

TOWN OF ROLESVILLE  
REGULAR MEETING OF THE  
TOWN BOARD

JANUARY 20, 2015  
MINUTES

**PRESENT:** Frank Eagles, Mayor  
Ronnie Currin, Commissioner  
Betty Whitaker, Commissioner  
Bryan Hicks, Town Manager  
David York, Town Attorney  
JG Ferguson, Parks & Rec Director  
Matt Klem, Town Planner  
Mick Michael  
Bill Floyd  
Frank Pearce  
Constance Mitchell  
Ellen Ransom  
Cheryl Barrows  
Donna Roberts  
Paul Finks  
Keith Burns  
Clellie Allen, The Wake Weekly

Frank Hodge, Mayor Pro Tem  
Gil Hartis, Commissioner  
Shannon Whitley, Commissioner  
Leslie Rudd, Town Clerk  
Thomas Lloyd, Planning Director  
Bobby Langston, Int. Police Chief  
Jon Callahan  
Brenda Floyd  
Tricia Rogers  
Allen Mitchell  
Phil Hoft  
Carl Simmons  
Marshall Finks  
Tanya Hollenbeck  
Josh Lambert

**Call to Order**

Mayor Frank Eagles called the meeting to order and led the pledge of allegiance. Commissioner Shannon Whitley gave the invocation.

**Approval of the Agenda**

With no changes noted, Commissioner Whitley made the motion to approve the agenda as presented. Commissioner Gil Hartis seconded the motion, which passed unanimously.

**Public Comments**

Ellen Ransom asked if there was an ordinance regulating the light pollution from neighborhood street lights. She voiced concern for the light pollution from the Heritage East subdivision.

Planning Director Thomas Lloyd confirmed that the current town ordinance regulates external lighting, but does not specify street lights. Mayor Eagles asked staff to research this further.

Ms. Ransom also said that there is nothing in writing defining what makes Rolesville unique as well as any plans to preserve the community's character.

**Public Hearing for Case MA14-05 involving a Zoning Map Amendment on 53.88 Acres on Rogers Road from R-1 to R-2 SUD**

Mayor Eagles opened the public hearing.

Mr. Lloyd reviewed the request by HH Hunt and the Rogers Family Trust to rezone a 53.88 acre parcel along Rogers Road for residential development. The proposed development calls for an 88-lot subdivision. He added that, if approved, the town would expect an annexation request for the subdivision in the future.

Mr. Lloyd noted that this map amendment request should be considered independently from the development plans.

Town Attorney David York called for comments from the applicant.  
The applicant had no comments.

Mr. York called for comments from the public in favor of the request.  
There were no comments from the public.

Mr. York called for comments from the public opposed to the request.  
There were no comments from the public.

Mayor Eagles closed the public hearing.

Commissioner Whitley made the motion involving case MA14-05 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 Medium Density residential use, and the request is to place the property under the R-2 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 use or future development of nearby properties.

Commissioner Hartis seconded the motion, which passed unanimously.

**Public Hearing for Case SUP14-03 involving a Special Use Permit Request to Develop an 88-lot Subdivision located on Rogers Road**

Mayor Eagles opened the public hearing.

Mr. York explained the process for this quasi-judicial proceeding.

Mr. York asked the board members: Is any member here predisposed to vote a particular way on this matter such that their opinion is fixed and the evidence presented at this hearing is not likely to influence their decision?

All answered, No.

Mr. York asked the board members: Has any board member discussed this matter with either proponents, opponents or others outside of this hearing?

All answered, No.

Mr. York asked the board members: Is any member here not able to make their decision solely based upon the evidence presented at the hearing?

All answered No.

Town Clerk Leslie Rudd swore in Jon Callahan, Mr. Lloyd, Town Manager Bryan Hicks, Tanya Hollenbeck, Keith Burns, Josh Lambert and Ms. Ransom.

Mr. Lloyd reviewed the special-use permit request made by HH Hunt on behalf of the Rogers Family Trust to develop a 53.88 parcel on Rogers for residential use, to include an 88-lot subdivision with 13 acres of open space use, six acres of which would be dedicated for recreation. Mr. Lloyd also noted that the subdivision plans to connect internally to the Heritage East subdivision on Freeman Farm Way. Plans call for one entrance on Rogers Road, with a second entrance also planned. Staff recommends that the town hold the bond on the developer to pay for the proposed second entrance.

Mr. Hicks also noted that there is no buffer, only a 25 foot setback proposed between the subdivision and the Mitchell property.

Mayor Eagles asked if the board could require an additional buffer between the subdivision and the Mitchell property. Mr. York said the board could require this if it strengthens or supports the required findings of fact for approval of the special-use permit request.

Mr. Hicks added that, although the Planning Board recommended the condition of a reduced speed limit to 35 mph in front of the subdivision, staff recommends the speed limit remain at 45 mph.

Ms. Ransom asked if there are plans for a continued berm in front of the subdivision that would be congruent with the existing berm in front of the Heritage subdivision. She recommended detailed plans for the berm design be included in the plans. Mayor Eagles agreed that written details of these plans be included.

Mr. York called for comments from the applicant.

Attorney Keith Burns, representing HH Hunt, asked that Jon Callahan be entered into the record as an expert witness. Mr. York and the board agreed.

Mr. Burns reviewed the findings of fact with Mr. Callahan, who agreed that the proposed development meets all the requirements.

Commissioner Frank Hodge asked if the plans include emergency vehicle access that can accommodate a larger ladder truck. Mr. Callahan confirmed that the accesses can accommodate such vehicles. He added that design templates submitted by the Rolesville Fire Department were included in the site plans.

Mr. Burns called Josh Lambert, asking that he also be entered into the record as an expert witness. Mr. York and the board agreed.

Mr. Burns asked Mr. Lambert if the proposed development would injure the value of the adjoining properties. Mr. Lambert presented valuation estimates of comparably sized

homes in the neighboring Heritage East subdivision. He added that the property's development conditions call for a higher price point and that staff conditions support that price point.

Mr. Burns requested approval of the special-use permit request based on the testimony presented.

Mr. York called for comments from the public in favor of the proposed special-use permit. There were no comments from the public.

Mr. York called for comments from the public opposed to the special-use permit request.

Ms. Ransom said she felt the impact to the neighboring Mitchell property is being ignored. She felt this development would impact the Mitchells' use and enjoyment of the property as well as future land use potential.

Ms. Ransom also asked about greenway access in the subdivision and the continuation of the plans to pave the greenway trail. She called for the developers to complete that work.

Tanya Hollenbeck said she has concerns about the potential increased traffic connection to Freeman Farm Way and its impact on safety in her neighborhood.

Mr. Lloyd said the reason for the connection between the subdivisions is to promote walkability and to increase emergency vehicle access.

Commissioner Betty Whitaker said that she understands the concern but the board needs to look at the larger picture of emergency response. With one entrance from Rogers Road into the proposed subdivision, it increases the response time for first responders; the Freeman Farm Way subdivision would offer easier access.

Mayor Eagles closed the public hearing.

Commissioner Whitley made the motion involving case SUP14-03 to approve the special-use permit application because all the findings of fact have been met. Commissioner Hartis seconded the motion.

Commissioner Hodge said he is sympathetic to the loss of a family farm to development. He further added that the connectivity plan between the subdivisions is necessary for emergency access.

The motion passed unanimously.

Commissioner Hartis called for a five minute recess.

**Public Hearing for case TA14-08 involving a Staff initiated Text Amendment to Revise the UDO, Requiring and Regulating Centralized Mail Service Centers in New Developments**

Mayor Eagles opened the public hearing.

Town Planner Matt Klem briefed the board on the staff request for a text amendment that would require all new developments to add centralized mail service centers per the new US Postal Service regulation.

Commissioner Ronnie Currin said he has concerns about seniors and the disabled accessing these mail centers.

Mayor Eagles said there should be two in larger subdivisions and they need to be strategically located.

Commissioner Currin asked for an amendment to the proposed text change that would exclude senior housing from this requirement.

Commissioner Whitley noted that the Town Board approves the site plans for new developments and therefore could dictate where the mail centers are located.

Mr. Klem also noted that all of the mail kiosks are subject to the USPS's final approval.

Mr. Lloyd noted that this regulation is addressed to new single-family subdivisions, not apartment.

Mayor Eagles asked how apartments should be addressed with regards to the new USPS regulation.

Mayor Eagles closed the public hearing.

Commissioner Whitley made the motion involving case TA14-08 to approve the text amendment, along with the following consistency statement:

The proposed text amendment is neither consistent nor inconsistent with the Comprehensive Plan and is reasonable and in the public interest, because of the following:

1. The Comprehensive Plan does not contain any statement encouraging periodic updates of the UDO to reflect changes in law.
2. It is reasonable and in the public interest for the Town to amend the UDO from time to time to keep it consistent with changes in the law. The USPS now requires cluster mailbox units (CBUs) in all new subdivisions and new phases of existing subdivisions.

Commissioner Whitaker seconded the motion, which passed 3-1, with Commissioner Currin dissenting.

Mayor Eagles instructed staff to draft an amendment to the text that would address further accommodations for senior facilities.

### **Discussion of Impact Fee Fund Balances and the Current Fee Schedule**

Mr. Hicks reviewed with the board the allowed fees in accordance with state law, which include: water and sewer, parks, thoroughfares and the Powell Bill.

The average fee cost per new home is \$10,429. Of that, \$3,437 goes to Raleigh, \$6,992 goes to Rolesville.

Mr. Hicks also reviewed the total amount in reserves: \$121,000 in water, \$39,000 in sewer, \$1.03 million in parks and recreation, \$497,000 in thoroughfare and \$382,000 in Powel Bill funds. He noted that thoroughfare and Powell Bill funds must be used for roadway construction and repair.

Mr. Hicks asked the board to consider these numbers and offer direction to staff on prioritizing projects while they update the town's Capital Improvements Projects plan.

Commissioner Whitaker asked what could be done with water and sewer funds. Mr. Hicks suggested the town could pay for an extension of City of Raleigh water and sewer to areas that would attract business.

### **Consideration of the draft agenda for the February 2 Town Board Meeting**

No changes were made to the proposed agenda.

### **Closed Session**

Commissioner Hodge called for a closed session pursuant NCGS § 143-318.11(5) to discuss real estate acquisition and the purchase details of 106 N. Main Street.

Commissioner Whitley made the motion to go into closed session. Commissioner Hartis seconded the motion, which passed unanimously.

### **Adjournment**

With no further business, Commissioner Hartis made the motion to adjourn.

Commissioner Whitley seconded the motion, which passed unanimously.

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Leslie Rudd, Town Clerk

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C. Frank Eagles, Mayor