

**TOWN OF ANGIER  
PLANNING BOARD  
Tuesday, August 9, 2022 6:30 P.M.  
Angier Board Room  
28 N. Raleigh Street  
Minutes**

The Angier Planning Board met in regular session Tuesday, August 9, 2022 inside the Angier Board Room at 28 N. Raleigh Street. Christina Kazakavage called the meeting to order at 6:31 p.m.

**Members Present:** Christina Kazakavage  
Robert Frey  
Courtney Jusnes  
Haley Plumley (Arrived at 6:36pm)  
Lee Marshall

**Staff Present:** Planning Director Sean Johnson  
Town Clerk Veronica Hardaway  
Administrative Assistant Donna DiMambro

**Members Absent:** Myron Patterson

**Others Present:** Commissioner Jim Kazakavage  
Commissioner Loru Hawley

2. **Pledge of Allegiance:** Christina Kazakavage led the pledge of allegiance.
3. **Invocation:** Christina Kazakavage offered the invocation.
4. **Approval of the July 12, 2022 Planning Board Minutes:** With there being no changes, the July 12, 2022 Planning Board Minutes were approved as presented.

**Motion:** Lee Marshall  
**Vote:** 5-0; unanimous

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

**Motion:** Robert Frey  
**Vote:** 5-0; unanimous

**6. New Business:**

**A. Rezoning Request**

Applicant: Meritage Homes

Property Owners: Daniel & Janet Gardner, Kenneth & Debra Gardner

Property in Question: Old Buies Creek Rd

Current Zoning: RA-30

Requested Zoning: CZ-R-6

Planning Director Sean Johnson went over the property details, the existing zoning is RA-30 and the applicant is requesting an CZ-R-6 zoning district. The property is on 48.47 acres. This property is directly south of the Windsor subdivision. The proposed use will be only single family lots. The main difference from the current zoning and the proposed zoning is the minimum lot size, going from 30,000sqft to 6,000sqft. The developer will be required to extend Town of Angier water and sewer to the property, and it will be accessed by Old Buies Creek Road.

The applicant has proposed a 136-lot residential subdivision that will include a mixture of 10,000sqft and 6,000sqft lots. There is ample open space, landscape buffers, sidewalks, and stormwater facilities proposed.

Mr. Johnson then read a list of zoning conditions proposed by the applicant and revised by Staff to be incorporate into the rezoning request:

1. The Parcel In Question Shall Only Be Developed With Single Family Residential Lots
2. There Shall Be No More Than 136 Total Lots On The Parcel In Question. In The Case Of A Reduction In The Total Lot Count Based On Unforeseen Design Constraints, The Planning Director May Approve Minor Adjustments To The Proposed Subdivision Plan.
3. The Minimum Lot Size Shall Be At Least 6,000sqft
4. There Shall Be At Least 45 Lots Greater Than Or Equal To 10,000sqft
5. The Minimum Lot Width Shall Be 50ft
6. The Minimum Building Setbacks Shall Be As Required In The R-6 District
7. There Shall Be A Southbound Right-Turn Lane Installed To Serve Each Development Access On Old Buies Creek Rd. These Improvements Shall Be Installed Per NCDOT Standards Prior To The Recordation Of Any Lots Shown On The Subdivision Plan.
8. In Addition To The Turn Lanes Described In Condition #7, Any Improvements Recommended By The Traffic Impact Analysis Shall Be Installed.
9. There Shall Be A Minimum Of 12 Acres Of Open Space Dedicated In The Proposed Subdivision. Open Shall Be Developed In Accordance With Chapter 6 Of The Angier Zoning Ordinance.
10. A 20-Ft Vegetated Buffer Will Be Provided Along Old Buies Creek Rd, Which Shall Be Installed Per The Type A Buffer Standards In Section 7.3 Of The Angier Zoning Ordinance.
11. Where The 70-Ft Wide Lots Are Located Within 20-Ft Of The Western And Northern Property Lines, A 20-Ft Vegetated Buffer Will Be Provided. It Shall Be Installed Per The Type A Buffer Standards In Section 7.3 Of The Angier Zoning Ordinance.
12. Where The 50-Ft Wide Lots Are Located Within 15-Ft Of The Eastern And Southern Property Lines, A 15-Ft Vegetated Buffer Will Be Provided. It Shall Be Installed Per The Type A Buffer Standards In Section 7.3 Of The Angier Zoning Ordinance.
13. The Property Shall Be Developed With Two Or More Of The Following Amenities: Pedestrian Walkways, Benches, Gazebo Or Shade Structure, Play Structure, Play Lawn, Or Pet Waste Stations.
14. There Shall Be Curb & Gutter And 5ft Wide Sidewalk Installed Throughout The Proposed Subdivision On Both Sides Of Each Proposed Street.
15. There Shall Be Curb & Gutter And 5ft Wide Sidewalk Installed Along Old Buies Creek

- Rd Adjacent To The Subdivision Which Stub To The North And South Of Each Property In Question.
16. The Developer Shall Incorporate Crepe Myrtles Near The Entrances To The Subdivision.

**Staff evaluation:**

With appropriate conditions, the requested zoning would allow for an appropriate density of residential uses that are compatible with the surrounding neighborhood.

The requested zoning is in line with the low density residential and medium density residential designation shown on the Land Use Plan.

With appropriate conditions, the requested zoning would allow for residential uses that are compatible with the surrounding neighborhood.

The proposed rezoning would match the adjacent CZ-R-6 zoning on the opposite side of Old Buies Creek Rd. With appropriate conditions enacted by the Board, the proposed subdivision will have additional improvements to ensure it does not adversely affect the surrounding neighborhoods.

**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:

A. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories. *It was the consensus of the Board this applies*

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. *It was the consensus of the Board this applies*

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. *It was the consensus of the Board that this applies*

D. The proposed change is in accordance with the comprehensive plan and sound planning practices. *It was the consensus of the Board that this applies*

**Board Action:** Based on the Standards of Review, the Planning Board unanimously voted to approve the rezoning request located at Old Buies Creek Road from a RA-30 to CZ-R-6 with the proposed conditions.

**Motion:** Robert Frey

**Vote:** 5-0; unanimous

## **B. Rezoning Request**

Applicant: Chris McKinney  
Property Owner: Rebecca Partin  
Property in Question: 375 Matthews Mill Pond Rd  
Current Zoning: RA-30  
Requested Zoning: CZ-R-6

Planning Director Sean Johnson went over the property details. The existing zoning is RA-30 and the requested zoning CZ-R-6. There are 2 parcels here totaling a little over 32 acres.

The proposed subdivision is adjacent to the Dupree Farms tract located to the East, which was just approved by the Commissioners. The Dupree Farms project will have a stub street which would connect to this proposed subdivision, providing vehicle and pedestrian connection through Dupree Farms back out to Tippet Road in addition to the proposed Mathews Mill Pond Rd entrance.

Surrounding Land Uses include medium density residential, professional services, church and agricultural. Town of Angier Water and sewer available upon the extension by the developer. The applicant has proposed exclusively duplexes and townhouses on this 32 acre tract, with an overall density of about 2.7 units per acre.

The applicant has proposed a 87-unit residential subdivision that will include a mixture of duplexes and townhome lots. There is ample open space, walking trails, landscape buffers, sidewalks, and stormwater facilities proposed.

Mr. Johnson then read a list of zoning conditions proposed by the applicant and revised by Staff to be incorporate into the rezoning request:

1. The Parcels In Question Shall Only Be Developed With Duplex And Townhome Residential Lots
2. There Shall Be No More Than 87 Total units On The Parcels In Question. In The Case Of A Reduction In The Total Lot Count Based On Unforeseen Design Constraints, The Planning Director May Approve Minor Adjustments To The Proposed Subdivision Plan.
3. There Shall Be No More Than 19 Lots Developed For Townhomes.
4. All duplex Lots Shall Be at least 12,000sqft.
5. All townhome lots shall be at least 2,500sqft
6. The Minimum Building Setbacks Shall Be As Required In The R-6 District
7. There Shall Be A Minimum Of 11 Acres Of Total Open Space dedicated In The Proposed Subdivision, Of Which A Minimum Of 9 Acres Shall Be Active Recreational Open Space. Open Shall Be Developed In Accordance With Chapter 6 Of The Angier Zoning Ordinance.
8. There Shall Be A 10ft Type C Landscape Buffer Installed Along Matthews Mill Pond Rd
9. There Shall Be A 15ft Type A Landscape Buffer Installed Along The sides and Rear Of The Proposed Townhome Lots.
10. There Shall Be Curb & Gutter And 5ft Wide Sidewalk Installed Throughout The

Proposed Subdivision On Both Sides Of Each Proposed Street, And Along The Road Frontages On Matthews Mill Pond Rd Which Stubs To Each Adjacent Property.

11. All Lots Proposed Adjacent To Parcels Which Are Occupied By Residential Dwellings As Of July 5, 2022 Shall Include A 15ft Type A Landscape Buffer.
12. The Developer Shall Incorporate Crepe Myrtles into the landscaped area Near The Entrance To The Subdivision.

There was discussion amongst the Board regarding an additional landscaping buffer between the proposed subdivision and the Dupree Farms subdivision to the East.

The applicant agreed to an additional 15ft landscape buffer as condition #13.

There was then discussion by the applicant and the Board that the proposed development would be a 55+ community. Staff agreed to add a condition #14 which laid out the requirements that the proposed subdivision would have HOA covenants that require all residents to be at least 55 years of age.

#### **Staff evaluation:**

With appropriate conditions, the requested zoning would allow for an appropriate density of residential uses that are compatible with the surrounding neighborhood. With appropriate conditions enacted by the board, the proposed subdivision will have additional improvements to ensure it does not adversely affect the surrounding neighborhoods.

#### **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:

- A. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories. *It was the consensus of the Board this applies*
- 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. *It was the consensus of the Board this applies, with the addition of Conditions #13 & #14.*
- 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. *It was the consensus of the Board that this applies, with the addition of Conditions #13 & #14.*
- D. The proposed change is in accordance with the comprehensive plan and sound planning practices. *It was the consensus of the Board that this applies*

**Board Action:** Based on the Standards of Review, the Planning Board unanimously voted to approve the rezoning request located at Matthews Mill Pond Road From a RA-30 to CZ-R-6 with the conditions proposed as well as the addition of Conditions #13 & #14.

**Motion:** Courtney Jusnes

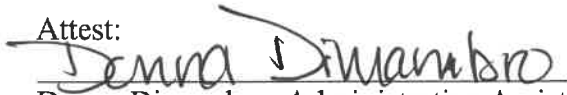
**Vote:** 5-0; unanimous

**7. Old Business:**

None

**8. Adjournment:** Christina Kazakavage adjourned the Planning Board meeting at 7:16 pm.

  
Christina Kazakavage, Chairman

Attest:  
  
Donna Dimambro, Administrative Assistant