

Planning Board Meeting
October 14, 2013
Council Chambers
6:30 pm

Minutes & General Account

Planning Board Members: Kerry Miller, Chair; Art Wise, Eddie Oakley, Dot Perdue, Sarah Glanville

Council Representative – Lynn Montgomery

Staff Present: Chuck Smith, Matthew Johnson and Martha Wolfe

Visitors Present: Shelby & Martin Senell and Carol Brooks of the Jamestown News

1. Call to Order – Miller called the meeting to order.
2. Approval of minutes from the September 9th, 2013 meeting – Art Wise made a motion to approve the minutes as written. Eddie Oakley made a second to the motion. The motion passed by unanimous vote.
3. Public Hearing to consider a rezoning request for the property located at 107 Wade St. Case #2013-03 from Industrial (IND) to Commercial/Main Street Transitional (C/MST) – Matthew Johnson stated this is a Public Hearing to consider a rezoning for property located at 107 Wade Street from Industrial to Commercial/Main Street Transitional. The property consists of a little more than ½ acre. It is located near the intersection of W. Main St. & Wade St. The current use is office use. The property is bordered to the North by Kerr Drugs which is zoned C/MST, to the East by Lennox Square Condos. which is R/MST, to the West by a Church which is C/MST and to the South by Industrial zoning.

The property is located in the Town's primary growth area and is located in our industrial zoned portion on the future land use map. It is serviced by the Town for water/sewer. Prior to the 2009 adoption of the LDO, the property was zoned B1. (Which was a business & commercial zone)

The applicant has requested the property to be rezoned because they are interested in selling the property to a buyer interested in the types of business and commercial uses that can be located in the C/MST district. The current IND uses are usually more offensive in uses. The applicant wishes to restore the zoning district to something closer to pre-2009 zoning amendment which was initiated during the Land Development Ordinance Adoption process.

Johnson introduced the applicant/owner, Martin Senell. Mr. Senell addressed the Planning Board. He stated that he is an architect/planner, taxpayer and citizen of Jamestown for 36 years. He built his building in 1987. He applied to have the property rezoned to business so he could build his building. This rezoning was granted by the Town. He built his building in total compliance of the zoning laws. In order to retire, he has had his building for sale for several years. He had a potential buyer that wanted to start a business. However, he was told about 4 to 6 weeks ago that the property had been rezoned back to Industrial. This made his building a non-conforming use. As a result, he is now required to apply again to have it rezoned back to business or as close to that use as possible. Senell stated the Town needs new businesses. In his opinion, the property should not have been rezoned back to Industrial. The property beside it and across the street are zoned C/MST. He is asking for your favorable consideration of this request to rezone the property to C/MST to make his building once again conform to the zoning and to make it more viable for future purchases.

Miller stated this is a Public Hearing. He asked if there was anyone present that would like to speak for the rezoning request. There was no one. Miller then asked if there was anyone that wished to speak against the rezoning request. There was no one.

Miller turned the meeting back to the Planning Board for discussion. Oakley asked how it was rezoned without the owner not knowing. Miller stated it was during the Land Development Plan process. It was the same scenario as the re-zoning of the Forestdale Subdivision. We thought we had active citizen participation. We held a lot of public meetings and had participation by a lot of citizens but not all property owners were aware.

Senell stated during that Land Development Plan process he did not look at the map. It did not even occur to him that his property would be rezoned back to what he had requested rezoning away from years earlier. He did state, had he known at that time, he would have come to the Planning Meeting and had it taken care of. It was a complete surprise to him. Unfortunately, the buyer that he had for the property called this afternoon and said they cannot wait any longer. This was the first buyer he has had in 5 years. He does not want this to happen again.

Sarah Glanville made a motion to recommend approval of the rezoning request for the property at 107 Wade St. from Industrial (IND) to C/Main Street Transitional (C/MST). Art Wise made a second to the motion. The motion passed by unanimous vote.

4. Public Hearing to consider a Master Signage Plan for Forestdale Shopping Center Case # MSP 2013-01 – Johnson stated he received a frantic email for the Shopping Center Management Group. The information included in the Planning Board’s packet for this Public Hearing was done by Sign-A-Rama. The management group notified him that Sign-A -Rama is going out of business. They are trying to find another designer that will design the signage at a comparable price as Sign-A-Rama. They have asked for a continuance of this case until the November Planning Board meeting. This would be a continuance without further advertisement.

Dot Perdue made a motion to continue this Public Hearing to consider a Master Signage Plan for Forestdale Shopping Center to the November 12th, Planning Board meeting. Art Wise made a second to the motion. The motion passed by unanimous vote. It was voted to change the Planning Board meeting to Tuesday 11-12-13 due to Veterans Day.

5. Discussion on Billboard Advertising -

Johnson stated at the last Planning Board meeting the members indicated they would like to discuss this topic more. Glanville stated she was not at the last meeting, going on the minutes of the meeting, she asked if Mr. O’Shea talked about what the cost was to advertise on a billboard. Johnson said he did not give any amounts. Glanville stated she has 2 major concerns.

1. She feels the cost of advertising on a Bill Board would be too much for the local businesses to pay. She feels the billboard could have a reverse affect and non-local businesses advertise on the billboards which would direct people to other towns.

2. Regarding the survey that was conducted, 99.9% of comments stated please do not put billboards in Jamestown.

She finds it concerning to move forward at this time.

Art Wise asked if they were going to change the existing billboard located at Sheetz. Johnson said no. At present, the Town Ordinance prohibits digital billboards. Wise said the display shown in the presentation of the smaller digital sign surprised him how nice it looked.

Oakley stated he spoke with 3 business owners and asked if they would advertise on a digital billboard. Each said no. They had no need to advertise. He thinks you may get interest from a National organization/company to advertise but not local businesses.

Montgomery states since the last Planning Board meeting, she has been looking to see who advertises on billboards. She has not seen any local businesses. She has asked several local businesses if they would advertise on a billboard. All said no, it was too expensive.

Glanville stated in thinking of the Master Plan, and keeping the context in mind as to what is the feel of Jamestown, we are going for that small village feel. She does not see billboards as conducive to that kind of small village feel. Johnson again stated that our current ordinance prohibits billboards and electronic billboards. It is his understanding that the Planning Board does not wish to move forward on this topic.

6. Public Comment Period – None

7. Other Business

Wolfe stated each member has a packet of information at their seat. This is information from the NCLM regarding recent legislative changes. This information will be covered at the next meeting. Please read this packet of information and bring to the November meeting.

Also, we have given the Planning Board members 20 flyers announcing the Wrenn Miller Park Dedication on 11-9-13. We ask that you please give these out to family, friends and neighbors. Also, we are asking the Planning Board to please be volunteers that day. We hope everyone will come to the dedication and also volunteer if you can. Please contact Martha Wolfe if you would like to volunteer.

Art Wise announced that there will also be a ceremony on Veterans Day at 8:00 am. There will be a Raising of the Flag and a Wreath Laying Ceremony at the Veterans Monument.

Kerry Miller asked what the Town regulations are on cell towers. Johnson said the Town ordinance is very specific. No installation could occur without going through the process.

Oakley stated at last meeting we discussed the condition of the property at the corner of Forestdale & Guilford. Johnson said he needs a written complaint submitted before he can write a letter to the owner. Oakley asked if brush is growing out in the street and a traffic hazard how the Town handles this. Johnson said the Town usually sends a letter and asks them to prune the trees. Wise said at this location, it is more a hazard for pedestrians than vehicles. Johnson said the same procedures apply for sidewalk clearance. Johnson said there is a form in the front lobby or on the Town website. Just submit that to him and he can proceed.

Art Wise made a motion to adjourn. Sarah Glanville made a second to the motion. The motion passed by unanimous vote. The meeting ended at 7:00 pm.