

**TOWN OF ROLESVILLE
REGULAR MEETING OF THE
TOWN BOARD**

February 16, 2016

MINUTES

PRESENT:

Frank Eagles, Mayor	Ronnie Currin, Mayor Pro Tem
Frank Hodge, Commissioner	Sheilah Sutton, Commissioner
Betty Whitaker, Commissioner	Michelle Young-Medley, Commissioner
Bryan Hicks, Town Manager	JG Ferguson, Parks & Rec Director
Bobby Langston, Police Chief	Thomas Lloyd, Planning Director
David York, Town Attorney	Robin Reif, Town Clerk

CALL TO ORDER

Mayor Frank Eagles called the meeting to order and led the pledge of allegiance. Mayor Eagles led the invocation.

APPROVAL OF THE AGENDA

Mayor Eagles asked for approval of the February 16, 2016 meeting. Upon a motion by Commissioner Whitaker; second by Mayor Pro Tem Currin, the February 16, 2016 meeting agenda was approved by unanimous vote with the removal of item #7: Public Hearing Case D16-01 and the addition of the proposed order for approval of the renovations of the Rolesville Elementary School in its stead.

PUBLIC COMMENTS

Pat Wharton, 220 W. Young Street, Rolesville, NC

Addressed the board in order to express gratitude for the recently installed cross walks.

George Garcia, 524 Averette Road, Rolesville NC

Addressed the board in order to express concern regarding the increased traffic on Averette Ferry and Jones Dairy Roads. Mr. Garcia asked what pressure was to be put on NC DOT for needed improvements to these roads given the increase in traffic and the new subdivisions being built.

Betty Freeman, 524 Averette (Ferry?) Road, Rolesville, NC

Added to the comments made by her husband, George Garcia, remarking that she had difficulty exiting her driveway and has witnessed drivers not stopping at her intersection.

REGULAR AGENDA

Public Hearing Case: MA15-07: Request from Crosswinds Development, Inc. to rezone 35.66 acres of land on Jones Dairy Road from R1 to R2-SUD

Open Public Hearing

Mayor Eagles opened the public hearing at 7:08 p.m.

Introduction by Staff

Planning Director Thomas Lloyd introduced the material for the public hearing which proposes the rezoning of 35.66 acres of land on Jones Dairy Road from R1 to R2-SUD in conjunction with a special use permit application in order to accommodate a development of home sites consisting of 4-6 units per acre.

Comments from Applicant

Mr. James Jordan, Attorney for Crosswinds Development

Attorney Jordan spoke on behalf of the applicant. Mr. Jordan read aloud the questions for consideration of the proposed rezoning and stated he expected them to be answered favorably.

Comments from Public in Favor

None

Comments from Public in Opposition

None

Rebuttal from Applicant

None

Close of Public Hearing

There being no one else wishing to speak, Mayor Eagles closed the public hearing at 7:13 p.m.

Mayor Pro Tem Currin inquired regarding public meetings held in advance of this meeting’s public hearings followed by Commissioner Sutton suggesting alternative meeting times for members of the public that work.

Discussion was held regarding expanding the notification radius to possibly as much as 1,000 feet.

Moved by Mayor Pro Tem Currin involving case MA15-07 to approve the proposed map amendment, along with the following consistency statement. The proposed zoning map amendment is consistent with the Comprehensive Plan and is reasonable and in the public interest, because of the following:

1. The Comprehensive Plan recommends that the property be zoned for planned residential use, and the request is to place the property under the R2-SUD zoning district which allows such uses; and
2. The zoning map amendment positions the property for development that will increase the town’s tax base while not frustrating the continued used of future development of nearby properties.

The motion was seconded by Commissioner Whitaker and carried by unanimous vote.

Public Hearing Case: SUP1-05: *Special Use Permit Request from Crosswinds Development, Inc. for a Master Plan to Include 60 Single Family Detached Dwellings Located off Jones Dairy Road*

Open Public Hearing

Mayor Eagles opened the public hearing at 7:21 p.m.

Town Attorney David York read the requirements for the quasi-judicial hearing as outlined in N.C.G.S. §160A-393 and all board members were questioned as to their existing or potential predispositions. Upon receiving satisfactory responses from all board members, those persons in attendance wishing to provide testimony were sworn in by the Town Clerk.

Introduction by Staff

Planning Director Thomas Lloyd introduced the material for the public hearing which proposes a special use permit for consideration of a preliminary master plan for 60 detached, single family residential lots following the rezoning of the property to R2-SUD. Future land use is Planned Residential.

Comments from Applicant

Attorney for Crosswinds Development, Mr. James Jordan

Attorney Jordan called William Winn, 2550 Capital Drive, Creedmoor, Owner of Crosswinds Development, forward and asked if he concurred with representations provided by staff. Mr. Winn expressed his concurrence and attention was directed to the applicant statement provided in materials to the board regarding findings of fact. Mr. Winn stated his familiarity with the statement from applicant 4.3(C) and provided his position that the proposed plan would not materially endanger the public health or safety, that necessary infrastructure will be prepared to serve a single family residential community and that

it will not materially endanger public safety. Mr. Winn also agreed to the statement that the proposed development will not injure the value of the adjacent property, that the property is being zoned for similar use as surrounding property and that, the proposed conforms to the comprehensive plan and other plans put forth by the Town. It was also stated that there is interconnectivity to adjacent development(s) and that it is to be a walkable community. Density requirements are being met as is protection of natural areas. The proposed conforms to the thoroughfare plan by providing improvements to Jones Dairy Road, and will not adversely affect traffic as it conforms to the traffic plan and a turn lane is to be installed.

Tim Nau, 4244 Fawn Lily Drive, Wake Forest, NC

Mr. Nau stated his familiarity with the project as it is being presented to the board and that he concurs with statements by staff. Mr. Nau expressed his desire to clarify questions on open-space areas. The original intent at Technical Review Committee meeting(s) was to create a playing field and the final decision was when the mail kiosk was situated, an open space was allocated and the open space behind the houses is to remain in its current state.

Discussion was held on submittal of a landscape plan as well as some sort of fencing along the chat walks. The Board requested the fence be constructed along the chat walks prior to HOA declaration rather than leave the burden on homeowners.

Commissioner Whitaker stated, for the record, she does not like mail kiosks.

Mr. Nau commented that plans were done to the Town of Rolesville Unified Development Ordinance as well as North Carolina standards.

Commissioner Hodge clarified that Planning Director Thomas Lloyd was being asked to develop permanent fencing in the chat walk areas that would meet requirements as well as with the approval of the applicant and board. Director Lloyd recommended adding the following language to condition #11, “to the Town’s satisfaction, including paving, landscaping, *to include evergreen screening and split-rail fence*, and signage as necessary.

Rick Grote, Crosswinds Development

Mr. Grote, having been sworn in by the Clerk, strongly suggested an evergreen screening and split rail fence following a request that a taller opaque fence be installed on both sides of the walkway.

The decision was made to alter the language suggested by Planning Director Thomas Lloyd to be included in condition #11 for the order of findings of fact to “including paving, landscaping *to include opaque evergreen screening and split-rail fence*, and signage as necessary.”

The applicant stated his concurrence with this amendment to condition #11.

Discussion was then held on having the development order require money in escrow, in future, for imminent traffic signals which could cost an estimated \$100-\$150K.

Rick Grote, Crosswinds Development

Mr. Grote offered to have a traffic study conducted to determine the necessity of a traffic light.

The applicant agreed, as a reasonable condition, to pay an assessed amount of \$100 per lot/house or \$6,000 to be held in escrow now for the future traffic light that is presumed to become necessary. Thus the board set a precedent for future development/developers.

Comments from Public in Favor

Ms. Betty Freeman, having been sworn in by the Clerk, spoke in favor of the proposed subdivision as long as the developer contributes a portion of funds, to be placed in escrow, on a per resident basis, towards a future traffic light.

Mr. Russ Hepps, of 271 Character Drive, Rolesville, NC, having been sworn in by the Clerk, addressed the board to express his concern regarding Shadowdale Lane’s second entrance (connecting to Flash Drive) “dumping” in to Averette Ridge as it

will surely bottle up traffic once all three phases of Averette Ridge are completed. Mr. Hepps, speaking on the concern of Ms. Freeman, suggested that a 3-way stop sign be installed , even if on a temporary basis, prior to a traffic light.

Speaking again, Mr. George Garcia spoke out of concern for safety and in favor of the traffic study that was proposed by the builder of the proposed subdivision.

Comments from Public in Opposition

None

Rebuttal from Applicant

Attorney Jordan stated that the applicant will do everything in its power to control the issues under consideration but that no one can control unsafe drivers. The NCDOT study states the applicant has met the requirements of the proposal and no traffic signal is said to be needed at this time.

Condition #18. To be added stating that Applicant would contribute \$6,000 (\$100 per house), due at lot recordation, towards a future traffic signal at the intersection of Jones Dairy/Averette Ridge State Road 1945.

Close of Public Hearing

There being no one else wishing to speak, Mayor Eagles closed the public hearing at 8:49 p.m.

Moved by Mayor Pro Tem Currin, involving case SUP15-05 to approve the Special Use Permit as conditioned, since the findings of fact have been met.

The motion was seconded by Commissioners Hodge and Sutton. Motion received the following vote:

Ayes: Hodge, Sutton, Currin, Whitaker

Noes: Medley

Motion carried 4-1.

Following a short recess, the board returned to open session at 9:03 p.m.

Public Hearing Case: MA16-01: Request from Eddins Family LLC to Rezone 0.46 Acres Located at 104 North Main Street from R-40W to C-W

Open Public Hearing

Mayor Eagles opened the public hearing at 9:03 p.m.

Introduction by Staff

Planning Director Thomas Lloyd introduced the material for the public hearing which proposes rezoning to commercial so the property may be used as storage for Rolesville Furniture. It is requested the property be moved from the Neighborhood Conservation Overlay District to the Town Center Overlay.

Comments from Applicant

None.

Comments from Public in Favor

Michelle King, 316 Woodleigh Farm Road, Rolesville, NC

Ms. King asked for an explanation of the house conveying to commercial upon six months of vacancy, which would cease its non-conforming use.

Susan Decker, 306 Northwick Road, Rolesville, NC

Ms. Decker stated future improvements should emulate the future town center.

Comments from Public in Opposition

None

Rebuttal from Applicant

None

Close of Public Hearing

There being no one else wishing to speak, Mayor Eagles closed the public hearing at 9:31 p.m.

Not having heard anything in opposition of the zoning request, it was moved by Commissioner Sutton, involving case MA16-01, to approve the proposed map amendment, along with the following consistency statement. The proposed zoning map amendment is consistent with the Comprehensive Plan and is reasonable and in the public interest, because of the following:

1. The Comprehensive Plan recommends that the property be zoned for Commercial Town Center uses, and the request is to place the property under the C-W zoning district which allows such uses; and
2. The zoning map amendment positions the property for development that will increase the town's tax base while not frustrating the continued use or future development of nearby properties.

The motion was seconded by Commissioner Hodge and carried by unanimous vote.

Public Hearing Case: SUP16-01: *Request from Eddins Family LLC to Assign a Special Intensity Allocation (SIA) to 2.28? Acres along North Main and East Young Streets*

Open Public Hearing

Mayor Eagles opened the public hearing at 9:33 p.m.

Town Attorney David York read the requirements for the quasi-judicial hearing as outlined in N.C.G.S. §160A-393 and all board members were questioned as to their existing or potential predispositions. Upon receiving satisfactory responses from all board members, the Town Clerk swore in those persons in attendance wishing to provide testimony.

Introduction by Staff

Planning Director Thomas Lloyd introduced the material for the public hearing which proposes bringing the site in to compliance with watershed rules.

Comments from Applicant

No comments were made in addition to the sworn statement provided in the agenda packet.

Comments from Public in Favor

Pat Wharton, 220 W. Young Street, Rolesville, NC.

Ms. Wharton expressed her concern that downtown new construction should not be in harmony with what is currently in the town center area, rather that it be required to be better. Ms. Wharton inquired regarding standards for demolition in the center of town and reconstruction being in harmony with the neighborhood. (5.6: conditions of structure to be built / standards). 5.c being an applicant statement, which is part of D16-01, is not being considered this evening.

Comments from Public in Opposition

Susan Decker 306 Northwick (Terrell Plantation)

Ms. Decker asked how the special allocation gets us in to the watershed district.

Ms. Decker also reiterated her concern that new builds adhere to standards of the proposed new town center.

Rebuttal from Applicant

None

Close of Public Hearing

There being no one else wishing to speak, Mayor Eagles closed the public hearing at 9:52 p.m.

Moved by Commissioner Whitaker, involving case SUP16-01, to approve the Special Use Permit as conditioned since the findings of fact have been met.

The motion was seconded by Commissioner Hodge and carried by unanimous vote.

Proposed order for approval of the Elementary School renovations.

It was moved by Commissioner Whitaker to approve the order of findings of facts providing approval for the Rolesville Elementary School renovations. Motion was seconded by Commissioner Hodge and received a unanimous vote of approval.

Consideration of the draft agenda for the Town Board meeting on March 7, 2016

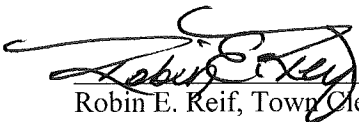
Willoughby Annexation Resolution to direct Clerk to Certify Sufficiency to be included on the March 7, 2016 Town Board meeting agenda.

ADJOURNMENT

Upon a motion by Commissioner Whitaker; second by Commissioner Hodge, the meeting was adjourned by unanimous vote. The meeting adjourned at 9:56 p.m.


C. Frank Eagles, Mayor

ATTEST:


Robin E. Reif, Town Clerk

