

TOWN OF ROLESVILLE
REGULAR MEETING OF THE
TOWN BOARD

MARCH 17, 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
Clellie Allen, The Wake Weekly
Jessie & Faye Gay
Mary Beth Webb, MB's Tasty Pastries
Linda Eddins, Heritage Market
Rich Ponzio, Boy Scout Troop 141
Larry & Donna Fuller, Boy Scout Troop 141
Boy Scout Troop 141 members:
Riley Carino, Zackery Feick, Tanner DeBernardo, Jon Couchois, Luc Henry,
Matthew M., Mitchell Bardgley, Noah Bowen, Alex Seagraves, Vinny Ponzio
William Epstein, David Carter, Dillon Swenson, Jacob Rabon, Grayson Sakell,
Cameron B.

Frank Hodge, Mayor Pro Tem
Gil Hartis, Commissioner
Shannon Whitley, Commissioner
Lynn House May
Thomas Lloyd, Planning Director
Bobby Langston, Police Chief
Sherwood Bobbitt, Chamber President
Bob Jones, Stone Water Subd. Developer
Greg Couchois, Boy Scout Troop 141 leader
Darren Epstein, Boy Scout Troop 141 leader

Call to Order

Mayor Frank Eagles called the meeting to order and led the pledge of allegiance. Mayor Eagles also welcomed Boy Scout Troop 141. Commissioner Currin gave the invocation.

Mr. Sherwood Bobbitt, Chamber President updated the Town Board on fundraising events for the 4th of July.

Approval of the Agenda

Mayor Eagles asked for approval of the March 17, 2015 agenda. Commissioner Whitley moved for approval of the March 17, 2015 agenda. Commissioner Whitaker seconded the motion. Approval was unanimous.

Regular Agenda

Public Hearing Case MA15-02 Involving a Map Amendment to Change Zoning of 0.66 Acres (Burlington Mill Road and Forestville Road) from R-1 to CO

Mayor Eagles opened the public hearing.

Mr. Lloyd, Planning Director presented the request for the map amendment to rezone a 0.66 acre portion of a tract of land from R-1 PIN 1749715258 (at the intersection of Burlington Mill Road and Forestville Road) to CO. This would allow for an expansion of the use for a second business and correct a

nonconforming use. Mr. Lloyd's power point showed maps of the property. Mr. Lloyd reported the applicant held a neighborhood meeting on January 13th to discuss their project and the Rolesville Planning Board voted unanimously to recommend approval of the map amendment at their January 26th meeting.

Mr. David York, Town Attorney called for comments from applicant. Ms. Linda Eddins stated she was here to answer any questions.

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

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

Mayor Eagles closed the public hearing.

Commissioner Hodge made the motion involving case MA15-02 to approve the proposed map amendment, along with the following consistency statement. The proposed zoning map amendment is not consistent with the Comprehensive Plan but is reasonable and in the public interest, because 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 Whitley seconded the motion. Approval was unanimous.

Public Hearing for case MA15-01 Involving a Map Amendment to change the zoning of 15.92 acres (on Forestville Road as an Extension of Stonewater Subdivision) from R-1 to R2-CZ (including a Preliminary Plan)

Mayor Eagles opened the public hearing.

Mr. Lloyd, Planning Director presented the request to change the zoning of 15.92 acre tract of land from R-1 to R2-Conditional Zoning with a preliminary subdivision plan for 13 lots. This property is located off Forestville Road (Wake County PIN 1749737967). Mr. Lloyd's power point also showed maps of the property. Mr. Lloyd reported the open space provided is 9.45 acres, of which 4.05 acres is suitable for recreation. Mr. Lloyd said staff recommends dedication of open space to HOA instead of Town acceptance. Mr. Lloyd included the conditions of approval:

1. All Town of Rolesville UDO requirements will be met
2. The open space land requirement shall be dedicated to the Home Owner's Association.
3. General architectural requirements of the neighborhood will be governed by the recorded conditions, covenants, and restrictions. The guidelines shall be at minimum:
 - a. Trees: Each single family detached lot shall contain a minimum of 3 trees. All trees shall have a caliper of 2.5 inches or greater. At least one tree shall be evergreen and at least one shall have ornamental blooms. Corner lots should have additional trees where appropriate on the street side yard.
 - b. Fences: Fences should be the appropriate material and design for the lot and style of the house. No chain link fences.

- c. Mechanical equipment: Mechanical equipment (HVAC) should be screened out of view from the street with fencing, landscape, or a combination of the two.
 - d. Skylights are not allowed on the main roof street elevation but are allowed on secondary roofs and the back side of the main roof.
4. All homes shall be designed to minimize the appearance of front loading garages by utilizing porches, covered entrances, or other architectural features to add dimensions to the front facade.
 5. All of the homes with front loading garages for two or more cars shall have a separate single garage door for each car the garage is designed to hold.
 6. All homes shall have a crawl space type foundation.
 7. All homes within the subdivision shall have a minimum of 2,500 heated square feet.
 8. All houses shall have sheathing that is ½ inch or greater “OSB”, “Densglass”, or other similar materials. No “thermoply” or narrow wall panel structural sheathing will be permitted. All garages shall be completely dry walled for fire and energy rating purposes.
 9. Waste created as properties are developed, will be deposited into proper containers so has to reduce the chance of litter on to adjacent properties.
 10. The developer shall install a 6’ high dark brown vinyl fence along the entirety of the project’s shared boundary with PIN 1749648131 (Gay) and 1749638841 (Hill) as per the plan.

Mr. York, Town Attorney asked about the signed zoning conditions and Mr. Hicks, Town Manager stated there is a sign copy of the zoning conditions in Mr. Lloyd’s office.

Mr. Lloyd reported the Rolesville Planning Board voted unanimously to recommend approval of this map amendment and preliminary subdivision plan at their January 26th meeting.

Mr. David York, Town Attorney called for comments from applicant. Mr. Bob Jones, developer of Stonewater Subdivision stated he was here to answer any questions. Commissioner Currin asked if the Stonewater Subdivision’s HOA covered the proposed 13 lots. Mr. Bob Jones, said there would be one single home owners association (HOA) for the Stonewater Subdivision including these 13 lots.

Commissioner Hodge asked how long before Stonewater Subdivision is finished. Mr. Jones stated 2 to 3 years to develop all the lots. Commissioner Hodge said he wanted an idea because of planning for fire and police protection in the future. Mr. Hicks stated this would not change the present fire study being done.

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

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

Mayor Eagles closed the public hearing.

Commissioner Hodge made the motion involving case MA15-01 to approve the proposed map amendment and preliminary plat as conditioned, 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-CZ 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 continue use or future development of nearby properties.

Commissioner Hartis seconded the motion. Approval was unanimous.

Public Hearing Case D15-01 Site Plan to consider a Proposed Site Plan to Construct and Operate a 24' x 8' Ice Vending Machine at 500 South Main Street

Mayor Eagles opened the public hearing.

Mr. York, Town Attorney explained the process for this quasi-judicial proceeding. Mr. York asked the Town Board: 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 Town Board Commissioner's answered no.

Mr. York asked the Town Board: Has any Town Board member discussed this matter with either proponents, opponents or others outside of this hearing? All Town Board Commissioner's answered no.

Mr. York asked the Town Board: Is any member here not able to make their decision solely based upon the evidence presented at the hearing? All Town Board Commissioner's answered no.

Mr. York swore in Mr. Thomas Lloyd, Mr. Kirk Parker, owner and Mr. Michael Kane, engineer.

Mr. Lloyd, Planning Director reviewed the site plan request to allow the construction of a 24' x 8' ice vending machine at the Rolesville Car Wash site at 500 South Main Street (PIN1758793130). Mr. Lloyd noted the highlights of the site plan, 2 parking spaces one is handicap accessible; brick facades visible from right of way; LED wall pack lighting; existing double head pole light for parking lot and marked pavement directions. Mr. Lloyd showed pictures of ice machine facility in Zebulon.

Mr. Lloyd reported the TRC reviewed and commented on this project on January 7th and their comments were used in this version of the plan. A community meeting was held January 18th to discuss this project.

Mr. David York, Town Attorney called for comments from applicant. Mr. Parker said he would answer any questions.

Commissioner Hodge asked if the ice machine was open 24 hours and 7 days a week. Mr. Parker said yes.

Mr. York instructed that in Section 3.6.2 of the UDO, the Town Board must make the findings, based on evidence and testimony received at this public hearing in order to approve any special use permit or site plan request.

Commissioner Hartis wanted to know who inspects the ice machine in the future. Mr. Parker stated there is a full time technician that visits the machine and sanitizes the unit before he leaves. Mr. Parker also said it is tested quarterly and the Agriculture Department inspects it randomly.

Mr. Parker explained about the cost of ice; you can buy ice in bag or bulk and the ice machine is not owned by the car wash.

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

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

Commissioner Hodge asked what the biggest problem with this type of business is. Mr. Parker said people thinking they are getting bagged ice and pressing wrong button getting bulk ice. There are no safety problems. Mr. Parker said the machine can be monitored remotely.

Mr. York, Town Attorney said the application for this site plan should be part of the record.

Mayor Eagles closed the public hearing.

Commissioner Currin made the motion involving case D15-01 to approve the proposed site plan. Commissioner Whitaker seconded the motion. Approval was unanimous.

Public Hearing Case TA14-09 Involving a Text Amendment to Revise Article 11 of the UDO Sign Ordinance as Requested by the Rolesville Chamber of Commerce

Mayor Eagles opened the public hearing.

Mr. Lloyd gave his power point presentation explaining members of the Chamber had expressed concerns after the Town Board approved the rewritten sign ordinance in 2014. The Chamber discussed and were allowed to propose amendments to this sign ordinance. The Chamber submitted their proposed amendments at the November 2014 Planning Board meeting and Town staff has been researching the proposed changes. The main changes are for two types of signage; the sandwich boards and feather flags. Mr. Lloyd reported on requirements for use of these two types of signs. Feather signs are limited to one per business and a business may have up to two sandwich boards.

Mr. Lloyd reported the Planning Board at the January 2015 meeting recommended the additional signs only be allowed by temporary permit and be renewed annually. The Planning Board recommended approval with these changes.

Commissioner Currin asked about sign permits for these two types of temporary signs. Mr. Lloyd said both signs would be covered by one sign permit if submitted by applicant at same time for a business.

Mr. David York, Town Attorney called for comments from applicant. Mr. Sherwood Bobbitt reported the Rolesville Chamber had been working on this for a year and feels it covers the existing signs.

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

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

Boy Scout Troop 141 leader, Mr. Darren Epsten said he just had a question mostly for the boy scouts information; who enforces the sign ordinance? Mr. Hicks stated the Town staff keeps records of permits and signs. Staff goes out to businesses to make them comply. Mayor Eagles said violations can be reported to staff by citizens, Commissioners and the Mayor.

Mayor Eagles closed the public hearing.

Commissioner Whitley said she thinks allowing a feather sign plus 2 sandwich boards for each business in a shopping center would be too many. Mayor Eagles said people complained about too many signs along the highway already. Commissioner Currin said there should be a limit of signs along the right of way. After much discussion the Town Board asked staff to reword and bring back to the Town Board.

Public Hearing Case TA-15-02 Involving a Town Code Text Amendment to Regulate Cut Through Traffic at Corner Businesses

Mr. Hicks, Town Manager explained the problem with vehicles cutting through business parking lots to avoid stoplights. Mr. Hicks reviewed the proposed ordinance amendment to regulate this problem and showed the sign that would be posted. There are several locations where vehicles try this but the CVS area would be posted first.

Chief Langston said the Police Department would have a 90 day education period before issuing tickets.

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

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

Mayor Eagles closed the public hearing.

Commissioner Whitley made the motion involving case TA15-01 to approve the proposed text change. Commissioner Currin seconded the motion. Approval was unanimous.

Consideration of the Draft Agenda for Town Board Meeting April 6, 2015

Mayor Eagles asked for the revised sign ordinance to be added to April 6th agenda.

Closed Session

At 8:33 PM Motion to enter closed session pursuant to NCGS 143-318.11(a)(6) to give instructions to the town attorney concerning a potential real estate acquisition involving property near the intersection

of Young Street and Main Street ,was made by Commissioner Hodge, seconded by Commissioner Whitaker; the vote on the motion was unanimous.

Adjournment

At 9:09 PM Motion to come out of closed session was made by Commissioner Whitley, seconded by Commissioner Whitaker; the vote on the motion was unanimous.

At 9:09 PM Motion to adjourn was made by Commissioner Whitley, seconded by Commissioner Hodge; the vote on the motion was unanimous.

Lynn House May

C. Frank Eagles, Mayor