

**REGULAR MEETING OF THE  
TOWN OF ROLESVILLE  
PLANNING BOARD  
September 23, 2019**

**PRESENT:** Mark Powers, Mike Moss, Frank Pearce, Jim Westbrook, Jim Schwartz, Ruth Payne, Donnie Lawrence, Planning Director Danny Johnson and Town Attorney David York

**CALL TO ORDER**

Chairman Mark Powers called the meeting to order at 7:00 p.m.

**INVOCATION**

Board Member Moss gave the invocation.

**PLEDGE OF ALLEGIANCE**

The board collectively recited the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Upon a motion by Board Member Pearce and second by Board Member Lawrence the minutes of August 26, 2019 were approved by unanimous vote.

**UNIFIED DEVELOPMENT ORDINANCE MAP AMENDMENT: MA19-02**

Planning Director Danny Johnson provided a recap of the previous consideration of the case by the Planning Board. The applicants' original Map Amendment request was for the R&PUD district. The Planning Board considered this request and recommended denial. The applicants have since updated their petition to request a different district, Residential and Planned Unit Development Conditional Zoning District (R&PUD - CZ). This change in zoning district includes the proposed zoning district conditions. This change requires the case to return to the Planning Board for further consideration.

*Jason Barron with MorningStar Law Group, attorney for the applicant*

Mr. Barron listed those present on behalf of the applicant, namely:

1. Carl Blackley, Preston Development, controlling arm of Mitchell Mill Investors, applicant along with adjacent property owners.
2. Jay Gilleece and Barbara Todd, Gilleece & Associates, Land Planning and Engineering.
3. Matt Peach, Senior Transportation Engineer with Stantec who performed the Transportation Impact Analysis (TIA).

Mr. Barron highlighted items from the planning staff's presentation indicating the case should receive approval; and identified the two additional conditions conveyed to the applicant by Town Manager Kelly Arnold on behalf of the Town of Rolesville Board of Commissioners, namely:

1. Rolesville has a need for middle-income housing which the proposed development consisting of smaller-lot, single-family residential and townhomes would address.
2. The comprehensive plan recommends 3-5 units per acre for the parcel. The applicant has offered a conditional 2.1 dwelling units per acre and, according to traffic studies; traffic impact analysis indicated exceptionally lower numbers at the restricted density level.
3. Applicant has included conditions in the zoning case that address traffic impact mitigations offered in association with the development to include onsite traffic mitigations as well as to construct and install a traffic signal at the intersection of Mitchell Mill and Rolesville Road if warranted.
4. The signal will have a steel mast arm instead of wood.
5. The greenways will be constructed by the developer and dedicated to the Town.
6. 250% of the code required open space will be preserved.
7. Offered to cap the number of townhomes at 110.

In addition, the three entrances to the subdivision that are part of the special use permit application were pointed out to the Planning Board members by Planning Director Danny Johnson.

*Jay Gilleece, H.J. Gilleece & Associates Cary, NC*, engineer for the development, spoke regarding offsite extension of a major sewer line that will tie on to Harris creek and the extension of a 7,2300 of a 16" water line that goes to from the High School and crosses the property as a major trunk line. Widening would all be done at one time even though water and sewer extensions and hookups will be done in stages governed by stormwater regulations.

Matt Peach, Senior Transportation Engineer with Stantec Consultant Services spoke on questions posed concerning the Traffic Impact Analysis (TIA) and traffic warrant analysis and the schedule of warranted signal.

*Mr. Klinker* asked if Stantec considered traffic flow up to include Mitchell Mill Road in the vicinity of Woods Crossing (coming out and turning left) when determining traffic impact.

*Eric Tengowski, 3536 Catlett Farm Road, Wake Forest, NC*

Mr. Tengowski voiced his opinion that the traffic study did not take in to consideration growth projections, traffic trends and traffic patterns.

*Carlyle Woodlief, 1321 Rolesville Road*

Longtime resident and farmer Carlyle Woodlief spoke regarding his concern for potential traffic impacts to roads now used to transport farm equipment and local residents who have lived in the area for generations and remained there to enjoy the peace, quiet, serenity, and wildlife of what is mostly farmland and larger lot homes.

*Gayle Woodlief Stallings, Woodlief Family Farms, across from 1501 Rolesville Road*  
Ms. Stallings read from a list of points upon which she was in opposition and distributed same to the Planning Board members. Opposition list incorporated herein by reference.

Moved by Jim Schwartz to not recommend that the Town of Rolesville Board of Commissioners approve the rezoning request under Case MA19-02 and reminded those present that the Planning Board's role is advisory only. Board Member Schwartz stated in his motion that the petition is consistent with the Rolesville Comprehensive Plan because it meets the requirements but is not in the public interest and the proposed conditions of the Conditional Zoning district are not compatible with the surrounding area. The motion was seconded by Planning Board Member Payne. Motion failed with the following vote:

Ayes: Schwartz, Payne

Noes: Pearce, Westbrook, Powers, Moss, Lawrence

Moved by Planning Board Member Moss to recommend that the Town Board of Commissioners approve the requested rezoning of MA 19-02 as amended. The petition is reasonable and in the public interest because the Residential and Planned Unit Development Conditional Zoning district (R&PUD-CZ) incorporates a mix of land-use types. The proposed conditions of the Conditional Zoning district will encourage compatibility with the surrounding area. The petition is consistent with Rolesville's Comprehensive Plan because it addresses a gap in housing diversity by offering a range of home products. The Residential and Planned Unit Development district is also consistent with the Future Land Use Map's call for medium density residential. The motion was seconded by Planning Board Member Pearce and carried by the following vote:

Ayes: Pearce, Westbrook, Powers, Moss, Lawrence

Noes: Payne, Schwartz

Planning Board Member Pearce noted that there was some opposition on the case and that some members of the public would leave unhappy with the Planning Board's decision on a recommendation to the Town Board. Addressing the audience, Board Member Pearce explained that the Board was obligated to approve cases for favorable recommendation when such case's conditions have been met.

### **UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT: TA19-02**

Planning Director Danny Johnson provided an overview of the proposed UDO amendments under Case: 19-02.

Moved by Planning Board Member Lawrence to favorably recommend to the Town Board of Commissioners to approve the requested Text amendment 19-02 to change Unified Development Ordinance (UDO), Amendment to Article 5: Use and Dimensional Standards, Section 5.5, Accessory Uses; to add a new Subsection 5.5.13: School Modular

Units. The request is reasonable and in the public interest; the change is consistent with the Rolesville Comprehensive Plan to allow provisions to address the security issues and aesthetics of school modular units being permitted in Rolesville's Planning and Zoning jurisdiction; seconded by Planning Board Member Schwartz. Motion carried by unanimous vote.

Moved by Planning Board Member Schwartz to reconsider; seconded by Planning Board Member Payne. Motion to reconsider carried by unanimous vote.

Town Attorney David York pointed out the difference in what was presented to the Town Board during its meeting and what the Planning Board was asked to consider by the Town Board to include change in use statement(s) as follows:

(F) Change in Use

In the event a modular unit existed on school property prior to April 30, 2019, a zoning permit in compliance with the section shall be required for any change in use of such modular unit. A change in use shall include but not necessarily be limited to transitioning the modular unit from a storage facility to a classroom or office facility or from an office facility to a classroom facility.

Moved by Planning Board Member Payne to favorably recommend to the Town Board of Commissioners to approve the requested Text amendment 19-02 to change Unified Development Ordinance (UDO), Amendment to Article 5: Use and Dimensional Standards, Section 5.5, Accessory Uses; to add a new Subsection 5.5.13: School Modular Units. The request is reasonable and in the public interest; the change is consistent with the Rolesville Comprehensive Plan to allow provisions to address the security issues and aesthetics of school modular units being permitted in Rolesville's Planning and Zoning jurisdiction to include the version of the draft that addresses change in use; seconded by Planning Board Member Lawrence. Motion carried by unanimous vote.

**UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT: TA19-07**  
Planning Director Danny Johnson provided an overview of the proposed UDO Text Amendment under Case: TA19-07.

Moved by Planning Board Member Moss to favorably recommend to the Town Board of Commissioners to approve the requested UDO Text Amendment 19-07, Amendment to Article 10: Parking and Loading Requirements; Section 10.1. Off-Street Parking Requirement; Subsection 10.1.4 to 10.1.6. The request is reasonable and in the public interest; the change is consistent with the Rolesville Comprehensive Plan to allow provisions to be revised to the minimum design standards in consideration to surrounding communities; seconded by Planning Board Member Pearce. Motion carried by unanimous vote.

## **PLANNING DEPARTMENT'S REPORT**

Planning Director Danny Johnson reported on the following:

- During its September 17<sup>th</sup> meeting, the Town Board approved MA18-04 The Preserve following its previous continuation. SUP18-05 Master Plan to follow.
- Selection of Transportation firms and the priorities going forward are underway.

**TOWN ATTORNEY'S REPORT**

NONE

**ADJOURN**

There being no more business before the board, upon a motion by Board Member Lawrence and second by Board Member Schwartz, the meeting was unanimously adjourned at 9:27 p.m.