

**Planning Board Meeting
July 18, 2022
6:00 pm in the Civic Center
Minutes & General Account**

Planning Board Members Present: Sarah Glanville, Chair; Kerry Miller, Pamaila Burgess, Jane Walker Payne, Russ Walker, Donald Dale, Jr. (ETJ), Peggy Levi (ETJ), & Sherrie Richmond (ETJ)

Planning Board Members Absent: Ed Stafford, Vice Chair; Dennis Sholl, & Robert Coon (recusal)

Council Member Representative: Rebecca Mann Rayborn

Staff Members Present: Matthew Johnson, Katie M. Weiner, Anna Hawryluk, & Jim Lanik (Planning Board Attorney)

Visitors Present: Martha Wolfe, Kevin Keslar, Dionne Brown, Charlie Hall, Tom Hall, Rich Glover, Michael Auman, Pat Auman, Steve Auman, Davey Auman, William McLean, Brian Stevenson, & Teresa Alden

Call to Order- Glanville called the meeting to order.

Roll Call- Hawryluk took roll call as follows:

Sarah Glanville- Present
Ed Stafford- Absent
Dennis Sholl- Absent
Kerry Miller (Alt.)- Present
Pamaila Burgess (Alt.)- Present
Jane Walker Payne- Present
Russ Walker- Present
Donald Dale, Jr. (ETJ)- Present
Robert Coon- Absent due to recusal
Peggy Levi (ETJ)- Present
Sherrie Richmond (ETJ)- Present

Council Member Rayborn- Present

Hawryluk stated that a quorum was present.

Meeting Overview- Johnson explained the rezoning process. He noted that staff reviewed applications that were submitted and made recommendations to the Board. He stated that it was the Planning Board's role to make recommendations to Town Council based on whether or not the rezoning request was consistent with the Comprehensive Plan. He added that Council would take the Planning Board's recommendation into consideration when making the final decision on the request. He also highlighted that the public had the opportunity to speak about any request that had been submitted at public hearings held by the Planning Board and Town Council. Johnson encouraged community members to reach out to Town staff if they had any questions.

Public Hearing on rezoning request for property located at 4718 Harvey Road (Parcel #223271) Approx. 31.4 +/- acres from Agricultural (AG) to Conditional Zoning-Bypass (CZ-B) - Hawryluk

Hawryluk presented her staff report to the Planning Board. She provided an overview of the request that had been submitted by Windsor Homes. She explained the difference between conditional and conventional zoning. She noted that conditional zoning allowed the municipality and the applicant to agree on additional regulations that may be appropriate for a particular project. Hawryluk stated that the conditions must be acceptable to the property owner and the government. She provided details of allowable uses in the bypass district. Hawryluk stated that the conditions included within the request from Windsor Homes was as follows:

- The area of potential commercial use shall be limited to 2.5 acres with the remainder of the site being limited to residential uses only.
- No apartments shall be allowed.
- The maximum number of residential lots shall be 95.
- Maximum front setback of 30' along the internal roads and 65' along Harvey Road
- Architectural standards- Vinyl exterior with some element of stone or brick wainscot on the front. Decorative vinyl shakes or board and batten in front gable. Shutters per plan and elevation. A variety of elevations and neutral exterior colors.
- Commercial shall be limited to: post office, medical/dental/related office, real estate office or other professional office such as insurance/legal/accounting, bank/financial institution, florist/gift shop, hardware store
- Type A Buffer between commercial and residential uses
- A Traffic Impact Analysis (TIA) shall be completed before this rezoning is heard by Town Council. The developer shall comply with requirements identified in the TIA.

Hawryluk stated that the Comprehensive Plan had identified the property as a growth area. She added that it was considered a mixed use area within the Future Land Use map. She said that the request met Guiding Principles #1, #2, #4, #10, and #11 included in the Comprehensive Plan.

Hawryluk stated that the developer had agreed to add a TIA as one of the conditions of the rezoning request because of the concerns regarding traffic. She said that she had spoken with Donna Bell, Guilford County Schools Representative, about the pick up and drop off of students in the area. Hawryluk provided the contact information for Guilford County School's Planning Department. She encouraged those that had concerns about school traffic to reach out to Donna Bell.

Hawryluk stated that Town staff had reviewed the request and believed that it was consistent with the Town's Comprehensive Plan.

Glanville called the applicant forward to speak.

Charlie Hall came forward. He stated that his address was 5603 New Garden Village Drive, Greensboro, NC 27410. He introduced members of the development team. He thanked Hawryluk for providing an overview of the request. He asked Dionne Brown to come forward and explain how a TIA worked. Hall reiterated that Windsor Homes would abide by any requirements identified in the TIA.

Dionne Brown came forward. She stated that she worked for Davenport and that her address was 4600 Marriott Drive in Raleigh. She said that she had been in contact with NCDOT. Brown added that the

project would not generate enough trips to require a TIA. However, the development would be located near the bypass so NCDOT wanted the team to determine the annual daily trips along the road. Brown stated that they had gathered the requested information for NCDOT and was waiting on their approval. She explained the methods used to generate the numbers submitted to NCDOT. She stated that they would likely require a turn lane on Harvey to mitigate any traffic impacts.

Planning Board Members discussed the details of the traffic report with Brown.

Planning Board Members spoke about the traffic issues that resulted from pick up and drop off at the schools along the road.

Hawryluk stated that the TIA had not yet been completed. She noted that the condition was that the applicant would receive a completed TIA for the Council to review before their decision. She stated that Brown had presented preliminary estimates of daily trips.

Glanville provided an overview of the public hearing process. She opened the public hearing to anyone that would like to speak about the rezoning request.

- Teresa Alden, 100 Hethwood Road- Alden stated that her daughter attended Haynes-Inman. She said that it was a special needs school and the children were on a very strict schedule. She added that the potential development would impact the special needs community and the entire Town. Alden said that it would not be responsible planning to allow the development and that it should not be recommended for approval. She was concerned about the length of time for construction and traffic impacts.
- Brian Stevenson, 100 Hethwood Road- Stevenson said that there were three schools close to the proposed development. He was frustrated that Haynes-Inman was not called about the proposal. He said that the property owners lived in Texas and would not be concerned about any negative impacts as long as they made a profit. Stevenson noted that Haynes-Inman had several buses that would be traveling along the road.
- Steve Auman, 4710 Harvey Road- Auman was concerned about the dead end roads and number of townhomes included in the proposal. He thought there may be an issue in regard to public safety and emergency access.

Glanville asked if anyone else would like to speak about the rezoning request. Nobody came forward. Glanville closed the public hearing and opened the floor to the Board for discussion.

Levi stated that the proposed development exceeded the standards required by the Town ordinances.

Richmond said that the townhomes were designed well and that the development included several natural features. She was a little concerned about the amount of available parking.

Glanville called Glover back up to speak about the number of parking spaces.

Glover stated that there would be four parking spaces available per unit. He noted that the townhomes had two car garages and space for two additional cars in the driveway. He also added that the streets were wide enough for emergency vehicles to turn around.

Glanville and Glover discussed sidewalks within the community. Glover stated that there would be sidewalks constructed within the community and along Harvey Road.

Richmond complimented the design of the homes. She stated that she would be more comfortable with the development if it were just townhomes without a commercial component. She stated her concerns regarding the increased traffic. She also spoke with Glover about the number of trees within the development.

Glanville stated that it was the Planning Board's job to balance the Comprehensive Plan and the concerns of those that live within the community. She added that Hawryluk had communicated with Guilford County Schools and that the developer was willing to mitigate the traffic concerns. She added that she was pleased that everyone was working together to resolve the issues.

Miller made a motion to recommend the approval of the rezoning request to the Town Council with the requested conditions. Burgess made a second to the motion.

Weiner took a roll call vote as follows:

Sherrie Richmond- Aye
Peggy Levi- Aye
Jane Walker Payne- Aye
Kerry Miller- Aye
Russ Walker- Aye
Pamaila Burgess- Aye
Donald Dale, Jr.- Aye

The motion passed by unanimous vote.

Miller made the following motion:

"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 conditional zoning-bypass fits the future land use category mixed use as identified in the Envision Jamestown Comprehensive Plan. 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 the property is located in Jamestown's preliminary growth area due to its size and location along a major transportation corridor and conditional zoning-bypass allows for reasonable growth along the bypass. 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 it meets multiple Guiding Principles as identified in the Comprehensive Plan.”

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

Public Comment- Nobody spoke.

Adjournment- Payne made a motion to adjourn. Levi made a second to the motion. The motion passed by unanimous vote.

The meeting ended at 7:12 pm.