

June 3, 2014

The Union County Planning Board met in regular session on Tuesday, June 3, 2014, at 7:00 p.m. in the Board of Commissioners Formal Board Room, located on the First Floor of the Union County Government Center, 500 North Main Street, Monroe, NC, 28112.

PRESENT: Everette Medlin, Christopher Duggan, Don Fisher, Roger Stanton, Robert Traficanti, Russell Wing

ABSENT: Patrick Harrison, James Howie

ALSO PRESENT: Richard Black, Lee Jenson, Brian Matthews

ITEM NUMBER ONE

Call to Order

Richard Black Planning Division Director called the meeting to order. At the first meeting prior to the election of a chairman, the Planning Division Director shall temporarily preside over the meeting until the Chairman takes office.

ITEM NUMBER TWO

Election of Officers

Motion was made by Roger Stanton and seconded by Russell Wing to nominate Everette Medlin as Chairman. Motion was made by Don Fisher and seconded by Roger Stanton for nominations to be closed. The vote was 6 to 0.

Motion was made by Chris Duggan and seconded by Robert Traficanti to nominate Russell Wing as Vice-Chairman. Motion was made by Don Fisher and seconded by Roger Stanton for nominations to be closed. The vote was 6 to 0.

ITEM NUMBER THREE

Additions and/or Deletions to the Agenda

There were no additions or deletions to the agenda.

ITEM NUMBER FOUR

Approval of the Agenda

Motion was made by Christopher Duggan and seconded by Don Fisher to approve the agenda. The vote was 6 to 0.

ITEM NUMBER FIVE

Amendment to Definition Section 15 and Table of Uses Section 146, Appendix I and add New Section 180P, Temporary Development – Activities for Federal and State Highway Projects

Add the following to Section 15 Definitions of Basic Terms of the Union County Land Use Ordinance:

Temporary Development Activities for Federal and State Highway Projects – The temporary use of a piece of property for activities related to a Federal or State road construction project including equipment storage, material storage, and quarries.

Add Temporary Development Activities for Federal and State Highway Projects to Appendix I as a special use (S) in all zoning districts subject to supplemental regulations.

Add new Section 180P to the Union County Land Use Ordinance

Section 180P Temporary Development-Activities for Federal and State Highway Projects

- a. **The site may be used solely for a Federal or State road construction project only.**
- b. **All applicable state and federal permits shall be obtained before use may commence.**
- c. **NCDOT shall be consulted as to the location of the facility and as to the location of the temporary access to the site.**
- d. **Property shall be returned to its original condition, or the condition shown on the NCDOT approved reclamation plan.**

Add the following to Section 15 Definitions of Basic Terms of the Union County Land Use Ordinance:

Temporary Development Activities for Federal and State Highway Projects – The temporary use of a piece of property for activities related to a Federal or State road construction project including equipment storage, material storage, and quarries.

Add Temporary Development Activities for Federal and State Highway Projects to Appendix I as permitted by right (Z) in all zoning districts subject to supplemental regulations.

Add new Section 180P

Section 180P Temporary Development Activities for Federal and State Highway Projects

- a. **The site may be used solely for a Federal or State road construction project only.**
- b. **All applicable state and federal permits shall be obtained before use may commence.**
- c. **NCDOT shall be consulted as to the location of the facility and as to the location of the temporary access to the site.**
- d. **Property shall be returned to its original condition, or the condition shown on the NCDOT approved reclamation plan.**

Lee Jenson Land Use Administrator went over the proposed Text Amendments with the Board.

Attorney James Allen Lee was present for the applicant Stallings Farming LLC to answer any questions from the Board.

Mr. Lee stated that the Text Amendment should stay by right and not require a special use permit.

Motion was made by Chris Duggan and seconded by Don Fisher to approve the applicant's version (By Right) of the Text Amendment and striking Asphalt plants from the definition. The vote was 6 to 0.

ITEM NUMBER SIX

Preliminary Plat Review of Rosecliff Cluster Subdivision, for Development, Inc., containing 50.54 acres with 46 lots, located off Crane Road (S.R. #1309) and being within Sandy Ridge Township. Total open space is 18.68 acres.

STAFF RECOMMENDATION: FAVORABLE

The following comments and approvals have been received from various review agencies:

Union County Zoning – No 100 year flood prone area appears to be accurately delineated.

Department of Transportation – The plans are in conformance with NCDOT Minimum Construction Standards for Subdivision Roads, and the driveway permit has been approved.

County Schools – The development will be in the currently Sandy Ridge Elementary, Marvin Ridge Middle and Marvin Ridge High School districts. Marvin Ridge High is presently below capacity. However, Sandy Ridge Elementary and Marvin Ridge Middle School are currently above capacity and are expected to remain so for the next several years. 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 deliver or pick up their children, and inadequate planning/meeting space for additional staff.

Public Works Department – The water and sewer plans for this development are acceptable. Union County water and sewer infrastructure is accessible to the proposed Development as designed. UCPW reserves the right to require modification to approved Water and Sewer Plans until such time as the plans are incorporated into and executed Standard Water and Sewer Services Extension Agreement in order to bring such plans into compliance with Applicable Law and the UCPW Sanitary Sewer and Water Specifications.

Health Department – Finds the basic plan to be in good order, being based on the utilization of county water and sewer facilities.

Union County Storm Water Department – The plans and reports have been updated to address all previous comments. No additional information or recommendations are required.

Union County Urban Forester – Plans are acceptable.

NCDENR – Land Quality in Mooresville – Approval of the grading and erosion control plans.

NCDENR –DWQ in Raleigh – Approval of storm water management per state requirements.

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

1. Developer shall be responsible for receiving approval from the NC Dept. of Environment and Natural Resources – Division of Water Quality on the water/sewer plans.
2. Developer shall post a 15% road maintenance security in accordance with Section 83(b), if necessary, when submitting the final plat.

3. Any on-site disposal shall be delineated according to Section 180 of the Land Use Ordinance.
4. The final plat shall be submitted in digital format, with street addresses included.
5. A Homeowners Association shall be required for maintenance of those improvements not dedicated for public use (roads, sidewalks, etc.). A copy of such document must be submitted before final plat approval.

Mr. Keith Cooper engineer for Landtec Development was present to answer questions from the Board.

Board member Don Fisher wanted to know if there was any discussion with NCDOT about the concern for traffic problems in this area due to the schools in the area.

Keith Cooper stated that they had worked with NCDOT on the entrances to the subdivision but there was no discussion of installing a stop light in the area.

Motion was made by Russell Wing and seconded by Chris Duggan to approve the Preliminary Plat of the Rosecliff Cluster Subdivision. The vote was 5 to 1.

ITEM NUMBER SEVEN

Planning Staff Report (Work In Progress)

Richard Black went over with the Board that the US 74 Corridor Revitalization Plan was starting back up and there are three things that need to be done: Review and Comment, Advisory Meeting and Adoption Process. It should be ready to be presented to the Board in October. The Comp Plan Update and the Transportation Plan are near completion and the Board will review those Plans before they go to the Board of Commissioners.

ITEM NUMBER EIGHT

Brief Comments

ITEM NUMBERNINE

Adjournment

Motion was made by Roger Stanton and seconded by Chris Duggan to adjourn the meeting. The vote was 6 to 0.

The meeting adjourned at 9:00 p.m.