

**Town of Angier Planning Board
Tuesday, December 13, 2016, 7 pm
Municipal Building
28 North Raleigh Street
Angier, North Carolina 27501
Minutes**

The Angier Planning Board met in regular session Tuesday, December 13, 2016, inside the Municipal Building Board Room, 28 N. Raleigh Street. Chairman Everett Blake, III, presided, calling the meeting to order at 7 PM.

Members Present: Chairman Everett Blake, III
Vice-Chairman Thomas Taylor
Danny Honeycutt
Lee Marshall
Wayne Oakes

Members Absent: Tristan Scott
Paul Strohmeyer

Staff Present: Town Manager, Coley Price
Public Works Director, Jimmy Cook
Planning and Permitting Technician, Sean Johnson
Town Clerk, Kim Lambert

2. **Pledge of Allegiance:** Chairman Blake led the pledge of allegiance.

3. **Invocation:** Chairman Blake offered the invocation.

4. **Approval of the October 11, 2016, Planning Board Meeting minutes:**
With no suggested changes, the Planning Board unanimously approved the minutes from the October 11, 2016, Planning Board Meeting.

Motion: Thomas Taylor
Seconded: Danny Honeycutt
Vote: Unanimous, Affirmatives, 5;

5. **Approval of the December 13, 2016, Planning Board Meeting Agenda:** The Planning Board unanimously approved the December 13, 2016, Meeting Agenda as presented.

Motion: Thomas Taylor
Seconded: Wayne Oates
Vote: Unanimous, Affirmatives, 6;

6. **Items for Discussion and Recommendation**

► Planning Board Issue ~ Angier Town Manager Coley Price told the Planning

Board that Tristan Scott had tendered his letter of resignation. Mr. Price said that the replacement for Mr. Scott's post would be voted on during the February Board of Commissioners' meeting.

► Rezoning Request ~ Wallace McLean, Jr., had submitted an application, requesting the .68-acre property at 1612 James Norris Road be rezoned from RA-30 to Commerce Park (Harnett County PIN: 0673-04-7073.000).

Planning and Permitting Technician Sean Johnson presented the background information regarding the request by Mr. McLean. The applicant had indicated that the proposed zoning request would allow the building to be used for automotive care and tire distribution. He said the Town provided the water on the property and that there was a private septic tank.

He said that surrounding land uses included medium-density residential, retail, offices, and light manufacturing. The property contains a large storage building/garage, three or more junked vehicles, various automotive parts and other equipment.

Mr. Johnson said the proposed zoning is in compliance with the Town's current Land Use Plan adopted in 2008.

Mr. Johnson said that a phone call placed to the owner August 22, 2016, confirmed that an illegal business was operating on the property.

The following day, August 23, 2016, a property inspection was conducted where an employee was notified of the Illegal Business Violation. A Cease and Desist Order was issued to shutter the business. A copy of the conversation with the employee and a Cease and Desist Order was sent to the property owner.

Upon more than 10 inspections, evidence of the illegal auto repair business continued to be present on the property. On October 5, 2016, a violation was issued due to the number of junked vehicles, deeming it an illegal junk yard defined by the Unified Development Ordinance. After more than 10 additional inspections in the weeks following, the junked vehicles remained on the property. Civil fines continue to accrue. At the time of the Planning Board meeting in December, 2016, Mr. Johnson reported that Mr. McLean had been issued his tenth civil fine, totaling \$ 1,550.

The Planning Board evaluated the application, deeming (1) the impact to the adjacent property owners and surrounding community is reasonable, and benefits of rezoning outweigh any potential inconvenience or harm to the community. **They confirmed that the impact to the surrounding properties – once the proper buffering was implemented -- would be minimal.**

They deemed (2) that the requested rezoning district is compatible with the existing Land Use classification. **They confirmed the rezoning is compatible stating that the Future Land Use map calls for Office/Institutional, which is consistent with the permitted uses in the Commerce Park zoning district.**

The Planning Board (3) deemed the proposed site as having the capacity to enhance or maintain the public health, safety and general welfare. **They confirmed the requested zoning district will allow for use of the site compatible with surrounding uses.**

The Planning Board (4) confirmed the request was *not* for a small scale rezoning. **They confirmed the requested zoning would complement adjacent properties.**

The Staff and Planning Board concluded that the requested rezoning to General Commercial is compatible with The Town of Angier's regulatory documents and would not have an unreasonable impact on the surrounding community. They agreed it would not have an unreasonable impact on the surrounding community, it would not harm the public health, safety, and general welfare for the aforementioned reasons. **The Staff recommended the rezoning request be approved.**

Public Comment: Richard Cruckshank from 84 Neill's Creek Court, Angier, addressed the Planning Board. He said that he is appalled at the appearance and business operations taking place on the property. Mr. Cruckshank said that he passes by the parcel six to eight times each day. He told the Planning Board that he has heard reports that the second floor of the building is being used as living quarters. Mr. Cruckshank said if the structure is being used as housing accommodations, it would not pass Building Code and Fire Code with there being no windows, sprinklers and other required amenities.

Planning Board Action: There being no further Public Comment, the Planning Board evaluated and approved the applicant's Standards of Review and in a 4-to-1 vote recommended *approval* of the rezoning request submitted by Wallace McLean, Jr.

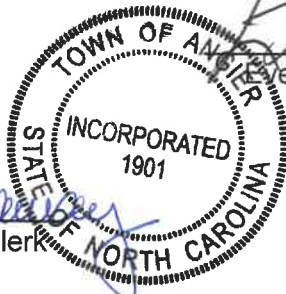
Motion: Thomas Taylor
Seconded: Wayne Oakes
Vote: 4-to-1 with Chairman Everett Blake opposing.


Chairman Blake said that the rezoning request would then go before the Angier Board of Commissioners during its January 3, 2017, meeting.

7. **Adjournment:** Chairman Blake adjourned the December 13, 2016, Planning Board meeting at 7:33 PM.

ATTEST:


Acting Planning Board Clerk




Everett Blake, III, Chairman