

Planning Board
August 8, 2011
6:30 pm
Council Chambers
Minutes & General Account

Planning Board Members present at the meeting: Kerry Miller, Chair; Eddie Oakley, Vice Chair; Art Wise, Lynn Montgomery and Dot Perdue.

Staff Present: Chuck Smith, Matthew Johnson and Martha Wolfe

Visitors Present: Billy Harris, Charles Dowdy, Carol Brooks of the Jamestown News, Wes Armstrong and Molly Froelich.

1. Call to Order – Kerry Miller called the meeting to order.
2. Approval of minutes from May 9th, 2011 – Art Wise made a motion to approve the minutes as presented. Dot Perdue made a second to the motion. The motion was approved by unanimous vote.
3. Introduction of Council Liaison to Planning Board – Kerry Miller said an outcome of the Planning/Council Training session was to have a Council Liaison to the Planning Board. Council Member Frank Gray was appointed to this position. Unfortunately, Frank Gray had a commitment planned prior to this appointment, so he was unable to attend this meeting. Miller said also going forward, either the Planning Board Chair or Vice Chair will attend all Council meetings, especially when a planning issue is on the Agenda. Both the Council Liaison and Planning Board Liaison are ideas that emerged from the joint training session. This should help with Planning Board/Council communications.

Another idea from the joint-training session was the creation of a check list to be used by the Planning Board. This checklist will accompany each rezoning case that is submitted to the Council for consideration. Plans are to create this checklist and begin using it in September or October.

4. Public Hearing to consider rezoning request from SFR to C/MST, property located at 107 Ragsdale Rd. case # 2011-01 – Matthew Johnson presented a PowerPoint presentation for the property located at 107 Ragsdale Rd, case #2011-01. The site of Moore's Mill, grist mill on Deep River, approximately 2 +-acres. Currently, the property is zoned SFR and the request is to rezone the property to C/MST. The property is bordered by Industrial on the North & East, SFR tract across the street, then MFR to the South. The site is currently SFR and is bordered by Highland Containers and Viking Polymer, to the West is vacant land SFR site, and to the South are River Walk and River Walk West Subdivisions.

The property is located in the Primary Growth area per the Town of Jamestown's 2020 LDP Growth Strategy Map and is serviced by Jamestown water & sewer. It is located in the Industrial portion of the future land use map.

The request is to rezone from SFR to C/MST. The applicant wishes to renovate the mill building and provide an area for canoes and kayakers to "put-in" to the Deep River. They also plan some low impact retail development and/or offices on the property. They desire to rezone the property to allow for commercial/retail uses which would complement the Deep River. Hopes are to create an ecotourism business and bring people to Jamestown.

In order to make a decision on this rezoning request, we need to see how this request would fit into the Town of Jamestown's 2020 Land Development Plan. There are a number of policies that may have some impact on this proposed site:

Growth Management Policies

- 1.1 Revitalize downtown Jamestown to be the center of community life and provide new retail, office & community service uses.
- 1.2 Rejuvenate and beautify Main Street.
- 1.6. Encourage the design of new activity centers.
- 1.7 Encourage the development of new commercial uses within designated activity centers to be aesthetically pleasing and pedestrian friendly, re-use of commercial buildings.

Planning Coordination

- 2.4 Build cooperative partnerships to expand community amenities, to create jobs, maintain strong tax base, new development that fits our small town character.

Community Appearance Policies

- 3.2 Create downtown "village" feel along Main Street.
- 3.3 Maintain a strong sense of place & community pride ensuring that each new land use fits into our vision for the future.
- 3.8 Enhance historic district guidelines to preserve historical integrity and character of the community. It should be noted that the applicant has requested the property be placed on the National Registry of Historic Places through the State Historic Preservation Office.

Quality of Life Policies

- 4.1 Preserve natural, cultural & historic resources of Jamestown.
- 4.2 Preserve and utilize the Deep River Corridor for recreational & educational benefits such as paddle & hiking trail.
- 4.3 Maintain & improve air quality by recruiting environmentally-friendly, mixed-use land use patterns.

4.8 Preserve, protect & creatively re-use historic buildings and properties.

At present, the property is zoned residential. However, it is surrounded by industrial zoning and manufacturing uses. Staff had several discussions with residents which has been mainly positive.

The applicant had a neighborhood meeting on March 28, 2011. Approximately 35 letters were sent out to property owners within 500 ft. A few residents attended. The low attendance seemed to indicate that citizens do not have much concern over the project.

This is a unique opportunity to begin work on the Deep River Paddle Trail. The Deep River State Park System was a system the State did recognize but did not give any funding. Jamestown is located at the top of the trail system. We have a unique opportunity to become the head of the trail system. This could bring a lot of people to Jamestown to begin the trail hike. This is private property and the owner will regulate "put in", etc. Therefore, based on all the information contained in this report, the Planning Department recommends approval.

Johnson turned the meeting over to the applicant, Molly Froelich, owner. She stated she bought the property about two (2) years ago. She solicited Wes Armstrong to help her go through the process of getting the property on the National Historic Registry. Armstrong said by asking for the rezoning of the property, they envision creating a place where people may use for weddings, gatherings, etc. The house might be used as a catering kitchen or offices. The Mill is in disrepair. They are asking for a positive recommendation from the Planning Board to the Council. The hope is to have a business on the property that would generate revenues to use to help fund the project. Froelich stated she consulted with a structural engineer regarding the renovation of the old mill. He recommends that the old mill be renovated back as a barn; stabilize it, much like it is now. It would be used as a base for a paddling company and/or a boat launch/dock.

Per Armstrong, if the property is on the National Registry of Historic Places, the owner can receive tax credits, if it is an income producing property. Froelich stated that if a property is on the National Historic Registry they cannot change the structure. Froelich stated that the property is on the list to be studied for the Historic Registry.

Armstrong presented a PowerPoint presentation. He showed the survey which displays the land use constraints of the property. (Power Lines, curved driveway, floodway of the Deep River, 100 Year and 500 year floodplain, water/sewer easements) The property is bordered by a 500' buffer, the Deep River, industrial uses and a road.

Froelich stated she bought the property from Emily Ragsdale. The property at one time was owned by her Grandmother, Mary Strickland, who was one of the Ragsdale's sisters. Mary Strickland's younger brother was Tom Ragsdale.

Oakley asked if she planned to renovate the old cabin (Potter House). Froelich stated she would like to construct the log cabin. We will have to consult with the National Registry to see if this is allowed. Froelich stated that Mary Browning has researched this property. The site is named "The Robbins-Holton Mill & House". Per Armstrong, several different governmental agencies have jurisdiction over the property; DENR, Corps of Engineers, Jamestown, Watershed rules & regulations, etc.

The property is on the study list of the National Registry Advisory Committee. The meetings are held three (3) times a year, in February, June and October.

At present, the need is to renovate the Mill to store Kayaks. Legacy Paddle Company has agreed to loan/supply/lease the kayaks. We may renovate the house for limited retail, a place to buy sandwiches to eat while paddling the river. The other areas used for weddings and gatherings. We will keep a low footprint on the property and keep the water clean.

Eddie Oakley asked if the Council approves, what is the time line for the first business tenant. Per Armstrong, we are looking at 6 months to a year to renovate the Mill. Froelich said there needs to be a lot of planning. The revenue from renting to a business will help offset the cost of the project.

Oakley asked about parking. The Planning Director said that parking will be addressed in the site plan. The owner will also have to talk with NCDOT regarding ingress & egress.

Lynn Montgomery made a motion to accept the rezoning request from SFR to C/MST the property located at 107 Ragsdale Rd. Art Wise made a second to the motion. The motion passed by unanimous vote. Johnson stated the Council will set a Public Hearing Date for the month of September.

Bill Harris, 211 Mendenhall, said that he admires Molly Froelich for trying to save the old Mill. This is probably one of the last historic structures in Jamestown. It is great to preserve it.

Charles Dowdy, 214 Misty Waters Lane, recommended researching the possibility of GTCC students doing the labor on the Mill and earning credit in their classroom. Dowdy also stated that there is a walking path around Misty Water Lane. This is a private path. If a public trail could be developed, it would be a great tie-in to this project.

Dowdy commented further that in 2003/2004 there was a flood that knocked off 3' of the dam. He has tried to get the owners of Oakdale Mill to rebuild the dam and add the 3' ft. back to the structure. This would raise the river along Oakdale and High Point City Lake.

5. Amendment to LDO Article 17, Signs, Section 17.12 "Non-Conforming Signs" – Matthew Johnson said staff would like to add the following information – **when a permanent sign doesn't comply with one of the requirements of the article shall be grandfathered**

until that time that sign is removed, its altered beyond maintenance, relocated, damaged, destroyed, after, which shall be brought into compliance.

Johnson explained that the reason behind this is as the bypass project comes on line the businesses located there on the North side of High Point Rd. are in our ETJ. When the State comes through to acquire the right-of-ways, they offer to move the signs or pay for the signs less the depreciation.

The way the current Town Ordinance is written if a sign is relocated, then it must be brought into compliance. Likewise, if the Town was to install sidewalks, and it impacted someone's sign, the Town would have to move or purchase a sign for the business if it was in that location.

The Planning Director requests wording to allow for an exception for signs which must be relocated as the direct result of a governmental action. (such as, but not limited to, the acquisition of street right-of-way, eminent domain action, or installation of infrastructure). Such an exception will be subject to review by the Planning Director, who will work to help property owners bring their signs into compliance. If no reasonable alternative exists, the Planning Director may allow a sign to be relocated to an acceptable location on the same property. Signs which are permitted to be relocated shall not be altered in such a manner to constitute a change in the sign. Changes in the sign beyond maintenance as defined shall result in the sign being brought into compliance. Appeals may be made to the Board of Adjustment per the procedure in the Land Development Ordinance. Nonconforming temporary signs shall not be grandfathered and shall be brought into compliance with all requirements of this Article within 60 days from September 16, 2008.

Dot Perdue made a motion to approve the amendment to Article 17.12. Nonconforming Signs of the Town of Jamestown LDO. Lynn Montgomery made a second to the motion. The motion passed by unanimous vote.

6. Amendment to the LDO article 12.12-6 No Parking in Right-of-Way – Johnson said he is requesting a very minor change. The following text amendment is requested:

Off-street parking shall not extend into the public right-of-way, or into an easement for a public sidewalk or private property.

Eddie Oakley made a motion to accept the amendment to the LDO article 12.12-6 – No Parking in Right-of-Way. Dot Perdue made a second to the motion. The motion passed by unanimous vote.

7. Public Comment Period –

Charles Dowdy – 214 Misty Waters Lane – Dowdy invited everyone to a meeting at Oakdale Methodist Church for a Historical Committee meeting. The date is August 22, 2011 from 7:00 – 8:00 pm. Carol Brooks said the Jamestown Historic Preservation group is holding this meeting

to get some of the Oakdale Mill residents together to gather support for a Historic Commission in Jamestown.

Dot Perdue said we are familiarizing the community with the district we would like to form if the Council approves. Perdue stated we hope to give a presentation to the Council at the September meeting.

Johnson stated during the LD Plan, we received action recommendations from the community. He compiled a list of the action recommendations from the LD Plan. Most of these items we have completed either through Council, Planning Board or staff. Per Johnson, perhaps it is time to get the Vision Group together to look at the Plan again.

Montgomery asked about the status of 103 Pearce Drive. Johnson stated the Town Attorney is working on it. The foreclosure sale date has been extended again. We are waiting to be sure of the owner of the property before the Town can serve any papers.

Art Wise asked if an individual can buy or donate plantings for the median on Guilford College Rd. Johnson said NCDOT is usually fine with that arrangement. We do need to present a plantings plan to NCDOT for approval and list the individuals responsible for the care and maintenance of the area.

Oakley reminded that the entrance to Jamestown and Penny Rd. is still in disrepair. Smith said we are working on replacing the entrance sign and putting back the speed limit sign at Main St. & Penny Rd.

Oakley asked if we have an Ordinance stating residential property must be kept up. He said the appearance of the house on Forestdale Drive needs to be addressed. Johnson said we need a formal complaint and then we can take that complaint to the Council.

The meeting adjourned at 7:40 pm.