

## MINUTES FOR THE FRANKLIN COUNTY PLANNING BOARD

**FEBRUARY 13, 2007**

The Franklin County Planning Board held its regular monthly meeting on Tuesday, February 13, 2007 in the Franklin County Administration Building, 113 Market Street, Louisburg, North Carolina.

**Members Present:** Henry Nelms, William Holden, Mary Solomon, Willie Bartholomew, Melvin Cheaves, William Wallace, Mark McArn, Ricky May, Ronnie Pearce, Richard Hoyle, Phillip Jeffreys and Terry Gilliam.

**Members Absent:** Clara Frazier and Philip Bues.

**Others:** Scott Hammerbacher, Tammy Davis, Pat Young, Jason Rogers and Bryan Batton.

Chairman Henry Nelms called the meeting to order at 7:00 P.M., and welcomed everyone in attendance. He stated item five had been postponed to a later meeting date and items six and seven would be switched around in their order.

Willie Bartholomew gave the invocation.

Willie Bartholomew made a motion, seconded by Mary Solomon to adopt the agenda as presented with the corrections Chairman Nelms had stated. The motion passed unanimously.

Willie Bartholomew made a motion, seconded by Mary Solomon to adopt the minutes from the December 12, 2006 meeting as presented. The motion passed unanimously.

- #1. Subdivision Request: Ridgemont Subdivision, Preliminary Plat, Franklinton Township, Mount Olive Church Road (State Road 1202), R-1 District, 51 Lots.

Scott Hammerbacher stated the preliminary plan is for the subdivision of approximately 65.57 acres into 51 residential lots. He stated the average lot size within the development would be 1.16 acres. He stated the subdivision would be served by a private community water system and individual septic systems. He stated the plan indicates that several lots within the development contain large amount of unsuitable soils for septic systems. He stated the developer proposes a payment in lieu for recreation purposes. He stated the development would be subject to the adopted Adequate Public Schools Ordinance and a Certificate of Adequate Public Schools would be required prior to securing building permits. He stated the subdivision plan appears to meet the requirements of the UDO after it was reviewed by the Technical Review Committee and Planning Staff. He stated the following recommendations for conditions of approval were noted:

- All road design and entrances must meeting NC DOT standards.
- Prior to Final Plat, ensure all lots can accommodate on-site septic treatment and disposal. If a variance of UDO development standards is applied for in the future, a hardship will not be present.
- All utility plans will be approved by the Public Utilities Department prior to construction.
- All other standard conditions of subdivision approval as listed in the Franklin County UDO.

William Wallace questioned if the development had a private community water system as Mr. Hammerbacher had stated since the plat shows the development is being served by county water. Mike Moss (surveyor) stated the development would be served by a community water system and not county water. He stated that was a mistake on the plat. Mark McArn made a motion, seconded by William Holden to approve the subdivision request with the plat being resubmitted reflecting the change to community water system. The motion passed unanimously.

- #2. Subdivision Request: The Lakelands Subdivision, Preliminary Plat, Youngsville/Harris Townships, WS II District, Moores Pond Road (State Road 1106), R-40 Cluster District, 449 Lots.

Scott Hammerbacher stated the proposed plan is for a subdivision of an approximately 577.65 acre tract into 449 residential lots. He stated the proposed development is located within the WS II watershed which limits residential development to one dwelling unit per 40,000 square feet and a gross impervious surface ratio of twelve percent. He stated the proposed development would be served by County water and a septic tank effluent pump system. He stated the development would be subject to review and approval of a hydraulic analysis of the water system by the Franklin County Public Utilities Department. He stated the Board of Adjustment granted a variance on January 22, 2007 from the Franklin County UDO, Section 29-5: Streets regarding the connectivity ratio requirement due to constraints on the property and the fact that this would be a private gated community. He stated the developer proposes a payment in lieu for recreation purposes. He stated the development would be subject to the adopted Adequate Public Schools Ordinance and a Certificate of Adequate Public Schools would be required prior to securing building permits. He stated the recommendation for conditions of approval are as follows:

- All road design and entrances must meet NC DOT standards.
- Prior to construction, drawing submittal, documentation shall be submitted to the Public Utilities Director that adequate water pressure would provide adequate flow in accordance with current County guidelines. Additionally, if a water tank is proposed for the site, a Conditional Use Permit would be required.

- All utility plans will be approved by the Public Utilities Department prior to construction.
- All other standard conditions of subdivision approval as listed in the Franklin County UDO.

Mr. Hammerbacher stated staff recommends that the developer work with adjacent county emergency services to coordinate that fire and police services are ensured. William Wallace questioned if the 577.65 acres and 449 lots presented represent what is located in Franklin County. Mr. Hammerbacher stated that was correct. Pat Young stated the main entrance is located on Highway 98 and approximately 100 acres of the subdivision is located in Wake County. Mark McArn questioned if the Public Utilities had looked at the step system. Jim Compton (ESP & Associates) stated Bryce Mendenhall (Public Utilities Director) had reviewed and liked the step system. Mr. McArn questioned if the county maintains individual pumps. Mr. Compton stated the homeowners association monitors that. Pat Young stated staff feels this would be better environmentally since septic fail over time.

Willie Bartholomew made a motion, seconded by Phillip Jeffreys to approve the subdivision request. The motion passed unanimously.

- #3. Special Use Permit: Franklin County (Convenience Center, Metal Collection / Transfer Station), Landfill Road (State Road 1153), Youngsville Township, Light Industrial (LI) District.

Pat Young stated Franklin County is petitioning the Board for approval for a convenience center, metal collection/transfer station, and yard waste on approximately 53.76 acres; and land clearing inert debris burial on approximately 37.62 acres. He stated the Special Use petition is requesting an expansion of existing operations at the facility.

John Faulkner (Franklin County Landfill) stated the purpose is to expand and grow so they will be able to receive more materials. William Wallace questioned if the material that is being grinded is shipped to another site or is it being stored for use. Mr. Faulkner stated they grind it up two to three times per year by a contract grinder. Ronnie Pearce questioned if the grinded material is sold to the company. Mr. Faulkner stated it isn't sold to the company; it's actually part of the grinding deal. Willie Bartholomew questioned if pallets are included in the grinded material. Mr. Faulkner stated pallets are included as well as clean lumber.

Ronnie Pearce made a motion, seconded by Willie Bartholomew to recommend approval of the Special Use Permit. The motion passed unanimously.

- #4. Map Amendment: Oak Park Associates LLC, Franklinton/Youngsville Townships, Hicks Road (State Road 1125), R-15 Cluster to R-15 PUD, 47.32 Acres.

Pat Young stated the County's adopted Land Use Plan has designated the property as Low-Medium density residential. He stated this designation has been provided within the southern portion of the County for "in-fill" development where utilities such as water and sewer currently exist or are planned in the future. He stated the Land Use Plan further states that development in these areas should be encouraged and that higher densities should be permitted. He stated the rezoning would allow for a reduced side setback from 20 feet to 14 feet. He stated the petitioner states that the proposed new high school and future Lane Store Road extension have created the need to change the zoning to a PUD to allow more flexibility with regard to the revised layout. He stated revising side setback requirements would allow for a wider variety of housing types in addition to allowing increased flexibility with site layout. He stated provisions for open space requirements would not change within the rezoning request.

Mark McArn questioned if the developer of Oak Park would cooperate with the thoroughfare. Mr. Young stated the developer wants to redesign Phases 3 & 4 and staff is proceeding in good faith with the developer. William Wallace questioned the interior lots that back up to one another, if emergency services are satisfied with access to these as far as safety is concerned. Scott Hammerbacher stated the only thing the Board is recommending is on the actual rezoning. He stated the plat has already been approved and approximately a dozen of homes are in the process of being built. He stated the fire marshal has looked at the plan to ensure it meets codes and has adequate fire hydrants.

Jeanette Stansbury stated she lives in Brandy Creek Subdivision and is concerned with larger homes on smaller lots. She stated she is also concerned with the big homes sitting and not selling. Michael Bower stated he was an adjacent property owner and is concerned with the increase in litter and the road is deteriorating due to the increase in traffic. He stated the development is an eyesore. He stated he is concerned with impact on the schools with children moving into the proposed subdivision. Pat Young stated there is no increase in lots from the previous approved subdivision request.

Mark McArn made a motion, seconded by Ronnie Pearce to recommend approval of the map amendment. The motion passed unanimously.

- #5. Postponed until later date.
- #6. Franklin County Airport/Hub Site Proposal for Temporary Moratorium on Residential Subdivision.

Pat Young gave a powerpoint presentation on the proposal. He stated based on the following findings, County staff is recommending the temporary moratorium on new residential subdivision in the area surrounding the Franklin County Airport and Hub Site:

- A.) The encroachment of residential development may significantly reduce the potential for the Franklin County Airport and Franklin County Hub to develop as planned, unless mitigative measures, such as aviation easements and real estate disclosures, are evaluated and applied; and
- B.) Limited transportation infrastructure accessing the Airport and Hub sites may significantly reduce the potential for these sites to develop as planned if this transportation infrastructure is allocated to a large volume of residential development in the area, unless transportation access management techniques and allowable land use densities are evaluated and applied/modified; and
- C.) Due to limited water and sewer infrastructure capacity, development in and near the Airport and Hub sites may be constrained without careful consideration of water and sewer capacity allocations to the Airport and Hub sites and to adjacent areas where ancillary and associated businesses to the Airport and Hub sites may develop; and
- D.) The compatibility of land uses in the Airport/Hub district with land uses proposed at the Airport and Hub sites must be carefully considered, in order to ensure that the Airport and Hub sites (and adjacent areas where ancillary and associated businesses to the Airport and Hub sites are located) can develop to their full economic potential.

Mr. Young stated during the proposed moratorium period, a detailed Small Area Plan (SAP) will be developed to evaluate the aforementioned issues. He stated the SAP process will be managed by a Committee appointed by the Board of Commissioners and composed of stakeholders in the Airport and Hub projects and other area stakeholders. He stated the temporary moratorium period would expire by August 18, 2007. Mr. Young acknowledged Chris Coudriet (County Manager), Penny McGhee-Young (County Commissioner), Robert Lee Swanson (County Commissioner) and Leigh Osborne (Director, Franklin County Airport).

Richard Hoyle questioned the definition of residential subdivision. Mr. Young stated any subdivision of land, minor or major, except those that are exempted like family exceptions and large lots. Chairman Nelms expressed concern if the HUB doesn't happen and then the County has lost development. Chris Coudriet stated the HUB will happen. He stated negotiations are in the process. He stated over the next year or so, the County is proceeding with identification of businesses for the HUB. He stated it will not take years to place a business in the HUB. William Holden questioned what the feedback is from businesses approached by Economic Development. Mr. Coudriet stated there is interest.

Pat Young stated staff sent out 829 notices to the property owners in the area. He stated staff has received 20-24 calls in reference to the matter. He stated that none of the inquiries have been negative except for one party. He stated that the party

had a negative impression due to a pending negotiation on land located in the moratorium area. Matthew Winslow (Denmark Construction) stated his company has an option on a 500+ acres that will be affected by the moratorium. He stated Denmark has already spent over \$200,000 and when the deal is finalized it will be a \$5,000,000 project. He stated the proposed contract will end in the middle of the moratorium timeframe. He stated the only choices his company has is to either withdraw from the project and loose the money they have already invested or take a chance and go ahead and purchase the land in hopes they will be able to develop the property. He stated most of the properties in the area are minor subdivisions and very limited major subdivisions.

Leigh Osborne (Franklin County Airport) stated no one wants to stop development but they must consider the noise level of jet in the approach path. Mr. Young stated no one wants a negative impact on a developer. Richard Hoyle questioned if the moratorium has to expire at the end of the six months even if no recommendations are accepted. Mr. Young stated that it could be extended in special circumstances. Mr. Coudriet stated staff is not trying to do an extension.

Ricky May made a motion, seconded by Willie Bartholomew to recommend denial of the moratorium request. The motion carried by majority vote of 7 to 4.

#7. Comprehensive Land Use Plan (CLUP) Work Plan

Pat Young gave a powerpoint presentation on this item. He stated County staff is recommending that the County's November, 2000 Comprehensive Land Use Plan be updated during 2007 and early 2008. He stated the update will reflect the numerous changes in growth and development factors since 2000. He provided the Board with a detailed overview of the proposed CLUP process, format, timeline and budget for their review.

Mark McArn made a motion, seconded by William Wallace to recommended approval of the work plan. The motion passed unanimously.

#8. Other Business Reports/Discussion

A.) Departmental Report

B.) Other Business/Reports/Open Forum

Mr. Young stated the Commissioners will be making their new board appointments on February 19, 2007. He stated the Planning Board will hold its election of officers at the March 2007 meeting.

With there being no further business before the Board, Chairman Nelms adjourned the meeting at 8:40 P.M.

---

Henry Nelms, Chairman  
Franklin County Planning Board

---

Tammy Davis, Clerk  
Franklin County Planning Board