

**TOWN OF YOUNGSVILLE
PLANNING BOARD VIRTUAL MEETING
Microsoft Teams Teleconference
November 10, 2020
6:00 PM**

Chairman Mark Hurt called the meeting to order at 6:00 PM.

In attendance were Chairman Hurt; Members Scott Anderson, Robert Martin, Keith Tew, and Ben Rupert; Planning and Zoning Administrator Erin Klinger; and Planning and Zoning Officer Bob Clark. Vice-Chairman John Cyrus and Town Administrator Phil Cordeiro were not present.

Chairman Hurt then requested a motion to approve the Minutes prepared of the Planning Board meeting held on October 6, 2020. Without further discussion, the following motion was made by Member Scott Anderson, seconded by Member Ben Rupert, and unanimously carried.

MOTION: The Minutes of the Planning Board meeting held on October 6, 2020, are approved, as presented.

The next item on the Agenda was review and approval of the subdivision plat for Phase 6A of Holden Creek Preserve. Ms. Klinger stated that this was the plat the Planning Board had been informed of several months ago, where the developers wanted to split Phase 6 into Phases 6A and 6B. She added this was the plat for Phase 6A. This phase contains twenty-six (26) lots. The subdivision layout also includes a portion of Porterfield Drive. There will be a new twenty-foot storm drainage easement located behind lots 28 through 35 and again behind lots 21 through 26 and 160 through 164. There will not be any open space included in this phase of development. Ms. Klinger informed the Planning Board that they may approve, approve conditionally, or deny the final plat. She said planning staff recommended approval with the following conditions: that the water and sewer systems will meet standards and installation acceptable to Franklin County Public Utilities and that the developer provide information on the installation of streetlights. She then asked Mr. Clark if he had anything to add. Mr. Clark responded that Ms. Klinger had covered the important information. He added that this plat met the final plat standards and that the open space was located elsewhere in this subdivision. He recalled that Member Tew had previously had a question about the emergency access for this phase and mentioned that he had spoken with the developer and they will be installing a driveway between the two phases parallel to the sanitary sewer. This driveway will be open for emergency access as well as for construction vehicles.

Member Tew asked if the construction drawings had been approved and if the development was under construction yet. Ms. Klinger responded that the construction drawings had not yet been approved and asked Mr. Clark if the engineer had emailed him a digital file of the plans yet. Mr. Clark answered that he had not heard anything and said prior to the plat being recorded, the improvements needed to be installed or the developers would need to post a 125% cash bond. Ms. Klinger added that they have started working on paving Porterfield Drive. Member Tew asked if the condition in the motion referred to infrastructure having to pass inspections to make the plat valid. Mr. Clark responded that was correct and that the plat would not be recorded until

the documentation was in hand. He added that staff typically would not add final signatures to the plat until Franklin County signed off on water and sewer.

Chairman Hurt asked if there were any more questions. When there were none, the following motion was made by Member Tew, seconded by Member Anderson, and unanimously approved following a roll call vote:

MOTION: To approve the plat for Phase 6A of Holden Creek Preserve with the conditions presented by staff.

Chairman Hurt turned everyone's attention to the next item on the Agenda: a discussion of the Youngsville Development Ordinance (YDO) Sections 9.2-2(A)(6) and 9.3-2(A)(5) regarding mass grading and crawlspace techniques. Ms. Klinger stated that the gentlemen who spoke at the last meeting were on the line with everyone. She said she told Mr. Poulsen she thought the Planning Board members wanted to discuss the topic and that the builders could be on hand to answer any questions. She mentioned she included the slides from last month's meeting in the agenda packet and that the meeting minutes also contained the information that was discussed. Ms. Klinger also provided some background information for Member Rupert's benefit as he was new to the Planning Board. There is a requirement in the YDO that states in order to prevent mass grading, homes must be on crawlspaces instead of on slab foundations. She stated that tonight they would be discussing amending that requirement.

Chairman Hurt articulated that, of the techniques his company has used to maximize the utilization of property for storm drainage and for the resources of the customer, the items that were discussed at the last meeting all had to be considered. He said they always try to balance the site. In his opinion, concrete slab construction comprises approximately 75 to 80% of all his projects. He added that everything the builders and developers brought up at last month's meeting was true. He believed slab to be the best for insulation purposes. He would recommend amending this provision if possible. He said when talking about mass grading, builders are typically trying to capture the runoff and not direct it to someone else's property any faster than it is already traveling there and trying to remove the nitrogen to the best of their ability. He thought that was the intent of bioretention ponds and recalled that Mr. Rick Flowe suggested that municipalities and counties should be allowed to take over these ponds and move them downstream where there were more developments contributing. Chairman Hurt said he did not understand why mass grading was not an option developers could pursue prior to subdividing lots. If they choose to build a crawlspace over a slab, that is then their choice instead of a requirement. He added that it is possible for developers to make slab buildings look however they want and that his company did so often. He reiterated that he did not see any problem with slab or turn-down slab construction.

Ms. Klinger thanked Chairman Hurt for his feedback and asked if any of the other members had comments. Member Anderson requested that anybody on the Planning Board or town planning staff that had legitimate knowledge of how slab functions in the real world with water flow provide that information. He said that the topic was relatively new to him. They heard last meeting from several builders, and he understands their agenda. However, he recalled that when Mr. Flowe walked the Planning Board through the wording of the YDO, he made a very good argument as to why the crawlspace requirement was included. Mr. Anderson added that he knew

part of last month's presentation involved the unintended consequences of such requirements, but repeated that he would like to hear from either Mr. Tew or Mr. Clark about the differences between setting up the two types of foundations and what the pros and cons are to each. He said he appreciated Chairman Hurt's input, but that he would also like to hear other comments regarding real world experience about how that difference plays out.

Mr. Poulsen asked if he could briefly discuss mass grading. He mentioned his company has built developments both with and without mass grading. If you do not mass grade, Mother Nature will determine where the water runs. It is difficult to change this if you cannot change the topography of the land. One of the main reasons to use mass grading is that water can be channeled where builders want it to go. There are typically two or three checks to ensure stormwater systems are up to par and that the water is under control. Mr. Poulsen said one of the problems builders have if the water is not controlled is that it will go where they do not want it to, and this usually ends up being on someone else's property. He said issues do not typically arise if you have control of the water and are able to direct it to stormwater ponds. He stated the only situation in which he would be okay with not mass grading was if there was a single house on a single lot which would allow the builder to channel the water on that lot. However, there are still few options for where this water can go. Mr. Poulsen asked Chairman Hurt if this had been his experience as well. Mr. Hurt responded that Mr. Poulsen was correct and that if grading is done at the beginning of a project, the builder can plan whether those lots are level and can guide the water where it needs to go. He stated that he could see the benefits of installing a crawlspace on an unlevel surface. However, the builder would still have to control the grade from that house to the neighbor and the grade would still need to be maintained. In his opinion, there are less adverse effects from mass grading than from individual lot grading. Mass grading also gives builders the opportunity to balance the site and make the site as level as they can.

Mr. Poulsen said the building pad is typically installed higher than anything else on the lot. The grade is typically five percent lower between the two houses so the natural flow is for the water to go to its lowest point which can be designed by mass grading. That water then flows into the street and through the storm system. Mr. Ohmann interjected that these swales are a way for developers to conduct the water in the direction they want it to move. Virtually the only way to do this is by grading all the lots at once. He said slabs not only affect the builder but the buyer as well. It is important that serving the market be discussed, not just creating the market. They cannot just arbitrarily say all buyers will have to pay \$25,000 to \$30,000 more for a foundation builders think is a better alternative. There are sections of the market that cannot afford or utilize a crawlspace or stairs. These are places where mass grading must be carefully used. He reiterated that he was advocating for a land use plan that explained where the town wanted the most expensive homes and larger lots. Larger lots make it easier to install a crawlspace foundation. However, it is prohibitively expensive to grade individual lots that are only sixty feet wide. Mr. Poulsen added that if you look at areas in Franklin County, Youngsville, and Wake Forest that have had stormwater problems over the past several years, you will notice where the developers did not mass grade.

Ms. Klinger then asked Members Tew and Rupert or Mr. Clark for their input on Member Anderson's question since they had some experience in this area. Mr. Clark responded that at the time the YDO was being drafted, Youngsville had not yet had a tremendous amount of development. There were several large subdivisions, such as Holden Creek Preserve and Laurel

Oaks, but the rest was infill development. At the time, there were not many regional or national builders in the area. He thought that part of the crawlspace requirement arose out of trying to use as much of the land as possible. He added that in North Carolina, the state legislature removed the ability to dictate the style of single-family homes from the hands of local governments. This requirement was not intended to dictate a particular style but was instead based on trying to combat drainage issues and trying to preserve more trees. At the same time, there was not a cost-benefit analysis done regarding matching the requirement with the market. The examples that were provided during the YDO rewrite were of new developments that were built in markets for 3,200 square foot houses in the price range of \$350,000 to \$400,000. Mr. Clark said they did not really look at the details of this topic as they did not receive any feedback at the time, despite there being a few developers that took part in the process. There was also some thought about infill development in the traditional neighborhoods around the downtown area where the style of development had been crawlspace foundations. The idea was to minimize mass grading as much as possible, which Mr. Clark agreed is not really possible with 6,000 square foot lots. He mentioned the homes in Phase One of the Laurel Oaks subdivision were on crawlspace foundations on larger lots. He also noted the lots in Patterson Woods are on larger lots with septic systems and there have been some drainage issues in that development as well as in Phase One of Laurel Oaks. At the same time, there are also examples where slab construction has caused issues with drainage. However, he specified that these developments were built under the old specifications and standards which have since changed and that the new Manual of Standards and Specifications looked much more carefully at stormwater and curb and gutter. He thought that consideration should be given to the crawlspace requirement. He said the previous ordinance contained a provision for Planned Unit Developments to increase the amount of open space, but added the new ordinance stipulated that open space must be usable. He concluded by saying he liked the idea of turn-down slab if the crawlspace provision was changed to where there was some elevation but not a substantial “v” ditch between units. He said the only other way to handle having only sixteen feet between houses was install drainage features, which in themselves could be problematic. His suggestion would be for the ordinance to allow the developer to choose which type of foundation to install.

Following Mr. Clark’s comments, Ms. Klinger asked if Mr. Tew had anything to added. Mr. Tew began by mentioning that he lived in a home on a crawlspace for over twenty years and never had any issue with it, but that he was now living in a slab-constructed home and absolutely loved it. He thought the subdivision he lived in had a mixture of crawlspace and slab foundations, likely because it started development before the recession with one builder and continued afterwards with another. He said the architecture of both was very complimentary. Mr. Tew added that slab construction could be done properly and that he was not a proponent of outlawing it entirely. He thought that the town needed to have the option as a tool in the toolbox but that they would need to consider the appropriate development standards to use to protect the town’s interests. He added that townhomes are a classic example where he often sees slab construction. Technically, a townhome development is a subdivision, but engineering-wise they are considered a site plan that is mass graded with a complete engineered solution. He recalled Mr. Anderson’s new antique store was on a slab foundation and that it was tastefully done. He believed there are some common misconceptions regarding slab construction and listed several of those. These included the site must be clear-cut; the end product is very cookie-cutter; impervious surfaces seem more prevalent; the sites are poorly lit and poorly landscaped; there is little to no dimension or character to the development; and finally, there are often problems with drainage. He

mentioned that his property has a less-than-ideal drainage situation and that his neighbor recently had to install French drains. These problems could come from bad engineering or from poor construction; either way, the swales Mr. Ohmann referred to are sometimes flat and they pond water. Mr. Tew reiterated some of the points made during the presentation at last month's meeting. The product does need to be commensurate with what the market will bear. The developer must make a profit to stay in business but at the same time, the customer needs to be able to afford the end product and there is a balancing act between the two. He added that no matter how you look at it, slab construction saves money without sacrificing quality of appearance or structural integrity. He respectfully disagreed that although it is certainly true a solution can be engineered for a mass graded site, he did not think it was necessary for a site to be mass graded in order to have an efficient engineered solution. He clarified this statement by giving an example of traditional subdivisions where they are constantly balancing their earthwork without disturbing the lot. The utility and stormwater layouts generally follow the natural topography. All of this is done on a daily and routine basis. He did not want it to be presented that a mass graded solution was the only option.

Mr. Tew added, for Mr. Anderson's benefit, that mass grading was typically a given with a site plan. For example, if there is a one-acre parcel with a gas station, the whole lot will be disturbed. However, with single-family residential, developers can cut the streets in, leaving the lots undisturbed. He believed that it would work well to just follow the natural topography of a site. When lot density increases, thereby increasing the lot yield and decreasing the lot size, it becomes more and more challenging to work on each lot independently of another. The denser a project is, the more appealing mass grading will be from an engineering perspective. He believed the intent of mass grading was to increase the lot yield, create denser lots, and make projects more profitable. He thought that what the Planning Board and Board of Commissioners needed to decide was what standards, if any, would slab construction be allowed under to prevent some of the slippery slope situations he mentioned earlier in the meeting. He concluded by saying he thought it would be appropriate to consider slab construction, as long as it was under the right parameters and asked if anyone had any questions for him.

Ms. Klinger asked Mr. Anderson if Mr. Tew's comments helped answer his original question. Mr. Anderson responded that the comments helped quite a bit. Mr. Tew added that a mass graded site does give developers the opportunity to install a regional stormwater device. Otherwise, they might have to install small BMPs or retention ponds around the site where required by the topography and he could see this being a concern. Mr. Poulsen commented that in their original look at the site in question, they thought they would have to have both regional stormwater as well as retention ponds. He added the property they were looking at has a ridge going through the middle of the site. If they were not able to mass grade, in order to allow the sewer to operate under a gravity flow, it would have to be located so low it would become a long-term maintenance nightmare. Mr. Tew responded that he was not familiar with Franklin County Public Utilities standards as to whether they allowed pump stations, and Mr. Poulsen said that even if the builders could afford to install one, the city likely did not want to maintain it long-term. He added that they were open to suggestions and were looking at all solutions. He reiterated Mr. Clark's comments about how this provision was likely put into place in thinking about smaller projects. Mr. Clark then added the town's current multifamily standards contained mixed-use provisions for workforce housing and ground-floor retail. He clarified that these types of buildings did not require crawlspaces. He believed townhomes should be put into the same

category, particularly when considering the building code changes that recently took place requiring fire separation to the ground. He said that, as Mr. Tew mentioned, a site plan development does denote mass grading. He included that the town now had better control over some of the stormwater issues than they had in the past. Due to the recession, there were a number of products where the old standards did not require the lots and the drainage arrangements for said lots to tie into the street system, which resulted in several developers selling their lots without any consideration as to how that system would work. He explained that the town had better guidance in place now than before.

Mr. Tew agreed with Mr. Clark that he liked the turn-down slab detail. Mr. Clark reiterated the consideration of handicap accessibility is important. Mr. Ohmann interjected as he was getting ready to leave the meeting. He echoed Mr. Clark's comments that it is important that there be a way to handle age-targeted or age-restricted housing in the code language. He pointed out that Apex's code contained some good provisions about allowing for steps into the house that did not otherwise control how the foundation was built. Mr. Ohmann then thanked everyone for their time and left the meeting.

Mr. Anderson said it sounded like there were multiple issues at play, among them mass grading and the requirement of slab versus crawlspace in conjunction with mass grading. He thought maybe the Planning Board needed to have some discussion as to how to reword the ordinance so that it addressed the issues based on lot density and topography. If these items are a one-off, where, for example, the developers need to dig a sewer line twenty feet deep and it becomes problematic for both the builder and the town, exceptions needed to be provided in the wording of the ordinance. He said it seems there are multiple issues that needed to be ironed out before any changes are made to the ordinance. He did not want to reword the ordinance to allow builders to take large tracts of land, remove all the trees, and pack the land into a flat surface with roads and sod that may not take and build cookie-cutter house. Otherwise, Mr. Anderson agreed with what he had heard and thought that the ordinance could work for everybody if worded appropriately. He stated he would not vote for changes that would allow cookie-cutter developments where nothing was of concern except allow the builder to erect as many houses as possible.

Ms. Klinger said with the Planning Board's consent, she would, for example, look at Apex's code to see how the turn-down slab provision was worded and then work with Mr. Clark to draft a text amendment based on the comments she heard from the Planning Board this evening. She would then bring those amendments either for discussion or for a vote at next month's meeting but that she could not guarantee she would be able to finish her research in time for a vote at the December meeting as that was only a few weeks away. Mr. Anderson responded that he was amenable to that plan and asked what article and section numbers of the ordinance were in question so that he can read through it to see how the provision is currently worded. Ms. Klinger answered that it was the two sections listed in the agenda.

Chairman Hurt stated the item would be tabled until a later date. Ms. Klinger responded that it sounded like they needed to provide something more concrete for the Planning Board to look at based on the comments heard that evening. Mr. Tew asked what the process was for ordinance amendments and if there would be a public hearing when they went to the Board of Commissioners. Ms. Klinger said that yes, this assumption was correct. Any amendments would

come before the Planning Board for review and recommendation of either approval or denial and they would then go to the Commissioners for the public hearing and the Commissioners would have the final say. She mentioned that the Planning Board's recommendation often played a big part in the Board of Commissioners' decision. Mr. Tew inserted that he was curious about Mr. Rupert as he knew Mr. Rupert had an engineering background and he was not sure if he had any relevant experience to share or any opinion on the matter. Mr. Rupert repeated the concerns mentioned by other Planning Board members. He mentioned the first concern that comes to mind when thinking of mass grading is cutting down every single tree and having a completely flat site, which, in his opinion, is not particularly conducive to an attractive community. However, tree preservation areas and tree planting requirements can help alleviate this worry. He also mentioned that if a site is not mass grade, there will be diversion ditches, rock check dams, and other BMPs that need to be installed. If these stormwater management tools are installed properly, they should prevent water from moving to other properties. As a rule of thumb, when his company was grading smaller lots, they would have diversion swales graded so the slab would be the high point of the lot. The lot would then be graded down one to five percent. He elaborated that a five percent grade represented approximately half an inch per foot slope which is not noticeable to the naked eye, but it does prevent the water from pooling at the slabs. He thought that it could be worded in the ordinance that mass grading should not be considered when a lot reaches a certain size. This is where the builder could balance the site like Mr. Tew had stated earlier. He added that everything goes back to accountability. If the inspectors hold the developer and the construction company accountable for the plans, there should not be any major issues.

When none of the other Planning Board members had any feedback, Chairman Hurt turned everyone's attention to the next item on the agenda, Planning Board comments. As there were no further comments, the meeting moved to public comments. Ms. Klinger informed Mr. Hurt that no one had signed up to speak during the public comment period. Chairman Hurt then solicited remarks for the Around-the-Town report from Planning staff. Ms. Klinger welcome Mr. Rupert to the Planning Board and thanked him for joining. She added that they would have a full board again come January as the town had received an application for the vacant in-town position. The rezoning she had mentioned last month that was going to be heard at this month's meeting was pulled for revisions based on the comments heard at the neighborhood meeting and that petition should be on the agenda for the December meeting. She concluded by stating that the Main Street project should be starting early next year, likely in late February or early March. She then asked if Mr. Clark had anything to add. He said he did not and that he knew Ms. Klinger would be happy to have a full Planning Board. He added he was happy to be a resource for planning staff.

Chairman n Hurt stated that he thought they had a very informative discussion that evening. He appreciated everybody's time and thanked Mr. Rupert for being a part of the Planning Board. He then adjourned the meeting at 7:11 pm.