

## FRANKLIN COUNTY PLANNING BOARD

May 12, 2015

The Franklin County Planning Board held its regular monthly meeting on Tuesday, May 12, 2015 in the Franklin County Administration Building, Commissioners Meeting Room, 113 Market Street, Louisburg, North Carolina.

**Present:** William Wallace, John Sledge, Carolyn Paylor, William Holden, Steve Mitchell, Ricky May, Robert Mann, Ronnie Pearce, Phillip Jeffreys, Steven Buescher, and Mary Solomon

**Staff:** Scott Hammerbacher and Jason Rogers

Chairman William Wallace called the meeting to order at 7:00 P.M., and welcomed everyone in attendance. Mr. Mitchell gave the invocation. The agenda was adopted after a motion by Mr. Sledge was seconded by Mr. Mitchell. A motion to approve the minutes from the prior Planning Board meeting, April 14, 2015, was made by Mr. Sledge, seconded by Mr. Buescher. The motion passed unanimously.

### **Agenda Items:**

1. 15\_REZ-02: Request for Rezoning by Ange Executive Estates of a property at PIN 1863-29-6589 at Hicks Road, Winged Elm Drive, and Forest Bridge Road (Hidden Lake Subdivision, Phase II) on 176.17 acres from Residential 15 and Residential 1 to Residential 8 in the Youngsville Township.

Mr. Hammerbacher gave an overview of the requested amendment. He stated that the developers wish to rezone the property from Residential 15 and Residential 1 to Residential 8. He noted that the only major differences between the two zoning districts are three permitted uses. Residential 15 zoning would allow for a golf course, landfill, and television/radio studio while Residential 8 would not. He stated that both zoning districts allow for multifamily housing options. Residential 15 would allow for 10,000 square foot lots if the developer utilized the cluster option. Residential 8 would allow for 5,000 square foot lots in the developer utilized the cluster option. Mr. Hammerbacher stated that according the most recent traffic study (2012) by the North Carolina Department of Transportation the average daily traffic count for Hicks Road is approximately 780 vehicles per day with a capacity for 5,000 vehicles per day. He is also noted that the property is subject to the Tar Pamlico nutrient regulations and pointed out the streams, stream buffers, and flood zones located on the subject property. He pointed out that water and sewer is available to this site.

Mr. Holden asked Mr. Hammerbacher how many homes were in the existing Phase I of the Hidden Lake subdivision.

Mr. Hammerbacher replied that there were 15-20 houses currently permitted within the development and 67 recorded lots. He stated that the applicants intend to redesign the second phase.

Ms. Solomon asked if it is redesigned, what type of houses will be built there.

Mr. Hammerbacher replied that he could not speak to that at this time because it is yet to be determined.

Mr. Buescher asked is the intention to connect to water and sewer.

Mr. Hammerbacher replied, yes.

Mr. Sledge asked if manufactured housing would be allowed.

Mr. Hammerbacher said manufactured housing isn't an allowed use in either district.

Jeff Westmoreland stated he was hired by the landowner to provide professional planning services and speak on behalf of the rezoning petition. He stated to the Planning Board that there are no proposed changes to Phase I of Hidden Lake. There would be no changes to the connector roads. He also stated that the intent is for Hidden Lake to remain a gated community. He stated that the R-8 density does not benefit the property and that the purpose of the R-8 zoning would be to redesign the development and utilize more open space rather than creating larger lots to meet the minimum lot threshold. He further noted that R-8 zoning would allow for the clustering of lots in the upland acres and that the total density would be approximately two units per acre.

Mr. Wallace asked if Forest Bridge was completely graded and in use.

Mr. Westmoreland replied that it was not completely graded and is not actively used.

Robert Lynum, a nearby resident, addressed the Planning Board. He asked the Board not to approve the rezoning request. He stated that the quality of life is going to suffer if the rezoning is passed. He stated the following reasons: volume of traffic, blind spots on Hicks Road, and five homes per acre.

Jackie Messer, another resident, stated that there are a lot of kids on Hicks Road. She said she didn't agree that Hicks Road could handle 5,000 vehicles per day. She asked if entrances were approved by the Department of Transportation and if an environmental study had been done. Mr. Hammerbacher said that the County would have to look at Tar Pamlico Requirements when a revised subdivision plan is submitted. He also said that a Traffic Impact Analysis would be required. Mr. Hammerbacher said that could require offsite improvements as well as a turn lane. He said analysis of stormwater and utilities would take place also.

County resident Paul Collins stated that the DOT numbers have surely increased since 2012. He questioned whether the Audubon Society was still involved with the existing development or

not and if it was going to continue. He stated that the curve at the Hicks Road bridge has had a number of fatalities over the years.

Mr. Westmoreland said Audubon International was the group that was involved at Hidden Lake. He said he was not aware if they were still involved, but he could look into it. He said the concepts would continue with the open space and large protected areas with the redesign of the second phase. He also said that the homes would be compatible with the existing development of Phase I.

Mr. Mitchell questioned if anyone was present at the meeting from Phase I of Hidden Lake. He wanted to hear what they had to say about the rezoning. No one spoke up.

Mr. Buescher asked if the current zoning could add additional residences to what was originally proposed. Mr. Westmoreland replied yes, but the intent is to keep the total just under 250. Mr. Buescher then questioned if the development would be well under what would be allowed under the present zoning. Westmoreland replied yes, the intent isn't to cram more lots. R-8 would allow more flexibility to allow shorter lots and more open space. The number we would have would be far fewer than what could be allowed by current zoning.

Jim Canton stated the intent is to preserve the floodplains and get them into the homeowner's association by crunching the lots.

Gale Roman of Youngsville said when you put people in there you are going to destroy the buffers and what is in it. Mr. Canton said they want to provide wider buffers. They are going to be hundreds of feet of from the streams. The homeowner's association would own it so people cannot disturb it. Mr. Canton further stated that the intent is to make the development environmentally friendly. They are not trying to lot it up and make a dense development. The developer cannot get lots out of buffers under current zoning. That is why they are trying to rezone it.

Mr. Pearce made a motion to recommend the approval of the rezoning as presented. The motion was seconded by Mr. Buescher.

Mr. Buescher, Mr. Pearce, Mr. Wallace, and Mr. Mann voted yes to recommend approval of the rezoning request as presented.

Mr. Sledge, Ms. Paylor, Mr. Mitchell, Mr. May, Ms. Solomon, Mr. Holden, and Mr. Jeffreys voted no.

2. 15-SUP-03 and 15-SUP-04: Request for Special Use Permit approval for a solar facility by Red Toad LLC. On 30 of 305.27 acres at 243 Mort Harris Road in the Louisburg Township in the Agricultural Residential Zoning District. Mr. Hammerbacher stated that Red Toad LLC was requesting a Special Use for two separate solar facilities along Mort Harris Road. He said that each facility would be 15 acres in size and would be fenced and landscaped along the perimeter

as required by the Franklin County Unified Development Ordinance. He noted that there are no streams affected by this proposal, and that it meets all the minimum requirements for approval. Mr. Hammerbacher stated that should the board recommend approval that it do so with the following conditions:

1. Prior to securing building permits from the County, documentation from all other applicable state and federal agencies shall be submitted to the Franklin county Planning & Inspections Department verifying permit approval.
2. Approval shall be subject to adhering to all other County, State, and Federal regulations.
3. Approval of stomrwater management plan if there is a land disturbance of .50 acres or greater.
4. An engineering estimate for the removal of the facility will need to be submitted in addition to a financial surety prior to the issuance of building permits.
5. Approval of a NC Department of Transportation driveway permit.
6. No lighting shall be installed without approval from the Franklin County Planning & Inspections staff.
7. Screening shall conform to Article 14. Landscape Requirements and Article 8., Section 8-1 Note 6. Buffer Strips.
8. Approval from local fire department for knox box.
9. Approval of final layout and design of all solar panels and associate structures shall be submitted for review to the Franklin County Planning Department prior to issuance of building permits.

Renaldo Rodriquez, the developer leading this project, stated that the landscaping would be evergreen trees along the perimeter of a six foot high fence as outlined by the UDO. He stated that it was a 15 year site and that it would be and easy clean up should the site stop operation.

Mr. Hammerbacher stated that a removal bond would be required.

Mr. Wallace stated that he had a concern about the limited site distance at the intersection of Mort Harris Road. and NC 581. Mr. Wallace said that he would like to know what the plans are for that corner. He stated that it can be a dangerous intersection.

Mr. Hammerbacher said that one of the conditions of approval is DOT looking at the site distance.

Mr. Buescher said that judging from that site plan the shrubbery would be about 200 feet back.

Mr. Sledge made a motion to recommend approval of 15-SUP-03 as presented to the Board of Commissioners. The motion was seconded by Mr. Buescher.

Mr. Mitchell stated that he wished to refrain from voting due to farming interest in a neighboring farm.

The motion passed unanimously.

Mr. Buescher made a motion to recommend approval of 15-SUP-04 to the Board of Commissioners. The motion was seconded by Mr. Sledge.

Mr. Mitchell stated that he wished to abstain from voting due to farming interest in a neighboring farm.

The motion passed unanimously.

3. Other Business

Mr. Hammerbacher stated that the Planning Office had been temporarily relocated to the Cooperative Extension office at 103 S. Bickett Blvd. due to mold.

Mr. Wallace adjourned the meeting at 8:45 P.M.

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William Wallace – Chairman  
Franklin County Planning Board

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Kevin Lewis – Clerk  
Franklin County Planning Board