

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

August 18, 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

Frank Hodge, Mayor Pro Tem
Gil Hartis, Commissioner
Robin Reif, Town Clerk
Thomas Lloyd, Planning Director
Bobby Langston, Police Chief
Orlando Soto, Police Captain

CALL TO ORDER

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

APPROVAL OF THE AGENDA

Mayor Eagles asked for approval of the August 18, 2015 called meeting agenda. On a motion by Commissioner Whitaker, second by Commissioner Whitley, the approval of the August 18, 2015 called meeting agenda carried by unanimous vote.

APPROVAL OF THE CONSENT AGENDA

Mayor Eagles called for the approval of the consent agenda consisting of the following:

- Contract for the Parks and Recreation Department's online registration service.

On a motion by Commissioner Whitaker, second by Commissioner Whitley, the approval of the consent agenda carried by unanimous vote.

PUBLIC COMMENTS

None

REGULAR AGENDA

Public Hearing: Case MA15-06: Proposed map amendment to change the zoning of 62.84 acres off of Averette Road from R&PUD to R2-SUD and R40W

Mayor Eagles opened the public hearing at 7:01 p.m.

Planning Director Thomas Lloyd

Director Lloyd provided an overview of the proposed amendment submitted in conjunction with a special use permit application. Director Lloyd stated he had submitted the letter to NCDENR requesting to move the watershed boundary on authority given by the board in its July 6th regular meeting. The NCDENR committee approved the request.

Director Lloyd reported on the following:

- Rezoning consistency with HUD
- Amendment would lessen the density to lower than that of the planned unit development (PUD)
- Street connectivity
- Resolution of watershed issues
- Landscaping in front strip left from watershed
- NPDES Phase II stormwater regulations are already in compliance

Comments from the Applicant

Curtis Thompson spoke representing developer Bill Clark Homes. Calling attention to the site plan, Mr. Thompson stated that the plan is consistent with neighboring communities. Mr. Thompson touched on traffic studies and the developer's intent that any potential issues be resolved satisfactorily.

Comments from Public

In response to questions posed by a resident of Jones Dairy Road, Town Manager Bryan Hicks explained the expected future travel of stormwater after completion of the development.

Mr. George Garcia of 524 Averette Road addressed the board asking if wastewater and drinking water will be required and supplied by the City of Raleigh and expressed that low income residents nearby to the proposed development are concerned of possible impact from reassessments for tax valuation. Town Manager Bryan Hicks explained that the water will flow in to the Smith Creek watershed and that Wake County is performing county-wide reevaluations as is done every eight years apart from any new development. Mr. Hicks added that utilities are an enterprise thus not a shared cost. Lastly, Mr. Garcia suggested the town utilize an automated system for mass calling for use in notifying citizens of meetings. It was noted that, as a standard, the board has held meetings for years on the first Monday and third Tuesday of each month.

There was no rebuttal from the applicant.

As there was no one else wishing to speak, Mayor Eagles closed the public hearing on Case MA15-06 at 7:20 p.m.

Upon a motion by Commissioner Whitley; second by Commissioner Hartis involving case MA15-06, 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 the Comprehensive Plan recommends that the property be zoned for planned residential uses, and the request is to place the property under the R2-SUD zoning district which allows such uses; and 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* passed by unanimous vote.

Public Hearing: Case SUP15-04 (quasi-judicial): Proposed special use permit for a preliminary subdivision plan for 115 single family dwellings

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 potential predispositions. Upon receiving satisfactory responses from all board members, Town Clerk Robin Reif swore in those persons in attendance wishing to provide testimony.

Mayor Eagles opened the public hearing at 7:24 p.m.

Planning Director Thomas Lloyd

Director Lloyd presented case documentation for the proposed special use permit application from Bill Clark Homes for property located in Averette Farms.

Comments from Applicant

In response to queries, Landon Weaver of Bill Clark Homes explained that chat walks are paved trails that are more of an a-to-b connection or cut-through recorded over easements. Through the Technical Review Committee process, Parks and Recreation brought the advisory board together and greenway connections were recommended. Mayor Pro Tem Hodge asked if buyers were notified that chat walks may be next to their houses to which Mr. Weaver answered that chat walk installations would be performed prior to homes being sold.

Mr. Weaver reported that one mail kiosk would be constructed upon recommendation by the United States Postal Service. Also noted was that addresses will be identifiable according to building code.

Planning Director Thomas Lloyd provided a summary indicating the plan is consistent with the Unified Development Ordinance (UDO) for R2 lot size, signs, sidewalks and riparian buffers as was presented in the staff report provided to council in the meeting's agenda packet.

Public Questions of Staff

George Garcia, of 524 Averette Road asked what the long term plans were and if the size of the subdivision would escalate. Upon being deferred to by staff, applicant Landon Weaver of Bill Clark Homes stated that the builder has only contracted for the land under discussion this evening, adding that expansion is possible down the road be it Bill Clark Homes or another builder.

Evidence from Applicant

Curtis Thompson, Attorney representing Bill Clark homes, qualified Landon Weaver as an expert in land development. The board accepted Mr. Weaver as an expert witness in land development.

Mr. Weaver spoke on the following topics:

- Value
- Utilities
- Recommendations
- Traffic flow
- Encroachment agreements from NCDOT
- Emergency services vehicle ingress/egress
- Connection of Jones Dairy with Sweet Clover in ETJ and not in Wake County jurisdiction as is a state road
- Timeframe: projected build-out subject to market conditions. Anywhere from 3-5 years
- HOA in place before first house is built
- Park to be turned over to the HOA for maintenance. Builder to remain the declarant until completion to maintain ARC (architectural control).

Comments from Public

George Garcia 524 Averette Road asked what the density per acre will be and if the builder has ever received any negative comments during its construction of other subdivisions. Mr. Weaver responded 2.6 and no respectively. Mr. Weaver added that Bill Clark Homes always does what they say and they are going to address issues as they are presented.

As there was no one else wishing to speak, Mayor Eagles closed the public hearing at 8:01 p.m.

Upon a motion by Commissioner Whitley; second by Commissioner Currin involving case SUP15-04, the Special Use Permit as conditioned was approved by unanimous vote as the findings of fact have been met.

The board resumed the meeting following a short recess.

Discussion and consideration of a Memorandum of Understanding (MOU) with the NC State Highway Patrol involving the Rolesville Bypass

Town Manager Bryan Hicks reported that the MOU is being proposed in response to the impact of the new bypass on the police department. Expansion of jurisdiction of roads is limited by statutes. Changes were outlined as recommended by Town Attorney David York.

Commissioner Whitaker expressed concerns for coverage/manpower. Police Chief Bobby Langston explained his action to adjust resources by splitting the town into zones which will provide sufficient coverage in advance of the covering of the roads outlined on the map provided. Of utmost concern is the prevention of fatalities due to accidents. Impact to manpower is unknown but measures are being taken in order to prevent all police vehicles from being on the bypass at the same time. Enforcement is to reduce crashes and will be for traffic only, not crimes. The grant application for a *DWI* officer was denied. Plans are to apply again in January for a *traffic officer* when application opportunities open again.

NCDOT made adjustments to signalization which has made matters worse. Several crashes have been worked by the police department in front of town hall. NCDOT is to adjust the signals again.

Moved by Commissioner Hartis to approve the Memorandum of Understanding (MOU) as proposed and forward the document onto the NC State Highway Patrol for consideration and execution. Authority is also to be given to the Town Manager and Town Attorney to work out details on potential changes to the wording; second by Commissioner Whitley. Motion received a unanimous vote.

It was noted that the 35mph to 55 mph speed sign is missing at the location of the nursery going south on Main Street. Staff is to follow up.

Consideration of the Draft Agenda for Town Board Meeting to be held September 8, 2015

Mayor Eagles asked for any changes to the draft agenda for the September 8, 2015 Town Board meeting.

Town Manager Bryan Hicks reminded those present of the 5:30 meeting with Wake County on transit for those that can make it.

Attorney David York requested his presentation of the draft sign ordinance be moved from item #10 on the agenda to *Attorney Report*.

Mayor Eagles reported on the recent "Growing Pains" forum. The Mayor also reported a complaint had been received that there are not enough cross-walks in Rolesville. Town Manager Bryan Hicks is to communicate this to NCDOT.

CLOSED SESSION

Upon a motion by Mayor Pro Tem Hodge, second by Commissioner Whitaker and unanimous vote, the board entered closed session at 8:34 p.m. following a five minute recess pursuant to NCGS 143-318.11(a)(5) to give instruction to town attorney involving property near Southtown Circle.

RETURN TO OPEN SESSION


A motion to come out of closed session was made by Mayor Pro Tem Hodge, seconded by Commissioner Whitley. Motion to return to open session received a unanimous vote.

ADJOURNMENT

Upon a motion by Commissioner Whitley; second by Commissioner Whitaker, the meeting was adjourned by unanimous vote. The meeting adjourned at 9:19 p.m.


Frank Eagles, Mayor

ATTEST:


Robin E. Reif, Town Clerk

