

## MINUTES FOR THE FRANKLIN COUNTY PLANNING BOARD

February 12, 2008

**PRESENT:** Willie Bartholomew, Fannie Brown, William Holden, Richard Hoyle, Ricky May, Mark McArn, Henry Nelms, Mary Solomon, Robert VanGraafeiland and William Wallace.  
**ABSENT:** Philip Bues, Melvin Cheaves, Phillip Jeffreys and Ronnie Pearce.  
**STAFF:** Tammy Davis, Scott Hammerbacher and Patrick Young.

Chairman Henry Nelms called the meeting to order at 7:00 P.M., and welcomed those in attendance. Willie Bartholomew gave the invocation.

William Wallace moved, seconded by Mary Solomon to approve the agenda as presented. The motion passed unanimously.

William Wallace moved, seconded by Mary Solomon, to approve the minutes from the January 8, 2008 meeting. The motion passed unanimously.

### **Agenda Items:**

#1. Proposed UDO Text Amendment: Utility Building Sales

Pat Young stated staff is proposing to amend the UDO to allow for utility building sales as a permitted use within the Neighborhood Business (NB) and Rural Business (RB) zoning districts. He stated these districts allow uses such as a convenience store, office, drug store and a laundromat. He stated staff feels that utility building sales are no more intensive of a use. He stated staff is proposing additional regulations regarding lighting, promotional materials and regulations for the location of building sales that will promote sound development. He stated the proposed amendment is in conformance with criteria within the Comprehensive Land Use Plan in addition to regulations for the Rural Business and Neighborhood Business districts as established within the UDO. He stated that Rural Business and Neighborhood Business districts are intended to provide services in rural areas of the County. He stated the Comprehensive Plan states these types of uses should be located along major thoroughfares that have the necessary road infrastructure to accommodate commercial uses.

Mark McArn questioned if staff was aware of any utility building sales that is currently in violation. Mr. Young stated that he was not aware of any but there are several located in Louisburg but they are either in conformance or grandfathered.

Mary Solomon moved, seconded by Willie Bartholomew, to recommend approval of the UDO Text Amendment as recommended. The motion passed unanimously.

#2. Map Amendment: Cobb's Mill Utility Buildings LLC, Gold Mine Township, 4002 Hwy 561, Agricultural Residential (AR) to Rural Business (RB), 2.00 Acres.

Pat Young stated the applicant wishes to use an existing building as a sales center and the remaining property for display for prefabricated utility buildings. He stated the Future Land Use Plan indicates that this property is intended for agricultural development.

Carl Allen stated the proposed site is located at the intersection of Hwy 561 and Leonard Road. He stated the building that is already on the proposed site has been used for commercial use in the past.

Willie Bartholomew moved, seconded by Richard Hoyle, to recommend approval of the map amendment. The motion passed unanimously.

#3. Subdivision Request: Mitchell Ridge Subdivision, Preliminary Plat, Harris Township, Mitchell Store Road (State Road 1713), R-40 District, 8 Lots.

Scott Hammerbacher stated the preliminary plat for Mitchell Ridge was originally approved on July 8, 2003 and expired on July 8, 2005. He stated the preliminary plan is for the subdivision of an approximately 14.77 acre tract into 8 residential lots. He stated the average lot size is 1.68 acres. He stated the subdivision would be served by individual wells and septic systems. He stated the following approvals have been obtained for the development: NC DOT Driveway Permit, NCDENR Land Quality Section Grading Permit, and a recorded plat for Lot 8 (4.01 acres/recorded on March 9, 2006). He stated the development would be subject to the recently 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 has been reviewed by Planning Staff and the Technical Review Committee and it appears to meet the requirements of the UDO.

Mr. Hammerbacher stated staff is recommending approval of the proposed subdivision with the following conditions:

- All road designs and entrances must meet NCDOT standards.
- All other standard conditions of subdivision approval as listed in the Franklin County UDO.
- Payment in lieu of land dedication shall be required unless the provisions of Article 31 of the UDO are satisfied.
- A Certificate of Adequate Public Schools shall be secured prior to the issuance of building permits.
- 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.
- Prior to final plat, the following items shall be submitted:
  - Landscape Plan
  - Recorded Covenants
  - Payment in lieu of land dedication
  - Street lighting plan

William Wallace questioned how Lot 8 got a recorded plat outside of the subdivision. Pat Young stated it was a minor subdivision, which doesn't go before the Planning Board for approval. He stated all minor subdivisions are approved by Planning Staff.

Mark Altman stated Lot 8 is the old homesite and it had an existing dwelling which is the reason for the minor subdivision. He stated it has been purchased by the developer.

Willie Bartholomew moved, seconded by Fannie Brown, to approve the subdivision request with the conditions as recommended. The motion passed unanimously.

#4. Subdivision Request: The Franklin Center Industrial Park, Preliminary Plat, Youngsville and Franklinton Townships, US Hwy 1, Heavy Industrial (HI), 298.61 Acres.

Scott Hammerbacher stated the preliminary plan is for the subdivision of 298.61 acres into 51 industrial lots. He stated the development would be served by public water and sewer infrastructure. He stated due to recent changes within the UDO which suspended the mandatory utility connection policy, the water and sewer allocation would have to be approved by the Board of Commissioners. He stated the preliminary plat had been reviewed by Planning Staff and the Technical Review Committee and it appears to meet all the requirements of the UDO.

Mr. Hammerbacher stated a traffic impact analysis has been submitted to NCDOT for review and approval, but due to the large scale of this project, the review process hasn't been completed. He stated the traffic impact analysis' recommended improvements include the construction of several signals along US Hwy 1 in addition to the construction of several turn lanes adjacent to the development and within the general vicinity. He stated the NCDOT is in the process of re-designing the CSX railroad to allow for a high speed rail line. He stated the project is

bound by the CSX rail line along the eastern property line of the development. He stated the initial drawings indicate that the rail line may be configured to allow for a high speed rail which could affect the proposed subdivision. He stated staff has asked the developer to consider the proposed redesigned rail line within their development since the proposed high speed rail has not been fully designed.

Mr. Hammerbacher stated Planning Staff recommends approval of the subdivision request with the following conditions:

- All road designs and entrances must meet NCDOT standards.
- All other standard conditions of subdivision approval as listed in the Franklin County UDO.
- Approval of the Traffic Impact Analysis by NCDOT
- Access to the property located to the south of the development with the following PIN (1854-22-9236) shall be provided.
- Approval of Tar-Pam stormwater requirements
- Approval of public water and sewer allocation by the Board of Commissioners
- Prior to final plat, the following items shall be submitted:
  - Landscape Plan
  - Recorded Covenants
  - Street lighting plan

Pat Young emphasized that we have no authority to enforce conditions on the possible high speed rail. He stated staff has contacted and made developer aware of the high speed rail plans. Mark McArn recused himself due to his involvement with the project.

Bill Piver (Engineer w/Sepi Engineering) stated they have been in contact with DOT in reference to the rail and is cooperating with them. He stated the rail is something that is very much wanted for this development and the type of businesses that are proposing to go into this development. William Wallace questioned how many accesses are there for this property. Mr. Piver stated there are 2 accesses and all lots will have interior access from inside of the industrial park. He stated no lots have direct access to US Hwy 1.

William Wallace made a motion, seconded by Willie Bartholomew to approve the subdivision request with conditions presented by staff and let it be know that the Planning Board is not making any representation on the allocation of water and sewer. The motion passed unanimously.

- #5. Other Business Reports/Discussion
- A.) Departmental Report
  - B.) Other Business/Reports/Open Forum

With there being no further business before the Board, Chairman Nelms adjourned the meeting at 6:47 P.M.

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Henry Nelms, Chairman  
Franklin County Planning Board

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Tammy Davis, Clerk  
Franklin County Planning Board