



## Planning, Development & Inspections

A Division of Community Services  
P.O. Box 550 • Raleigh, NC 27602  
[www.wake.gov](http://www.wake.gov)

### MINUTES OF REGULAR PLANNING BOARD - May 3, 2023

**LOCATION:** Wake County Justice Center, 301 S. Salisbury St., Room 2700, Raleigh, NC

#### MEMBERS PRESENT:

1. Mr. Thomas Wells (Chair)
2. Ms. Brenna Booker-Rouse (Vice-Chair)
3. Mr. David Adams
4. Mr. Amos Clark
5. Mr. Asa Fleming
6. Mr. Bill Jenkins
7. Mr. Danny Kadis
8. Dr. Kamal Kolappa
9. Mr. Ted Van Dyk

#### MEMBERS ABSENT:

1. Mr. Jason Barron

#### COUNTY STAFF:

1. Mr. Steven Finn
2. Mr. Tim Maloney
3. Mr. Josh McClellan
4. Mr. Akul Nishawala
5. Ms. Sharon Peterson
6. Ms. Beth Simmons

#### COUNTY ATTORNEY:

1. Mr. Kenneth Murphy, Deputy County Attorney

#### GUESTS:

1. Mr. Dennis Jernigan, Acting Chief Engineer, NC Turnpike Authority

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1. **Meeting Called to Order:** Mr. Wells called the Planning Board meeting to order at 1:31 pm.
  2. **Petitions and Amendments:** None
  3. **Approval April 5, 2023, Minutes:** Motion to approve the minutes from April 5<sup>th</sup>, 2023, was made by Mr. Clark and seconded by Mr. Adams. The minutes were unanimously approved.
  4. **NC Turnpike Authority – Reforestation Plan**

**Presentation by: Mr. Dennis Jernigan, NC Turnpike Authority**

Mr. Maloney introduced Mr. Jernigan as the Acting Chief Engineer for the North Carolina Turnpike Authority and noted that he was appearing before the Board to discuss a reforestation program on I-540. He noted that the Board of Commissioners had adopted a resolution to support the use of highway project funds allocated towards betterment projects along corridors, specifically vegetation and tree planting.

Mr. Jernigan approached the Board and began his presentation with a brief overview of the Turnpike Authority's projects since their last update. He informed the Board that the Triangle Expressway had initially been designated by the US Department of Transportation as a driverless vehicle approving ground and a truck platooning pilot, and while the US DOT had removed the classifications on behalf of the vehicle manufacturers, the Turnpike Authority continued to implement roaming driver technology pilots and pavement marking pilots to improve quality and safety on NC roadways. He then explained the benefits of the toll system on the Triangle Expressway, which permits the NC DOT to complete projects like the I-540 loop faster than initially planned. Mr. Jernigan mentioned that Phase 2 of the I-540 project was now five years ahead of schedule and was estimated to open in 2028.

He also identified income generated by toll roads as a necessary source of revenue when factoring in population growth. The NC DOT's study NC Moves 2050 projected a population increase of 40% (or 4 million people) over the next thirty years, and funds generated through toll roads would help supplement the estimated cost of transportation operations, road maintenance, and collection services for the state. Mr. Jernigan informed the Board of existing and ongoing projects, including the Monroe Expressway, Triangle Expressway, the I-77 Express Lanes North (a public private partnership), I-485 Express Lane, U.S. 74 Express Lanes, the Mid-Currituck Bridge, and Complete I-540 Phases 1 and 2.

Mr. Jernigan also provided more information on the status of I-540, noting the I-540 and Triangle Expressway portions were already open, Phase 1 (the Southern Wake Expressway) was scheduled to open in the spring of 2024, and Phase 2 was in the contract phase. Both phases of the I-540 Loop are high speed facilities – six lanes, 70 miles-per-hour controlled access with 35 locations on the two projects designated for bike, pedestrian, or greenway accommodations, or plans for future expansion in these areas. He noted that once both phases are open, there would be a projected 630 acres of open space, which brought Mr. Jernigan to the subject of reforestation.

Mr. Jernigan first noted that until final grading is completed, current plans for reforestation and potential installation of solar collection panels were on hold. He identified discussions with the Transportation Committee last year about selecting potential target areas and presented the Turnpike Authority's findings. Mr. Jernigan pointed out that the Expressway includes clear roadside recovery zones, which are 40-foot areas from travel lanes that were off limits to provide a safe point of recovery for vehicles that lose control.

After initial target areas for reforestation were identified, the Turnpike Authority provided them to the Planning Board and Board of Commissioners. He expressed the Turnpike Authority's concerns that trees planted would not block the lighting fixtures along the expressway. Additionally, he noted a desire to avoid planting trees in any area that might impede drainage zones. Currently there are 14 acres identified as areas that would offer no impediment for reforestation along the Triangle Expressway. Through collaboration with the Board, Mr. Jernigan expressed a desire to create a list of sites that could be utilized for volunteers to supply and plant trees.

Mr. Jernigan then turned his discussion to a stormwater management update, beginning with a post-construction evaluation of the permitted sites in the contract for the Triangle Expressway in the leadup to Phase 1 of the Complete I-540 Loop. The Turnpike Authority hired a consultant to identify areas of improvement along with an assessment of successes in the finished Triangle Expressway, and their consultant provided a 510-page report. Mr. Jernigan noted that among their findings were that, of the 126 permit sites, 223 environmentally sensitive type features were identified with 90% in good shape. The consultant noted 29 new features that were not in the original permit, and 7.79 acres of wetland-like features had generated since the project opened over a 7-to-8-year timeframe. Based on that information, the Turnpike Authority structured their contract proposal to reflect lessons learned from the Triangle Expressway. Mr. Jernigan noted that the consultants would also conduct a similar review on the Monroe Expressway.

He identified the partnership between the NC DOT and the Wake County Water Partnership, an advisory group that identifies new water related opportunities and challenges within the county. Mr. Jernigan noted that the NCDOT Hydraulics Unit serves on the Green Stormwater Infrastructure Subcommittee. The Turnpike Authority worked with Nancy Daly, Environmental Services Water Resources Program Manager, to identify stormwater management projects to implement in Wake County. Mr. Jernigan pointed to a slide in his presentation of an aerial view of Wade Avenue and I-440 near Blue Ridge Road of one such project that the Turnpike Authority would like to see implemented in Phase 1 of the construction plan.

Mr. Jernigan also referred to another part of the settlement agreement, the Open Space Program and Project Area Resources, and have agreed to extend their support of Wake County's Open Space Program for one year after delays due to COVID-19. The Turnpike Authority also partnered with the North Carolina Native Plant Society, a volunteer organization, to help identify endangered or threatened plants in clearing areas. The volunteers would be given time to safely transplant endangered flora from a right-of-way to another location. Mr. Jernigan also mentioned the discovery of archeological items found during Plan 1 (one discovery dating back 10,000 years) including recovered artifacts that are currently being catalogued for eventual donation to the Museum of History. Additionally, there were two grave relocations and a beehive relocation due to construction of the project.

Mr. Jernigan closed his presentation and offered to address any questions from the Board.

### **Board Discussion**

Mr. Van Dyk asked what the best method would be to begin reforestation, and Mr. Jernigan responded that he was uncertain which agency was responsible for implementation, noting that he had provided documentation on November 22<sup>nd</sup> of 2022 with proposed sites. He indicated that the Turnpike Authority only required someone from Wake County to make selections and they would then begin an infrastructure comparison. Following that, Mr. Jernigan noted that they would arrange for lane closures and traffic control to ensure safe planting conditions for volunteers. Mr. Van Dyk asked if funding was in place for the reforestation project and Mr. Jernigan explained that, unlike the NCDOT, the Turnpike Authority does not have funding set aside or available for projects of that nature without an existing partnership with a municipality.

Mr. Wells asked where the application or process for the reforestation plan was on the County's end, and Mr. Maloney responded that while he did receive the proposed locations from the Turnpike Authority, there was no formal application process. Mr. Maloney recommended that the Board set up a staff committee to further explore the proposal and bring it back to the Planning Board. Mr. Adams

added that, when the process of reforestation began, he would like to see an emphasis on planting trees that are native to North Carolina.

Dr. Kolappa asked what the timeline would be to begin reforestation once the plan had been agreed upon, and Mr. Jernigan explained that the infrastructure review would take no more than two weeks to implement. Mr. Jenkins asked for clarification on grading and Mr. Jernigan responded that he did not anticipate grading would be necessary to plant new trees onsite. With Mr. Maloney's agreement, Mr. Jernigan recommended that planting could take place between the beginning of November to the end of March to ensure the viability of plants.

Mr. Wells and the Board thanked Mr. Jernigan for his presentation.

## **5. Middle Creek Area Draft Plan - Presentation by Akul Nishawala, Planner III**

Mr. Nishawala began his presentation with an update on the Middle Creek Area Draft Plan, noting that turnout for the second in-person community meeting at Amplify Church was lower than expected. Mr. Nishawala explained that an electronic email notification failed to reach 80% of the intended recipients and was likely the reason that respondents did not attend. A second notification attempt was more successful; however, the cause of the initial email failure rate is unknown.

Mr. Nishawala explained that the intention of the meeting was to demonstrate to the public that their input, comments, and feedback had been taken under consideration and that staff wanted to explain their plans considering that interaction. Considering the low attendance, Mr. Nishawala, Mr. Maloney, and Planning staff agreed that it would be in the best interests of the County to hold another event, scheduled virtually for May 10<sup>th</sup> at 12:30 p.m. on Zoom. He explained to the Board that the presentation scheduled for that meeting would be the same one Mr. Nishawala gave in person at Amplify Church, but that his hopes were that more citizens would be present. He did note that one of the highlights of the draft plan for land use included a new designation for Agricultural Land Use and Forestry, which previously had not existed separately in land use plans prior to the Lower Swift Creek Area Plan.

The Middle Creek Area Plan proposal will be added to the June 7<sup>th</sup> Planning Board meeting, with the intention of bringing the final proposal to the Board of Commissioners on June 20<sup>th</sup>. He expressed confidence that the public would have a full and open opportunity to give feedback and that staff would meet the deadline for adoption date before the Board of Commissioners. Mr. Nishawala closed his presentation with an offer to answer any questions from the Board and welcomed additional input from Mr. Fleming and Mr. Wells about their experiences at the meeting.

### **Board Discussion**

Mr. Wells inquired about potential public feedback during the June 7<sup>th</sup> meeting, referencing impassioned discussions at in-person events, and asked staff what the Board could do to address their concerns. Mr. Nishawala expressed a hope that the virtual meeting would soothe any potential concerns about the Land Use Plan and noted that staff's position had been to ensure that the public felt their input was of value during the draft plan process. Mr. Maloney added that public comment is always welcome and would be factored into the meeting and that the Board was welcome to address any clarification questions from the public to staff during the June 7<sup>th</sup> meeting.

Mr. Wells also expressed curiosity regarding the presence of the I-540 loop in the northern portion of the Land Use Plan and asked if the Planning Board had any responsibilities or opportunities to impact the corridor. Mr. Nishawala responded that, to address those areas, staff had designated Multi-Use Districts around the interchanges. Additionally, he noted that the feedback on the Social Pinpoint site around these Multi-Use Districts had been positive. Ms. Booker-Rouse asked if feedback had been more reactive or proactive, and Mr. Nishawala responded that early responses prior to draft plans were centered around traffic that the Land Use Plan could not address. He noted that the Land Use Plan was not designed to be static and would change with the needs of the people, along with public hearing processes.

Mr. Kadis asked about the involvement of Soil and Water Agricultural District or outside groups like Triangle Land Conservancy in the Land Use Plan, specifically in explaining to citizens the options to preserve their land, and Mr. Nishawala acknowledged the presence of Teresa Furr at outreach meetings. He noted that Ms. Furr set up a table to explain the benefits of Voluntary and Enhanced Voluntary Agricultural Districts to farmers in the Middle Creek Area.

Mr. Wells thanked Mr. Nishawala for his presentation and suggested as many Board members as possible attend the May 10<sup>th</sup> Virtual Public Outreach meeting.

## **6. Committee Reports**

### Land Use Committee

Mr. Jenkins thanked Mr. Nishawala for his presentation and noted that the Middle Creek Area Plan update essentially covered the Land Use Committee meeting agenda.

### Transportation Committee:

Mr. Van Dyk recommended that, based on the Turnpike Authority's presentation, the Transportation Board should meet during June to discuss the next steps to implement a reforestation plan with the Board of Commissioners. Mr. Maloney noted that he would address this during his report to the Planning Board.

## **7. Planning, Development, and Inspections Report**

Mr. Maloney announced the June 7<sup>th</sup> meeting will include Mr. Nishawala presenting the Middle Creek Area Plan with public component for recommendation to the Board of Commissioners, along with an update from Wake County Economic Development. Prior to the regular meeting, Mr. Maloney recommended scheduling a Code and Operations Committee Meeting and, by request of Mr. Van Dyk, a Transportation Committee Meeting.

Mr. Maloney also noted that Mr. Wells sent out committee appointments prior to the meeting and that during subsequent Committee meetings, elections would take place to appoint respective chairs. Following the June 7<sup>th</sup> meeting should the Board recommend advancing the Middle Creek Area Plan, the Chair would need to be present before the Board of Commissioners at their June 20<sup>th</sup> meeting.

Mr. Finn provided the Board with updates involving development, applications, and administrative reviews, including 139 subdivision applications and 140 zoning applications. He also noted that zoning enforcement remained active, and staff continued to see numerous public information requests (both for the county and municipalities).

Ms. Peterson provided results from a survey created by the County Commissioners for all residents. The open-ended questionnaire provided to Wake County residents resulted in 2200 responses, centered around their most important issues. The survey results showed 21% of respondents are interested in development/growth in population, followed by affordable housing at 20%, and 11% for education. Also important was public safety, inflation, and the cost of living. Ten percent of survey results reflected the unincorporated areas of the county. Respondents also listed their recommendations for what the County should identify as priorities, and this included cost of living, growth/development, roads, highways, and schools.

## **8. Chairman's Report**

Mr. Wells proposed that the Board Members consider meeting outside of their normal schedule in the fall to discuss the priorities and goals of the Planning Board perhaps with the involvement of a County Commissioner and a representative from the School of Government. Mr. Jenkins inquired if this was permitted, and Mr. Murphy responded that the Planning Board were within their rights to hold another meeting, so long as it was listed with Wake County, and that it was open to members of the public. Mr. Wells recommended that the Board discuss the proposed additional meeting further on June 7<sup>th</sup>.

## **9. Adjournment**

The meeting was adjourned at 3:09 p.m.

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REGULAR MEETING  
WAKE COUNTY PLANNING BOARD  
May 3, 2023

Chair Thomas Wells declared the regular meeting  
of the Wake County Planning Board for  
Wednesday, May 3, 2023, adjourned at 3:09 p.m.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Thomas Wells". The signature is fluid and cursive, with the first name "Thomas" and last name "Wells" clearly distinguishable.

Thomas Wells  
Wake County Planning Board