

**Planning Board Minutes**  
**Town of Butner, North Carolina**  
**Thursday, December 14, 2023, 6:30 P.M.**  
**Town Council Meeting Room**

**Members present:** Martin Sinicki, Chairman; Richard Campbell, Mark Pennington, Michael McFadden, Wynette Thompson, Bill Cheek. Lynette Bailey was called forward by Chairman after the meeting was called to order.

**Staff present:** Jennifer Ganser, Planning Director (PD), Katie Rhyne, Planner

**Counsel:** Gerry Koinis

**CALL TO ORDER:** Chairman Sinicki called the meeting to order at 6:30 p.m. The Chair stated there was one vacancy on the Board and asked alternate Lynette Bailey to come forward from the audience.

**ROLL CALL:** Planner Rhyne called the roll. Board members absent: Beau Whitted.

**ADOPT AGENDA:** Chairman Sinicki called for adoption of the agenda. M. McFadden made a **motion** to adopt the agenda as printed, second by L. Bailey. Motion passed.

**APPROVAL OF MINUTES, NOVEMBER 9, 2023:** M. McFadden made a **motion** to approve the minutes as presented with the correction of one typographical error. Second by L. Bailey. Motion passed.

**PUBLIC COMMENT:** Chairman Sinicki called for public comment. PD Ganser informed the public that the rules on public comments are that the speaker should be respectful of others and there is a three (3) minute time limit. There were no comments from the public.

**CONSIDERATION OF REZ-23-02 MERITAGE HOMES:** Planner Rhyne stated the applicant, Meritage Homes, is requesting to rezone 334 acres off West Lyon Station Road from rural residential and suburban residential to Planned Unit Development (PUD). A PUD allows for the addition of unified, integrated, and cohesive conditions. The future land use map shows this as suburban residential and TND, that is not being met in this proposed plan.

A drawing of the proposed development was displayed on screen. Planner Rhyne stated the location is in the watershed near Highway 56, with 12 percent built upon for low density. Applicant does not want to go over 30 percent. A traffic analysis completed by an engineering firm for the Applicant was displayed showing current traffic conditions and potential conditions if the development is built.

The proposal is for 205 houses in Phase 1. They will connect to existing infrastructure. The proposal is to have three phases of development. Staff has proposed some changes addressing stub outs, alleys and garage locations. Portions of the terrain creates environmental

issues and sidewalk locations are proposed considering these issues.

Following staff's presentation there was Board discussion about the process if there is a request to go over 30 percent. Staff reported that request could be handled by a staff decision. However, if there is a change in density, that is a Board decision. There was discussion about access and road alignment which must meet DOT standards. There was discussion about future expansion plans for the I-85. Staff stated the current proposal is for a total of 789 units. If the Applicant wants to increase this number they must come back to the Board with that request. The proposal is 2.5 units per acre.

Cameron Kidd with Meritage Homes, the Applicant, gave a brief introduction and history of the Applicant, which is from Scottsdale, AZ. The company has built 2500 houses in NC. They are energy star compliant. He introduced other corporate staff in attendance.

There was a screen display of the project process, which started in September, 2022. There was a neighborhood meeting in November, 2022 and there have been five revisions. A display was shown of the PUD plan. It displayed the site, concept plan, and pockets of preservation. There was a display of the proposed house styles for single family. DOT asked for alignment with Otho Mangum Road but there are some environmental issues.

Discussion and questions by the Board included the issues of sidewalks, trails and impact during construction. Board members made the point for construction to stay out of buffers. There was discussion on the impact on traffic during construction. The applicant responded there will be an effort to minimize that impact. There was discussion about the impact on neighboring property. The applicant stated there will be vegetative barriers. C. Kidd reported the phasing plan has not been set as of this date. There was a question on the actual number of houses since the report contains various numbers. C. Kidd asked Emily Rothrock to respond to that question.

Emily Rothrock stated that the plan shows 799 lots but 838 is the maximum. As to the question on computation of units, there is flexibility in the various units allowing up to a five percent change. The applicant cannot be definite on the number at this time.

Discussion from the Board included the issue of amenities and their location and whether they would be active or passive. There was discussion on control of stormwater to protect the public. There was discussion concerning the quality of construction. It was stated that the HOA would also have input on that issue. Home construction is on a slab and the homes are energy star rated on construction and appliances.

There was discussion on the details/definition of a PUD as to what is non-residential. Board counsel stated that point has been studied and there is no hard and fast definition. Staff reported the driveways are set at a minimum of 20 feet to sidewalk. The applicant has consulted the fire marshal. Alleyways are the responsibility of the HOA.

Following a discussion of construction materials, B. Check made a **motion** that if the request is granted that a condition that all houses be constructed with one hundred percent

(100%) Hardie board siding be added. Second by M. McFadden. Motion passed.

A proposed access map was displayed showing access points A, B and C with four additional stub outs. Applicant stated that access B would be the main road. There has been discussion with DOT and various issues have been addressed. Matt Peach, engineer, reported that discussion has included the potential of a traffic light, potential school bus stops, and DOT requirements for traffic lights.

Other items displayed on the screen and discussed included various amenities, other projects by the applicant, and the price point of the homes. The applicant reported that the comments at the public meeting addressed the issues of construction, traffic and the impact on the surrounding neighborhood.

Chairman Sinicki called for public comment on the Applicant's request for rezoning.

Kenneth McLamb stated that he had questions about the service from the fire department and what department will cover this area. Staff stated they would contact public safety.

Michael Boyd stated he attended the November public meeting. Many citizens were not aware of that meeting. He stated concern about the additional demand on fire service and recreational facilities. He feels the Town is moving too quickly on this decision and consideration should be given to more sophisticated, estate style development.

There being no further comments, Chairman Sinicki closed the public comment at 8:00 p.m.

R. Campbell asked for the projected schedule of the process to construction. Staff reported that if there is a recommendation by the Board tonight to proceed, it will go to Town Council in January. There could be a 6-8 month development, 12-14 months to start construction, and 5-6 years to build out. This is a conditional rezoning recommendation. Board counsel and PD Ganser explained the process and procedure.

B. Cheek made a **motion** to approve the application with the listed conditions, including the additional condition approved during this meeting, second by L. Bailey. Motion passed.

Planner Rhyne read the Consistency Statement. R. Campbell made a **motion** to adopt the Consistency Statement, second by B. Cheek. Motion passed.

**PLANNING REPORT:** PD Ganser reported that staff is working with Tarpey Farms to complete that project. Final inspection is next week. The Board of Adjustment has met and the combination of the two boards was discussed. Altec requested a variance, which was granted. Cookout will demolish the old bank building and construct a building with drive through service. There was a Board inquiry about the Bob's Barbecue facility but staff has no information on that. SGWASA is requesting two lift stations. American Hero plans to have a concept plan next year. Stream RV is under construction. The Creedmoor Fuel file is closed and there is nothing firm on

the Cricket project.

**ADJOURNMENT:** No further business, the Chairman called for a motion to adjourn. B. Cheek made a **motion** to adjourn, second by M. McFadden. Motion passed. Meeting adjourned at 8:12 p.m.

Respectfully submitted,

Martin Sinicki, Chairman