



Town Board Regular Meeting
September 1, 2020 – 7:00 PM
502 Southtown Circle, Rolesville, NC 27571

Notice:

The public hearings set for this evening’s agenda may draw a level of public attendance above what the Town can reasonably accommodate given current COVID-19 constraints. The Town will continue to follow current public meeting policy with the following additional precautions:

- The Community Center has a safety capacity of 18 persons.
- Speakers for each of the public hearings will be limited to a maximum of ten (10) speakers in favor and ten (10) speakers in opposition. Each speaker will have a time limit of three (3) minutes.
- Admission to the Community Center (and sign-ups to speak during the public hearings) will begin at 6:45 p.m. Seating and meeting sign-up will be on a first-come first-served basis. Adhere to social distancing if waiting for meeting sign-up.
- If you are signed-up to speak, you may be required to wait outside of the Community Center. Staff will call for speakers waiting within the Community Center or outside to ensure a safe and orderly hearing.
- The public is invited to submit public hearing comments in advance of the meeting utilizing the Town’s online submission form <https://www.cognitofrms.com/TownOfRolesville/townofrolesvillepubliccommentssubmissionform>. Please indicate for which hearing the comment is being made. Online comments will be accepted up 5:00 p.m. August 31st.

Town of Rolesville Board of Commissioners meetings are livestreamed and may be viewed on the Town of Rolesville YouTube channel:
<https://www.youtube.com/user/townofrolesville>

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 – Public Invited to be Heard is for comments on **non-agenda items only**. The Town Clerk will compile and read non-agenda item public comments received via electronic submission to ensure they become part of the permanent record. To submit non-agenda item 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. Approval of Minutes of August 4th and August 18th Town Board Meetings.
2. City of Raleigh Utility Customer Assistance Program (UCAP) – New Agreement.
3. Budget Amendment – Rolesville Chamber of Commerce
4. Case: SUP20-01 – Carlton Pointe PUD Special Use Permit Amendment Order Approval. (If received)
5. Case: PR20-03 – The Preserve @ Jones Dairy Road (South) Preliminary Subdivision Plat Order Approval. (If received)

C. ITEMS OF BUSINESS

1. Public Hearing (Legislative): Case ANX20-04 Mitchell Mill Road Investors, LLC (Kalas Falls) Voluntary Annexation.
2. Public Hearing (Legislative): Case UDO TA20-01 – Unified Development Ordinance Text Amendment, R-3 Zoning District – Add Single-Family Dwelling Units as a Permitted Use.
 - Open Public Hearing
 - Town Staff Presentation
 - Planning Board Report
 - Public in Favor
 - Public in Opposition
 - Acknowledgement of Electronically Submitted Public Hearing Comments Received
 - Close Public Hearing

D. COMMUNICATIONS

Town Attorney

Town Manager

Town Staff

E. ADJOURNMENT

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.



Town Board Regular Meeting
August 4, 2020 – 7:00 PM
502 Southtown Circle, Rolesville, NC 27571

Minutes

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

A. CALL TO ORDER

1. Pledge of Allegiance

Mayor Currin called the meeting to order at 7:00 p.m.

2. Invocation

Charlie Hatcher, Pastor of Neuse Baptist Church gave the invocation.

3. Introduction of New Police Department Employees Jose Luis Perez-Apodaca and Matthew Liggins

Police Chief Orlando Soto introduced new police officer Matthew Liggins. Officer Liggins is a 15-year veteran who comes to the Town of Rolesville from Wilson.

Police Chief Orlando Soto stated Officer Jose Luis Perez-Apodaca would be introduced during the Chief's police report at the end of the meeting.

4. Employee Recognition of Police Lieutenant Richard Haynes.

Police Chief Orlando Soto recognized Police Lieutenant Richard Haynes, present at the meeting, for having successfully completed the North Carolina State University Administrative Officers Management Program (AOMP).

5. 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 August 4, 2020 Town Board Regular meeting agenda as presented; seconded by Commissioners Sutton/Sneed. The motion carried by unanimous consent.

6. 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](#).*

Curtis Roerick, 3624 Nether Ridge Road, Zebulon, NC

Mr. Roerick expressed concern over density on Rolesville Road. Roerick asked that the board allow the density that has already been approved to be completed and evaluated prior to approving additional dense development in the area.

Michelle Roerick, 3624 Nether Ridge Road, Zebulon, NC

Ms. Roerick expressed her opposition to Case: UDO TA20-01 citing concerns the 20-acres slated for future development in tandem with the proposed text amendment will be marked out of the Unified Development Ordinance and allow for townhomes to be built in the area as far as the eye can see.

Ron Aplin, 1125 Mackinaw Drive, Wake Forest, NC (Stonewater Subdivision)

Mr. Aplin stated he had sent an email and was present to follow up on his request that golf carts be allowed on town streets. Aplin used safe driving instruction for teens as an inducement to encourage support of his request.

Gayle Stallings, 1512 Rolesville Road, Wake Forest

Ms. Stallings was present to voice her opposition to Case: UDO TA20-01. Stallings stated she is not opposed to growth or the development, rather to the R-3 zoning and the density it will bring. Stallings said she does not believe it is congruous with the existing communities.

Matthew Jones, 3532 Nether Ridge Road, Zebulon, NC

Mr. Matthew Jones opposes Case: UDO TA20-01 stating Rolesville will become like Cary or Apex as traffic is already a problem in the area proposed for development especially given the Rolesville High School located there. Jones urged the Town to continue its efforts towards commercial development.

Lee Jones 3533 Nether Ridge Road, Zebulon, NC

Mr. Lee Jones expressed his opposition to Case: UDO TA20-01. Mr. Jones likened the proposed increase in density to a funnel and described his current experiences with traffic congestion.

The Town Clerk read the following online comments aloud in the order they were received:

Anthony & Kathleen Trabucco, 3500 Taviswood Way, Wake Forest, NC

We are against UDO Text Amendment TA20-R3 Zoning District with regard to the Fowler-Wheeler property. Thank you...

Denise Stevens, 345 German Shepherd Trail, Wake Forest, NC

I am begging you to please not allow this development continue. I fill (*sic*)that with the neighbor hoods that have been allowed already the town of Rolesville is not considering the effect it is going to have on our roads /like Rolesville Road, Mitchell Mill Rd or 401 going into Raleigh/ grocery stores, post office, gas stations, etc. If anything needs to be approved is sticking to the current plans for more commercial development and put a stop to the high density residential communities. Since I have lived her most of my life /52/ will you PLEASE take consideration from someone that has been here and seen positive changes and well as misinformed changes and the results from it. Just wait and see what damages are going to be done with the already approved developments. Address the issues we will be faced with and then if the roads and commercial business can handle more, so be it.

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Regina Hakes, 6300 Mitchell Mill Road, Zebulon, NC

This is regarding the proposed Fowler Wheeler property. My husband and I are 100% against any high density development. Almost 100% of all homes in this area are on a minimum of .5 acre lots and most are on larger tracts (we have 6 acres) to small farms. High density housing will not fit with the neighborhood nor can the infrastructure of Mitchell Mill or Rolesville Rd support the amount of added traffic from all the building going in in this corridor.

Thank you

Jane Zboray, 736 Strathwood Way, Rolesville, NC

The documents available online for the Proposed Revisions do not present the reason for removing the two access points from Prides Crossing. The terrain is not the same for both--one is at a rock outcrop but the other is not. Please explain this requested revision.

7. Town Board Liaison Reports

- Planning Board – Commissioner Medley reported on the short meeting held by the Planning Board. Medley touched on a discussion on the removal of a fee in lieu for The Preserve Subdivision if she recalled correctly. Medley also reported on the resignation of one member of the Planning Board who is moving to Wake Forest.
- Parks & Recreation Advisory Board – Commissioner Vilga reported that the PARAB met on August 22nd on the following:
 - Carlton Pointe greenway update.
 - OSAG gave a presentation of greenway priorities and RFP for greenway study.
 - Create a PARAB subcommittee for events and arts.
 - Review of Town Board's discussion of Cobblestone Economic Development agreement.
- Economic Development – Commissioner Sutton reported that she has been in communication with Community and Economic Development Manager Mical McFarland and Chamber Executive Director Rachel Morris despite not being able to meet in person this month. Sutton reported there are 93 brick and mortar businesses in Rolesville. 86 businesses in Rolesville received loans from PPP up to \$250K. Bearing in mind that the owner of the business could live in Rolesville but the business be located elsewhere.
- Public Safety – Commissioner Wilson reported that there will be a meeting next Monday night. The RRFD will be replacing a 22-year old truck. Additional bids are being solicited for the Fire Department study.

B. CONSENT AGENDA

Moved by Commissioner Wilson to approve the consent agenda as presented and consisting of the following:

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1. Minutes of the July 7th and June 21st Town Board Meetings.
2. Chandlers Ridge Development Order Approval.
3. ANX20-04 – Mitchell Mill Road Investors, LLC (Kalas Falls) Voluntary Annexation – Town Clerk Certify the Sufficiency of the Petition and Schedule the Public Hearing for September 1, 2020.

The motion was seconded by Commissioner Sutton and carried by unanimous vote.

C. ITEMS OF BUSINESS

1. Determination of Setting a Public Hearing for Unified Development Order Text Amendment 20-01 (UDO TA20-1), R-3 Zoning District – Add Single-Family Dwelling Units as a Permitted Use.

Commissioner Sutton voiced her concerns regarding the Planning Board not having received information from a discussion held by the Town Board on Case: UDO TA20-01 while meeting July 24th. Sutton recounted hearing there were multiple concerns expressed by some of the Planning Board members.

It was suggested that the Planning Board review the online recording of the Town Board meeting held July 24th and provide comments to be presented to the Town Board by the Planning Board Chair.

Moved by Commissioner Wilson to remand Case: UDO TA20-01 back to the Planning Board and request its review this meeting's public comments as well as the online recording of the Town Board meeting of July 24th. It was further requested the Planning Board give consideration and re-deliberate the case, after which the Planning Board Chair provide a report at the Town Board's next meeting. Commissioner Wilson's motion was seconded by Commissioner Medley.

Following a suggestion from Commissioner Vilga, Commissioner Wilson amended his motion and Mayor Pro Tem Medley her second to add that the Public Hearing on UDO TA20-01 be set for September 1, 2020. Amended motion carried by unanimous vote.

2. Discussion of Chamber of Commerce Request for Additional Funds.

Moved by Commissioner Sutton to approve an increase to 22K be awarded to the Rolesville Chamber of Commerce in substitution for the requested 30K. Commissioner Sutton further moved she be appointed the Town Board's liaison to the Chamber and that such language be included in the MOU. It was still further moved that the Chamber provide detailed program expenditures to show what benefits Rolesville, and additionally provide an annual audit to the Town. The motion was seconded by Commissioner Vilga.

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Commissioner Medley proposed awarding the Chamber the full 30K.

Commissioner Sneed stated her request to see more money earmarked for businesses prior to youth programs. Sneed alluded to a program that the Town of Rolesville Parks & Recreation Department had been formulating that is similar to one proposed by the Chamber. It was noted by the Town Manager that the proposed Parks & Recreation program had not risen to the level of the Town Manager and Town Board, therefore no definitive planning had been given it.

Commissioner Wilson stated his agreement with awarding the 30K after a requested amendment to the MOU that would earmark money to help businesses.

Commissioner Sutton stated the Chamber's focus needs to be 65% - 70% focused on businesses as that is what the Chamber is for.

Commissioner Vilga expressed support for the Leadership Rolesville program but asked, after a year of proven success, ask for more money. Vilga voiced his agreement that the Chamber needs to be more focused on businesses.

The board members expressed their desire to know which Chamber programs benefit businesses: Launch Rolesville, Ambassador, Business After Hours, Lunch and Learn, Expenditures,

Commissioner Sutton withdrew her motion and Commissioner Vilga his second.

Commissioner Wilson offered a substitute motion to send the current draft of the MOU back to the Chamber for further revision, directing any additional funds awarded be focused on helping businesses and directed removal of the Chamber Foundation from the MOU. The motion was seconded by Commissioner Medley. Motion carried by unanimous vote.

D. COMMUNICATIONS

1. Town Attorney

NONE

2. Town Manager

Town Manager Kelly Arnold provided the following report

- Arnold reviewed a letter received from Cobblestone regarding a virtual meeting being held for the public on August 11th.
- Arnold requested and the board agreed to set a meeting on August 25th at 6:00 p.m. to receive an update on the UDO and Comprehensive Plan and to talk about the downtown mixed-use proposed zoning in the Cobblestone property area.

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- Friday is the deadline to receive bids from consultants to conduct a needs study for the Fire Department. Four quotes/proposals have been received to date and a fifth is certain.
- Plans to re-review information on golf carts from October 2018 meeting. Information from current and previous discussion to be sent out to the board for review.

3. Town Staff

Community and Economic Development Manager Mical McFarland provided the following report:

- Five businesses received PPP loans ranging from 150K to 350K.
- NC Department of Commerce is offering job retention grants for businesses or non-profits (who did not participate in paycheck protection program) For more information or to apply contact: jrg@nccommerce.com. Applications close September 1st.
- Health and Safety program called Reopen Wake to help business owners help their employees use precaution as they progress through the stages of the COVID-19 environment.

Parks & Recreation Director J. G. Ferguson provided the following report:

- Rolesville sustained little damage (one limb in Olde Town and one tree in the park) during the recent hurricane.
- Town staff was ready and worked well together to plan ahead of the storm.
- First outdoor movie this Saturday. The Town is offering 21 social distancing pods described as 12' in diameter, spaced 6-12' apart and sufficient to accommodate a family of 6. Eighteen pods have been reserved thus far.
- The Parks & Recreation Department is in week 8 of week 9 of summer camp.
- Parks and greenways are open (playgrounds closed) and are seeing high usage.

Finance Officer Amy Stevens provided the following report:

- Monthly financial reports to begin in the August 18th meeting.

Planning Director Danny Johnson provided the following report:

- 20 new single-family and four townhome permits were issued for the month of July. Overall a total of 48 permits were issued in July.

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Police Chief Orlando Soto introduced Jose Luis Perez Apodaca who is new to law enforcement and comes to Rolesville from private policing with the Crabtree Valley Department. Officer Apodaca is a reservist with the United States Marine Corps.

Chief Soto reported on the following:

- The police building expansion has been put out for bids for construction beginning in September.
- The department is fully staffed pending filling the Evidence Specialist position currently posted.

E. ADJOURN

**Moved by Commissioner Wilson to adjourn; seconded by Commissioner Sutton.
Meeting adjourned at 9:27 p.m.**

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Town Board Regular Meeting
August 18, 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 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
Parks & Rec Director J. G. Ferguson

Town Attorney Dave Neill
Finance Director Amy Stevens
Comm & Econ Dev. Mgr. Mical McFarland

1. Pledge of Allegiance

Mayor Currin led the Pledge of Allegiance

2. Invocation

Pastor Tyler Williams of the Village Church of Rolesville gave the invocation.

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 August 18, 2020 Town Board Meeting Agenda as presented; seconded by Commissioner Sutton. Motion carried by unanimous vote.

B. CONSENT AGENDA

Moved by Commissioner Wilson to approve the August 18, 2020 Town Board Meeting Consent Agenda as presented and consisting of the following; seconded by Commissioner Vilga. Motion carried by unanimous vote.

Approval of Memorandum of Understanding (MOU) Between Town of Rolesville and Rolesville Chamber of Commerce for FY2020-2021.

C. ITEMS OF BUSINESS

1. Public Hearing (Quasi-Judicial). Case: SUP20-01 – Carlton Pointe PUD Special Use Permit Amendment – Greenway Trail Replacement for Previous SUP Conditions.

Mayor Currin opened the public hearing on Case SUP20-01 at 7:41 p.m.

Town Attorney Dave Neill read the characteristics of a quasi-judicial hearing followed by a query of the board members for each member's response to the following:

- 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 member discussed this matter with either proponents or opponents or other outside this hearing?

At this time, Commissioner Vilga provided information on the public comment received electronically by the Town Clerk regarding the case and read by Commissioners Vilga and Sutton. Attorney Neill asked both Commissioners if they were able to disregard the comments that they saw and able to base their decisions based solely on the evidence presented at the hearing to which both Commissioners answered to the affirmative.

- 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.

Introduction by Staff

Planning Director Danny Johnson provided supporting and background information on the request for an amendment to the existing Special Use Permit under Case: SUP20-01 The information came in the form of a PowerPoint presentation and is included herein by reference.

Testimony of Applicant

Rick Goodman, Goodman Law PA, 720-B W. Hargett Street, Raleigh, NC
Mr. Goodman was present in support of the applicant and stated that none of the findings of facts met in the original special use permit are affected by the newly requested amendment.

Mack McIntyre, McIntyre & Associates, 4932 Windy Hill Drive, Raleigh, NC
Mr. McIntyre, Engineer for the project, was present to answer any questions that may be posed. Mr. Goodman asked McIntyre if what is being presented is an accurate representation of what he created. McIntyre stated to the affirmative.

Public in Favor

NONE

Rebuttal

NONE

Public in Opposition Rebuttal

NONE

Consistency Statement by Applicant

Attorney Goodman asked questions of Mr. McIntyre relative to the application's consistency with the Town's Unified Development Ordinance. McIntyre confirmed all requirements were met consistent to the UDO.

Close Public Hearing

There being no one remaining to speak, Mayor Currin closed the public hearing on Case: SUP20-01 at 7:33 p.m.

Moved by Commissioner Wilson to approve SUP 20-01 – Carlton Pointe PUD Special Use Permit Amendment – Greenway Trail Replacement for previous SUP 04-02 Conditions with the evidence and testimony received at the hearing to determine the findings of fact.; seconded by Commissioner Vilga. Motion carried by unanimous vote.

2. Public Hearing (Quasi-Judicial). Case: PR20-03. The Preserve @ Jones Dairy Rd (South) Preliminary Subdivision Plat.

Attorney Neill asked the board members to keep in mind the nature of a quasi-judicial hearing while considering Case: PR20-03 and asked the mandated questions regarding any predispositions and possible ex parte communication. All members answered satisfactorily.

Open Public Hearing

Mayor Currin opened the public hearing on Case: PR20-03 at 7:41 p.m.

The Town Clerk swore in those persons wishing to provide testimony.

Introduction by Staff

Planning Director Danny Johnson provide background and an introduction to the special use application under Case: PR20-03.

Public in Favor

Ken Edwards, 5909 Falls of Neuse Road, Raleigh, NC

Ronald L. Stevens, Ramey-Kemp Traffic Engineer, 5808 Fearington Place, Raleigh, NC

Mack McIntyre, McIntyre & Associates, 4932 Windy Hill Drive, Raleigh, NC

Mr. Edwards, Attorney for the applicant, asked questions of Mr. Stevens pertaining to the consistency of the site plan with the provisions of the Town's Unified Development Ordinance (UDO).

Attorney Edwards asked questions of Mr. McIntyre pertaining to the consistency of the site plan with the provisions of the Town's Unified Development Ordinance (UDO).

Public in Opposition

Betty Freeman, 524 Averette Road, Rolesville, NC

Ms. Freeman cited previous discussions held on traffic in front of her home and stated traffic is light right now due to the Corona Virus. Freeman speculated that if a third car stops at a stop light at the intersection fronting her property, her driveway will be blocked.

Rebuttal

Ronald Stevens stated that traffic study and counts done before were well ahead of the pandemic

George Garcia, 524 Averette Road, Rolesville, NC

Mr. Garcia expressed his suspicions that a speed limit change on the road was not taken into consideration when the traffic study was conducted and described pre-pandemic traffic backups on the road.

Consistency Statement by Applicant

Attorney Edwards offered a closing statement stating all aspects of the project being applied for met the consistency requirements outlined in the Town's Unified Development Ordinance.

Close Public Hearing

There being no one remaining to speak, Mayor Currin closed the public hearing on Case: PR20-03 at 8:39 p.m.

Moved by Commissioner Wilson to approve the Preliminary Subdivision Plat based on no new information presented at the public hearing and determine that the Plat will meet the requirements of the Town's Unified Development Ordinance.; seconded by Commissioner Vilga.

Motion carried with the following vote:

Ayes: Vilga, Wilson, Sneed, Medley

Nays: Sutton

3. Cobblestone Development and Purchase Agreements Discussion.

Moved by Commissioner Sutton to hold a public hearing for the Economic Development and Purchase Agreements (designate land for economic development purposes) (designation of funds for economic development purposes); seconded by Commissioner Vilga. Motion carried by unanimous vote.

4. Monthly Financial Update

Finance Director Amy Stevens provided an update on the fiscal year budget progression. Stevens' presentation was in the form of a pdf document that is included herein by reference.

The board stated that the presentation was helpful and that they would like to have the presentation given quarterly as opposed to monthly in addition to its inclusion in the monthly FYI. Anything alarming will be pulled out and brought to the board's attention.

Mayor Currin reported the following:

- Five proposals for the Fire Department study were received and are to be reviewed by designated Town staff and Fire Department personnel.
- Discussion was held regarding Rolesville's future participation in *Freedom/Emancipation Day* which occurs in June. An additional holiday for employees is also being considered.
- Eight applications for the remaining term vacancy on the Planning Board have been received and will be reviewed by Mayor Pro Tem Medley and Commissioner Sneed for recommendation to the Town Board.

D. ADJOURNMENT

There being no more business before the board, it was moved by Commissioner Sutton to adjourn and seconded by Mayor Pro Tem Medley. Motion carried by unanimous vote. The meeting adjourned at 9:55 p.m.



Memorandum

To: Mayor and Town Board
From: Amy Stevens, Finance Director
Date: August 25, 2020
Re: City of Raleigh Utility Customer Assistance Program – New Agreement, Agenda Item #B.2.

Background

In May 2018, the Town Board approved Rolesville's participation in the City of Raleigh's Utility Customer Assistance Program (UCAP). This program was designed to assist economically distressed utility customers with their monthly water and sewer bills. This original agreement was for a period of two years.

Update

On June 2, 2020, the Town Board approved an amendment granting a two-year extension of the original UCAP agreement. The signed agreement was executed and sent to the City of Raleigh, however, City staff were unable to review and execute the amendment in a timely manner, and therefore the original agreement expired on June 30, 2020.

The City of Raleigh has apologized for the delay that caused the expiration. Since the original agreement expired, a new two-year agreement for the UCAP program is required. The new agreement is attached, and it is substantially the same as the prior agreement signed by the Town in 2018. Sufficient funds remain in trust with the City of Raleigh, and no additional expenditure is needed at this time.

Board Options

The Town Board may 1) continue to participate in the UCAP program and approve the new ILA or 2) terminate its participation and request to have the funds returned.

Recommended Action

Make a motion to approve, and authorize the Town Manager to execute, the Agreement for Local Government Participation in the Utility Customer Assistance Program, which will extend participation for another two years.

Attachments

- Agreement for Local Government Participation in the Utility Customer Assistance Program, which was approved in July 2018

**AGREEMENT FOR LOCAL GOVERNMENT PARTICIPATION IN THE
UTILITY CUSTOMER ASSISTANCE PROGRAM**

This AGREEMENT FOR LOCAL GOVERNMENT PARTICIPATION IN THE UTILITY CUSTOMER ASSISTANCE PROGRAM (hereinafter, the “Agreement”) is entered into as of this ____ day of _____, 2020, between the City of Raleigh (the “City”) and Town of Rolesville (the “Town”), each of the above being municipal corporations and public bodies politic of the State of North Carolina (collectively, the Parties).

RECITALS:

WHEREAS, the City of Raleigh Public Utilities Department (also known as “Raleigh Water”) provides water and sewer services to the citizens of Raleigh, Knightdale, Wendell, Rolesville, Garner, Zebulon and Wake Forest, which represent a combined population served of over 530,000 Wake County residents,

WHEREAS, the City and Wake County (the “County”) have developed a Utility Customer Assistance Program (“UCAP”), which assists customers who have a demonstrated financial need and are unable to pay their utility bill,

WHEREAS, a City utility customer is only eligible for UCAP assistance if the City or Town within which the customer resides has contributed to the UCAP, and

WHEREAS, the Town has participated and desires to continue its participation in the UCAP to provide utility bill payment assistance funds to customers in the Town’s service area.

NOW THEREFORE, and in consideration of the mutual goals and promises contained herein and the mutual benefits to result there from, the Parties agree as follows:

I. Implementation of the UCAP

1. The Town will provide to the City annual funding in the amount of \$2,400 no later than August 1 of each year to fund the UCAP for utility customers in the Town’s jurisdiction.
2. The City will acknowledge receipt of the funding through an email to the Town finance director.
3. Once the Town’s UCAP funds have been depleted, the City will notify the Town via email that the funds have been depleted. Additional funding may be provided by the Town during the year if funds are depleted. A customer in the Town’s jurisdiction may not receive funds if the Town’s funds provided to the City have been depleted.

4. The City will only utilize Town UCAP funds to assist customers in the Town's jurisdiction. The City will only utilize City UCAP funds to assist customers in the City's jurisdiction.
5. The City will provide quarterly reports to the Town regarding the utilization of the funding. Quarterly reports will include the funding utilized to date, the remaining balance of funds, and a list of customers who have received assistance.
6. Customers desiring to apply for UCAP funds will do so through the Wake County Human Services Department, who is responsible for determining a customer's eligibility for UCAP funds. Criteria for eligibility in the UCAP is as follows:
 - a. Meet income eligibility requirements*
 - b. Have reserves at or below \$2,250
 - c. COR Utility account will be past due, in jeopardy of disconnection or currently disconnected for non-payment
 - d. Be responsible for his or her City Utility Bill

*Income eligibility is determined at the Federal and State level.
7. If a Town customer is determined to be eligible for the UCAP by the County, City utility staff will credit the customer's account following notification of eligibility by the County. Once the payment has been applied, City utility staff will confirm, in writing, with the customer that the transaction has been completed.
8. Each customer is eligible for one UCAP transaction per fiscal year, with a value of up to \$240 not to exceed the amount of the customer's actual City utility bill, to be credited to the customer's account. If the UCAP funds are not sufficient to pay the customer's entire City utility bill, the customer will be responsible for resolving any outstanding balance to continue service.
9. An annual summary report for the UCAP will be provided by City utility staff to Town staff. The report will include the number of recipients from all communities served by the City (Raleigh, Garner, Knightdale, Rolesville, Wake Forest, Wendell and Zebulon) who received financial assistance through the UCAP.

II. General Terms and Conditions

1. **Term; termination.** The term of this Agreement shall run from the date of execution of this Agreement by Parties hereto through June 30, 2022. The Parties may extend the term of this Agreement by a duly authorized written amendment. The Parties shall have the right to terminate their participation in this agreement with or without cause upon giving fourteen (14) days electronic and written notice to the party delivered to the following address:

Town of Garner: Kelly Arnold, Town Manager
502 Southtown Circle
P.O. Box 250
Rolesville, NC 27571

City of Raleigh Public Utilities Director
One Exchange Plaza, 6th Floor
P.O. Box 590
Raleigh, NC 27602

The responsibilities of the withdrawing party shall terminate 30 days after notice is given by the withdrawing party in accordance with this Agreement unless otherwise agreed by in writing by both Parties.

2. **Amendment.** Any amendment to this Agreement to be effective must be in writing, signed by the Manager or other authorized representative of the Parties, and executed with the same formality and approvals as the foregoing agreement.
3. **Assignment.** No party shall assign any portion of this Agreement or the rights and responsibilities hereunder to another person or entity who is not party to this agreement without prior written consent of the Parties.
4. **Governing Law; Venue.** This Agreement and the rights and obligations of the Parties hereto shall be interpreted, construed and enforced in accordance with the laws of the State of North Carolina and shall be enforced only in its General Court of Justice to the extent that any such actions will lie therein. The venue for any such action relating to this Agreement shall be Wake County Civil Superior Court.
5. **Entire Agreement.** The terms and provisions herein contained constitute the entire agreement by and between the Parties hereto and shall supersede all previous communications, representations or agreements, either oral or written between the Parties hereto with respect to the subject matter hereof.
6. **Severability.** If any provision of this Agreement shall be determined to be unenforceable by a court of competent jurisdiction, such determination will not affect any other provision of this Agreement.
7. **Counterparts.** This Agreement may be executed in several counterparts, each of which shall be deemed an original.
8. **Non-Discrimination Assurances.** To the extent permitted by North Carolina law, the Parties hereto for themselves, their agents, officials, employees and servants agree not to discriminate in any manner on the basis of race, color, creed, national origin, sex, age, handicap, or sexual orientation with reference to the subject matter of this Agreement. The Parties further agree, to the extent permitted by law, to conform with the provisions and intent of City of Raleigh Ordinance 1969-889, as amended. This provision is hereby incorporated into this Agreement for the benefit of the City of

Raleigh and its residents, and may be enforced by action for specific performance, injunctive relief, or other remedy as provided by law. This provision shall be binding on the successors and assigns of the Parties with reference to the subject matter of this Agreement.

IN WITNESS WHEREOF the Parties' mutual understandings, the City and the Town and have executed this Agreement under the signatures of their designated Managers, of their designees respectively, with proper authorization of their respective governing bodies, as of the date set fourth above.

Town of Rolesville

By: _____
Town Manager

Attest:

By: _____

The City of Raleigh

By: _____
City Manager

Attest:

By: _____
Gail G. Smith, City Clerk-Treasurer

Approved as to Form:

City Attorney



Memorandum

To: Mayor and Town Board
From: Amy Stevens, Finance Director
Date: August 25, 2020
Re: Budget Amendment – Rolesville Chamber, Agenda Item #B.3.

Background

The FY20-21 original adopted budget included \$18,000 for the Rolesville Chamber of Commerce. On August 18, 2020 the Town Board approved a new annual memorandum of understanding with the Chamber that sets out a contribution of \$24,000 through the fiscal year.

A budget amendment of \$6,000 is necessary to appropriate these funds. The contingency line item has enough funding to cover this expenditure. If approved, the contingency line item will have a remaining balance of \$99,596.

Board Options

Approve the budget amendment as presented or identify an alternative source of funds.

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:

- To appropriate funds from contingency to fulfill the memorandum of understanding with the Rolesville Chamber of Commerce.*

Decrease Expenditure

11-700-85	Contingency	\$6,000
-----------	-------------	---------

Increase Expenditure

11-700-55	Chamber of Commerce	\$6,000
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This will result in no change to revenues or expenditures of the General Fund.

Adopted this 1st day of September 2020

Ronnie I. Currin
Town of Rolesville Mayor

Attest: _____
Robin E. Peyton
Town Clerk



Memo

To: Mayor and Town Board of Commissioners
From: Danny Johnson, AICP, Planning Director
Date: September 1, 2020
Re: ANX 20-04, Mitchell Mill Road Investors, LLC, Manly Farm Road, Wake County PIN# 1757994300

Summary Information

The Town has received a non-contiguous voluntary annexation petition (Case ANX 2004) for 66.123 acres located at Manly Farm Road, Wake County PIN# 1757994300 into the Town of Rolesville Town Limits. This location is a portion of the proposed Kalas Falls Subdivision. 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, September 1, 2020 at 7:00 pm in the Board Chambers at Rolesville Town Hall.

The petitioner has given notice to the Town Manager a request to delay holding the public hearing on their voluntary annexation case until a later Town Board meeting and Town Board of Commissioners may open and continue the public hearing on this annexation case to Tuesday, October 6, 2020.

Staff Recommendation

Staff recommends is to not holding the public hearing as schedule and continue the public hearing on this annexation case to a future Town Board of Commissioners meeting.

Relationship to Current Budget/Goals

None

Suggested Motion:

I move to continue the public hearing on ANX 20-04, Mitchell Mill Road Investors to the Town Board meeting on Tuesday, October 6, 2020.

Attachments:

ANX 20-04, Mitchell Mill Road Investors, LLC, Annexation Petition
ANX 20-04, Mitchell Mill Road Investors, LLC, Annexation Location Map
ANX 20-04, Mitchell Mill Road Investors, LLC, Annexation Ordinance
ANX 20-04, Mitchell Mill Road Investors, LLC, Annexation Boundary Map

TOWN OF ROLESVILLE PETITION FOR ANNEXATION

The items below are required in order to complete your application and shall be submitted when the application is filed.

1. A complete copy of the last deed of record for proof of ownership
2. An annexation boundary plat/map for recordation at the Wake County Register of Deeds Office (mylar plat) prepared by a professional land surveyor showing the boundaries of the area or property for annexation into the Town of Rolesville.
3. A complete copy of the written metes and bounds description based on the annexation boundary plat/map.

SECTION 1 – LOCATION

Is the area contiguous with the existing primary corporate limits? Satellite corporate limits is not primary. Yes or No

Note: If the land is contiguous to any existing corporate limits, the proposed annexation boundary will include all intervening right-of-ways for streets, easements, and other areas as stated in North Carolina General Statute §160-131(1).

SECTION 2 – VESTED RIGHTS

NC General Statutes require petitioners of both contiguous and non-contiguous annexations to file a signed statement declaring whether vested rights have been established in accordance with G.S. 160A-385.1 or 153A-344.1 for properties subject to the petition. Do you declare vested rights for the property subject to this petition? Yes or No

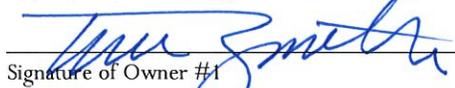
SECTION 3 - PROPERTY DETAILS

PIN Number	Real Estate ID Number	Deed Book Number	Page Number	Acreage To Be Annexed	Wake County Assessed Value
1757.02-99-4300	0074674	DB 5931	PG 93	64.856	\$ 1,389,440.00
		DB	PG		\$
		DB	PG		\$

SECTION 4 - SIGNATURES AND VERIFICATION

We, the undersigned owners of the real properties contained in the metes and bounds description and plat/map attached hereto, respectfully request that the area described above be annexed and made part of the Town of Rolesville, North Carolina. By signing below, we acknowledge that all information is correct.

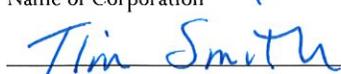
- If property owned by **INDIVIDUALS** (NOTE: All legal owners must sign including both husband and wife)


 Signature of Owner #1 3-17-2020
Date Signed

 Signature of Owner #2 Date Signed

- If property owned by a **COMPANY OR CORPORATION** (NOTE: The company or corporation must be legally registered with the State of North Carolina – Office of the Secretary of State)

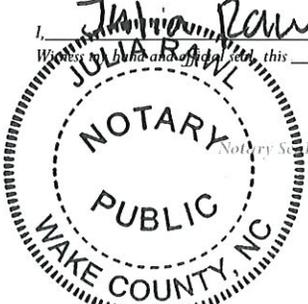
Mitchell Mill Road Investors, LLC
 Name of Corporation

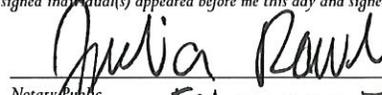

 Printed Name of Registered Agent 
 Signature of Registered Agent

105 Weston Estates Way, Cary NC 27513
 Address, State, Zip of Registered Office:

North Carolina, Wake County

I, Julia Paul, a Notary Public for said County and State, do hereby certify that the above signed individual(s) appeared before me this day and signed the foregoing instrument. Witness my hand and official seal, this 17th day of March, 2020




 Notary Public
 My commission expires: February 7, 2024

Legal Description
The Watkins Family, LLC.

BEGINNING AT AN IRON PIPE THE SOUTHEAST CORNER OF PROPERTY, SAID IRON PIPE BEING SOUTH 65°44'54" EAST 27,908.94 FEET FROM NCGS SURVEY MONUMENT "DEISEL", SAID MONUMENT HAVING NC GRID COORDINATES (NAD 83 – 1986) N= 789,627.37, E= 2,134,362.97, THENCE FROM SAID POINT OF BEGINNING SOUTH 85°28'28" WEST 837.76 FEET TO AN EXISTING IRON PIPE, THENCE NORTH 03°13'41" WEST 2297.25 FEET TO AN EXISTING IRON PIPE, THENCE SOUTH 42°00'12" EAST 185.54 FEET TO AN EXISTING IRON PIPE, THENCE SOUTH 89°46'42" EAST 653.62 FEET TO AN EXISTING IRON PIPE, THENCE SOUTH 89°30'45" EAST 555.84 FEET TO AN EXISTING IRON PIPE, THENCE SOUTH 05°57'55" EAST 259.57 FEET TO AN EXISTING IRON PIPE, THENCE SOUTH 05°36'20" EAST 242.19 FEET TO AN EXISTING IRON PIPE, THENCE NORTH 87°39'19" EAST 417.90 FEET TO AN EXISTING IRON PIPE, THENCE SOUTH 01°02'00" EAST 870.96 FEET TO AN EXISTING IRON PIPE, THENCE NORTH 88°51'34" WEST 855.49 FEET TO AN EXISTING IRON PIPE, THENCE SOUTH 00°10'48" EAST 746.47 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 2825122 SQ. FT., 64.856 ACRES MORE OR LESS.

Excise Tax: \$ 2,335.00

Real Estate ID No: 0074674

Prepared WITHOUT TITLE EXAMINATION OR TAX ADVICE by:

Longleaf Law Partners (DEM)
2235 Gateway Access Point, Suite 201
Raleigh, NC 27607

After Recording: Mail to Grantee

Brief Description for the Index:

0 Manly Farm Road

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made this 20th day of December, 2019, by and between:

GRANTOR	GRANTEE
<p>THE WATKINS FAMILY L.L.C., A North Carolina limited liability company 6528 Wilshire Drive Fuquay-Varina, NC 27526</p>	<p>Mitchell Mill Road Investors LLC, A North Carolina limited liability company 105 Weston Estates Way Cary, NC 27513-2259</p>

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee, as used herein, shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid at and before the delivery of these presents, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, transferred, conveyed and confirmed and by these presents does grant, bargain, sell, and convey unto the Grantee in fee simple, all that certain tract or parcel of land lying and being in the Town/City of Wake Forest, Wake County, North Carolina, being more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

The Property hereinabove described was acquired by Grantor by instrument recorded in Book 5931, Page 93, Wake County Registry.

All or a portion of the Property herein conveyed does not include the primary residence of Grantor.

TO HAVE AND TO HOLD the aforesaid Property and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

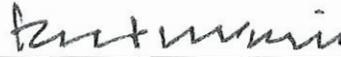
And Grantor covenants with Grantee, that Grantor has done nothing to title to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor.

[Signature page follows]

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name this 12th day of December, 2019 and delivered as of the date indicated on the first page of this Deed.

GRANTOR:

THE WATKINS FAMILY L.L.C.,
A North Carolina limited liability company



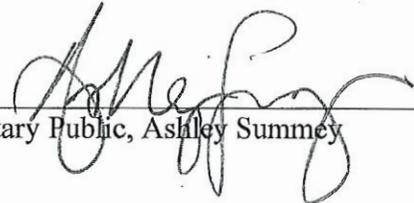
Name: Richard L. Watkins
Title: Manager

Wake County, North Carolina

I certify that the following person personally appeared before me this day and acknowledged to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Richard L. Watkins as Manager of THE WATKINS FAMILY L.L.C., a North Carolina limited liability company

Date: 12/12/2019

My Commission Expires: 2/18/2024



Notary Public, Ashley Summey

[Affix Notary Stamp or Seal]



**EXHIBIT A
LEGAL DESCRIPTION**

BEING ALL of that tract or parcel of land located in Wake Forest Township, Wake County, State of North Carolina, being more particularly described as follows:

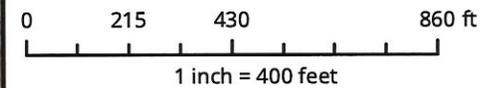
Lot No. 1 "B": BEGINNING at a stake in the line of Sam Moody and corner of lot No. 3; thence West 810 feet to stake; thence North 2300 feet to a stake in the line of W. W. Rogers; thence along W.W. Rogers' line S. 43 deg. E. 200 feet to a stake, corner of W. W. Rogers; thence S. 86 deg. E. 1211 feet to a stone in Rogers' line; thence South 284 feet to a stake; thence S. 1 deg. 45 min. W. to a stake, R. B. Whitley's corner; thence S. 88 deg. E. 455 feet to a stone, Whitley's corner; thence S. 3 deg. 15 min. W. 880 feet to a stake, Sam Moody's corner; thence along Moody's line N. 86 deg. 30 min. W. 856 feet to a stone; thence S. 3 deg. 15 min. W. 700 feet to the beginning, containing sixty six and three quarter (66 3/4) acres, and being lot No. 1B of the division of the lands of the late John M. Watkins, a map of the same is recorded in book of maps in the Register of Deeds office for Wake County.

TOGETHER WITH any and all rights to that right of way described in Book 2201, Page 97, Wake County Registry.

TOGETHER WITH any and all rights of ingress, egress and regress over that 60-foot roadway described in that easement recorded in Book 2189, Page 589, Wake County Registry.



PIN: 1757994300
PIN Ext: 000
Real Estate ID: 0074674
Map Name: 1757 02
Owner: MITCHELL MILL ROAD INVESTORS
LLC
Mail Address 1: 105 WESTON ESTATES WAY
Mail Address 2: CARY NC 27513-8619
Mail Address 3:
Deed Book: 017691
Deed Page: 01859
Deed Acres: 66.8
Deed Date: 12/20/2019
Building Value: \$0
Land Value: \$1,389,440
Total Value: \$1,389,440
Billing Class: Business
Description: POWELL
Heated Area:
Street Name: MANLY FARM RD
Site Address: 0 MANLY FARM RD
City:
Planning Jurisdiction: RO
Township: Wake Forest
Year Built:
Sale Price: \$0
Sale Date:
Use Type:
Design Style:



Disclaimer
iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.

TOWN OF ROLESVILLE PETITION FOR ANNEXATION

The items below are required in order to complete your application and shall be submitted when the application is filed.

1. A complete copy of the last deed of record for proof of ownership
2. An annexation boundary plat/map for recordation at the Wake County Register of Deeds Office (mylar plat) prepared by a professional land surveyor showing the boundaries of the area or property for annexation into the Town of Rolesville.
3. A complete copy of the written metes and bounds description based on the annexation boundary plat/map.

SECTION 1 - LOCATION

Is the area contiguous with the existing primary corporate limits? Satellite corporate limits is not primary. Yes or No

Note: If the land is contiguous to any existing corporate limits, the proposed annexation boundary will include all intervening right-of-ways for streets, easements, and other areas as stated in North Carolina General Statute §160-131(1).

SECTION 2 - VESTED RIGHTS

NC General Statutes require petitioners of both contiguous and non-contiguous annexations to file a signed statement declaring whether vested rights have been established in accordance with G.S. 160A-385.1 or 153A-344.1 for properties subject to the petition. Do you declare vested rights for the property subject to this petition? Yes or No

SECTION 3 - PROPERTY DETAILS

PIN Number	Real Estate ID Number	Deed Book Number	Page Number	Acreage To Be Annexed	Wake County Assessed Value
1768-00-2153	0188955	DB 14103	PG 2365	0.297 & 0.097	\$ 39,000.
		DB	PG		\$
		DB	PG		\$

SECTION 4 - SIGNATURES AND VERIFICATION

We, the undersigned owners of the real properties contained in the metes and bounds description and plat/map attached hereto, respectfully request that the area described above be annexed and made part of the Town of Rolesville, North Carolina. By signing below, we acknowledge that all information is correct.

- If property owned by **INDIVIDUALS** (NOTE: All legal owners must sign including both husband and wife)

Tim Smith
Signature of Owner #1

3-17-2020
Date Signed

Signature of Owner #2

Date Signed

- If property owned by a **COMPANY OR CORPORATION** (NOTE: The company or corporation must be legally registered with the State of North Carolina – Office of the Secretary of State)

Mitchell Mill Road Investors, LLC
Name of Corporation

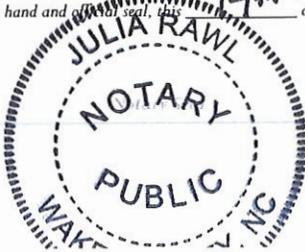
Tim Smith
Printed Name of Registered Agent

Tim Smith
Signature of Registered Agent

105 Weston Estates Way, Cary NC 27513
Address, State, Zip of Registered Office:

North Carolina, Wake County

I, Julia Rawl, a Notary Public for said County and State, do hereby certify that the above signed individual(s) appeared before me this day and signed the foregoing instrument.
Witness my hand and official seal, this 7th day of March, 2020.



Julia Rawl
Notary Public
My commission expires: February 7, 2024

NORTH CAROLINA NON-WARRANTY DEED

Excise Tax: \$0.00

Real Estate ID No. 0188955

Prepared By and Mail to: Longleaf Law Partners (DEM), 2235 Gateway Access Point, Suite 201, Raleigh, NC 27607

Brief description for the Index: 1.25 acre tract near Rolesville Road

THIS DEED made this 12th day of December, 2019, by and between

GRANTOR

The Watkins Family L.L.C.,
a North Carolina limited liability company
6528 Wilshire Drive
Fuquay-Varina, NC 27526

GRANTEE

Mitchell Mill Road Investors LLC,
a North Carolina limited liability company
P. O. Box 3557
Cary, NC 27519

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit situated near the Town of Rolesville, Wake Forest Township, Wake County, North Carolina and more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED BY REFERENCE.

All or a portion of the property herein conveyed does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

The Grantor makes no warranty, express or implied, as to title to the property hereinabove described.

IN WITNESS WHEREOF, Grantor has caused this Deed to be executed in its company name by its duly authorized official, on the date indicated in the acknowledgment of such execution.

The Watkins Family L.L.C.,
a North Carolina limited liability company

By: *Richard Watkins* (SEAL)
Richard Watkins, Manager

State of North Carolina
County of Wake

I certify that the following person personally appeared before me this day and acknowledged to me that he executed the foregoing instrument in the capacity indicated: Richard Watkins, Manager of The Watkins Family L.L.C.

Date: 12/12/2019

(affix seal or stamp here)



Ashley Summey
Notary Public
Printed/Typed Name: Ashley Summey

My Commission Expires: 2/18/2024

Mitchell Mill Overlap

Annexation Area

BEGINNING AT AN EXISTING IRON PIPE, SAID PIPE BEING SOUTH 69°05'38" EAST 27,688.52 FEET FROM NCGS SURVEY MONUMENT "DEISEL", SAID MONUMENT HAVING NC GRID COORDINATES (NAD 83 – 1986) OF N=789,627.371', E=2,134,362.972', THENCE FROM SAID BEGINNING POINT NORTH 05°36'20" WEST 242.19 FEET TO AN EXISTING IRON PIPE; THENCE NORTH 89°43'51" EAST 163.13 FEET TO AN EXISTING IRON PIPE; THENCE NORTH 05°27'45" WEST 257.42 FEET TO AN EXISTING IRON PIPE; THENCE SOUTH 89°36'05" EAST 24.00 FEET TO AN EXISTING IRON PIPE; THENCE SOUTH 06°51'15" EAST 264.00 FEET TO AN EXISTING IRON PIPE; THENCE SOUTH 88°28'45" WEST 165.00 FEET TO AN EXISTING IRON PIPE; THENCE SOUTH 01°01'29" EAST 231.03 FEET TO AN EXISTING IRON PIPE; THENCE SOUTH 87°39'19" WEST 9.67 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 12923 SQ. FT., 0.297 ACRES MORE OR LESS.

0.97 ACRE PARCEL (P.I.N. 1767-00-2153)

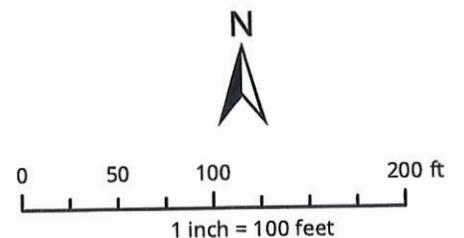
BEGINNING AT AN EXISTING IRON PIPE, SAID PIPE BEING THE FOLLOWING TWO CALLS FROM NCGS SURVEY MONUMENT "DEISEL", SAID MONUMENT HAVING NC GRID COORDINATES (NAD 83 – 1986) OF N=789,627.371', E=2,134,362.972', SAID CALLS ARE SOUTH 69°05'38" EAST 27,688.52 FEET TO AN EXISTING IRON PIPE, THENCE NORTH 05°36'20" WEST 242.19 FEET TO THE POINT OF BEGINNING, THENCE FROM SAID BEGINNING POINT THENCE NORTH 05°57'55" WEST 259.57 FEET TO AN EXISTING IRON PIPE; THENCE SOUTH 89°36'05" EAST 165.60 FEET TO AN EXISTING IRON PIPE; THENCE SOUTH 05°27'45" EAST 257.42 FEET TO AN EXISTING IRON PIPE; THENCE SOUTH 89°43'51" WEST 163.13 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 42271 SQ. FT., 0.970 ACRES MORE OR LESS.



PIN: 1768002153
PIN Ext: 000
Real Estate ID: 0188955
Map Name: 1768 03
Owner: MITCHELL MILL ROAD INVESTORS LLC

Mail Address 1: PO BOX 3557
Mail Address 2: CARY NC 27519-3557
Mail Address 3:
Deed Book: 017691
Deed Page: 01867
Deed Acres: 1.25
Deed Date: 12/20/2019
Building Value: \$0
Land Value: \$39,000

Total Value: \$39,000
Billing Class: Business
Description: HOLE BETWEEN
WATKINS&BRADSHER&TENTEX PRP
Heated Area:
Street Name: UPCHURCH LN
Site Address: 5030 UPCHURCH LN
City:
Planning Jurisdiction: RO
Township: Wake Forest
Year Built:
Sale Price: \$0
Sale Date:
Use Type:
Design Style:



Disclaimer
iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.



ANX 20-04
 Mitchell Mill Road Investors, LLC

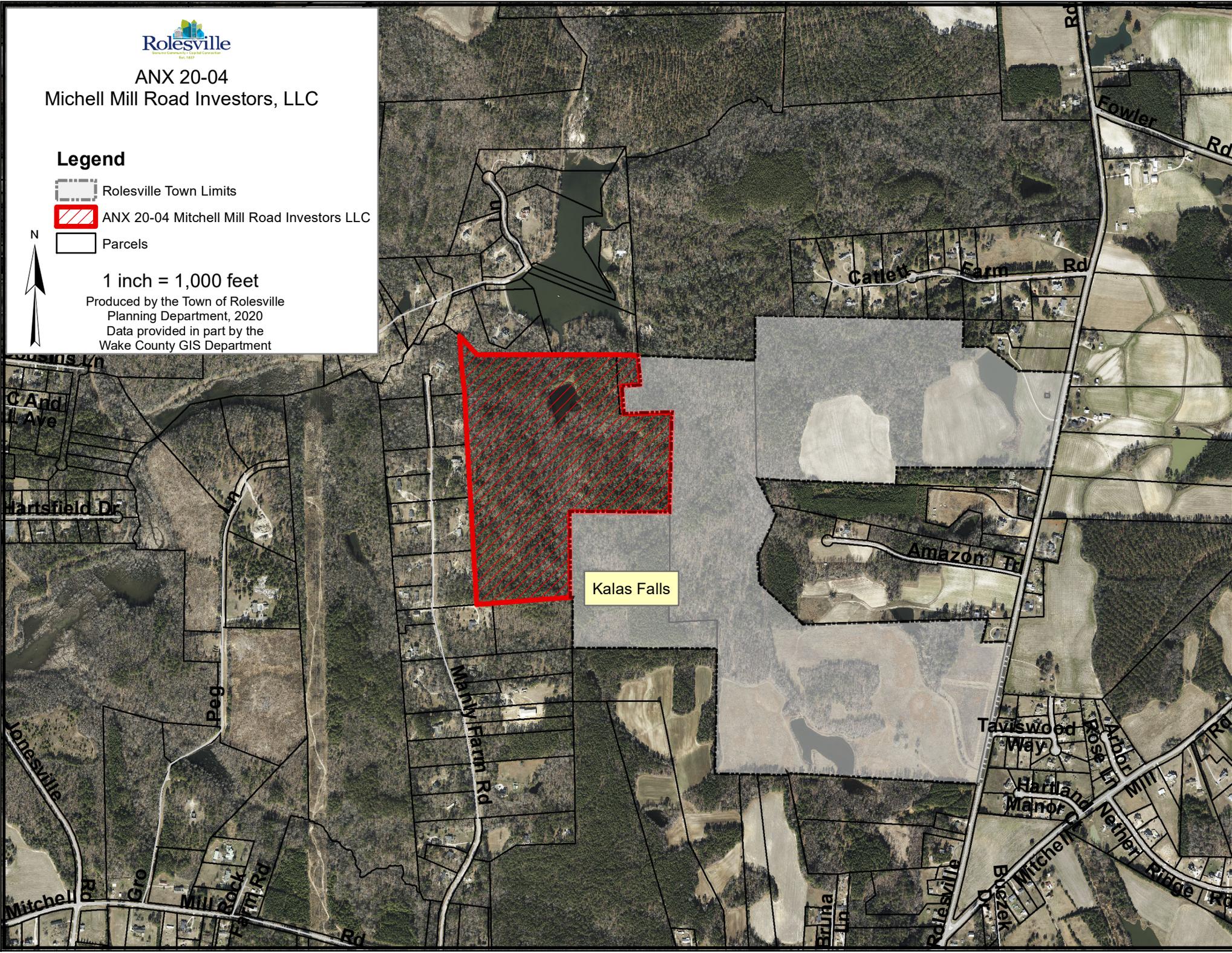
Legend

-  Rolesville Town Limits
-  ANX 20-04 Mitchell Mill Road Investors LLC
-  Parcels



1 inch = 1,000 feet

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



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-__
CASE ANX 20-04

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 September 1, 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 Mitchell Mill Road Investors, LLC is hereby annexed, made part of the Town of Rolesville effective as of September 1, 2020:

BEGINNING AT AN IRON PIPE THE SOUTHEAST CORNER OF PROPERTY, SAID IRON PIPE BEING SOUTH 65°44'54" EAST 27,908.94 FEET FROM NCGS SURVEY MONUMENT "DEISEL", SAID MONUMENT HAVING NC GRID COORDINATES (NAD 83 – 1986) N= 789,627.37, E= 2,134,362.97, THENCE FROM SAID POINT OF BEGINNING SOUTH 85°28'28" WEST 837.76 FEET TO AN EXISTING IRON PIPE, THENCE NORTH 03°13'41" WEST 2297.25 FEET TO AN EXISTING IRON PIPE, THENCE SOUTH 42°00'12" EAST 185.54 FEET TO AN EXISTING IRON PIPE, THENCE SOUTH 89°46'42" EAST 653.62 FEET TO AN EXISTING IRON PIPE, THENCE SOUTH 89°30'45" EAST 555.84 FEET TO AN EXISTING IRON PIPE, THENCE SOUTH 89°36'05" EAST 189.60 FEET TO AN EXISTING IRON PIPE, THENCE SOUTH 06°51'15" EAST 264.00 FEET TO AN EXISTING IRON PIPE, THENCE SOUTH 88°28'45" WEST 165.00 FEET TO AN EXISTING IRON PIPE, THENCE SOUTH 01°01'29" EAST 231.03 FEET TO AN EXISTING IRON PIPE, THENCE NORTH 87°39'19" EAST 408.23 FEET TO AN EXISTING IRON PIPE, THENCE SOUTH 01°02'00" EAST 870.96 FEET TO AN EXISTING IRON PIPE, THENCE NORTH 88°51'34" WEST 855.49 FEET TO AN EXISTING IRON PIPE, THENCE SOUTH 00°10'48" EAST 746.47 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 66.123 ACRES MORE OR LESS SHOWN ON AN ANNEXATION BOUNDARY MAP, TITLED ANNEXATION MAP FOR TOWN OF ROLESVILLE, PROPERTY OF MITCHELL MILL ROAD INVESTORES, LLC, PREPARED BY WITHERS RAVENEL. 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.

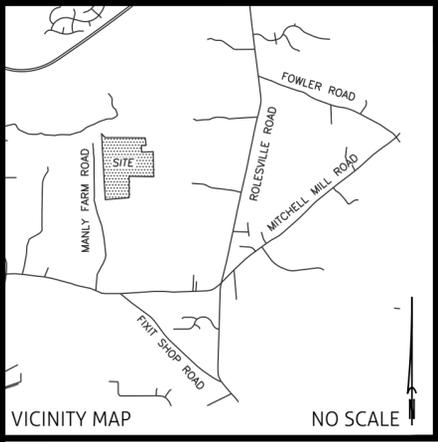
Adopted this 1th day of September 2020

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 1th day of September 2020.

Robin E. Peyton
Town Clerk



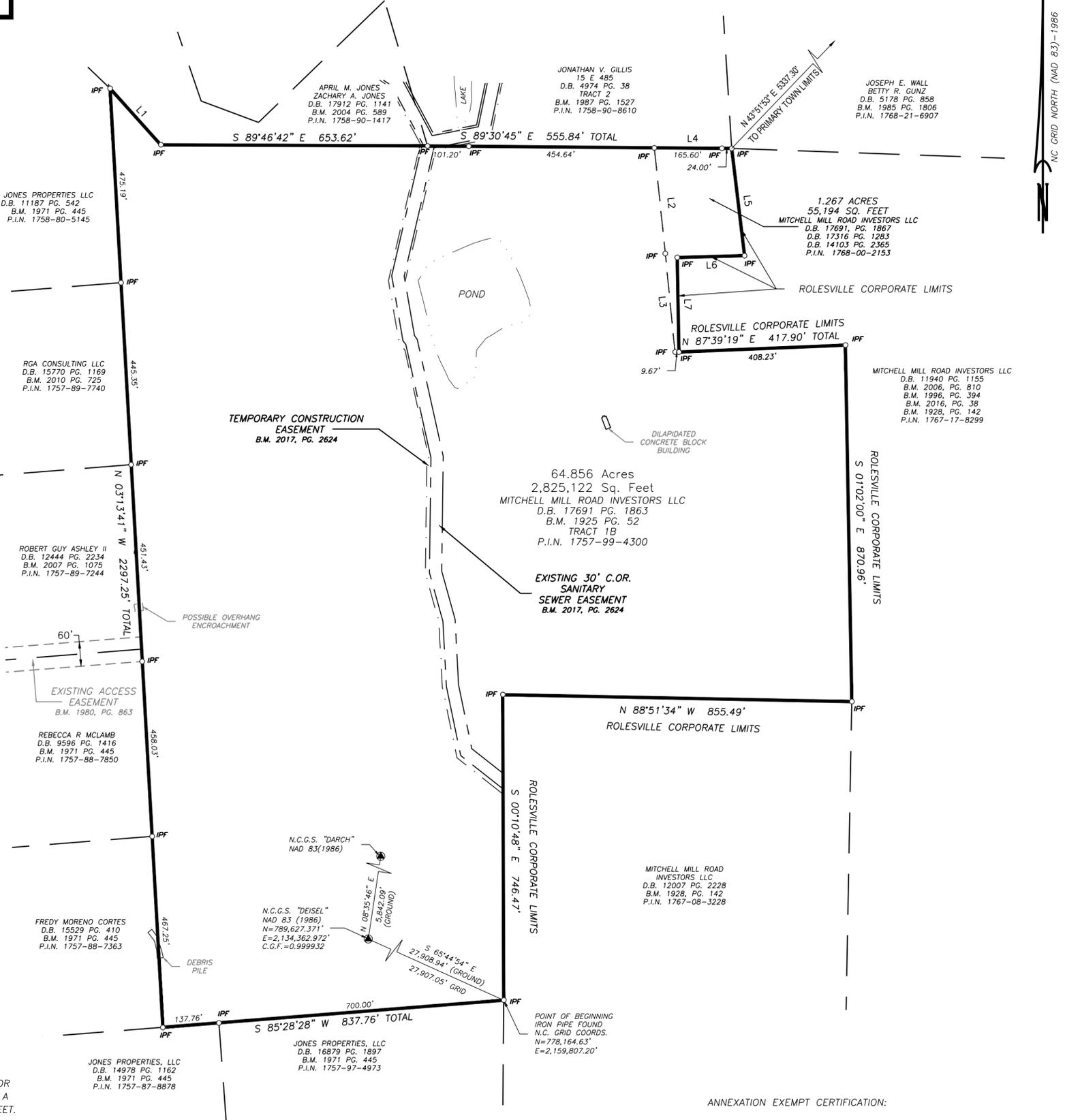
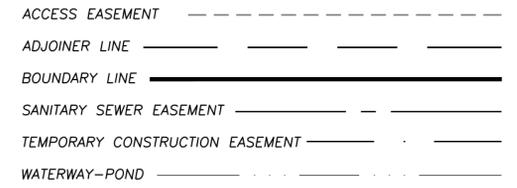
- NOTES:
1. AREAS COMPUTED BY COORDINATE METHOD.
 2. BASIS OF BEARINGS IS NAD 83 (1986) ADJUSTMENT
 3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
 4. NO MONUMENTATION ESTABLISHED ON EASEMENT BOUNDARIES UNLESS OTHERWISE NOTED
 5. THE SUBJECT PROPERTY DOES NOT LIE WITHIN A F.E.M.A. DESIGNATED FLOODPLAIN PER FIRM MAP NUMBER 3720175700J, CID370468, AND WITH AN EFFECTIVE DATE OF MAY 02, 2006.

TOTAL ANNEXATION AREA

PIN: 1757-99-4300	64.856 Acres	2,825,122 Sq. Feet
PIN: 1768-00-2153	1.267 Acres	55,194 Sq. Feet
TOTAL AREA:	66.123 Acres	2,880,316 Sq. Feet

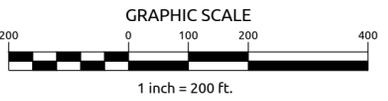
LEGEND (UNLESS OTHERWISE NOTED)

C.O.R. - CITY OF RALEIGH
 ECM - EXISTING CONCRETE MONUMENT
 IPF - IRON PIPE FOUND
 IPS - IRON PIPE SET



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 42°00'12" E	185.54'
L2	S 05°57'55" E	259.57'
L3	S 05°36'20" E	242.19'
L4	S 89°36'05" E	189.60'
L5	S 06°51'15" E	264.00'
L6	S 88°28'45" W	165.00'
L7	S 01°01'29" E	231.03'



TYPE OF PLAT

C. THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

SURVEY CERTIFICATE

I, MATTHEW A. TIMBLIN, LICENSED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH CAROLINA, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION DEED DESCRIPTION RECORDED IN DEED BOOK 5931, PAGE 93, THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN SEE REFERENCES HEREON PLAT; THAT THE RATIO OF PRECISION AS CALCULATED IS 1 : 36,660±; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30, AS AMENDED. WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS 11TH DAY OF AUGUST, A.D., 2020.

MATTHEW A. TIMBLIN, PROFESSIONAL LAND SURVEYOR L-4844

PRELIMINARY PLAT
 NOT FOR
 CONVEYANCE,
 RECORDATION, OR
 SALES

ANNEXATION EXEMPT CERTIFICATION:

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

----- DATE -----
 SUBDIVISION ADMINISTRATOR

REVIEW OFFICER CERTIFICATION

I, DANNY JOHNSON, REVIEW OFFICER OF THE TOWN OF ROLESVILLE, WAKE COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

----- DATE -----
 REVIEW OFFICER

REVISIONS:	DATE: 08-11-2020
	SCALE: 1"=200'
	SURVEYED BY: AM
	DRAWN BY: MT
	CHECK & CLOSURE BY: MT
	CAD FILE: BD_18119 UPDATE 8-11-20.dwg
	PROJECT NO: 5180792

ANNEXATION MAP FOR		
TOWN OF ROLESVILLE		
PROPERTY OF		
MITCHELL MILL ROAD INVESTORS LLC		
TOWNSHIP: WAKE FOREST	COUNTY: WAKE	STATE: NORTH CAROLINA
P.I.N.: 1757-99-4300, 1768-00-2153	ZONING: R&PUD	SHEET: 1 of 1

WithersRavenel
 Engineers | Planners | Surveyors

115 MacKenan Drive | Cary, NC 27511
 t: 919.469.3340 | license #: C-0832 |
 www.withersravenel.com

K:\Survey\18119-0790\Drawings\BD_18119_UPDATE_8-11-20.dwg - Tuesday, August 11, 2020 3:04:29 PM - TIMBLIN, MAT



Memo

To: Mayor and Town Board of Commissioners

From: Danny Johnson, AICP, Planning Director

Date: July 22, 2020

Re: Item 5. UDO Text Amendment: TA-20-01, Amendment to Article 5: Use And Dimensional Standards and Article 6 Supplementary District Standards, Section 6.5 Residential III District of the UDO to add single-family dwellings as a permitted use with lot specification standards.

Summary Information

An application for a Text Amendment to the Unified Development Ordinance was submitted by attorney Beth Trahos, representing Hopper Communities, Inc that requested an amendment to Article 5; Use and Dimensional Standards and Article 6 Supplementary District Standards, Section 6.5 Residential III District of the UDO to add single-family dwellings as a permitted use with lot specification standards. The R-III Zoning District current allows only townhomes and multi-family dwellings but not single-family dwellings.

The Planning Board considered this item at their meeting on June 1, 2020. The Board of Commissioners asked for a work session on this item before scheduling a public hearing. At their work session on July 24, 2020, the board remanded this item back to the Planning Board for new consideration based upon the deliberation based upon new information presented at the work session and any changes made by the applicant.

The applicant did submit revisions to the original proposed UDO text amendment. The proposed text amendment is to add single-family dwellings, public parks and private recreational facilities as a permitted use, establish dimensional standards for single-family dwellings in the R III Zoning District with a required minimum lot size of 8,000 square feet, 54 feet lot width. Minimum setbacks for the dwelling on the lot is 25 feet front yard, 7 feet side yard, 15 feet corner street side yard and 25 feet rear yard. The proposed text amendment includes a maximum cap of number of five single-family dwelling per gross acre. Last the proposed text amendment will remove the cap of the current maximum size of 20 acres of the any individual R III zoning district to allow larger R III Zoning Districts with no maximum size limits for the zoning district. The end results of this

proposed text amendment is to permit in the R III zoning district, single-family, townhouse and multi-family residential uses.

The UDO currently allows single-family homes in the R-I, R-II, and R&PUD districts. R-I district has a minimum lot size of 20,000 square feet. R-II district has a minimum lot size of 10,000 square feet. R&PUD allows with a special use permit for the Planned Unit Development of a minimum lot size of 6,000 square feet in the R1 district of an R&PUD zoning district. Currently, there is not traditional zoning district in the Rolesville UDO with lot sizes less than 15,000 square feet unless it is located in an R&PUD zoning district.

Planning staff has conducted a study comparison of other Wake County communities of traditional zoning districts with 10,000 or less square feet minimum lot size standards for their zoning districts for comparison to this request and Rolesville's UDO zoning district standards. Apex has no minimum lot side in any of its residential zoning districts. Cary, Morrisville, Raleigh, Wake Forest, and Wendell have a traditional zoning District with a minimum lot size standards of 6,000 square feet or less. Zebulon and Holly Springs smallest minimum lot size for one of its zoning district is 8,000 square feet. Garner's smallest minimum lot size for one of its zoning district is 9,000 square feet. Fuquay-Varina's smallest minimum lot size for one of its zoning district is 10,000 square feet but has an Open Space Development option that will allow smaller lots based on the percentage of dedicated open space in the subdivision but keeps the same maximum unit density of the traditional zoning district. The proposed text amendment for the R III zoning District with a 8,000 minumum lot size is larger than six other municipalities in Wake County and the same as Holly Springs and Zebulon.

The Rolesville Comprehensive Plan encourages revisions to the Unified Development Ordinance when the current standards are not following current demands and practices of the needs of the community. The proposed text amendment will address such a condition of the UDO and will serve in the public interest. The change is consistent with the Rolesville Comprehensive Plan to allow provisions to be revised to the UDO's R-III zoning district to add single-family dwelling with minimum lot dimensional standards that are similar to surrounding communities.

Planning Staff Recommendation

Staff recommends approval of the UDO TA 20-01, to amend Article 5; Use and Dimensional Standards and Article 6 Supplementary District Standards, Section 6.5 R-III Residential II District, and make the necessary statutory findings and recommendations to the Town Board of Commissioners.

Planning Board Recommendation:

On August 24, 2020, the Planning Board unanimously voted to recommend to the Town Board of Commissioners to approve the requested UDO Text Amendment 20-01 as amended by the applicant to amendment Article 5, Use and Dimensional Standards, and Article 6 Supplementary District Standards, Section 6.5 R-III Residential II District. The request is reasonable and in the public interest; the change is consistent with the

Rolesville Comprehensive Plan to allow provisions to be revised to the UDO's R-III zoning district to add single-family dwelling as a permitted use with minimum dimensional standards that are greater or similar to surrounding communities.

Attachments:

TA 20-01 Amendment to Article 5: Use and Dimensional Standards, and Article 6
Supplementary District Standards

TA 20-01 Text Amendment Application

TA 20-01 Resolution No 2020-R-15 Statement of Consistency

8-24-2020 Draft Planning Board Minutes on TA 20-01

**PROPOSAL TO AMEND
THE CODE OF ORDINANCES,
TOWN OF ROLESVILLE, NORTH CAROLINA
Case Number UDO TA 20-01 Version 2**

WHEREAS, North Carolina General Statute Section NC Chapter 160A; Article 19, Part, Zoning; Section 160A-381, Grant of power; authorizes local governments by ordinance to regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lots that may be occupied, the size of yards, courts and other open space, the density of population, the location and use of buildings, structures and land’

WHEREAS, the Town of Rolesville Board of Commissioners firmly believes that it is in the public interest to amend the Town’s Unified Development Ordinance described herein below.

1. **Section 5.1 Table of Permitted Uses** is hereby amended by having the following alterations by additions are noted as *italic text* and deletions are noted as ~~struck through text~~ with alterations since Version 1 in red as follows:

“Section 5.1 Table of Permitted Uses”

	<i>R80 W</i>	<i>R40 W</i>	<i>R 1</i>	<i>R1- S</i>	<i>R1- D</i>	<i>R 2</i>	<i>R2- D</i>	<i>R 3</i>		<i>RM H</i>	<i>RuM H</i>	<i>UM H</i>	<i>C</i>	<i>C O</i>	<i>C H</i>	<i>O P</i>	<i>I</i>
Dwelling – single-family detached	x	x	x	x	x	x	x	X		x	x	x		s		s	
Public recreational parks & centers	x	x	x	x	x	x	x	X S		x	x	x					
Private recreation facilities part of subdivision or HOA	x	x	x	x	x	x	x	X		x	x	x					

2. **Section 5.2 Dimensional Requirements** is hereby amended by having the following alterations by additions are noted as *italic text* and deletions are noted as ~~struck through text~~ as follows:

“Section 5.2 Dimensional Requirements

5.2.1 Table of Dimensional Requirements”

Zoning District	Minimum Lot Area (in square feet)	Minimum Lot Width (in feet)	Front Yard Setback (from ROW in feet)	Side Yard Setback (in feet)	Corner Yard Setback (in feet)	Rear Yard Setback (in feet)
R1	20,000	100	30	12	22	25
R1-S	20,000	100	30	12	22	25
R1-D	20,000	100	30	12	22	25
R2	15,000	85	30	12	22	25
R2-D	20,000	100	30	12	22	25
R3 – Single Family	6,000 8,000	50 54	25	5 7	15	25
R3 – Multi	20,000	100	15	15	10	15
R3 - Townhomes	N/A	20	15	<i>0 with 30' minimum between structures</i>	10	15
RMH	20,000	85	30	12	22	25
RuMH	10,000	50	25	10	20	15
UMH	7,260	50	25 on paved street	10	20	15
C	None except for those required by Health Department	None except for those required by Health Department	None except for those required by Health Department	None or 5 feet if abutting residential use	None or 5 feet if abutting residential use	35
CO	20,000	100	20	15	25	35
CH	20,000	100	20	15	25	35
OP	20,000	75	30	15	25	35
I	20,000	100	30	15	25	35

3. Section 6.5 RIII – Residential III District is hereby amended by having the following alterations by additions are noted as **italic text** and deletions are noted as ~~struck through text~~ with additions since Version 1 in **red** as follows:

“Section 6.5: - R-III - Residential III District

The R-III Residential III District (**“R-III” or “R3”**) is established as a district in which the principal use of the land is for high density, pedestrian-friendly residential purposes. The regulations of this district are intended to discourage any use which, because of its character, would be a nuisance to

the development of residences and would be detrimental to the quiet residential nature of the areas included within this district.

A homeowners association shall be established to maintain appearance and other standards and to oversee the use of open space and community recreational facilities. For rental apartments, property management shall be responsible for the same.

~~An R-III development shall total no more than 20 acres in size. Similar residential densities for developments greater than 20 acres can be found in the R&PUD district (Section 6.2).~~

The requirements set forth in this section (6.5) are established by the Town Board of Commissioners as standards that presumptively will result in the variety of well-planned, attractive housing options contemplated by this section and by the Comprehensive Land Use Plan. The Board recognizes, however, that due to the nature of a tract of land, or the nature of the facilities proposed for installation, or other factors, the underlying objectives of this section (6.5) may be achieved even though the standards are not adhered to with mathematical precision. Therefore, deviations from these standards may be permitted whenever it is determined that the underlying standards can be met without strict adherence to them and because peculiarities in the developer's tract of land or the facilities proposed would make it unreasonable to require strict adherence to these standards.

Whenever some deviation from the standards set forth in this article pursuant to the paragraph immediately above is authorized, the official record of the action taken on the development application shall contain a statement of the reasons for allowing the deviation.

Following approval of the final site or subdivision plan, variances to individual lot dimensions and setbacks of up to ten percent may be approved by the Planning Director.

Special Requirements:

Development of the R-III district must adhere to the appropriate land use requirements discussed elsewhere in the Code of Ordinances. There are, however, special development requirements for the R-III district applicable to the entire R-III, which are listed below, and development requirements that are applicable to each type section identified above and which are discussed in each section's specifications.

- (a) **Sidewalks:** Sidewalks are required on both sides of all public and private streets, except for cul-de-sacs of 250 feet in length or shorter, and alleys. Residential sidewalks shall be a minimum of five feet wide. The widths of all non-residential sidewalks shall be a minimum of five feet, but may be wider, as determined in the approved site or subdivision plan.
- (b) **Planting strips:** Planting strips between six to seven feet in width shall be established between sidewalks and curbing in all residential areas. The width of the planting strips may be reduced to no less than a minimum of four feet as allowed by the available right-of-way.

- (c) **Curb and gutter:** Required for drainage for all public streets.
- (d) **Cul-de-sacs:** Cul-de-sacs shall not exceed 250 feet in length from the nearest intersection with a street providing through access (not a cul-de-sac) unless necessitated by topography or property accessibility. Cul-de-sac lengths longer than 250 feet will be reviewed for approval on a case-by-case basis. Cul-de-sacs are permitted where topography makes a street connection impracticable.
- (e) **Bike paths:** Bike paths a minimum of four feet wide shall be installed along both sides of minor and major thoroughfares (minor and major arterials). Alternatively, an eight-foot-wide bike path may be installed paralleling the minor or major thoroughfare. In this instance, the bike path can replace the sidewalk normally required on the same side of the roadway.

Density Requirements:

Maximum overall density for an R-III development shall not exceed ~~eight (8)~~ five (5) units per acre for single-family dwellings and or eight (8) units per acre for townhouse units or twelve (12) units per gross acre for apartment units.

6.5.1 - Townhouses and Apartments

6.5.1.1 **Lot Specifications:**

- (a) Minimum lot width: 100 feet for multifamily, 20 feet for townhomes
Minimum front setback: 15 feet from the right-of-way
Minimum rear setback: 15 feet from rear property line
- (b) Townhouses are limited to eight units per structure
- (c) Parking for townhouses shall meet Section 10.1.10 and Section 9.16. Parking requirements set forth by Section 9.16, Cluster Mailbox Units, cannot be included for compliance to Section 10.1.10 and shall have signage designating them as "Mailbox Parking Only." Parking for townhouses may be a combination of on-street parking, (located on either public or private streets constructed to Town standards and specifications for streets), off-street parking lots or garage parking within the unit where the garage constitutes the first floor of a townhouse. Front-facing garages shall have at least 20 feet separating neighboring driveways or no more than five feet separating neighboring driveways. If the separation measures five feet or less, the next separation must be at least 20 feet. Rear-facing garages may be accessed by a private alley with no separation requirements.
- (d) Parking space requirements for apartments shall meet Section 10.1.10 and Section 9.16. Parking requirements set forth by Section 9.16, Cluster Mailbox Units, cannot be included for compliance to Section 10.1.10 and shall have signage designating them as "Mailbox Parking Only." Parking areas for apartment units, in general, must be to the side of, or behind, the apartment structures and fully contained onsite. Parking areas for apartment

units that abut public streets must be buffered with landscaping, landscaped berms, fences or other opaque screening, as approved in the final site plan.

- (e) The separation between apartment structures shall be a minimum of 30 feet.
- (f) Recreation Land Dedication. A townhouse development shall comply with the requirements of Section 15.4.8.2 Recreation and Open Space.
- (g) Improved Recreation Space and Unimproved Open Space Required. All townhouse and apartments that consist of development sites of over four acres shall provide on-site of the development at least 15 percent of the gross acreage as open space area. Plans for all required 15 percent of the gross acreage as open space shall consist of a minimum of 35 percent as improved recreation space area for specific recreation activity shown on the site plan or preliminary subdivision plan with the remaining 65 percent as unimproved open space area. Required landscaped buffer with fencing and stormwater facilities will be considered as unimproved open space area.

6.5.2 Single-Family Dwellings

6.5.2.1 Lot Specifications:

See Section 5.2 Table of Dimensional Requirements for the R-III (R3) District dimensional requirements for single-family dwellings.

4. Effective Date. This ordinance shall become effective on the date of its adoption by the Board of Commissioners.

Adopted this ___ day of _____, 2020 by the Town of Rolesville Board of Commissioners.

Ronnie I. Currin
Town of Rolesville Mayor

CERTIFICATION

I, _____, 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 ___ day of _____, 2020.

In witness whereof, I have hereunto set my hand and caused the seal of the Town of Rolesville to be affixed this ___ day of _____, 2020.

Robin Peyton
Town Clerk

(seal)



Case No. _____

Date _____

Text Amendment Application

Contact Information

Name Beth Trahos - Nelson Mullins

Address 4140 Parklake Ave., Suite 200 City/State/Zip Raleigh, NC 27612

Phone 919-329-3884 Email beth.trahos@nelsonmullins.com

Amendment Information

This petition is to amend the Unified Development Ordinance Section(s) Sections 5.1; 5.2; and 6.5

to allow single-family dwellings, public recreational parks and center, and private recreational facilities part of a subdivision or HOA

as a permitted use conditional use special use

in the in the RIII (R3) zoning district zoning district.

Applicant Signature

I hereby certify that the information contained herein is true and completed. I understand that if any item is found to be otherwise after evidentiary hearing before the Town Board of Commissioners, that the action of the Board may be invalidated.

Signature Date 3-13-20

STATE OF NORTH CAROLINA

COUNTY OF Wake

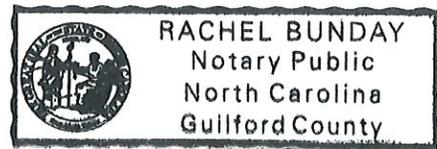
I, a Notary Public, do hereby certify that Beth Trahos

personally appeared before me this day and acknowledged the due execution of the foregoing instrument. This

the 13th day of March 20 20

My commission expires 5/1/2022.

Signature Seal



**PROPOSAL TO AMEND
THE CODE OF ORDINANCES,
TOWN OF ROLESVILLE, NORTH CAROLINA
Case Number UDO TA 20-01 Version 2**

WHEREAS, North Carolina General Statute Section NC Chapter 160A; Article 19, Part, Zoning; Section 160A-381, Grant of power; authorizes local governments by ordinance to regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lots that may be occupied, the size of yards, courts and other open space, the density of population, the location and use of buildings, structures and land’

WHEREAS, the Town of Rolesville Board of Commissioners firmly believes that it is in the public interest to amend the Town’s Unified Development Ordinance described herein below.

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Dwelling – single-family detached	x	x	x	x	x	x	x	X		x	x	x		s		s	
Public recreational parks & centers	x	x	x	x	x	x	x	X S		x	x	x					
Private recreation facilities part of subdivision or HOA	x	x	x	x	x	x	x	X		x	x	x					

2. **Section 5.2 Dimensional Requirements** is hereby amended by having the following alterations by additions are noted as *italic text* and deletions are noted as ~~struck through text~~ as follows:

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RuMH	10,000	50	25	10	20	15
UMH	7,260	50	25 on paved street	10	20	15
C	None except for those required by Health Department	None except for those required by Health Department	None except for those required by Health Department	None or 5 feet if abutting residential use	None or 5 feet if abutting residential use	35
CO	20,000	100	20	15	25	35
CH	20,000	100	20	15	25	35
OP	20,000	75	30	15	25	35
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3. Section 6.5 RIII – Residential III District is hereby amended by having the following alterations by additions are noted as **italic text** and deletions are noted as **struck through text** with additions since Version 1 in **red** as follows:

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A homeowners association shall be established to maintain appearance and other standards and to oversee the use of open space and community recreational facilities. For rental apartments, property management shall be responsible for the same.

~~An R-III development shall total no more than 20 acres in size. Similar residential densities for developments greater than 20 acres can be found in the R&PUD district (Section 6.2).~~

The requirements set forth in this section (6.5) are established by the Town Board of Commissioners as standards that presumptively will result in the variety of well-planned, attractive housing options contemplated by this section and by the Comprehensive Land Use Plan. The Board recognizes, however, that due to the nature of a tract of land, or the nature of the facilities proposed for installation, or other factors, the underlying objectives of this section (6.5) may be achieved even though the standards are not adhered to with mathematical precision. Therefore, deviations from these standards may be permitted whenever it is determined that the underlying standards can be met without strict adherence to them and because peculiarities in the developer's tract of land or the facilities proposed would make it unreasonable to require strict adherence to these standards.

Whenever some deviation from the standards set forth in this article pursuant to the paragraph immediately above is authorized, the official record of the action taken on the development application shall contain a statement of the reasons for allowing the deviation.

Following approval of the final site or subdivision plan, variances to individual lot dimensions and setbacks of up to ten percent may be approved by the Planning Director.

Special Requirements:

Development of the R-III district must adhere to the appropriate land use requirements discussed elsewhere in the Code of Ordinances. There are, however, special development requirements for the R-III district applicable to the entire R-III, which are listed below, and development requirements that are applicable to each type section identified above and which are discussed in each section's specifications.

- (a) **Sidewalks:** Sidewalks are required on both sides of all public and private streets, except for cul-de-sacs of 250 feet in length or shorter, and alleys. Residential sidewalks shall be a minimum of five feet wide. The widths of all non-residential sidewalks shall be a minimum of five feet, but may be wider, as determined in the approved site or subdivision plan.
- (b) **Planting strips:** Planting strips between six to seven feet in width shall be established between sidewalks and curbing in all residential areas. The width of the planting strips may be reduced to no less than a minimum of four feet as allowed by the available right-of-way.

- (c) **Curb and gutter:** Required for drainage for all public streets.
- (d) **Cul-de-sacs:** Cul-de-sacs shall not exceed 250 feet in length from the nearest intersection with a street providing through access (not a cul-de-sac) unless necessitated by topography or property accessibility. Cul-de-sac lengths longer than 250 feet will be reviewed for approval on a case-by-case basis. Cul-de-sacs are permitted where topography makes a street connection impracticable.
- (e) **Bike paths:** Bike paths a minimum of four feet wide shall be installed along both sides of minor and major thoroughfares (minor and major arterials). Alternatively, an eight-foot-wide bike path may be installed paralleling the minor or major thoroughfare. In this instance, the bike path can replace the sidewalk normally required on the same side of the roadway.

Density Requirements:

Maximum overall density for an R-III development shall not exceed ~~eight (8)~~ **five (5)** units per acre for single-family dwellings and or eight (8) units per acre for townhouse units or **twelve (12)** units per gross acre for apartment units.

6.5.1 - Townhouses and Apartments

6.5.1.1 **Lot Specifications:**

- (a) Minimum lot width: 100 feet for multifamily, 20 feet for townhomes
 Minimum front setback: 15 feet from the right-of-way
 Minimum rear setback: 15 feet from rear property line
- (b) Townhouses are limited to eight units per structure
- (c) Parking for townhouses shall meet Section 10.1.10 and Section 9.16. Parking requirements set forth by Section 9.16, Cluster Mailbox Units, cannot be included for compliance to Section 10.1.10 and shall have signage designating them as "Mailbox Parking Only." Parking for townhouses may be a combination of on-street parking, (located on either public or private streets constructed to Town standards and specifications for streets), off-street parking lots or garage parking within the unit where the garage constitutes the first floor of a townhouse. Front-facing garages shall have at least 20 feet separating neighboring driveways or no more than five feet separating neighboring driveways. If the separation measures five feet or less, the next separation must be at least 20 feet. Rear-facing garages may be accessed by a private alley with no separation requirements.
- (d) Parking space requirements for apartments shall meet Section 10.1.10 and Section 9.16. Parking requirements set forth by Section 9.16, Cluster Mailbox Units, cannot be included for compliance to Section 10.1.10 and shall have signage designating them as "Mailbox Parking Only." Parking areas for apartment units, in general, must be to the side of, or behind, the apartment structures and fully contained onsite. Parking areas for apartment

units that abut public streets must be buffered with landscaping, landscaped berms, fences or other opaque screening, as approved in the final site plan.

- (e) The separation between apartment structures shall be a minimum of 30 feet.
- (f) Recreation Land Dedication. A townhouse development shall comply with the requirements of Section 15.4.8.2 Recreation and Open Space.
- (g) Improved Recreation Space and Unimproved Open Space Required. All townhouse and apartments that consist of development sites of over four acres shall provide on-site of the development at least 15 percent of the gross acreage as open space area. Plans for all required 15 percent of the gross acreage as open space shall consist of a minimum of 35 percent as improved recreation space area for specific recreation activity shown on the site plan or preliminary subdivision plan with the remaining 65 percent as unimproved open space area. Required landscaped buffer with fencing and stormwater facilities will be considered as unimproved open space area.

6.5.2 Single-Family Dwellings

6.5.2.1 Lot Specifications:

See Section 5.2 Table of Dimensional Requirements for the R-III (R3) District dimensional requirements for single-family dwellings.

4. Effective Date. This ordinance shall become effective on the date of its adoption by the Board of Commissioners.

Adopted this ___ day of _____, 2020 by the Town of Rolesville Board of Commissioners.

Ronnie I. Currin
Town of Rolesville Mayor

CERTIFICATION

I, _____, 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 ___ day of _____, 2020.

In witness whereof, I have hereunto set my hand and caused the seal of the Town of Rolesville to be affixed this ___ day of _____, 2020.

Robin Peyton
Town Clerk

(seal)

STATEMENT OF JUSTIFICATION

In support of a petition to amend the Town of Rolesville Unified Development Ordinance to allow single-family homes, public and private, HOA related recreational areas in the R3 zoning district, the applicant offers the following information:

The Town of Rolesville is actively discouraging the use of the R&PUD zoning district, which has traditionally been used to accommodate a variety of housing styles and densities within a single community. The R&PUD zoning allows for single-family homes, townhomes, duplexes and apartments under the R1, R2 and R3 zoning districts with flexible lot sizes, setbacks and density requirements.

The current Town of Rolesville Unified Development Ordinance does not allow for single-family homes or private, HOA related recreational areas in the R3 zoning district, and public parks require a special use permit in the R3 district. The Town of Rolesville Comprehensive Plan recommends creating a diversity of new housing types with a focus on single-family detached dwellings. Allowing single-family dwelling in the R3 district will advance this goal.

The Town of Rolesville Comprehensive Plan encourages the provision of parks, greenway trails, ball fields and other recreation amenities throughout the town, indicating that existing parks and recreational opportunities are so popular they are being strained by the capacity of the current system. R3 is the only residential zoning district in which public parks are not permitted by right. The opportunity to locate public parks in the R3 zoning district would make it easier for land owners and developers to accommodate public needs such as public greenway trails.

In addition, it is typical and desirable for communities to provide private recreational facilities such as open space, walking trails, pools, club houses and the like. The opportunity to include these uses in the R3 zoning district will allow developers to accommodate the extension of public greenway, which impacts many parcels in Rolesville, and provide for private, HOA maintained recreation amenities that may take divert some users from crowded public facilities.

The proposed text change advances the goals of the Comprehensive Plan and the Board of Commissioners' policy discouraging the R&PUD zoning district. The proposed text change is reasonable and in the public interest. We request your support for this text change.



RESOLUTION NO. 2020-R-15
TOWN BOARD OF COMMISSIONERS STATEMENT OF CONSISTENCY
Case No.: UDO TA 20-01

WHEREAS, A request for an ordinance text amendment submitted by Hopper Communities, LLC as UDO TA 20-01 to amend, Article 5 Use and Dimensional Standards, Section 5.1 and 5.2, and Article 6, Supplementary District Standards, Section 6.5.

WHEREAS, N. C. General Statutes Section 160A-386, requires the Town Board of Commissioners to adopt a zoning amendment consistency statement whenever it approves or rejects a proposed zoning amendment;

WHEREAS, the Rolesville Planning Board at their meeting on August 24, 2020, considered the requested ordinance text amendment and by a unanimous vote of the Board recommended to the Town Board of Commissioners to approve the requested UDO Text Amendment 20-01 as requested. The request is reasonable and in the public interest; the change is consistent with the Rolesville Comprehensive Plan to allow provisions to be revised to the UDO's R-III zoning district to add single-family dwellings as a permitted use with minimum dimensional standards that are greater or similar to surrounding communities.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF ROLESVILLE:

The Town Board finds that the proposed ordinance text amendment is consistent with the Rolesville Comprehensive Plan. The request is reasonable and in the public interest to add single-family dwellings as a permitted use to the UDO's R-III zoning district with minimum dimensional standards that are greater or similar to surrounding communities.

The preceding resolution, having been submitted to a vote, received the following vote and was duly adopted the ___ day of _____, 2020.

Ayes: _____

Noes: _____

Absent or Excused: _____

Ronnie I Currin, Mayor

ATTEST:

Robin E. Peyton, Town Clerk

[SEAL]



Planning Board Regular Meeting
August 24, 2020- 7:00 PM
502 Southtown Circle, Rolesville, NC 27571

DRAFT MINUTES ON TA 20-01

PRESENT: Mark Powers, Chairman
Frank Pearce, Board Member
Davion Cross, Board Member
Mike Moss, Vice Chairman
Jim Schwartz, Board Member
Michelle Medley, Town Commissioner/
Planning Board Liaison
Danny Johnson, Planning Director
Town Attorney Dave Neill
Julie Spriggs, Planner II
Shelly Raby, Development Specialist

ABSENT: Donnie Lawrence, Board Member

UDO TA 20-01 Residential III Zoning District Text Amendment

Planning Director Danny Johnson reviewed the text amendment information.

- The amendment has been returned to the planning board at the request of the town board, as the applicant has now amended their proposal.
- The comprehensive plan encourages revision to the UDO and current standards to meet demand and the needs of the community and the proposed text amendment will address such an addition in the UDO and will serve in the public's interest. The change is consistent with the comprehensive plan to allow provisions to revise the UDO RIII single-family dwellings and allow lot size dimensions that are similar to the surrounding communities.
- Staff recommendation to TA 20-01 is the same as it was previously, and recommends approval and advises the board to do the steps necessary to send this to the town board of commissioners.

Planning Board member Jim Schwartz asked the following:

- Could an applicant apply for a special use permit for a smaller lot size or could they apply for an RPUD?
Mr. Johnson replied no a special use permit can not grant less restrictive provisions that what is allowed in the zoning district and that includes smaller lot size. This is a text amendment for the RIII district and reminded him the town board is discouraging PUDS at this time.

Planning Board member Mike Moss asked:

- Will the RIII district allow for the smallest residential lot sizes in Rolesville?
Mr. Johnson replied yes. The proposed amendment will add single-family dwellings as a permitted use in the district and will include a minimum lot size of 8,000 square feet. It would also remove the cap on zoning district acreage size because there will be sites or RIII zoning districts that are greater than twenty (20) acres. This amendment would have a cap of five (5) dwellings per unit acre and realistically that is going to be tough to do because of environmental conditions, stream buffers and roads, etc.

Chairman Mark Powers stated after the comments heard at the July June 22th Planning Board meeting, moving forward would give the public further opportunity for comment at the September 1st meeting. Mr. Johnson confirmed the town board will hold a public hearing.

Attorney Beth Trahos with Nelson Mullins stated the following on behalf of Hopper Communities:

- The text amendment was brought forth because they heard from staff and saw the policy adopted by the town board discouraging PUDS, which is what they had originally intended to use.
- This text amendment intended to mirror the PUD with a six (6) thousand square foot minimum, and add it to the RIII as an option.
- Heard concerns of the public and the board regarding lot size. Increased the minimum sizes of the standards and included a density cap that they amended their request to the propose text amendment before you now.
- This text change would allow you to reach your goals of the comprehensive plan. She reminded us that existing developments all have multiple lots with six (6) thousand square feet minimums. This text change in their opinion is providing you with what the town said it wants to do in the comprehensive plan, in a fashion that does not require a quasi-judicial element.

Chairman Mark Powers reminded the board that tonight's focus is on the text amendment to allow single-family dwelling in the RIII zoning district. Not its potential applicability to any property or project.

Planning Board member Davion Cross stated the following:

- Asked for clarification on what questions the public can they ask.
- Where is Hoppers Communities located?
- Why was eight (8) thousand square foot lots chosen instead of nine (9) thousand square feet, etc. and will this property, be a mixed-use development?
- Noting as well that while density is a concern, he also wants to encourage development, and while a small lot size is not what he desires, someone else might.
Mr. Johnson replied this is a text amendment to add the use of single-family dwellings and the standards associated with it. Questions with anything particular will come with an actual application in either a zoning case, etc. That is not what we are discussing tonight. This is just about adding single-family dwellings to the RIII zoning district, and it will apply to any application in this RIII district. We are not dealing with site-specific. This

is just about the text amendment only. Chairman Mark Powers stated this amendment would affect the entire town for the future of those looking for that type of density.

Attorney Beth Trahos replied RIII only allows residential, so there will be no retail, office or mixed-use. They started with the minimum lot size of six (6) thousand based off the R PUD requirements already developed in town and increased to eight (8) thousand after hearing concerns about small lot sizes from residents that do not actually live in town but live in the county, particularly those that live adjacent to this site. The developer then increased the lot size to roughly a third (.33%) larger, from six (6) thousand to eight (8) thousand square feet as a minimum lot size. Additionally, they looked at surrounding jurisdictions, many with smaller lot sizes, and tried to hit a compromise.

Planning Board Liaison Michelle Medley asked the following:

- Are apartments included in this amendment?
- Clarification requested on how people are supposed to frame their questions?

Mr. Johnson replied apartments are already included in the RIII district. Mr. Powers pointed out this has townhomes and apartments, adding the single-family homes would space things out more. Mr. Schwartz addressed Ms. Medley's question stating he had the same confusion a few meetings back and Attorney Dave Neill clarified. If this was a Quasi-judicial hearing, the public would not be allowed to speak unless they were subject matter experts. This meeting tonight being Legislative gives them the opportunity. Mr. Neill stated it would be a consequence of making a change like this in the event we were to continue to discourage Residential PUDS without a significant commercial or governmental function, there would now be another sort of proposal out there for single-family detached uses in that 3-5 units per acre range. We currently do not have that in our ordinance in any district other than a PUD. This puts it out there as a way to accomplish what the comp plan says. The unintended consequence is that matters will now come to the town board as zoning cases in which case those are legislative decisions rather than quasi-judicial decisions which means interested parties can have conversations with their neighbors and planning board members, elected officials and folks can openly discuss and haggle as they will. Chairman Powers suggested posting something on the town website as to the process of these meetings and hearings for the public to understand how things work.

Bill Harrell with Nelson Mullins noted the following:

- While a text amendment may be out of the norm for the board, however as a former planner he can tell you they are quite common.
- After the approval of The Point and Kalas Falls, the use of the RPUD zoning district was actively discouraged and taken away from us. With the RPUD district being taken off the table, they had to turn to the remaining districts in the Rolesville UDO of RI, RII, and RIII.
- The RIII is best suited to create housing for our teachers and first responders who serve in the community. Smaller lot sizes do not mean smaller homes, especially now with so many people working from home.

- The owners of this property simply want the same opportunity afforded to them as the Shearon family owners of The Point also the owners of Kalas Falls.

COMMENTS FROM PUBLIC IN FAVOR (in person)

-Ginny Fowler Wheeler 7928 Sutterton Ct Raleigh, NC shared an article she read over the weekend titled Lot Size no longer matters as much. Ms. Fowler Wheeler stated she would send the link to this article as requested by Planning Board member Jim Schwartz.

-Steve Wheeler 7928 Sutterton Ct Raleigh, NC this is amendment is consistent and superior to the current zoning districts currently offered and makes Rolesville more attractive to millennials, young families, and essential workers.

COMMENTS FROM PUBLIC IN OPPOSITION (in person)

-Michelle Roerick 3624 Nether Ridge Rd Zebulon, NC,27597 questioned the amendment change of the increased lot size and standards. She called into question if the memo in regards to lot size increase was valid under the UDO, as to if there was enough time for the public hearing scheduled on September 1. She also requested the planning board deny the approval of the original request with the lots sizes of six (6) thousand square foot minimum.

Mr. Powers asked Mr. Johnson and Mr. Neill if they had any comments, Mr. Neil stated they should continue to move forward with the public notice. His understanding is the notice went out as addition of single-family to the RIII district. The actual square footage that the town might change it to, he was not sure if that was part of the notice. Therefore, the last time we discussed a variety of square footage was thrown out, different side yard setbacks were discussed because at the end of the day a text change is purely at the discretion of the board of commissioners. The board of commissioners does not have had to of had anyone make an application for a text change. The board can conceive of that concept on its own, and that is actually what the statute anticipates will occur. Let us move forward and consider what the appropriate change is if any to the RIII district and a recommendation could come out of this board either to not make a change or to make some other change. Any recommendation would be something for the board of commissioners to determine. That gives him some time to make sure that appropriate notice has been made under our ordinance and if there is a problem there, we can continue the board of commissioners meeting to provide that amount of time to solve it.

For the record-, Attorney Dave Neill clarified advice he made earlier. Section 3.9.8 withdrawal or amendment of the petition while likely to apply solely to zoning petitions rather than text amendments, can be reasonably read as Ms. Roerick has interpreted it, and given that it could be read that way, my job is to take the least risky approach. I would have the board consider all the options of square footage because the concern raised by the speaker of not being able to amend the petition is resolved before the commissioners. Where the provision goes on to say that at the hearing, the town board can adopt whatever it likes and the petitioner can also bring forward changes also the planning boards considerations can also be brought forward at that hearing. As a technical matter, let us keep our ears open to all sorts of

square footage without linking ourselves to six or eight thousand and know that when we get to the public hearing before the board of commissioners most anything will be appropriate.

- Curtis Roerick 3624 Nether Ridge Rd Zebulon, NC 27597 restated his concerns voiced at the meeting on June 22.
- Matthew Jones 3624 Nether Ridge Rd Zebulon, NC 27597 changing this text amendment creates more density and more traffic.
- Derek Willits 3701 Nether Ridge Rd Zebulon, NC 27597 opposed the amendment.
- Minda Sportsman 3809 Arbor Rose Ln Zebulon, NC 27597 - no comments directly related to the text amendment.
- Gayle Stallings 1512 Rolesville Rd Wake Forest, NC 27587- no comments directly related to the text amendment.

COMMENTS FROM PUBLIC IN OPPOSITION (received through email)

- Lesley & Gary Klinker 3509 Taviswood Way Wake Forest, NC 27587- no comments directly related to the text amendment, however, high-density neighborhood concerns were raised.
- Harrell Stalling 1512 Rolesville Rd Wake Forest, NC 27587- asked the board vote no for UDO TA 20-01 Text Amendment.
- Anthony & Kathleen Trabucco 3500 Traviswood Way Wake Forest, NC 27587- asked the board vote no for UDO TA 20-01 Text Amendment.
- Susan & Tony Swift 3504 Traviswood Way Wake Forest, NC 27587- asked the board vote no for UDO TA 20-01 Text Amendment.
- Kristen Wheless 3629 Nether Ridge Rd Zebulon, NC 27597- asked the board vote no for UDO TA 20-01 Text Amendment with concerns of high density.
- Kimberly Woodlief Eddins 1504 Rolesville Rd Wake Forest, NC 27587 - asked the board vote no for UDO TA 20-01 Text Amendment with concerns of high density.
- Lorin Wiandt 4209 Lassiter Rd. Wake Forest, NC 27587 - asked the board vote no for UDO TA 20-01 Text Amendment with concerns of density and traffic.
- Patrick Jensen 3733 Nether Ridge Rd Zebulon, NC 27597 - asked the board vote no for UDO TA 20-01 Text Amendment.

Public Comments received through email not related to TA 20-01

- Karen and Shawn Washburn 3600 Nether Ridge Rd Zebulon, NC 27597- no comments directly related to the text amendment.
- Lorraine Stephenson 3532 Catlett Farm Rd Wake Forest, NC 27587- no comments directly related to the text amendment.
- Agnes Tyborowski 6612 Fowler Rd Zebulon, NC 27597- no comments directly related to the text amendment.
- Lynn Thomas 3813 Tavisson Ct Wake Forest, NC 27587- no comments directly related to the text amendment.
- Lee Jones 3533 Nether Ridge Rd Zebulon, NC- no comments directly related to the text amendment.

After these discussions, **Planning Board member Frank Pearce** stated he probably holds seniority to everyone in the room as to the years he has grown up/lived here and has seen all the changes come to Rolesville, some good, and some bad. We have to appreciate this land used to be farmland and he was a farm boy. The surviving farm children have decided they want another way of life, and for them to get some benefit for what used to be their farm, they are putting it up for sale. We have people who are opposing this type of event that is happening around us because they do not want someone moving in next to them because they are used to the farmland. But the farmland is going away and we can't stop that, it's just human nature. Being realistic, not everyone wants to crank up a lawnmower on Saturday morning, and I think we are overlooking some of this stuff that has been said. I agree with some of the speakers that have said a small lot is not for everyone, nor is a big lot for everybody. The only reason Rolesville did not grow at a faster rate is because the soil depth on top of this granite rock is not deep enough to support a septic tank and the septic tank lines so when we got the water sewer, Rolesville started growing and this was in 1993. We are having a lot of discussion about lot sizes and density, but I believe some of the people who are opposing this when it comes the day for them to pass it on to their children, the children will do the same thing of what has been happening before.

Upon a motion by Board Member Frank Pearce and second by Board Member Mike Moss to favorably recommend, the UDO TA 20-01 Amendment Article 5 use and dimensional standards and Article 6 supplementary district standards, Section 6.5 RIII residential district. The request is reasonable and in the public interest, the change is consistent with the Rolesville Comprehensive Plan to allow provisions to be revised to the UDO's RIII zoning district to add single-family dwellings with minimum lot dimensional standards that are similar to surrounding communities.

Mr. Johnson asked Mr. Pearce if his motion included the applicant's proposed change to minimum lot sizes of 8,000 square feet and the amended dimensional standards. Mr. Pearce along with Mr. Moss clarified the motion. Mr. Pearce also added he has been educated over the years serving on this board that the board cannot pick and choose who can and cannot sell their land when the time comes. We are merely an advisory board to the town board, and the town board has the final say and it is their decision to make. Chairman Powers called for the vote with the clarifications and the motion approved by unanimous vote.

Planning Board member Jim Schwartz made a motion requesting Town Manager Kelly Arnold look for a venue large enough to accommodate the public; second by Planning Board member Davion Cross, the motion approved by unanimous vote.



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

- September 15, 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 Subdivision Plat.
 - Consent: Call for Public Hearing (Quasi-Judicial) PR 20-04: The Preserve @ Jones Dairy Rd (Central). Preliminary Subdivision Plat.
 - Consent: Call for Public Hearing (Quasi-Judicial) PR 20-03: Carolina Legacy Volleyball Site Plan.
 - Consent: Call for Public Hearing on Granite Falls Boulevard Extension Agreement for October 6, 2020.
 - Public Hearing(s): Cobblestone Crossing Economic Development Agreements
 - Fire Services Study Contract
- September 22, 2020 Town Board Work Session – 7:00 pm (Possibly Virtual)
- Golf Carts
 - Reimbursement Ordinance Introduction
 - Downtown Mixed-Use Text Amendment
 - Review of Town Board Priorities for UDO
- October 6, 2020 Town Board Regular Meeting – 7:00 pm
- Public Comment
 - Consent: Approval of Minutes from September 1st, 15th and 22nd Town Board Meetings.
 - Public Hearing: Case: PR 20-01: The Point, Phases 1 through 10, Preliminary Subdivision Plat. (Admin Approval).
 - Public Hearing: Case PR 20-05 Kalas Falls, Preliminary Subdivision Plat. (Admin Approval)
 - Reimbursement Ordinance Adoption
 - Reimbursement Agreement Between Town and Kalas Falls
 - Executive Session – Land Negotiations N.C.G.S. 143-318.11(a)(5) and N.C.G.S. 143-318.11(a)(6) Personnel
- October 20, 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 Subdivision Plat.
 - Public Hearing (Quasi-Judicial). Case: PR 20-04. The Preserve @ Jones Dairy Rd (Central) Preliminary Subdivision Plat.
- October 27, 2020 Town Board Work Session – 7:00 pm (Possibly Virtual)
- NCDOT Property Update
 - Main Street Grant Update
- November 3, 2020 Town Board Regular Meeting – 7:00 pm
- Public Comment
 - Consent: Approval of Minutes from October 6th, 20th and 27th Town Board Meetings
 - Downtown Mixed-Use Text Amendment Adoption.
 - .
 - .

November 17, 2020 Town Board Meeting – 7:00 pm

Future Board Meetings – Not Scheduled

- Public Hearing (Legislative) Case: MA 20-02 C4 Investments LLC.
- Public Hearing (Quasi-Judicial) Case: SP 20-01 Elizabeth Springs Amenity Site Plan.
- Public Hearing (Legislative) Case: ANX 20-03 Hopper Communities, LLC Wheeler Property/Rolesville & Mitchell Mill Roads.
- Public Hearing (Legislative) Case: MA 20-01 Hopper Communities, LLC, Zone R3-CZ Zoning District for Proposed Annexation Area (ANX 20-03).
- Planning Board Candidate Appointment – TBD following interviews