

PLANNING BOARD

The Planning Board of the Town of La Grange, NC met Monday, June 22, 2015 at 7 pm in the Town Hall Council Chamber for a Regular Session with the following present:

Present: Chairwoman Christi Wilhelm; Vice-Chairman John T. Miller; Members Edward Moore, Carolyn Ellis, Penny Dawson, Julia Wooten, and Dorothy Sutton arrived at 7:15pm, Planner Nathan A. Rhue, CZO; Town Clerk Wendy S. Morton, MMC.

Absent: 0

Guest: 4

Chamber of Commerce: Lavaron Howell and Tyrone Morgan

Chairwoman Christi Wilhelm called the meeting to order and thanked the guests for attending. She then asked Member Carolyn Ellis to open the meeting with prayer.

Chairwoman Christi Wilhelm asked if everyone had a chance to look over the May minutes as they needed to be approved. Motion was made by Member Carolyn Ellis and seconded by Member Julia Wooten to approve the May 2015 minutes. Motion carried unanimously 7-0.

Meeting was turned over to Planner Nathan Rhue.

Planner Nathan Rhue thanked everyone for attending the meeting. He then stated that Charles Halsall, Senior Planner, Division of Community Assistance, for the Land Use Plan update will not be here tonight but thought that by the next two meetings he would have everything in order to present.

Planner Nathan Rhue stated that Mr. Robert Mooring, 412 E. Washington St, has petitioned the Town to amend text to the Zoning Ordinance in order to include "Churches/Assemblies" as a permitted use within the HC (Highway-Commercial) District in order to allow a church to open in the old Family Dollar building. Planning Staff recommends Approval of this text amendment to include "Churches/Assemblies" as a permitted use to the "Tables of Uses by Districts" found in Section 11-4 of the Town's Zoning Ordinance.

After further discussion, Motion was made to approve the text amendment to include "Churches/Assemblies" as a permitted use within the HC (Highway-Commercial) District to the "Tables of Uses by Districts" found in Section 11-4 of the Town's Zoning Ordinance by Member John Miller and seconded by Member Edward Moore. Motion carried unanimously 7-0.

Planner Nathan Rhue stated, that effective January 1, 2006, North Carolina General Statute 160A-383 requires that "prior to adopting or rejecting any zoning amendment" each local governing board "shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public's interest". The Town of La Grange Planning Board Plan Consistency Statement for Amendments to the Zoning Ordinance was adopted and will be attached.

Planner Nathan Rhue stated that the second request for the text amendment was submitted by the Town of La Grange in order to add storage as a Conditional Use within the Downtown District (DD). Based upon conditions outlined by the Planning board during Mays meeting, the request also would add section 13-22 to Article 13 of the Zoning Ordinance. Those conditions would include:

- A zoning permit is required that would be attached to the property;
- Each case is considered individually with the requirements that both the Planning Board and Town Council review each case;
- The exterior façade is to be free from deteriorated materials including but not limited to chipped/peeling paint, loose/damaged brick and/or wood, broken/damaged windows, etc.

- Windows to be decorated or covered so interior is not seen by neutral themed means (i.e. neutral toned curtains, paint, canvas, etc.);
- Approved Fire Inspection signed by the County Fire Marshall;
- Conditions may be imposed as deemed necessary in order for the development to comply with the spirit and integrity of the Ordinance and the Town including but not limited to being essential and desirable to the public welfare, not impairing character of surrounding districts, etc.,
- Public Hearing required along with all required fees associated with Conditional Use permits.

Planner Nathan Rhue stated that the purpose of the Downtown District shall be to provide for, enhance and protect commercial facilities in the downtown area. The request appears to be inconsistent with the purpose of the Downtown District as described in Section 10-2 of the Zoning Ordinance in that the use would not “provide for, enhance and protect commercial facilities in the downtown area”. In addition, it appears to be inconsistent with the goals and objectives provided in the Town’s current Land Use Plan. As stated on page 29, it is the intent of the Town to “attract and recruit new industrial and commercial opportunities to the area that will offer a sustainable economic base in La Grange”. Storage as a principal use within the District would not encourage this type of growth nor would it “generates excitement and successfully promotes the development of new businesses downtown” as stated in Goal 4 on page 30.

Planner Nathan Rhue stated, for the reasons listed above, that Town Staff recommends Denial of the proposed text amendment to include “Storage” as a Conditional Use to the “Table of Use by Districts” found in section 11-4 of the Town’s Zoning Ordinance.

NCGS 160A-383 requires the following: “The Planning Board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the Planning Board.

Mr. George Foss asked to make a comment and stated that he would board up his windows if we would not allow him to have storage and it was his opinion that this matter was sent to the Planning Board from Council with direction to approve Storage as a Use within the Downtown District. He did not understand, being it was sent back from Town Council, why Denial was recommended and that the Planning Board was wasting their time. He then suggested to allow the owners to have 50% storage at the rear of the building with a panel or painted partition down the middle of the building with a door.

Planner Nathan Rhue stated that Town staff makes recommendations to the Planning Board based on the spirit & integrity of the Zoning Ordinance and the current Land Use Plan. Being the proposed amendment is not consistent with either plan, denial was recommended. The Planning Board has the option to make the same recommendation as staff or create a different recommendation and submit it to Town Council. They, in turn, have the option to accept the Board’s recommendation or not.

Motion was made by Member Carolyn Ellis to agree with Planner Nathan Rhue not to allow storage in the Downtown District. Motion died as there was no second.

Member Edward Moore stated that he thought the windows would look better without any decoration or covering. If someone were interested in renting or purchasing the building they would want to see the inside.

Chairwoman Christi Wilhem stated that Planner Nathan Rhue was doing his job and his recommendation was based on the Ordinances and General Statutes but, as the Planning Board, they could make their own recommendation and suggestions to the Town Council.

Motion to amend the Table of Uses in section 11-4 to add “Storage” as a Conditional Use within the Downtown District (DD).was made by Chairwoman Christi Wilhelm and seconded by Member Penny Dawson. Motion carried 6-1 with Member Carolyn Ellis opposed.

In addition to amending the Table of Uses found in Section 11-4, this amendment would include Section 13-22 to Article 13 in order to include the following conditions to this type of use:


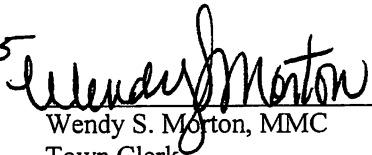
- 50% of the rear building may be limited to storage use and sectioned off by a paneled or painted wall partition from the remaining sections of the building.
- No decorated or coverings on windows
- Owner is subject to a \$25.00 fine per day starting January 1, 2016 if conditions are not met.

Planner Nathan Rhue stated he would submit these suggestions to Town Council at their next scheduled meeting on August 3rd.

Planner Nathan Rhue stated that he had a conflict with the date of our next Planning Board meeting and would like to request the meeting be changed from July 27th to July 20th. He asked that a motion be made to accept this request.

Motion to accept the date change from July 27th to July 20th was made by Member John Miller and seconded by Member Edward Moore. Motion carried unanimously 7-0.

Chairwoman Christi Wilhelm asked that a motion be made to adjourn. With no further business to discuss, motion was made by Member Edward Moore and seconded by Member Carolyn Ellis to adjourn the meeting at 8:35pm.

	<i>7-20-15</i>		<i>7-20-15</i>
Christi Wilhelm		Wendy S. Morton, MMC	
Chairwoman	Date	Town Clerk	Date