

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

**August 26, 2019**

**PRESENT:** Mark Powers, Mike Moss, Frank Pearce, Jim Westbrook, Jim Schwartz, Ruth Payne, Donnie Lawrence, Planning Director Danny Johnson, and Town Planner Caroline Richardson

**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 July 22, 2019 were approved by unanimous vote.

**MAP, not Text**

**UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT: TA19-02 MA 19-05 not TA 19-02**

Planner Caroline Richardson provided some background on Case TA19-02 regarding a request by Lynda Ruiz-Orta and Benjamin Orta to rezone 0.5 acres (PIN 1758689510) from Residential 1 Zoning District to Commercial - Outlying - Conditional Zoning District (CO-CZ).

Moved by Board Member Lawrence to recommend that the Town Board of Commissioners approve Map Amendment 19-05 to rezone 515 S. Main Street from Residential 1 (R-1) district to Commercial – Outlying – Conditional Zoning (CO-CZ) as presented. The petition is reasonable and in the public interest because the property fronts S. Main Street, the Town’s primary commercial corridor. Rezoning the property to Commercial Outlying Conditional Zoning (CO-CZ) district would be consistent with the Town’s Comprehensive Plan because the Future Land Use Map identifies the property as commercial; seconded by Board Member Pearce. Motion carried by unanimous vote.

Board Member Pearce reported that the subject property is one of five in Rolesville that was never connected to City of Raleigh sewer. Mr. Pearce recommended the property owners be made aware and that the Town requires sewer hookup should change occur.

**UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT: TA19-06**

Planning Director Danny Johnson provided information on Case TA19-06 for Planning Board consideration.

Moved by Board Member Moss to favorably recommend to the Town Board of Commissioners to approve the requested TA19-06, Amendment to Article 6: Supplementary District Standards,

Section 6.2, R&PUD Residential and Planned Unit Development District; Subsection 6.2.4, RM – Mixed-Use to revise the 6.2.4.1 Permitted Uses, 6.2.4.2 Lot Specification for Non-Residential Development including the revision 6.2.4.2 D. the proposed rear 15 feet setback to 20 feet and 6.2.4.3 Design Standards. The request is reasonable and in the public interest; the change is consistent with the Rolesville Comprehensive Plan to allow choices of design standards for non-residential development and building placement in the R&PUD Residential and Planned Unit Development District; seconded by Board Member Payne. Motion carried by unanimous vote.

## **PLANNING DEPARTMENT’S REPORT**

Planning Director Danny Johnson reported on the following:

- Mr. Johnson introduced the Planning Board to the necessity of merging the Planning Board with the Board of Adjustment. The past Board of Adjustment has not met in several years and, with a potential variance coming up in a month or two, the suggestion of the merger with required Text Amendment process was made. Changing the name to Land Use Review Board was also suggested. Town Attorney David York provided a brief orientation on the differences in proceedings between the Planning Board and the quasi-judicial proceedings of a Board of Adjustment or Land Use Review Board.
- Mr. Johnson reported on the status of:
  - UDO TA19-05: Sign Amendment.
  - MA18-04: the Preserve at Jones Dairy Road (South);
  - SUP18-06: The Preserve at Jones Dairy Road (Central) - 261 SF Homes & 173 Townhomes;
  - SUP18-07: The Preserve at Jones Dairy Road (North) – 141 SF Homes & 83 Townhomes;
  - SUP18-09 The Point – 483 SF Homes & 324 Townhomes;
  - MA19-02: The Watkins Family, LLC and Mitchell Mill Road Investor, LLC

## **TOWN ATTORNEY’S REPORT**

Town Attorney David York explained that the findings of facts in a quasi-judicial proceeding for a variance are statutory.

On July 11, 2019 SB355 was ratified and signed in to law by Governor Cooper. It deals with developer choice of law. i.e. if one applies for a development permit while a particular code provision is in effect and if before the completion of the process the code changes and impacts their development, they have the choice of being evaluated under the new provisions or evaluated under the one that was in place when the application was first made. Also, Article 19 from General Statute Chapter 160A is to be removed effective July 1, 2021 and be replaced by 160D (enabling statutes regulating land development). At this time municipalities are to have their Unified Development Ordinances updated by January 1, 2021. It is unknown if an extension will be granted.

**OTHER BUSINESS**

NONE

**ADJOURN**

There being no more business before the board, upon a motion by Board Member Lawrence and second by Board Member Moss, the meeting was unanimously adjourned at 8:06 p.m.