

**Town of Angier Board of Commissioners
Special Called Meeting
October 23, 2018 - 6:30 p.m.
Angier Municipal Building
A g e n d a**

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Invocation**
- 4. Approval of the October 23, 2018, meeting agenda**
- 5. Public Hearing**
 - A. Rezoning Request**

Applicant Tyrone Cobb
Property: West William Street (PIN#: 0674-50-9347.000)
Current: General Commercial; Requested: R-6
- 6. Adjournment**



Town of Angier
P.O. Box 278
Angier, NC 27501
919-639-2071



Lewis Weatherspoon
Mayor

Michael McLaurin
Interim Manager

MEMO

TO: Angier Board of Commissioners

FROM: Angier Planning Board

RE: September 10, 2018 Angier Planning Board Meeting

This is to inform the Angier Board of Commissioners of the recommendations made by the Angier Planning Board during their September 10, 2018 meeting. The items on the Planning Board agenda were as follows:

Rezoning Request – 3.79 Acre Parcel on West Williams Street (PIN:

The Planning Board recommends the **APPROVAL** of the change in zoning from GC to R-6 based on the following:

The requested zoning district would allow for development that **is not** compatible with the 2017 Comprehensive Land Use Plan. However, based on the surrounding zoning districts and surrounding land uses, the Planning Board feels the uses allowed by the R-6 district will be appropriate in this area.

Text Amendment Proposal: Automotive Repair Services & Automotive Sales

The Planning Board recommends the **APPROVAL** of the proposed Ordinance text amendment related to auto repair shops, auto sales businesses and similar uses. (See Attached)

Text Amendment Proposal: Multi-Family Residential Regulations

The Planning Board recommends the **APPROVAL** of the proposed Ordinance text amendment related to multi-family residential uses and their applicable standards. (See Attached)

Everett Blake
Angier Planning Board Chairman



APPLICATION FOR ZONING CHANGE

Planning Department
55 N. Broad Street W.
P.O. Box 278
Angier, NC 27501
Phone: (919)-639-2071 Fax: (919) 639-6130

For Planning Department Use Only

Case Number: _____
Date Received: _____
Fee Paid: _____
Planning Board Mtg. _____
Town Board Mtg. _____

Applicant Information:

Owner of Record:

Name: Tyrone Ray Cobb
Address: P.O. Box 1810
City/State/Zip: Angier, NC 27501
Phone: 919-639-2300
E-mail: tycobbsinsurance@gmail.com
Fax: 919-639-5472

Applicant:

Name: _____
Address: _____
City/State/Zip: _____
Phone: _____
E-mail: _____
Fax: _____

Property Description:

PIN(S): 0674-50-9347.000 Acreage: 3.715 Acres
Tax Parcel ID: 04067415120004
Address: West Williams Street, Angier, NC
Directions from Town Hall: Travel West on Williams Street 0.25 miles.
Property is on the right

Deed Book: 3622 Page: 29
Plat Book: 2005 Page: 525

Zoning Request:

Existing zoning: General Commercial Requested zoning: R-6

Attachments:

- Written description of property from recorded deed
- Recorded map of property at scale of not less than one (1) inch = 200 feet
- Explanation of why the zoning change is requested, addressing applicable portions of Section 14.3 of the Unified Development Ordinance.

Signatures:

The undersigned applicant hereby certifies that, to the best of his or her knowledge and belief, all information supplied with this application is true and accurate:

Tyane R. Cobb 8/13/18
Property Owner Signature Date Authorized Agent Signature Date

Requirements for Consideration:

The Planning Board shall consider and make recommendation to the Town Board of Commissioners concerning each proposed zoning district. The following policy guidelines shall be followed by the Planning Board concerning zoning districts and no proposed zoning district will receive favorable recommendation unless:

1. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.
2. There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.
3. There is convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely used which applicants state they intend to make of the property involved.)
4. There is convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
5. The proposed change is in accordance with the comprehensive plan and sound planning practices.

REQUEST TO REZONE PROPERTY TO R-6 RESIDENTIAL DISTRICT

REQUIREMENT FOR CONSIDERATION:

1. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.
 - * The property is bordered on three sides by property that is zoned residential. The fourth side is currently used for farming.
2. There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.
 - * Placing this property in a residential zoning classification would protect and benefit the surrounding property owners from the allowable uses of a commercial zoning classification.
3. There is convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely used which applicants state they intend to make of the property involved.)
 - * The requested R-6 zoning classification will be more appropriate than the current general commercial zoning, as the property is in a residential neighborhood.
4. There is convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
 - * This zoning change will improve, protect and benefit the neighborhood by placing it in a similar, more appropriate classification.
5. The proposed change is in accordance with the comprehensive plan and sound planning practices.
 - * This zoning request is in compliance with our Unified Development Ordinance and meets or exceeds all comprehensive planning practices.



REZONING STAFF REPORT

File #: 2018-000219
Staff Contact: Sean Johnson
sjohnson@angier.org
(919) 331-6702

Planning Board: September 11, 2018

Public Hearing: October 2, 2018

Requesting Rezoning: General Commercial to R-6

Applicant Information

Owner of Record:

Name: Tyrone Cobb
Address: P.O. Box 1810
City/State/Zip: Angier, NC 27501

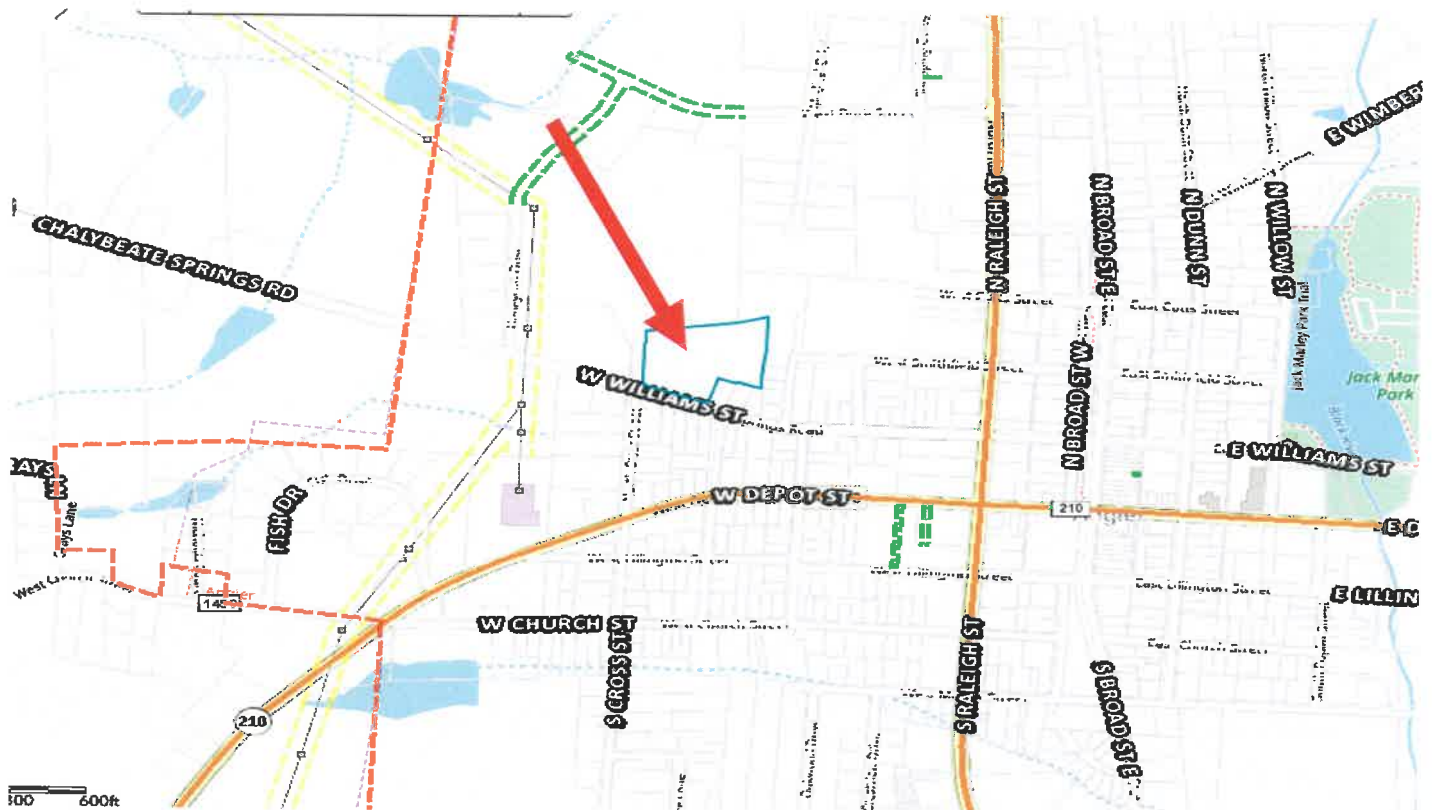
Applicant:

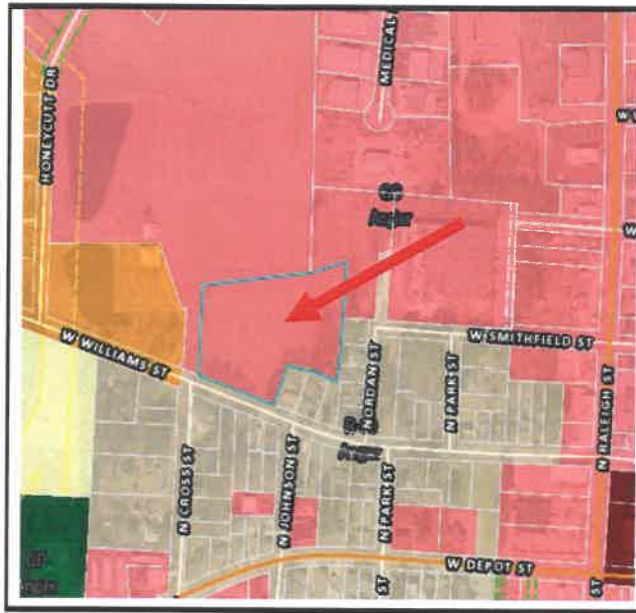
Name: Same as Owner
Address:
City/State/Zip:

Property Description

PIN(s): 0674-50-9347.000 Acreage: 3.79 Acres
Address: West Williams Street

Vicinity Map





| | CURRENT GC | REQUESTED R-6 |
|---------------------------------------|---------------|------------------|
| Parks & Rec Facilities | | P |
| Detached Single Family or Duplexes | | P |
| Townhome/Condos | | S |
| Multi-Family | | S |
| Professional Offices | P | |
| Retail Uses | P | |
| Eating Establishments | P | |
| Governmental Uses | P | P |
| Distribution | | |
| Manufacturing Uses | | |

P=Permitted Use S=Special Use

Zoning District Compatibility

Physical Characteristics



Site Description: The property is currently vacant farmland with wooded areas along its Eastern border.

Surrounding Land Uses: Surrounding Land Uses include medium and high density residential, agricultural, commercial and recreational.

Aerial Photograph (2017)

Services Available

Water:

- ☒ Public
☐ Private (Well)
☐ Other: Unverified

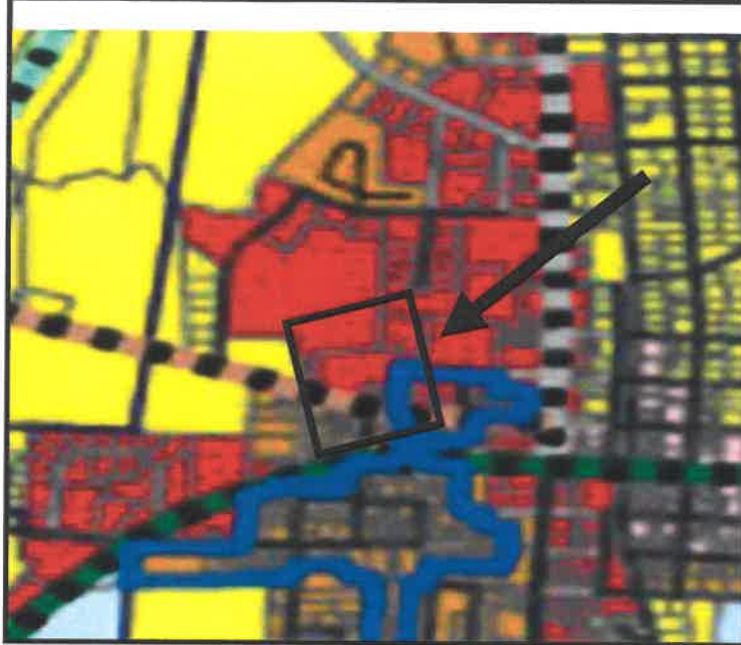
Sewer:

- ☒ Public
☐ Private (Septic Tank)
☐ Other: unverified

Transportation:

Access will be provided by
West Williams Street

Land Use Classification Compatibility



Future Land Use Map (2017)

| | REQUESTED ZONING | LAND USE |
|------------------------|------------------|-------------|
| | R-6 | Comm |
| Parks & Rec Facilities | P | |
| Detached Single Family | P | |
| Duplexes | P | |
| Townhomes | S | |
| Multi-Family | S | |
| Professional Offices | | P |
| Retail Uses | | P |
| Eating Establishments | | P |
| Governmental Uses | P | P |
| Distribution | | |
| Manufacturing Uses | | |

2017 Angier Comp. Land Use Plan: Commercial

The Proposed Rezoning Is Not In Compliance With The Land Use Plan

Evaluation

- ☒ **Yes** ☐ No The IMPACT to the adjacent property owners and the surrounding community is reasonable, and the benefits of the rezoning outweigh any potential inconvenience or harm to the community.
REASONING: The requested zoning would allow for use of the property that is compatible with adjoining uses.
- ☐ Yes ☒ **No** The requested zoning district is COMPATIBLE with the existing Land Use Classification.
REASONING: The Land Use Plan calls for Commercial use of the property, which is contrary to the uses allowed by the requested zoning district.
- ☒ **Yes** ☐ No The proposal does ENHANCE or maintain the public health, safety and general welfare.
REASONING: The rezoning would allow for uses compatible with surrounding uses.
- ☐ Yes ☒ **No** The request is for a SMALL SCALE REZONING and should be evaluated for reasonableness
REASONING: The rezoning would match the zoning of adjacent parcels.

Suggested Statement-of-Consistency (Staff concludes that...)

The requested rezoning to R-6 is not compatible with The Land Use Plan. However, the uses permitted by the requested district would be compatible with existing uses, would not have an unreasonable impact on the surrounding community, and will not harm the public health, safety, and general welfare for the reasons stated in the evaluation. It is recommended that this rezoning request be **APPROVED**.

Standards of Review and Worksheet

STANDARDS OF REVIEW

The Planning Board shall consider and make recommendations to the Town Board of Commissioners concerning this proposed conditional zoning district. The following policy guidelines shall be followed by the Planning Board concerning zoning districts and no proposed zoning district will receive favorable recommendation unless:

- ☐ Yes ☐ No A. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.
- ☐ Yes ☐ No B. There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.
- ☐ Yes ☐ No C. There is convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
- ☐ Yes ☐ No D. The proposed change is in accordance with the comprehensive plan and sound planning practices.

☐ **GRANTING THE REZONING REQUEST**

Motion to grant the rezoning upon finding that the rezoning is reasonable based on **All** of the above findings of fact A-E being found in the affirmative and that the rezoning advances the public interest.

☐ **DENYING THE REZONING REQUEST**

Motion to deny the rezoning upon finding that the proposed rezoning does not advance the public interest and is unreasonable due to the following:

- ☐ The proposal will not place all property similarly situated in the area in the same category, or in appropriate complementary categories.
- ☐ There is not convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.
- ☐ There is not convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)
- ☐ There is not convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
- ☐ The proposed change is not in accordance with the comprehensive plan and sound planning practices.
- ☐ The proposed change was not found to be reasonable for a small scale rezoning

Attachments

- ☒ Original Rezoning Application