

**Town of Angier Board of Adjustment/
Work Session Meeting
September 15, 2020, 6:30 P.M.
Municipal Building
28 N. Raleigh Street
Angier, North Carolina 27501
Minutes**

The Town of Angier Board of Adjustment met in regular session on Tuesday, September 15, 2020, inside the Municipal Building Board Room, 28 N. Raleigh Street. Mayor Bob Smith presided, calling the meeting to order at 6:30 p.m.

Members Present: Mayor Bob Smith
Mayor Pro-Tem Craig Honeycutt
Commissioner Loru Boyer Hawley
Commissioner Mike Hill
Commissioner Coats

Members Absent:

ETJ Members Present: Chris Hughes

ETJ Members Absent: Lee Marshall

Staff Members Present: Town Manager Gerry Vincent
Town Clerk Veronica Hardaway
Planning Director Sean Johnson
Library Director Katy Warren
Finance Director Hans Kalwitz
Public Works Director Jimmy Cook
Chief of Police Arthur Yarbrough
Parks & Recreation Director Derek McLean
Town Attorney Dan Hartzog Jr.

2. Pledge of Allegiance: Mayor Bob Smith led the pledge of allegiance.

3. Invocation: Commissioner Coats offered the invocation.

4. Approval of the July 28, 2020 Meeting Minutes: With there being no changes, the July 28, 2020 Board of Adjustment Meeting Minutes were approved as presented.

Motion: Commissioner Hill
Vote: Unanimous; 6-0

Approval of the September 15, 2020 Agenda: The Board of Adjustment approved the agenda with the following amendment: the addition of Closed Session pursuant to NCGS 143-318.11 (a) (3) to consult with the Town Attorney and NCGS 143-318.11 (a) (6) to discuss a personnel matter.

Motion: Commissioner Coats
Vote: Unanimous; 6-0

Swearing In Of Witness: The following persons giving testimony during the evidentiary hearings on the agenda were duly sworn by the Town Clerk.

Sean Johnson
Yvonne Gregory
T. Warren Gregory
Scott Brown

7. Public Hearing

A. Special Use Permit submitted by Carolina Land Group, LLC requesting a Planned Mixed Use Development on approximately 48.56 acres located at 152 Sundowner Lane.

Mayor Smith opened the Evidentiary Hearing

Planning Director Sean Johnson stated that the Planning Department has received a Special Use Permit application from Carolina Land Group, LLC who is requesting approval for a Planned Development located at 152 Sundowner Lane. A Master Plan has been submitted showing a 279 unit mixed use development on 48.56 acres located along NC 210 with access to Circle Drive. The majority of the property on which the Master Plan is proposed is currently zoned RA-30 and is in Angier's ETJ. The applicant would be required to receive voluntary annexation approval before tying into the existing Town of Angier water and sewer lines. The proposed Master Plan includes:

Overall density: 5.75 units/acre
20.25 acres of open space
61 single family lots 4,800 – 7,600 sq. ft.
218 Townhouse lots
Type A landscaping buffer along the boundaries of the townhome portion of the development
Pocket park areas
Walking trails within open space areas

Setbacks proposed by the developer are as follows:

	<u>Setbacks</u>	
	Single Family	Townhome
Front	20ft.	20ft.
Side	5ft.	0ft.
Corner Side	15ft.	10ft.
Rear	20ft.	10ft.

Density
Single Family – 1.26 units/acre
Multifamily – 4.49 units/acre
Overall – 5.75 units/acre

UDO Section 4.11.6 – Planned Development:

- A. 4.11.6.1 Intent – Planned developments are intended to provide for creation of well-planned environments through the application of flexible and diversified land development standards. A planned development is intended to encourage the application of new techniques and technology to residential, commercial, office, and light industrial uses which will result in a more comprehensive development arrangement with lasting function and appeal. It is further intended to achieve broader goals such as economic land development, consideration of environmental conditions, efficient street systems and utility networks, usable attractive open spaces, and the general well-being of the town's inhabitants.*

Scott Brown, 4D Site Solutions, representing the applicant stated that the proposed Planned Development is a mixed use of 218 townhomes and 61 single family homes that will be HOA maintained. He stated there have been discussion with NCDOT in reference to access on HWY 210. A left and right turn lane is recommended, but that is predicated on right-of-way acquisition due to the current NC 210 Right-of-Way not being wide enough to facilitate right and left turn lanes. The applicant will make arrangements for the left turn lane however, the right turn lane is not definite. Public water and sewer will be used. A sewer pump station will be installed to serve the site and will pump wastewater to the Town pump station by the Lagoon on Campbell Street.

Brian Hawley, 49 Kerrylane Drive, voiced his concerns regarding trash carts and storm water drainage.

Charlotte Bowden, 46 Bowden Family Lane, was concerned with people coming onto her property and requested the developer to install a privacy fence between the proposed development and her property.

Yvonne Gregory, 10325 NC HWY 210 N., voiced her concerns regarding drainage, traffic, decrease in property value, and the proposed buffer adjacent to her property.

Warren Gregory, HWY 210, shared his concerns regarding drainage and asked if an environmental study was conducted.

Creole McIver, 249 Sundowner Lane, also asked about a privacy fence and wanted to know if he would be forced to sell his property.

The Board asked Staff to weigh in on several concerns brought to the Board's attention. Mr. Johnson stated that, if approved, the development will proceed with review by the Technical Review Committee to address development details such as drainage issues, trash cart locations proposed streets and utilities, and other items for Ordinance compliance.

Mr. Brown stated an environmental study would be conducted during the Technical Review process and the applicant has agreed to run a 6ft. privacy fence along the adjacent properties including Ms. Bowden's, Mr. McIver's and Ms. and Ms. Gregory's properties.

Mayor Smith closed the Evidentiary Hearing

Special Use Permit shall be based on the following findings of fact:

UDO Section 15.3.2.3

- A. The requested use will not impair the integrity or character of the surrounding or adjoining districts;*
- B. The requested use will not be detrimental to the health, morals, or welfare;*
- C. Adequate utilities, access streets, drainage, sanitation and/or other necessary facilities have been or are being provided;*
- D. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;*
- E. That the special use shall, in all other aspects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the board of adjustment.*

Board Action: The Board of Adjustment voted to approve the Special Use Permit based on the Findings of Fact.

Motion: Commissioner Hill

Vote:

Amended Board Action: The Board of Adjustment voted to approve the Special Use Permit based on the Findings of Fact to include the engineer's proposal to add a 6ft. privacy fence abutting the Bowden and Gregory properties as well as a buffer.

Motion: Commissioner Hill

Opposed: Commissioner Hawley

Vote: 5-1; motion carries

Board Action: The Board of Adjustment unanimously voted to adjourn the Board of Adjustment meeting at approximately 7:59pm.

Motion: Commissioner Hill

Vote: 6-0, unanimous

Board of Adjustment ETJ members were excused, Board of Commissioners continued with Work Session items.

8. Old Business

A. Former Town Limit Entrance Signs

Town Manager Gerry Vincent stated he met with Scott Brown with Advanced Signs and will bring back to the Board a design concept.

It was the consensus of the Board to allow the Town Manager to proceed with design ideas.

B. Parking Lot Improvement Project #1

Mr. Vincent stated discussions were had with Coaly Design to come up with a rendering of the alleyway improvement project. Letters have been sent to property owners, however some owners are not interested in selling a portion of their property but the Town will continue to work with downtown businesses and property owners.

It was the consensus of the Board to invite those merchants affected to attend the next work session meeting.

9. New Business

A. Two-hour Parking Signs

Mr. Vincent stated that the Downtown Advisory Board had some discussion at one of their meetings regarding the two-hour parking signs downtown. The day after their meeting took place, a member of the committee took it upon themselves to remove the two-hour parking signs. Mr. Vincent explained these signs cannot be enforced without them being displayed and asked direction from the Board on whether to leave the signs down or put them back up.

It was the consensus of the Board to leave the two-hour parking signs down.

B. Reschedule all Meeting Times from 7pm to 6pm (Including Planning Board, BOC and Board of Adjustment)

It was the consensus of the Board to hold all meetings at 6:30pm starting in January of 2021.

C. Main Street Program Designation

Mr. Vincent stated that due to COVID-19 and the restrictions held on events, the current vacancy of the Downtown Manager will remain vacant until a proper replacement can be found.

Mr. Vincent asked the Board if they wish to continue with the Mainstreet program or possibly hire an alternative position such as an events coordinator.

It was the consensus of the Board to seek additional information regarding the Downtown Manager duties and consider including additional responsibilities. The Board wishes to continue with the Downtown Advisory Board.

D. Advisory Board Members Terms ending December 31, 2020

The Town Clerk explained to the Board that letters and applications were sent to those members who wish to seek re-appointment with a deadline of October 9th. Terms due to expire are as follows:

ABC – Philip Allen; Tom Taylor

Planning – Chris Wagner (in-town); Lee Marshall (ETJ)

Library – Elaine Blackmon; and an additional vacancy

Board Action: Closed Session pursuant to NCGS 143-318.11 (a) (3) to consult with the Town Attorney and NCGS 143-318.11 (a) (6) to discuss a personnel matter.

Motion: Commissioner Hill

Vote: 4-0; unanimous

Board Action: The Board of Commissioners unanimously voted to reconvene in open session at approximately 9:44pm

Motion: Commissioner Hill

Vote: 4-0; unanimous

10. Adjournment: Mayor Smith entertained a motion to adjourn the meeting. Motion to adjourn was unanimous at approximately 9:48pm.

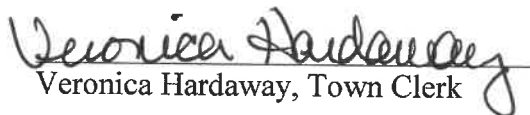
Motion: Commissioner Hawley

Vote: Unanimous; 4-0



Robert K. Smith, Mayor
Chairman / Board of Adjustment

Attest:



Veronica Hardaway, Town Clerk

