1. COMMENCEMENT
   1.1 Call to Order
   1.2 Ceremonial Opening led by Council Member Yerha
   1.3 Adoption of agenda

2. RECOGNITIONS, REPORTS, AND PRESENTATIONS
   2.1 Recognition of the NC Courage Women's Professional Soccer Team
   2.2 Manager's Update

3. PUBLIC SPEAKS OUT (one-hour time limit)
   Public Speaks Out is the Town Council’s opportunity to hear comments from as many citizens as possible. During Public Speaks Out, the Town Council receives comments and refrains from speaking. If a citizen comments about an issue that appears to be something that can be addressed by staff members, Council may ask the manager to have an appropriate staff person follow up.

   Thanks to everyone in the audience for respecting the business meeting by refraining from speaking from the audience, applauding speakers, or other actions that distract the meeting.

   Anyone who wants to speak during Public Speaks Out should do the following:
   - Take a seat in the reserved seats;
   - Complete the contact information card located at the seat;
   - When it is your turn to speak, proceed to the town clerk from the aisle behind the clerk, and give the clerk your completed contact information card and any handouts you have for the Town Council;
   - Step to the podium next to the clerk; state your name clearly;
   - Be concise; avoid repetition; limit comments to three minutes or less; designate a spokesperson for large groups; direct comments to the full Town Council and not to an individual Town Council member;
   - Speakers may return to their regular seats from any aisle.

4. CONSENT AGENDA
CONSENT AGENDA items are non-controversial items unanimously recommended for approval by all involved parties. A single vote may be taken for the approval of ALL consent agenda items. Any individual council member may pull items off the consent agenda to discuss them. Items pulled off the consent agenda will be handled with the “DISCUSSION ITEMS” agenda topic.

4.1 Ratification of Resolution - Anchor Auto Outlet
Speaker: Chris Simpson, Town Attorney’s Office

Executive Summary: On June 13, 2019, Council reviewed a special use and development plan request to re-establish an automotive sales use in the former Crossroads Ford truck center at 1300 Buck Jones Road. Council granted the applicant’s request. All the attorneys involved in the hearing have consented to the form of the attached Resolution. Council should review the Resolution to ensure it adequately represents Council’s decision in the matter. Any questions about the content of the Resolution should be directed to John Silverstein, who was the attorney representing the Council in this matter.

Recommendation: That Council adopt the attached resolution.

4.2 Ratification of Resolution - CPS Clinic
Speaker: Chris Simpson, Town Attorney’s Office

Executive Summary: On June 13, 2019, Council reviewed a request to develop a one-story office building on Kildaire Farm Road, just south of Glasgow Road. The applicant removed a row of Leyland Cypress trees along the northern property line prior to approval of a development plan for the property. Council granted the applicant’s request. All the attorneys involved in the hearing have consented to the form of the attached Resolution. Council should review the Resolution to ensure it adequately represents Council’s decision in the matter. Any questions about the content of the Resolution should be directed to John Silverstein, who was the attorney representing the Council in this matter.

Recommendation: That Council adopt the attached resolution.

4.3 Agreement to allow Verizon communication equipment to remain on the Fire Station 3 monopole
Speaker: Terry Yates, Technology Services

Executive Summary: The Town regularly licenses space on Town facilities to cellular providers. These agreements allow providers to improve cellular service to citizens, reduce the need to construct new cell tower facilities, and provide revenue to the Town. Verizon is one such provider and currently has equipment on the radio tower located behind Fire Station 3 along Kildaire Farm Road. The agreement for this site has expired and Verizon seeks to enter into a new agreement with the Town to allow the equipment to remain.
**Recommendation:** That Council adopt the attached Resolution approving “License Agreement (Radio Tower Site)” (“Agreement”) and authorizing the Town Manager or Deputy Town Manager to execute an agreement substantially like Agreement and to provide such notices and take such actions as Agreement contemplates.

5. **PUBLIC HEARINGS**

The rules printed on the agenda for “Public Speaks Out” apply to the remainder of the public hearings, except that speakers are allowed five minutes. Thank you for respecting the business meeting by refraining from speaking from the audience, applauding speakers, or other actions that distract the meeting.

5.1 **Bond Referendum Public Hearing**

**Speaker:** Karen Mills, Finance

**Executive Summary:** During the May 9, 2019 Quarterly Meeting, Council directed staff to begin taking the required steps to hold a bond referendum for Transportation and Parks and Recreation on October 8, 2019. The legal process associated with holding a referendum requires separate Council actions over several months. The next steps in this process requires Council to conduct the following actions during this Council meeting: 1) hold a public hearing; 2) consider adoption of each of the two bond orders; and 3) consider passage of a resolution which establishes details of the referendum including the date of October 8, 2019.

**Recommendation:** Staff recommends that Council 1) conduct a public hearing; 2) adopt the two attached Orders authorizing bonds (Attachment A); and 3) adopt the attached “Resolution Calling for a Bond Referendum” (Attachment B).

5.2 **ACT 11 Amendments to the Land Development Ordinance (LDO) and Town Code**

**Speaker:** Russ Overton, Deputy Town Manager

**Executive Summary:** At the May 9, 2019 quarterly meeting, Council directed staff to prepare Land Development Ordinance (LDO) and Code of Ordinance amendments that would shift most quasi-judicial decisions from Council to the Zoning Board of Adjustment (ZBOA). This shift follows best practices recommended by scholars at the UNC School of Government: governing boards should focus on legislative actions, while boards such as ZBOA should handle quasi-judicial cases.

**Recommendation:** That Council conduct the public hearing and refer the proposed ACT 11 LDO and Town Code of Ordinances Amendments to the Planning and Zoning Board for a recommendation.
Planning and Zoning Board Recommendation: To be provided after the Planning and Zoning Board meeting.

5.3 18-REZ-30 Twyla Road North PDD Rezoning
Speaker: Katie Drye, Planning and Development Services

Executive Summary: The applicant has requested the Town consider an amendment to the Town of Cary Official Zoning Map by rezoning approximately 36.84 acres, located at the northeast quadrant of the Morrisville Parkway and NC 540 intersection (along Twyla Road). The applicant has proposed to rezone the site from Residential 40 (R-40) to Planned Development District–Major (PDD-Major). The proposed PDD includes a maximum of 395 multi-family units, between 10,000 and 40,000 square feet of commercial/retail uses (including a hotel), and associated amenities. The Watershed Protection Overlay District (Jordan Lake Sub-district) will remain. An initial public hearing was conducted for this case on May 23, 2019. Since that time the applicant increased the non-residential component of the proposed development. Because of this change in intensity, the Town’s Land Development Ordinance requires the case to have another public hearing.

Recommendation: That Council conduct a public hearing on the proposed rezoning request and forward to the Planning and Zoning Board. Staff will provide a recommendation on the rezoning request when the case is brought back to Council for action.

Planning and Zoning Board Determination: A written determination of the Planning and Zoning Board regarding consistency with the Imagine Cary Community Plan will be provided to Town Council following the P&Z Board meeting.

5.4 19-REZ-05 Searstone Phase II PDD Amendment
Speaker: Debra Grannan, Planning and Development Services

Executive Summary: The applicant has requested that the Town consider an amendment to a portion of the previously approved Searstone Planned Development District (PDD) located at 17001 Searstone Drive and consisting of approximately 30.01 acres (map attached). The applicant, Samaritan Housing Foundation, Inc, is requesting to amend Phase II of the PDD. If approved, this amendment would realign a portion of the road network and reconfigure building locations and building footprints on a portion of the PDD. The proposal also removes the requirement to provide a conservatory building and adds three community gathering spaces. No increase to the previously approved maximum number of units or building heights or reductions to the existing perimeter buffers are proposed.
Recommendation: That Council conduct a public hearing on the proposed rezoning request and forward to the Planning and Zoning Board. Staff will provide a recommendation on the rezoning request when the case is brought back to Council for action.

Planning and Zoning Board Determination: A written determination of the Planning and Zoning Board regarding consistency with the Imagine Cary Community Plan will be provided to Town Council following the P&Z Board meeting.

5.5 19-A-05 Hoke and Said Annexation
Speaker: Wayne Nicholas, Planning and Development Services

Executive Summary: The owner of property located at 7905 and 7913 Emery Gayle Lane and the owner of property located at 8605 Broderick Place (approximately 1,200 feet west of the Green Level West Road and Emery Gayle Lane intersection) have petitioned for annexation. Pursuant to statute, the Town Council must hold a public hearing before taking action on the request. Staff has concerns regarding the feasibility of providing solid waste services to the two lots off Emery Gayle Lane, a private easement access driveway.

Associated Case(s): None.

Recommendation: That Council conduct a public hearing and consider action on the requested annexation.

5.6 19-A-07 Deusdedi and Carrie Perez Annexation
Speaker: Wayne Nicholas, Planning and Development Services

Executive Summary: The owners of property located at 1123 Wake Robin Lane (approximately 950 feet north of the Branton Drive and Wake Robin Lane intersection) have petitioned for annexation of the property so they may connect to Town utilities and construct a detached dwelling on the site. Pursuant to statute, the Town Council must hold a public hearing before taking action on the request.

Associated Case(s): None.

Recommendation: That Council conduct a public hearing and consider action on the requested annexation.

5.7 19-A-06 Timothy G. Howard Annexation
Speaker: Wayne Nicholas, Planning and Development Services
Executive Summary: The owner of properties located at 7005 and 7009 Carpenter Fire Station Road (approximately 1,600 feet west of Carpenter Fire Station Road and NC 55 Highway intersection) has petitioned for annexation of the properties in connection with a development plan under review. Pursuant to statute, the Town Council must hold a public hearing before taking action on the request.

Associated Case(s): 19-DP-0263 (Carpenter Pointe Townhomes)

Recommendation: That Council conduct a public hearing and consider action on the requested annexation.

6. DISCUSSION ITEMS (any item pulled from the CONSENT AGENDA [item 4 on this agenda] will be discussed during this portion of the agenda)

7. CLOSED SESSION

Closed Session will be called if necessary.

8. ADJOURNMENT

Please contact Town Clerk Virginia Johnson with any questions about this agenda or to request an auxiliary aid or service to participate in the meeting: virginia.johnson@townofcary.org, 919-469-4011, TDD 919-469-4012.

Meetings are cablecast live on Cary TV on the following channels: AT&T Uverse Channel 99, Google Channel 142 and Spectrum Channel 11. Meetings are available the following day at www.youtube.com/TownofCaryChannel.