

FRANKLIN COUNTY PLANNING BOARD

January 14, 2014

The Franklin County Planning Board held its regular monthly meeting on Tuesday, January 14, 2014 in the Franklin County Administration Building, Commissioners Meeting Room, 113 Market Street, Louisburg, North Carolina.

Present: William Wallace, Fannie Brown, William Holden, Robert Mann, Steve Buescher, Carolyn Paylor, Steve Mitchell, Ricky May, John O. Sledge, Mary Solomon,
Absent: Phillip Jeffreys, Mark McArn, Ronnie Pearce, and Richard Hoyle
Staff: Jason Rogers and Scott Hammerbacher

Chairman William Wallace called the meeting to order at 7:00 P.M., and welcomed everyone in attendance. Steve Mitchell gave the invocation. Mary Solomon made a motion, seconded by Steve Mitchell to approve the minutes with corrections of the December 10, 2013 meeting. The motion passed unanimously. William Holden made a motion to adopt the agenda, seconded by Mary Solomon. The motion passed unanimously.

Agenda Items:

1. Election of Officers.
Motion was made by Fannie Brown to nominate William Wallace as Chariman, seconded by Ricky May. The motion passed unanimously.
Motion was by John Sledge to nominate Mark McArn as Vice Chariman, seconded by Steve Mitchell.
Motion was made by William Holden to nominate Steve Buescher as Secretary, seconded by Ricky May. The motion passed unanimously.
2. Request for a Map Amendment by Thomas Spaulding, Spaulding & Norris to rezone approximately 85.48 acres on Cedar Creek Road (State Road 1116) in Franklinton Township from R-1 Residential to R-8 Residential)

Mr. Hammerbacher stated that Thomas Spaulding of Spaulding & Norris, is requesting to rezone approximately 85.485 acres from R-1 Residential to R-8 Residential. He stated that the original parent parcel is where the new Franklinton High School has been built. The sale of the property to Franklin County School System and the construction of the school changed the conditions of the subject property. He stated typically towns, counties, and cities prefer residential developments near schools to have a higher density. This would allow the students in adjoining developments the option of walking to school and reducing the amount of traffic on collector roads to the school. Mr. Hammerbacher stated the rezoning would slightly increase the density of the property. Mr. Hammerbacher stated the main difference between the R-1 and R-8 designation is lot size. There aren't many differences in permitted uses. Mr. Hammerbacher also stated that water and sewer is available at this site. He also noted that the average daily traffic count along Cedar Creek Road is approximately 5,600 vehicles per day. Mr. Hammerbacher said there are some environmental issues on the property such as a stream and 100-year floodplain. Mr. Hammerbacher pointed out that the rezoning is in conformity with the Franklin County Land Use plan. He provided the Planning Board with the following zoning consistency statement: The

requested zoning map amendment is in general conformity with the land use plan. Water and Sewer is available to this site. The new Franklinton High School is located adjacent to this site. The request is reasonable and in the public interest.

John Sledge asked if the water and sewer availability allows them to get down to 5,000 sq ft. lots.

Mr. Hammerbacher replied yes, with the cluster provision.

John Sledge asked if a buffer would be required along Cedar Creek.

Mr. Hammerbacher replied yes, the Tar-Pamlico buffer rules require a 50-foot buffer.

William Holden asked does R-8 zoning allow for multi-family development.

Mr. Hammerbacher replied yes, as a conditional use.

Steve Buescher questioned will the floodplain be allowed as open space credit.

Mr. Hammerbacher said yes, it could be considered for that.

Tom Spaulding: 922 Trinity Road Raleigh, NC. Mr. Spaulding said he represented the property owner. He stated that the school being so close is an excellent selling point. He stated that the developer was hoping for three product types. He said they were hoping to submit a plan in the next 30 to 60 days.

John Sledge asked if the developer was planning on all 5,000 sq. ft. lots.

Mr. Spaulding replied 6500 sq. ft. would likely be the smallest lots. He said the projected density would be 2.5 units per acre.

Beverly Pierpoint: 313 Cedar Creek Rd. Stated that she wanted to move away from Wake Forest to get away from this type development. Now we are facing this here. She said I live beside this. Ms. Pierpoint said we want R-1. She asked the board to think about the integrity of Cedar Creek Rd.

Fay Ewing: 2593 Poplar Creek Rd. Henderson, NC. Ms. Ewing stated that she is a real estate agent who has the Pierpoint property on the market. She said it sounds like two of the proposed lot sizes would work under the current zoning.

Mr. Spaulding said this is a product that will be moving forward. He stated that it was much better than what was originally approved.

Mr. Hammerbacher stated in his opinion this is not considered to be spot zoning.

Steve Mitchell stated that it is hard to pinpoint how many more people/families will be on that piece of property.

Mr. Hammerbacher said yes it is. The original approval was approximately 365 dwelling units. It is hard to know the amount of people. There is really no way of knowing.

Mr. Hammerbacher said we need to look at what the county has invested in this area such as water, sewer, and new school. He said we did plan for this area to be denser than others.

William Holden made a motion to recommend approval of the proposed rezoning to the Board of Commissioners, seconded by Robert Mann.

For: Carolyn Paylor, Fannie Brown, Mary Solomon, Robert Mann, Steve Buescher, William Holden, and William Wallace.

Against: Ricky May, Steve Mitchell, and John Sledge

The motion passed.

3. Request for a Special Use Permit by REM Holdings LLC/Green Energy Development, LLC for a solar energy farm on 46.21 acres on Cedar Creek Road (State Road 1116) in Franklinton Township.

Mr. Hammerbacher stated that Green Energy Development LLC was petitioning the board for a Special Use Permit to construct a Solar Farm on 15 acres of a 46.21 acre parcel located on Cedar Creek Rd. He explained that the proposed solar farm will preserve a vegetative buffer along all surrounding sides of the property to minimize visibility to adjacent owners. He said the site will consist of 14 X14 panel sets of 2' off the finished grade with 9.5' rows between panel rows. He stated the expected traffic generated by the solar farm would be 3+/- vehicles per month. Mr. Hammerbacher stated conditions of approval were outlined in the communiqué for the board's consideration.

Matt Horton: 12400 Union Church Rd. Wake Forest. Mr. Horton stated that he had a power to purchase contract in place with the power company. He said 10% of a power company's energy must come from non-fossil fuels. He said this project adds no emissions and no increase in traffic count to the area. He said he had talks with running a line to the Franklinton High School site. He stated that he envisioned educational opportunities with Franklinton High School.

Steve Buescher asked if there would be any storage capacity on site.

Mr. Horton responded yes, we are looking at that option but right now we would rather produce. He said the site could produce all power from US 1 to Cedar Creek Rd along the three phase area.

William Wallace asked if there was any possibility for future expansion of this facility.

Mr. Horton said yes, if there is a need or demand.

William Wallace asked if there would be anything on top of the fence.

Mr. Horton said if it is required, yes. He said he didn't feel it was aesthetically pleasing.

Robert Mann asked if there was a possibility that anyone could get electrocuted.

Mr. Horton said, no.

Jim Pierpoint: 313 Cedar Creek Road. Mr. Pierpoint said he was in opposition to the Solar Farm. He proceeded to present a power point presentation. He passed out copies to the Board. He said he was against the location, and spoke about the area being zoned residential. He said a solar farm was a commercial business. He said that it would be detrimental to his property. He stated that Oak Park subdivision would be able to see the proposed solar farm. He said all subdivisions around would be able to see it. He stated that the proposed Solar Farm was not consistent with the existing surrounding zoning pattern. Mr. Pierpoint said there were lots of other places in the county more suitable for a solar farm. He said when I look out my window I will see an ocean of solar panels. He said that it is going to feel like a prison campground next door to his house. The glare from the panels, constant noise from the panels expanding and contracting will be a constant distraction.

Fay Ewing: 2593 Poplar Creek Dr. Henderson, NC Ms. Ewing stated that a solar farm is an industrial function. She said it doesn't seem appropriate between residential uses.

Mr. Horton said he urges the board to approve. He said he was not taking a back door to get this approved. He said the ordinance prescribes a Special Use permit in the R-1 district.

Mr. Hammerbacher asked the Board if anyone had any questions in regards to the presentation by staff. He said this is not spot zoning. He said it is a request for a special use that can be utilized in the underlying zoning district. He said this is a special use that requires quasi-judicial proceedings.

Mr. Wallace asked the Board if there was any other discussion on the special use request. Mr. Wallace and Board proceeded with the Special Use checklist.

Steve Mitchell made a motion to recommend denial of the Special Use request to the Board of Commissioners, seconded by Mary Solomon.

Vote: Unanimous (Mr. Wallace abstained from voting)

A.) Other Business

Mr. Hammerbacher stated that within the bylaws the Board is required to approve the meeting schedule for the upcoming year.

Steve Buescher made a motion to approve the meeting schedule as presented, seconded by Steve Mitchell

Vote: Motion passed unanimously.

William Wallace – Chairman
Franklin County Planning Board

Jason Rogers – Clerk
Franklin County Planning Board