



Planning, Development & Inspections

A Division of Community Services
P.O. Box 550 • Raleigh, NC 27602
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MINUTES OF REGULAR PLANNING BOARD - March 6, 2024

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. Daniel Kadis
6. Dr. Kamal Kolappa
7. Mr. Ted Van Dyk

MEMBERS ABSENT:

1. Mr. Asa Fleming
2. Mr. Bill Jenkins

COUNTY STAFF:

1. Mr. Steven Finn
2. Ms. Teresa Furr
3. Mr. Tim Gardiner
4. Mr. Josh McClellan
5. Mr. Timothy Maloney
6. Mr. Akul Nishawala
7. Ms. Terry Nolan
8. Ms. Liz Oliver
9. Ms. Sharon Peterson
10. Ms. Beth Simmons

GUESTS:

1. Mr. Jason Barron
2. Mr. Donald Mial, Wake County Commissioner

COUNTY ATTORNEY:

- Mr. Kenneth Murphy, Deputy County Attorney

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1. **Meeting Called to Order:** Mr. Wells called the meeting to order at 1:31 p.m. He took a moment to recognize the presence of Commissioner Mial, who represents the district being discussed in the Lower Neuse Area Plan.

2. Pledge of Allegiance

3. **Petitions and Amendments:** Mr. Wells took a moment to recognize the service of Jason Barron, who stepped down at the end of his term in February. Mr. Barron thanked the Board for their recognition, noting that he looked forward to appearing before them in different capacities in the future.
4. **Approval of February 7, 2024, Minutes:** Mr. Kadis proposed an amendment to the "Committee Reports" section of the February 7, 2024, minutes, inserting the following text:

*Mr. Kadis reported that he and Mr. Wells had met with Staff members in Wake County's Housing Department to discuss ways the Planning Board might assist with affordable housing. He explained that Staff were appreciative of their interest and input and **was advised that there are already numerous committees and organizations - both public and private - working in this area. Therefore, it was his opinion that creating another committee or board effort at this time would not be beneficial. That being the case, he encouraged anyone who is interested to seek out any one of the many opportunities to get involved personally.** Mr. Wells confirmed this report and expressed a desire to see collaboration between stakeholders, the County, and various municipalities.*

With the agreement of the Board, Dr. Kolappa made a motion to approve the February 7, 2024, Minutes as amended. Mr. Clark seconded the motion and the Board adopted unanimously.

5. CPA-01-24: Lower Neuse Area Plan – Presentation by Tim Gardiner, Planner III.

Mr. Gardiner explained that his presentation of CPA-01-24 was an update on requests made by the Board from the February meeting regarding the Lower Neuse Area Plan. He noted that, rather than present the Lower Neuse Area Plan in its entirety to the Board, that these updates should be considered as an addendum to help determine if the plan should move to the Board of Commissioners at their April 1st, 2024, meeting. Based on the requests of the Board Members, Mr. Gardiner identified the following areas as points of focus for this meeting: recommended changes to CPA-01-24 and staff report of the Multi-Use District (MUD) on Smithfield / Poole Road, followed by a period of Public Comment. If the Board chose to make a motion to move the area plan forward to the Wake County Board of Commissioners, it would include the plan as presented in February with the changes presented today, including clear direction on the Smithfield / Poole Road MUD.

Mr. Gardiner began with a high-level overview of the purpose of MUDs, explaining that they serve the purpose both at a County level and as a projection element when working with municipalities on future development. He explained that, in preparation for Staff's presentation, that property owners at Smithfield and Poole roads were notified by mail, along with specific conversations with the Town of Knightdale and the resident who communicated their concerns via email in February. He noted that all materials were made available on Wake County's website, and that ample notice was provided for the Planning Board Meeting.

Before moving on to the MUD discussion, Mr. Gardiner presented a slide with additional changes to the Lower Neuse Area Plan. He explained that one property owner had requested a change from an Agricultural Future Land Use to Residential at the NC-540 Interchange. He also noted that there were anticipated changes to the Private Well Strategy (pages 43-44) based on a request from Wake County Environmental Services.

Mr. Gardiner then presented a slide providing more information about the Smithfield / Poole MUD, addressing the questions raised by the Board in February. Based on the original development framework map, Staff made determinations on where to allocate people while preserving open space

relative to PLANWake's mandate. The County's goal was to preserve rural areas for as long as possible. He explained that portions of the Lower Neuse Area Plan were not protected watersheds, leaving Staff to determine how and where to provide utilities. The Smithfield / Poole Road MUD was one such area: he explained that in the original development framework map, the MUD was originally at the edge of the Community and Rural designations. The proposed amended plan extends some rural area but did not change the MUD's status.

He noted that in conversations with staff, the Town of Knightdale expressed that their Town Council is supportive of a MUD at Smithfield and Poole Roads with a municipal future land use designation. The Town anticipated that it would remain a multi-use area as it evolved. Knightdale stated they do not have immediate plans to add the area into their municipal boundary, but that they would take a multi-year tiered approach to any development. He noted that Knightdale was in the process of updating their comprehensive plan to better approach their commercial appearance recommendation and residential buffer standards. The Town's draft plan was scheduled for presentation at a public meeting in April. Once the design guidance was approved, it would help guide the developer process and Town Board approval. He further explained that the Town of Knightdale's approach would include annexation, a Planned-Unit Development, and specific rezoning in the area.

Mr. Gardiner explained that the Town of Knightdale has a list of development requirements that could influence the NCDOT's Traffic Impact Analysis. Requirements would include addressing existing traffic needs, including widening of lanes, offsite improvements to intersections, and increased capacity for vehicles. Development would also construct multi-use paths on sections of Knightdale Road and Poole Road, focused on walkability. Mr. Gardiner presented a slide of the County's proposed pedestrian connections, highlighting areas near Smithfield and Poole Roads that would be necessary to develop. The NCDOT had previously announced bonus allocation of funds to address Lower Neuse Area transportation issues over the next 1-2 years, and Mr. Gardiner explained that the area municipalities would be meeting with CAMPO in 2024 to discuss potential project. Funding would be provided after the toll road's construction in 4-5 years. In the meantime, the County's goal would be to facilitate conversations about what roadways should be in a rural area to meet capacity.

Mr. Kadis asked for clarification on the NCDOT's safety money allocation, and Mr. Gardiner explained that they reserve amounts to provide intersection improvement based on traffic concerns. He noted that NCDOT recognizes the area needs improvement from existing traffic studies.

Mr. Gardiner turned to the MUD at Smithfield and Poole Road, providing a brief history of the area: the MUD was a vested Activity Center as far back as 1997, and was reviewed by the Planning Board in 2011 to specify the boundaries. The current boundaries extend north along Smithfield Road up to Poor Boy Farm Road and just south of Poole Road. The MUD is between the watershed areas flowing into Marks Creek / Lake Myra and Poplar Creek, and Mr. Gardiner noted that much of the watershed did not impact Lake Myra. He explained that MUDs play one of two roles: they are either favorable in consideration and approval of rezoning, or of commercial special uses allowed in residential zoning. He presented a slide of the current land use in the MUD, noting that much of the zoning by property owners reflected the uses existing today.

Mr. Gardiner presented the Board with four options to address the MUD at Smithfield and Poole Roads:

- Option A: Make No Changes to the adopted 2011 Land Use Plan Amendment
- Option B1 – Recognize the watershed boundary as the eastern edge of the MUD
- Option B2 – Use roads as the boundary of the MUD
- Option C – Remove the MUD

Mr. Gardiner closed his presentation by explaining that, after public comment, he would be happy to further discuss the options before the Board. He stressed that it was important that the County be transparent about their decisions, knowing that MUDs were set up with the understanding that they might be annexed municipally in the future. The options to keep the MUD or remove it would provide different options in working with the Town of Knightdale moving forward.

Mr. Kadis asked about the road boundaries in Option B2, and Mr. Gardiner responded that with Board input, that option could be modified.

Public Comment

Mr. Wells allowed public comments from 2:13-2:34 from seven residents who expressed feedback on the following topics:

- Traffic along Smithfield Road, Poole Road
- Greenways intruding into private land
- The decision to request a removal of rural designation
- Development plans by the Town of Knightdale conflicting with voluntary agricultural districts
- The preservation of historical characteristics of the Lake Myra area
- Eminent domain
- Increases in property taxes
- Removal of the multi-use districts from Smithfield and Poole Roads

In response to the comment about greenways, Mr. Gardiner and Mr. Maloney offered to reach out directly to the property owner for assistance. Dr. Kolappa thanked the members of the public for their eloquent and well-researched comments.

Board Discussion

Mr. Van Dyk asked for clarification on the conservation plans. Mr. Gardiner provided a slide from the previous Lower Neuse Area Plan presentation to clarify the recommended future land use map, identifying areas marked for long-term agricultural uses based on property owner commitments. Mr. Van Dyk also asked about the timeline for Knightdale extending utility services to the MUD area, and Mr. Gardiner responded that there was an existing sewer line within the 2000-ft. requirement of the Poplar Creek Area and that a water supply line was constructed near Poole Road. Mr. Van Dyk stated that with or without the MUD designation, development in the area would be limited without the existence of municipal utilities, which were not provided by the County. Mr. Gardiner concurred and added that if the designation was changed, it would not necessarily dictate to Knightdale what the County's plans were, but rather to inform the public where plans were likely expected.

Ms. Booker-Rouse asked about the impact of the County removing the MUD designation and if it would impact the Town of Knightdale's development plans, and Mr. Gardiner responded it would function more as a projection of what the community was comfortable with. Ms. Booker-Rouse reiterated a point from the February meeting about municipal annexation, noting that it only happened with the property owner's consent, and Mr. Gardiner concurred - without a developer's involvement, change does not occur.

Mr. Kadis asked for clarification on the municipal annexation point and the County's involvement, intent to keep the MUD or otherwise, and Mr. Gardiner responded that the boundary area between the County and Knightdale had been supported by Wake County for some time. He explained that, if Knightdale were ready to support it from an infrastructure standpoint, the County had been planning on that eventuality over the past decades. He clarified that if the municipality were prepared to take

those steps, it would be in conjunction with the efforts of the County through PLANWake. Mr. Kadis thanked the members of the public for bringing their concerns before the Board.

Mr. Clark noted that the current MUD boundary appeared to include zoning that was roughly 40-50% heavy commercial or general business use. He asked if moving the MUD boundary to align with the watershed boundary would impact the rezoning, and Mr. Gardiner responded that was correct. Mr. Clark also noted that he felt the Proposed Development Framework's recommendation to add additional walkable centers and rural designation in the Marks Creek area was a positive development.

Mr. Van Dyk, Mr. Clark, and Mr. Kadis discussed the relative merits of adopting changes to the MUD, discussing existing rezoning and potential watershed impact. Mr. Adams asked if Staff received any feedback from other property owners in the MUD jurisdiction, and Mr. Gardiner responded that they did not. Individualized letters were sent out and they did not receive any response. Mr. Maloney added that, if the MUD was removed, it would not create "non-conforming uses" for the existing property owners that would inhibit the current operation or expansion of their use type. Mr. Adams noted that the public comment reflected the varying opinions regarding the MUD and expressed his desire to retain the ability of one owner to decide what to do with their property while not impeding on the rights of their neighbor.

Ms. Booker-Rouse asked what the area would look like if the MUD classification was removed, and Mr. Gardiner responded that it would remain a viable pathway, as the parcels would retain their existing zoning uses. While the land remained in County jurisdiction, heavy commercial zoning would not be applied. Mr. Maloney added that, for example, areas zoned R-30 would primarily be residential, but that nonresidential uses for civic purposes would be permitted with a Special Use Permit from the Board of Adjustment. Removing the MUD would not affect that process. Mr. Kadis asked if that meant other types of zoning would be permitted under the MUD, and Mr. Maloney responded that it would be available for commercial purposes, but only through the rezoning process.

Mr. Kadis indicated, based on his experience with the area and his involvement with the Triangle Land Conservancy, that he was inclined to move to remove the Smithfield / Poole MUD from the Lower Neuse Area Plan. He acknowledged that traffic was an issue, albeit one that they had no control over. He reiterated his earlier comments about enabling the community's ability to point to removing the MUD as an indicator of how they felt regarding growth in the area, and that the Board would give them every opportunity and advantage to have their say in what happens, when it happens, and how it happens. Mr. Clark echoed Mr. Kadis' sentiment, noting that the property owners in the affected areas did not respond, while the public in attendance did arrive to express their concerns. Mr. Clark also noted that, in the past, the Board had expressed a preference towards directing commercial development towards major highways – in this case, NC-540. Mr. Van Dyk noted that removing the MUD was not an option he had considered, but given the message it would help send, he felt he could support it.

Mr. Wells asked if the Board was comfortable with the other components of the Lower Neuse Area Plan. Mr. Adams asked for clarification about how deciding on the MUD would affect the plan, and Mr. Gardiner explained it would be an addition to the existing Land Use Plan. He did note that the other changes, reflecting the change from Agricultural to Residential and the Well language, and a review of trail networks in the Clemmons Forest area.

Mr. Wells indicated he would entertain a motion on CPA-01-24.

Motion on CPA-01-24

Mr. Kadis moved that the Board recommend that the Board of Commissioners adopt the Lower Neuse Area Plan as an amendment to the Wake County Comprehensive Plan, PLANWake, as presented to the Planning Board's February 7, 2024, meeting with the following revisions:

1. Select Option C for the Proposed MUD at Smithfield and Poole Road be removed
2. Include the changes as noted on slide 5 of this presentation
3. Update the trail map in the Clemmons Forest area

Ms. Booker-Rouse seconded the motion, and it passed unanimously.

6. Non-Residential Review Update – Presentation by Terry Nolan, Wake County Planner III

Mr. Wells asked the Board if it would be preferable to table the Non-Residential Review Update until the April 3rd meeting, and with Ms. Nolan in agreement, the presentation was tabled.

7. Committee Reports

There were no updates to report from the Committees.

8. Planning, Development, and Inspections Report

Ms. Peterson informed the Board that the, "Keep the Farm Workshop" would take place on March 20th and recommended that any member interested in attending to register by the 13th. She also noted that the US-1 Corridor Study and bypass in Middle Creek would be appearing before CAMPO's executive board on the same day and would be open for comment until March 19th. Ms. Peterson also explained that Apex was sharing public information regarding the Big Branch area, which was included in the Western Wake Area Plan, the County's next point of focus.

Mr. Wells asked Ms. Peterson about the Town of Knightdale's meeting mentioned during Mr. Gardiner's presentation, and she responded that it would be in April. When specific details were available, the clerk would share them with Board members. Mr. Adams added that the Keeping the Farm Workshop had a capacity of 150 and that he encouraged any members interested to RSVP as soon as possible. He highly recommended attending, explaining that even a partial day's attendance would provide valuable information through the workshops and speakers. Mr. Adams noted that topics relevant to the Lower Neuse Public Discussion, including tax assessments and eminent domain would be addressed during the day.

Mr. Finn informed the Board of updates to the land development and permitting software and, based on feedback from the client base and public, that the transition had been seamless and was working well. He also noted that the development review application handled internally by staff continued to be active, although not excessive. He explained that it remained roughly 50 / 50 between zoning and subdivision applications. Mr. Finn shared that information requests continued to see an active increase – the level of in person inquiries had dropped since 2020 but had increased significantly via email and over the phone.

Mr. Maloney informed the Board that the Commissioners had appointed a new Planning Board member at their March 4th meeting, and that he anticipated they would be ready to attend the April meeting. He noted that the April meeting would not include the election of Chair and Vice Chair to provide the new member with an adjustment period, but that the Board should expect those elections in May. Mr. Maloney explained that the Board of Commissioners meeting to consider the Lower Neuse Area Plan would take place on April 1st and that he would need either Mr. Wells or Ms. Booker-Rouse in attendance to represent the Planning Board.

Mr. Maloney also informed the Board that he and Mr. Van Dyk would be meeting with NCDOT on March 7th to discuss preservation of the tree canopy and replanting trees whenever possible. He noted that Staff were looking into conducting a study through a consultant to provide better data for the NCDOT. Mr. Maloney explained that the Pilot Planting Project at the intersection of NC-540 and 54 in Morrisville had been funded through ARPA and was complete. He noted that press coverage allowed the County to impress the importance of trees and their benefits. As a result, a local contractor reached out and offered to donate a “pocket forest” – roughly 4,000 square feet – for use in another public right-of-way if NCDOT is amenable. Discussions would be ongoing between present and the planting season in the winter of 2024.

9. Chairman’s Report

Mr. Wells thanked the members of the public for attending and sharing their concerns with the Planning Board. He noted that the responsibility of the Board was to listen to feedback and to weigh it with Staff’s recommendations, and that he felt the members had represented their duties well today.

10. Adjournment

The meeting was adjourned at 3:36 p.m.

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REGULAR MEETING
WAKE COUNTY PLANNING BOARD
March 6, 2024

Chair Thomas Wells declared the regular meeting
of the Wake County Planning Board for
Wednesday, March 6, 2024, adjourned at 3:36 p.m.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Thomas Wells", written in a cursive style.

Thomas Wells
Wake County Planning Board

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