

**Town of North Wilkesboro
Planning Board Minutes
September 12th, 2019 5:30 pm**

Members Present: Parsons, Church, Cox, Nichols, Queen, Turner, and Long

BOA Present: Casey, Matthews, Hawn and Wilborn

Also Present: Meredith Detsch, Planning Director, William Hamby and Josh Paul- applicants

Chairman Parsons called the meeting to order at 5:30 pm. Motion to dispense the reading of the minutes and approve the August 8th regular meeting minutes was made by Queen, seconded by Church, and unanimously carried.

Chairman Parsons called for any additions or deletions to the agenda. Church made a motion to approve the agenda as presented. The motion was seconded by Turner, and unanimously carried.

The chairman noted that two people had signed in for public comment William Hamby and Josh Paul.

There was no old business to discuss.

The next agenda item was discussion of the voluntary satellite annexation request at 1524 Statesville Road by William Hamby. Mr. Hamby explained he bought this property a while ago for a used car lot and now is looking to get power and sewer through annexation and will be marketing it to sale for commercial property. Chairman Parsons asked Detsch to explain the annexation and how it will fit in the area. Detsch explained annexations typically go before the Board of Commissioners but brought it before the Planning Board also to verify everything with the comprehensive plan and zoning. Lisa Casey noted to the board that the last property Mr. Hamby owned went through the Conditional Use Permit for a used car lot and he has never followed through with the conditions. Detsch explained that Code Enforcement is looking into the property and the Conditional Use Permit follows the property not the owner. Detsch explained to the board the things they need to consider with this annexation including will it be a good fit for the town and all conditions it must meet to be brought into the town limits.

Detsch went over the five criteria for voluntary satellite annexations. That included:

1. Some part of the annexation area must be within three miles of the annexing city's primary corporate limits
2. No point in the annexation area may be closer to the primary corporate limits of the annexing city
3. The annexing city must be able to provide the same services to the annexation area that it provides to areas within its primary corporate limits
4. If the area is a subdivision, the entire subdivision must be annexed
5. The total area of a city's satellites may not exceed 10 percent of the area within its primary corporate limits

Detsch explained the annexation met all the criteria and if the board wanted to send it forward to the Board of Commissioners they would hear it at their September 26th work session and the public hearing would be on October 8th. Church asked Hamby that he would selling the property as a commercial property and Hamby agreed.

Church made the motion to pass the annexation on to the Board of Commissioners to consider and Queen seconded the motion. The motion passed unanimously 7-0. Parsons explained the Planning Board recommended the item to the Board of Commissioners and that Mr. Hamby should be present at the meetings to answer any questions the board members may have for him. Detsch recapped those meeting dates with Mr. Hamby.

The next order of business was the discussion of Community Centers and Studios to be permitted in Light Industrial zoning districts. Josh Paul with Anchor Ridge presented the item to the board and explained the business model with his organization. The church distributes over two million products/food to kids in need and is looking to expand the church in its current location. They have a kid's club program that come in and get food and supplies every Monday. Anchor Ridge would like to have a time on Monday for worship and encouragement for the kids. He is also looking to have other community events for the future. For the studio portion of the text amendment he explained they film a lot and have a show they broadcast with partners around the nation. He further explained they are partnering with other organizations to bring in more opportunities to the area, for example a group from Florida is looking to come in and rebuild homes. Martha Nichols asked if the organization was a 501 3 C, and Josh Paul confirmed they are, it's Josh Paul Ministries, DBA Anchor Ridge. Chairman Parsons explained what is before them is not in relation to the merit of the organization, but instead they are looking at why this use would be allowed in a Light Industrial area. He further explained if the organization was in an area that was correctly zoned then no text amendment would be necessary. Josh Paul explained they did not know when they purchased the property that the zoning was restrictive. Chairman Parsons explained Light Industrial is zoned for industrial uses. There is no precedence set for churches or other community centers to be located in an industrial area. Josh Paul explained the area and other properties in the vicinity and it would fit well in the community. Discussion of using the property as a church continued between the board members and the applicant. Martha Nichols asked staff what other areas would allow this use in town. Meredith Detsch explained the industrial park and the River Road area as industrial areas. Detsch further explained initial conversations with churches in industrial areas were discussed but Detsch did not feel like a church next to an industry would be appropriate with the incompatible uses. As for a community center use, Detsch felt it was a better option to explore as the building is being used for a multitude of uses including warehousing. The board members discussed how light industrial would not be a great fit and Detsch agreed. Detsch defined what a community center is from the zoning ordinance "A building used for recreational, social, educational, and cultural activities, open to the public and usually owned and operated by a public or nonprofit group or agency." Chairman Parsons asked Detsch if there are any examples of a community center being in a light industrial area? Detsch had not seen any. Chairman Parsons asked Detsch to research to see if there are any options before the board made any recommendations to the Board of Commissioners. Chairman Parsons also mentioned a Conditional Use Permit may be an option. Detsch explained they would need to research the Comprehensive Plan more as well. Chairman Parsons asked about the definition of community centers being brought to the board members in their packets. Martha Nichols explained if they did a rezoning on this property it would be spot zoning. Detsch agreed and that is why a text amendment was recommended instead. Nichols explained a conditional use permit with additional conditions would be an option. Detsch agreed but then we are creating multiple uses here and there and not looking at it community wide. Detsch will bring back a zoning map with a more comprehensive look at all light industrial uses in Town. Ron Queen mentioned the Stone Center was once a light industrial use with Lowe's there and it was changed to allow a community center. Discussion of the zoning on that particular property continued with the board members. Martha Nicolas

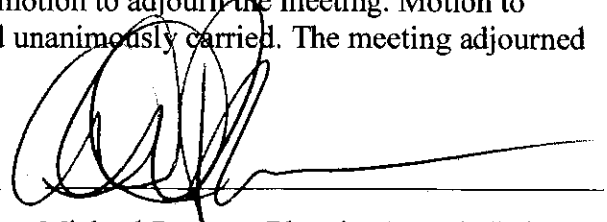
asked staff to do additional research and bring it back next month. Detsch asked the board what specifically would the board like brought to them at their October meeting and Chairman Parsons asked for compliance with the Comprehensive Plan, any incidents with this type of use in a light industrial area, what the Lowe's property was once zoned, general business allowed community centers in our existing zoning chart. Josh Paul asked if the area could be rezoned and Chairman Parsons explained the area being surrounded by Light Industrial the State of North Carolina does not typically allow a spot zoning. Chairman Parsons explained they would come back next month and take action on it.

Detsch presented the staff report to the board and explained the past month's items. Detsch explained her report and also Code Enforcement's report. Everything from State Statues changing to individual permits being issued is listed on the report. Chairman Parsons asked about the cleanup of the ordinance from the High Country Council of Government and Detsch explained that would be on their agenda later this month for the Commissioner's work session and they would vote on it in October.

With no further business, Chairman Parsons called for a motion to adjourn the meeting. Motion to adjourn was made by Nicholas, seconded by Church, and unanimously carried. The meeting adjourned at 5:57 pm.



Meredith Detsch, Planning Director



Michael Parsons, Planning Board Chairman

