

## FRANKLIN COUNTY PLANNING BOARD

May 12, 2009

The Franklin County Planning Board held its regular monthly meeting on Tuesday, May 12, 2009 at the Franklin County Administration Building, Commissioners Meeting Room, 113 Market Street, Louisburg, North Carolina.

**Present:** Ernie Holden, Mary Solomon, Ronnie Pearce, Henry Nelms, Robert Mann, Willie Bartholomew, Melvin Cheaves, Mark McArn, Fannie Brown and William Wallace.  
**Absent:** Ricky May, Robert VanGraffeland, Richard Hoyle and Phillip Jeffreys.  
**Staff:** Tammy Davis, Scott Hammerbacher, Jason Rogers and Darnell Batton (County Attorney)

Chairman Nelms called the meeting to order at 7:00 P.M.; and welcomed everyone in attendance. Willie Bartholomew gave the invocation. Mark McArn made a motion, seconded by Mary Solomon to approve the minutes for the March 10, 2009 and April 14, 2009 meeting. The motion passed unanimously.

### Agenda Items:

#1. Subdivision Re-Approval: Forest City Subdivision, Preliminary Plat, Franklinton Township, Lane Store Road (State Road 1118) & Cedar Creek Road (State Road 1116), R-1 District, 367 Lots.

Scott Hammerbacher stated the preliminary plan was originally approved on November 14, 2006 for a period of two years. He stated a revised preliminary plan was approved on March 13, 2007 for a period of two years. He stated the preliminary plan expired on March 13, 2009. He stated the proposed is for the subdivision of an approximate 159.88 acre tract into 367 residential lots. He stated the average lot size would be 10,688 square feet. He stated the original preliminary plan consisted of 244.14 acres and 518 lots. He stated approximately 76 acres has been acquired by the Franklin County Board of Education for a new high school site. He explained that the proposed provides a street connection with Lane Store Road that would allow for a potential crossing of Cedar Creek which would eventually connect the Forest City development with the Oak Park Subdivision. He stated the water and sewer allocation would have to be re-approved by the Board of Commissioners.

Mr. Hammerbacher stated that Planning Staff recommends the 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 UDO
- Allocation of water and sewer shall be approved by the Franklin County Board of Commissioners prior to the expiration date of the preliminary plat
- All utility plans will be approved by the Public Utilities Department prior to construction
- 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.

Mark McArn questioned if once the Lane Store Road extension is installed, would it line up with Oak Park. Mr. Hammerbacher stated no and funding for the stream crossing has been applied for. Chairman Nelms questioned if the proposed development would be done in phases. Mr. Hammerbacher stated the developer is proposing to do phases at this time. Chairman Nelms questioned if the developer is in the process to begin development on the proposed. The developer (Forest City Land Group) was present and stated they want to be prepared when the housing market opens back up. Mr. Hammerbacher reminded the Board that the developer has two years upon preliminary approval to record the first phase of the development.

Ronnie Pearce made a motion, seconded by Fannie Brown to approve the subdivision re-approval with the conditions that staff presented. The motion passed unanimously.

#2. Proposed UDO Text Amendment: Allow for Group Care Facility (A,B) as a Special Use within the O/I (Office Institutional) and PUD Zoning Districts, and remove Group Care Facility (A,B) as a Special Use from the R-8, R-15, NB (Neighborhood Business) and MU (Mixed Use) Zoning Districts.

Scott Hammerbacher stated staff is proposing to amend the UDO to allow for Group Care Facility (A, B) as a Special Use within the Office Institutional (O/I) and PUD zoning districts. He stated staff wishes to remove Group Care Facility (A, B) as a Special Use from R-8, R-15, Neighborhood Business and Mixed Use zoning districts. He stated the proposed use would provide Planning Staff the criteria to regulate the size and location of Group Care Facilities. He went over the definitions for Group Care Facility A and Group Care Facility B, proposed regulations that would apply if adopted and rules/regulations proposed for parking.

Mark McArn questioned why the proposed is not allowed in commercial zoning districts like Rural Business, Neighborhood Business and Highway Business. Mr. Hammerbacher stated staff felt it would not be compatible with commercial uses. William Wallace questioned the reasoning behind proposing it in the PUD district. Mr. Hammerbacher stated it is an overlay zoning district which you could create its own uses and setbacks. Mr. Wallace stated it doesn't fit every PUD. Mr. Hammerbacher agreed and stated the Special Use Permit process would allow review of the proposals in the PUD. Ronnie Pearce expressed concern with security issues since drugs, alcohol, battered women and children are involved. Mr. Hammerbacher stated that the concerns Mr. Pearce expressed would come up later during the Special Use Permit process. He reminded the Board that they are only looking at the zoning districts that the proposed use would be compatible with. Darnell Batton stated the proposed addresses concerns better than the current UDO. He stated if a proposed facility isn't located in the O/I or PUD districts, the applicant would have to go through the rezoning process.

Mark McArn made a motion, seconded by Mary Solomon to recommend approval of the proposed text amendment. The motion passed by majority vote with Ronnie Pearce voting against the motion.

- #3. Other Business Reports/Discussion
  - A.) Departmental Report
  - B.) Other Business/Reports/Discussion

With there being no further business before the Planning Board, Chairman Nelms adjourned the meeting at 7:30 P.M.

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Henry Nelms, Chairman  
Franklin County Planning Board

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Tammy Davis, Clerk  
Franklin County Planning Board