

TOWN OF FUQUAY-VARINA
PLANNING BOARD REGULAR MEETING
January 14, 2020

CALL TO ORDER

Vice-Chair Andy Petty called the regular meeting of the Fuquay-Varina Planning Board to order on January 14, 2020 at 6:00 p.m.

Board Members Present: Andy Petty (Vice-Chair)
 Jay Adcock
 Jim Chandler
 Barbara Marchioni
 Michelle Peele
 Alex Rickard
 Tracy Watson

Board Member Absent: Ed Ridpath (Chair)

Others Present: Jessica Crenshaw
 Pam Davison
 Josh Jurius
 Natalie McKinney
 Allyssa Stafford
 Slater Knox
 Town Attorney James Adcock
 Asst. Town Manager Jim Seymour

PLEDGE OF ALLEGIANCE

Andy Petty led the Pledge of Allegiance.

APPROVAL OF THE MINUTES

Motion - Approve the minutes from the December 16, 2019 meeting of the Planning Board with two corrections from Alex Rickard.

MOTION: Jay Adcock
SECOND: Michelle Peele
MOTION RESULT: Minutes Approved Unanimously 7-0

Vice-Chair Andy Petty continued the meeting by stating that public hearings are a time for petitioners to present requests and for the public to state their concerns and voice opinions in favor or in opposition to these requests. Members of the public wishing to speak were asked to come to the podium, sign in on the sheet provided, and state their name and address for the record before speaking regarding the request.

ITEMS TABLED FROM PREVIOUS MEETING

Agenda Item No. 3.A: Town Code Amendment - Adcock Law Firm, PA - Cross-Access - CTA-2019-06

Purpose - The purpose of this agenda item is to receive information related to a proposed text amendment to the Town Code of Ordinances, Part 9 Land Development Ordinance, Article M Thoroughfares, Drainage, and Utility Standards, Sections 9-1606, f. and 9-1655, to revise language pertaining to cross-access.

Staff Comments – Senior Planner Pam Davison entered the agenda abstract and supporting documents for this agenda item into the official record of the Town.

Recommendation - Staff recommends continuing the public hearing and tabling consideration of CTA-2019-06, an amendment to the Town Code of Ordinances, Part 9 Land Development Ordinance, in order for the petitioner and Town staff to best address the goals and specifics of the proposed amendment.

Public Hearing – The public hearing was opened to speakers in favor of the petition.

John Adcock, Attorney – Adcock Law firm presented a detailed summary of why the cross access would not be in the best interest of his client. He agreed with the Town for a request to continue the public hearing to allow further discussions with the Town until the February 17, 2020 Planning Board Meeting.

Jason Barron, Attorney – Morning Star Law Group stated that Pastor Jeff Jones was in attendance and would be available for any questions. Mr. Barron explained his client was not in opposition to connectivity and not trying to undermine the Town's desires of connectivity; however, his client wants to find the right balance. He closed by stating that the goal is to ensure a safe and secure location for those attending the facility.

Board Member Alex Rickard questioned Mr. Barron regarding granting access to future neighbors but not access being granted otherwise.

Mr. Barron explained that the future access will give neighboring residents access to the parking lot without having to go out and come back round via Hilltop Needmore Rd. He also added that the access would be controlled allowing exclusive access to the church from the neighborhood.

Matthew Richards, Attorney – Kirton & McConkie Law Firm stated that he represents the Church of Jesus Christ of Latter-Day Saints. He explained the protections of the church citing the land use provisions of the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA). He explained the protections built into this act specifically for religious land uses. Attorney Richards closed by expressing his concerns regarding protestors having direct access to the church as a result of the public R-O-W access.

The public hearing was closed with no additional speakers in favor of or opposition to the petition.

Motion - To continue the public hearing and table consideration of CTA-2019-06, an amendment to the Town Code of Ordinances, Part 9 Land Development Ordinance, in order to allow more time for the petitioner and Town staff to best address the goals and specifics of the proposed amendment.

MOTION: Michelle Peele
SECOND: Barbara Marchioni
MOTION RESULTS: Motion Passed Unanimously 7-0

PUBLIC HEARING

Agenda Item No. 4.A: Town of Fuquay-Varina - Representation on the Planning Board and Board of Adjustment - CTA-2019-07

Purpose - The purpose of this agenda item is to consider a proposed text amendment to the Town Code of Ordinances, Part 9 Land Development Ordinance, Article P Administrative Powers & Duties, Sections 9-1751 & 9-1753, to revise language pertaining to representation on the Planning Board and Board of Adjustment.

Staff Comments – Planner Allyssa Stafford entered the agenda abstract and supporting documents for this agenda item into the official record of the Town.

Recommendation – Staff recommends approval of CTA-2019-07, an amendment to the Town Code of Ordinances, Part 9 Land Development Ordinance finding it reasonable and in the best interest of the public as it improves upon the Land Development Ordinance's intent to modernize, provide sustainability, and allows for ease of use and enforcement with regard to the Town's current standards.

Public Hearing – The public hearing was opened.

The public hearing was closed with no speakers in favor of or objection to the petition.

Motion - Recommend approval of CTA-2019-07, an amendment to the Town Code of Ordinances, Part 9 Land Development Ordinance. The text amendment improves upon the Land Development Ordinance and is reasonable and in the best interest of the public for the reasons identified by staff.

MOTION: Alex Rickard
SECOND: Barbara Marchioni
MOTION RESULTS: Motion Passed Unanimously 7-0

Agenda Item No. 4.B: 2035 Community Vision Land Use Plan Amendment - Town of Fuquay-Varina - CTA-2019-08

Purpose - The purpose of this agenda item is to consider a proposed amendment to the 2035 Community Vision Land Use Plan that addresses several areas for improvement.

Staff Comments – Planner Allyssa Stafford entered the agenda abstract and supporting documents for this agenda item into the official record of the Town.

Recommendation – Staff recommends approval of CTA-2019-08, a proposed amendment to the 2035 Community Vision Land Use Plan. It is reasonable and in the best interest of the public, as it improves upon the 2035 LUP's intent to plan for the future of land use and growth in the Town.

Public Hearing – The public hearing was opened.

The public hearing was closed with no speakers in favor of or opposition to the petition.

Motion – Recommend approval of CTA-2019-08, an amendment to the 2035 Community Vision Land Use Plan, as presented and recommended by Town staff. The amendment improves upon the 2035 Community Vision Land Use Plan and is reasonable and in the best interest of the public for the reasons identified by staff.

MOTION: Alex Rickard

SECOND: Jay Adcock

MOTION RESULTS: Motion Passed Unanimously 7-0

Agenda Item No. 4.C: Town Code Amendment - Pulte Home Company - Large-Scale Ground Signs - CTA-2019-09

Purpose - The purpose of this agenda item is to consider a proposed text amendment to the Town Code of Ordinances, Part 9 Land Development Ordinance, Article L Signs, Section 9-1553 Permanent Freestanding Sign Standards, to revise language pertaining to residential subdivision entryway signs.

Staff Comments – Senior Planner Pam Davison entered the agenda abstract and supporting documents for this agenda item into the official record of the Town.

Recommendation – Staff recommends approval of CTA-2019-09, an amendment to the Town Code of Ordinances, Part 9 Land Development Ordinance as it is reasonable and in the best interest of the public. The text amendment improves upon the Land Development Ordinance's intent to modernize, provide sustainability, and allow for ease of use and enforcement with regard to the Town's current standards.

Public Hearing – The public hearing was opened to speakers in favor of the petition.

Randy King – 1225 Crescent Green Dr. stated that he was pleased with the presentation submitted by Senior Planner Pam Davison. He added that the larger signage would make it easier to identify as well make the entry point safer for traffic.

Board Member Alex Rickard questioned why Mr. King felt that a 96 square foot sign would be better than a 48 square foot sign for a neighborhood of 750 homes versus 600 homes.

Randy King explained it was just a number that was selected based on current subdivisions and staff recommendation.

Board Member Alex Rickard asked would it not be better to base sign size on other conditions such as speed limit, cross access or type of road.

Randy King agreed that speed limit, cross access and type of road should possibly be a part of the consideration.

The board had further discussion and determined that more information about what other municipalities standards are would be helpful. They requested staff research neighboring municipalities standards and work with the petitioner to establish a more reasonable standard for signage.

The public hearing was closed with no speakers in opposition to the petition.

Motion – To continue the public hearing and table consideration of CTA-2019-09, an amendment to the Town Code of Ordinances, Part 9 Land Development Ordinance as it improves upon the Land Development Ordinance, to allow the petitioner and staff to develop a more detailed signage standard.

MOTION: Alex Rickard
SECOND: Barbara Marchioni
MOTION RESULTS: Motion to Table Passed Unanimously 7-0

OTHER BUSINESS

Agenda Item No. 5.A: Via Microtransit Study Update

Purpose - The purpose of this agenda item is to receive information related to the Microtransit Feasibility Study.

Staff Comments – Planner Allyssa Stafford entered the agenda abstract and supporting documents for this agenda item into the official record of the Town.

Recommendation – Receive as Information - No Action Required.

Agenda Item No. 5.B: 2020 Census Information - Fuquay-Varina Counts

Purpose - The purpose of this agenda item to is receive information about the upcoming 2020 Census, its importance, and the Town's role in 2020 Census outreach efforts.

Staff Comments – Planner Allyssa Stafford entered the agenda abstract and supporting documents for this agenda item into the official record of the Town.

Recommendation – Receive as Information - No Action Required

Agenda Item No. 5.C: Preliminary Subdivision Plat Amendment - Meadow Bluffs, Phases 3-7, Amendment #1 - SUB-PA-2019-04

Alternate Appointment: Barbara Marchioni

MOTION: Alex Rickard
SECOND: Jay Adcock
MOTION RESULTS: Motion Passed Unanimously 6-0

Recusal: Andy Petty
MOTION: Alex Rickard
SECOND: Jim Chandler

MOTION RESULTS: Motion Passed Unanimously 5-0

Purpose - The purpose of this agenda item is to consider a preliminary subdivision plat amendment submitted by the Curry Engineering, called Meadow Bluffs Phases 3-7.

Staff Comments - Planner Jessica Crenshaw entered the agenda abstract and supporting documents for this agenda item into the official record of the Town.

Recommendation - The proposed preliminary subdivision plat amendment meets all Town requirements, as such staff recommend approval.

Motion - Recommend approval of the Meadow Bluffs, Phases 3-7 preliminary subdivision plat amendment, SUB-PA-2019-04, as presented and recommended.

MOTION: Michelle Peele
SECOND: Jim Chandler
MOTION RESULTS: Motion Passed Unanimously 5-0

ADMINISTRATIVE REPORTS

Agenda Item No. 6.A: Staff Report

Vice Chair Andy Petty encouraged all the board members to review the staff report.

ADJOURN

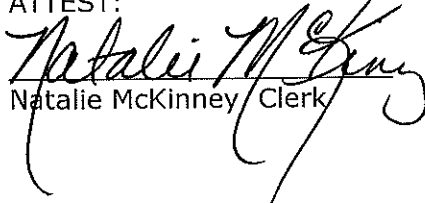
A motion was made to adjourn the meeting at 7:33 p.m.

MOTION: Barbara Marchioni
SECOND: Michelle Peele
MOTION RESULTS: Motion Passed Unanimously 7-0

FUQUAY-VARINA, NORTH CAROLINA

Andy Petty, Vice-Chair

ATTEST:


Natalie McKinney, Clerk