

September 11, 2007

The Union County Planning Board met in a special session on Tuesday, September 11, 2007, at 7:00 p.m. in the former Union County Board of Commissioner's Board Room, located on the 9th Floor of the Union County Government Center, 500 North Main Street, Monroe, NC, 28112, with Chairman Robert Allen presiding.

PRESENT: Andy Williams, Russell Cox, Everette Medlin, Robert Allen, Don Kerr, Christa Boggs, William McGuirt, Charles Greene, Albert Starnes and Richard Simpson

ABSENT: Dan Wooten

ALSO PRESENT: Richard Black, Roger Horton, and Pam Rivers

ITEM NUMBER ONE

Call to Order

The Chairman called the meeting to order at 7:05 p.m.

ITEM NUMBER TWO

Additions and/or Deletions to the Agenda

No items were added or deleted.

ITEM NUMBER THREE

Approval of the Agenda

Motion was made by Andy Williams and seconded by Everette Medlin to approve the agenda. The vote was 8 to 0.

ITEM NUMBER FOUR

Approval of the August 7, 2007 Planning Board minutes.

Motion was made by Everette Medlin and seconded by Russell Cox to approve the August 7, 2007 minutes. The vote was 8 to 0.

At this time Charles Greene was made a voting member in the absence of Dan Wooten. Motion was made by Robert Allen and seconded by Richard Simpson. The vote was 8 to 0.

ITEM NUMBER FIVE

Preliminary Plat Review of SAYE BROOKE II Subdivision, for Cody Helms Construction, containing 35.63 acres with 13 lots, located off Cornith Church Rd. (S.R. # 1158) being within Monroe Township.

Cody Helms, developer/ owner, and Kevin Herring, with Frontier Land Surveying, were available to answer questions from the Planning Board.

STAFF RECOMMENDATIONS: FAVORABLE, WITH COMMENTS

The following comments have been received from various review agencies:

Union County Stormwater – Is within a FEMA Regulated 100-year flood prone area. There are additional x-sections upstream and downstream of x-section 277 that must be used for flood verification.

Department of Transportation – The plans are in conformance with NC Department of Transportation Minimum Construction Standards for Subdivision Roads.

County Schools – This development will be in the current Western Union Elementary, Parkwood Middle, and Parkwood High School districts. Western Union Elementary is expected to be slightly below capacity for the upcoming school year; however, Parkwood Middle and Parkwood High Schools are both above capacity and any development in this area would adversely affect these schools. It would add to current over-capacity problems, such as mobile classrooms, inadequate capacity for food service and restroom facilities, rationing of access to the library, insufficient parking and queuing space for parents to safely deliver or pick up their children, and inadequate planning/meeting space for additional staff.

Public Works Department – An 8” county water line is located along Cornith Church Road. County sewer is not available. Engineering plans have been approved by both Union County Public Works and NCDNR. The water plans were approved under serial #07-00773, dated May 18, 2007.

Health Department – Will closely monitor this development relative to on-site wastewater disposal.

Planning Department – The plat should be approved with the following comments being met when filing for final plat approval:

1. Developer shall be responsible for receiving written approval from the NC Department of Environment and Natural Resources on the sedimentation/erosion control plans, and the NC Division of Water Quality on storm water.
2. Developer shall post a 15% road maintenance security in accordance with Section 83(b), as well as a construction guarantee equaling 125%, if necessary, when submitting the final plat.
3. Any on-site disposal shall be delineated according to Section 180 of the Union County Land Use Ordinance.
4. The final plat shall be submitted in digital format.
5. Street signs must be paid for in the Union County Purchasing Department before final plat approval.
6. Adequate Public Facilities Ordinance information is listed below.
7. There are additional x-sections upstream and downstream of x-section 277 that must be used for flood verification, per the Union County Storm Water Engineer.

Adequate Public Facilities Staff Review

As described on the Major Development Permit Application this review is for a development identified as Saye Brook II Subdivision. This development is located on tax parcels 09-357-019B place it in the attendance areas of Western Union Elementary, Parkwood Middle and Parkwood High. As submitted, this development will create thirteen new-single family residences, which will impact the schools as follows: Western Union Elementary – 7 students, Parkwood Middle – 3 students, Parkwood High – 3 students. The current capacity of the existing schools is as follows: Western Union Elementary – 578 students, Parkwood Middle – 1000 students, Parkwood High – 1235 students. The total existing and permitted demand on these schools is as follows: Western Union Elementary – 669 students, Parkwood Middle – 1090 students, Parkwood High – 1364 students. When the first 2 years of CIP for adjacent elementary school attendance areas is added to the current and first 2 year capacity for Western Union Elementary School the capacity is increased to 469 students. No capacity in the first 2 years or years 3-5 exists for either Parkwood Middle or High Schools. Based on the above information this development is compliant with school capacity for the elementary level only. The applicant has agreed, in order to become compliant with the APF section, to provide mitigation in the form of the developments pro rate share of facility capacity costs necessary to accommodate the demand it generates. The applicant has further agreed to phase the development such that during the first year only ten lots will be platted and three lots will be platted during the second year.

Based on this information staff recommends that, as long as all other requirements of the Land Use Ordinance are met, the Planning Board approves this subdivision with the following conditions*:

1. At the time of final plat approval the applicant provide the pro rata share of facility capacity costs necessary to accommodate the demand generated by the development. At the time of evaluation this is \$6,981.00 per lot.
2. Only 10 lots will be approved for final plat approval during the first year after major development approval. The remaining three lots can be approved during the second or subsequent years.
3. Before final plat approval a consent agreement must be approved by the Board of County Commissioners outlining the above information.

*If additional school capacity becomes available and the applicant requests a new evaluation by staff and the results of the evaluation are favorable to the applicant the conditions may be modified by staff without action required by the Planning Board.

Motion was made by Robert Allen and seconded by Albert Starnes, for a FAVORABLE WITH COMMENTS, recommendation. The vote was 8 to 0.

ITEM NUMBER SIX

Preliminary Plat Review of SALEM RIDGE Subdivision, for Fred Rimmer, containing 13.60 acres with 12 lots, located off John Hargette Rd. (S.R. # 1650) being within New Salem Township.

Fred Rimmer, developer, was available to answer questions from the Planning Board.

STAFF RECOMMENDATIONS: FAVORABLE, WITH COMMENTS

The following comments have been received from various review agencies:

Union County Stormwater – Delineation of the 100-year flood prone area appears correct.

Department of Transportation – No comment has been received.

County Schools – This development will be in the current New Salem Elementary, Piedmont Middle and Piedmont High School districts. Both Piedmont Middle and Piedmont High are presently below capacity. The proposed development, even when fully built out, would not bring either of these schools up to its rated capacity, assuming the currently accepted student generation rate. However, New Salem Elementary is currently above capacity. This development will add to current over-capacity problems, such as mobile classrooms, inadequate capacity for food service and restroom facilities, rationing of access to the library, insufficient parking and queuing space for parents to safely delivery or pick up their children, and inadequate planning/meeting space for additional staff.

Public Works Department – Neither Union County water, nor sewer is available.

Health Department – Will closely monitor this development relative to on-site wastewater disposal, and assist with placement of private individual wells.

Planning Department – The plat should be approved with the following comments being met when filing for final plat approval:

1. Developer shall be responsible for receiving written approval from NC Department of Environment and Natural Resources on the sedimentation/erosion control plants, NC Division of Water Quality on storm water, and the NC Department of Transportation on road profiles.
2. Developer shall post a 15% road maintenance security in accordance with Section 83(b), as well as a construction guarantee equaling 125%, if necessary, when submitting the final plat.
3. Any on-site disposal shall be delineated according to Section 180 of the Union County Land Use Ordinance.
4. The final plat shall be submitted in digital format.
5. The street signs must be paid for in the Union County Purchasing Department before final plat approval.
6. Adequate Public Facilities Ordinance information is listed below:

Adequate Public Facilities Staff Review

As described on the Major Development Permit Application this review is for a development identified as Salem Ridge Subdivision. This development is located on tax parcels 01-234-028C placing it in the attendance areas of New Salem Elementary, Piedmont Middle and Piedmont High. As submitted, this development will create 11 new single-family residences, which will impact the schools as follows: New Salem Elementary – 6 students, Piedmont Middle – 2 students, Piedmont High – 2 students. The current capacity of the existing schools is as follows: New Salem Elementary – 289 students, Piedmont Middle – 1000 students, Piedmont High – 1200 students. The total existing and permitted demand on these schools is as follows: New Salem Elementary – 352 students, Piedmont Middle – 797 students, Piedmont High – 989 students. When years 3-5 of the elementary schools CIP are added to the New Salem Elementary capacity becomes available. Based on the above information this development is compliant with school capacity for the middle and high school levels only. The applicant has agreed, in order to become compliant with the APF section, to provide mitigation in the form of the developments pro rata share of facility capacity costs necessary to accommodate the demand it generates.

Based on this information staff recommends that, as long as all other requirements of the Land Use Ordinance are met, the Planning Board approves this subdivision with the following conditions*:

1. At the time of final plat approval the applicant provide the pro rata share of facility capacity costs necessary to accommodate the demand generated by the development. At the time of evaluation this is \$7,972.00 per lot.

*If additional school capacity becomes available and the applicant requests a new evaluation by staff and the results of the evaluation are favorable to the applicant the conditions may be modified by staff without additional action required by the Planning Board.

Motion was made by Andy Williams and seconded by Everette Medlin, for a FAVORABLE WITH COMMENTS, recommendation. The vote was 8 to 0.

ITEM NUMBER SEVEN

Preliminary Plat Review of HAZEL RIDGE Subdivision, for Edwards Construction Company, containing 29.457 acres with 24 lots, located off Pleasant Grove Rd. (S.R. # 1327) being within Sandy Ridge Township.

Ann Edwards, developer, and Dan Kelly, was available to answer questions from the Planning Board.

STAFF RECOMMENDATIONS: FAVORABLE, WITH COMMENTS

The following comments have been received from various review agencies:

Union County Stormwater – No 100-year flood prone area.

Department of Transportation – No comment has been received.

County Schools – This development will be in the current Western Union Elementary, Parkwood Middle and Parkwood High School districts. All three schools are currently above capacity, and any development in this area would adversely affect these schools. However, this area been reassigned to New Town Elementary, slated to open next month under capacity. This reassignment does not affect the middle/high school cluster. For the Parkwood Middle and Parkwood High, the development would add to current over-capacity problems, such as mobile classrooms, inadequate capacity for food service and restroom facilities, rationing of access to the library, insufficient parking and queuing space for parents to safely deliver or pick up their children, and inadequate planning/meeting space for additional staff.

Public Works Department – Neither Union County water, nor sewer is available.

Health Department – Will closely monitor this development relative to on-site wastewater disposal, and assist with placement of private individual wells.

Planning Department – The plat should be approved with the following comments being met when filing for final plat approval:

1. Developer shall be responsible for receiving written approval from the NC Department of Environment and Natural Resources on the sedimentation/erosion

- control plans, NC Division of Water Quality on storm water, and the NC Department of Transportation on road profiles.
2. Developer shall post a 15% road maintenance security in accordance with Section 83(b), as well as a construction guarantee equaling 125%, if necessary, when submitting the final plat.
 3. Any on-site disposal shall be delineated according to Section 180 of the Union County Land Use Ordinance.
 4. The final plat shall be submitted in digital format.
 5. The street names must be approved through the Union County Communications Department and street signs must be paid for in the Union County Purchasing Department before final plat approval.
 6. Adequate Public Facilities Ordinance information is listed below:

Adequate Public Facilities Staff Review

As described on the Major Development Permit Application this review is for a development identified as Hazel Ridge Subdivision. This development is located on tax parcels 06-054-048 placing it in the attendance areas of Western Union Elementary, Parkwood Middle, and Parkwood High. As submitted, this development will create 24 new single-family residences, which will impact the schools as follows: Western Union Elementary – 13 students, Parkwood Middle – 5 students, Parkwood High – 5 students. The current capacity of the existing schools is as follows: Western Union Elementary – 578 students, Parkwood Middle – 1000 students, Parkwood High – 1235 students. The total existing and permitted demand on these schools is as follows: Western Union Elementary – 669 students, Parkwood Middle – 1090 students, Parkwood High – 1364 students. When the first 2 years of the CIP for adjacent elementary school attendance areas is added to the current and first 2 year capacity for Western Union Elementary School the capacity is increased to 469 students. No capacity in the first 2 years or years 3-5 exists for either Parkwood Middle or High Schools. Based on the above information this development is compliant with school capacity for the elementary level only. The applicant has agreed, in order to become compliant with the APF section, to provide mitigation in the form of the developments pro rata share of facility capacity costs necessary to accommodate the demand it generates. The applicant has further agreed to phase the development such that during the first year only ten lots will be platted, during the second year only 10 lots will be platted, and four lots will be platted during the third year.

Based on this information staff recommends that, as long as all other requirements of the Land Use Ordinance are met, the Planning Board approves this subdivision with the following conditions*:

1. At the time of final plat approval the applicant provide the pro rata share of facility capacity costs necessary to accommodate the demand generated by the development. At the time of evaluation this is \$6,981.00 per lot.
2. Only 10 lots will be approved for final plat approval during the first year after major development approval. Only 10 lots will be approved during the second year after major development approval. The remaining four lots will be approved during the third year after major development approval.
3. Before final plat approval a consent agreement must be approved by the Board of County Commissioners outlining the above information.

*If additional school capacity becomes available and the applicant requests a new evaluation by staff and the results of the evaluation are favorable to the applicant the conditions may be modified by staff without additional action required by the Planning Board.

At this time, questions were asked about the APFO from Planning Board members. Mr. Black informed the board that Lee Jensen would be coming back to the board at a later time to have a presentation on the APFO.

Motion was made by Andy Williams and seconded by Richard Simpson, for a FAVORABLE, WITH COMMENTS, recommendation. The vote was 8 to 0.

ITEM NUMBER EIGHT

Planning Board Schedule, Discussion of possible changes in the meeting dates.

Motion was made by Albert Starnes and seconded by Robert Allen to move Item Number Eight to Item Number Nine. The vote was 8 to 0.

Motion was made by Don Kerr to have the Planning Board meetings moved to the first Thursday of each month. Motion died for a lack of a second.

Motion was made by Robert Allen and seconded by Everette Medlin to keep the meetings for now on the first Tuesday of each month. The vote was 8 to 0.

ITEM NUMBER NINE

Stormwater Ordinance, Discussion of possible one hour workshops to review ordinance.

Amy Helms, Director of Infrastructure and Environment, was there to discuss possible one hour workshops to review with the Planning Board the storm water ordinance.

The Planning Board asked if Ms. Helms could possibly come back to their regular meetings to review the storm water ordinance instead of having separate meeting dates to discuss this item.

Motion was made by Russell Cox to the Planning Board meetings start 30 minutes earlier to have time to discuss the stormwater ordinance. Russell Cox withdrew his motion.

Motion was made by Robert Allen and seconded by Everette Medlin to have Ms. Helms make her stormwater presentations to the Planning Board as part of their normal monthly agenda.

ITEM NUMBER TEN

Planning Staff Report (Work in Progress)

Mr. Black discussed with the Board about Planning Board member Dan Wooten not being able to attend our monthly meetings due to prior commitments. His prior commitment will end in December 2007.

The Planning Board made a recommendation to keep Dan Wooten on the Board and to send this to the Board of County Commissioners for their approval.

Motion was made by Everette Medlin and seconded by Christa Boggs to keep Dan Wooten as a Planning Board member. The vote was 10 to 0.

ITEM NUMBER ELEVEN

Brief Comments

Andy Williams	I would just like to give my condolences to Mr. Kerr on his father's passing over the weekend and appreciate the staff on what their doing.
Richard Simpson	Pretty much the same thing and thank you folks for what you are doing.
Charles Greene	No comment.
Albert Starnes	No comment.
Robert Allen	No comment.
Everette Medlin	No comment.
Rusty Cox	No comment.
Don Kerr	No comment.
Christa Boggs	No comment
William McGuirt	No comment.

ITEM NUMBER TWELVE

Adjournment

The Chairman adjourned the meeting at 8:05 p.m.