

Planning Board Meeting  
June 9, 2014  
6:30 pm

Council Chambers

Minutes & General Account

Planning Board Members Present: Kerry Miller, Chair; Art Wise, Vice-Chair; Dot Perdue, Eddie Oakley, Sarah Glanville, John Capes, (alt.) and Richard Newbill and Ted Johnson, ETJ Members

Staff Present: Matthew Johnson, Chuck Smith and Martha Wolfe

Visitors Present: Tom Rawlings & Jim Weisner of Harvest Church, Rich Glover of Jamestown Engineering, Carol Brooks of the Jamestown News.

1. Call to Order – Kerry Miller called the meeting to order.
2. Approval of minutes from April 14, 2014 meeting – Art Wise made a motion to approve the minutes from the April 14, 2014 meeting as written. Dot Perdue made a second to the motion. The motion passed by unanimous vote.
3. Public Hearing to consider a minor Land Development Ordinance change to Article 12.11 “Off-Street Parking Requirement”, specifically, to the “Churches, Synagogues, and places of worship” category of the off-street parking tables - Matthew Johnson stated Rich Glover, Jamestown Engineering, requested this Ordinance amendment on behalf of the Harvest Church. The Church has experienced some issues in regard to parking. The requested amendment is that the maximum parking requirement be changed from 1 space for every 3 seats to 1 space for every 1.75 seats.

Glover also requested adding Article 14.3-4 “Flexibility For Parking Standards” to give the Technical Review Committee (TRC) an option to increase parking uses by 25% on a site specific basis. The flexibility for parking standards being that we cannot cover every possible situation, the table cannot be considered as exact, so TRC is given the flexibility to administer the exception as follows:

- a) Parking space requirements for a use that is NOT identified in the table shall be based on a similar listed use.
- b) Deviation from the number of spaces required up to a maximum of 25% are permitted when the TRC can determine that the requirements for a particular situation are unreasonable. The request must be in writing. The TRC reasons for allowing or denying are in writing. The TRC may require “equal or better performance” standards or other conditions as part of the agreement. The TRC is comprised of the Town Manager, Public Services Director and the Planning Director and on occasion there is a consulting engineer that may assist with specific environmental regulations.

Kerry Miller stated the request is a 2 part request; 1) amendment in parking table and 2) addition of Article 14.3-4 – “Flexibility for Parking Standards” to give the TRC flexibility in deviation for parking.

Wise asked if the request for the parking amendment refers to impervious/pervious surfaces. Johnson stated that all of the Town’s required parking must be paved, overflow parking can be a pervious surface such as grass or gravel.

John Capes stated he understands this amendment is exclusive for Churches & places of worship. This amendment does not impact any other type of business.

Sarah Glanville asked in regard to the Main St. area, is an ordinance in place that requires parking lots to be located behind the building. Johnson said we do have criteria, for new development and re-development, which requires parking on the side or rear of the property.

Miller asked Rich Glover, Jamestown Engineering, to please present the applicant's request.

Rich Glover stated the Town's LDO was updated about 5 years ago. Not much development has occurred since the ordinance was updated. Often when an ordinance is updated there will need to be tweaks when a development project occurs. Often consultants doing the ordinance updates use standards from different places and incorporate them in an ordinance. They do not always apply.

Where Harvest Church is located there is only 1 adjacent business. It is a gas station and needs all of its parking. Shared parking is not an option. Glover stated he has been working as an engineer for 19 years. He has yet to have a client that wants to put in more parking than required. A parking space costs about \$2,000.00 to construct. So it is expensive to construct. There is no expansion of the Church. We are just trying to meet the existing parking needs. Churches are unique in that you have 2 services and will get overlap of parking. There are about 90 volunteers that are at the Church at any given time. This takes up half of the parking. He feels this is a case where we have an ordinance requirement that does not apply in every single situation. We are asking that you look at the maximum as to what does apply for the situation.

The second part of the amendment requested is to allow for some variance to the ordinance on a case by case basis. The TRC is comprised of staff from 3 different departments and all would look at any request. This would allow for flexibility and speed up approval time.

Glover stated the property already has a stormwater retention pond that was sized to allow for future parking. Glover designed it about 12 years ago. All the parking areas will go through the stormwater pond. If approved, the requested parking would be constructed in the rear corner of the property behind the stormwater pond. All spaces of standard size. This should not be visible from the road.

Dot Perdue asked which would be more serviceable to the Church, to have X number of parking spaces per sq. ft. or the number of parking spaces in accordance to membership. Glover said the way the ordinance is now written, it is the number per seats in the sanctuary. It does not make allowances for Sunday School class rooms, day care, etc. He feels the 1 space for every 3 seats is taken from an ordinance dealing with downtown parking and really does not apply here.

No other questions for Glover.

Kerry Miller stated this is a Public Hearing and he asked if there was anyone present that wished to speak for or against the ordinance amendment. There was no one.

Miller opened back to the Planning Board for discussion. Sarah Glanville asked if the amendment was 2 different requests. Some members of the Planning Board felt the amendment to 14.3-4 "Flexibility for

Parking” took away public input on cases where amendments to parking might be requested. The TRC would bypass the Planning Board’s discussion.

Johnson stated the TRC portion of it would be to allow the review committee up to a maximum of 25% of variance (one way or the other) when the TRC can determine that requirements for particular situations are unreasonable. TRC can deny the request. If the applicant wanted to appeal it would go before the Planning Board serving as the Board of Adjustment. Miller’s only concern is that Planning Board is the voice of the public. We should do our due diligence and act conscientiously on these changes or ordinance variations.

Glover stated as he understands it, the maximum parking standard is to prevent a sea of parking like the big box stores. That is not what Jamestown wants to see. One way that most municipalities control that is not with maximum parking requirements but with the zoning. You do not allow the zoning for a big box store. (large retail center) That is where the Planning Board would be key.

Johnson said we have the flexibility standards in place for other things in the ordinance. Ex: some flexibility for setbacks up to 10% or 24” whichever is greater. It allows the TRC to approve something administratively when otherwise we would have to go through Board of Adjustment (Planning Board) further delaying projects. The Town is trying to be somewhat friendly to people as they get into situations.

Richard Newbill did not see any reason to change the amendment as presented. Miller was against the request for flexibility standards on parking. Art Wise agreed that the request should be separated into 2 items. We could talk about the flexibility for parking option of the TRC for another meeting. He doesn’t see why we need to hold up the Church on what they have requested. Oakley agreed there was no reason to hold up the Church’s request. He has no problem with separating the amendment.

Miller asked if there was any other discussion.

Richard Newbill stated he sees no problem with the Church’s parking request.

Glanville had no problem with the TRC flexibility for parking review as long as the design standards are in place to keep from having large parking lots in front of buildings. She understands how the TRC flexibility option would stave off delays in getting jobs completed.

Glanville made a motion to approve the amendment to Article 12.11 – “Off-Street Parking” requirement for Churches, Synagogues & places of worship from 1 space for each 3 seats to 1 space for each 1.75 seats. Richard Newbill made a second to the motion. The motion passed by unanimous vote.

Miller asked that the flexibility parking option be placed on the next meeting agenda.

4. Recommendation for ETJ member – Miller stated with the passing of Mr. T. G. Madison, we are in need of another ETJ member. Ginger Swaim is our ETJ alternate member. If anyone has a name of an interested person, please send them to Martha Wolfe.

5. Public Comment Period – No one registered to speak.

6. Other Business – Oakley stated he felt now was the proper time to discuss parking. We have inadequate parking in the business district. He does not have the answer, but afraid if we don't do something people will not be able to continue the growth pattern established. We have some super businesses here. The Town has created some public parking along Gannaway St. People have gotten use to not parking at the Post Office. Oakley said it bothers him to go to any of these businesses and see neighbors on either side of Southern Roots with signs up stating "no parking" or barricades up with towing enforcement. He feels it is degrading to the city. Art Wise said there are a lot of people that park and go to several of the businesses, not just one. So it's not fair to have to pay if you want to park at one location. It's a team effort.

Martha Wolfe, 108 Woodland Drive, asked to be temporarily excused from her town employee role and to speak as a citizen and property owner of Main Street property with regard to parking. The Board agreed to this request. She stated her family owns the Stafford Square property, 116 E. Main St. The parking lot at Stafford Square is being heavily used by customers of businesses other than the tenants of Stafford Square. She has received complaints from the tenants that at times there is no place for their customers to park. The business next door to Stafford Square is open Wednesday – Sunday. Recently, there was a lunch event during the day during regular business hours. The tenants had no place for their customers to park. This same parking problem has occurred during the evenings as well. The tenants are entitled to park in this parking lot exclusively as part of their lease.

She experienced damage to a brick retaining wall. There is concern of liability. Tenants have also complained of trash in the parking lot. Wolfe stated she met with the 2 business owners adjoining her property. She tried to come to a lease agreement on parking, but there was no interest from the adjoining business owners in paying to use the parking lot. While she takes no pleasure in it, a towing enforcement policy will soon begin. Her only recourse at this point is to tow the parking violators.

Rich Glover, Jamestown Engineering, said he also has a Main Street business. He agreed that the parking should be a partnership, however, it takes two partners working together for a partnership. His business tried to be good neighbors. We allowed parking for many years. It got abused during business hours. There were large trucks tearing up sections of the parking lot. We nicely asked the adjoining business owner to follow the original agreement but this was ignored. So, as a result, parking privileges were revoked.

The Planning Board discussed parking options. The Town Manager and Planning Director have for the last several years talked about different places/land to develop parking. Johnson said the Town has about 160 public spaces that we maintain and are marked by signage. All spaces are located within ¼ mile of downtown.

Smith said the Town researched constructing parking on the land locked Town owned property behind Wells Fargo. We talked to Wells Fargo. They did not want to sale the property and did not want to encumber the property with easements.

There have been talks about a trolley/valet service – The business owners should get together and do a co-op to share the cost of trolley/valet. This is not a Town funded project. It is difficult for the Town to fund projects on private property. The Planning Board discussed possible parking sites; Mike's Exxon, behind High Point Bank, and Main St.

The Town Manager said the Town held a meeting of business owners and property owners. The interest for parking was there, but the businesses were not willing to spend money on it. Smith stated we don't have a parking problem in Jamestown we have a walking problem. There is plenty of parking in Jamestown that is not being utilized. People want to park right in front of the door. That is not an option.

Miller said we are not going to decide anything tonight. The Planning Board shares the frustration of the community and staff. We hope for some resolution.

Still under other business. A discussion occurred regarding the proposed apartments for the elderly to be constructed at the Gannaway St. site. Johnson said we hope to hear in August if they received financing.

Richard Newbill made a motion to adjourn. Art Wise made a second to the motion. The motion passed by unanimous vote. The meeting adjourned at 7: 30 pm.