

Planning Board Meeting December 21, 2020 Minutes

Members Present: Chairman Jonathan Olson, Levin Jones, Terry Allen Swaim, Ryan Zakany, Deans Eatman, Jimmena Huffman-Hall and Cande Killian Wood.

Members Absent: Brett Hennington and Michael Firstbrook

Staff Present: Niki Jones, Planning Director, Bryan Coates, Assistant Planning Director, Jeannine Ngwira & Linda Barbour

1. Meeting Called to Order

Chairman Olson called the meeting to order at 7:03 pm and recognized that a quorum (minimum of 5 members) was present.

Pledge of Allegiance was recited.

2. Adjustment and Approval of Agenda

Chairman Olson asked for a motion to approve the Agenda. Ryan Zakany made the motion and Deans Eatman seconded the motion. The Agenda was approved unanimously.

3. Approval of the Minutes

3a. Wendell Planning Board minutes from October 19, 2020. Chairman Olson asked if all had a chance to review these minutes. Ryan Zakany made a motion to approve & Deans Eatman seconded the motion,

4. Administrative Reports

4a. CD20-05 - Introduction to Belle Grove R7 Conditional District

5. New Business

5a. ZM20-06 - Rezoning for Wendell Village

POTENTIAL ACTION: Recommendation to the Town Board.

6. Old Business

6a. Blueprint Wendell 2030 Update.

Bryan Coates presented the following to the Board shown in *italics* below.

4a. Item Title:

CD20-05 – This is an introduction to a request to create an R7 (Residential-7) Conditional District for the Belle Grove Subdivision located off Lions Club Road.

Specific Action Requested:

The Planning Board is being asked to review the proposed R7 conditional district request and provide feedback to the applicant.

- *No action beyond initial feedback is requested by the Planning Board. This item will return to the Planning Board at a subsequent meeting, seeking a recommendation. This will permit the applicant to make corrections identified by the TRC, as well as any necessary adjustments based on Planning Board comments.*

Item Summary:

The applicant has requested to create an R7 Conditional District for 42.75 acres of property currently located in the town’s extraterritorial jurisdiction (ETJ). The applicant’s proposed R7 conditional district, will feature 100 single family homes and 107 townhomes. The applicant is providing 12.84 acres of open space which is 6.36 acres above what is required by the UDO.

The Overall Site Plan is included as Attachment B (Along with a link to the full Master Plan for download).

Property Information Summary	
Location	Off Lions Club Road Addresses: 0 Lions Club Road PIN: 1793-26-3863
Current Zoning	RA
Requested Zoning	R7-CD
Area of Request	42.75 acres
Corporate Limits	Town of Wendell ETJ- will need to annex to receive utilities
Property Owner	Ollie Ray Baker & Annie Sue Faison
Applicant	Brian Duncan of the Spaulding Group, PA

Project Setting – Surrounding Districts and Land uses:

<i>DIRECTION</i>	<i>LANDUSE</i>	<i>ZONING</i>
<i>North</i>	<i>Residential/Vacant</i>	<i>RA/R4</i>
<i>South</i>	<i>Residential/Agricultural</i>	<i>RA</i>
<i>East</i>	<i>Residential/Agricultural</i>	<i>RA</i>
<i>West</i>	<i>Residential/Agricultural</i>	<i>RA</i>

Zoning District:

The subject property is currently located in the Rural Agricultural (RA) zoning district. The surrounding properties are zoned RA and Residential-4 (R4). The RA district allows a minimum lot size of 1 acre and the R4 zoning district allows for a minimum lot size of 6,000 square feet.

Bryan referenced the current Zoning Map showing the property. He also went over the purpose of a Conditional District.

Proposed Conditional District Conditions:

The applicant is proposing 10 Conditions for the proposed CD, as follows:

1. In order to promote variation in home appearance, no home can be constructed with an exterior elevation (front façade) or color palette that is identical to the home on either side or directly across the street from it, to provide an anti-monotony development. Roofline shall be broken up horizontally and vertically along front façade, such that no roofline is in a single mass. No two adjacent homes shall have the same roofline.
2. Garage doors shall either contain windows or carriage style adornments.
3. The use of vinyl-siding shall be prohibited, except for trim elements of the dwelling unit façade.
4. The community will have a homeowner’s association. The HOA will be responsible for yard maintenance, pest control and exterior maintenance of all townhome lots and structures.
5. UDO Section 2.7 B. 1. – the minimum lot size for single-family shall be 4,600 sq. ft.
6. UDO Section 5 – Front-loaded single-family lots shall have a minimum allowed lot width of 40 feet.
7. UDO Section 2.3 A. – Multifamily dwellings (limited to townhomes only) shall be a permitted use in R7-CD. Such multifamily dwellings may be front-loaded - UDO 5.10 B.
8. Multifamily lots shall not all be identical in width.
9. Foundations: top of slabs shall be elevated a minimum of 8 inches above finished grade. Finished grade shall fall a minimum of 6 inches within the first 10 feet away from the structure to ensure positive drainage.

Public Utilities:

Development of this site will require connection to city water and sewer which is available nearby. Parcel will need to be annexed.

Streets:

The applicant will be responsible for making the required road improvements to Lions Club Rd which include sidewalk, bike lanes, landscape area and curb and gutter.

Phasing:

The current plan does not show any phasing on this project.

Comprehensive Plan:

The Wendell Comprehensive Plan defines the subject property as being within the S-4 Controlled Growth Sector.

The Comprehensive Plan states that S-4 areas “are typically close to thoroughfares and at key cross-road locations. This sector is where moderate intensity new development is appropriate and where the majority of the community’s new growth should occur. The typically envisioned community type for S-4 is a traditional neighborhood development (TND), which includes neighborhood serving commercial and civic uses surrounded by a mix of housing types that decrease in density as they get farther away from the commercial area.”

The following development types and uses are appropriate for the S-4 sector:

- *traditional neighborhood developments*
- *neighborhood centers*
- *single-family and multi-family residential*
- *neighborhood-serving commercial uses (retail and office)*
- *civic uses*
- *industrial uses.*

The proposed development on the site meets the appropriate uses.

Bryan showed a Framework Map

Statement of Plan Consistency Reasonableness:

Any recommended change to the zoning map should be accompanied by a statement explaining how the change is consistent with the comprehensive plan and is reasonable in nature.

- *The requested zoning map amendment is consistent with the uses outlined in the Wendell Comprehensive Land Use Plan for the S-4 Sector and is reasonable in that it supports Principle #6: “Provide for a range of housing opportunities including upscale housing, senior housing, and downtown living choices.”*

Staff Comments:

- *The applicant’s plans are being reviewed by the Technical Review Committee (TRC).*

Comments/Questions following this presentation:

- Chairman Olson asked if the applicant had a presentation
- Bryan introduced the applicant, Mr. Brian Duncan, attending virtually.
- Brian spoke about the amenities & extra buffers, he also said they plan to widen Lions Club Rd and add a turning lane. He said the collector road will run through the development. He said that he has met with the neighbors both collectively and some individually and that they are willing to adjust some of the conditions in accordance with the feed back he received from the neighbors.
- Chairman Olson asked what concerns the neighbors had?
- Brian replied mostly the buffers, as well as increased traffic and noise. The Lions club was also concerned about the noise.
- Chairman Olson asked when they will come back, will it be next month?
- Bryan Coates said probably not as this will still need to go through DOT and a TIA.
- Chairman Olson asked Allen Swaim about the Lions Club meetings concerning this rezoning.
- Mr. Swaim said that the current subdivision near there complained about the noise from the Lions club when they have events.
- Ryan asked about St. Eugene’s Church.
- Brian Duncan said they met a few times and that the pastor was positive, and he looked forward to new parishioners joining the church.
- Ryan asked if they have been in contact with the Wendell Swim Club.
- Brian Duncan said he spoke to them and they seemed to like the idea of a new neighborhood nearby and talked about the possibility of maybe adding a greenway or a golf cart path between the Swim Club and this neighborhood in the future.
- Mr. Swaim asked is there a ballfield planned?
- Brian Duncan said maybe at this time they have two volleyball courts planned.
- Mr. Swaim said if they Lions Clubs built the ballfield; would that be helpful?
- Chairman Olson asked if there were any more questions.
- Ryan said he is concerned about the traffic in this area and wants to see what the TIA says.
- Chairman Olson said the staff is aware of the board’s concerns about traffic.

Jeannine Ngwira presented the following to the Board shown in *italics* below.

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Jeannine said that the applicant John Oglesby & property owner will be attending virtually.

5a. Item Title:

ZM20-06– This request is to rezone approximately 16.18 acres from Rural Agricultural (RA) to Corridor Mixed- Use (CMX).

Specific Action Requested:

The Planning Board is being asked to consider the proposed rezoning request and make a recommendation to the Board of Commissioners, to include a statement of comprehensive plan consistency.

Item Summary:

The applicant is requesting to rezone 1 parcel and a portion of another, located within the Town’s extraterritorial jurisdiction (ETJ) that are currently zoned RA. The applicant is requesting a rezoning that is not part of a conditional district. The intent of the rezoning is to develop apartments.

This type of rezoning allows for all permitted uses within the CMX zoning district (see attachment B).

Property Information Summary	
Location	East of Food Lion and West of Marshburn Rd. Addresses: 2891 Wendell Blvd., 969 Marshburn Road PINs: 1784-45-6183, 1784-54-2734
Current Zoning	RA/CMX
Requested Zoning	CMX
Area of Request	28.28 acres
Corporate Limits	ETJ
Property Owner	G3 Properties LLC
Applicant	John Oglesby of CSD Engineering

Project Setting – Surrounding Districts and Land uses:

<i>DIRECTION</i>	<i>LANDUSE</i>	<i>ZONING</i>
<i>North</i>	<i>Residential/Agricultural</i>	<i>RA</i>
<i>South</i>	<i>Residential/Commercial</i>	<i>RA/CMX</i>
<i>East</i>	<i>Residential/Agricultural/Commercial</i>	<i>RA/CH</i>
<i>West</i>	<i>Commercial</i>	<i>CMX</i>

Zoning District:

The subject properties are currently located in the RA & CMX zoning districts. The surrounding properties are zoned RA, CH and CMX.

Jeannine referred to a current Zoning Map showing the property.

Comprehensive Plan:

The Wendell Comprehensive Plan defines this section as S-4 Controlled Growth Area, Neighborhood Center and partly in the Wendell Blvd Gateway Corridor.

S-4 lands are typically close to thoroughfares and at key cross-road locations. This sector is where moderate intensity new development is appropriate and where the majority of the community's new growth should occur. The typically envisioned community type for S-4 is a traditional neighborhood development (TND), which includes neighborhood serving commercial and civic uses surrounded by a mix of housing types that decrease in density as they get farther away from the commercial area.

The following community types and uses are appropriate in the S-4 sector:

- *traditional neighborhood developments*
- *neighborhood centers*
- *single-family and multifamily residential*
- *neighborhood-serving commercial uses (retail and office)*
- *civic uses*
- *industrial uses*

Neighborhood Centers are shown on the framework plan in the smaller circles, are based on a ¼-mile radius (a typical 5-minute walk) from a major intersection. They are intended to be mixed-use activity centers serving surrounding neighborhoods with retail, services, civic uses, and higher density housing. A neighborhood center should not contain more than 80,000 to 120,000 square feet of retail uses. A grocery-anchored mixed-use development is a typical use for a neighborhood center.

The Wendell Boulevard Gateway Zone a special zone along Wendell Boulevard between downtown and the US 64 interchange. This area is experiencing immediate development pressure and much of the area is already zoned for non-residential uses. This Plan recommends that it be an area for professional office and service uses and some higher density residential uses. Additional design guidelines for building and site design to protect the visual character (including the mature trees and forested areas that define parts of the corridor) should be added to the Town's regulating ordinances. Retail uses along this corridor should be limited to the identified centers or nodes in the Framework Plan.

Jeannine referred to the current Framework Map.



Statement of Plan Consistency Reasonableness:

Any recommended change to the zoning map should be accompanied by a statement explaining how the change is consistent with the comprehensive plan and is reasonable in nature.

- o The requested zoning map amendment is consistent with the recommended uses outlined in the Wendell Comprehensive Land Use Plan for the S-6 Sector, Neighborhood Center and Town Center and is reasonable to be consistent with adjacent uses and zoning districts.*

Applicant Justification:

The applicant's justification statement is included as Attachment C.

The applicant, John Oglesby presented a power point showing the history of the area and the growth. He has submitted rezoning & annexation applications.

Mr. Oglesby said he had met with the neighbors at a neighborhood meeting last Thursday. (12/17/2020) He explained the process to them and tried to go over their concerns and how he could address them.

Property owner Any Benson attended virtually. She thanked the board for letting her speak, and she thank Mr. Oglesby for taking the time to meet with her and her neighbors. She said she is concerned about the use of the property, as the rezoning would allow large apartment buildings, retail buildings, etc. She said she is concerned about crime and noise. She wants the farm path to stay out of the rezoning, she said the path has been there for over 100 years and it would be hard for her to get back and forth on her farm without it.

Comments/Questions following this presentation:

- **Chairman Olson thanked Ms. Benson and said he appreciates her concerns and said that the town does have standards and tries to hold developers to a high standard when it comes to buffers and noise reduction.**
- **Chairman Olson asked the Board for questions.**
- **Mr. Swaim talked about how he is familiar with this road path and how old it is. He said he would like to see the path be preserved as a historical piece of the property.**
- **Ryan asked Mr. Swaim about his thoughts since he is a nearby landowner.**
- **Mr. Swaim said he is concerned about what could be built there.**
- **Ryan asked when will the surveying be done concerning the farm path.**
- **The applicant replied between now and January they will have this resurveyed.**
- **Mr. Swaim said the path is on the Painter Green property.**
- **Ryan said he thinks it straddles 2 property lines.**
- **Chairman Olson said he urges the developers to continue to speak to the neighbors concerning the path.**

Chairman Olson asked for a motion

Deans Eatman made a motion to approve and Levin Jones seconded the motion.

Mr. Swaim would like to amend the motion to preserve the historical path.

- **Deans said this is not directly connected.**
- **Jeannine said there are no conditions allowed with this type of rezoning.**
- **Ryan said he would like to agree with the amendment to the motion, he wants the developer to take the path into consideration**
- **Chairman Olson asked Niki if they can create a special use or attachment to this property.**
- **Niki said that is not possible.**
- **Chairman Olson asked the applicant if they would consider preserving the path.**
- **Amos said he would look at it but he was not aware of an historical value to this path.**
- **Chairman Olson asked Mr. Swaim to withdraw the amendment.**
- **Mr. Swaim agreed.**

All voted in favor and the Motion was passed unanimously.

6 a. Bryan presented an update on the Blueprint and said he will continue to do so each month. He talked about community involvement in this process, he said has reached out to the Senior Center and it have been difficult to plan anything because of Covid. He also said that he has reached out to neighboring towns to see what they are doing.

- **Jimmena said they should give out paper surveys to the Seniors.**
- **Bryan Said Wendell is a less expensive place to live but people still want more restaurants, shops, etc. as well as parks.**
- **Mr. Swaim said he will reach out to the Lions Club to build parks as they have built many in the past.**
- **Bryan said we will be planning additional events soon.**
- **Chairman Olson encouraged the Board as well as their friends & family to fill out the survey.**

Ryan Zakany made a motion to Adjourn

Mr. Swaim seconded the motion

The meeting was adjourned at 8:08 PM