



AGENDA

City of Roxboro

Planning & Development Office

Planning Board Meeting

6:00 p.m. – 10/05/2020 – 105 S Lamar Street

HYBRID IN-PERSON & DIGITAL FORMAT VIA ZOOM DUE TO COVID-19 PANDEMIC

- I. Roll Call**
- II. Approval of Minutes**
 - a. Meeting on September 14, 2020 –
 - i. Rezoning request for vacant lot on Durham Road, TM 111 15
 - ii. Rezoning request for vacant lot on Lucy Garrett Road, TM A62 111
 - iii. Rezoning request for vacant lot on Durham Road, TM A51 176
 - iv. Text Amendment for Article 6 – Table of Uses
- III. Unfinished Business:**
- IV. New Business:**
 - a. **Text Amendment for Article 6 – Table of Uses**
 - i. Public comment period
- V. Adjournment**

CITY OF ROXBORO, NORTH CAROLINA
Planning Board

September 14, 2020
6:00 p.m.

MEMBERS PRESENT: Margaret Kay, David Bradsher, Myra Booker, Tony Cole, Danny Cultra, and Robert Trotter.

STAFF: Lauren Johnson, Planning Director

MEETING CONDUCTED VIA ZOOM CONFERENCE – DUE TO COVID 19

MINUTES

Chairman Trotter called the meeting to order at 6:00pm.

APPROVAL OF MINUTES

Board Member Dave Bradsher motioned to approve the minutes from the May 4, 2020 meeting. Board Member Margaret Kay seconded. Chairman Trotter asked each member to state their name when casting their vote for the motion. Motion carried unanimously.

OLD BUSINESS

None.

NEW BUSINESS

Rezoning request for vacant lot on Durham Road, TM 111 15: Chairman Trotter asked Ms. Johnson to present the request. Ms. Johnson advised that those individuals on the call that would like to speak to each of the agenda items would be given the opportunity to do so during the public comment period.

Ms. Johnson went over the packet and the staff report for the board members and those attending via Zoom.

Mr. Mark Holley was on the video call and was given the opportunity to address the board members. He thanked the board for taking the time to review their application and stated that this was a preparatory action to help the property sell faster in the future.

Chairman Trotter opened the public comment period. Ms. Johnson stated there was no one else on the Zoom call and there was no one present in the audience to speak to the agenda item.

The board was polled to see if there were any questions from them for the applicant or staff. There were none.

Board member Margaret Kay made a motion to recommend approval of the request as presented with the provided consistency statement. Tony Cole seconded the motion. Motion carried unanimously.

Rezoning request for vacant lot on Lucy Garrett Road, TM A62 111:

Chairman Trotter asked Ms. Johnson to present. Ms. Johnson presented the staff report and packet to the board and members attending via Zoom. She reiterated that this property is under consideration for rezoning because of the pending request for annexation. The property will have to be rezoned if the annexation is approved, so this process has been started in preparation for the annexation.

Chairman Trotter asked Ms. Johnson to clarify some of the property attributes on the map in the packet, including the current municipal limit line and a dirt road.

Board Member Margaret Kay asked for clarification on the future land use map classification, specifically if approved would this rezoning allow for manufactured home parks and the other uses outlined in the definition. Ms. Johnson explained that this was simply the definition of the future land use map classification from the County's land use plan. If rezoned, the definition has no bearing on the permissible uses as the property would follow the zoning regulations in the current UDO for that zoning district.

Chairman Trotter declared the public comment period open.

Mr. Matt Hastings and Mr. Jim Parker were on the call for the consideration of this application. Mr. Hastings began by thanking the board for reviewing the project and explained the intent of the requests are in preparation of adding additional homes to the Satterfield Farm development plan. The original plan was for 400 homes and now that the final plans have been defined, they were unable to meet that number due to constrictions of the property. The purchase and annexation of this parcel is their attempt to add more homes that will get them closer to the 400 homes originally proposed.

Vice-Chairman Danny Cultra asked if the annexation was currently underway, which Ms. Johnson confirmed was the case. He then asked if there had been any evaluation of the ability of the City to provide services for this proposed project. Ms. Johnson advised that the City has the ability to offer additional services in this vicinity because it is contiguous. However, it would be impossible to know if there will need to be any addition of staff or equipment before seeing the planned development or layout of the residential subdivision. Those determinations would come later as a part of the review process for the specific development plan, later.

There were no additional questions from the other board members.

Ms. Johnson asked if Mr. Parker wanted to speak as well. Mr. Hastings advised that his internet connection is spotty and he may be unable. Just after, Mr. Parker was able to speak to say that he had nothing to add.

There being no other members of the public in attendance at the meeting or via Zoom, the public comment period was closed and the matter taken up by the board for consideration.

Chairman Trotter asked if there were any other questions from the board members. There being no questions, Board Member David Bradsher motioned to recommend approval of the request as presented in the packet and with the provided consistency statement. Myra Booker seconded the motion. Motion carried unanimously.

Rezoning request for vacant lot on Lucy Garrett Road, TM A62 111:

Chairman Trotter asked Ms. Johnson to present. Ms. Johnson presented the staff report and packet to the board and those attending via Zoom. She stated that this property was also under consideration for an annexation into the City and that was the reason for the rezoning request before the board.

There were no questions for Ms. Johnson at the end of her presentation, so Chairman Trotter opened the public comment period and Mr. Jon Frazier was given the opportunity to speak on behalf of the applicant. He stated that he did not have much to add, just that Mr. Reyes was hoping to building a meat market on the property and was wanting to connect to City utilities for this purpose.

Board Member Tony Cole asked if there was any objection from nearby residents. Ms. Johnson stated there were none. She continued that she received just one call about this request and it was from a neighboring property owner wanting to know more about the proposal, but had no objections. Chairman Trotter asked for clarification about the regulations for the property once annexed.

There were no other questions from the board and no other members of the public wishing to speak, so Chairman Trotter closed the public comment period.

Chairman Trotter said he was pleased to see someone trying to utilize these vacant tracts of land and hoped it would enhance the City and the area. Board Member David Bradsher also commented on the development along Durham Road and the progression of development along that corridor.

After some time, Board Member Margaret Kay made the motion to recommend approval of the request with the consistency statement as presented. Danny Cultra seconded the motion. Motion carried unanimously.

Text Amendment for Article 6 – Table of Uses: Chairman Trotter asked Ms. Johnson to present. Ms. Johnson presented the staff report and packet to the board and those attending via Zoom. She advised that the requests before the board were a result of staff identification of inconsistencies within the ordinance.

Ms. Johnson stated that the current language does not allow for cemeteries outside of the commercial zoning districts. She stated that the existing cemeteries in the City were actually all on residentially zoned property, so this language would actually render them all non-conforming. She stated it was staff's opinion that it would be appropriate to allow cemeteries in all of the zoning districts, with the already specified supplemental regulations as outlined in Section 7 of the ordinance.

Ms. Johnson asked if there were any questions regarding this part of the amendment. Vice-Chair Danny Cultra asked if there was a reason that PUD was not included in the allowed districts for cemeteries. Ms. Johnson stated that the proposal reflected the fact that there are no permitted uses in the PUD district, but in fact that everything is a special use proposal in that district. She continued by saying that if someone wanted to develop a PUD property that included a cemetery, it would need to be included in the list of uses and the site plan for the overall PUD plan, and it would be at the discretion of the Board if they felt the cemetery would fit into the character of that development. She also stated that what staff has proposed actually does not change any part of the allowed uses in the PUD district, since cemeteries are still not permitted now.

Vice-Chair Cultra reiterated that he was concerned about someone trying to rezone a property that might have an existing family cemetery and would this create a scenario where they could not do their rezoning. Ms. Johnson hypothesized a way where that could possibly work and Vice-Chair Cultra seemed satisfied with that response.

There were no other questions from the board about his section.

She stated that there is another use in the ordinance that allows for "health spas" in all of the commercial zoning districts, while the use "indoor athletic and exercise facilities" are not permissible in the same zoning districts, despite their definitions and principal uses being almost identical. Staff felt it was appropriate to allow both in the same jurisdictions and after consulting with the Uptown Roxboro Group Director, there was a consensus that it would be beneficial to the redevelopment of Uptown Roxboro to allow the use in the B-3 district, as well as the other commercial districts.

There were no questions and no one present to speak from the public.

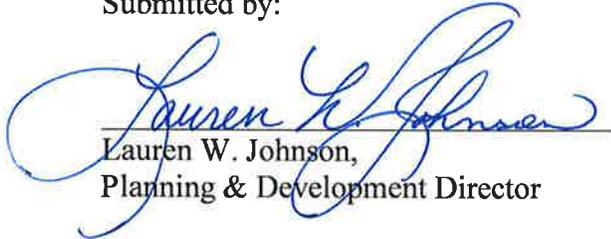
Chairman Trotter called for a motion. Board Member Margaret Kay made the motion to recommend approval of the text amendment as presented along with the

proposed consistency statement. David Bradsher seconded the motion. Motion carried unanimously.

ADJOURNMENT

There being no other business for the Board, the meeting was adjourned at 6:59pm.

Submitted by:



Lauren W. Johnson,
Planning & Development Director

Application for

Unified Development Ordinance Text Amendment

Roxboro Planning & Development

105 S Lamar Street Roxboro, N.C. 27573 336-322-6018



TO THE PLANNING BOARD AND THE CITY COUNCIL:

I/We, the undersigned, do hereby make application and petition to the City Council of the City of Roxboro to amend the Text of the Unified Development Ordinance of the City of Roxboro as hereinafter described. (Type or Print Clearly)

Petitioner(s): Keith Lynn Brann / Larry Dwight Shull Jr

Address: 239 Cedar Grove Ch Rd Roxboro / 424 S. Lamar St Roxboro
336-583-9352

Telephone Number: 336-598-1410 Fax Number: 336-599-9940

Interest in Property: 1600 North main street Roxboro
(i.e., Owner, Part Owner, Option holder, Governmental Agency, Etc.)

Proposed Amendment:

Type of Change: Addition OR Revision

Current Text: NO Auto Sales allowed in
O/I

Proposed Text: Allow Auto Sale in O/I

Reason for Request Change (Attach additional sheets if necessary):

Want to have Business there

I do hereby certify that all information which I have provided for this application is, to the best of my knowledge, correct.

[Signature]
Applicant Signature

9-8-2020
Date

Staff Use Only:

Date Received:
9/8/2020

Docket #:
TA2020-02

Planning Board Meeting Date:
10/5/2020

City Council Meeting Date:
~~11/16/2020~~

10/13/2020
**Moved due to schedule conflict*
CH# 5423
41567

ARTICLE 6. ZONING DISTRICTS

P - Permitted Use PS - Permitted Use with Supplemental Regulations Blank - Not Permitted
 S - Special Use SS - Special Use with Supplemental Regulations

Uses	Zoning Districts										Supplemental Regulations	
	R-12	R-8	R-6	PUD	B-1	B-2	B-3	O/I	I-1	I-2		
RETAIL SALES AND SERVICES												
ABC store					P	P						
Animal sales									P	P		
Antique stores					P							
Art galleries	S				P	P						
Automobile parking garages or parking lots (independent)					P	P			P			
Automobile parts and accessories, with installation					P							
Automobile repair services or body shop					P				P			
Automobile sales and service					P							
Automobile service stations, including routine/minor maintenance					P	SS			SS			Section 7.29
Automobile window tinting, stereo or rim installation					P							
Bakery (retail)					P	P						
Barber shops, beauty shops			S		P	P			P			
Bars					PS							Section 7.19
Battery charging station					PS	PS			PS	PS		Section 7.30
Battery exchange station					PS	PS			PS	PS		Section 7.30
Bed & breakfast	SS	SS	SS			SS			SS			Section 7.31
Book store, including the retail of stationery, books, magazines, newspapers					P	P						
Building supplies and sales					P							

P? or PS? possibly?

Motion Format Requirements:

Per NCGS requirements, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment, the governing board shall adopt a statement regarding plan consistency and why this decision is reasonable and in the public interest.

The Planning Board shall advise and comment on whether the proposed amendment is consistent with a comprehensive plan and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the City Council that addresses comprehensive plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with a comprehensive plan shall not preclude consideration or approval of the proposed amendment by the City Council.

Planning Board Motion Format Guide & Proposed Consistency Statement For Rezoning Request:

I make a motion that we recommend approval of the text amendment proposed in Docket# TA2020-02 and, in doing so, adopt the plan consistency statement as presented below:

“The proposed amendment is consistent with the City’s Comprehensive Land Use Plan in that it;

- promotes an orderly and efficient land use pattern, which allows for additional uses, while being sensitive to environmental concerns and surrounding uses;

Furthermore, this decision is in the public interest of the City of Roxboro because it allows for additional development options in the O/I district.”

Motion made by: _____

Seconded by: _____

Approved: _____

This report reflects the recommendation of the Planning Board on the 5th day of October, 2020.

Attest:

Planning Board Representative, Chairman Robert Trotter

Lauren W. Johnson, Planning Director

Planning Board Motion Format Guide & Proposed Consistency Statement For Rezoning Request:

I make a motion that we recommend denial of the text amendment proposed in Docket# TA2020-02 and, in doing so, adopt the plan consistency statement as presented below:

“The proposed amendment is inconsistent with the City’s Comprehensive Land Use Plan in that it;

- does not promote an orderly and efficient land use pattern, and would allow for a new use that may be in conflict with other permissible uses in the district.

The decision to recommend denial is in the public interest of the City of Roxboro because it protects the integrity of the O/I district and protects the quality of life of the residential uses permitted in that district.”

Motion made by: _____

Seconded by: _____

Approved: _____

This report reflects the recommendation of the Planning Board on the 5th day of October, 2020.

Attest:

Planning Board Representative, Chairman Robert Trotter

Lauren W. Johnson, Planning Director

Planning Board Motion Format Guide & Proposed Consistency Statement For Rezoning Request:

I make a motion that we recommend approval of the text amendment proposed in Docket# TA2020-02, with a modification that automobile sales may be permissible in the O/I, provided they meet the supplemental regulations outlined below:

- No more than 10 cars on a lot
- No loud speakers, attention-seeking devices (such as blow-up tube men, air dancers, or flashing signage)
- All lot illumination shall be pointed in toward the sales lot and shall be dimmed after 9pm

In making this motion, I also recommend we adopt the plan consistency statement as presented below:

“The proposed amendment is consistent with the City’s Comprehensive Land Use Plan in that it;

- promotes an orderly and efficient land use pattern, which allows for a variety of land uses while being sensitive to environmental concerns and surrounding uses;

The decision is in the public interest of the City of Roxboro because it protects the integrity of the O/I district and protects the quality of life of the residential uses permitted in that district.”

Motion made by: _____

Seconded by: _____

Approved: _____

This report reflects the recommendation of the Planning Board on the 5th day of October, 2020.

Attest:

Planning Board Representative, Chairman Robert Trotter

Lauren W. Johnson, Planning Director