

Town of North Wilkesboro
Planning Board Meeting Minutes
March 11th, 2021 at 5:30 pm- March 12th, 2021 at 5:30 pm
Via Zoom

Planning Board Members Present: Church, Nichols, Cox, Turner, Minton, Queen and Long
Also Present: Meredith Detsch, Planning Director, Danny Johnson Town Attorney, Lisa Casey, Charles Vaughn, Janet Cooke, Ray Sweet, May Lucas, Donna Sweet, Valery Guevara, and Crystal Keener North Wilkesboro Tourism & Downtown Director.

Chairman Church called the meeting to order at 5:35 pm. Chairman Church asked for any deletions or additions to the agenda. Long moved to approve the agenda as presented and Turner seconded the motion. Roll call was done with all members stating their name Church, Nichols, Cox, Turner, Minton, Queen and Long approving the agenda as presented, the motion unanimously, 7-0.

Chairman Church stated he would entertain a motion for the minutes for the Planning Board Meeting on February 11th. Long moved to approve the minutes as submitted and Nichols seconded the minutes. Chairman Church called for the vote and roll call was done with all members stating their name Church, Nichols, Cox, Turner, Minton, Queen and Long approving the minutes as submitted, the motion passed unanimously, 7-0.

Chairman Church asked if there was anyone here tonight to speak about a matter not on the agenda, there was not.

Chairman Church noted there were several old business items.

The first old business item was a proposed text amendment for Cluster Development, Small submitted by Charles Vaughn. Otis opened the floor for the public hearing and recognized Mr. Charles Vaughn to speak. Mr. Vaughn explained the intention of the proposed text amendment was to give flexibility with the Zoning Ordinance requirements and the area's land challenges such as topography. Mr. Vaughn referenced the Wilkes EDC's Housing Study with the population group ages 65-74 seniors are expected to increase 1200 households in the next five years. However, that depends on the growth in the area and noted the watershed is restricted with density. This Cluster Subdivision, Small text would only contain twelve units. Mr. Vaughn showed several map examples to the board with topography challenges. He went through each example and explained the best location on the land to develop. Mr. Vaughn cross referenced the acres to the zoning districts and explained in traditional zoning how many units could be built per acre. With the Cluster Development, Small text amendment he showed the total units per acre. Mr. Vaughn further explained in the proposed text he left out condos as it was an ownership consideration and not a zoning matter. Further he explained that septic in the ETJ is permitted through the County Health Department. Chairman Church asked if he had a proposal at this time for a specific site. Mr. Vaughn stated no and he was just proposing to amend the text to provide housing opportunities which may help more houses be built. Nichols asked about the location. Nichols has concerns over this type of development being built right next to an established neighborhood and how that would impact them. Nichols felt this text amendment

public's interest. The Planning Board recommends to deny the amendments to the Zoning Ordinance. Minton seconded the amended motion. Chairman Church called for the vote via roll call. All members stated their name and how they voted, Church, Nichols, Cox, Minton and Long all voted to deny the request. The motion passed unanimously 5-0.

Detsch asked the board if they would move the rezoning request up next as there were several folks wishing to speak. The board agreed and agreed to let them speak on the item. Chairman Church re-opened the public hearing and recognized the first speaker. Elizabeth Voter who owns 135 Crescent Drive spoke that she was against this rezoning and also another neighbor she spoke with, Nancy Foster Dillard of 373 Fairplains Road was also against the rezoning. Staff stated they had spoken with Ms. Dillard and took note of her thoughts on the rezoning. With no other comments Chairman Church asked the board if there was any other comments. There was none. Nichols moved to deny the rezoning request as it is not consistent with the North Wilkesboro 25 Year Comprehensive Plan and all other applicable plans, because it results in the potential development of a residentially zoned site to change to a commercially zoned property. The Planning Commission considers the vote not reasonable in the public's interest. Based on the four criteria of spot zoning the property: size and nature of the tract, compatibility with existing plans and zoning ordinance, impact of zoning decision, and the relationship between previous and future zoning this spot zoning is considered illegal spot zoning. The Planning Board recommends to deny the proposed rezoning at 341 Fairplains Road, PIN: 3869-57-9665/Parcel ID #: 1403748 from R-10 Low Density Residential to OI, Office and Institutional. Long seconded the motion. Chairman Church called for the vote via roll call. All members stated their name and how they voted, Church, Nichols, Cox, Minton and Long all voted to deny the request. The motion passed unanimously 5-0.

The board continued with the new business items as there were guests on the call. The next item on the agenda under new business was the proposed text amendment for Reception Hall/Events Venue. Chairman Church re-opened the public hearing. There was no one online to speak on the matter and staff noted there were no additional comments since last night's meeting. Cox moved to approve the text amendments to the Zoning Ordinance, in regards to Reception Hall/Events Venue as it is consistent with the Town's comprehensive plan, any small area plans or elements thereof and, does support the Comprehensive's Plan goals and policies. Further the proposed amendments regarding Reception Hall/Events Venue is reasonable in the public's interest. The Planning Board recommends to approve the amendments to the Zoning Ordinance. Long seconded the motion. Chairman Church called for the vote via roll call. All members stated their name and how they voted, Church, Nichols, Cox, Minton and Long all voted to approve the request. The motion passed unanimously 5-0.

Detsch had the board revisit the old business items as there was no longer any public wishing to speak.

The first item under old business the board needed to vote on was the edits to Town Code Chapter 1, General Provisions. There was no one online to speak on the matter and staff noted there were no additional comments since last night's meeting. Chairman Church re-opened the public hearing. Nichols moved to approve the edits as presented to Town Code Chapter 1 General Provisions. She stated that the Town of North Wilkesboro' Planning Board deems the proposed amendments to be consistent with the Town of North Wilkesboro's Comprehensive

moved but are nearby. Nichols explained that once this property is rezoned any type of business/office could go there and the insurance company may not stay. Cooke explained in 2018 when they looked to sell the property they found out it wasn't commercially zoned anymore and their grandfathering of the property was lost. Nichols stated that rezoning the property was setting a precedence and also it was spot zoning. Detsch stated she had been contacted by two neighbors opposed to the rezoning, they included Elizabeth Voter and Nancy Foster Dillard. Chairman Church recognized the members in the audience wishing to speak on the item. The first speaker was Donna and Ray Sweet from 309 Fairplains Road. They are opposed to the rezoning and would like it to stay residential. The next speaker was May Lucas who is the prospective buyer. She sells insurance and explained there wouldn't be much foot traffic compared to the previous use which was a barber. She explained the building was not designed to live in it as it was built to be a commercial property.

Resident Donna Sweet commented again that if rezoned it would now be an insurance office but down the road anything could go there. She asked if everyone is opposed shouldn't it stay residential? She added she was concerned about property values. With no other discussion Chairman Church recessed the public hearing around 6:30 pm.

The next item under new business was a public hearing on a proposed text amendment for Reception Halls/Event Venues. Chairman Church opened the public hearing at 6:30 pm and the Planning Director Meredith Detsch introduced the item. Staff has worked with the applicant Valery Guevara to create the proposed text amendments and to split up the use Recreational Hall from the current use and add Events Venue to it as it would be a much smaller scale use than the current use: Assembly halls, coliseums, armories, ballrooms, reception halls and exhibition buildings. The proposed use change would be allowed in the General Business District and Central Business District and would be allowed by right. Article V Rules of Construction, Interpretation, and Definitions would need to be edited to update the definition and Article VI Zoning Districts 6.7 Table of Uses would need to also be edited. Staff asked the applicant Valery Guevara to speak on the proposed changes and project. Valery Guevara spoke to the board and introduced herself as the owner of Bliss Salon on 10th Street. She has rented a space out further down at 209 10th Street and would like to open a business for small events such as corporate events or birthday parties, nothing large scale. Nichols asked her what was there before and discussion of it being part of the restaurant Elsewhere on Main and before that a gym and bar. Cox asked if it was to be located in the basement of the building and Guevara explained yes. Minton stated she had no objection to the use and would like to see it happen. Crystal Keener, Tourism & Downtown Director for the Town of North Wilkesboro spoke on Guevara's behalf and was in favor of the use. She explained it's a good business to have in the downtown and supports it. With no other discussion Chairman Church recessed the public hearing around 6:40 pm.

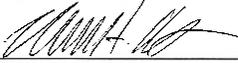
The next new business item was the first review of Town Code Chapter 16, Subdivisions in regards to 160D updates. Planning Director Meredith Detsch went over the major changes briefly and explained a final draft would be presented to them at the next meeting with the Public Hearing. Detsch noted that Danny Long had provided some additional guidance on the monument section, 16-24 and would be incorporating his comments in. She also noted she reached out the state for guidance on the erosion control and stormwater section and was waiting to hear back.

amendments to be consistent with the Town of North Wilkesboro's Comprehensive Plan dated June 5th 2018 and any other applicable plans. The proposed amendments are supportive of the following Plan's purposes: Establish the legal foundation for zoning and subdivision changes, guide future land-use related regulations, and provide predictability for private-sector development. The proposed zoning amendment are reasonable and in the public's interest because it supports the Comprehensive Plan. Nichols seconded the motion. Chairman Church called for the vote via roll call. All members stated their name and how they voted, Church, Nichols, Cox, Minton and Long all voted to approve the request. The motion passed unanimously 5-0.

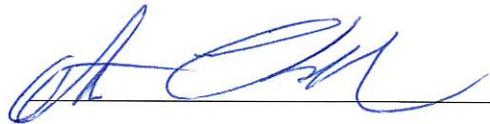
There being no other business the Chairman asked the board members' preference on next month's meeting format. Would they like to continue with Zoom or be in-person? The board members felt Zoom would work for next month.

At 5:57 pm Nichols moved to adjourn the meeting and Minton seconded the motion. Chairman Church asked for the roll call. All members stated their name and how they voted, Church, Nichols, Cox, Minton and Long all approve to adjourn the meeting, and the motion passed unanimously 5-0.

Respectively submitted,



Meredith Detsch, Planning Director



Otis Church, Planning Board Chairman *or*,
Martha Nichols, Planning Board Vice-Chairwomen