

Town of Mills River
Minutes of the Planning Board
Tuesday, July 3, 2018

The Town of Mills River Planning Board met on Tuesday, July 3, 2018, at 7:00 PM in the Mills River Town Hall. Board members present were: Cheryl Janoski, Randy Austin, Sherri Hill, Jim Foster, Ryan Perry, and Dennis Wilson. Carolyn Moore, Matt Holloway (excused, and Brian Kimball (unexcused) were absent. Also in attendance were Town Manager Jeff Wells, Zoning Administrator Brian Burgess, and Tax Collector/Deputy Town Clerk Aurelie Taylor. There are no open seats on the Board.

Since both Chairman Brian Kimball and Vice Chairman Carolyn Moore were absent, a vote for a temporary Chairman was held.

Cheryl Janoski made a motion to nominate Randy Austin to act as temporary Chairman. Dennis Wilson seconded the motion and the motion passed by unanimous verbal assent.

Temporary Chairman Randy Austin called the meeting to order and those present stood for a moment of silence and gave the Pledge of Allegiance.

Adjustments/Additions to Agenda: None.

Dennis Wilson made a motion to approve the minutes from June 5, 2018; the motion was seconded by Sherri Hill and the motion passed by unanimous verbal assent.

Public Comment: No public comment.

Old Business: No Old Business

New Business:

A. Rezoning R-18-01 – Zoning Administrator Brian Burgess

Zoning Administrator Brian Burgess presented his staff report, the text of which appears below:



Planning & Community Development

**Town of Mills River
July 3, 2018 Planning Board Meeting
Staff Report**

June 18, 2018

TO: Planning Board

FROM: Brian Burgess, Town Planner

SUBJECT: R-18-01 – Rezoning request for the PT Green properties,
Boylston Highway/NC 280, PIN #9631633685, 963163253

A. Actions Requested by Planning Board

A motion to send a recommendation to Mills River Town Council to approve or deny the rezoning request.

B. Required Votes to Pass Requested Action

A majority vote is required to pass the requested actions.

C. Background

Preston Kendall has submitted application on behalf of PT Green Family LLC, NC to request a rezoning of the properties identified by PIN#9631633685, and #963163253. The property is located on the south side of NC 280/Boylston Highway beginning approximately 1500 feet south of the intersection of Haywood Rd and Boylston Highway (see Location Map), and is directly adjacent Clement Dr. The parcel is assessed at approximately 2.19 acres and is currently zoned MR-GB (General Business).

The property is vacant of any buildings. The existing uses on adjacent parcels are commercial (Dollar General, Granite and Marble Gallery, Western Carolina Tool and Mold), open land, and a single family residence. The adjacent zoning districts are MR-LI, MR-GB, and MR-MU (Mixed Use). This property adjoins the Mills River Industrial Park.

The request is to rezone the parcel to MR-LI (Light Industrial).

According to Town of Mills River Code of Ordinances, MR-LI provides “a place for the location of industrial and other uses that would be incompatible with general business areas. It is intended to permit, in this district, any use that is not inherently obnoxious to urban and rural areas because of noise, odor, smoke, light, vibration, dust or the use or storage of dangerous chemicals and/or materials.” (see attached - Code References).

D. Policy Issues

The primary differences in MR-GB and MR-LI are: 1) of the two districts, MR-LI does not allow for residential use; MR-GB allows residential by conditional use permit only in mixed use buildings; 2) the level or degree of commercial; and 3) dimensional requirements/ allowances. The

maximum building size in both MR-GB and MR-LI building size is a maximum of 50% of the total lot area. Maximum building height for MR-LI and MR-GB is 80 feet and 50 feet, respectively. Building setbacks in MR-LI are 75 feet at the front, and 15 feet at the side and 20 feet in the rear. In MR-GB, setbacks are 50 feet front, 15 feet side, and 30 feet rear (refer to Code references).

The majority of MR-LI in Mills River is in the northern area of Boylston Hwy (near Broadpoint Park Industrial Park), and along Banner Farm Rd., between Haywood Rd. and Schoolhouse Rd. (see Zoning Map). The MR-LI on Banner Farm Rd. is what this proposed rezoning would connect to if approved.

Legitimate factors to consider in rezoning are potential land use impacts on the landowner, neighbors, and the public. Is the site suitable for potential land uses allowed in the district, impacts on traffic, the environment, neighborhood character, utilities, and the like?

E. Staff Recommendation

The subject property is located along Mills River's most traveled thoroughfare, NC 280/Boylston Hwy. Factors that favorably warrant a Light Industrial zoning designation are: the parcel's proximity to existing Light Industrial zoning district to the east and south, continued large-scale commercial uses directly north, and a 5-lane thoroughfare carrying close to 20,000 cars per day.

Staff recommends approval of the request.

F. Attachments

1. Application
2. Location Map (aerial)
3. Zoning Map
4. Code References

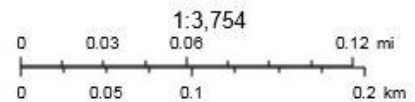
Mr. Jim Lanning addressed the Board and answered questions. Board members had concerns, including noise, access to/from Hwy 280, and appearance of the building. Mr. Lanning described the business as family oriented and plans are in place for a playground, tasting room, dog area, and outdoor patio. The building will be a Morton building with an upgraded appearance.

Ryan Perry made a motion that Planning Board make the recommendation to Town Council that they approve the rezoning request R-18-01. Sherri Hill seconded the motion and the motion passed by unanimous verbal assent.

Kendall Rezoning

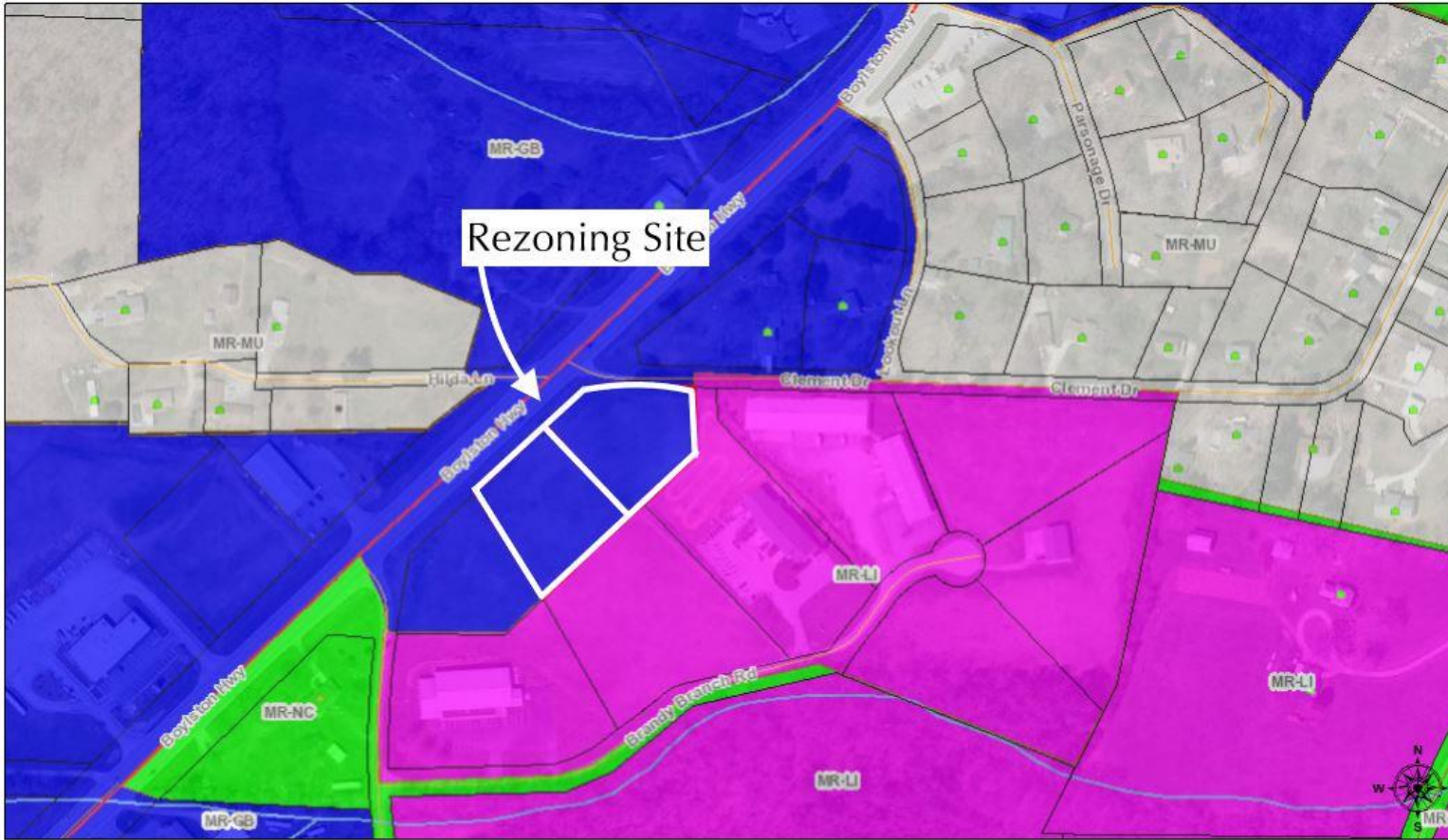


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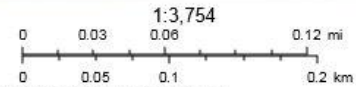


NC Center for Geographic Information & Analysis
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community

Kendall Zoning Map



June 27, 2018



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B. Rezoning R-18-02 – Zoning Administrator Brian Burgess

Zoning Administrator Brian Burgess presented his staff report, the text of which appears below:



Planning & Community Development

Town of Mills River July 3, 2018 Planning Board Meeting Staff Report

June 18, 2018

TO: Planning Board

FROM: Brian Burgess, Town Planner

SUBJECT: R-18-02 – Rezoning request for the Frances S. Heffner Property, Banner Farm Rd., PIN # 9630896006

A. Actions Requested by Planning Board

A motion to send a recommendation to Mills River Town Council to approve or deny the rezoning request.

B. Required Votes to Pass Requested Action

A majority vote is required to pass the requested actions.

C. Background

Brad and Wendy Goodson have submitted an application on behalf of Frances Heffner to request a rezoning of the property identified by PIN#9630896006. The property is located on the northeastern side of Banner Farm Rd. beginning approximately 1200 feet north of Old Souther Rd. (see Location Map). The parcel is assessed at approximately 17.7 acres and is currently zoned MR-LI (Light Industrial).

The property is vacant of any buildings. The existing uses on adjacent parcels are residential, open land, and agricultural uses. The adjacent zoning districts are MR-LI, and MR-30.

The request is to rezone the parcel to MR-30 (Residential).

According to Town of Mills River Code of Ordinances, MR-30 “is intended to be a quiet neighborhood consisting of single-family residences.” (see attached - Code References).

D. Policy Issues

The primary differences in MR-30 and MR-LI are: 1) of the two districts, MR-LI does not allow for residential use; MR-30 is primarily residential; 2) the level or degree of commercial; and 3) dimensional requirements/ allowances. The maximum building size in MR-LI building size is a maximum of 50% of the total lot area; in MR-30 there is no maximum building size. Maximum building height for MR-30 and MR-GB are both 50 feet. Building setbacks in MR-LI are 75 feet at the front, and 15 feet at the side and 20 feet in the rear. In MR-30, setbacks are 60 feet front, 30 feet side, and 30 feet rear (refer to Code references).

The majority of MR-30 in Mills River is in the southeastern area of Mills River between Schoolhouse Rd. and Warlick Rd, and along Butler Bridge Rd. and Jefress Rd. (see Zoning Map). The MR-30 on Banner Farm Rd. is what this proposed rezoning would connect to if approved.

Legitimate factors to consider in rezoning are potential land use impacts on the landowner, neighbors, and the public. Is the site suitable for potential land uses allowed in the district, impacts on traffic, the environment, neighborhood character, utilities, and the like?

E. Staff Recommendation

The subject property is located along Mills River’s largest residential district. Factors that favorably warrant a Residential zoning designation are: the parcel’s proximity to existing Residential zoning district to the east, west, and south, continued residential development nearby, and topography limiting the land’s use as it is currently zoned.

Staff recommends approval of the request.

F. Attachments

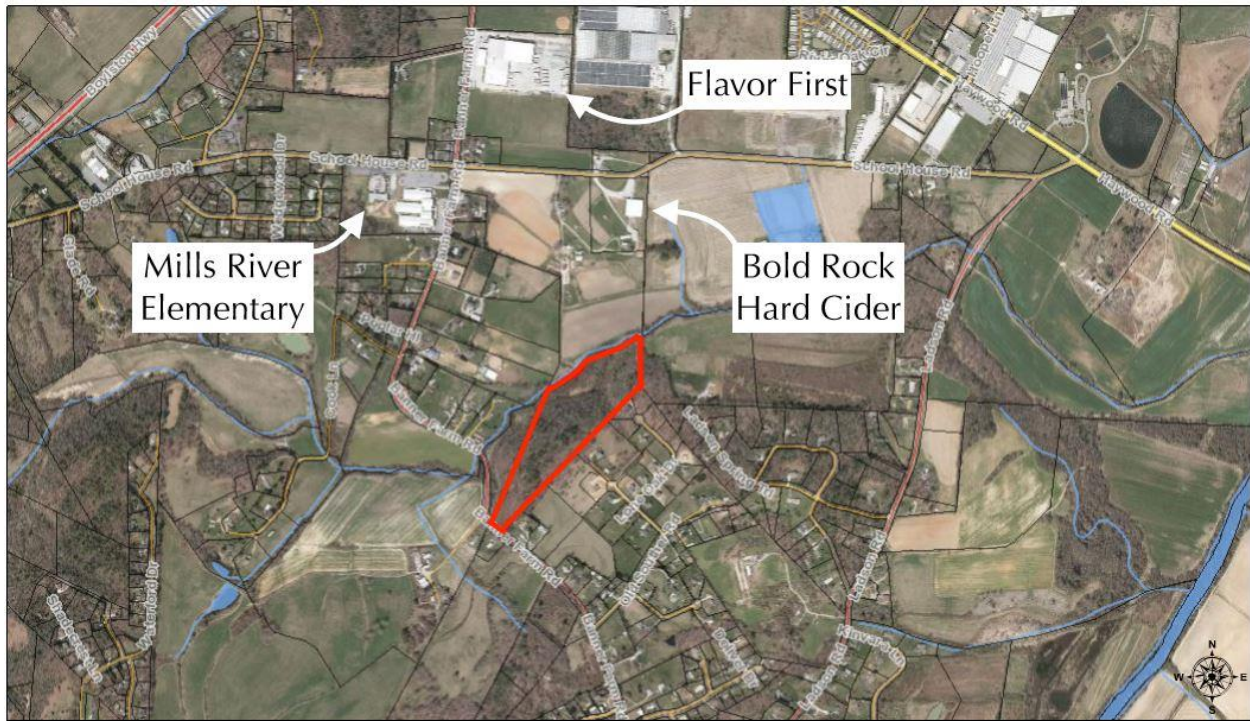
- 5. Application
- 6. Location Map (aerial)
- 7. Zoning Map
- 8. Code References

Mr. Brad Goodson addressed the Board and answered questions. The Board had concerns about the access from Banner Farm Rd. to the property. There is only a small frontage on Banner Farm Rd. and that is at a very sharp corner in the road. While

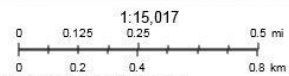
the buyer of the property (the Goodsons) plans only one single family home on the parcel, the Board was concerned that the property could be subdivided at some future time and sold as lots. Mr. Goodson admitted that there was the possibility of building a few more homes, but that the terrain would prevent a large number of homes to be built.

Jim Foster made a motion that Planning Board make the recommendation to Town Council that they approve the rezoning request R-18-02. Ryan Perry seconded the motion. The motion passed with 5 votes for and 1 vote against.

Heffner Aerial Map

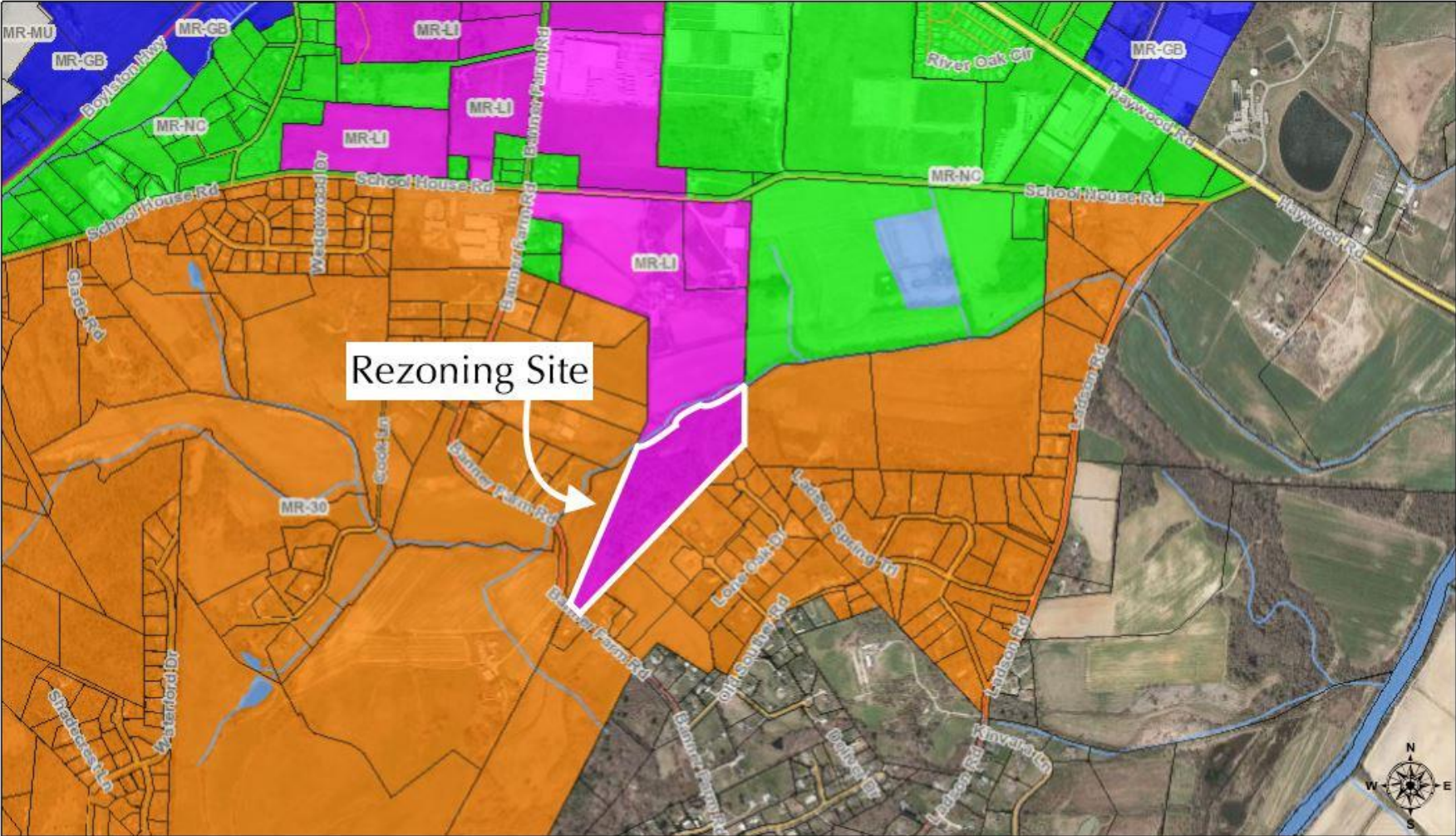


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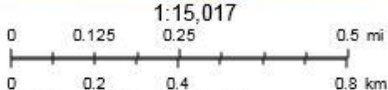


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Heffner Zoning Map



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Additional Items

Town Manager Jeff Wells gave an update on Town Council actions, the text of which appears below:

COUNCIL ACTIONS – JUNE 2018

- 2018-19 Budget approved - \$2.8 million
- Incentives approved for Gaia Herbs to locate in Broadpointe
- NC 191 Widening Project
 - Council endorsed 5 lane cross section for area in town limits (from NC 280 to Schoolhouse Road)
 - Includes 5 foot bike lanes and 10 foot multi-use path on north side
 - Extensive planting and noise mitigation along Mills River Village and River Oaks

OTHER NOTABLE ITEMS

- Park projects
 - Shade complete
 - Swings complete
 - Tennis court resurfacing complete
 - Basketball court close to completion
 - Ceremony to open court Tuesday July 24 at 6pm
- NC 280 waterline extension underway
- Hooper Lane paving contract let

As there was no further business to discuss, Jim Foster made a motion to adjourn the meeting. Dennis Wilson seconded the motion and the motion passed by unanimous verbal assent.

Respectfully submitted,

Aurelie Taylor, CTC
Tax Collector/Deputy Town Clerk