

MINUTES OF THE WHITSETT TOWN COUNCIL
August 14, 2018
Whitsett Town Hall Building

REGULAR COUNCIL MEETING

The regular meeting of the Whitsett Town Council was held on Tuesday, August 14, 2018 at the Whitsett Town Hall. The following members of the Town Council were present: Mayor Richard Fennell, Mayor Pro Tem Andy Brown, Council Members Jerry Rice, Cindy Wheeler, and Lee Greeson.

Also present were Town Administrator Ken Jacobs, Planning Board Chairman Bob Maccia, *The Alamance News* reporter Tomas Murawski, Guilford County District Court Judge candidate Larry Archie, and six area residents.

Mayor Fennell called the meeting to order at 7:00 p.m., noted that a quorum was present; and asked Council Member Jerry Rice to offer the invocation.

SPEAKERS FROM THE FLOOR

Mayor Fennell asked for any speakers from the floor, and Town Administrator Ken Jacobs acknowledged the presence of Guilford County candidate Larry Archie, and invited him to say a few words. Mr. Archie, who is running for District Court Judge for the county stated that had been practicing law for 12 years, had served in the U.S. Army Reserve for 31 years, and had taught at NC A&T State University and other schools for the past 20 years. Mr. Archie stated his main objectives and interests included (1) children, (2) veterans, and (3) those impacted by mental health. His final remarks were that he looks forward to serving the people of Guilford County, and asked all those present to please consider him come November 6. Mr. Archie thanked Council Members for their time; and Council, in turn, thanked him for his service.

OLD BUSINESS

1. Adoption of the Minutes

Mayor Fennell asked for any changes to the minutes from the July 10 regular meeting; and hearing none, asked for a motion to adopt the minutes. Council Member Cindy Wheeler made a motion to accept the minutes as written; motion seconded by Council Member Jerry Rice. The motion to adopt the July regular meeting minutes passed by unanimous vote.

2. Any Other Old Business

Mayor Fennell asked if there were any other old business to be discussed; and there was none.

BOARD AND COMMITTEE REPORTS

1. Planning Board

Board Chairman Bob Maccia reported that last week's meeting was very productive, explaining that it focused on proposed adjustments and additions to the Town's land-use plan that had been approved in June 2017. The issues included new zoning designations, zoning descriptions, permitted uses for the new districts, and a possible re-labeling of parts of U.S. 70 as Neighborhood Business (NB). Maccia added that Town Administrator Jacobs would expound on particulars during the Town Administrator's report.

2. Enforcement Committee

3. Enforcement Officer

Enforcement Officer Ken Jacobs reported that there had not been any committee activity this month, and no DCCs issued since last month's meeting.

4. Town Administrator

Town Administrator Jacobs asked to move on to New Business items in lieu of an individual report since the items below are what occupied most of his time and thought processes this month.

NEW BUSINESS

Prior to this meeting, Council members received in their packets documents for review and study that included proposals on new zoning designations, draft descriptions of districts, suggested permitted uses within districts, and a comparison of Highway Business (HB) and Neighborhood Business (NB) intended for Council's consideration of a possible conversion along US 70. An instructional cover sheet was also included to provide background and familiarize the Council with expectations. All documents are part of the official file for this meeting.

1. Discussion on Designation of New Zoning Districts, Draft Write-Ups, and Permitted Uses

Mayor Fennell asked Town Administrator Jacobs to give some background on the introduction of the three zoning designations up for discussion and requiring Council action: Residential Multi-Family] RM-12, [Highway Business-Interstate] HB-I, and [Light Industrial] LI.

The county's assistance and legal counsel were sought for expertise and recommendations. (Refer to the study sheet for expanded narrative on the districts.)

In brief, RM-12 would be for multi-family dwellings, such as duplexes or twin homes, at the Town's perimeter, with highway frontage, and adjoining property with similar density. The minimum acreage would be 24 acres. Maximum density would be 12,000 square feet per unit, which would necessitate access to municipal water and sewer. HB-I would be to accommodate businesses in close proximity to the interstate; and LI would apply to small businesses fronting the interstate.

Creation of the first two districts (RM-12 and HB-I) was prompted by two land development proposals before the Town—one residential; one commercial—and would require modifications to the latest-approved land use map, followed by Council re-approval. The third LI district had been accepted earlier by virtue of the approved land-use plan. All three designations, however, needed descriptions and permitted uses to be incorporated into the zoning ordinance Article IV, with adoption by Council.

Use of RM-12, more specifically, would be pertinent to proposed development of 24.5 acres on Burlington Road at the easternmost border for a planned senior community. The property was originally depicted on the land-use plan as CU-RS-40; but, would now convert to RM-12 to accommodate the density requirement. The 13.48 acres (Wheeler property) on NC Hwy 61 across from the T&A truck stop is currently shown on the land-use map as HB, and would change to HB-I to more accurately accommodate nearby access to I-85/40.

Jacobs directed Council's attention to suggestions of permitted uses for the new districts, with the higher priority on RM-12 and HB-I since the county proposed uses for LI had previously been accepted. RM-12 and HB-I being new territory for the Town, Jacobs asserted that allowed uses for these districts should, for now, be as narrow as possible in order for the Town to maintain control on growth; and as Council members could see, the limited listings of permitted uses for RM-12 and HB-I directly related to the prospective projects for Burlington Road and NC 61, respectively.

Finally, Jacobs asked Council Members to simply digest these documents, and encouraged them to make any changes or suggestions as they see fit, which would be taken to the Planning Board for revising and finalizing for recommendations to Council in anticipation of a public hearing with respect to text amendments to the zoning ordinance and their impact on the land use plan.

2. Comparison of Neighborhood Business (NB) and Highway Business (HB) Zoning Districts

Town Administrator Jacobs read aloud excerpts directly from the Town's zoning ordinance comparing Neighborhood Business (NB) and Highway Business (HB) districts, which had been provided to Council Members for their opinions on possibly changing some of the areas along US 70 from HB to NB. Currently, the entire corridor is denoted conducive to HB.

In short, the HB district primarily caters to high-visibility commercial services along major thoroughfares for the convenience of passing motorists. Conversely, the NB district is not intended for passing motorists; but promotes locations for available services that naturally coexist with nearby residences.

Jacobs stated that he (and most he thought) believed that NB was what had been envisioned for the Town and would be more in keeping with the rural character of the Town. Council Members seemingly favored the use of NB along the business corridor, and Jacobs again asked Council to give further thought for additional input at next month's meeting.

3. Any Items from Council Members

Mayor Fennell asked for any items from Council members; there were none.

4. Announcements

Mayor Fennell asked for any announcements; and there were none.

5. Speakers from the Floor

Mayor Fennell asked for any speakers from the floor; and resident Joe Burgess who owns HB property on Burlington Road across from the self-storage facility expressed his concern about the commercial zoning changes that may be coming to US 70 (Burlington Road). Especially since the storage facility is a high-traffic-volume business, Burgess questioned the appropriateness of the NB designation.

Mayor Fennell replied that the current zoning in effect would not be affected by the use of NB. Changes to current zoning can only be made if the property owner applies to do so.

NC 61 resident Karen Horne added that it sounded like what was being proposed was "doing away with" HB. And, both Mayor Fennell and Town Administrator Jacobs clarified that HB zoning was not being eliminated by any means. It is an established zoning district in the Town ordinance, just like NB is as well. The NB designation would serve as a guide for any future rezoning requests, i.e., for AG land, and would be the preferred zoning, though would not deter Council from entertaining any proposals for bigger businesses.

One last public comment came from [new] resident Jamie King on Whitsett Park Road, who asked that if US 70 has been earmarked as a likely “business” district, and all types of businesses would be considered, then what is the purpose of the proposed change?

Town Administrator Jacobs’ response was traffic volume, and that it had always been the intention of the Town to keep a low impact on the community. The use of the NB designation for smaller businesses would be our desire and afford the flexibility to grow without overgrowing.

Town Administrator Jacobs invited those with any further concerns to come to Town Hall to review the pictorial land use plan and for further clarification.

ADJOURNMENT

With no further business before the Council, Mayor Fennell invited a motion to adjourn. Council Member Jerry Rice made the motion to adjourn; motion seconded by Mayor Pro Tem Andy Brown. Motion passed by unanimous vote; and the August 14 Town Council meeting was adjourned at approximately 7:29 p.m.

The next regular meeting of the Whitsett Town Council is scheduled for 7:00 p.m., Tuesday, September 11, 2018 at the Whitsett Town Hall.

/s/

/s/

Jo Hesson, Town Clerk

Richard Fennell, Mayor

APPROVED: September 11, 2018