



Town Board Regular Meeting
March 2, 2021 – 7:00 PM
502 Southtown Circle, Rolesville, NC 27571

Minutes

PRESENT: Ronnie Currin, Mayor
Jacky Wilson, Commissioner
Paul Vilga, Commissioner
Kelly Arnold, Town Manager
Julie Spriggs, Town Planner
Mical McFarland, Comm & Econ Dev Director

Michelle Medley, Mayor Pro Tem
Sheilah Sutton, Commissioner
April Sneed, Commissioner
Robin Peyton, Town Clerk
Dave Neill, Town Attorney (~~remotely~~)

A. CALL TO ORDER

1. Pledge of Allegiance
Mayor Currin led the Pledge of Allegiance
2. Invocation
Commissioner Wilson gave the invocation
3. Review of Agenda by the Board and Addition/Changes of Items of New Business to the Agenda for Consideration.
Moved by Commissioner Sutton to approve the agenda as presented; seconded by Commissioner Wilson. Motion carried by unanimous vote.
4. Board Liaison Reports
 - Mayor Pro Tem Medley – Planning Board
No meeting was held therefore no report was given.
 - Commissioner Sutton – Economic Development
 - The economic development group is scheduled to meet March 4th.
 - Sutton attended a lunch & learn on organizing your business, hosted by the Rolesville Chamber of Commerce.
 - Commissioner Vilga – Parks & Recreation Advisory Board
 - Meeting held February 4th.
 - Discussion was on OSAG Plan update, future park land, updates for Redford Park and the Carlton Pointe Greenway update.
 - Commissioner Wilson – Public Safety
 - Meeting held this month.
 - EMS absorbed by Wake County.
 - Requested assistance in advertising Knox Boxes from RRFD. Boxes will contain a key allowing first responders to enter residence in a fire or emergency situation. Nominal fee involved.
 - Police Department has applied for a grant to replace outdated tasers. Additionally, four vehicles are scheduled for replacement.
5. Public Invited to be Heard
No members of the public were present to provide public comment nor presented electronically.
6. Chamber of Commerce Report
 - a. Requesting a joint meeting with Town Board.
 - b. Provided update on current processes and, training and information available to Chamber members.
 - c. Reported on policy advocacy to benefit Chamber members.

- d. Ongoing regional promotion in concert with similar organizations.
- e. Partnering with Rolesville Police Department on Welcome Wagon program for new residents.

B. CONSENT AGENDA

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

1. Minutes of the February 2, 2021 Regular Town Board Meeting
2. Minutes of the February 16, 2021 Town Board Work Session
3. Approval of GoRaleigh Agreement Regarding 401 Bus Service.
4. Resolution 2021-R-09 Approval of Kalas Falls Reimbursement Agreement.
5. Resolution 2021-R-10 to Amend the Personnel Policy Regarding Vacation Leave.
6. Resolution 2021-R-11 to Amend the Capitalization Policy.
7. Resolution 2021-R-12 for Reimbursement of Expenditures – Municipal Complex.
8. Budget Ordinance Amendment – Kalas Legal, Woodlief Property.
9. GFL Contract Amendment for FY21-22.
10. Call for Public Hearing for April 6, 2021 for the Comprehensive Transportation Plan.
11. ANX 20-05 - Ashton Raleigh Residential, LLC Annexation Petition_ Investigate the Sufficiency
12. Assignment of Sewer Utility Easement (PIN 1758-90-8610) to City of Raleigh pursuant to NC Gen. Stat. 160A-274.
13. ANX 20-06 2005&2033 Wait Ave_ Annexation Petition
14. ANX 20-08 - Preserve at Jones Dairy, LLC Annexation Petition_ Investigate the Sufficiency

Motion to approve seconded by Commissioner Wilson. Motion carried by unanimous vote.

C. BOARD ACTION

1. Evidentiary Hearing for Case: **SUP20-02 Wallbrook, Special Use Permit for Mixed-Use Development in Commercial Outlying Special Use Permit District (CO-SUD).**

Town Attorney Dave Neill orated the evidentiary hearing procedural statement followed by the voir dire then query of board members pertaining to competence and bias. Commissioner Sutton and Mayor Currin reported having met separately with the applicant prior to submittal of the application and stated they were able to base any decision solely on evidence presented in the hearing, impartial and without bias or prejudice. Remaining board members had no objections to either Mayor Currin or Commissioner Sutton remaining seated as participants for the duration of the public hearing.

The town clerk swore in those persons wishing to provide testimony

Mayor Currin opened the evidentiary hearing on Case SUP20-02 Wallbrook Special Use Permit at 7:55 p.m.

Town Planner Julie Spriggs provided a staff report on the case under consideration.

The application and staff report were admitted in to evidence.

Jamie Schwedler, Parker Poe Adams & Bernstein LLP, 301 Fayetteville Street, Raleigh, NC Ms. Schwedler, attorney for the applicant, provided further overview of the special use permit application being considered under Case SUP20-02.

Attorney Schwedler introduced applicant Austin Williams, Crosland Southeast and queried him on his education, accreditation and experience as they relate to the case followed by tendering Williams as an expert witness in real estate development. The board accepted Mr. Williams as an expert witness who testified to the following:

- a. The proposed development and/or use will generally conform with the Comprehensive plan and other official plans adopted by the Town;
- b. The proposed development and/or use will be in harmony with the scale; bulk, coverage, density, and character of the neighborhood in which it is located;

Schwedler introduced *Bryan Fagundus of Ark Consulting Group*, queried him as to his education, accreditation and experience as they relate to the case and tendered him as an expert in civil engineering followed by the board's acceptance of his giving testimony. Fagundus testified to the following:

- a. The proposed development and/or use will be in harmony with the scale, bulk, coverage, density, and character of the neighborhood in which it is located;
- b. The proposed development or use will comply with all applicable requirements of the Unified Development Ordinance (UDO), specifically residential falling within the maximum density of 10 units per acre. The applicant further offered a condition limiting residential to 155 units.
- c. Applicant commits to not develop area east of Wall Creek, along proposed development property line shared by Wall Creek Subdivision.
- d. The proposed development and/or use is appropriately located with respect to transportation, will provide multiple ingress/egress points for emergency service vehicles.
- e. The proposed development and/or use will have adequate access to water and sewer facilities.
- f. The proposed commercial/non-residential uses are allowed according to zoning restrictions applied to the property location.
- g. The proposed residential townhome use is allowed under a special user permit and falls within density requirements.
- h. New streets/sidewalks will comply with all applicable UDO requirements.
- i. Applicant is coordinating with Town on Main Street improvements under the Locally Administered Projects Program (LAPP) grant.
- j. The proposed development and use complies with all applicable requirements of the UDO.

Schwedler introduced *Matt Peach of Stantec Engineering Consultants*, queried him as to his education, accreditation and experience as they relate to the case and tendered him as an expert in transportation engineering followed by the board's acceptance of his giving testimony. Peach testified to the following:

- a. The proposed development and/or use will not cause undue traffic congestion or create a traffic hazard;
- b. Applicant is committed to building road recommendations called for in addendum to most recent Traffic Impact Analysis (TIA) as well as those spelled out in the TIA as a whole.
- c. Proposed improvements are consistent with the Town of Rolesville Main Street Vision Plan.
- d. Proposed improvements align with the Town of Rolesville LAPP grant.
- e. The proposed development and/or use will not materially endanger the public health or safety;
- f. The proposed development and/or use will provide adequate access for fire and police protection and will increase pedestrian connectivity.

Schwedler introduced *Hunter Howell of Valbridge Property Advisors, 412 E. Chatham Street, Cary, NC 27511*, queried him as to his education, accreditation and experience as they relate to the case and tendered him as an expert in property appraisal and impacts to property followed by the board's acceptance of his pending testimony. Howell distributed an appraisal report (incorporated herein by reference) and testified to the following:

- a. The proposed development and/or use will be in harmony with the scale, bulk, coverage, density, and character of the neighborhood in which it is located;
- b. Additional housing is needed in the area as the residential housing market has improved.
- c. Supporting commercial uses tend to follow residential.
- d. Two mixed use developments in areas similar to Rolesville were analyzed revealing residential development brought commercial development and increased residential property values.
- e. The proposed development and/or use will not substantially injure the value of adjoining property.
- f. The proposed development and/or use location to a main corridor with commercial and resident will naturally assist in bringing additional activity and will be in harmony with the use, scale, and bulk of nearby uses.

PARTIES IN OPPOSITION

None

Schwedler reviewed the conditionals of approval, summarized the material and evidence provided and requested they be admitted into evidence.

There being no one remaining to provide testimony, Mayor Currin closed the public hearing on Case SUP2-02 at 9:17 pm.

Moved by Commissioner Sneed to approve SUP20-02 Wallbrook, based upon the evidence and testimony received at the hearing to determine the findings of fact; seconded by Mayor Pro Tem Medley. Motion carried by unanimous vote.

2. Public Hearing: (Legislative) Case: UDO TA21-01 Text Amendment to Change Special Use District (SUD) to Conditional Zoning (CZ) Districts.

Mayor Currin opened the public hearing on Case UDO TA21-01 at 9:27 p.m.

Town Planner Julie Spriggs reported the text amendment is being sought in order to come under compliance with new state regulations. Spriggs reported further that changing the zoning identity will in no way alter the requirements under the current zoning identity.

There being no one remaining to speak Mayor Currin closed the public hearing on Case UDO TA21-01 at 9:34 p.m.

Moved by Commissioner Wilson to approve the requested UDO Text Amendment 21-01 to change all Special Use Zoning Districts (SUD) to Conditional Zoning Districts (CZ). The request is consistent and with the Rolesville Comprehensive Plan to update the Unified Development Ordinance and Official Zoning Map to change all Special Use Zoning Districts to Conditional Zoning Districts as required in NC Chapter 160D: Article 7; Section 160D-703(a)1 and Session Bill 2019-111, Section 2.9(b); seconded by Mayor Pro Tem Medley. Motion carried by unanimous vote.

3. Public Hearing: (Legislative) Case: UDO-TA21-02 Text Amendment to Remove Identified Parcels from the Town Center Overlay Zoning District.

Mayor Currin opened the public hearing on Case: UDO TA21-02 at 9:36 p.m.

Town Planner Julie Spriggs explained that the text amendment to the Unified Development Ordinance (UDO) follows the map amendment approved by the board in its February 2nd meeting and removes the newly zoned town center (TC) district parcels from the Town Center Overlay.

There being no one remaining to speak, Mayor Currin closed the public hearing on Case: UDO TA21-02 at 9:40 p.m.

Moved by Commissioner Vilga to approve UDO TA21-02, Removal of identified parcels from the Town Center Overlay Zoning District. The request is reasonable and in the public interest, is consistent with the Town's Comprehensive Plan recommendations for the Town Center area; seconded by Commissioner Sutton. Motion carried by unanimous vote.

Moved by Commissioner Wilson to authorize the Planning Department to forward the request by Bateman Civil Survey for the boundary revision of the Little River Watershed near the development of Elizabeth Springs to the State of North Carolina Division of Energy, Mineral, and Land Resources Department of Environmental Quality; seconded by Commissioner Vilga. Motion carried by unanimous vote. Resolution 2021-R-08: *Removal of Certain Properties from Watershed District* incorporated herein by reference.

D. FIRE STUDY UPDATE

Town Manager Kelly Arnold provided the following update following the Town Board's February 16th authorization to proceed further with potential absorption of fire department employees by the town:

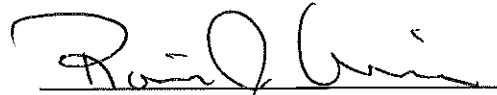
1. The Rolesville Rural Fire Department Board of Directors is to submit a formal request via a written letter.
2. The study consultant has offered to facilitate negotiations between Town Board and Fire Department Board for absorption of Fire Department employees by the Town. Kelly Arnold is to be the liaison representing the Town Board.
3. Arnold was directed to seek financial balance sheets from the Fire Department.

E. COMMUNICATIONS

1. Communication from Town Attorney – No report.
2. Communication from Town Manager
 - a. Watkins Farm Subdivision reached an agreement with Dominion to provide natural gas.
 - b. Governor Cooper initiated Phase 3 of COVID vaccination schedule making staff eligible.
3. Communication from Town Staff – For brevity, the board declined to hear reports from staff.

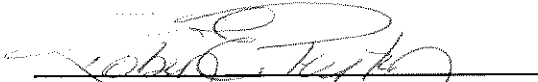
F. ADJOURN

Mayor Currin adjourned the meeting at 10:14 p.m.



Ronnie I. Currin, Mayor

ATTEST:


Robin E. Peyton, Town Clerk