

# FRANKLIN COUNTY PLANNING BOARD

February 12, 2019

The Franklin County Planning Board held its regular monthly meeting on Tuesday, February 12, 2019 in the Franklin County Courthouse Annex, 113 S. Main Street, Louisburg, North Carolina.

**Present:** Mark McArn, William Holden, Fannie Brown, Mary Solomon, Steven Mitchell, Johnnie Sledge, Kelly Harris, Robert Mann

**Staff:** Scott Hammerbacher, Katie Rhyne, and Jason Rogers

Chairman Mark McArn called the meeting to order at 7:00 P.M., welcomed everyone in attendance. Robert Mann gave the invocation.

A motion to approve the agenda and minutes from January 8, 2019 was made by Fannie Brown and was seconded by Johnnie Sledge. The motion passed by a vote of 8-0.

## Agenda Items:

1. 19-MAS-03: Jason Rogers presented a preliminary plan for Eagle Chase Subdivision. This property is located off Darius Pearce Rd. in Harris Township in the R-40 Residential Cluster (WS II Watershed) District. The preliminary plan is for the subdivision of approximately 49.113 acres into 31 lots with 11.463 acres of dedicated open space. The subdivision is designed to be served by private wells and septic systems.

The Land Use Plan has this property designated as Low Density Residential.

The proposed subdivision is located off Darius Pearce Rd. The 2017 average daily traffic count for this section of Darius Pearce Rd. is approximately 2,200 vehicles per day.

This property is located in the WS II Neuse River Basin. The maximum impervious surface allowed within this area is 12%.

Bunn Elementary, Bunn Middle, and Bunn High are the schools that will serve this subdivision.

Jason Rogers stated that staff supported the subdivision with the following conditions:

- Sedimentation and erosion control plan approval.
- Approved landscaping in accordance with Article 14 of the Franklin County Unified Development Ordinance.
- Approval by the North Carolina Department of Transportation (North Carolina Department of Transportation Built to Standards Letter)
- All road designs and entrances must meet North Carolina Department of Transportation standards

- Approved North Carolina Department of Transportation driveway permit.
- Pursuant to section 29-5: Streets (A) Public Streets. All roads in existing recorded phase(s) of subdivisions shall be incorporated into the North Carolina Department of Transportation Secondary Road Maintenance Program prior to recording future phase(s) of the subdivision.
- The following disclosure statement shall be placed on the final plat: All roadways in the subdivision are declared public and shall be maintained by the developer. It shall be their responsibility to bring these roads up to the standards of the North Carolina Department of Transportation to meet the requirements for petitioning addition of these roadways to the North Carolina Department of Transportation's maintained roads system.
- Prior to Final Plat, ensure all lots can accommodate on-site septic treatment and disposal. If a variance of Unified Development Ordinance development standards is applied for in the future, a hardship will not be present.
- No off-site septic systems or easements.
- Payment in lieu of land dedication shall be required unless the provisions of Article 31 of the Unified Development Ordinance are satisfied.
- All other standard conditions of subdivision approval as listed in the Franklin County Unified Development Ordinance.
- Prior to final plat, the following items shall be submitted:
  - Landscape Plan
  - Recorded Covenants with provision for road maintenance and open space
  - Street lighting plan
  - Mail center is subject to County approval and shall be constructed as part of the first phase.

Mark McArn asked if a turn lane was required for the subdivision.

Jason Rogers stated that The Franklin County Unified Development Ordinance stated that a turn lane was required for 80 lots or more. He explained that the subdivision was 31 lots, and therefore did not require a turn lane.

Mike Moss (333 S. White St. Wake Forest, NC 27588)

Mike Moss stated on behalf of the petitioner that the petitioner would accept all the conditions as submitted by planning staff.

Mark McArn asked for clarification regarding the impervious surface restrictions on the subject property.

Jason Rogers explained that the entire site was restricted to 12% impervious due to the Watershed II (Critical Watershed) district. He explained that impervious surface was anything that would prevent water from penetrating soil. Jason Rogers stated that staff

would be responsible during the issuance of permits to ensure that the developer was meeting those requirements.

Mike Moss explained that each plot plan that would be submitted for the development would show the allowed impervious for the site and the proposed impervious for the features that would be presented on the map.

Johnnie Sledge made a motion to approve the subdivision with the recommended conditions as submitted by planning staff. Kelly Harris seconded the motion. The motion passed with a vote of 8-0.

2. 19-MAS-04: Jason Rogers presented a preliminary plan for Hillcrest Subdivision. The proposed subdivision would be located off of Cedar Creek Road (State Road 1116) in Youngsville Township in the R-8 Zoning District. The preliminary plan is for the subdivision of an approximately 73.94-acre tract into 210 lots. There are 13.98 acres of dedicated open space in this development. The maximum density allowed in this development shall be three (3) dwelling units per acre. The subdivision is designed to be served by County water and sewer.

The Land Use Plan has this property designated as Low-Medium Residential

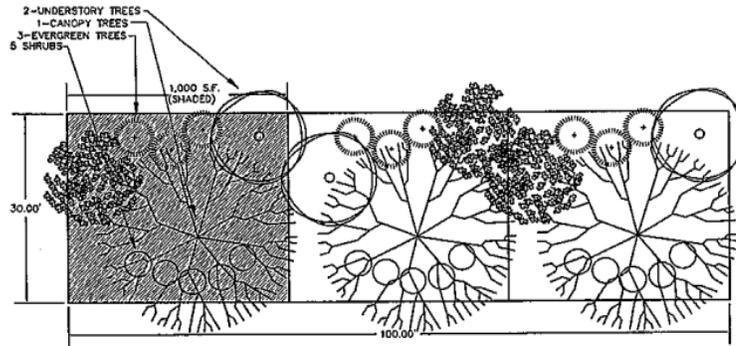
The proposed subdivision would be located off of Cedar Creek Road (State Road 1116). The average daily traffic along this section of Cedar Creek Rd is approximately 6200 vehicles per day. The North Carolina Department of Transportation has reviewed a Traffic Impact Analysis prepared by the Timmons Group.

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.

Youngsville Elementary, Cedar Creek Middle and Franklinton High are the schools that would serve this subdivision.

Jason Rogers stated that staff recommends approval of the preliminary plan with the following conditions:

- Sedimentation and erosion control plan approval.
- Approved landscaping in accordance with Article 14 of the Franklin County Unified Development Ordinance.
- The minimum lot size of 10,000 square feet and a 30-foot undisturbed buffer shall be required and maintained by the Home Owner's Association adjacent to the following lots: 005238, 027263, 004877, 006475, 005439, 006023, 005791, 005598, 006172, 006800, 005468, 004499, 004966, 004878, 005464, 004803, 005429, 005611, 006036, 004705, 005920, 005641, and 004699. In cases where there is no existing plant material within such 30 feet the following detail will be required:



**LANDSCAPE DATA**

- 30' SEMI OPAQUE BUFFER PER 1,000 SQUARE FEET  
 1 - CANOPY TREES @ 2.5" MIN. CALIPER  
 2 - SMALL TREES @ 1.5" MIN. CALIPER  
 3 - EVERGREEN TREES @ 6" MIN. HEIGHT  
 5 - SHRUBS @ 18" MIN. HEIGHT

CANOPY TREES 2.5" MINIMUM CALIPER @ PLANTING  
 ELMS, OAKS, MAPLES, ZELKOVA, ETC.

UNDERSTORY TREES 1.5" MINIMUM CALIPER @ PLANTING  
 DOGWOOD, GRAPE MYRTLE, REDBUD, ETC.

EVERGREEN TREES 6" MINIMUM HEIGHT @ PLANTING  
 MAGNOLIA, CEDAR, WAX MYRTLE, HOLLIES, ETC.

SHRUBS 18" MINIMUM HEIGHT @ PLANTING  
 HOLLY, AZALEA, LIGUSTRUM, CAMELIA, ETC.

**30' SEMI-OPAQUE BUFFER DETAIL**

- The 30ft (thirty foot) semi-opaque undisturbed buffer landscape easement shall be maintained by the Home Owner's Association. A 6ft (six foot) high privacy fence shall be erected after any needed supplemental plants are installed. The buffer, as well as the fence, shall be completed on each subject lot prior to C.O (certificate of occupancy).
- Open space areas adjacent to lots 12, 32, and 39 will be developed as usable pocket parks for residents. These parks shall include a minimum of one of the following features: supplemental landscaping, park benches, or dog waste stations.
- The maximum density allowed of the total 73.94 acres shall be three (3) dwelling units per acre.
- Approval by the North Carolina Department of Transportation (North Carolina Department of Transportation Built to Standards Letter) – All road designs and entrances must meet North Carolina Department of Transportation standards.
- Approved North Carolina Department of Transportation Driveway Permit
- All utility plans will be approved by the Public Utilities Department prior to construction.
- All utility easements shall be extended/constructed to the property line.
- Left-turn lane frontage improvement shall be installed prior to recording the first lot in the first phase.
- Construct the following improvement (if feasible) at the intersection of Cedar Creek Road / Tarboro Road / E Main Street prior to the recording of the 51<sup>st</sup> lot:
  - Installation of 275-foot eastbound left-turn lane (with appropriate taper);
  - Installation of 200-foot southbound left-turn lane (with appropriate taper); and
  - Signal Modifications
  - All other improvements identified in the Traffic Impact Analysis as required by North Carolina Department of Transportation and Congestion Management.
- The following disclosure statement shall be placed on the final plat: All roadways in the subdivision are declared public and shall be maintained by the developer. It shall be their responsibility to bring these roads up to the standards of the North Carolina Department of Transportation to meet the requirements for petitioning addition of these roadways to the North Carolina Department of Transportation's maintained roads system.
- Subject property is located within the Voluntary Agriculture District. The following note shall be placed on the preliminary and final plat: "Note: These parcels are located within one (1) mile of an Existing Voluntary Agricultural District or Enhanced Voluntary Agricultural District. Normal agricultural operations may

conflict with residential use. NC Law (General Statutes Section 106-701) provides some protection for existing agricultural operations.”

- Pursuant to Section 29-5: Streets (A) Public Streets. All roads in existing recorded phase(s) of subdivisions shall be incorporated into the North Carolina Department of Transportation Secondary Road Maintenance Program prior to recording future phases(s) of the subdivision.
- Allocation of water and sewer shall be approved by the Franklin County Board of Commissioners prior to the expiration date of the preliminary plan. A twenty-five (25%) percent deposit of the required Utility Acreage Fee shall be paid in the form of a cash deposit within fifteen (15) days of Board of Commissioner allocation of utilities.
- Final Tar-Pamlico stormwater management approval.
- As-builts and Engineer’s certification for all stormwater management facilities shall be submitted prior to recording the final plat.
- Operation & Maintenance Plan and Legal O & M Agreement for all stormwater controls/devices shall be submitted and recorded with the final plat.
- The following note shall be placed on the Final Plat: “The stormwater control measures shown hereon are required on the property to meet County and state stormwater regulations. Property Owner may be subject to enforcement actions if the stormwater control measure is removed, relocated or altered without prior County approval.”
- Payment in lieu of land dedication shall be required unless the provisions of Article 31 of the Unified Development Ordinance are satisfied.
- All other standard conditions of subdivision approval as listed in the Franklin County Unified Development Ordinance.
- Prior to final plat, the following items shall be submitted:
  - Landscape Plan
  - Recorded Covenants with provision for road maintenance, drainage easements, and open space
  - Street lighting plan
  - Mail center is subject to County and North Carolina Department of Transportation approval and shall be constructed as part of the first phase.

Jason Rogers explained that the road upgrades to the Tarboro Road and Cedar Creek Road intersection were requiring upgrades. He stated that with the amount of projects going on, the Department of Transportation did not have a preference to which development constructed the improvements but they would be required after a specified amount of lots.

Johnnie Sledge asked if the Board could consider requiring the improvements before the 51<sup>st</sup> lot.

Scott Hammerbacher explained that the developers did not have the power of eminent domain to acquire land to construct the necessary improvements to the intersection, and could have difficulty purchasing the land if the owner did not wish to sell.

Mark McArn asked about the possibility of a bridge being installed on Cedar Creek Rd.

Scott Hammerbacher stated that Franklin County had as an item in it's long range transportation plan, but needed to acquire funding from Capital Area Metropolitan Planning Organization to be able to fund the project.

Mark McArn asked if Franklin County had considered requiring projects such as this to have community meetings for the neighboring owners.

Jason Rogers stated that the developer had held a community meeting for this project. As of this time the Franklin County Unified Development Ordinance did not require community meetings, but it was something staff could look into adding in the future.

Laura Holloman (Spaulding & Norris – 972 Trinity Rd. Raleigh, NC 27607)

William Holden asked if a berm would be installed as part of the required buffer.

Mrs. Holloman explained that during the community meeting, the residents had expressed a desire to keep the area as natural as possible so the developer proposed to utilize existing vegetation, and if that was insufficient to install the buffer as outlined in the detail. She stated that the Home Owner's Association would be responsible to maintain the buffer.

Johnnie Sledge made a motion to approve the preliminary plan with conditions as submitted by planning staff. Fannie Brown seconded the motion. The motion passed with a vote of 8-0.

3. 19-MAS-05: Jason Rogers presented a revised preliminary plan for Legacy Subdivision. The proposed subdivision would be located off of Hicks Rd., Bert Winston Rd., and Fleming Rd. in Youngsville Township in the Mixed Use (MU) Zoning District. The preliminary plan is for the subdivision of an approximately 298.35-acre tract into 595 lots with 97.8-acres of dedicated open space. The 97.8-acres of open space is primarily made up of stormwater control devices, riparian buffers and 100-year flood plains. The subdivision is designed to be served by county water and sewer.

The Land Use Plan has this property designated as Mixed Use.

There are streams with riparian buffers that are present on the property. There is 100-year flood plain along the southern property boundary. This property is located within the Tar-Pamlico River basin.

Franklinton Elementary, Cedar Creek Middle and Franklinton High are the schools that would serve this subdivision.

Jason Rogers stated that the subdivision had been approved previously in 2006 and was being resubmitted for review because of a change in open space on the final proposed map.

Jason Rogers stated that planning staff recommended approval of the preliminary plan with the following conditions:

- Sedimentation and erosion control plan approval.
- Approved landscaping in accordance with Article 14 of the Franklin County Unified Development Ordinance.
- All on-site and off-site improvements including but not limited to the following:

Developer Improvements:

**Phase 1**

Approval for 1 Full Access Driveway to Bert Winston Road

- Construction of an exclusive eastbound right-turn lane shall be required, providing a minimum 100ft of full storage with appropriate deceleration length and transitional taper.
- **Prior to recording of the 135<sup>TH</sup> Lot**, the developer shall have the following off-site improvements in place and operational:
  - 1) Construction of a half superstreet at US 1/Bert Winston Road consisting of the following roadway improvements:
    - A) Modification of the westbound approach of Bert Winston Road to provide dual right-turn lanes providing a minimum 75ft of full storage for the outside right-turn lane with appropriate deceleration length and transitional taper, and maximizing storage for the inside right-turn lane.
    - B) Construction of channelization to direct all traffic to right-turns only on this approach.
    - C) Signal modifications will be required to accommodate the new intersection configuration.
    - D) Construction of a dual northbound u-turn lanes on US 1, approximately 850ft north of the intersection of US 1/Bert Winston Road, providing a minimum 250ft each of full storage with appropriate deceleration length and transitional taper. Construction of a u-turn bulb on the southbound side of US 1 will be required to accommodate the dual u-turn movements.
    - E) This median break shall be signalized.

**Phase 2**

Approval for 1 Full Access Driveway to Hicks Road opposite of Allenbrooke Lane.

- Construction of a northbound left-turn lane shall be required providing a minimum 100ft of full storage with appropriate deceleration length and transitional taper.
- Construction of a southbound left-turn lane for Allenbrooke Lane. This should provide a minimal amount of storage length with appropriate deceleration length and transitional taper.
- **Prior to recording of the 201<sup>st</sup> Lot**, the following offsite improvements shall be constructed and operational:

- 1) Construction of an Eastbound left-turn lane on Tarboro Road at Cedar Creek Road, providing a minimum 175ft of full storage with appropriate deceleration length and transitional taper
- 2) Construction of a southbound right-turn lane on Cedar Creek Road at Tarboro Road providing a minimum 100ft of full storage with appropriate deceleration length and transitional taper.
- 3) Signal modification will be required at this intersection.

### **Phase 3**

Approval for one Full Access Driveway to Fleming Road. No roadway improvements will be required for this driveway access. Attachment can be made at any time during buildout.

- Approval by the North Carolina Department of Transportation. (North Carolina Department of Transportation Built to Standards Letter) – all road designs and entrances must meet North Carolina Department of Transportation standards.
- Approved North Carolina Department of Transportation Driveway Permit.
- Pursuant to Section 29-5: Streets (A) Public Streets. All roads in existing recorded phase(s) of subdivisions shall be incorporated into the North Carolina Department of Transportation Secondary Road Maintenance Program prior to recording future phases(s) of the subdivision.
- All stub roads/streets shall be built to the adjoining property line.
- Mail kiosk for lots 260-293 shall be constructed in the area that is labeled Potential Mail Kiosk Area prior to recording the final plat.
- The following disclosure statement shall be placed on the final plat: “All roadways in the subdivision are declared public and shall be maintained by the developer. It shall be their responsibility to bring these roads up to the standards of the North Carolina Department of Transportation to meet the requirements for petitioning addition of these roadways to the North Carolina Department of Transportation’s maintained roads system.”
- Subject property is located within the Voluntary Agriculture District. The following note shall be placed on the preliminary and final plat: “Note: These parcels are located within one (1) mile of an Existing Voluntary Agricultural District or Enhanced Voluntary Agricultural District. Normal agricultural operations may conflict with residential use. NC Law (General Statutes Section 106-701) provides some protection for existing agricultural operations.”
- All utility plans will be approved by the Public Utilities Department prior to construction.
- All utility easements shall be extended/constructed to the property line.
- An easement will be required for temporary turnaround on the adjacent parcel 004335.
- Allocation of water and sewer shall be approved by the Franklin County Board of Commissioners prior to the expiration date of the preliminary plan. A twenty-five (25%) percent deposit of the required Utility Acreage Fee shall be paid in the form of a cash deposit within fifteen (15) days of Board of Commissioner allocation of utilities.
- Final Tar-Pamlico stormwater management approval.
- As-builts and Engineer’s certification for all stormwater management facilities shall be submitted prior to recording the final plat.
- Operation & Maintenance Plan and Legal O & M Agreement for all stormwater controls/devices shall be submitted and recorded with the final plat.

- The following note shall be placed on the Final Plat: “The stormwater control measures shown hereon are required on the property to meet County and state stormwater regulations. Property Owner may be subject to enforcement actions if the stormwater control measure is removed, relocated or altered without prior County approval. “
- Approval from COE/DWR for wetland impacts shown.
- All 20ft sanitary sewer easements shall serve jointly for access and maintenance of open space.
- Payment in lieu of land dedication shall be required unless the provisions of Article 31 of the Unified Development Ordinance are satisfied.
- All other standard conditions of subdivision approval as listed in the Franklin County Unified Development Ordinance.
- Prior to final plat, the following items shall be submitted:
  - Landscape Plan
  - Recorded Covenants with provision for road maintenance, drainage easements, and open space
  - Street lighting plan
  - Mail center is subject to County and North Carolina Department of Transportation approval and shall be constructed as part of Phase 1.

Chairman Mark McArn asked for more details about the park that was being proposed on the subdivision plan.

Jason Rogers stated that they had discussed an amenity site, a swimming pool, or a splash pad. Staff had asked that the developer show that they could fit the required parking on the proposed map, and the developer had conceded to this request.

Tim Nau (P.O. Box 810 Rolesville, NC 27571)

Mr. Nau explained that the owners preferred a splash pad to be installed at the amenity site. He explained that bathrooms were planned, as well as a dog waste station, and a walking trail.

Steven Mitchell asked if any of the ponds shown were existing.

Mr. Nau stated that the northern pond was existing but the others were proposed stormwater ponds that were to be maintained by the homeowner’s association.

Johnnie Sledge made a motion to approve the revised preliminary plan with conditions as submitted by planning staff. Mary Solomon seconded the motion. The motion passed by a vote of 8-0.

4. In other business, Scott Hammerbacher stated that the County had a steady rate of 40-50 permits issued per month.

Scott Hammerbacher informed the Planning Board that the Comprehensive Development Plan contract had been approved by the Board of Commissioners.

Scott Hammerbacher stated that the County had been in discussion with ITRE (Institute for Transportation Research and Education – North Carolina State University) on the topic of the impacts of the growth that Franklin County has experienced and its future impact on the Franklin County school system.

With no further business before the Board, Chairman Mark McArn adjourned the meeting at 7:31 PM.

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Mark McArn – Chairman  
Franklin County Planning Board

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Katie Rhyne – Clerk  
Franklin County Planning Board