

**TOWN OF ANGIER
PLANNING BOARD
Tuesday, January 12, 2021, 6:30 P.M.
Angier Board Room
28 N. Raleigh Street
Minutes**

The Angier Planning Board met in regular session on Tuesday, January 12, 2021 inside the Angier Board Room at 28 N. Raleigh Street. Chairman Christina Kazakavage called the meeting to order at 6:35 p.m.

Members Present: Chairman Christina Kazakavage
Vice-Chairman Chris Hughes
Courtney Jusnes
Kelly Ennis
Lee Marshall
Robert Frey
Brian Hawley

Members Absent: None.

Staff Present: Planning Director Sean Johnson
Administrative Assistant Donna DiMambro

Others Present: Commissioner Mike Hill

2. **Pledge of Allegiance:** Chairman Christina Kazakavage led the pledge of allegiance.
3. **Invocation:** Chairman Christina Kazakavage offered the invocation.
4. **Approval of the December 8, 2020 Planning Board Minutes:** With there being no changes, the December 8, 2020 Planning Board Minutes were approved as presented.

Motion: Brian Hawley
Vote: Unanimous, 7-0

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

Christina Kazakavage requested feedback on the agenda, to which Brian Hawley suggested to add an item to the agenda. Mr. Hawley motioned to add, under New Business, a general topic of concern as Item C.

Motion: Brian Hawley
Vote: Unanimous, 7-0

6. New Business:

A. Rezoning Request

Property in Question: NC 210 N (Harnett PIN:0683-290488.000)
Current Zoning: RA-30
Requested Zoning: General Commercial
Applicant: Gregory Family Properties
Parcel Address: NC 210 North
Current Conditions: Wooded, vacant property with approximately 1,200 feet along Highway 210. Services available include public water and off-site public sewer in the vicinity.

Planning Director, Sean Johnson, brought attention to the staff report. Looking at the vicinity map, the parcel in question is roughly 6.49 acres. Mr. Johnson pointed out the adjacent zoning districts and discussed the lack of compatibility with the proposed zoning district. Brian Hawley asked, regarding the unverified sewer service, what it entailed. Mr. Johnson replied that the property does have access to Town water, but not sewer. Town sewer is available nearby at S. Pleasant Street and NC 210, and can be extended to serve any future development on site.

Board Member Courtney Jusnes asked about why the adjacent approved development, being RA-30, is defined as mixed use. Mr. Johnson replied that, in our ordinance there are options, one of which is Planned Use Development (PUD). These PUDs allow developers to apply for a Special Use Permit for a site specific, mixed use development rather than following the standard rezoning process. This property had approved a higher density use through the Board of Adjustment's review of a Special Use Permit.

Board Member Chris Hughes stated that it is not the Town's responsibility to connect utilities, rather the property owners. Notably, if property owners wish to maintain having septic, they could still have their property rezoned. Mr. Johnson replied that, in some cases that may be true. However, if a commercial building is proposed, the Ordinance requires extension of Town utilities to serve it if it is within a certain distance of Town utilities.

Board Member Courtney Jusnes stated that the developer could, if this request was denied, come back with a conditional rezoning request. Mr. Johnson concurred, replying the option is available.

Mr. Johnson stated that the rezoning requested is not compatible with the Future Land Use Map. The Land Use Map calls for medium density residential uses on the property, while the rezoning requested would allow for commercial uses. The rezoning requested does not match any adjacent rezoning district, and the rezoning would not allow for uses that may not be compatible with surrounding uses.

Mrs. Kazakavage, Planning Board Chairman, offered Warren Gregory's son, representing the applicant for rezoning, to speak.

Mr. Gregory elaborated on the request in which they would like to add a mini storage facility. Mr. Gregory continues, stating they can meet all the necessary requirements.

Mrs. Kazakavage continued stating that the Standards and Review will be discussed and there will be a recommendation made to the Board of Commissioners.

After reading over the Standards and Review, Board Member Brian Hawley, made mention of 'Item A' and how the applicant does not conform with the requirement. Mr. Hawley elaborates that the Town would be stepping away from what has been zoned in the area; therefore, the applicant does not meet the Standards and Review.

The topic was thoroughly discussed, after which the consensus of the Board was to deny the rezoning request.

Planning & Inspections Director, Sean Johnson, answered a Board question stating the difference between a conditional rezoning and a standard rezoning is that conditional zoning allows the Board to only permit a certain proposed use on the property in question, whereas a standard rezoning allows for all permitted uses listed in the Ordinance.

Chairman Kazakavage requested show of hands for denial, to which there were five consensus of denial and one against. Mrs. Kazakavage elaborated the reason for denial is due that the proposed rezoning does not meet the public interest as it 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 the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change; lastly the proposed change is in not in accordance with the comprehensive plan and sound planning practices.

There was a motion to recommend denial of the rezoning request to General Commercial.

Motion: Courtney Jusnes

Vote: 6-1

Opposed: Chris Hughes

Motion Carries

B. Staff Recommended Text Amendment

Planning Director, Sean Johnson, discussed the fence requirements found in Ordinance Section 7.3.5 "Fences and Walls" and elaborated upon language he'd like to see added. Among other items, this added language would clarify the requirement for Fence Permits in Town and prohibit the installation of fences within recorded easements. Mr. Johnson also stated that this amendment will give Staff the ability to issue fines for property owners installing fences within existing Town utility easements.

There was discussion by the Board and Staff regarding the fence height restrictions based on the use of the property. It was the consensus of the Board to remove the minimum fence height requirements, remove the agricultural fence height restrictions, and to ensure the same height limits for the sides and rear of a property are established.

Motion: Robert Frye

Vote: 7-0

Unanimous

Motion Carries

C. Other Board Discussion

Chris Hughes brought an unrelated matter to the Board's attention related to a recent traffic incident experienced in town. Mr. Hughes explained that his company vehicle was damaged on a Town street and that the Town was not going to pay to cover the cost to repair the vehicle. He then inquired as to if a Town Ordinance or policy needed to be changed to address similar issues in the future.


The Board was in agreement that this matter was not related to the Planning Board and that Mr. Hughes should discuss the matter with the Town Manager.

7. Old Business - No Updates

8. Adjournment: The Planning Board meeting adjourned at 7:56 PM


Christina Kazakavage, Chairman

Attest:


Donna DiMambro, Administrative Assistant