



**Regular Meeting of the Planning Board
Monday, June 10, 2024
6:00PM in the Civic Center
Agenda**

Welcome to the Town of Jamestown Planning Board meeting. We appreciate your interest and we encourage public participation in our meeting. Your comments are important to our decision-making process. Please note that there will be opportunities during the meeting for you to address the Board members. The first opportunity will come if there is a public hearing on the agenda when the Chair declares the hearing open for comment. The second opportunity to address the Board will come near the end of the agenda when the Chair will inquire if anyone wishes to address the members of the Board. Anyone addressing the Board will approach the podium; give your first and last name and your complete physical address. Comments may be limited to three minutes.

1. **Call to Order** – Anna Hawryluk, Planning Director
2. **Election of Chair of the Planning Board** – Anna Hawryluk, Planning Director
3. **Election of Vice-Chair of the Planning Board** – Chair of the Planning Board
4. **Roll Call** – Katie Weiner, Asst. Town Manager/Clerk
5. **Approval of minutes** from March 11, 2024 and April 8, 2024 regular meetings – Chair of the Planning Board

6. **Public Hearings:**

*Procedure: Staff will present the case to the Board. The Chair will open the public hearing and request to hear from both those in favor and those opposed. If you wish to address the Board during the public hearing, please come to the podium and state your name and address for the record. Speakers may have up to 3 minutes to address the Board. Please note, this is not a time for dialogue or discussion and the Board may or may not engage with you at this time, even if direct questions are asked. **Once the public hearing is closed, no one may speak on the issue unless specifically requested by the Board Chair.***

A. LDO Amendments – Anna Hawryluk, Planning Director

- a. Vote on recommendation to Town Council –Chair of the Planning Board
- b. Adoption of the Statement of Consistency –Chair of the Planning Board

7. **Public Comment Period: (Limited to a total of 30 minutes)**

*Procedure: The Board Chair will ask the Town Clerk if anyone has signed up to speak to the Board. **It is advisable that if you wish to address the Board you see the Town Clerk prior to the start of the meeting.** Once you have been recognized by the Chair, please come to the podium and state your name and address for the record. Speakers may have up to 3 minutes to address the Board. Please note, this is not a time for dialogue or discussion and the Board may or may not engage with you, even if direct questions are asked.*

8. **Adjourn**

The next regularly scheduled meeting will be July 8, 2024 at 6 PM in the Civic Center Chambers.

PLANNING BOARD – WORKING AGENDA

June 10, 2024

Items on the agenda:

1. CALL TO ORDER – Anna Hawryluk, Planning Director

- i. Welcome to the June 10, 2024 Planning Board meeting. In order to allow all attendees to be able to hear Board business, I would ask that at this time, members of the board and the audience please set your cell phones to “SILENT”. As a reminder, there are generally two opportunities for the public to address the Board. One opportunity will be during any “PUBLIC HEARINGS”, when instructed by the Chair to do so. Speakers in a “PUBLIC HEARING” will be asked to limit their comments to 3 minutes and must speak to the topic being considered. The other opportunity will be during the “PUBLIC COMMENT” portion of the agenda. Speakers during that portion of the meeting will be limited to 3 minutes per speaker and were requested to sign up to speak with the Town Clerk. Thank you.

2. Election of the Chair of Planning Board – Anna Hawryluk, Planning Director

3. Election of Vice-Chair of the Planning Board – Chair of the Planning Board

4. ROLL CALL, Katie Weiner, Asst. Town Manager/Clerk

	Present		Absent
Darlene Fete	<input type="checkbox"/>	<input type="checkbox"/>
Hope Inge	<input type="checkbox"/>	<input type="checkbox"/>
Denise Johnson.....	<input type="checkbox"/>	<input type="checkbox"/>
Jane Walker Payne.....	<input type="checkbox"/>	<input type="checkbox"/>
Dennis Sholl (<i>Alternate: Brant Gomez</i>).....	<input type="checkbox"/>	<input type="checkbox"/>
Robert Coon, ETJ.....	<input type="checkbox"/>	<input type="checkbox"/>
Donald Dale, ETJ	<input type="checkbox"/>	<input type="checkbox"/>
Peggy Levi, ETJ (<i>Alternate: Susan Stringer</i>).....	<input type="checkbox"/>	<input type="checkbox"/>
Sherrie Richmond, ETJ	<input type="checkbox"/>	<input type="checkbox"/>
Pam Burgess, Council Rep.	<input type="checkbox"/>	<input type="checkbox"/>

5. Approval of Minutes – Chair of the Planning Board

Recommended Motion: “Move to approve the minutes from the March 11th and April 8th meetings as presented”

6. Public Hearings

A. LDO Amendments – Anna Hawryluk, Planning Director

Planning Chair: *“The floor is now open for the public hearing period. Anyone wishing to speak during the public hearing, please come to the podium and state your name and address for the record.*

Speakers may have up to 3 minutes to address the Board. Please note, this is not a time for dialogue

PLANNING BOARD – WORKING AGENDA

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or discussion and the Board may or may not engage with you at this time, even if direct questions are asked.”

a. Vote on recommendation to Town Council – Chair of the Planning Board

Recommended Motion: “Move to recommend the approval/denial of LDO updates to Council”

- i. **Motion:**
- ii. **Second:**
- iii. **ROLL CALL VOTE:**

a. Adoption of the Statement of Consistency – Chair of the Planning Board

- i. **Motion:**
- ii. **Second:**
- iii. **VOTE:**

4. Public Comment (LIMITED TO A TOTAL OF 30 MINUTES)

a. Reminder from Board Chair to audience:

“This is the public comment period. Once you have been recognized by the Clerk, please come to the podium and state your name and address for the record. Speakers may have up to 3 minutes to address the Board. Please note, this is not a time for dialogue or discussion and the Board may or may not engage with you, even if direct questions are asked. Katie, has anyone signed up for public comment?”

6. Adjourn

- a. **Motion to adjourn:**
- b. **Second:**
- c. **VOTE:**

Next Meeting:

Next Regularly Scheduled Meeting: July 8, 2024

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**Planning Board Meeting
March 11, 2024
6:00 pm in the Civic Center
Minutes & General Account**

Planning Board Members Present: Russ Walker, Jr. (Vice Chair), Dennis Sholl, Jane Walker Payne, Donald Dale (ETJ), Peggy Levi (ETJ), William McLean (ETJ Alt.), Sherrie Richmond (ETJ), John Capes (Alt.)

Planning Board Members Absent: Ed Stafford (Chair), Denise Johnson, Robert Coon (ETJ)

Council Member Representative: Pam Burgess

Staff Members Present: Matthew Johnson, Katie M. Weiner, Ty Cheek and Jim Lanik, Attorney

Visitors Present: James Bowman, Tarey Cullen, Gary Wall, Kathy Duvall, Richard Boling, Krisdena Reeser, Brian Lucas, Brad Coe, Keith Wagner, Jenny Wagner, Rachel Dameron, Justin Nifong, Jane Hebard, Charles Hebard, Arthur Fitchett, Carol Brooks, Eric James, Delbra Lewis, Ricky Lewis, Joseph O’Brian, Gideon Messer, Rebekah Messer, Nathaniel Woody, Renee Newton, Susan Yeager, Martha S. Wolfe, Sylvia Christopher, Marian Ditzer, Russ Ditzer, David Fisher, Maxine Fisher, Patricia Gray, Amanda Hodiernne, Sarah Glanville, Sterling Kelly, Elizabeth Murray, Janina Austin, & Rebecca Mann Rayborn

Call to Order: Walker called the meeting to order at 6:00 pm and asked Town Clerk Weiner to call the roll.

Roll Call - Weiner called the role as follows:

Ed Stafford, Chair	absent
Russ Walker, Vice Chair	present
Denise Johnson	absent
Jane Walker Payne	present
Dennis Sholl	present
Robert Coon (ETJ)	absent
John Capes (Alt. Member)	present
Donald Dale (ETJ)	present
Peggy Levi (ETJ)	present
Sherrie Richmond (ETJ)	present
William McLean (ETJ Alt.)	present

Council Member representative Burgess was in attendance.

A quorum was present.

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Approval of Minutes February 12, 2024, meeting

Capes made a motion to approve the minutes from the February 12, 2024, Regular Planning Board meeting. Richmond made a second to the motion. The motion passed by a unanimous vote.

Public Hearings:

A. Request for rezoning for the following parcels consisting of a total of 18.704 acres +/-

- **1903 Guilford College Rd. (Parcel #159062) 4 +/- acres, From SFR to CZ-MFR**
- **1905 1915 Guilford College Rd. (Parcel #159061) 15.06 +/- acres, From SFR to CZ-MFR**

Johnson stated that this was rezoning case 2024-01. He added that the properties were located at 1903 and 1905 1915 Guilford College Road. He said that the parcel numbers were 159062 and 159061, totaling approximately 18.704 acres per the survey. Johnson stated that the proposed rezoning was from Single Family Residential (SFR) to Conditional Zoning - Multifamily Residential (CZ-MFR). He said that to the north of the parcels was Chadwick Drive, south was Hickory Hollow Road, west was Guilford College Road and to the east there was a brand-new development by Pulte Homes. He said that the property was currently used for an equestrian center providing boarding lessons and training for horses. It was bordered to the north, the south and the west by Single Family Residential and to the east by Conditional District - Multi Family Residential 5 which was in the City of Greensboro. Johnson stated that there were two streets adjacent to the property, Chadwick Drive and Guilford College Road. He said that it was not currently served with water and sewer, but water was available from two different locations nearby and sewer was accessible from an easement on the southeast corner of the site.

Johnson said that the applicant requested a rezoning from Single Family Residential to Conditional Zoning Multifamily Residential (CZ-MFR). He added that the Multifamily Residential district seeks to ensure the conformity of existing Multifamily Residential neighborhoods and provides for the development of new residential neighborhoods in a pattern that encourages the wise use of land. He said that standards of the district ensure that new developments maintain the character of the community.

Johnson stated that there were several conditions that the applicant has put forth to the Town for consideration. He said that the first was that the maximum number of units would be ninety-nine (99). He noted that the floor area per unit would be between 1500 to 2500 square feet, a two-story maximum building height, and the use would be Multifamily Residential townhomes. He highlighted that there were no apartments proposed.

Johnson said that all installations shall be in conformance with the DOT regulations for traffic access and roadway improvements. He added that an eight-foot concrete side path would be constructed along Guilford College Road. He said that all interior streets would conform to the Town of Jamestown standards with a minimum centerline radius of one hundred twenty-five (125) feet allowed at the offset bulbs and the landscaping berm would be within the thirty (30) foot buffer along Guilford College Road.

Johnson stated that staff always referenced the Comprehensive Plan when considering future land use, and the property was slated for Suburban Residential, which was the most prevalent of

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the Future Land Use classifications applied on the Future Land Use map. He said that it encompassed the majority of the planned residential neighborhoods in the community outside of the Town's traditional core area. He spoke about Guiding Principle #1 which was that Jamestown would actively facilitate high-quality growth that was both compatible with the Town's traditional development pattern, as well as innovative in how it met the needs of the diverse and dynamic community. He added that subdivision standards would need to facilitate growth in a manner that achieved the Town's desired urban development pattern and quality public infrastructure.

Johnson added that Guiding Principle # 2 from the Comprehensive Plan highlighted that the strength of the community was directly tied to the long-term success of the Town's neighborhoods. He said that staff worked diligently to promote and maintain the quality of life and aesthetic standards that the residents expect in Jamestown. He stated that staff achieved that by ensuring that residents had access to housing that was appropriate for all stages of life and family situations, including housing that allowed older residents to age-in-place.

Johnson said that Guiding Principle # 4 stated that the ability to safely walk and ride a bicycle throughout the Town was critical to maintaining the community's high quality-of-life. He added that this ensured that the community was well-connected with the necessary infrastructure to support walking and biking as an important mode of transportation for all residents. He stated that the Town required developments in Jamestown to be connected to a pedestrian system that would allow residents to walk safely to other destinations in the community.

He said that Guiding Principle # 10 highlighted that Jamestown was a welcoming and inclusive community that values the benefits of diversity and all aspects of the Town and its residents. He said that the Town tried to promote development and retention of a wide-range of housing types that meet the needs of current and future residents of all ages, abilities, family compositions, and socio-economic backgrounds. It would also ensure that residents of the Extraterritorial Jurisdiction (ETJ) are included and consulted on matters that affect their neighborhoods and encourage their participation in the social and civic life of Jamestown.

Before you this evening are a couple of decisions. First of all, is the Conditional Zoning Multifamily Residential (CZ-MFR) zoning district an appropriate zoning district to apply in this situation? Second, is the request consistent with the Comprehensive Plan?

Our Technical Review Committee (TRC) has reviewed the request and we do feel that is consistent with the Comprehensive Plan. However, it would be appropriate to request some additional conditions in order to better achieve the aesthetic and superior construction quality that is expected by the community to enhance the value and quality of life.

We will open the Public Hearing tonight to hear from the residents. We suggest that the public hearing be continued to the April meeting in order for the applicant to provide answers to questions that were raised at the neighborhood meeting.

This is an application that came to the Town for rezoning and is not something the Town sought out. We are required to take it through this process. Once the Planning Board has heard it and

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makes a recommendation, it will be forwarded to the Town Council, where another Public Hearing will be held. The public will be notified of that through signage, mailings, and the Town's website. At that point, the Town Council will have the final say on the rezoning request. The applicant's representative, Justin Nifong, is here to answer questions.

Nifong stated that he is mindful that there is a packed house here tonight. The development team supports the continuation request made by the Town Manager.

Capes asked if it was possible to wrap the berm/buffer on the Guilford College Road side down Hickory Hollow where those townhomes are currently earmarked so that it would provide a buffer between the current residents and the townhomes.

Nifong said a thirty (30) foot buffer was included in the proposal. He cannot commit to anything today. It is a reasonable request and if it can be accommodated in a feasible manner it should absolutely be considered.

Capes asked about materials to be used. There are other developments that are being set up with Hardy board or things of that nature. There has been a lot of focus in terms of the quality and caliber of what is being constructed. He would like to hear a little more about that.

Nifong replied we are developers, not builders. He cannot control that at this stage. That is something that can be discussed as we progress forward. We fully anticipate these being \$400,000 homes, and some expectation of construction standards would be a reasonable request.

Richmond asked where a guest would park. There are no open spaces there for guest parking. There really is not any room to breathe for anybody. She was also concerned about the development's impact regarding noise, light, and the environment.

Nifong said he thinks there were two questions; one is where do they park? There is not a tremendous amount of open space. There are a couple of things that can be done with site design that could address that. There are two-car garages with a driveway in the front, so if people are parking in their garages, it will accommodate more parking in their driveway. He is open to creating a parking area along the road nearby, maybe off of the road.

Richmond stated there has to be a lot of lights and a lot of noise. Theoretically, if there are ninety nine (99) units, and ninety (99) cars that go in and out all day that is going to create noise, it is going to create light when those cars go out and face those houses .

Nifong said this is relatively low density. He thinks it is manageable with proper planning and berms like we talked about.

Richmond said she does not know how a berm is going to solve the noise from traffic. If you have one car per unit that is an increase of 99 cars, maybe twice a day if they work.

Nifong said there was no denying that the development would increase traffic. There is existing traffic going into the horse farm now, probably twenty (20) cars a day. Berms do help with

buildings because they block noise. The expectation is that traffic will turn off of Guilford College Road onto Chadwick. Probably two-thirds of it will immediately go into Road A. When those cars egress back onto Guilford College Road, they will turn on to Chadwick Drive for approximately one hundred (100) feet before they turn back on Guilford College Road.

Richmond said there could possibly be two hundred (200) cars and that is really, really dense. She does not see how it goes along with some of our principles in our Comp Plan for quality of life.

Sholl asked why there was not a berm along where there were existing homes.

Nifong said he can but if he does, he will have to remove some mature hardwoods. That is open for discussion.

Sholl asked why the developer was not planning to incorporate the existing trees into the berm.

Nifong said it would kill the trees when you pile that topsoil up and cover those roots.

Sholl said he did not say cover them up. He just said incorporate them. He understands how a tree operates. Will all your utilities be underground? When you designed this, you had an awful lot of traffic going out on Chadwick. And you acknowledged that. Did you talk to the North Carolina Department of Transportation (NCDOT) about putting it on Guilford College? Is that incorporated in here that you cannot do that? He said he wants to see that. Why not attempt to use the single-family zoning that exists now that allows four (4) houses per acre, which would be seventy-five (75) houses total?

Nifong said yes, all utilities will be underground. DOT requires a driveway permit when tying into a connector road. DOT strongly advised connecting off of Chadwick and limit connections onto Guilford College Road. He can get the information for him. The dimensionality is not such that you would see anything near seventy-five (75) houses. It would probably yield forty (40) lots or something like that. Those numbers are not feasible from the developer's standpoint.

Richmond said it might not be feasible from the developer's point of view, but it is feasible for the quality of life for the people around them.

Capes asked how the developer came to ninety-nine (99) units.

Nifong said they came to ninety-nine (99) units to maximize the layouts and that is where it landed.

Sholl said you were allowed six (6) and you are at 5.3. Is that because that is what will fit here?

Nifong said that is what will fit there. The layout is largely consistent with the maximum density that you can get based on the limitations of the topography and landscape.

Capes said we certainly want to take into account the wetlands and everything that is in the middle of it. He was still thinking about the number of units.

Richmond said in looking at Guiding Principle # 11 which is the quality and health of the natural environment, it is as important to our community as the quality of the built environment. Do you have a specific plan to preserve mature trees? With all of those units she does not see how you can protect anything other than what is required for the wetlands.

Nifong said the plan did contemplate preserving the trees along Chadwick. We have an interplay with a berm so the trees on the majority of the remainder of the site would be in the way of construction and would have to come out.

Richmond said she is looking at this in two different perspectives. One would be the people who live around there. It is single family housing on three sides. She really cannot get beyond that. But if you look at it another way, the people who would live in those ninety-nine (99) units do not have any open space. They do not have any parking; they do not have any mature trees. She does not know how you have a quality of life, even for those people who would walk in there. It just seems too dense for quality of life.

Nifong said there is some amount of open space. We did provide sidewalks which is mandated within your planning directives to allow active space. This is planned as a community that will be supportive of an older generation that will tend to take advantage of those sidewalks and be out and about.

Levi said you mentioned the width of the berm or perimeter. What about the height?

Nifong said the height of the berm is subject to discussion. You have to take into consideration engineering concerns and how much soil you generate on your site and things like that. We cannot commit to a forty (40) foot tall berm if we do not have that much soil. To the extent that engineering will allow it, he thinks you want as large of a landscaped berm as you can.

Levi asked for a rough estimate of the height of the berm.

Nifong replied it depends on the site conditions. It is a dirt balance issue that is part of the engineering discussion.

Levi asked the distance in between the buildings where there are multiple units of as many as six (6) joined together. It looks to be very minimal.

Nifong said it is a fifteen (15) foot minimum for building separations as per your ordinance.

Walker opened the floor to anyone that would like to speak regarding the rezoning request.

- James Bowman, 201 Chadwick Drive – Bowman expressed concern about the proximity of his home to the Jamestown Equestrian Center. He recommended denial of the rezoning request because it did not fit with the current homes and aesthetics of the surrounding

properties or the Envision Jamestown Comprehensive Plan. It would be in the best interest of Jamestown to avoid approving any rezoning that would further impact the Guilford College Road corridor until it is able to assess what impact the Johnson property development has on the Town of Jamestown.

- Richard Bowling – Bowling spoke on behalf of his daughter and son in law, Jane and Scott Blue, Hickory Hollow residents who recommended denial of the rezoning request to maintain the landscape of a single-family residential area. Their property would be most affected by this though they do not live in Jamestown. It is completely against Jamestown's own Comprehensive Plan from 2021.
- Keith Wagner, 102 McFarland Court – Wagner stated he is against the rezoning request. He opposes traffic on Chadwick because the residents use it as a sidewalk for walking with dogs and children. He encouraged the Planning Board to decline the request and send it back to the land developers to submit a plan that matches the existing zoning.
- Rebecca Messer, 205 Chadwick Drive – Messer requested denial of the rezoning request due to other development in her area and more congestion and traffic. She said townhomes are not consistent with the single-family residents of the surrounding areas.
- Jane Hebbard, Hickory Hollow Road – Hebbard opposed the rezoning because of environmental concerns, water quality of wells, density, and safety concerns.
- Gideon Messer, 205 Chadwick Drive – Messer stated he opposed the rezoning development because it would harm the forest, wildlife, and neighbors. It would bring traffic and safety issues for walking and biking.
- Nathaniel Woodey, 6308 Hickory Hollow Road – Woodey said he is against the rezoning request. It is high density and sandwiched in between single-family. No consideration is given to berms or buffers. He stated he has a pond and expressed concern water would run into it.
- Charles Hebbard, 6312 Hickory Hollow Road – Hebbard opposed the rezoning request because the multi-unit development is reckless and irresponsible. He expressed concern about water runoff from the site, impact to quality of his well water, and traffic.
- Maxine Fisher, 203 Chadwick Drive – Fisher requested denial of the rezoning because it is inconsistent with the Comprehensive Plan for development in a rural area. She asked the Planning Board to recommend denial of the rezoning request and grant the people that live in the area the continued present zoning.
- Terry Cullen, 101 Chadwick Drive – Cullen requested denial of the rezoning request stating it is not appropriate, damages the surrounding single-family residents and does not fit.

- Janina Austin, 4331 Wood Road in Cedar Wood - Austin urged the Planning Board to take action in a different way than Greensboro. It would bring too much traffic and is not appropriate. She encouraged denial of the rezoning request.
- Eric James, 6314 Hickory Hollow Road – James opposed the rezoning request because it was not the thing to do and traffic in that area is already bad.
- Krisdena Reeser, 2621 Glasshouse Road – Reeser expressed concerns about Town staff serving as the watershed review board. She said state statute dictates low density development and the Land Development Ordinance (LDO) discourages cul-de-sacs, and this development has two. She claimed the Public Hearing was not properly advertised.

Walker asked if anyone else would like to speak regarding the rezoning. Nobody came forward.

Walker opened the floor to the Planning Board for discussion.

Walker asked for a motion to continue the Public Hearing to the Planning Board's April 8th meeting at 6 pm without further advertisement.

Capes made a motion to continue the Public Hearing to the Planning Board's April 8th meeting at 6 pm without further advertisement. Member Dale made a second to the motion. The motion passed by a unanimous vote.

Capes encouraged the audience to stay involved.

Walker called for a ten-minute recess at 7:19 pm and excused ETJ members.

Walker resumed the meeting at 7:29 pm and stated ETJ members have been excused and we will begin the next rezoning request.

B. Request for rezoning for a portion of the following parcel consisting of a total of 1.7 create +/- 100 Near Lennox Drive (Parcel #160267) 1.7 acres +/- portion of 4.46 acres +/- parcel from RMST to CZ-RMST

Johnson stated this is case number 2024-02. Location is an address at 100 near Lennox Drive as parcel number 1620267. It is for a 1.7-acre portion of the 4.56 larger parent parcel with proposed rezoning from Residential Main Street Transitional (RMST) to Conditional Zoning -Residential Main Street Transitional (CZ-RMST). The conditions are as follows: maximum number of units will be twenty-four (24), all units would be one-bedroom units, building height would be limited to three stories exclusive of the architectural roofline features, and maximum number of buildings shall be limited to two. Both the buildings will be placed on the existing Phase Two building pad locations which have been there for years. Phase Two shall maintain its own separate recycling and dumpster areas for solid waste.

Current use is existing condominium buildings with twelve (12) units each. It is bordered to the north by commercial Main Street Transitional, to the south by Industrial, to the east by the Main

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Street zoning district that is vacant and to the west by the Commercial Main Street Transitional and Industrial properties. Streets are Lennox Drive, which is private, and West Main Street, which is owned and operated by NCDOT. The property was rezoned in November of 2004 as R-9 with a Special Use Permit to allow the condominiums to be constructed. In July of 2009 that was changed to Residential Main Street Transitional zoning as a result of the adoption of our new Land Use Ordinance (LDO). Applicant is requesting RMST Conditional District and RMST. Our Comprehensive Plan and Guiding Principles that apply to this particular development are Guiding Principle # 1 that facilitates high quality growth that is compatible with our traditional development patterns, is innovative and meets the needs of our diverse and dynamic community. Guiding Principle # 2 strength of the community is directly tied to the long-term success of the neighborhoods working diligently to promote and maintain the quality of life and aesthetic standards that our residents expect in Jamestown. Guiding Principle # 10 is a welcoming and inclusive community that values the benefits of diversity in all aspects of the town and its residents.

The decision before the Board this evening is whether or not this Conditional Zoning Residential Main Street Transitional zoning district is an appropriate zoning district to apply in this situation is to be consistent with the Comprehensive Plan. The Technical Review Committee (TRC) has met and reviewed the request and feels that it is consistent with our Comprehensive Plan. The applicant is being represented by Attorney Amanda Hodierno.

Hodierno stated her offices are at 804 Green Valley Road in Greensboro, suite 200. The property has been a half-finished project. This request is 1.7 acres of the larger parcel that was originally planned to be developed as Lennox Square. It will be subdivided. The request is to rezone to the exact same district of Residential Main Street Transitional (RMST) with conditions but the district itself will not change. This rezoning is to complete Phase Two of the project as envisioned and planned a long time ago. It was always intended to be a square and have four buildings. The original owners and developers conveyed this property to her client Burkely Communities, and Sterling Kelly is here tonight. They own and operate Courtyard Commons in Jamestown. Phase Two was originally contemplated to be two more buildings of twelve (12) units each. Her understanding is that when the new LDO came along in 2009, standards changed it such that density no longer allowed 24 more units. We are here to get the zoning to match those numbers again, so we can construct those buildings. The request seeks to add 10.4 units to what would currently be allowed under the existing application of the RMST zoning district. That is the net increase that is being requested. The proposed condition is maximum number of units shall be limited to 24. That would be twelve (12) in each building, and all of these units would be one-bedroom units.

Current buildings have two-bedroom units. Building height would be limited to three stories that would match and be consistent with the existing Lennox Square. The building there now has some nice art articulation on the roofline, these would have something similar. When we say three stories, we mean living space. Maximum number of buildings would be limited to two and both the new buildings would be placed in the same location as the existing pads. It would build out as originally contemplated. Those existing pads are going to come up because they have been there too long, but the slab locations will not change.

The Phase Two portion shall maintain its own separate dumpster and recycling areas. That was important with the existing residents at Lennox Square. They wanted to carry that forward as a condition and we will keep that commitment. The Comprehensive Plan places a lot of emphasis on supporting the downtown with businesses and residents that can come in and utilize it. They can walk to it, and it can be a thriving part of everything you want going on in a successful downtown. We think this project fits right into that vision. It is heavily landscaped with nice signage.

The development opens out to the square circular formation. Infrastructure of the curb and gutter where the parking will be is there and there is already sufficient parking that will just be striped out and utilized as always planned. It fits nicely into the thriving framework of the downtown. In conformance with Guiding Principles # 1, #2 and # 10 of the Comprehensive Plan this project provides a range of housing providing quality of life and nice housing for people at all stages of life and creates walkability. We are not asking for a district change or Comprehensive Plan designation change, but for a technical cleanup to be able to finish this project out.

Mr. Kelly met with the existing Homeowners Association (HOA) several times when putting this property under contract to make sure that this was something that could be viable. The people living there needed to be a part of the conversation. There is an agreement that was negotiated between Mr. Kelly's company and the existing HOA. Certain aspects were important to the HOA and certain aspects were important to the Town. Namely, to ensure that the stormwater pond would be used by both sides as it was originally intended. Those items are obviously outside the purview of a zoning code. They live inside that agreement between the company that would run this side of things and the HOA. We were pleased to get the HOA's approval of the agreement before we ever filed this case.

Capes stated he is curious in regard to the way this was originally going to be set up. If everything had stayed according to plan, they could have done this back in 2006 basically. Zoning changes came into play 2008-2009 when the Town adopted the LDO and redid all the zoning districts. Effectively this is to get this finished as originally intended. The biggest concern he was thinking of was architectural features matching but you already addressed that. One thing that stood out to him was the condition of Courtyard Commons before it was bought out by Mr. Kelly's groups. It needed a whole lot of work. We know this developer and it makes sense to continue from his perspective.

Public Hearing

Walker opened the floor to anyone that would like to speak about the request.

- Yolanda White, 200 Lennox Square Condominiums Unit 1C – White expressed apprehension about the introduction of rental property in her neighborhood and the long-term implications on property value, community, aesthetics and overall wellbeing of residents. There has been only one meeting held with residents. She requested that the public hearing be continued to the April meeting because they have a new HOA board and do not know what the previous board has done.

- Tina Cherry, 100 Lennox Square, buiding Unit 2B – Cherry requested information on parking for the new units.

Hodierne said the installed parking that already exists was for the entire development. There is an existing signed agreement from the HOA that was important to have in place. Lastly whether or not a unit is rented or owned is not a consideration that we can legally undertake here tonight as part of the zoning board. Anyone can rent their home at any time, even if they were the ones who originally bought it. A quick search of Lennox Square right now on the internet shows that there are several units for rent currently. This is not really a zoning consideration.

Sholl requested the number of parking spaces.

Kelly stated they have owned and managed Courtyard Commons, formerly Jamestown Village Apartments since 2000 to 2013. It was in need of great attention, was a well-built community, and well-located. There were two buildings that were demolished because the foundations were unsafe. We built a clubhouse right up front and two residential buildings. We went through a rezoning to get the additional units at that point in time. We have been looking for additional opportunities to expand our footprint in Jamestown. Respectfully we need to correct you on the lack of meetings. We twice invited all of the residents to come across the street and meet with us and explain what we intended to build, what we hoped we could build and to address some of the concerns that the residents of Lennox Square. It probably has been at least a fifteen (15) month process and dialogue. We did not file this rezoning application until we had reached that agreement with the condo HOA. He does not have the specific number of parking spaces. We can get that, but it was designed to add twenty-four, twelve (12) unit buildings with two bedrooms.

Sholl asked Kelly if he shared the agreement with the HOA with all the residents.

Kelly responded that he would not have done that, the HOA would have done so.

- Elizabeth Murray, building 100, unit 2A – Murray expressed disagreement with one-bedroom apartments and felt if anything was built it should be kept the same as it is. Meetings that were held were with board members and we were not privy to any information except for what was disclosed to us in the first meeting that we had with Burkley. She said she is concerned about trespassing between neighborhoods, the aesthetics, management of properties, and whether the two will be merged.

Capes said he understands the concerns of residents, and if there has not been enough due diligence, he encouraged that to happen. This was going to be finished in some capacity and now we are not going to make the final decision on that. We should at least consider going ahead and moving this to the Council for their consideration.

Sholl said he has no issue with continuing this another month to give Kelly a chance to address some of the individuals that actually live there as opposed to the HOA.

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Sholl made a motion to continue the Public Hearing to the April 8th Planning Board meeting at 6 pm in the Civic Center without further advertisement. Capes made a second to the motion. The motion passed by a unanimous vote.

Hodierne said we talked about the contractual nature with selling and closing. Looking at timelines, would it be possible to come back in April, as you have requested and still maintain the May Council timeline that has already been established? The HOA represents the residents, and we were told they communicated with them.

Johnson concurred that this would still be able to make the May Town Council meeting.

Public Comment Period

No one wished to speak.

Adjournment

Capes made a motion to adjourn. Sholl made a second to the motion. The motion passed by a unanimous vote.

The meeting ended at 8:11 pm.

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**Planning Board Meeting
April 8, 2024
6:00 pm in the Civic Center
Minutes & General Account**

Planning Board Members Present: Russ Walker, Jr. (Vice Chair), Dennis Sholl, Jane Walker Payne, Donald Dale (ETJ), Peggy Levi (ETJ), William McLean (ETJ Alt.), John Capes (Alt.), Robert Coon (ETJ), Susan Stringer

Planning Board Members Absent: Sherrie Richmond & Donald Dale

Council Member Representative: Pam Burgess

Staff Members Present: Katie M. Weiner, Ty Cheek, Anna Hawryluk, & Matthew Johnson

Visitors Present: James Bowman, Jill Bowman, Vivien Carson, Maxine Fisher, David Fisher, Scott Blue, Jan Blue, Christine Hughes, Kitty Duvall, Gary Duvall, Nathaniel Woody, Peyton Woody, Jay Smith, Sondra Click, Tarey Cullen, Keith Wagner, Jenny Wagner, Griffin Wagner, Ricky Lewis, Delbra Lewis, Eric James, James Keane, Krisdena Reeser, Thomas Newton, Leann Love, Jane Hebard, Penny Hebard, Ray McFillin, Carol McFillin, Carol Brooks, Stafford Kelly, Sterling Kelly, Richard Boling, Ryan Howard, Janina Austin, John Denglere, Mary Osborne, Elizabeth Murray, Clifton Moore, & Amanda Hodiern

Call to Order: Walker called the meeting to order.

Roll Call: Weiner took roll call as follows:

Russ Walker, Vice Chair	present
Denise Johnson	present
Jane Walker Payne	present
Dennis Sholl	present
Robert Coon (ETJ)	present
John Capes (Alt. Member)	present
Donald Dale (ETJ)	absent
Peggy Levi (ETJ)	present
Sherrie Richmond (ETJ)	absent
William McLean (ETJ Alt.)	present
Susan Stringer	present
Council Member Burgess	present

Weiner stated that a quorum was present.

Amend Regular Meeting Schedule – Hawryluk requested the Board amend the 2024 regular meeting schedule to move the May meeting from the 6th to the 20th due to the need to use the Civic Center for elections.

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Capes made a motion to amend the 2024 regular meeting schedule to move the May meeting from the 13th to the 20th. Payne made a second to the motion. The motion passed by a unanimous vote.

Public Hearing on rezoning request for parcels consisting of a total of 18.704 acres +/- at 1903, 1905 - 1915 Guilford College Road between Cherry Hollow Road and Chadwick Road for rezoning from Single Family Zoning Residential (SFR) to Conditional Zoning – Multifamily Residential (CZ-MFR) for two parcels - Hawryluk stated last month a Public Hearing was held on this request. She added that the hearing had been continued to the April 8th meeting. The Town received a revised plan on March 26th that shows an entrance moved onto Guilford College Road. That was the only change to the plans. After the Technical Review Committee (TRC) meeting of the revised plan, staff recommended several changes to better align with the Comprehensive Plan: reduction in units, guest parking, sidewalks on both sides of the street, berm height recommendations, conditions on materials and/or design, and other technical standards. Staff has not received any response on these requests. Staff would recommend that the Planning Board deny the proposal as it is presented. However, the applicant contacted staff yesterday and requested that the hearing be continued so they could address some of the concerns that had been raised. Staff believes it is reasonable to continue the Public Hearing to the 20th of May to allow the applicant time to present a revised plan to better meet the concerns of the public and this Board.

Walker called the applicant forward to speak.

David B. Coe, PO Box 36, Wallburg, NC – Coe requested a continuation for one more month. Jamestown Engineering has made some progress and changes. There has been interaction with NCDOT, and various potential sources identified for public water supply. He plans to bring something next month to be approved by the Board.

Planning Board members discussed with Mr. Coe what would be done differently if an extension were granted.

Coe stated he did not see a substantial change in the total number of units, but he did expect a potential change in the overall layout or perhaps another connection point.

Walker opened the floor to anyone that would like to speak regarding the rezoning request.

- James Bowman, 201 Chadwick Drive – Bowman opposed continuing this for another month stating two months was enough time. He recommended denial of the rezoning request because it was not compatible with the current homes, aesthetics of the surrounding properties, or the Envision Jamestown Comprehensive Plan.
- Jan Blue, Hickory Hollow Road – Blue opposed the rezoning because of concerns about density, traffic, safety, poor aesthetics, and adverse impacts on critical and protected watersheds.

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- Jenny Wagner, 102 McFarland Court – Wagner expressed concern about density issues and the lack of green space in the proposed development. She asked the Board to deny the rezoning request and to deny the request for a continuation. She said that the applicant does not appear willing to reduce the number of units or add amenities.
- Eric James, 6314 Hickory Hollow – James asked the Board to deny the rezoning due to the amount of traffic and accidents that occur in the area already.
- Perry Hebert, 6312 Hickory Hollow Road – Hebert said he was concerned about runoff from the development into the critical watershed because of riparian damage.
- Leann Love, 99 Chadwick Drive – Love opposed the rezoning as flooding already exists on the horse farm now and increased density would add to stormwater problems. She said that the proposed rezoning would be dangerous for school buses.
- Maxine Fisher, 283 Chadwick Drive – Fisher opposed high density development due to stormwater issues, clear cutting, and leveling of the land. She requested denial of the rezoning and an extension.
- Keith Wagner, 102 McFarland Court – Wagner expressed concern as a resident in the ETJ. He was frustrated about not being able to vote for Town Council Members who make decisions that impact his enjoyment of his property. He asked the Board to follow the Comprehensive Plan.
- Terry Cullen, 101 Chadwick Drive – Cullen requested unanimous denial of this rezoning because of density and spot zoning concerns. The development plan has no recreational area, damages trees, and uses vinyl siding.
- Pete Woody, 6308 Hickory Hollow Road – Woody said the proposed density is not compatible with the area and does not meet the bare minimum requirements.
- Krisdena Reeser, 2621 Glass House Road – Reeser stated the proposed development is not consistent with the Comprehensive Plan or the Land Development Ordinance and expressed concern that Town staff made decisions about the Randleman Lake Watershed area without contacting DEQ. She urged denial of the rezoning request.
- Janina Austin, 403 Thornwood Road – Austin urged denial of the rezoning request and continuance because the developer does not seem interested in addressing concerns about density.
- Thomas Newton, 822 Jarman Drive – Newton urged the Planning Board to listen to the residents that came before him and their concerns. He does not want to see all the trees cut down and does not like the proposed development.

- Ricky Lewis, 6306 Hickory Hollow Road – Lewis opposed rezoning as it interferes with the Envision Jamestown concept. People make the community, not buildings. This unique place should not be auctioned off in this way.

Walker closed the public hearing.

The Board discussed whether to continue the hearing another month for further consideration.

Capes made a motion to recommend that Council deny the proposed zoning amendment. Coon made a second to the motion.

Weiner took a Roll Call Vote as follows:

William McLean	aye
Peggy Levi	aye
John Capes	aye
Dennis Sholl	aye
Russ Walker	aye
Jane Walker Payne	aye
Susan Stringer	aye
Denise Johnson	aye
Robert Coon	aye

Motion passed by a unanimous vote.

Capes made a motion to deny the proposed zoning amendment based on the following Consistency Statement:

1. *The proposed zoning amendment is not consistent with the adopted comprehensive plan of the Town of Jamestown.* The Planning Board finds that the proposed zoning amendment is inconsistent with the comprehensive plan because the suburban residential future land use calls for lower intensity uses to be developed in a manner similar to or adjacent to similar development and neither of these are met by this proposal.
2. *The proposed zoning amendment is not reasonable.* The Planning Board considers the proposed zoning amendment to be unreasonable because:
 - a. The report of the Town staff finding the proposed zoning amendment to be unreasonable is adopted by reference.
 - b. The Planning Board further finds that the proposed zoning amendment is unreasonable because there is a disregard for Guiding Principles that encourage design standards that enhance the quality of life in the development, are compatible with surroundings, and avoid the introduction of monotonous development styles.
3. *The proposed zoning amendment is not in the public interest.* The Planning Board considers the proposed zoning amendment to be against the public interest because:

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- a. The report of the Town staff finding the proposed zoning amendment to be against the public interest is adopted by reference.
- b. The Planning Board further finds the proposed zoning amendment to be against the public interest because it deviates from our adopted comprehensive plan in a way that is unreasonable to approve as a conditional use.

Coon made a second to the motion. The motion passed by a unanimous vote.

The Board took a ten-minute recess and Walker excused ETJ members.

Public Hearing on rezoning a portion of a parcel consisting of a total of 1.7 create +/- 100 Near Lennox Drive (Parcel #160267) 1.7 acres +/- portion of 4.46 acres +/- parcel from Residential Main Street Transitional (MST) to Conditional Zoning-Residential Main Street Transitional - Hawryluk stated this is case number 2024-02 and this is a continuation of a Public Hearing held last month. The conditions are as follows: maximum number of units will be twenty-four (24), all units would be one-bedroom units, building height would be limited to three stories exclusive of the architectural roofline features, and maximum number of buildings shall be limited to two. Both buildings will be placed on the existing Phase Two building pad locations. Parking is adequate with 46 spots; only 24 were required. The Board's only consideration is whether the rezoning is consistent or not.

Walker called the applicant forward to speak.

Attorney Mark Isaacson, 804 Green Valley Road, Greensboro – Isaacson said he was there on behalf of Burkely Communities. A legally binding agreement exists between the Condominium Owners Association and Burkely Communities concerning the two vacant building pads. This project was delayed during a recession period and during that time the zoning was changed. We requested rezoning to get back to where we were and complete the project.

Walker opened the floor to anyone that would like to speak.

Sandra Click, 103A Lennox Drive – Click stated she was president of the Condominiums Owners Association (COA) Board in 2023, and was aware of the sale of the two-cement pads known as Phase 2 to Burkely Communities. The COA had the knowledge and experience to negotiate an agreement, and they had communicated with residents.

John Skinner, 200 Lennox Drive, Unit 2D – Skinner stated he is a homeowner concerned about the increase in density in an already small area with limited parking. He requested that the Planning Board deny the rezoning request.

Sylvia Christopher, Lennox Square 3D – Christopher expressed concern about increased traffic in the parking lot, the lack of green space/playground area, and the inability of transfer trucks to turn around in the parking lot.

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Ernestine Cherry, 100 Lennox Drive – Cherry stated the legal agreement was not approved by a majority of members of the COA. Homeowners knew nothing about the negotiations. She expressed concern about inadequate parking and stated the project should not go forward.

Elizabeth Murray, 100 Lennox Square – Murray stated there was a lack of transparency and trust with the COA and most homeowners were not kept informed. She has no issues with Burkely’s plan though she prefers condos and not apartments. She requested denial of the rezoning because of the way the COA handled it.

Yolander White, 200 Lennox Square, 1C – White asked for the rezoning decision to be delayed. She said she was on the HOA Board, and they were blindsided with this.

Walker closed the Public Hearing.

The Board discussed the proposed zoning amendment.

Capes made a motion to approve the proposed zoning amendment. Johnson made a second.

Weiner took a roll call vote as follows:

John Capes	aye
Dennis Sholl	aye
Russ Walker	aye
Jane Walker Payne	aye
Denise Johnson	aye

The motion passed by a unanimous vote.

Capes made a motion to approve the proposed zoning amendment based on the following Consistency Statement:

1. *The proposed zoning amendment is consistent with the adopted comprehensive plan of the Town of Jamestown.* The Planning Board further finds that the proposed zoning amendment is consistent with the comprehensive plan because the site was originally planned and sized for two 12-unit buildings.
2. *The proposed zoning amendment is reasonable.* The Planning Board considers the proposed zoning amendment to be reasonable because:
 - a. The report of the Town staff finding the proposed zoning amendment to be reasonable is adopted by reference.
 - b. The Planning Board further finds that the proposed zoning amendment is reasonable because the zoning is consistent with the current zoning and usage of the full parcel.
3. *The proposed zoning amendment is in the public interest.* The Planning Board considers the proposed zoning amendment to be in the public interest because:

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- a. The report of the Town staff finding the proposed zoning amendment to be in the public interest is adopted by reference.
- b. The Board further finds the proposed zoning amendment is in the public interest because it will provide housing options that meet the needs for different stages of life and family situations.

Johnson made a second to the motion. The motion passed by a unanimous vote.

Public Comment Period

No one wished to speak.

Adjournment

Capes made a motion to adjourn. Sholl made a second to the motion. The motion passed by a unanimous vote.

The meeting ended at 8:40 pm.

Chair
Lynn Montgomery

Town Manager
Matthew Johnson

Planning Board Attorney
Jim Lanik



Planning Board Members
Darlene Fete
Hope Inge
Denise Johnson
Jane Walker Payne
Dennis Sholl
Robert Coon, ETJ
Donald Dale, ETJ
Peggy Levi, ETJ
Sherrie Richmond, ETJ

TOWN OF JAMESTOWN AGENDA ITEM

ITEM ABSTRACT:

AGENDA ITEM #:

CONSENT AGENDA ITEM

ACTION ITEM

INFORMATION ONLY

MEETING DATE:

ESTIMATED TIME FOR DISCUSSION:

DEPARTMENT:

CONTACT PERSON:

SUMMARY:

ATTACHMENTS:

RECOMMENDATION/ACTION NEEDED:

BUDGETARY IMPACT:

SUGGESTED MOTION:

FOLLOW UP ACTION NEEDED:

LDO SIDEWALK LANGUAGE CHANGES

2.20-2 Sidewalks Along New Streets. Sidewalks shall be required along ~~one side~~ both sides of new streets, ~~except along major thoroughfares, where sidewalks shall be required on both sides of new streets~~. In the case of private streets, sidewalks shall be required on one side of new streets. Regardless of streets being public or private, the developer of new street networks may petition the Technical Review Committee (TRC) to waive the requirement for sidewalks along new streets for developments located in the Watershed Critical Area where additional built-upon area may be detrimental to water quality. The TRC shall apply an “equal or better” performance standard to the request and the developer shall be required to comply with conditions placed upon them by the TRC.

EXEMPTION CLARITY

19.5-2 Exemptions. The following are exempt from the requirements of this Article. The exemption shall not be construed to permit uses prohibited in the underlying zoning district, or otherwise prohibited by this Ordinance.

- (A) Lots of record of less than twenty thousand (20,000) square feet existing on October 1, 1993, in all watersheds except Randleman Lake Watershed, where the effective date is January 1, 2000. Lots of record less than 1 acre which were existing prior to the effective date of the watershed ordinance (July 1, 1993 in all watersheds except Randleman, where the effective date is January 1, 2000), are not part of a larger common plan of development, and are impacted by permanent easements or rights-of-way which render the “effective” lot size less than 20,000 sq. ft. of developable area may qualify for the exemption as described.
- (B) The construction or modification of one single-family dwelling and its accessory structures on a ~~zone-lot~~ lot of record provided it is located outside Watershed Critical Area (WCA) Tier 1 within the City Lake and Oakdale Reservoir Watersheds or outside Watershed Critical Area (WCA) Tiers 1 and 2 within the Randleman Lake Watershed.
- (C) The construction of one two-family dwelling and its accessory structures(s) on a ~~zone-lot~~ lot of record in the City Lake and Oakdale Reservoir Watersheds provided a sedimentation and erosion control plan is not required and provided it is located outside Watershed Critical Area (WCA) Tiers 1 and 2.
- (D) Replacement of existing built-upon area (BUA) on a lot developed with a like or lesser amount of new BUA, at the same location, or at a different location on the same zone lot if the Planning Director has determined that equal or better water quality will result.
- (E) Exemption to the Plan Submission Requirements of this Article. The placement of small accessory buildings or structures or small amounts of other built-upon area on a lot developed with a nonresidential or multifamily use, provided that the total built-upon area added after the effective date of this Ordinance, is no greater than six hundred (600) square feet and provided that less than one acre of land is disturbed shall be exempt from the plan submission requirements of this Article. This exempted built-upon area or land disturbance shall not be placed within a required surface water buffer. This exemption shall apply to a ~~zone-lot~~ lot of record for one time only after July 1, 1993, in all watersheds except Randleman Lake Watershed, where the effective date is January 1, 2000. This exemption shall not apply to a lot with a Watershed Development Plan on file with the Planning Department.
- (F) No lot or property shall be exempt from the buffer protection requirements of this ordinance.

WRITTEN RECOMMENDATION ADDRESSING COMPREHENSIVE LAND USE PLAN CONSISTENCY:

GS 160D-604 and GS 160D-605 set forth specific requirements for governing board statements.

- Boards are not required to take action that is consistent with an adopted Land Development Plan (aka Comprehensive Plan or “Comp” Plan). They only need to consider what it says.
- The Council and Planning Board **must** adopt a statement that addresses plan consistency when considering zoning ordinance amendments.
- The adopted statement **may not be** something simple like “we find the request to be consistent/inconsistent with adopted policies”. Rather, it must say **how/why** the Council feels as it does.
- The consistency statement must include some modest discussion and explanation about the Planning Board and Council’s feelings on their actions. In other words, the statement should not be crafted beforehand by staff.
- The Council must make their statement conform to one of three forms:
 - A statement approving the proposed zoning amendment and describing its consistency with the plan;
 - A statement rejecting the proposed zoning amendment and describing its inconsistency with the plan;
 - or
 - A statement approving the proposed amendment although inconsistent with the plan and why deemed appropriate. Adoption of a rezoning that is inconsistent with the plan automatically amends the plan.
- Each consistency statement **must** include an explanation of why the board deems the action to be reasonable and in the public interest.

All amendments must now follow this approach:

- 1) Consideration of the proposed zoning amendment and public hearing.
- 2) Deliberation by the Board.
- 3) Motion to approve/deny the zoning amendment.
- 4) Motion on consistency/inconsistency with the Land Development Plan (Comp Plan).

A sample format is provided on the following pages.

MOTION
FINDING PROPOSED AMENDMENT CONSISTENT WITH COMP PLAN

I make a motion that the proposed zoning amendment **be approved** based on the following:

1. *The proposed zoning amendment is consistent with the adopted comprehensive plan of the Town of Jamestown.*
The Planning Board further finds that the proposed zoning amendment is consistent with the comprehensive plan because: _____.

AND

2. *The proposed zoning amendment is reasonable.* The Planning Board considers the proposed zoning amendment to be reasonable because:

A. The report of the Town staff finding the proposed zoning amendment to be reasonable is adopted by reference.

B. The Planning Board further finds that the proposed zoning amendment is reasonable because: _____.

AND

3. *The proposed zoning amendment is in the public interest.* The Planning Board considers the proposed zoning amendment to be in the public interest because:

A. The report of the Town staff finding the proposed zoning amendment to be in the public interest is adopted by reference.

B. The Planning Board further finds that the proposed zoning amendment is in the public interest because: _____.

[Call for second etc.]

MOTION
FINDING PROPOSED AMENDMENT INCONSISTENT WITH COMP PLAN

I make a motion that the proposed zoning amendment **be rejected** based on the following:

1. *The proposed zoning amendment is not consistent with the adopted comprehensive plan of the Town of Jamestown.* The Planning Board finds that the proposed zoning amendment is inconsistent with the comprehensive plan because:_____.

AND/OR

2. *The proposed zoning amendment is not reasonable.* The Planning Board considers the proposed zoning amendment to be unreasonable because:

A. The report of the Town staff finding the proposed zoning amendment to be unreasonable is adopted by reference.

B. The Board further finds that the proposed zoning amendment is unreasonable because:_____.

AND/OR

3. *The proposed zoning amendment is not in the public interest.* The Board considers the proposed zoning amendment to be against the public interest because:

A. The report of the Town staff finding the proposed zoning amendment to be against the public interest is adopted by reference.

B. The Board further finds that the proposed zoning amendment is against the public interest because:_____.

[Call for second etc .]

**MOTION
TO APPROVE
ZONING AMENDMENT
(EVEN IF INCONSISTENT WITH COMP PLAN)**

I make a motion that the proposed zoning amendment **be approved** based on the following:

1. *Even though the proposed zoning amendment is inconsistent with the adopted comprehensive plan of the Town of Jamestown, a change in conditions in meeting the development needs of the community has occurred since plan adoption.* These changes include: _____.

Furthermore, the Board finds that the proposed zoning amendment meets the development needs of the community because:_____

AND

2. *The proposed zoning amendment is reasonable.* The Board considers the proposed zoning amendment to be reasonable because:

A. The report of the Town staff finding the proposed zoning amendment to be reasonable is adopted by reference.

B. The Board further finds that the proposed zoning amendment is reasonable because:_____.

AND

3. *The proposed zoning amendment is in the public interest.* The Council considers the proposed zoning amendment to be in the public interest because:

A. The report of the Town staff finding the proposed zoning amendment to be in the public interest is adopted by reference.

B. The Board further finds that the proposed zoning amendment is in the public interest because:_____.

AND

4. By approving this motion, the Board also recommends that the Town Council also hereby amends the Town of Jamestown Land Development Plan (comprehensive plan) to reflect the approved zoning amendment.

[Call for second etc.]