

**PLANNING BOARD MEETING
TOWN OF FUQUAY-VARINA
MINUTES OF AUGUST 15, 2016**

The Planning Board of the Town of Fuquay-Varina met Monday, August 15, 2016 for a regular meeting. The meeting was called to order at 7:00 pm after determining there was a quorum present.

The Pledge of Allegiance was recited.

Members Present: Ed Ridpath
 Ramey Beavers
 Steve Smith
 Jeff Rolan
 Bob Rowe

Staff Present: Mike Sorensen, Planning Director
 Danny Johnson, Assistant Planning Director
 Cameron Langille, Planner I
 Adam Culpepper, Planner I
 Natalie McKinney, PB Clerk
 Mark Matthews, Assistant Town Manager
 James Adcock, Deputy Town Attorney

ITEM # 3.A: Approval of July 18, 2016 Minutes:

Chair Ridpath asked for the Board's consideration and approval of the minutes of the July 18, 2016 meeting.

Upon motion by Ramey Beavers to accept the minutes as presented and second by Rob Rowe minutes were unanimously approved.

ITEM #4.A: REZ-2016-19 Petitioner Stencil Builders, LLC – 1335 Bowling Road, PIN 0665093136

Planner Cameron Langille stated the subject property; PIN 0665093136 is currently undeveloped and is located in the Town's Extraterritorial Jurisdiction (ETJ). The property is located in the Town's 401 South – Angier Preferred Growth Area (PGA).

Land to the north, east, and south is zoned R-20 Residential-Agricultural Zoning District. The subject property is bordered by residential lots in the Neil's Crossing subdivision on the east, and portions near the northeast and southeast corners. Tracts to the north and south are a mixture of undeveloped land and single family residential subdivisions. The subject property is bordered to the west by two residential lots which feature two-story single family dwellings but are not within a major subdivision. Across Bowling Road to the west are two parcels of land which are zoned O&I Office and Institutional Zoning District. One tract is occupied by the Faith Missionary Baptist Church and the other is undeveloped.

Approximately 800 linear feet of Town gravity sewer main is currently located on the east side of the subject property. A 6" Town water line branches off of S. Main Street and extends approximately 500 feet south along Bowling Road. The water line runs east along

Kenneth Branch Drive parallel to the subject property. The line extends off of Kenneth Branch Drive onto the property occupied by the Town of Fuquay-Varina Kenneth Branch Sewer Treatment Plant, which is no longer in operation. The line continues south onto Andersonwood Drive and currently serves residential lots in the Neil's Crossing subdivision. Therefore, public utilities are located nearby and are available to serve the subject property.

Bowling Road is classified as a local street by the Community Transportation Plan (CTP) with an existing 60' right-of-way with two vehicle travel lanes. The CTP recommends no changes to the existing right-of-way.

The Land Use Plan calls for Medium Density Residential (MDR) future land use on the subject properties and the rezoning request is consistent with the Land Use Plan.

Staff recommends approval of the requested rezoning of a total of 29.81 acres at Wake County PIN # 0665-09-3136 from the R-20 Residential Agricultural Zoning District to the R-10 (CZD) Residential Single & Two-Family Conditional Zoning District for the following reasons:

1. The requested R-10 (CZD) Zoning District is consistent with the Town's adopted Land Use Plan because it is classified as a MDR land use.
2. The petitioner has voluntarily proposed a condition to eliminate two-family dwellings on the subject property. This will ensure that future development is restricted to single family uses, which is in character with the existing Neil's Crossing single family subdivision that border the property to the east as well as other single family subdivisions further south along Bowling Road.
3. A public sewer line already exists on the subject property. Town water lines are located to the north and east of the subject property and can be easily extended to serve future development. If the property were to be subdivided in the future, the staff evaluation of the project may require extension of the existing 6" water line located to the north along Bowling Road. In that case, there are at least eleven (11) other properties with frontage on Bowling Road that are north of the subject property. Those eleven parcels are not currently served by municipal water, but could tap onto the new water line extension in the future.
4. If an open space subdivision were to be developed on the property in the future, the Town Zoning Ordinance would require that all new lots tap onto both Town utility lines. This means that utility extension is likely at the time the property is developed.
5. The subject property is located in the 401 South-Angier PGA and the uses permitted in the requested R-10 (CZD) are suitable for the subject property. The increased utility services which would happen if the subject property is developed will expand the Town's ability to serve property owners with municipal services in this section of the PGA.
6. For the reasons listed herein, the rezoning request is reasonable and in the best interest of the public.

Chairman Ridpath opened the public hearing for the speakers in favor of the petition.

Jim Chandler from the Timmons Group (5610 Trinity RD, Raleigh NC) stated that utilities and zoning are consistent with the land use plan and he supports the rezoning request.

Chairman Ridpath opened the floor to those to speak in opposition of the petition.

William "Bill" Tomlinson of 500 Woodman Drive Stated he has been in his home for 30 years as of July 28th. He has experienced what happens when new homes are built and the land is disrupted. Mr. Tomlinson is concerned about the water retention and the flooding that happens when the town began to expand. He stated the property in question is in a flood plain and the water will have to go somewhere. His lot being directly below this property leaves him subject to flooding. Mr. Tomlinson asked that the builder consider not building so close to the flood plain and ask that the consideration of the number of trees being cut down be kept to a minimum. His other complaint was about the density of the homes being built. Last Mr. Tomlinson stated that when new homes are built the current residents will have no recourse for the flooding that happens to their properties as a result of the growth.

Christine Barcay of 1355 Bowling Road, questioned the blue line on the map and identified it as part of her property, Town staff confirmed that this was not part of the rezoning and this was not an easement and not an entrance onto her property. Ms. Barcay stated her concerns about the traffic and wanted to know if a transportation study had been done (Staff advised that a study is not required and if one would be requested it would be NCDOT not TOFV). She opposed the rezoning of the property because of the effects that it would have on the quality of life in that area as well as have an adverse effect on the value of the property. Ms. Barcay asked that the property remain R-20 and not be rezoned to R-10.

Doug Holmes of 1481 Field Quartz Circle, request that the current zoning remain because the fewer the lots the less land disturbance you will have. He also was concerned about the traffic and wanted to know the plan of action to handle the additional traffic. The increased homes would cause the number of cars on Bowling Road to double.

Delma Hines of 1343 Bowling Road stated that she was concerned about the density and the fact that Bowling Road is a dead end road and the additional homes on the road would make it a death trap for those living there if anything was to happen at the nuclear plant. She also was concerned that the property value would drop, the eco system would be adversely affected and the loss of habitat because of the number of trees that would have to be cut down. Mrs. Hines stated that R10 is not consistent with the lots and homes currently on that road. The last concern was for their current source of well water that the building would affect the quality of their drinking water because of the run off.

David Senter of 1337 Bowling Road Stated that his property would be beside the entrance to the proposed subdivision and he was told that there would be no development when he purchased the home/property. He stated that his concerns mentioned by the other speakers where his as well and would not repeat them.

Mr. Senter was the last to come forward in opposition, Chair Ridpath Closed the hearing.

Chair Ridpath asked the staff to address the storm water and drainage issues presented by those in opposition.

Staff member; Danny Johnson, stated that FEMA would handle the flood plain issues and it was not governed by the TOFV. Storm water management is also in placed and every new development is required to follow requirements that are in palace to protect the residents

current and new. Mr. Johnson also acknowledged that Bowling Road is a dead in road however NCDOT would require a traffic study not the TOFV.

Ramey Beavers questioned the small narrow piece of property on map which staff identified as the only point of access to this proposed subdivision. This is a strip of land that joins Mr. Senter's land

Ramey Beavers made a motion to recommend denial of REZ-2016-19 rezone a total of 29.81 acres at 1335 Bowling Road from the R-20 Residential-Agricultural Zoning District to the R-10 (CZD) Residential Single and Two-Family Conditional Zoning District with the condition "two-family dwellings are not allowed." for the following reason:

1. The current zoning or R-20 is sufficient for this piece of property keeping with the terrain, traffic and the future development.

Upon second by Steve Smith the Board voted 4-1 to recommend denial of the motion.

ITEM #B REZ-2016-14

Petitioner The Pulte Group - request to zone a total of 60.157 acres at 0 Purfoy Road from the Wake County R-30 Zoning District to the Town of Fuquay-Varina R-15 Residential Single Family Zoning District. The subject properties are more particularly known as Wake County PIN # 0665746312 (42.778 acres) and 0665849465 (17.379 acres).

Planner Cameron Langille stated that both subject properties are zoned Wake County R-30 and are located between Purfoy Road and S NC 55 HWY. The subject properties are more particularly known as Wake County PIN # 0665746312 (42.778 acres) and 0665849465 (17.379 acres). The subject properties are located in the Town Short-Range Urban Services Area (USA) and are currently undeveloped. The properties are located in the Town's Purfoy-Holland Preferred Growth Area.

To the east is the Hidden Valley Golf Course property, which was annexed into the corporate limits of the Town of Fuquay-Varina and is zoned R-15 Residential Single Family. The property was zoned (petition REZ-2008-07) and approved by the Town Board of Commissioners on August 19, 2008.

All other adjacent land parcels are zoned Wake County R-30 and are a mixture of single family homes and undeveloped parcels. The Ivy Creek subdivision is located to the southeast, the Bedford Forest subdivision is located to the north, and the Hampton Park Estates subdivision is located to the south.

A town water line is located along Purfoy Road to the west of the rezoning area and is available to serve the subject properties. The nearest town sewer line is located approximately one mile to the north in the Amber Ridge subdivision which is located along Purfoy Road. The development of the property will require a pump station and force main.

Purfoy Road is classified as a major thoroughfare with an existing 70' right-of-way with two vehicle travel lanes. The Community Transportation Plan (CTP) calls for medians and center turn lanes at key intersections, with the addition of sidewalks and bike lanes along both sides.

The Land Use Plan calls for Low Density Residential (LDR) future land use on the subject properties. The R-15 Zoning District requested by the petitioner is classified as LDR under the adopted Land Use Plan.

Staff recommends approval of the zoning petition, REZ-2016-14, for the following reasons:

1. The requested R-15 Zoning District is consistent with the Town's adopted Land Use Plan because it is considered a Low Density Residential (LDR) land use.
2. The requested R-15 Zoning District is the same district that was applied to the adjacent Hidden Valley property when it was zoned in 2008. Approval of the requested R-15 Zoning District will create consistency in the zoning classification for this satellite corporate limits area south of the Town's contiguous corporate limits.
3. Water is available to serve the subject properties and any future development. Town sewer services will need to be provided to the subject properties if they are developed in the future because Wake County will not permit septic systems on properties measuring less than 20,000 square feet. Therefore, future development at the subject properties will expand the public utility services in the Town's USA to be able to support development in the vicinity of the subject properties. This is a benefit to the Town, since the subject properties are located within the Purfoy-Holland Preferred Growth Area.
4. The CTP requires extensive roadway improvements along both NC 55 and Purfoy Road. Half of the improvements along both thoroughfares will be required at the time of future development.
5. The subject properties are located in the Purfoy-Holland PGA and the single family residential uses are suitable for this section of the PGA.
6. For the reasons identified herein, the zoning request is reasonable, the highest and best use of the property, and is in the best interest of the public.

Chairman Ridpath opened the public hearing for the speakers in favor of the petition.

Jim Chandler of the Timmons Group (5610 Trinity Road) stated the effort would be to mimic and copy current plan, Water and sewer re both present and would be in line with current land use plan.

Randy King with the Pulte Group Mike Stewart with Stewart/Proctor Surveying spoke in favor stating that this process would take place quickly. Mr. Stewart also confirmed the average size of the lots would be between 25K and 28K square foot lots.

Chairman Ridpath opened the floor to those to speak in opposition of the petition.

Russ Horn of 1020 Jensen Grove Ct.; President of the Hampton Park HOA and stated the concerns on the affect that the rezoned area would affect the quality of their water source with Aqua, because the development would completely surround that water source. The 37 homes in the neighbor would all be affected not just the 10 homes bordering the property. The other concern was the additional traffic onto their private streets bringing congestion and considerable wear and tear. The roads area private and not DOT maintained leaving the repairs to the current residents until phase 2 of the project is completed. The last concern was the flood area and the drainage.

Brynn Mainusch of 4005 Bedford Forest Way Stated she was a local realtor and business woman, based on communications with her clients and neighbors, she is concerned with the quality of life that a new subdivision of this density would bring. She would like to see the trees, wooded lots and large lots remain based on the request of home searches from clients looking to move into Fuquay-Varina. Ms. Mainush stated that she did not want to be annexed and would request the 50' buffer remain.

Drema McKnight of 4124 Hampton Park Way was concerned about her well and septic and what would happen to the quality of her water source.

Jonathan Warrick of 4008 Bedford Forest Way concerned about the impact all the new homes will have on the current water source. The additional traffic on private streets and the damage to the roads as a result of the traffic was also a concern.

Mr. Robert Coyle of 9012 Aspen Glen CT stated that he purchased his home under the current R-30 Zoning and wanted it to remain.

Mike Marten of 9020 Hazel Forest Drive stated he had not been given any land plans and did not have any knowledge of what was going on. He said he is definitely in opposition of the R-15 zoning. Mr. Martin wanted to know how the current water way would directly impact the run off. He requested the hearing be rescheduled.

Sussanna Morris of 4132 Hampton Park Way was concerned about the status of the wells in the neighborhood and currently they have homes on crawl spaces and did not want to see 3 houses per acres.

Chair Ridpath closed the Public hearing after last speaker Sussanna Morris.

Randy King of Pulte responded to the questions concerning the Aqua well / water source. He stated that Pulte Homes was aware of the Aqua well easement and they would be protecting the water source and making improvements to area resulting in the neighbors have better access to the easement. This was being done by paving the 2 gravel access roads and adding underground power. Mr. King suggested that a neighborhood meeting take place and he would discuss the flooding and drainage issues, traffic concerns, connections and thoroughfare issues with a traffic study and the additional density.

Ramey Beavers made a motion to approve REZ-2016-14 request to zone a total of 60.157 acres at 0 Purfoy Road from the Wake County R-30 Zoning District to the Town of Fuquay-Varina R-15 Residential Single Family Zoning District for the following reasons:

1. The requested R-15 Zoning District is consistent with the Town's adopted Land Use Plan because it is considered a Low Density Residential (LDR) land use.
2. The requested R-15 Zoning District is the same district that was applied to the adjacent Hidden Valley property when it was zoned in 2008. Approval of the requested R-15 Zoning District will create consistency in the zoning classification for this satellite corporate limits area south of the Town's contiguous corporate limits.
3. Water is available to serve the subject properties and any future development. Town sewer services will need to be provided to the subject properties if they are developed in the future because Wake County will not permit septic systems on properties measuring less

than 20,000 square feet. Therefore, future development at the subject properties will expand the public utility services in the Town's USA to be able to support development in the vicinity of the subject properties. This is a benefit to the Town, since the subject properties are located within the Purfoy-Holland Preferred Growth Area.

4. The CTP requires extensive roadway improvements along both NC 55 and Purfoy Road. Half of the improvements along both thoroughfares will be required at the time of future development.

5. The subject properties are located in the Purfoy-Holland PGA and the single family residential uses are suitable for this section of the PGA.

6. For the reasons identified herein, the zoning request is reasonable, the highest and best use of the property, and is in the best interest of the public.

Upon second by Jeff Rowland the Board voted 3 - 2 to approve the motion. (Bob Rowe & Steve Smith Opposed)

ITEM #A SUB-PR-2016-01

Proposed preliminary subdivision plat (MEADOWBROOK)

Assistant Planning Director Danny Johnson stated this subdivision is proposed using open space development subdivision standards with at least 18% of required open space area provided. The subdivision being located in the R 15 zoning district requires a minimum lot area size of 8,000 square feet with at least 18% of open space area provided in the subdivision. The subdivision smallest lot size is 8,592 square feet. The average lot size is 13,285 square feet.

Primary access will be one proposed public street be known as Delaney Hills Lane, on to S NC 55 Highway and two street access to existing town street stubs on the northern subdivision boundary located in Inglenook at Willow Creek subdivision and two proposed street stubs to the adjoining property on the southern subdivision boundary. The subdivision is currently not within the Town Limits, but will submit for voluntary annexation prior to construction plan approval. The subdivision will have public water and sewer services to be installed by the developer and are available. The 2006 Fuquay-Varina Community Transportation Plan identifies S NC 55 Highway for future road improvements and right-of-way dedication for a 100 foot right-of-way. However, NCDOT is currently conducting a PE design and NEPA study of NC 55 Highway from US 401 Highway (N Main St) to south side of Angier Town Limits on NC 55 Highway. Based on NCDOT's anticipated design for NC 55 Highway, shown on the preliminary subdivision plat is based on the expected NCDOT's 120 foot right-of-way and a complete 89 foot back to back curb for a four lane highway with median and sidewalks that developer will install one half of the proposed street improvements along NC 55 Highway on the western side from the centerline of the existing road to the subdivision side of the road and additional 30 feet of dedicated public right-of-way. The 2013 Fuquay-Varina Community Pedestrian Master Plan identifies the proposed Park - Depot Greenway Trail on a portion of this proposed subdivision that the developer will dedicated the 20 foot public right-of-way to the Town for the construct the future greenway trail and the installation a sidewalk along this sides of S NC 55 Highway.

The proposed Preliminary Subdivision Plat submitted meets the standards and provisions of the Town of Fuquay-Varina. Staff recommends approval.

Bob Rowe made a motion to approve the proposed Meadowbrook Subdivision, SUB-PR-2016-01 preliminary subdivision plat for 282 open space development single family lots as presented.

Upon second by Jeff Rolan the Board voted unanimously to approve motion.

ITEM #VI Staff Report – Given by Danny Johnson.

ITEM #VII New Business – Mike Sorensen gave update on LDO and time line of LUP. RFQ’s has been sent for new transportation plan.

ITEM #VIII: Old Business – No old business to discuss

Adjournment:

Ramey Beavers made a motion to adjourn the meeting. Upon second by Jeff Rolan the meeting was adjourned at 8:48 p.m.

Natalie McKinney, Clerk to the Board

Ed Ridpath, Chair

Date

Date