



Town of Franklinton

Board of Commissioners
Town Hall 101 N. Main St.
November 21, 2023, 7:00 PM

MINUTES

Those in Attendance: Mayor Art Wright, Commissioners John Allers, Judy McArn, Alvin Holden, Anita Fuller, and Latasha Wilder, Town Manager Zach Steffey, Town Attorney Brian Pridgen, and Town Clerk Lauren Chandler

Others in Attendance: Public Works Director Brad Kearney, Chief of Police James Davis, Jr., Captain Justin Hastings, and Officer Talia Bowden, and citizens.

Mayor Wright called the meeting to order at 7:00 PM. Commissioner Fuller led the pledge of Allegiance.

Approval of Agenda

Commissioner Allers made a motion to approve the agenda. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

Approval of Minutes

Commissioner Wilder made a motion to approve the following minutes: October 17, 2023 Regular Meeting and October 17, 2023 Adjustment Meeting. Commissioner Fuller seconded the motion. The motion was approved by a vote of 5-0.

Public Comments

There were no public comments.

Chief of Police, James Davis, Jr., presented Officer Bowden with her Detective badge honoring her for her promotion to Detective and completing the necessary training requirements to meet this honor.

Agenda Items

a. Presentation of S-line Transit Oriented Development Study

i. Presentation by NCDOT

Brennon Fuqua & Jason Myers

Mr. Myers is the rails program manager with the NC Transportation Rails Division and Mr. Fuqua is the interim Director of Integration Mobility Division, and they presented a power point presentation on the S-line Development and Transportation Development Study with the Town of Franklinton.

Mr. Myers explained that the S-line is the railroad coming through Franklinton from Raleigh to Richmond. NCDOT is working with communities like Franklinton to restore the railroad infrastructure and bring the rails back into working order. This is a crucial link in increasing ridership. There is success beyond Raleigh and beyond Richmond, so this link from Raleigh to Richmond will join what is already established and successful. The Mobility project and the DOT project are coming together to help communities find their vision to be more operable with this new development.

Mr. Myers stated that there was funding awarded through the state that helped purchase the corridor. They thanked the Town of Franklinton for being a part of the TOD study grant that was awarded. They received a Mobility Hub raise grant to fund design and take communities another step in the process of project scoping and public engagements. Again, the Town of Franklinton was thanked for their participation. There was another grant awarded to do 30% of the design for the Raleigh to Richmond rail link. This is underway right now and you may see survey crews in our area. We are going into the design phase. All these have been funded from grants. There are also other grants that are in process. One being a federal partnership to build the 1st phase of this project, which would be the Raleigh to Wake Forest area. They anticipate hearing about this within the next couple of weeks. They also submitted for funding for a piece of the corridor running from Charlotte to D.C., and we should hear on this within the next month or so. There was also submitted a Reconnecting Communities grant for additional funding for the Mobility Hub. We thank Franklinton for participating in this grant. They are also preparing to submit another grant application that will take the rail improvements for Wake Forest to Henderson. This grant will be announced sometime in 2024. Mr. Myer showed a map of all the corridors. A lot of these funds will cover the design and vision of communities to provide connectivity between communities to have connection to the rails and other transportation options. Over the past 15 years we have completed the record of decision, environmental studies, grants we already applied for, so we are a bit ahead.

Mr. Myers stated that they were able to purchase the land from CSX, surveying, design, preliminary engineering, TOD study, and now the Mobility Hub.

Mr. Fuqua presented the Mobility Hub. His job is to know and help connect communities to as many modes of transportation as safely as possible. We are studying how this project will encourage development and economic drivers in the communities. He showed a slide of the supporters in this TOD study. They want to take into account affordable housing, a network that can increase transit ridership, and if residents can walk around town safely. This is done successfully by talking to the public and seeing what is the best fit for the community and working with those Town goals.

NCDOT's role is to use resources to write grants, utilize consultants, and connect to the regional shared vision as a whole. The TOD studies are available on the NCDOT website. These are playbooks for each community. For Franklinton it is to support what growth would look like: to support revitalization and economic development for a more vibrant Downtown. There was a study of existing conditions and opportunities to improve those conditions with transit development. There would also be roads with bike lanes and pedestrian lanes and safe railroad crossings and the opportunity of creating festival streets. We tried to create an image of what Franklinton could look like in the future. These are big ideas.

The Mobility Hub is to get people connected to different mobility options that would allow them to be easily connected to other areas of transportation while making it as safe as possible. They have a consultant on board that is working with scoping on the Mobility Hub and moving forward to reaching out to the community soon for feedback. The goal is to create shovel ready projects.

Ms. Leigh Smith, 1101 Lane Store Rd., asked if this was the high-speed rail we have been hearing about in the past. Mr. Myers said yes that the project is the same high speed rail project that was being planned from the beginning. The definition of high-speed rail has changed somewhat, but it is the original plan of the high-speed rail.

Ms. Smith also asked if there was going to be another public hearing on what is coming into Franklinton that was presented today? Mr. Fuqua explained that right now there is funding for just a feasibility study where we will reach out to the public and the Board of Commissioners. Then environmental influences will be studied and then advance engineering and more public outreach.

Commissioner Allers asked if there is not a station in Franklinton, how would that affect the Mobility Hub? Mr. Fuqua stated that the Mobility Hub would set up Franklinton as a future opportunity for a station but also acts independently as an economic developer. Commissioner Allers asked if the Mobility Hub would need to be built before the Town gets the funding to improve its street scape. Mr. Fuqua stated that it does not delay the grant but works as the center spark to carry on other projects in town that would happen. Mr. Myers mentioned the different rails and one that could help Franklinton get to a station in the future (the inner-city rail – less than an hour's ride and connecting towns within the region). The Mobility Hub supports the feasibility of that inner-city rail if the region desires go in this direction in the future.

Mayor Wright confirmed that the Mobility Hub would have multi-transportation to get to those train station spots. Mr. Myers did confirm this statement was correct.

Commissioner McArn asked if we will have opportunity to discuss access roads with the development as new public hearings come up? Could crossings be revised? Mr. Myers stated there would be no more gray crossings for safety reasons. There will be new connections that will help keep the community connected and open to emergency responders. Opportunity to talk about these crossings would be better discussed during the environmental surveys.

Commissioner Allers asked what time frame for the impact on Franklinton. Mr. Myers answered that they would know more in 3 weeks on this first grant. It is estimated that construction will be lengthy and around 2030–2031-time frame to begin starting. The Mobility Hub 14-month time frame for feasibility study to be completed and funding would bring the final plans to be completed around 2026.

Commissioner Wilder asked to confirm that the crossings would not be closed until another is open. This was confirmed by Mr. Myer.

b. Voluntary Annexation Petition for 554 S. Cheatham St. (Parcel ID 007852)

i. Vote to Open Public Hearing

Board of Commissioners

Commissioner Allers made a motion to open the Public Hearing. Commissioner Holden seconded the motion. The motion was approved by a vote of 5-0.

ii. Presentation of Annexation

Zachary Steffey

This is the second meeting in the annexation process. The Board of Commissioners have received a voluntary annexation petition for 554 South Cheatham Street (Parcel ID 007852). The subject property is contiguous (across Cheatham Street) to the contiguous corporate limits of the Town. The subject property is zoned C3H Highway Commercial. The subject property is 1.34 acres according to the Franklin County GIS records. The Town Clerk has reviewed the Annexation Petition and certified that the petition is complete. The Board of Commissioners are asked to hold a Public Hearing on the proposed voluntary annexation.

The Board of Commissioners are asked to vote on the proposed voluntary annexation of 554 South Cheatham Street Parcel ID 007852.

iii. Vote to Close Public Hearing

Board of Commissioners

Commissioner Allers made a motion to close the Public Hearing. Commissioner Wilder seconded the motion. The motion was approved by a vote of 5-0.

iv. Vote on Annexation

Board of Commissioners

Commissioner McArn made a motion to approve the Voluntary Annexation Petition for 554 S. Cheatham St. (Parcel ID 007852). Commissioner Fuller seconded the motion. The motion was approved by a vote of 5-0.

c. Voluntary Annexation Petition for 5210 NC HWY 56 (Parcel ID 008164)

i. Vote to Open Public Hearing

Board of Commissioners

Commissioner Wilder made a motion to open the Public Hearing. Commissioner Holden seconded the motion. The motion was approved by a vote of 5-0.

ii. Presentation of Annexation

Zachary Steffey

This is the second meeting in the annexation process. The Board of Commissioners have received a voluntary annexation petition for 5210 NC 56 (Parcel ID 008164). The subject property is contiguous (across Lane Store Road) to the contiguous corporate limits of the Town. The subject property is zoned PD Planned Development. The subject property is 41.99 acres according to the Franklin County GIS records. The Board of Commissioners set a Public Hearing at the October board meeting on the proposed voluntary annexation.

The Board of Commissioners are asked to hold a Public Hearing on the proposed voluntary annexation of Parcel ID 008164 and to consider approving the voluntary annexation request for 5210 NC 56 (Parcel ID 008164).

iii. Vote to Close Public Hearing

Board of Commissioners

Commissioner Allers made a motion to close the Public Hearing. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

iv. Vote on Annexation

Board of Commissioners

Commissioner Holden made a motion to approve the Voluntary Annexation Petition for 5210 NC HWY 56 (Parcel ID 008164). Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

d. Voluntary Annexation Petition for 3063 US 1 HWY (Parcel IDs 024208 and 007641)

i. Vote to Open Public Hearing

Board of Commissioners

Commissioner Holden made a motion to open the Public Hearing. Commissioner Fuller seconded the motion. The motion was approved by a vote of 5-0.

ii. Presentation of Annexation

Zachary Steffey

This is the second meeting in the annexation process. The Board of Commissioners have received a voluntary annexation petition for 3063 US 1 Highway (Parcel ID 024208,007641). The subject property is contiguous (across US 1 Highway) to the contiguous corporate limits of the Town. The subject property is zoned C3H Highway Commercial. The subject property is 18.54 acres according to the Franklin County GIS records. The Town Clerk has reviewed the Annexation Petition and certified that the petition is complete. The Board of Commissioners are asked to hold a Public Hearing on the proposed voluntary annexation.

The Board of Commissioners are asked to vote on the proposed voluntary annexation of 3063 US 1 Highway Parcel ID 024208 and 007641.

iii. Vote to Close Public Hearing

Board of Commissioners

Commissioner Allers made a motion to close the Public Hearing. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

iv. Vote on Annexation

Board of Commissioners

Commissioner Allers made a motion to approve the Voluntary Annexation Petition for 3063 US 1 HWY (Parcel IDs 024208 and 007641). Commissioner Wilder seconded the motion. The motion was approved by a vote of 5-0.

e. Voluntary Annexation Petition for 975 Cedar Creek Road (Parcel ID 010389)

i. Presentation of Annexation

Zachary Steffey

The Board of Commissioners have received a voluntary annexation petition for 975 Cedar Creek Road (Parcel ID 010389). The subject property is non-contiguous to the contiguous corporate limits of the Town of Franklinton. The subject property is zoned R-8 Residential (Franklin County Zoning) and a rezoning petition has been filed to change the

zoning to PD Planned Development (Town of Franklinton Zoning). The subject property is 104.46 acres according to the Franklin County GIS records. The Town Clerk has reviewed the Annexation Petition and certified that the petition is complete. The Board of Commissioners are asked to set a Public Hearing on the proposed annexation for December 19, 2023 at 7 PM or as soon thereafter.

The Board of Commissioners are asked to set a Public Hearing on the proposed voluntary annexation of 975 Cedar Creek Road Parcel ID 010389 for the December 19, 2023 Board Meeting.

ii. Vote to set Public Hearing December 19, 2023

Board of Commissioners

Commissioner Allers made a motion to approve setting a Public Hearing for December 19, 2023 for the Voluntary Annexation Petition for 975 Cedar Creek Road (Parcel ID 010389). Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

f. A Rezoning Petition to rezone the property located at 975 Cedar Creek Rd (Parcel ID 010389) to the Planned Development Zoning District (PD) from the FCO R-8 Residential Zoning District (Franklin County Zoning).

i. Vote to Open Public Hearing

Board of Commissioners

Commissioner Allers made a motion to open the Public Hearing. Commissioner Fuller seconded the motion. The motion was approved by a vote of 5-0.

ii. Presentation of Rezoning

Zachary Steffey

The Town of Franklinton has received a rezoning request for 975 Cedar Creek Road (Parcel ID 010389). The rezoning request is to change the zoning of the property from R-8 Residential (Franklin County Zoning) to PD Planned Development (Town of Franklinton Zoning). The property is surrounded by properties that are zoned R-8 Residential (North, West, South) and R-30 (East). The subject property is 104.46 acres according to Franklin County GIS records. Based on the information contained within the Franklin County GIS records the subject property meets the minimum lot size and dimensional requirements for the PD Planned Development Zoning District.

The Planning Board of the Town of Franklinton met at 6:00 PM on Monday, November 20, 2023 and voted 3-0 to forward a favorable recommendation of the proposed rezoning to the Board of Commissioners. The Planning Board also found the proposed rezoning to be reasonable and consistent with the adopted Comprehensive Plan of the Town of Franklinton

The Board of Commissioners are asked to consider approving the rezoning request for 975 Cedar Creek Road (Parcel ID 010389)

iii. Vote to Close Public Hearing

Board of Commissioners

Commissioner Holden made a motion to close the Public Hearing. Commissioner Fuller seconded the motion. The motion was approved by a vote of 5-0.

iv. Vote on Rezoning

Board of Commissioners

Commissioner Allers made a motion to approve the Rezoning Petition to rezone the property located at 975 Cedar Creek Rd (Parcel ID 010389) to the Planned Development Zoning District (PD) from the FCO R-8 Residential Zoning District (Franklin County Zoning) and that the rezoning is consistent with the adopted Comprehensive Land Use Plan of the Town of Franklinton, that the proposed rezoning is reasonable, and that the proposed rezoning is in the best interest of the public. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

- g. Consideration of a Master Development Plan for a townhome, single-family, and mixed-use project under the name “Cedar Ridge Subdivision” located at 1151 Lane Store Rd (Parcel ID 010389)

i. Vote to Open Public Hearing

Board of Commissioners

Commissioner Allers made a motion to open the Public Hearing. Commissioner Holden seconded the motion. The motion was approved by a vote of 5-0.

ii. Presentation of Master Development Plan

Zachary Steffey

The Town of Franklinton has received a Master Development Plan for a townhome, single-family, and mixed-use project under the name “Cedar Ridge Subdivision.” The property is located within the PD Planned Development Zoning District. The submitted plan appears to meet the applicable requirements for Master Development Plans in the Planned Development (PD) Zoning District. The Planning Board met at 6 PM on Monday, November 20th and voted to forward a favorable recommendation of the proposed Master Development Plan.

The Board of Commissioners are asked to consider approving the proposed Master Development Plan for 1151 Lane Store Road (Parcel ID 010389)

Leigh Smith, 1101 Lane Store Rd., stated that the 40 acre track directly behind the proposed land development is landlocked. Her son owns 59 acres as well. These landlocked properties have used an easement given to Franklin County water plant and have helped maintain it for about 20 years. Ms. Smith stated they are not against the development, but their concern is that they have no legal easement. The Water Plant has the recorded easement, and Ms. Smith and her son have a prescriptive easement. Without a legal recorded easement, they cannot build or sale anything with their land. They would like to have a residential equestrian area in the future with 4 total owners. The current property owners of the proposed development have asked for \$50,000 to buy the easement and relocate it. This is too expensive and unreasonable. Ms. Smith stated that the developers has been very helpful and kind.

Developer, Gray Berry, shared that their business is a small family-owned residential development company out of Raleigh. They pride their company for providing first class communities and view this project as a partnership with the community. Mr. Berry feels the development will be a destination place and is in an awesome location. The single-family size homes will be 35 feet and then 60-80 feet wide with a variety of options from higher density to lower density areas. There has been a commercial area reserved which will be investigated by someone that is experienced in commercial development, and they wanted enough land reserved for a possible grocery store. They feel this commercial development will encourage walkability. The store fronts would be facing the school. The neighborhood would include both a swimming pool and playground. After talking with Chris George and Zach Steffey, they felt it was a good fit to partner with Franklinton in this development. Mr. Berry confirmed that they are not owners of the land or easement. They are not the ones asking for \$50,000 for the easement. Mr. Berry stated that he called Mr. Preddy (Ms. Smith’s son) and had a good, positive conversation. If a settlement is not worked out with the current landowner, then when they own the land, they will sign the easement paperwork. Mr. Berry also stated that access to the easement would not be going away. He hopes the negotiation with the sale of the land will help the current owners to give up their request of \$50,000.

iii. Vote to Close Public Hearing

Board of Commissioners

Commissioner Allers made a motion to close the Public Hearing. Commissioner Fuller seconded the motion. The motion was approved by a vote of 5-0.

iv. Vote on Master Development Plan

Board of Commissioners

Commissioner Allers made a motion to approve the Master Development Plan for a townhome, single-family, and mixed-use project under the name “Cedar Ridge Subdivision” located at 1151 Lane Store Rd (Parcel ID 010389) and that the Master Development Plan is consistent with the adopted Land Use Plan of the Town and is reasonable and at the best interest of the public. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

- h. Consideration of a Master Development Plan for a single-family development under the name “Cedar Creek Subdivision” located at 975 Cedar Creek Rd (Parcel ID 010389)

- i. Vote to Open Public Hearing

Board of Commissioners

Commissioner Allers made a motion to open the Public Hearing. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

- ii. Presentation of Master Development Plan

Zachary Steffey

The Town of Franklinton has received a Master Development Plan for a single-family development under the name Cedar Creek Subdivision. The property is located within the PD Planned Development Zoning District. The submitted plan appears to meet the applicable requirements for Master Development Plans in the Planned Development (PD) Zoning District. The Planning Board met at 6 PM on Monday, November 20th and voted to forward a favorable recommendation of the proposed Master Development Plan.

The Board of Commissioners are asked to consider approving the proposed Master Development Plan for 975 Cedar Creek Road (Parcel ID 010389)

Charles Satterfield, developer of the Mini Storage parcel of land off of US 1 HWY in Franklinton, asked what kind of environmental impact the development would have and if there has been a study done since it is in a wetlands/watershed area. Mr. Satterfield asked if the storm water would be controlled through the sediment pond.

Mr. Berry stated that they have done a wetlands evaluation. There are not any watershed issues. They are not in the design phase yet, but they have carved out storm water ponds already. These ponds will be sized according to state requirements. Mr. Berry confirmed that the storm water would be controlled through the sediment ponds.

- iii. Vote to Close Public Hearing

Board of Commissioners

Commissioner Wilder made a motion to close the Public Hearing. Commissioner Fuller seconded the motion. The motion was approved by a vote of 5-0.

- iv. Vote on Master Development Plan

Board of Commissioners

Commissioner McArn made a motion to approve the Master Development Plan for a single-family development under the name “Cedar Creek Subdivision” located at 975 Cedar Creek Rd (Parcel ID 010389) and that the Master Development Plan is consistent with the adopted Land Use Plan of the Town and is reasonable and at the best interest of the public. Commissioner Holden seconded the motion. The motion was approved by a vote of 5-0.

- 2. Reports

- a. Town Manager Report, Staff Reports (included in packet)

- i. Public Works worked alongside Brights funeral Services and Commander Smith of the American Legion in moving the Veteran’s monument from the cemetery to the new Franklinton Veteran’s Memorial Park.
 - ii. The Town recognizes Lance Alley with our Public Works crew who earned his CDL license. This is a great asset to our Public Works Department.
 - iii. There was a 5K run and grand opening for the Carolina Manor House. The event went really well, and the Town wants to thank everyone with the Police Department and Public Works Department who participated in making it a fun and safe event.
 - iv. Public Works completed their first large scale paving project using the new paver. Half the road was paved, and the other half is scheduled to be paved when the weather warms back up. Having our own paver has saved the Town on costs with not having to contract this work out.
 - v. Frankenfest was a huge success. The Town thanks Destiny Russell for organizing this event.
 - vi. The Town celebrated 30 years for Ricky’s retirement.

- vii. The Town had the Pumpkin pageant on Halloween. Schools carved and submitted their pumpkins for the contest. The Town also lit the school up in orange for Halloween.
- viii. The Town had a Litter Sweep with Novozymes. Thank you to all the volunteers from Novozymes and the community.
- ix. The Town lit up the school green for Operation Green Light to honor our Veterans and to help raise awareness. This was also recognized on WRAL.
- x. The Veteran's Day celebration was held at the Franklinton Veteran's Memorial Park and had a great number of people that attended.
- xi. The Town staff had the opportunity to present at the middle school social study classes. The middle schoolers enjoyed sharing what fast-food restaurants they wanted in Town.
- xii. The Town has been busy decorating for Christmas. The Town thanks Lowes for donated lights for the tunnel. Thank you, Brad Kearney, for working late hours in getting the lights up around Town. Thank you, Mayor Wright, for the donation of colorful lights for the Texaco Station Park. Thank you, Destiny Russell and Chris George for making the reindeer for the Station Park. Thank you, Captain Hastings for making boxes to cover our electrical cords outside.
- xiii. We are continuing to have sign-ups for Youth Basketball. We have 30 signed up for so far.
- xiv. November 25th at 7:00 PM will be our Town Tree lighting.
- xv. The Town's last Fridays in Franklinton will be a Christmas Market theme on Dec 1st from 5:00 PM – 8:00 PM. We will have live carolers and over 30 craft vendors and food trucks.
- xvi. The Town Christmas Parade is on Thursday December 7th at 7:00 PM. We have about 30 signed up so far and registration is still open.
- xvii. Dec 16th starting at 6:00 PM will be our Town House Decorating Contest. Commissioner McArn and Commissioner Wilder volunteered to be judges at this event.
- xviii. Thank you to Town Staff for all the hard work this month with events and decorations.
- xix. Mayor Wright mentioned swearing in newly elected officials with the next Board of Commissioners meeting and new pictures will be taken of elected officials.

b. Advisory Board Reports (included in packet)

3. Upcoming Meetings

- a. November 23-24, 2023 – Town Hall closed in Observance of the Thanksgiving Holiday
- b. December 11, 2023 – Planning Board Meeting at Town Hall at 6:00 PM
- c. December 19, 2023 – Board of Commissioners Meeting at Town Hall at 7:00 PM

4. Adjournment

Commissioner Allers made a motion to adjourn the Board of Commissioners Meeting. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

X



Arthur Wright
Mayor

X



Lauren Chandler
Town Clerk



Town of Franklinton

Board of Adjustment
Town Hall 101 N. Main St.
November 21, 2023, 7:00 PM

MINUTES

Those in Attendance: Mayor Art Wright, Commissioners John Allers, Judy McArn, Alvin Holden, Anita Fuller, and Latasha Wilder, Town Manager Zach Steffey, Town Attorney Brian Pridgen, and Town Clerk Lauren Chandler

Others in Attendance: Public Works Director Brad Kearney, Chief of Police James Davis, Jr., Captain Justin Hastings, and Officer Talia Bowden, and citizens.

Mayor Wright called the Board of Adjustment meeting to order.

Approval of the Board of Adjustment Agenda

Commissioner Wilder made a motion to approve the Board of Adjustment Agenda. Commissioner Holden seconded the motion. The motion was approved by a vote of 5-0.

Agenda Items

- a. Consideration of a Special Use Permit for a Day Program for adolescents and children in foster care at 454 North Main Street Parcel ID 009225 located in the (RSH) Residential Single Family High Zoning District.

- i. Vote to Open Evidentiary Hearing

Board of Adjustment

Mr. Pridgen reminded the Board of Adjustment that this was a quasi-judicial hearing, and all testimony has to be professional evidence. Any speakers must be sworn in. Mr. Pridgen asked the Board of Adjustment if there was any conflicts of interest or communication on the agenda item before the hearing. The Board of Adjustment answered that there was not.

Commissioner Holden made a motion to open the Evidentiary Hearing. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

- ii. Presentation of Special Use Permit

Zachary Steffey

The Town of Franklinton has received a Special Use Permit application from Vanessa Bell for Parcel 009225 located at 454 North Main Street. If approved the Special Use Permit would allow for the operation of a Daycare at the property. The property is located within the ETJ of the Town in the RSH Residential Zoning District. Daycare Centers are considered a Special Use in the RSH Zoning District. Properties to the North, South, and West are zoned RSH Residential. Properties to the East are zoned RSM Residential. The subject property is approximately .9521 acres according to the Franklin County GIS and the property is currently occupied by a single-family dwelling.

Town Staff have reviewed the Special Use Permit application. Based on the Town Staff's review of the application, the following items are provided for consideration and discussion by the Board of Adjustment. The following items may be included as Special Use Permit conditions if deemed necessary by the Board and if agreed to by the applicant:

- Consider stipulating the hours of operation for the Daycare
 - o Suggestion – 8:00 AM to 5:00 PM
- Consider requiring that all parking must be contained on-site and that no parking shall take place along the street
- Consider requiring that the driveway and all ingress and egress must be located on the subject property
- Consider requiring that opaque screening in the form of fencing or vegetative screening be installed along property boundaries to minimize adverse impacts to adjacent properties
- Consider requiring a minimum four foot tall fence non-climbable fence enclosure to surround all outdoor play areas and to prevent entry into the rail corridor located along the east side of the property or to comply with any fencing standards or requirements set forth by NCDHHS, the more restrictive requirement shall apply
- Consider requiring a letter from the Franklin County Environmental Health Department confirming that the septic system of this facility is sufficiently sized to handle the anticipated capacity of the daycare prior to operations commencing at the daycare
- Consider requiring that the Childcare Center comply with all requirements set forth by the NCDHHS Division of Childhood Development and Early Education and that failure to maintain a proper license for the facility will result in this Special Use Permit becoming null and void.
- Consider requiring that documentation is provided prior to commencing operation of the Childcare Center confirming that all building, life safety, and fire inspections have been completed at the site.
- Consider requiring a dumpster or sufficiently sized trash receptacles must be located at the site.

The Board of Adjustment is asked to consider whether to approve or deny the Special Use Permit application for 454 North Main Street Parcel ID 009225. The Board is asked to consider the Special Use Permit application based on the review standards set forth in the UDO:

1. Will not materially endanger the public health or safety if located where proposed; and
2. Complies with all required standards, conditions, and specifications of this Ordinance, including Article 156.4, USES; and
3. Will not substantially injure the value of the abutting land, or the special use is a public necessity; and
4. Will be in harmony with the area in which it is to be located; and
5. Is in general conformity with the Town's adopted policy guidance; and
6. Is configured to ensure pedestrian and vehicular safety; and
7. Does not result in conditions where public facilities and services are inadequate to serve the proposed use.

iii. Applicant Presentation and Comments

Vanessa Bell

Ms. Chandler swore in Ms. Bell.

Ms. Bell is the daughter of Vanessa Bell, the applicant, and she is speaking for her mother. Her mother is a foster parent and has seen the need for additional help with education and therapy for foster children. She would like to provide a place that can meet those needs. These children are coming from different counties and situation and they are hoping to provide a place that can help bridge the gap these transitions bring in education and behavioral health. Ms. Bell provided the Board of Adjustment with paperwork on the program they would like to conduct.

Ms. Bell stated that there are often weeks before children are properly entered into new school systems or finding a new therapy center when transitioning to a new town. This program would meet the needs until those education and behavioral needs are secured. This would be a 6-week program.

Commissioner McArn asked how many children were currently in the program. Ms. Bell answered that 3 were unofficially in the program they would like to implement. Ms. Bell stated that they still need to get the licensure to make it official.

Mayor Wright asked if the plan was to have children dropped off during the day and picked up in the evening. Ms. Bell confirmed that this was the plan of operation.

Commissioner Allers asked if Ms. Bell had any issues with meeting the conditions stated by the Town Staff. Ms. Bell said she did not and that almost all of the conditions mentioned were also conditions they have to meet for licensure.

Commissioner McArn asked to confirm that the licensing process would assign the number of children they could have in the home. Ms. Bell confirmed that this is correct.

iv. Vote to Close Evidentiary Hearing

Board of Adjustment

Commissioner Holden made a motion to close the Evidentiary hearing. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

v. Vote on Special Use Permit

Board of Adjustment

Commissioner Allers made a motion adopt into evidence the material presented by the Town Staff and the Applicant and to approve the Special Use Permit for a Day Program for adolescents and children in foster care at 454 North Main Street Parcel ID 009225 located in the (RSH) Residential Single Family High Zoning District with the conditions set by Town Staff and the approval having been based on the review standards set forth in the UDO:

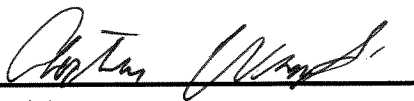
1. Will not materially endanger the public health or safety if located where proposed; and
2. Complies with all required standards, conditions, and specifications of this Ordinance, including Article 156.4, USES; and
3. Will not substantially injure the value of the abutting land, or the special use is a public necessity; and
4. Will be in harmony with the area in which it is to be located; and
5. Is in general conformity with the Town's adopted policy guidance; and
6. Is configured to ensure pedestrian and vehicular safety; and
7. Does not result in conditions where public facilities and services are inadequate to serve the proposed use.

Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

Adjournment

Commissioner Allers made a motion to adjourn the Board of Adjustment meeting. Commissioner Fuller seconded the motion. The motion was approved by a vote of 5-0.

X



Arthur Wright
Mayor

X



Lauren Chandler
Town Clerk