



Cary Town Council  
Thursday, May 25, 2017  
6:30 PM  
Council Chambers  
316 N. Academy Street, Cary Town Hall, Cary, NC 27513

**1. COMMENCEMENT**

- 1.1 Call to Order
- 1.2 Ceremonial Opening led by Mayor Pro Tem Ed Yerha
- 1.3 Adoption of agenda

**2. RECOGNITIONS, REPORTS, AND PRESENTATIONS**

- 2.1 Presentation of Walk-Friendly Silver Designation
- 2.2 Presentation of North Carolina Government Finances Officers Association Awards of Excellence
- 2.3 Recognition of Cary Lions Club support of the Town's youth baseball/softball.

**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 a 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 Town Council - Work Session - May 4, 2017 7:00 PM**  
Speaker: Virginia Johnson

**4.2 Town Council - Regular Meeting - May 11, 2017 6:30 PM**  
Speaker: Virginia Johnson

**4.3 17-A-03 Green Level West Road & Maple Springs Drive Annexation  
(Resolution Scheduling Public Hearing)**  
Speaker: Wayne Nicholas, Planning

**Executive Summary:** The owners of property located at the following addresses have petitioned for annexation of the property:

- 4112, 4124 & 4136 Green Level West Road
- 4128, 4129, 4132 & 4133 Maple Springs Drive
- Unaddressed property on Green Level West Road
- Unaddressed properties on White Oak Church Road (NW Quadrant of Green Level West Road and White Oak Church Road intersection).

Pursuant to statute, the Town Clerk has determined the petition to be sufficient, and Council must now consider whether to call for a public hearing on the request.

Associated Case(s): Rezoning 17-REZ-03 (Terramor).

**Recommendation:** *That Council adopt the attached Resolution calling for a public hearing on 6/22/2017.*

**4.4 Interlocal Agreements with Wake County for Building Inspections**  
Speaker: Ken Hawley, Inspections & Permits

**Executive Summary:** The Wake County Board of Commissioners are proposing a new Interlocal Agreement (ILA) that grants Wake County authority to permit and provide building inspections for all Wake County and Wake Technical Community College (WTCC) owned construction projects within Wake County municipal jurisdictions. Wake County seeks a single permitting and inspection entity, rather than (12) municipal entities, for improved consistency and accountability during the permitting, plan review, and inspection process of their construction projects.



In addition, Wake County is proposing an extension to a 2008 ILA which granted Wake County authority to permit and provide building inspections for all Wake County Public School construction projects within Wake County municipal jurisdictions. This extension would simply change the expiration date of this agreement from 2018 to 2028 with no other proposed changes.

**Recommendation:** *That Council adopt the attached Resolution approving “First Amendment to Interlocal Agreements for Consolidating Building Permitting, Building Plan Review, and Building Inspections for Wake County Public School System Projects” and “Interlocal Agreement” (collectively, “Agreements” and authorizing the Town Manager or Deputy Town Manager to execute agreements substantially like the Agreements and to provide such notices and take such actions as the Agreements contemplate.*

**4.5 17-A-06 Edmond R. Badham Annexation (Resolution Scheduling Public Hearing)**

**Speaker:** Wayne Nicholas, Planning

**Executive Summary:** The owners of property located at 5509 Louis Stephens Drive, (2,100 feet NW of Louis Stephens Drive and McCrimmon Parkway intersection) have petitioned for annexation of the property. Pursuant to statute, the Town Clerk has determined the petition to be sufficient, and Council must now consider whether to call for a public hearing on the request.

**Associated Case(s):** None

**Recommendation:** *That Council adopt resolution calling for a public hearing on 6/22/2017.*

**4.6 17-A-05 Alfred & Jeanellen Newkirk, Ronald Lewis, James A. Duke Heirs Annexation (Resolution Scheduling Public Hearing)**

**Speaker:** Wayne Nicholas, Planning

**Executive Summary:** The owners of property located at 1704 and 1624 Wackena Road, and unaddressed property on Wackena Road, (600 feet SW of Wackena Road and Highgate Oak Drive intersection) have petitioned for annexation of the property. Pursuant to statute, the Town Clerk has determined the petition to be sufficient, and Council must now consider whether to call for a public hearing on the request.

**Associated Case(s):** **Development Plan** 17-DP-0905 (Wellfield Subdivision).

**Recommendation:** *That Council adopt resolution calling for a public hearing on 6/22/2017.*



**4.7 17-REZ-02 1620 Wackena Road Rezoning**  
**Speaker:** Katie Drye, Planning

**Executive Summary:** The Town of Cary has received a request to rezone property located at 1620 Wackena Road, consisting of approximately 2.55 acres. The applicant, Highcroft Investors LLC, is requesting to rezone the property from Residential 40 (R-40) to Residential 8 Conditional Use (R-8-CU), with zoning conditions limiting the use to detached residential dwellings and a maximum of three (3) dwelling units per acre.

This rezoning has an associated Consistency and Reasonableness Statement.

**Recommendation:** *That Council approve this rezoning request with the conditions as proposed by the applicant. See below for more information on the recommendation.*

**Planning and Zoning Board Recommendation:** The Planning and Zoning Board recommended approval by a vote of 8-0.

**Proposed Council Action:** Council may take action.

**4.8 Consistency and Reasonableness Statement for 17-REZ-02**  
This item is associated with the prior item, 17-REZ-02 1620 Wackena Road

**4.9 Ratification of Resolution - The Space Shop Self-Storage Modification Request**  
**Speaker:** Chris Simpson, Town Attorney's Office

**Executive Summary:** On May 4, 2017, Council reviewed the buffer modification request for The Space Shop Self-Storage (16-SP-059) and granted the applicant's request for approval. All the attorneys involved in the hearing have consented to the form of the attached Resolution. Council should review the Resolution to ensure the Resolution 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.*

**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 Cary Parkway Extension Comprehensive Plan Amendment**  
**Speaker:** Juliet Andes, Transportation & Facilities



**Executive Summary:** To help keep Cary great, we are continuously evaluating the current state to ensure that what we are doing and how we are doing it makes sense for our community in today's complex and ever-changing world. The standard we now measure against is the Town Council's blueprint for our future, the Imagine Cary Community Plan, which was adopted on January 24, 2017. During that process, staff advised Council that we would be continuing to look at several issues, including a decades-old proposed extension of the NE Cary Parkway through SAS, and conducting scientific studies to determine whether 'legacy' items such as this remain appropriate. To this end, the Town has completed an evaluation of the larger context and researched the history, and we, in partnership with SAS, hired a professional traffic consultant to conduct a traffic analysis, which is included in the staff report. Based on that analysis, staff is recommending several changes to the Plan, including the removal of the NE Cary Parkway extension.

**Recommendation:** *That Council conduct a public hearing on this proposed amendment to the Cary Community Plan that removes the NE Cary Parkway extension and other related road segments from the Plan, after which the amendment may be referred to the June 19<sup>th</sup> Planning and Zoning Board for their review and recommendation.*

## 5.2 FY18 Budget Hearing

### 5.3 17-A-04 SAS Institute Inc. & Reedy Creek Investments LLC Annexation Speaker: Wayne Nicholas, Planning

**Executive Summary:** The owners of property located at 2445 and 2301 Trenton Road (2,100 feet SW of Trenton Road and SAS Campus Drive intersection) have petitioned for annexation of the property. 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.*

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

### 6.1 White Oak Creek Greenway- American Tobacco Trail Segment Construction Bid Award

**Speaker:** Sarah Alexander, Transportation & Facilities

**Executive Summary:** On May 2, 2017 the Transportation & Facilities



Department received bids for construction of the PR1186 White Oak Creek Greenway project, which is a 1.9 mile trail along the White Oak Creek from Green Level Church Road to The American Tobacco Trail, north of the Wake County owned Wimberly Trailhead. The completion of this segment would close one of two missing links of the White Oak Creek Greenway, bringing Cary closer to completing the greenway connection from Umstead Park to the American Tobacco trail. The project is funded in part by the 2012 Community Bonds, the Town of Apex, and federal and Wake County grants.

**Recommendation:** *That Council award the White Oak Creek Greenway construction project to FSC II, LLC dba Fred Smith Company for \$3,412,773 for the Base Bid, and adopt the attached resolution documenting this award. The recommendation of award by Council represents a preliminary determination and no legally binding acceptance of the bid or offer occurs until the Town has executed a written agreement. The contract award is subject to the contractor providing all bonds, insurance and other required documents and executing a contract in a form agreeable to the Town. The contract award is also subject to NCDOT concurrence.*

## 6.2 Triangle Area Water Supply Monitoring Project Interlocal Agreement - Phase 8 for FY2018 through FY2022

**Speaker:** Jeff Adkins, Water Resources

**Executive Summary:** From open space preservation and 100-ft stream buffers to stormwater best management practices and long-term water quality monitoring, the Town of Cary has consistently taken effective, science-based, and proactive approaches to protect Jordan Lake, our drinking water supply, and to be good stewards of the environment. *Imagine Cary* underscores the Town's commitment to these values as we plan for and provide essential water services to our citizens and our growing residential and employment bases.

The Triangle Area Water Supply Monitoring Project (TAWSSMP), a collaboration between Apex, Cary, Chatham County, Durham, Hillsborough, Orange Water and Sewer Authority, Orange County and the US Geological Survey (USGS), provides water quality monitoring for Jordan Lake and is a long-standing example of this commitment. TAWSSMP Phase 7 expires June 30, 2017. Council action to approve the TAWSSMP Phase 8 Agreement and extend the Jordan Lake monitoring program for another 5-year term, through June 2022, is important to:

- Continue Cary's involvement in this vital regional partnership, which has monitored water quality and streamflow trends in our water supply watershed since 1988;
- Identify how USGS will communicate this water quality and streamflow data to the partners during Phase 8; and



- Update the partners' TAWSMP annual cost-shares for Phase 8.

**Recommendation:** That Council adopt the attached Resolution approving "Interlocal Agreement for Phase 8 of the Triangle Area Water Supply Monitoring Project" ("Agreement").

**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](mailto:virginia.johnson@townofcary.org), 919-469-4011, TDD 919-469-4012.

