

FRANKLIN COUNTY PLANNING BOARD

October 13, 2020

The Franklin County Planning Board held its regular monthly meeting on Tuesday, October 13, 2020 via Microsoft Teams Meeting, Meeting ID:
<https://web.microsoftstream.com/video/266c1887-9cad-4c34-adaa-5ac4ff00b646>

Present: Mark McArn, Steve Mitchell, Mary Solomon, William E. Holden, John O. Sledge, Kelly Harris, Melissa Cogliati, Ricky May
Staff: Scott Hammerbacher, Jason Rogers, Brad Thompson, and Tracy Walthour

Chairman Mark McArn called the meeting to order at 7:00 P.M. and welcomed everyone in attendance.

Steve Mitchell made a motion to approve the minutes from the August 11 meeting. Melissa Cogliati seconded the motion. The motion was approved by a vote of 7-0.

Agenda Items:

1. 20-REZ-03: Jason Rogers presented a preliminary plan for Wade Moore Equipment Company is requesting to rezone 189.38 acres at 934 East River Rd in Louisburg Township from Light Industrial (LI)/Residential-40 (R-40)/Conservation District (CON-D) to Heavy Industrial (HI).

The Future Land Use Plan indicates that this property is intended for Agricultural Residential Uses.

Public water and sewer are not available to this site.

The subject property is located off East River Rd. The average daily traffic along this section of East River Rd is approximately 2,200 vehicles per day.

The subject property is located within the Tar-Pamlico basin and is required to meet nutrient regulations for nitrates and phosphates for new improvements exceeding one-half acre.

The application states that the proposed zoning change would allow for industrial uses that complement the existing mining use such as asphalt and ready-mix concrete plants, mulch yard, and a rock quarry. In addition, the application states that the uses would support development in the area and create jobs. Mining operations have occurred on this property since 1968. The Future Land Use plan has this property designated for

Agricultural/Residential uses. Mining Industries are allowed subject to a Special Use permit approval in the Agriculture Residential, Light Industrial, and Heavy Industrial zoning districts. Public water and sewer are not available to this site. The purpose of the Heavy Industrial district is to establish and preserve areas for heavy industrial and related uses and is designed to accommodate all but the most objectionable industries; however, industries permitted by right are required to minimize their emission of smoke, dust, fumes, glare, noise, and vibrations.

Jason Rogers stated that staff suggested approval with the following conditions:

The Future Land Use Plan indicates that this property is intended for Agricultural uses. Mining Industries are allowed subject to a Special Use permit approval in the Agriculture Residential, Light Industrial, and Heavy Industrial zoning districts. Mining operations have occurred on this property since 1968. Public water and sewer are not available to this site. The purpose of the Heavy Industrial district is to establish and preserve areas for heavy industrial and related uses and is designed to accommodate all but the most objectionable industries; however, industries permitted by right are required to minimize their emission of smoke, dust, fumes, glare, noise and vibrations. The rezoning to Heavy Industrial zoning will allow for industrial uses that will complement the existing mining use. The request is reasonable with existing land uses and is in the public interest.

Jason Rogers asked the board if there were any questions.

Mark McArn asked how old the operation is.

Jason Rogers stated 1968 is when they started business.

Mark McArn asked if the staff has any additional questions.

There were no questions.

Jon Frazier, FLM Engineering, PO Box 91727, Raleigh, NC

Jon Frazier representing Wade Moore Equipment Co stated they have been operating this site for several years and see the opportunity with growth and development in the area to expand some additional uses on their property, on a site that is already a mining site with industrial use currently on site. Jason mentioned that Wade Moore is interested in rock quarry operations and possibly some asphalt, and concrete plant operations on site. This is an opportunity to complement their existing operations and hopefully be a great job creator on this site, here in Franklin County. They do understand they will have to go back before the Board for a Special Use Permit for these uses once the rezoning is hopefully approved here.

Amy Edge, Tar River Land Conservancy, 121 N. Main St, Louisburg, NC

Amy Edge asked if a copy of the plat is available. The one concern that the Tar River Land Conservancy is with their access. They are the adjoining landowner and use one of the roads just through the mine.

Melissa Cogiati asked if it was a deeded access.

Amy Edge stated no, she saw there was plat and if it was available at the Register of Deeds.

Jason Rogers stated yes ma'am, that the picture of the map is just a site plan but he sure the Register of Deeds has one recorded and it looks like there is a reference on the site map. But it was prepared just to show the boundary of the proposed property and rezoning and that map was not recorded at the Register of Deeds.

Mark McArn asked if the Board had any questions.

There were no questions.

Steve Mitchell made a motion to approve the rezoning with conditions as submitted by Planning Staff. William E. Holden seconded the motion, the motion passed by a vote of 7-0.

2. 20-REZ-03: Jason Rogers presented a preliminary plan for The McAdams Company is requesting to rezone 43.02 acres at Cedar Creek Rd. (State Road 1116) and Lane Store Rd (State Road 118) in Youngsville Township from Residential-1 (R-1) to Residential-8 (R-8).

The Comprehensive Land Use plan indicates that this property is intended for Suburban Residential uses

The application states that this rezoning request is supported by the availability of utility infrastructure in this area, along with the Residential-8 (R-8) zoning of adjacent parcels. The subject property is adjacent to Franklinton High School, and to Cedar Crossing Subdivision which is zoned Residential-8 (R-8). It is classified as Suburban Residential in the recently adopted Comprehensive Land Use Plan. Suburban Residential is intended to be a broad land use category that fosters a wide range of residential uses, including Mixed Residential. The proposed Residential-8 (R-8) zoning, specifically the associated cluster provisions, will allow greater design flexibility in respect to residential lot sizes and setbacks (noted on page 5 of this communiqué). Residential-8 (R-8) also aligns with both current and future development in the surrounding area.

Public water and sewer are adjacent to this site.

The 2018 NCDOT average daily traffic count along Cedar Creek Rd (SR 1116) is approximately 2,400 vehicles per day. Planning staff has concerns with the existing traffic volume in this area. A Traffic Impact Analysis (TIA) is required for developments consisting of 80 or more lots.

The subject property is located within the Tar-Pamlico basin and is required to meet nutrient regulations for nitrates and phosphates for new improvements exceeding one-half acre.

The requested zoning map amendment is in general conformity with the Comprehensive Land Use plan. The Comprehensive Land Use plan indicates that this property is intended Suburban Residential uses. Suburban Residential is intended to be a broad land use category that fosters a wide range of residential uses, including Mixed Residential. Public water and sewer are adjacent to this site. The subject property is adjacent to Franklinton High School and Cedar Crossing which is zoned Residential-8 (R-8). The request is reasonable with adjacent development patterns and in the public interest.

Jason Rogers stated to point out the differences between Residential-1(R-1) and Residential-8 (R-8) which are minor as far as allowed uses. He would argue that R-8 would be a little more restricted within the use category than R-1. There is a slight difference in lot size when you have water and sewer, you can get down to 5,000 sq ft lot size with R-8 and with R-1 you can get down to 10,000 sq ft. Beyond that their differences are fairly subtle.

Jason Rogers asked the board if there were any questions.

Mark McArn asked a question for the adjacent landowner who could not attend the meeting. Right now, with the way the UDO is written what he was looking for was a more aesthetic visual from the roads and whether it be burns or additional landscaping, do we have any of that in the ordinance.

Jason Rogers stated that all depends on the development type. For a residential subdivision the landscaping requirements such as street trees along street frontages. With a multiple family project, the county requires buffers around the perimeter, but this would be one of those items where the UDO update probably needs to be considered moving forward some additional landscaping standards. Again, street trees would be required adjacent to any road right away and frontages, but the county does not have a required burn or buffer for just a residential subdivision in this area of the county. If it was multiple family project like the town home project along Hicks Rd., there is buffering required around the entire perimeter, but a burn is not specially stated. That is something

that could be consider moving forward with the UDO update but as of right now there is not a specific requirement related to burns.

Mark McArn stated there was also concerns with some issues with a lot of four wheelers possibly going around in subdivisions, there has been Tannerite or dynamite, guns being shot, that was another concern. Is this something the County can control or does that fall on the developer or the POA.

Jason Rogers stated that falls more so under law enforcement, the four-wheeler and gun issues. Certainly, should this site be developed you are less likely to hear guns in a subdivision site than a vacant piece of property as it is now. Those two issues are more so for the Franklin County Sheriffs Department.

Ricky May asked if there was enough water for what they are trying to build.

Jason Rogers answered right now we are reviewing a re-zoning request, but for the water situation, I would have to defer that question to Scott. Should they move forward with a development proposal on this property, whether this be rezoned or not they would have to secure allocations from the Board of Commissioners, just like all the other developments. Scott maybe able to elaborate more.

Scott Hammerbacher stated it is my understanding as we have in past years the county will have a certain amount available for the forth coming years. There are steps for the available water being more present but for me to speak definitively would be irresponsible of me at this point. Going back to one of Jason's early points regarding burn, something else with this development going forward, would be looking at the right of way dedication so that road is widened and would not require an extra setback, correct right Jason.

Jason Rogers answered that is right. An additional 10 ft right away along Cedar Creek Rd.

There were no further questions.

Melissa Cogliati made a motion to approve the rezoning with conditions as submitted by Planning Staff. William E. Holden seconded the motion, the motion passed by a vote of 7-0.

3. In other business, Scott Hammerbacher stated that we are under contract right now to update the UDO to reflect many of the recommendations set forth in the adoptive Comprehensive Plan in addition to required legislation changes stipulated by our state. Currently we are hopeful for a full adoption process in either April or May of 2021. All changes associated with the UDO will be reviewed by the Planning Board. When we

have definitive dates for some proposed changes, we will certainly make you aware of those.

Mark McArn asked when will the Planning Board be able to meet in person.

Scott Hammerbacher stated that we have been meeting with our Board of Adjustments in person which we are looking at quasi-judicial proceedings which is not an issue. It maybe advisable to get a comfort level from the Planning Board going forward, certainly we do have the potential with a special use request were notifications is provided were there could be a sizeable turn-out. For straight subdivisions that is something that could possibly be accommodated. It maybe advisable to explore our 14-member Planning Board to see their comfort level. Looking back at certain subdivisions like Old Liberty, there was a considerable turn out. There was about 40-50 people that attended, and we would not be able to accommodate that and practice social distancing, unfortunately.

Mark McArn stated if you can get the feel of the board and how they feel meeting in person then you just making the call whether we meet in person or via the computer.

Scott Hammerbacher stated I can certainly follow the Chair's direction on this, and I am open to any suggestions that you may have and initial staff thoughts on this.

With there being no further business before the board, Chairman Mark McArn adjourned the meeting at 7:38 P.M

Mark McArn - Chair
Franklin County Planning Board

Tracy Walthour – Planning Technician
Franklin County Planning Board