

## AGENDA ITEM 9

### SUMMARY SHEET

#### TOWN OF ROLESVILLE MAYOR AND BOARD OF COMMISSIONERS

#### ITEM

Continuation of the public hearing for case SUP15-01 (quasi-judicial) involving a special use permit for Granite Crest Subdivision (Phase 4) totaling 31 lots for single family dwellings

#### ATTACHMENTS

- 9.1 Proposed site plan
- 9.2 (A-B) Proposed special use permit conditions
- 9.3 Findings of fact

#### INFORMATION AND DETAILS

At the October 5 meeting, the Town Board held a hearing to consider case SUP15-01. There were several remaining concerns discussed at the meeting so the public hearing was tabled till the October 20 meeting. Since not all Commissioners were present at that meeting, the public hearing was continued again until this meeting.

The applicant has made effort to address the concerns from the October 5 meeting. They are as follows.

- *Square footage on homes* – condition #1 was revised to address what the developer is requesting
- *Architectural standards of Heritage East* – condition #8 was revised to include similar language that was included within the Heritage East special use permit so that homes are of a similar style as exist today. This only involves those six lots accessible from Pluton Place via Heritage.
- *Construction of the greenway* – condition #10 was revised to address this.
- *Mail kiosk* – condition #12 and #19 was revised to address this.
- *Sanitary sewer easement* – condition #18 was added to address this.

#### STAFF COMMENT

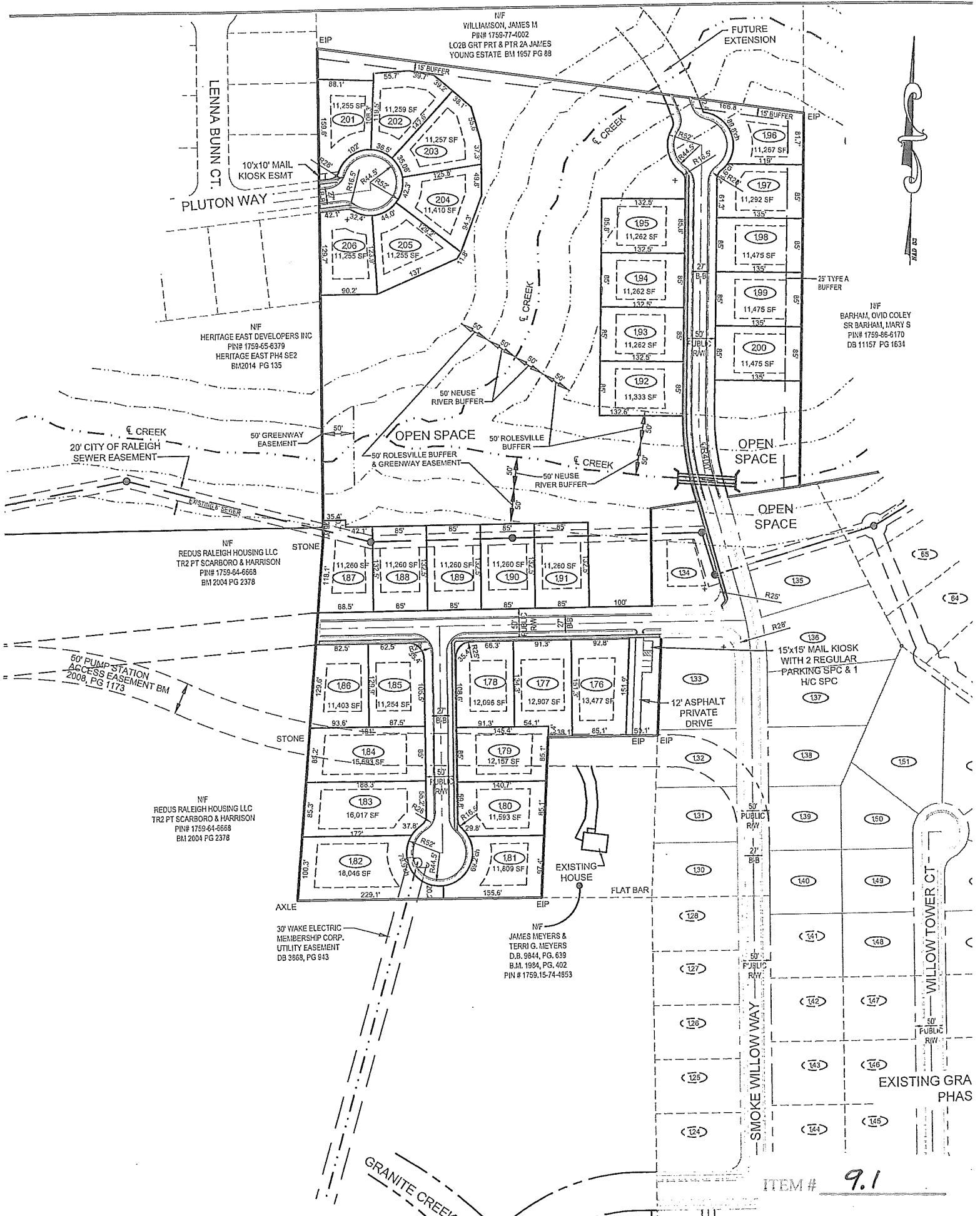
None

#### POTENTIAL MOTIONS

*Option 1 Motion:* Involving case SUP15-01, I make a motion to approve the Special Use Permit as conditioned because all the findings of fact have been met.

*Option 2 Motion:* Involving case SUP15-01, I make a motion to deny the Special Use Permit as conditioned because not all findings of fact have been met.

*Option 3 Motion:* Involving case SUP15-01, I make a motion to....



NF  
WILLIAMSON, JAMES M  
PIN# 1759-77-4002  
LO2B GRT PRT & PTR 2A JAMES  
YOUNG ESTATE BM 1857 PG 88

NF  
HERITAGE EAST DEVELOPERS INC  
PIN# 1759-65-6379  
HERITAGE EAST PH4 SE2  
BM2014 PG 135

NF  
REDUS RALEIGH HOUSING LLC  
TR2 PT SCARBORO & HARRISON  
PIN# 1759-64-6668  
BM 2004 PG 2378

NF  
REDUS RALEIGH HOUSING LLC  
TR2 PT SCARBORO & HARRISON  
PIN# 1759-64-6668  
BM 2004 PG 2378

30' WAKE ELECTRIC  
MEMBERSHIP CORP.  
UTILITY EASEMENT  
DB 3668, PG 543

NF  
JAMES MEYERS &  
TERRI G. MEYERS  
D.B. 9844, PG. 639  
B.M. 1984, PG. 402  
PIN # 1759.15-74-4853

NF  
BARHAM, OVID COLEY  
SR BARHAM, MARY S  
PIN# 1759-66-6170  
DB 11157 PG 1634



ITEM # 9.1



# SUP 15-01 (GRANITE CREST IV) SPECIAL USE PERMIT CONDITIONS

**SPECIAL USE PERMIT NUMBER:** SUP 15-01

**DATE:**

**PROPERTY/DESCRIPTION:** 18.02 acre tract of land located at 1999 Smoke Willow Way

**PIN NUMBER(s):** PINs 1759754610, 1759741881

**ZONING:** R2-SUD

**SPECIAL USE PERMIT PROVISIONS:**

1. All homes built on the six (6) lots accessible off of Pluton Place shall be a minimum of 2,500 heated square feet. All homes built on the other twenty-five (25) lots, accessible from Granite Crest Subdivision, shall be a minimum of 2,000 heated square feet.
2. All homes shall have, at minimum, a two car garage.
3. All front loaded, two car garages shall have two separate garage doors. Three car, front loaded garages may have one double door and one single door if so desired. Side loaded garages may be fitted with any combination of doors.
4. No home shall be clad with aluminum or vinyl siding.
5. All homes shall either be "crawl space" or "stem-wall" type foundations. Those houses with "stem-wall" type foundations shall have a brick veneer around the full perimeter and be made accessible in compliance with the American with Disabilities Act (ADA).
6. All houses shall have sheathing that is nominally 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.
7. The architectural requirements of the neighborhood for both homes and accessory structures shall include an anti-monotony policy whereby duplicate plans/colors shall not be allowed on adjacent lots.
8. All homes accessible from Pluton Place shall, at a minimum, adhere to all architectural standards and covenants of the adjoining Heritage Subdivision. General architectural requirements of the entire neighborhood will be governed by recorded conditions, covenants, and restrictions. The developer shall submit a copy of the conditions, covenants, and restrictions to the Town of Rolesville to allow the Town Attorney to review them before recordation.
9. All required open space and drainage easements shall be owned and maintained by the homeowners association in perpetuity.
10. Prior to the recordation of any lots in the development, the developer shall dedicate all required greenway easements to the Town. Prior to the release of the 23 certificate of occupancy or 1 year after the issuance of the first building permit, whichever is first to occur, the developer shall construct a 5 feet wide paved greenway trail as shown on the approved plan or pay a fee-in-lieu to the Town of Rolesville in an amount no less than 100% of the estimated cost of constructing same. The developer shall have the ability to establish a name identifying the trail provided the trail is constructed within 1 year from the issuance of the first building permit. Any name proposed by developer shall be reviewed by the Board of Commissioners for appropriateness. Such naming opportunity shall bear only the name of an individual or entity

that exemplify the attributes of integrity, character and leadership consistent with the highest values of public service and community contribution. If, in the sole determination of the Board of Commissioners, those attributes are not maintained, the Board of Commissioners reserves the right to remove the honoree's name at any time.

11. Prior to the recordation of any lots in the development, all required public rights of way, including but not limited to, that portion of Smoke Willow Way that would extend to the northern property line beyond the proposed cul-de-sac, shall be dedicated to the Town. The cul-de-sac shall be abandoned at such time as the road is extended to the north.
12. Prior to the issuance of the first Certificate of Occupancy in each section (either those 6 lots accessible from Pluton Place or the 25 lots accessible from Granite Crest Subdivision), the developer shall construct either a centralized mail kiosk and associated parking area or individual mailboxes to the satisfaction of the Town, Wake County Inspections, and the United States Postal Service.
13. If unmarked human burials or human skeletal remains are encountered as a result of construction or agricultural activities, disturbance of the remains shall cease immediately and shall not resume without authorization from either the county medical examiner or the State Archaeologist.
14. All other required landscaping shall be maintained in perpetuity. Should any plantings become diseased, damaged, or die then the property owner shall be required to be replace them with others in the same quantities, of similar sizes, and of similar species so as to blend with the existing landscaping.
15. The developer shall notify all adjacent property owners no less than seven days prior to any blasting activities on the site.
16. At no time shall development activities exceed the noise standards set forth in Rolesville Town Code of Ordinances Chapter 130.
17. The final layer of asphalt, on the streets fronting recorded lots, shall be put down according to Town standards before 1 year after the issuance of the first building permit or the release of the 23 certificate of occupancy, whichever comes first.
18. For so long as the 50' pump station access easement recorded in BM2008 PG 1173 remains in effect, no building permit shall be issued for Lots 179, 184 and 186. Provided all other applicable requirements have been met, building permits for Lots 179, 184 and 196 may be issued only after the 50' pump station access easement recorded in BM2008, PG 1173 is relocated to outside of all proposed buildable lots and approved by the City of Raleigh and Town of Rolesville and such relocated easement plat is recorded.
19. In the event that the fifty-foot wide area shown on the approved plans for the Granite Crest Lots mail kiosk (and associated parking) and access drive to the Meyer's property is dedicated to the Town of Rolesville as a future public street, developer or its successor in interest shall obtain from the Town of Rolesville an encroachment agreement for such non-public street improvements to be so located in a public right-of-way; however, the Town of Rolesville shall have no obligation to maintain or accept for maintenance such dedicated right-of-way until such time as the improvement of such dedicated right-of-way meets or exceeds the then Town standards and requirements for a public street.

**3.6.2 Special Use Permit/Site Plan Findings of Fact**

The following findings, based on evidence and testimony received at a public hearing in accordance with procedures specified in this Ordinance, must be made by the Board of Adjustment or Town Board in order to approve any special use permit or any application for site plan:

- (A) That the proposed development and/or use will not materially endanger the public health or safety;
- (B) That the proposed development and/or use will not substantially injure the value of adjoining property;
- (C) That the proposed development and/or use will be in harmony with the scale, bulk, coverage, density, and character of the neighborhood in which it is located;
- (D) That the proposed development and/or use will generally conform with the Comprehensive plan and other official plans adopted by the Town;
- (E) That the proposed development and/or use is appropriately located with respect to transportation facilities, water and sewer supply, fire and police protection, and similar facilities;
- (F) That the proposed development and/or use will not cause undue traffic congestion or create a traffic hazard;
- (G) That the proposed development and use comply with all applicable requirements of this ordinance.