



Town of Apex Housing Advisory Board (HAB)

Regular Meeting Minutes
December 9, 2022 @ 8:00 AM
Apex Town Hall

Meeting Purpose

The main purposes of this meeting were to: (1) review and approve the July 7, 2022 special meeting minutes, (2) provide introductions, (3) review the development process, (4) review draft affordable housing incentive zoning policy, (5) discuss next steps, and (6) review and approve 2023 regular meeting schedule.

Board Member Attendance:

1. Audra Killingsworth (Non-Voting) – Present
2. Tina Sherman (Non-Voting) – Present
3. Philip J. Welch, Jr., Chair (Voting) – Present
4. Rhett Fussell, Vice-Chair (Voting) – Present
5. Valeria Cesanelli (Voting) – Present
6. Paul Kane (Voting) – Present
7. Seth Friedman (Voting) – Present
8. Jacob Rogers (Voting) – Present
9. Martha L. Rodgers (Voting) – Present

Town of Apex Staff (and Others) Present:

1. Katy Crosby, Town Manager (Town of Apex)
2. Demetria Simpson, Assistant Town Manager (Town of Apex)
3. Dianne Khin, Planning Director (Town of Apex Planning)
4. Shannon Cox, Long Range Planning Manager (Town of Apex Planning)
5. Michael Linsenmeyer, Senior Housing Specialist (Town of Apex Community Development and Neighborhood Connections)
6. Noor Sandhu, Housing Technician (Town of Apex Community Development and Neighborhood Connections)
7. Aaron K. Sorrell, Principal and Owner (Community Planning Insights)

Item #1: Approve Meeting Minutes

Summary:

- Phil Welch, Chair, presented item to the Board.

Motion:

- First: Chair Welch recommended approval of July 7, 2022 special meeting minutes.
- Second: A second was not requested.

Board Member Roll Call Vote:

1. Audra Killingsworth (Non-Voting) – N/A
2. Tina Sherman (Non-Voting) – N/A



3. Philip J. Welch, Jr., Chair (Voting) – Yes
4. Rhett Fussell, Vice-Chair (Voting) – Yes
5. Valeria Cesanelli (Voting) – Not present at roll call
6. Paul Kane (Voting) – Yes
7. Seth Friedman (Voting) –Yes
8. Jacob Rogers (Voting) – Yes
9. Martha L. Rodgers (Voting) - Yes

Outcome:

- Meeting minutes were approved by the Board.

Item #2: Welcome and Introductions

Summary:

Town Manager Crosby welcomed the HAB, explained organizational changes including the creation of the Community Development and Neighborhood Connections Department, and introduced newly-hired Assistant Town Manager Demetria John and newly-hired Senior Housing Specialist Michael Linsenmeyer. Aaron Sorrell with Community Planning Insights introduced himself and the scope of work the Town has engaged his firm to complete, including working with the HAB to complete the incentive zoning policy, working with the Environmental Advisory Board (EAB) on a similar policy, and working with staff, Planning Board, and Town Council on an applicability framework. All participants introduced themselves and shared their reason for participating on or with the HAB.

Item #3: Development Process Overview

Summary:

Aaron Sorrell presented a high-level flow chart describing Apex’s development process. The regulatory uncertainty along with competing and conflicting interests were discussed, emphasizing the need for a balanced approach. Aaron additionally described the role of Town staff and the intersection between the HAB and EAB’s goals in the context of the Incentive Zoning Policy. The HAB was then given the opportunity to make comments and ask questions.

Discussion:

- Board member Sherman commented that when the EAB develops a similar policy, there should be an opportunity for community engagement.
- Chair Welch commented that the process should be revised so that the HAB has an opportunity to review each zoning case, like the EAB. Aaron Sorrell suggested tabling that suggestion for now and revisiting it further in the discussion.
- Board member Kane asked how the incentive policy review process changes if a rezoning applicant does not want to include affordable housing. Aaron Sorrell responded that, since the consideration of affordable housing conditions is designed to be concurrent/integrated with the rezoning process, it should not change the process or overall timeline.
- Board member Kane asked if there will be an expedited process for developers who include affordable housing. Aaron Sorrell responded that there is an expedited process incentive being considered for certain offers.
- Board member Sherman mentioned that community engagement will be important to reduce confusion about the incentive zoning process.



Item #4: Review Draft Affordable Housing Incentive Zoning Policy

Summary:

Aaron Sorrell presented an overview of the current draft of the Incentive Zoning Policy and reviewed the consensus items with the HAB. There was an overview of each proposed incentive, and an explanation of how each incentive related to the priorities and goals outlined in the adopted Affordable Housing Plan. Aaron then discussed the feedback received from the EAB that certain incentives, such as possible reductions in Resource Conservation Area (RCA), may conflict with environmental initiatives. Aaron then opened a conversation about raising the cap on AMI percentages for ownership and rental units to be sure the policy effectively provides work force housing. Aaron discussed the potential of having AMI percentage tiers with different incentives falling under each tier. Apex staff shared results from the developer survey regarding which incentives developers value the most for the HAB to consider.

Discussion:

- The Board discussed different perspectives on raising the threshold for both rental and ownership units.
 - Board member Sherman and Chair Welch expressed substantial concern that raising the threshold would result in a policy that does not create units that meet the most substantial needs in Apex.
 - Board members Friedman, Kane, and Rogers noted that the incentive zoning policy needs to be considered in the framework of all recommendations in the Affordable Housing Plan, and that the incentive zoning policy may result in units affordable as workforce housing while other recommendations in the Affordable Housing Plan will result in units that have deeper affordability.
 - Several Board members noted that use of incentives in other jurisdictions has not resulted in actual units and that the HAB should recommend a policy that will result in actual units.
- The group reviewed market-rate data for rental and homeownership units. Aaron Sorrell suggested possible thresholds to consider for rental and ownership units.
- The group discussed whether specific incentives should be tied to tiers of affordability up to a threshold. It was decided that staff would work with Aaron Sorrell to consider the updated threshold, possible tiers of affordability, and whether to associate specific incentives to tiers. Recommendations will be brought to the HAB at the next meeting.

Motion:

- First: Board member Kane made a motion to raise the AMI ceiling for rental units to be 120%.
- Second: Board member Rogers seconded the motion.

Board Member Roll Call Vote:

1. Audra Killingsworth (Non-Voting) – N/A
2. Tina Sherman (Non-Voting) – N/A
3. Philip J. Welch, Jr., Chair (Voting) – No
4. Rhett Fussell, Vice-Chair (Voting) – Yes
5. Valeria Cesanelli (Voting) – Yes
6. Paul Kane (Voting) – Yes
7. Seth Friedman (Voting) – Yes
8. Jacob Rogers (Voting) – Yes
9. Martha L. Rodgers (Voting) - Yes



Outcome:

- Motion passed

Motion:

- First: Board member Rogers made a motion for ownership units ceiling to be 150% AMI.
- Second: Vice Chair Fussell seconded the motion.

Board Member Roll Call Vote:

1. Audra Killingsworth (Non-Voting) – N/A
2. Tina Sherman (Non-Voting) – N/A
3. Philip J. Welch, Jr., Chair (Voting) – Yes
4. Rhett Fussell, Vice-Chair (Voting) – Yes
5. Valeria Cesanelli (Voting) – Yes
6. Paul Kane (Voting) – Yes
7. Seth Friedman (Voting) – Yes
8. Jacob Rogers (Voting) – Yes
9. Martha L. Rodgers (Voting) - Yes

Outcome:

- Motion passed

Item #5: Discussion and Next Steps

Summary:

Aaron mentioned that a similar discussion will occur with the EAB and their goals for incentives. He then discussed the timeline of working with the EAB and the HAB moving forward. It was emphasized that the Incentive Zoning Policy will be reviewed for effectiveness and adjusted accordingly over time. Aaron then asked each Board member for their thoughts and concerns on the meeting.

Discussion:

- Vice Chair Fussell said that he felt comfortable with where the Board was at after the meeting.
- Chair Welch said that he felt uncomfortable with AMI percentages and felt comfortable with staff carrying out the rest of the Incentive Zoning Policy.
- Board member Rodgers mentioned that it is good to be looking at all ranges of AMI percentages.
- Board member Sherman, Rogers, and Friedman said it was the most productive meeting yet.
- Board member Friedman suggested for the next meeting to start on something else instead of incentive zoning.
- Board member Cesanelli said she appreciated the big picture conversation.
- Board member Kane said that the meeting was the most productive meeting so far and appreciated looking at real world numbers.
- Board member Killingsworth said that a lot of progress was made during the meeting.

Item #6: Approval of 2023 Regular Meeting Schedule

Summary:

A quarterly meeting schedule was introduced for the Board to approve starting in 2023. A discussion occurred regarding Board member and staff availability for future meetings.



Discussion:

- Staff requested to delay the January meeting to a later date to assure that there was adequate time to prepare for it.
- There was a request to move the meeting in July since Town Council is not meeting that month.
- Several Board members said they prefer meeting in the morning.
- Board member Sherman requested evening meetings for public accessibility and asked if the meeting agenda could be sent out early.
- Chair Welch mentioned that there is a tension between accommodating meetings for the public and holding evening meetings versus accommodating HAB members to have meeting during the day.
- Town Manager Crosby said that a Doodle poll will be sent out for all meeting times moving forward.
- Dianne Khin mentioned that Rules of Procedure may need to be amended for to accommodate meeting times given the Rules establish a quarterly meeting schedule.

End of Meeting