

**TOWN OF ANGIER
PLANNING BOARD
AGENDA
November 14, 2017
7:00 P.M.
Municipal Building
28 North Raleigh Street
Angier, North Carolina 27501**

1. Opening
2. Pledge Of Allegiance
3. Invocation
4. Approval Of The August 8, 2017 Planning Board Minutes
5. Consideration Of The Agenda
6. Items For Discussion And Recommendation:

Rezoning Request

- Application Submitted By Mitchell Morgan To Rezone The 45.95 Acre Parcel At 523 South Wilma Street From R-10 To R-6 (PIN: 0683-06-0225.000)

7. Other Business
8. Adjournment

**TOWN OF ANGIER
PLANNING BOARD
Tuesday, August 8, 2017, 7:00 P.M.
Angier Municipal Building
28 North Raleigh Street
Minutes**

The Angier Planning Board met in regular session Tuesday, August 8, 2017, inside the Municipal Building Board Room, 28 N. Raleigh Street. Chairman Everett Blake, III, presided, calling the meeting to order at 7:05 p.m.

Members Present: Chairman Everett Blake, III
Lee Marshall
Danny Honeycutt
Paul Strohmeyer
Junior Price

Members Absent: Thomas Taylor
Wayne Oakes

Staff Present: Town Manager, Coley Price
Town Engineer, Bill Dreitzler
Planning and Permitting Technician, Sean Johnson
Town Clerk Veronica Hardaway

Others Present: Mayor Lew Weatherspoon
Commissioner Bob Smith
Commissioner Jerry Hockaday
Commissioner Craig Honeycutt
Commissioner Alvis McKoy

2. **Pledge of Allegiance:** Danny Honeycutt led the pledge of allegiance.
3. **Invocation:** Everett Blake, III offered the invocation.
4. **Approval of the August 8, 2017, Planning Board Minutes:** With there being no changes, the August 8, 2017 Planning Board Minutes were approved as presented.

Motion: Junior Price
Second: Lee Marshall
Vote: Unanimous, 5-0

5. **Consideration of the Agenda:** The Planning Board approved the agenda as presented.

Motion: Lee Marshall
Second: Junior Price
Vote: Unanimous, 5-0

6. Items for Discussion and Recommendation:

6a. Consideration of the Comprehensive Land Use Plan

Dale Holland, with Holland Consulting Planners, presented the proposed Comprehensive Land Use Plan to the Planning Board.

Mr. Holland thanked all Steering Committee members and Town Staff who participated and assisted with the proposed Comprehensive Land Use Plan. The Land Use Plan is used in setting goals and strategies for all aspects of the Town. It is part of a continuous process and should be used as a resource guide for both the Town and Planning Boards. The Land Use Plan is also a legal basis for land use regulations and a guide for Town budgeting. The NC General Statutes don't specifically require comprehensive plans, however NC General Statutes do state zoning ordinances and Unified Development Ordinances must be based on a comprehensive plan.

Mr. Holland explained the major sections included in the Plan. Those sections are the community profile, existing conditions, projections/future demand, and goals and strategies. The plan has been based on significant citizen participation that included two town-wide public input meetings, citizen surveys, and ten Steering Committee meetings.

Mr. Holland outlined the ten primary goals and six areas of concern within the plan. These two areas were made by the citizen survey results. Angier's planning jurisdiction is fortunate to have very few environmental constraints. The Land Use Map shows potential road improvements as well as existing residential areas. Mr. Holland suggested that if changes are made, the map should be amended to reflect those changes.

Planning Board Action: The Planning Board voted to recommend approval of the proposed Comprehensive Land Use Plan and set a Public Hearing date of September 12th during the Town Board meeting.

Motion: Junior Price
Seconded: Paul Strohmeyer
Vote: Unanimous, 5-0

6b. Rezoning Request – Application by K&H Developers to rezone a 10.92 acre parcel from R-10 to R-6.

Sean Johnson presented the staff report for the rezoning request to rezone a 10.92 acre parcel from R-10 to R-6 that was made by applicant, K&H Developers. Mr. Johnson stated Mr. Holloman is extending the end of Whetstone Drive to serve the previously recorded 13 buildable lots in there now. The rezoning request is for the 10.92 acre tract behind the road extension in the woods. K&H Developers has requested the R-6 zoning district to be able to have a minimum lot size of 6,000 sq. ft. Currently, the property is zoned R-10 which allows a minimum lot size of 10,000 sq. ft.

Mr. Johnson stated the property is currently wooded and contains a large wetlands section along the western edge and surrounding land uses include agricultural as well as low and medium density residential. Mr. Holloman lost four lots in the previous phase as he originally had sixteen recorded lots. The four lost lots was due to the Army Corp of Engineers informing him that those lots were too tight to build around the wetlands. Mr. Holloman is trying to recoup those lots lost by a future phase. Water and sewer have been stubbed and are ready to be tapped.

Mr. Johnson stated the proposed rezoning is compatible with the new Land Use Plan that was just presented to the Board. 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. The additional impact caused by a few more homes to the surrounding properties will be minimal. The requested zoning district is compatible with the existing Land Use Classification. The Land Use Map to be adopted in September designates the property as medium density residential. The requested zoning would follow for lots as small as 6,000 sq. ft., which fits the density suggested by the map. The proposal does enhance or maintain the public health, safety and general welfare. The additional impact caused by a few more homes to the surrounding properties will be minimal. The rezoning will not change the allowed use of the property, just the density.

Junior Price asked about the safety of ingress and egress on the street since the road itself is very tight.

Mr. Johnson stated Mr. Holloman will have to meet our current standards in terms of road width, curb and gutter, sidewalks, and landscaping.

Everett Blake, III asked how long will be the longest possible dead end street.

Mr. Johnson stated Mr. Holloman will be required to stub out to the eastern property by carrying Whetstone Drive all the way to the furthest edge to the existing 11 acres as well as making a perpendicular intersection to the northern property, Glen Meadow extension, to the North.

David Holloman, K&H Developers, stated he has been developing the proposed project since 2000.

Planning Board Action: The Planning Board voted to recommend approval for the rezoning request to rezone a 10.92 acre parcel from R-10 to R-6 that was made by applicant, K&H Developers.

Motion: Junior Price
Seconded: Lee Marshall
Vote: 5-0, Unanimous

7. Other Business

Town Manager Coley Price informed the Board that over 300 citizens attended the NCDOT floating meeting concerning the Hwy 55 project.

8. Adjournment: Chairman Everett Blake, III, entertained a motion to adjourn the meeting.

The Planning Board voted to adjourn the August 8, 2017 meeting at 8:06 p.m.

With there being no further business to discuss, the Planning Board meeting was adjourned at 8:06 p.m.

Everett Blake, III, Chairman

Attest:

Veronica Hardaway, Town Clerk

2017-000301



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: 11/2/17
Fee Paid: 400.00
Planning Board Mtg. 11/14/17
Town Board Mtg. 12/5/17

Applicant Information:

Owner of Record: Kathryn Campbell Morgan **Applicant:**

Name: Revocable Trust

Address: 925 Windrow Ln

City/State/Zip: Raleigh, NC 27603

Phone: 919-662-0966

E-mail: mmdeacon@nc.rr.com

Fax: _____

Name: Mitchell L. Morgan, Trustee

Address: 925 Windrow Ln.

City/State/Zip: Raleigh, NC 27603

Phone: 919-662-0966

E-mail: mmdeacon@nc.rr.com

Fax: _____

Property Description:

PIN(S): 0683-06-0225.000

Acreage: 47.500 Acres

Tax Parcel ID: 04067415210100

Address: 523 S. Wilma St., Angier, NC 27501

Directions from Town Hall: Travel South on Broad St., Left on McIver St., Right on Wilma St. to end

Deed Book: _____ Page: _____

Plat Book: _____ Page: _____

Zoning Request:

Existing zoning: R-10

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:

Kathryn Campbell Morgan			
<u>Revocable Trust</u>	<u>10-30-17</u>	<u>Mitchell L. Morgan</u>	<u>10-30-17</u>
Property Owner Signature	Date	Authorized Agent Signature	Date
		Mitchell L. Morgan, Trustee	

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.



TOWN OF ANGIER
BOARD RELATED FEES PERMIT
55 NORTH BROAD ST WEST ANGIER, NC 27501-0278
Phone: 919-639-2071 FAX: 919-639-6130

DATE ISSUED: 11/02/2017

PERMIT #: 2017-000301

LOCATION

DISTRICT TAX MAP PARCEL#
04067415210100

523 SOUTH WILMA STREET

LOT ZONING DISTRICT
R-10

OWNER: KATHRYN CAMPBELL MORGAN REVOCABLE TRUST

TOTAL VALUATION
\$ 0

CONTRACTOR:

SUBCONTRACTOR ID/NAME

SUBCONTRACTOR TYPE

TYPE CONSTRUCTION: BOARD RELATED

OCCUPANCY GROUP: LAND USE

FEE CODE

FEE

BOARD RELATED FEES/REZONING

400.00

TOTAL PAID:

400.00

PAID IN FULL

TOTAL AMOUNT:

400.00

REMARKS:

REZONING APPLICATION FOR 47.5 ACRE PARCEL
CURRENT ZONING: R-10
REQUESTED ZONING: R-6

(SIGNATURE OF CONTRACTOR/OWNER)

Dean Johnson
(ISSUED BY)

(DATE)

11/2/17
(DATE)

<>>>>>>>>> TOWN OF ANGIER <<<<<<<<<<>

----- Misc Receipt -----

Batch No	Receipt No	Trans Date
0000007896	0000204132	11/03/2017

Operator Code	Today's Date	Time
FRI	11/02/2017	01:13:59 PM

Payor: LITTLE CROSS LLC
Address: 00000

10-3001-0023	Payment:	400.00
PLANNING FEES & PERMITS		
MORGAN PROPERTY REZONING		

Total Due:	400.00
Total Tendered:	400.00
Change Returned:	0.00

Check Amount:	400.00
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Paid By: Little Cross Llc
Check No 30104666 For \$400.00

Zoning District Compatibility



	CURRENT	REQUESTED
	R-10	R-6
Parks & Rec Facilities	P	P
Detached Single Family or Duplexes	P	P
Townhomes/Condos	S	S
Multi-Family	S	S
Professional Offices		
Retail Uses		
Eating Establishments		
Governmental Uses	P	P
Distribution		
Manufacturing Uses		

P=Permitted Use S=Special Use

Physical Characteristics



Site Description: The property currently contains 1 single family home and is largely vacant farmland. The property is partially wooded, contains a small pond and a creek at the Southwestern corner.

Surrounding Land Uses: Surrounding Land Uses Include Agricultural, Low & Medium Density Residential, and the Town's Public Works facility.

Aerial Photograph (2013)

Services Available

Water:

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

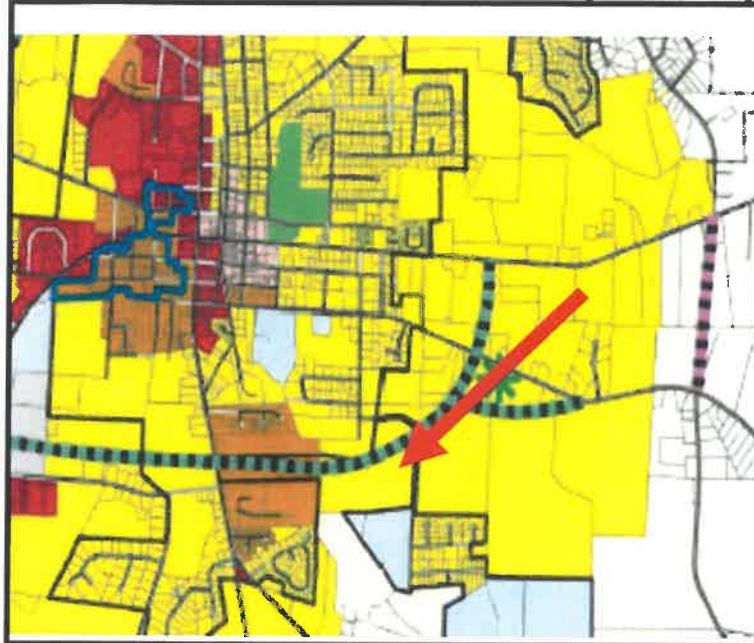
Sewer:

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

Transportation:

S. Wilma Street, Campbell Street

Land Use Classification Compatibility



Future Land Use Map (2017)

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

2017 Land Use Plan: Medium Density Residential: 3-6 Units per Acre
Requested R-6 District: 6,000 sq. ft. min. lot size

The Proposed Rezoning Is In Compliance With The Land Use Plan
Adopted In September 2017

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 additional impact caused by potentially adding a few more dwelling units to the surrounding properties will be minimal.
- ☒ **Yes** ☐ **No** The requested zoning district is COMPATIBLE with the existing Land Use Classification.
REASONING: The Land Plan adopted in September designates the property as Medium Density Residential which calls for 3-6 units per acre. The requested zoning would allow for lots as small as 6,000 sq. ft., which fits the density suggested by the Plan.
- ☒ **Yes** ☐ **No** The proposal does ENHANCE or maintain the public health, safety and general welfare.
REASONING: The increase in density from R-10 to R-6 is minimal.
- ☐ **Yes** ☒ **No** The request is for a SMALL SCALE REZONING and should be evaluated for reasonableness
REASONING: The rezoning will not change the allowed use of the property, just the density allowed.

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

The requested rezoning to General Commercial is compatible with all Town of Angier regulatory documents, 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 C. 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