

DRAFT
Smithfield Planning Board Minutes
Thursday, September 1, 2016
6:00 P.M., Town Hall, Council Room

Members Present:

Vice-Chairman Stephen Upton
Teresa Daughtry
Daniel Sanders
Gerald Joyner
Jack Matthews
Ashley Spain

Members Absent:

Eddie Foy
Mark Lane

Staff Present:

Paul Embler, Planning Director
Shannan Williams, Town Clerk

Staff Absent:

Mark Helmer, Senior Planner
Veronica Hardaway, Admin

CALL TO ORDER

APPROVAL OF MINUTES FROM AUGUST 1, 2016.

Daniel Sanders made a motion, seconded by Ashley Spain to approve the minutes as written. Unanimous.

Stephen Upton made a motion, seconded by Jack Matthews to move nomination and vote of a new chairman to the October meeting.

Public Hearings:

After all persons giving testimony were duly sworn, Mr. Upton opened the public hearing.

CUP-16-07 Jorge Cuevas:

Mr. Embler stated the applicant is requesting a conditional use permit to construct and operate a storage building sales lot on property located within a B-3 (Business) zoning district. The property considered for approval is located on the south side of NC HWY 210 approximately 490 feet west of its intersection with West Market Street and further identified as Johnston County Tax ID# 15076019.

Mr. Embler stated there does not appear to be any environmentally sensitive areas on the property considered for a conditional use permit to include flood plains or designated wetlands. The applicant is requesting a conditional use permit to construct and operate a sales lot for the retail sales of storage sheds, barns, playhouses, garages, greenhouses, gazebos, and other small buildings. The applicant has submitted a site plan indicating a single point of access from NC Highway 210. A paved parking lot with 17 parking spaces is proposed as well as a 20' x 20' block building. Other improvements to the site include a standard ADA accessible sidewalk adjacent to the public right-of-way of NC Highway 210, a standard 15' planted street yard and

planted transition yard between the proposed and existing commercial uses. A storm water retention pond is not required at this time and parking lot lighting is not proposed at this time.

Mr. Embler stated there is a fifty foot building setback along this portion of the NC Highway 210 corridor and is identified on the plan. The applicant is informed that storage buildings and other items for sale shall not be permitted between the building setback line and the right-of-way of NC Highway 210 or in any designated parking area. The applicant is requesting a conditional use permit to allow for retail sales only and no manufacturing will be conducted on the property. The proposed retail establishment is consistent with the recommendations of the Comprehensive Growth Management Plan which calls for commercial uses near the intersection of NC Highway 210 and West Market Street. Retail sales are a permitted use within the B-3 (Highway Entrance Business) zoning district with a valid conditional use permit. The applicant has submitted a site plan showing all required site improvements to include paved parking and landscaping. Construction and final site inspections will be required prior to issuance of a valid zoning permit and conducting of business at this location.

Mr. Embler stated retail sales of storage buildings at this location should not pose a compatibility issue with surrounding land uses to include Farrell Gas and Landmark Auto providing that buildings for sale do not encroach into the 50 feet building setback along NC Highway 210 and street yard landscaping is installed and maintained in accordance with the Town of Smithfield Unified Development Ordinance. Signs shall be permitted in accordance with the Town of Smithfield UDO which will allow one free standing ground sign and one wall sign mounted on the building. Town of Smithfield will provide fire protection as well as water/sewer. Duke Progress Energy will provide electric.

The Planning Department recommends approval of the proposed building sales lot with the following conditions of approval:

- 1. Storage buildings and all other items for display and sale are to be no closer than 50 feet from the public right-of-way of NC Highway 210.**
- 2. Storage buildings and all other items for display and sale shall not be placed in the parking lot.**
- 3. No manufacturing or construction of items for display and sale shall occur on the site.**

The Planning Board is requested to review the petition for a storage building sales lot on property located within the B-3 (Highway Entrance Business) corridor and make a recommendation to Town Council in accordance with the finding of fact for a conditional use permit.

Mr. Upton asked if anyone wanted to speak for or against the proposal.

Teresa Daughtry asked if there was a proposed sidewalk.

Mr. Embler stated sidewalks are the responsibility of the current land owner.

Daniel Sanders asked if the driveway will be paved.

Mr. Embler stated that it would.

Daniel Sanders asked how many units are allowed on the lot.

Mr. Embler stated a limit has not been set.

Daniel Sanders asked if there should be a widening of Highway 210.

Mr. Embler stated no, that's why the setback is 50 feet.

Being no further questions, Mr. Upton closed the public meeting for CUP-16-07.

Teresa Daughtry made a motion, seconded by Ashley Spain, to move to the Finding of Fact.

The Planning Board shall recommend and the Town Council of the Town of Smithfield shall decide the matter of this Conditional Use Permit Application by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reason or conclusions reached in support of the motion.

- 1. Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved or is approved with the following stated conditions.***

The proposed storage building sales lot at this location will not materially endanger the public where shown because the site has adequate parking available and layout of the site facilitates safe movement of automobiles and pedestrian traffic with little additional congestion.

- 2. Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance or other applicable regulations or is approved with the following additional stated conditions.***

The proposed storage building sales lot at this location conforms to standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinances providing the applicant submits a detailed site plan for planning staff approval that shows required landscaping and paved parking prior to issuance of site plan approval and issuance of a valid zoning permit for an automobile sales lot.

3. ***Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses or is approved with the following additional stated conditions.***

The proposed storage building sales lot at this location will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses providing that the storage building and other items for display and sale are located on the property in a safe and orderly manner and that no manufacturing and construction of storage buildings and accessories occur on the site.

4. ***Based on evidence and testimony presented it is the finding of the Planning Board that the application, if approved, would not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties or is approved with the following additional stated conditions.***

The proposed storage building sales lot at this location will not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development proving all minimum development standards are met to include parking, landscaping, and building setbacks.

Based upon satisfactory compliance with the above stated four findings and fully contingent upon full incorporation of all statements entered into the record by the testimony of the applicant and applicant's representative;

Teresa Daughtry made a motion, seconded by Ashley Spain to construct and operate a storage building sales lot on property located within a B-3 (Business) zoning district.

CUP-16-08 Brent Wiggs:

Mr. Emblar stated the applicant is requesting a conditional use permit to operate a commercial dog kennel on property located within an R-20A (Residential-Agricultural) zoning district. The property considered for approval is located on the south side of Little Creek Church Road approximately 1,400 feet east of its intersection with Rock Pillar Road. The property is further identified as Johnston County Tax ID# 15J08009A.

Mr. Emblar stated the proposed use is an expansion of an existing commercial dog kennel with outdoor runs. There does not appear to be any environmentally sensitive areas on the property considered for a conditional use permit to include flood plains or designated wetlands. The applicant is requesting a conditional use permit to expand an existing commercial dog kennel on a 5.89 acre parcel of land located within an R-20A zoning district. The applicant has submitted a site plan indicating a 1,800 square foot commercial kennel building behind an

existing single family dwelling. The site plan indicating the location of the kennel structure was approved by staff with the condition that a valid conditional use permit is issued by the Smithfield Town Council prior to occupying the structure. Since site plan approval was granted, Johnston County Building Inspections has inspected the facility and has identified structural issues that must be corrected prior to issuance of a certificate of occupancy. The applicant has hired Wayne R. Dashfield, P.E. which has certified to the necessary corrections needed in order to satisfy the commercial building code.

Mr. Embley stated the building as constructed meets the building setbacks of the R-20A zoning district and adequate parking exists on the site. The expansion of the existing dog kennel should not pose compatibility issues with the surrounding land uses given the rural setting of the area. The next closest single family dwelling is approximately 370 feet to the north. If a conditional use permit is issued, the applicant can moved towards securing a certificate of occupancy and begin commercial operations in the new building. The proposed expansion on an existing commercial dog kennel can be considered consistent with the recommendations of the Comprehensive Growth Management Plan which calls low density residential development and agricultural endeavors near the intersection of Little Creek Church Road and NC 70 Business Highway West.

Mr. Embley stated commercial dog kennels or expansions of an existing commercial dog kennels are a permitted use within the R-20A (Residential-Agricultural) zoning district with a valid conditional use permit. The applicant has submitted a site plan showing all required site improvements. Final site inspections will be required prior to issuance of a valid zoning permit and conducting of business at this location. A commercial dog kennel at this location should not pose compatibility issues with the surrounding land uses given the rural nature of the area. The closest neighboring residential home is approximately 370 feet to the north and on the other side of Little Creek Church Road.

Mr. Embley stated signs shall be permitted in accordance with the Town of Smithfield Unified Development Ordinance which will allow one free standing ground sign and one wall sign mounted on the building. Fire protection will be provided by Wilson's Mills, water/sewer will be provided by Johnston County, and electric will be provided by Duke Progress Energy.

The Planning Department recommends approval of the proposed expansion of an existing commercial dog kennel with the following conditions of approval:

1. That all dog kennel structures meet current building and fire codes prior to occupying the facility.

The Planning Board is requested to review the petition for an expansion to an existing commercial dog kennel on property located within an R-20A (Residential-Agricultural) zoning district and make a recommendation to Town Council in accordance with the finding of fact for a conditional use permit.

Mr. Upton asked if anyone wanted to speak for or against the proposal.

Daniel Sanders asked if there are any surrounding neighbors.

Mr. Embler stated the closest neighbor is approximately 370 feet away.

Robert Moore, 440 Little Creek Church Road, stated he is the neighbor to the proposed site and approves how the kennel is presently running.

Daniel Sanders asked what the maximum height is for fencing.

Brent Wiggs, 445 Little Creek Church Road, stated he is the owner of the kennels. He stated he has been in this business for approximately 7 years. He stated the fence height is 5 feet.

Gerald Joyner asked how many dogs can be kept at one time.

Brent Wiggs stated he has roughly 14 dogs at one time, but the kennels can house up to 22 dogs.

Being no further questions, Mr. Upton closed the public meeting for CUP-16-08.

Jack Matthews made a motion, seconded by Ashley Spain, to move to the Finding of Fact.

The Planning Board shall recommend and the Town Council of the Town of Smithfield shall decide the matter of this Conditional Use Permit Application by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reason or conclusions reached in support of the motion.

- 1. Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved or is approved with the following stated conditions.***

The proposed expansion of the existing commercial dog kennel at this location will not materially endanger the public where shown because the site has adequate parking available and layout of the site facilitates safe movement of automobiles and pedestrian traffic with little additional congestion.

- 2. Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance or other applicable regulations or is approved with the following additional stated conditions.***

The proposed expansion of the existing commercial dog kennel at this location conforms to standards and practices of sound land use planning and the Town of Smithfield

Unified Development Ordinances. Commercial dog kennels are a permitted use within the R-20A with no additional supplemental standards required by the current UDO.

3. ***Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses or is approved with the following additional stated conditions.***

The proposed expansion of the existing commercial dog kennel at this location will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses. The adjacent land uses include agricultural and woodlands. The nearest neighbor is approximately 380 feet to the north of the proposed commercial dog kennel.

4. ***Based on evidence and testimony presented it is the finding of the Planning Board that the application, if approved, would not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties or is approved with the following additional stated conditions.***

The proposed expansion of the existing commercial dog kennel at this location will not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development proving all minimum development standards are met to include building setbacks.

Based upon satisfactory compliance with the above stated four findings and fully contingent upon full incorporation of all statements entered into the record by the testimony of the applicant and applicant's representative;

Jack Matthews made a motion, seconded by Ashley Spain to expand an existing commercial dog kennel on property located within an R-20A (Residential-Agricultural) zoning district.

RZ-16-02 Genesis Living Inc.:

Mr. Embler stated the applicant is requesting to rezone one tract of land totaling approximately 9.45 acres from the R-8 CUD (Residential-Conditional Use) zoning district to the R-8 (Residential) and RHO (Row House Overlay) zoning districts. The property considered for rezoning classification is located on the southwest side of Barbour Road approximately 780 feet northeast of its intersection with Laurel Drive. The property is further identified as Johnston County Tax ID# 4340665.

Mr. Embler stated there are no known sensitive areas to include wetlands and 100 year floodplain. The property is not located within the watershed protected area of the Town of Smithfield. The property considered for rezoning is a partially constructed duplex subdivision with 25 lots (50 dwelling units). The property was originally zoned R-20A and was rezoned to

the current R-8 CUD for the purpose of developing the duplex subdivision. A preliminary plat and an engineering plat were submitted and approved by the Town of Smithfield in 2001. The utilities and the roads were permitted and then partially constructed but never accepted by the State or the Town. The property although partially developed is listed on the tax books as undeveloped residential land. Adjacent property to the north, south and west is primarily agricultural land with a mix of typical rural residential housing on individual lots ranging in size from less than an acre to approximately 50 acres. To the east is Britthaven rest home located on approximately 6 acres of land.

Mr. Embler stated the proposed rezoning to the R-8 (Residential) with RHO (Overlay) zoning district is consistent with the Strategic Growth Plan which recommends the property be zoned for medium density residential development. The rezoning will be consistent with the Town of Smithfield Unified Development Ordinance provided that all proposed future land uses and developments are constructed in accordance with minimum development standards. The property considered for a rezoning is located on land presently zoned R-8 CUD district. The existing approved subdivision for the property permitted for 25 duplex lots allowing for 50 living units on the property. The proposed zoning change to R-8 RHO district should allow for a similar density of development. Therefore there should not be any appreciable difference in compatibility with the adjacent land uses.

Mr. Embler stated there will be potential for impact on the schools but no more than the presently approved subdivision. There will be impacts on parks and recreational facilities but will be mitigated when developed by construction of on-site recreational facilities or paying fee in lieu of recreation facilities in accordance with the UDO. Fire protection will be provided by Wilson's Mills, water and sewer allocation will be provided by Town of Smithfield, and electric will be provided by Duke Progress Energy.

In connection with a legislative decision for a rezoning request, the Planning Board and the Town Council may consider certain approval criteria. Planning staff generally accepts these findings as fact as part of a complete application submitted by the petitioner.

The Planning Department recommends approval of the request to rezone approximately 9.45 acres of land from the R-8 CUD (Residential-Conditional Use District) zoning district to the R-8 RHO (Residential with Row House Overlay) zoning district.

The Planning Board is requested to review the petition and make a recommendation to Town Council in accordance with the approval criteria for the rezoning of approximately 9.45 acres of land from the R-8 CUD (Residential-Conditional Use) zoning district to the R-8 RHO (Residential with Row House Overlay) zoning district.

Mr. Upton asked if anyone wanted to speak for or against the proposal.

Daniel Sanders asked if there are any wetlands located on this property.

Mr. Embler stated there are no wetlands on this particular tract of land.

Being no further questions, Mr. Upton closed the public meeting for RZ-16-02.

Ashley Spain made a motion, seconded by Jack Matthews, to move to the Finding of Fact.

Article 13 Section 13-17 of the Town of Smithfield Unified Development Ordinance requires all applications for a zoning map amendment to address the following eight findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application.

The Planning Board has the responsibility to make a recommendation to the Council for either approval or denial of the rezoning request. The Council has the responsibility to determine if the zoning map amendment is warranted. The Town Council of the Town of Smithfield shall decide the matter of this rezoning application by motion and vote on each of the following eight findings of fact. Any motion to find against the application must be supported by statement of specific reason or conclusions reached in support of the motion.

1. *The zoning petition is in compliance with all applicable plans and policies of the Town of Smithfield*

The proposed rezoning petition is for a “redevelopment” project. The streets and utility infrastructure was previously constructed as Boyette Farm Subdivision. The rezoning petition is a request to include “Row House” as an overlay district. This request meets all applicable plans and policies of the Town of Smithfield.

The rezoning request to change the existing residential zoning with a conditional use district to a residential zoning with a row house overlay zoning district is consistent with the recommendations of the Future Land Use Plan which calls for moderate density residential uses.

2. *The rezoning petition is compatible with established neighborhood patterns of the surrounding area*

The rezoning will allow for single family housing which is similar to and compatible with development patterns in the surrounding area.

The rezoning petition is compatible with established neighborhood patterns of the surrounding area. This area contains some of the most developable residential properties located within the Town of Smithfield city limits due to prior medium density residential development on nearby properties.

3. *The rezoning petition is compatible with the changing neighborhood conditions that might warrant a rezoning*

The rezoning will result in a product that meets the current market demand in this area.

The rezoning request from the R-8 CUD residential business zoning districts to an R-8 RHO zoning district is consistent with historical trends suggesting that residential development will continue to occur along Barbour Road to the west.

4. *The rezoning request is in the community interest*

The rezoning will result in a product that meets the current market demand in this area.

The rezoning will allow for a wider range of residential uses and provide additional area for expansion of Smithfield's residential base. Any development that will occur from the rezoning will increase the tax base as an additional benefit.

5. *The request does not constitute "Spot Zoning"*

The rezoning is compatible with adjacent zoning and uses.

It is unlikely an argument could be made for "spot zoning" or "small scale" since the rezoning will be expanding on an already existing R-8 zoning.

6. *Present regulations deny or restrict the economic use of the property*

As evidenced by the abandoned project, the market conditions have changed. The rezoning will allow for a use that meets current market demands.

The property is currently zoned for residential uses. The existing zoning on the property is specific for duplex housing. The new zoning will allow for single family residential development thus expanding the opportunities for development.

7. *The availability of public services allows consideration of this rezoning request*

The current public services available are suitable for this rezoning.

In addition to public water and sewer being available to the site, the property is served with electricity by Duke Energy. CenturyLink and Time Warner also serve the area with phone and cable respectively.

8. *Physical characteristics of the site prohibit development under present regulations*

The streets and utility infrastructure has been constructed. The rezoning will allow for a feasible development strategy.

There are no physical restraints to the area considered for rezoning such as wetlands, stream buffers, potential flood hazard areas and storm water that would outright

prohibit development of the property. There is no limiting geological and hydrological formation that would prohibit development (rock outcrops, lakes, etc.).

Based upon satisfactory compliance with the above stated eight findings and fully contingent upon full incorporation of all statements entered into the record by the testimony of the applicant and applicant's representative;

Ashley Spain made a motion, seconded by Jack Matthews to recommend approval of the rezoning of approximately 9.45 acres of land from the R-8 (Residential) and RHO (Row House Overlay) zoning district. (Unanimous)

CUP-16-09 Genesis Living Inc.:

Mr. Embler stated the applicant is requesting a conditional use permit to construct a 45 unit Row House subdivision development on approximately 9.45 acre tract of land located within an R-8 (Residential) and RHO (Row House Overlay) zoning districts. The property considered for a conditional use permit is located on the southwest side of Barbour Road approximately 780 feet northeast of its intersection with Laurel Drive. The property is further identified as Johnston County Tax ID# 4340665.

Mr. Embler stated there are no known environmentally sensitive areas to include wetlands and 100 year floodplain. The property is not located within the watershed protected area of the Town of Smithfield. The property considered is a partially constructed duplex subdivision with 25 lots (50 dwelling units). The property was originally zoned R-20A and was rezoned to the current R-8 CUD for the purpose of developing the duplex subdivision. A preliminary plat and an engineering plat were submitted and approved by the Town of Smithfield in 2001. The utilities and the roads were permitted and then partially constructed but never accepted by the State or the Town. The property although partially developed is listed in the tax books as undeveloped residential land. Adjacent property to the north, south, and west is primarily agricultural land with a mix of typical rural residential housing on individual lots ranging in size from less than an acre to approximately 50 acres. To the east is Britthaven rest home located on approximately 6 acres of land.

Mr. Embler stated the proposed conditional use permit is consistent with the Strategic Growth Plan which recommends the property be zoned for medium density residential development. The conditional use permit will be consistent with the Town of Smithfield Unified Development Ordinance provided that all proposed future land uses and developments are constructed in accordance with minimum development standards. The property considered for a conditional use permit is located on land presently zoned R-8 CUD district. The existing approved subdivision for the property is permitted for 25 duplex lots allowing for 50 living units on the property. The proposed zoning change to R-8 RHO district should allow for a similar density of development. Therefore there should not be any appreciable difference in compatibility with the adjacent land uses. The Town of Wilsons Mills will provide fire protection, the Town of Smithfield will provide water/sewer services, and Duke Energy will provide electric.

Mr. Embler stated there is a potential impact on the schools but no more than the presently approved subdivision. There will be impacts on parks and recreational facilities but will be mitigated when developed by construction of on-site recreational facilities or paying fees in lieu of recreation facilities in accordance with the UDO.

The Planning Department recommends approval of the request to establish a Row House Overlay (RHO) on the property with consideration given to the conditions requested by the developer.

The Planning Board is requested to review the petition and make a recommendation to Town Council in accordance with the approval criteria for the establishment of a Row House Overlay in accordance with the submitted plan and with the conditions requested by the developer.

Mr. Upton asked if anyone wanted to speak for or against the proposal.

Berry Barbour, 661 Barbour Road, stated his concern was the 2 acres that may be wetlands.

Being no further questions, Mr. Upton closed the public meeting for CUP-16-09.

Stephen Upton made a motion, seconded by Ashley Spain, to move to the Finding of Fact.

The Planning Board shall recommend and the Town Council of the Town of Smithfield shall decide the matter of this Conditional Use Permit Application by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reason or conclusions reached in support of the motion.

- 1. Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved or is approved with the following stated conditions.***

The proposed request for conditional use will not endanger the public health, safety, or general welfare for the reason that the 44 lot RHO subdivision will have less impact than the currently approved 25 lot 50 unit duplex subdivision.

- 2. Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance or other applicable regulations or is approved with the following additional stated conditions.***

The proposed use will meet all required conditions and specifications in accordance with the current Unified Development Ordinance plus state and federal regulations once a variance is obtained to decrease the side yard setback from 6 feet to 5 feet.

3. ***Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses or is approved with the following additional stated conditions.***

The proposed use will not adversely affect the use or any physical attribute of adjoining or abutting property. The RHO subdivision is a single family residential subdivision which is more in keeping with adjacent developments than the previously approved duplex subdivision.

4. ***Based on evidence and testimony presented it is the finding of the Planning Board that the application, if approved, would not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties or is approved with the following additional stated conditions.***

The proposed RHO subdivision does not adversely affect the adopted plans and policies of the Town of Smithfield because the development is in compliance with the Comprehensive Land Use Plan and the Unified Development Ordinance.

Based upon satisfactory compliance with the above stated four findings and fully contingent upon full incorporation of all statements entered into the record by the testimony of the applicant and applicant's representative;

Stephen Upton made a motion, seconded by Ashley Spain to recommend approval of the conditional use permit allowing for a Row House Overlay for a 44 lot single family development. (Unanimous)

Old Business:

New Business:

Daniel Sanders made a motion to adjourn, seconded by Teresa Daughtry. Unanimous.

Submitted this 1st day of September, 2016.

Veronica Hardaway
Administrative Support Specialist
Planning Department