



April 23rd, 2018 Planning Commission Meeting Minutes

Planning Commissioners Present:

Andrea Mabrey
Lisa Dill
Sylvia Murray
Boyce Sutton
Neil Walsh
Cecil Young

Staff Present:

Gregg Miller
Scott Miller
Jennifer Vissage

Chairperson Mabrey opened the meeting at 5:30 PM and a quorum was established.

Chairperson Mabrey made a motion for the minutes of two previous meetings be approved. The minutes were from May 4th, 2017 and February 6th, 2018. Neil Walsh seconded the motion and the board voted unanimously to approved the previous minutes.

Chairperson Mabrey made a motion to amend the order of the agenda to allow for the rezonings to be reviewed first. Neil Walsh seconded the motion and the board voted unanimously to amend the agenda.

Rezoning Applications:

- 1) Rezoning Application 2018-04-02:** Classis Country Homes Inc., is requesting a rezoning of the property located at the north of the intersection of Newman Drive and Butler Street. The applicant is requesting the property be rezoned from Mobile Home Park and R-15 (residential) to R-8/10 (Single Family & Duplex Residential). Tax Map #: 5-11-00-035.00 & 5-11-00-027.00

Chairperson Mabrey made a motion to table this rezoning due to an error in the communication. She explained that it came to the staff's attention prior to the meeting that the applicant and staff used the incorrect zoning map. She felt that the error must be fixed so that everyone involved was informed correctly. Neil Walsh seconded the motion and the board voted unanimously to table the rezoning request until their May 22nd, 2018 meeting. Many residents were concerned about being notified again and the chair did state that new notices would be mailed out to property owners within 200 feet of the parcels proposed for rezoning.

- 2) Rezoning Application 2018-04-01: GREK Investments Group, LLC is requesting a rezoning of the property located at the eastside of Pyrenees Drive and North of Newman Drive. The applicant is requesting the property be rezoned from R-8 (residential) to RPH (residential patio homes). Tax Map # 5-11-00-027.02

Chairperson Mabrey asked the engineer Kelly Sellars to speak about the proposed development and the reason for the rezoning request. Mr. Sellars reminder the Planning Commission that the development has been previously approved for the 140 homes and it would meet the required regulations of the current zoning of R8. The developer is asking to rezone it to RPH (patio homes) to allow an additional 55 homes for a total of 190 homes. This would allow for smaller square footage min lot size of 5500 square feet instead of 8,000. This is the next phase of Lyman Farms and will be located as an extension of Pyrenees Road.

Boyce voiced his concerns about access and safety, He asked about an additional entrance and Mr. Sellars stated there will not any additional entrances. Neil Walsh voices his concerns about the traffic in the area. Chairperson Mabrey reminded the board that the change would decrease the minimum square footage from 8000 to 5500.

Chairperson Mabrey opened the meeting up to the public. Numerous residents voiced their concerns at the meeting. All had concerns of traffic, overwhelmed infrastructure, overcrowded schools, drainage, erosion, flooding, water pressure, safety, decrease in property values, and poor planning. One group presented a petition of 176 signatures opposing the new development. The sign in sheet for speakers is attached.

Chairperson Mabrey closed the public hearing and asked Mr. Sellars to rebuttal any of the concerns. Mr. Sellars stated there is a plan in place for the stormwater. It will be collection into a retention pond and would not affect any current development. Sylvia asked if any traffic studies has been done or has the impact on traffic and or had been discussed, Mr. Sellers stated that it was discussed but not really addressed.

Chairperson Mabrey asked for a motion and Lisa Dill made a motion to deny the rezoning request. Neil Walsh seconded the motion and the board voted unanimously to deny the request. The Planning Commission will recommend to Town Council that this rezoning be denied. Chairperson Mabrey reminder the engineer that the planning commission only makes recommendations. Town council has final vote and their firs trading with be on May 14th, 2018.

- 3) Rezoning Application 2018-04-03: Niemitalo, Inc is requesting a rezoning of the property located at 896 Holly Springs Road. The applicant is requesting the property be rezoned from General Business District to RPH (residential patio homes). Tax Map #: 5-11-00-021.00

Chairperson Mabrey asked Neal Fogleman to present the plan and reason for the rezoning request. Mr. Fogelman stated that the developer is proposing to develop 31 patio homes on approximately ten acres located at 896 Holly Springs Road. It is currently zoned GBD and the developer is asking that it be rezoned to RPH (patio homes). The property was part of the rezoning for the Ashlyn Village facility as a mistake and the developer wants to return it back to residential. The property would fit in the R8 zone because the proposed lots will be a minimum of 8,000 square feet. However, the developer is requesting RPH because the setback requirements make designing difficult. The lots will remain at 8,000 square feet.

Neil Walsh asked for clarification about square footage of homes since the RPH (patio homes) is lower than R8. Mr. Fogleman stated that the houses would remain at 8,000 square feet.

Chairperson Mabrey opened the meeting for public comment. There were three concerns citizens that spoke. These concerns were traffic, safety, and water pressure. The sign in sheet is attached.

Chairperson made a motion to approve the rezoning request and did not receive a second. She asked for a motion and Lisa Dill made a motion to deny the motion. Neil Walsh seconded the motion and the board voted 5 to 1 to deny the rezoning request. The Planning Commission will recommend Town Council deny the request. Mabrey reminder the engineer that the planning commission only makes recommendations. Town council has final vote and their first trading will be on May 14th, 2018.

Chairperson Mabrey asked staff if she could recommend that it be rezoned to R8 to prevent any commercial activity. Staff felt that they needed to reapply for that zoning district.

Chairperson Mabrey stated that there was no need to review the subdivision plans since the rezonings were tabled or denied. There was no old or new business. Boyce Sutton made a motion to adjourn and Neil Walsh seconded it. The board voted 6 to 0 to adjourn.