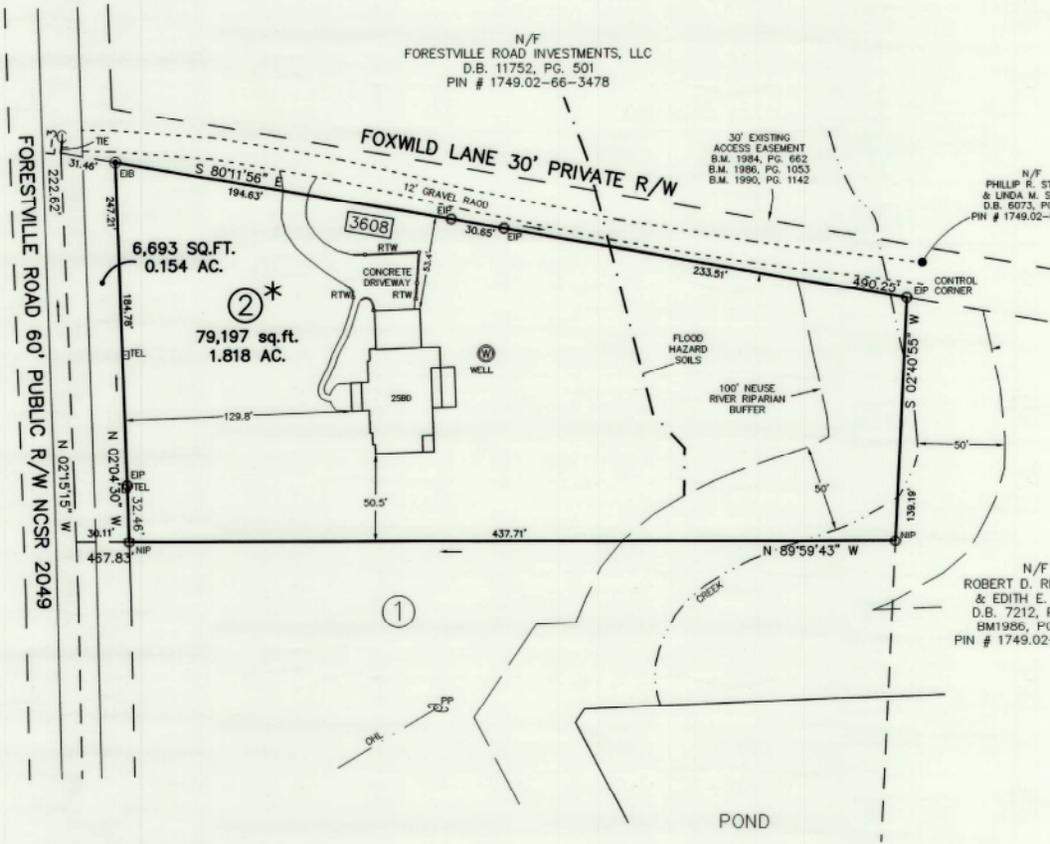
VICINITY MAP

LEGEND:

- EIP - EXISTING IRON PIPE
- EPN - EXISTING P.K. NAIL
- NIP - NEW IRON PIPE SET
- R/W - RIGHT OF WAY
- CATV - CABLE TV BOX
- EB - ELECTRIC BOX
- TEL - TELEPHONE PEDESTAL
- PP - POWER POLE
- OHL - OVERHEAD LINE
- LP - LIGHT POLE
- WM - WATER METER
- WV - WATER VALVE
- CO - SEWER CLEAN-OUT
- RTW - RETAINING WALL
- ##### - ADDRESS

NOTES:

- AREA COMPUTED BY COORDINATE METHOD.
- THERE IS NO NEGS MONUMENT WITHIN 2000' OF THIS PROPERTY.
- THIS PROPERTY MAY BE SUBJECT TO NEUSE RIVER RIPARIAN BUFFER RULES. CALL N.C. DIVISION OF WATER QUALITY TO VERIFY (919-791-4200).
- NO BUILDING IS PERMITTED WITHIN 25' OF A WATERSHED WATERED BUFFER.
- THERE SHALL BE NO FILLING OR THE DESTRUCTION OF PERMANENT STRUCTURES IN THE AREAS OF WAKE COUNTY FLOOD HAZARD SOILS OR FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) 100 YEAR FLOOD ZONES UNTIL A FLOOD STUDY IS APPROVED BY WAKE COUNTY OR FEMA.
- BEFORE ACCORDING A BUILDING PERMIT FOR LOTS MARKED BY \* THE BUILDER MAY NEED TO OBTAIN A FLOOD HAZARD AREA USE PERMIT FROM WAKE COUNTY ENVIRONMENTAL SERVICES. THE BUILDER'S ENGINEER, ARCHITECT, AND OR SURVEYOR (AS APPROPRIATE) MUST CERTIFY THAT ALL FLOOD HAZARD REQUIREMENTS ARE MET.



N/F  
ROBERT D. RHYNE JR.  
& EDITH E. RHYNE  
D.B. 7212, PG. 235  
BM1986, PG. 1192  
PIN # 1749.02-65-5945

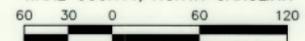
ANNEXATION MAP FOR  
**DAVID EVANS & ASHBY EVANS**

LOTS 2 REITZ PROPERTY  
3608 FOXWILD LANE

OWNERS: DAVID BARRETT EVANS & ASHBY ATKINS

REF: D.B. 16634, PAGE 1526  
REF: B.M. 2018, PG. 2268

TOWN OF ROLESVILLE  
WAKE COUNTY, NORTH CAROLINA



SCALE 1"=60'

MAY 11, 2020

ZONED R-1

PIN # 1749.02-66-1069



FUTURE TOWN BOARD MEETINGS  
*(Please note this schedule is subject to change)*

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- July 16, 2020 Town Board/Rolesville Chamber of Commerce Executive Board Joint Virtual Meeting – 6:00 pm to 7:00 pm
- July 21, 2020 Town Board Regular Meeting – 7:00 pm
- Consent: Chandlers Ridge Development Order Approval.
  - Consent: ANX 20-03 Watkins Property. (Kalas Falls Subdivision) Voluntary Annexation – Resolution for Town Clerk to Investigate the Sufficiency
  - Consent: Call for Public Hearing on Case PR20-03: The Preserve @ Jones Dairy Rd (South) Preliminary Subdivision Plat
  - Consent: Call for Public Hearing (Quasi-Judicial) Case: SUP20-01 – Carlton Pointe PUD Special Use Permit Amendment – Greenway Trail Replacement for Previous SUP Conditions.
  - ADA Transition Plan Adoption.
  - Public Hearing (Legislative) – Case: UDO TA20-03 Article 10 – Add Senior Housing Parking Standards
  - Financial Report Update.
- July 24, 2020 Special Town Board Virtual Work Session – 8:00 am to 10:00 am
- August 4, 2020 Town Road Regular Meeting – 7:00 pm
- Public Comment.
  - Consent: ANX 20-03 Watkins Property. (Kalas Falls Subdivision) Voluntary Annexation – Town Clerk Certify the Sufficiency of the Petition and Schedule Public Hearing.
- August 18, 2020 Town Board Regular Meeting – 7:00 pm
- Consent: Call for Public Hearing (Quasi-Judicial) PR 20-02: The Preserve @ Jones Dairy Rd (North), Preliminary Sub Plat.
  - Consent: Call for Public Hearing (Quasi-Judicial) PR 20-04: The Preserve @ Jones Dairy Rd (Central), Preliminary Sub Plat.
  - Consent: Call for Public Hearing (Quasi-Judicial). SP 20-03: Carolina Legacy Volleyball Site Plan.
  - Public Hearing (Quasi-Judicial). Case: SUP20-01 – Carlton Pointe PUD Special Use Permit Amendment – Greenway Trail Replacement for Previous SUP Conditions.
  - Public Hearing (Quasi-Judicial) Case PR 20-03: The Preserve @ Jones Dairy Rd (South) Preliminary Subdivision Plat.
  - Case: PR 20-01: The Point, Phases 1 through 10, (South) Preliminary Sub Plat (Admin Approval).
- September 1, 2020 Town Board Regular Meeting – 7:00 pm
- Public Comment
  - Public Hearing (Legislative). Case: ANX 20-03 Watkins Property. (Kalas Falls Subdivision) Voluntary Annexation.
  - Case: PR 20-04: Kalas Falls, Preliminary Sub Plat (Admin Approval).

September 15, 2020 Town Board Regular Meeting – 7:00 pm

- Public Hearing (Quasi-Judicial). Case: SP 20-03: Carolina Legacy Volleyball Site Plan
- Public Hearing (Quasi-Judicial). Case: PR 20-02: The Preserve @ Jones Dairy Rd (North), Preliminary Sub Plat.
- Public Hearing (Quasi-Judicial) Case: PR 20-04: The Preserve @ Jones Dairy Rd (Central), Prelim Sub Plat (Admin Approval).

Future Board Meetings- Not Scheduled

- Public Hearing (Legislative) Case: MA 20-01 C4 Investments LLC
- Public Hearing (Quasi-Judicial) Case: SP 20-01 Elizabeth Springs Amenity Site Plan
- Public Hearing (Legislative) Case: UDO TA 20-01 R3 Zoning District – Add Single-Family Dwellings
- Public Hearing (Legislative) Case: ANX 20-01 Hopper Communities, LLC Wheeler Property/Rolesville & Mitchell Mill Road
- Public Hearing (Legislative) Case: MA 20-01 Hopper Communities, LLC, Zone R3-CZ Zoning District for Proposed Annexation Area (ANX 20-01).