

MINUTES ADOPTED BY THE BOARD OF ADJUSTMENT
April 26, 2018

The Greenville Board of Adjustment met on the above date at 6:00 PM in the City Council Chambers of City Hall.

Bill Johnson, Chairman - *

Rich Winkler - X

Kevin Faison - *

Michael Glenn - X

Rodney Bullock - *

Ann Bellis - *

Hunt McKinnon - *

James Moretz - *

Dillon Godley - *

The members present are denoted by an “*” and those absent are denoted by an “X”.

VOTING MEMBERS: Johnson, Faison, Bullock, Moretz, Bellis, Godley, and McKinnon.

OTHERS PRESENT:

Ms. Elizabeth Blount, Planer II

Ms. Amy Nunez, Secretary

Mr. Donald Phillips, Assistant City Attorney

Ms. Cathy Meyer, Civil Engineer II

Mr. Kelvin Thomas, Communication Technician

MINUTES

Mr. McKinnon made a motion to approve the January 25, 2018 minutes as presented, Mr. Godley seconded and the motion passed unanimously.

Mr. Moretz made a motion to approve the March 22, 2018 minutes as presented, Mr. McKinnon seconded and the motion passed unanimously.

Attorney Phillips reviewed information. As stated on pages 2 to 3 of the Meeting Handout available to the Public, the EVIDENCE TO BE CONSIDERED BY THE BOARD OF ADJUSTMENT IS AS FOLLOWS:

A. The Board of Adjustment is a quasi-judicial body that makes a decision concerning an application, petition or appeal based on the evidence presented by those in favor as well as those in opposition.

B. The members of the Board of Adjustment are lay persons and as such, the rules of evidence that are followed in a court are relaxed for cases heard before this body.

C. Though the rules of evidence are relaxed, it does not mean they are ignored. Only evidence that is material, competent, and substantial will be considered and may be used by the Board in its decision-making process.

D. The Board may not consider, nor is it admissible to present or offer affidavits, letters or other writings in support of or in opposition to a matter before the Board unless the person who prepared the writing is testifying. These writings are considered hearsay.

1. Statements by a person such as “In my opinion, the application will create a traffic hazard,” is not an admissible opinion and may not be considered by the Board.

a. However, such an opinion may be admissible if it is made by an expert or a person who is qualified to give opinions concerning traffic hazards, is making a presentation to the Board concerning his or her investigation and the basis for his or her conclusion in the report.

b. A lay person can give an opinion but he or she also must present facts to show how the proposal affects his or her piece of property specifically and not just in a general way.

2. A statement that another person who is not present and not testifying either supports or doesn't support the petitioner or application is hearsay and is not admissible.

3. The same rule applies to both the applicant and those in opposition.

Pursuant to North Carolina General Statute 160A-388 and Section 4 of the Board of Adjustment's Rules of Procedure:

4-3. No member of the Board of Adjustment shall participate in either the discussion or vote on any special use permit, variance, or appeal from an administrative officer's decision in any manner that would violate the affected persons' constitutional right to a fair and impartial decision maker. Prohibited conflicts include but are not limited to a member having a fixed opinion prior to hearing the matter and not willing to consider changing his or her mind; and undisclosed ex parte communications with the person before the Board, any witnesses, staff, or other Board members. Decisions on either a request for recusal by a member or objections by a person appearing before the Board shall be decided by a simple majority vote.

4-4. No Board Member shall take part in the hearing, consideration, or determination of any matter in which that Board Member is involved or has a financial or personal interest. Personal interest shall be defined as having a family member involved in the project under consideration, a neighborhood association involvement where a Board Member is on the governing body of such association, or where the Board Member is involved in a conflict or dispute with the applicant on a matter unrelated to the application. If a Board Member has such a conflict, he shall declare the conflict and request to be excused from voting on the issue. A majority vote of the remaining members present shall be required to excuse the member.

4-5. No Board member shall vote on any matter deciding an application or appeal, unless he shall have attended the public hearing on that application or appeal.

4-6. No Board member shall discuss any case with any parties in interest prior to the public hearing on that case, provided however, that members may receive and/or seek information pertaining to the case from any other members of the Board.

If a Board member has had an ex parte communication that also needs to be disclosed at this time.

Secretary swore in staff and all those speaking for or against.

PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY TIMOTHY MOORE AND PRISM POWDERCOATING AND HYDROGRAPHICS, INC.-APPROVED

The applicants, Timothy Moore & Prism Powdercoating and Hydrographics, Inc., desire a special use permit to operate an industrial use otherwise not listed pursuant to Appendix A, Use (15)e. of the Greenville City Code. The proposed use is located at 801 Staton Road. The property is further identified as being tax parcel number 33642.

Ms. Blount delineated the property. It is located in the northern portion of the City's ETJ (extra territorial jurisdiction). The subject property contains an 11,000 square foot commercial building divided into several units and has 260 feet of frontage along Staton Road. The property is located in the recognized industrial area. The applicant wishes to operate a powdercoating process. The use will create redevelopment in an otherwise vacant building.

Zoning of Property: IU (Unoffensive Industry)

Surrounding Zoning:

North: IU (Unoffensive Industry)
South: IU (Unoffensive Industry)
East: IU (Unoffensive Industry)
West: IU (Unoffensive Industry)

Surrounding Development:

North: Vacant lots
South: Fed Ex Ground, Overton's and Gander Mountain
East: Ignite Innovation Academy
West: Fastenal, New Beginning Christian Center

Comprehensive Plan:

The property is located within the Industrial/Logistics character types as designated by the Horizon Plan. The proposed use is in compliance with the Future Land Use Plan which recommends industrial development for the subject property.

Notice:

Notice was mailed to the adjoining property owners on April 11, 2018. Notice of the public hearing was published in the Daily Reflector on April 16 and April 23, 2018.

Other Comments:

The proposed project must meet all related State of North Carolina fire and building codes prior to occupancy.

Staff Recommendation:

Planning staff is of the opinion that the request can meet all the development standards required for issuance of a special use permit upon proper findings by the Board.

Chairman Johnson opened the public hearing.

Mr. Timothy Moore, applicant, spoke in favor of the request. He is the owner of the company and stated he was ready to answer questions.

Mr. McKinnon asked if the all the powdercoating would be inside the building.

Mr. Moore stated yes.

Ms. Bellis asked for a description of the business.

Mr. Moore stated it is a form of painting that is not liquid nor hazardous. It is a polyester powder that is electrically charged to metal than it is baked in and it cures out.

No one spoke in opposition to the request.

Chairman Johnson asked for the staff recommendation.

Ms. Blount stated staff had no objection to the application.

Chairman Johnson closed the public hearing and opened for board discussion.

Chairman Johnson read the required findings criteria. No objections.

Mr. McKinnon made a motion to adopt the finding of facts, Mr. Moretz seconded and it passed unanimously.

Mr. Godley made a motion to approve the petition as presented, Mr. Moretz seconded the motion and it passed unanimously.

PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY JACKIE ANTONIO PARKER AND DEMETRICE YVONNE WILSON - APPROVED

The applicants, Jackie Parker and Demetrice Wilson, desire a special use permit to operate a mental health, emotional or physical day program pursuant to Appendix A, Use (8)ff(1). of the Greenville City Code. The proposed use is located at 609-C Country Club Drive. The property is further identified as being tax parcel number 50555.

Ms. Blount delineated the property. It is located in the southern portion of the City's jurisdiction. The subject property is .32 acres in size with approximately 90 feet of frontage along Country Club Drive. The property contains a 3,850 square foot office building with multiple units. The applicant currently operates a facility in an adjacent unit and wishes to reduce expenses by relocating.

Zoning of Property: OR (Office Residential)

Surrounding Zoning:

North: OR (Office Residential)
South: R15S (Residential Single Family)
East: OR (Office Residential)
West: OR (Office Residential)

Surrounding Development:

North: Mid Atlantic Insurance, South Roanoke Baptist Association
South: Greenville Church of God
East: Smith Funeral Home
West: Little Sunshine Learning Center

Comprehensive Plan:

The property is located within the Office and Institutional character types as designated by the Horizon Plan. The proposed use is in compliance with the Future Land Use Plan which recommends office use.

Notice:

Notice was mailed to the adjoining property owners on April 11, 2018. Notice of the public hearing was published in the Daily Reflector on April 16 and April 23, 2018.

Related Zoning Ordinance Regulations:

Definition: *Mental health, emotional or physical rehabilitation day program facility.*

1. An establishment qualified for a license by the State of North Carolina which provides a day treatment, day activity or other extended counseling service to persons who do not reside at the establishment and who are physically disabled, mentally retarded, developmentally disabled, persons recuperating from alcohol or drug related problems, persons adjusting to society as an alternative to imprisonment, children or adolescents who are emotionally disturbed and need special educational services, and persons recuperating from mental or emotional illness, but not including mentally ill persons who are dangerous to others. Persons receiving service at the establishment may be at the facility no longer than 18 hours within any 24-hour period.
2. "Dangerous to others" means that within the recent past, the individual has inflicted or attempted to inflict or threatened to inflict serious bodily harm on another, or has acted in such a way as to create a substantial risk of serious bodily harm to another, or has engaged in extreme destruction of property; and that there is a reasonable probability that his conduct will be repeated. Previous episodes of dangerousness to others, when applicable, may be considered when determining reasonable probability of future dangerous conduct. Professionals or paraprofessionals providing assistance to the occupants shall be allowed in addition to the maximum occupancy.

Staff Recommended Conditions:

The facility must comply with all requirements, licensing, rules, health certifications, background checks and other requirements imposed or directed by the NC Division of Health and Human Services; the Commission or Council on MR/Developmental Disabilities; and Community Alternative Programs for DD/MR adults and/or juveniles.

At no time will clients of the day program facility be permitted to wait or be outside without being accompanied by a staff member of the facility to supervise and ensure proper behavior of the clients including but not limited to aggressive actions, littering, fighting, yelling, loitering or other unacceptable behavior.

Other Comments:

The proposed project must meet all related State of North Carolina fire and building codes prior to occupancy.

Staff Recommendation:

Planning staff is of the opinion that the request can meet all the development standards required for issuance of a special use permit upon proper findings by the Board.

Chairman Johnson opened the public hearing.

Ms. Demetrice Wilson, applicant, spoke in favor of the request. They have been in unit D of the building since 2012. Unit C, the proposed request, meets their needs since they are downsizing.

Chairman Johnson asked what she does there.

Ms. Wilson stated they provide psycho-socio rehabilitation services as a day program for adults with mental health issues. The hours of operation are from 9am to 3pm which include lunch and structural activities for the attendees.

Mr. Faison asked how many clients they have.

Ms. Wilson stated none now since they need a new license for their move. They waited until the authorization of services ended for their clients so that they did not suffer during the transition and they didn't pick up new clients.

Mr. McKinnon asked how many clients she had.

Ms. Wilson stated an average of 5-6 clients at one time. It is not a large program.

Mr. McKinnon asked if there were any unfortunate events.

Ms. Wilson stated no. They are supervised at all times. All activities are inside.

Mr. Moretz asked about the amount of clients allowed in the new location.

Ms. Wilson stated a maximum of 12. The prior location allowed them to have up to 30 clients.

No one spoke in opposition to the request.

Chairman Johnson asked for the staff recommendation.

Ms. Blount stated staff had no objection to the application with the recommended conditions.

Chairman Johnson closed the public hearing and opened for board discussion.

Chairman Johnson read the required findings criteria. No objections.

Mr. Godley made a motion to adopt the finding of facts with the recommended conditions, Mr. Moretz seconded and it passed unanimously.

Mr. Godley made a motion to approve the petition with the stated conditions, Mr. Bullock seconded the motion and it passed unanimously.

PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY LUIS SANTANA - APPROVED

The applicant, Luis Santana, desires a special use permit to place a mobile home on a lot pursuant to Appendix A, Use (2)g. of the Greenville City Code. The proposed use is located at 1175 Perkins Road. The property is further identified as being tax parcel number 00902.

Ms. Blount delineated the property. It is located in the northern portion of the City's jurisdiction near the airport. The subject property is a 20 acre lot located within the City's ETJ (extra territorial jurisdiction). The property has 682 feet of frontage along Perkins Road and is located in the 100 year flood plain.

Zoning of Property: RA20 (Residential Agricultural)

Surrounding Zoning:

North: RA20 (Residential Agricultural)

South: IU (Unoffensive Industry)

East: RA20 (Residential Agricultural)

West: RA20 (Residential Agricultural)

Surrounding Development:

North: Single family dwelling, mobile homes and vacant lots

South: Pitt Greenville Airport Runway

East: Vacant lot

West: Single family dwellings

Comprehensive Plan:

The property is located within the Industrial/Logistics character type as designated by the Horizon Plan. While the proposed use is not in compliance with the Future Land Use Plan which recommends industrial development for the subject property, the use is allowed in the existing residential zoning district.

Notice:

Notice was mailed to the adjoining property owners on April 11, 2018. Notice of the public hearing was published in the Daily Reflector on April 16 and April 23, 2018.

Related Zoning Ordinance Regulations:

(N): *Mobile home.*

1. No mobile home established (new setup) or relocated within the city planning and zoning jurisdiction shall be occupied until the mobile home has been inspected and approved for compliance with the Minimum Housing Code set forth under Title 9, Chapter 1, Article F of the City Code when the Building Inspector makes a finding of noncompliance with the Minimum Housing Code.
2. Mobile homes shall, upon installation, have either a permanent, continuous masonry foundation, or a continuous and opaque skirt consisting of vinyl, fiberglass or other similar solid nonmetal material. The skirt for a mobile home shall be attached to weather resistant material when required for support.

Staff Recommended Conditions:

Existing mobile homes located on the lot shall remain as storage sheds and shall not be converted to dwelling units.

The finished floor and all mechanical equipment (except the cross over duct) shall be elevated to 2 feet above the base flood elevation. If brick or other non-breakaway type of underpinning is used then flood vents would be required.

Other Comments:

The proposed project must meet all related State of North Carolina fire and building codes prior to occupancy.

An elevation certificate is required after completion of construction and before a final certificate of occupancy can be issued.

Staff Recommendation:

Planning staff is of the opinion that the request can meet all the development standards required for issuance of a special use permit upon proper findings by the Board.

Mr. Godley asked if the existing mobile homes are connected to water or sewer.

Ms. Blount stated they are not connected.

Chairman Johnson opened the public hearing.

Ms. Dawn Poaletti, of Baldwin Design Consultants, representative of the applicant, spoke in favor of the request. She stated Mr. Santana has owned the property since 2009 and would like to place a double wide mobile home. She

stated the existing mobile homes on the site are gutted out and used as storage. They will comply with the base flood elevation as determined by FEMA.

Mr. Moretz asked if this would be the applicant's primary residence.

Ms. Poaletti stated yes with 2 adults and 3 children.

Chairman Johnson asked if the applicant had plans to subdivide the property.

Ms. Poaletti stated no.

Ms. Bellis asked about the airport runway adjacent to this property.

Ms. Poaletti stated that the properties do not connect.

No one spoke in opposition to the request.

Chairman Johnson asked for the staff recommendation.

Ms. Blount stated staff had no objection to the application with the recommended conditions.

Chairman Johnson closed the public hearing and opened for board discussion.

Mr. Moretz asked if it was an active taxiway.

Ms. Blount stated she did not know.

Mr. Moretz asked if it was a secured area.

Ms. Blount stated that a huge buffer already exists and you cannot see the runway from the lot because of so many trees between the proposed and the airport.

Ms. Bellis asked if the airport was notified of this request.

Ms. Blount stated yes. They were sent a letter.

Chairman Johnson read the required findings criteria. No objections.

Mr. Moretz made a motion to adopt the finding of facts with the recommended conditions, Mr. Faison seconded and it passed unanimously.

Mr. Faison made a motion to approve the petition with the stated conditions, Mr. Moretz seconded the motion and it passed unanimously.

PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY STUART MICHAEL EDWARDS - APPROVED

The applicant, Stuart Michael Edwards, desires a special use permit to operate a fast food restaurant pursuant to Appendix A, Use (10)i. of the Greenville City Code. The proposed use is located at 4300 Eastern Pines Road. The property is further identified as being tax parcel number 09746.

Ms. Blount delineated the property. It is located in the eastern portion of the City's jurisdiction, within the City's ETJ (extra territorial jurisdiction). The subject property contains 3,120 square foot commercial building that will be divided into 3 units and has 202 feet of frontage along Eastern Pines Road and 157 feet of frontage along Portertown Road.

Zoning of Property: CN (Neighborhood Commercial)

Surrounding Zoning:

North: R6 (Residential) and RA20 (Residential Agricultural)

South: RA20 (Residential Agricultural)

East: RA20 (Residential Agricultural)

West: RA20 (Residential Agricultural)

Surrounding Development:

North: Elkin Ridge Subdivision and a Single Family Residence

South: Greater Life Ministry Church and Single Family Residences

East: Vacant lot

West: Single Family Residences

Comprehensive Plan:

The property is located within the Commercial character type as designated by the Horizon Plan. The proposed use is in compliance with the Future Land Use Plan which recommends small commercial development for the subject property.

Notice:

Notice was mailed to the adjoining property owners on April 11, 2018. Notice of the public hearing was published in the Daily Reflector on April 16 and April 23, 2018.

Related Zoning Ordinance Regulations:

Definition: *Restaurant, fast food.*

- (1) An eating establishment open to the general public of which the principal use is food services, including food ordering, food preparation and on-premises food consumption, and which meets all of the following:

- (a) Does not require a membership, cover or minimum charge for admittance or service during regular or special periods of operation;
 - (b) Has sales of prepared and/or packaged foods, in a ready-to-consume state, in excess of 50% of the total gross receipts for the establishment during any month.
 - 1. In determining the portion of sales that can be attributed to the sale of prepared and/or packaged food in a ready-to-consume state, the following sales shall be included: food prepared in the establishment's kitchen and served as a meal to be consumed on the premises or as a take-out order; packaged food sold to accompany the meal; and non-alcoholic beverages sold to accompany the meal.
 - 2. The following shall not be included in the portion of sales that can be attributed to the sales of prepared and/or packaged food in a ready-to-consume state: mixed alcoholic beverages, including the mixer; any other alcoholic beverage; grocery items not ordered and purchased with meals; and any other product, item, entertainment, service, or gratuity which is not specified in this subsection (b) as a sale to be included in the portion of sales that can be attributed to the sales of prepared and/or packaged food in a ready-to-consume state.
 - 3. For purposes of determining compliance under this subsection (b), the Zoning Enforcement Officer may utilize and rely upon any routine or special audit report prepared by a department, division of a department, or agency of the State of North Carolina.
 - (c) Does not qualify as a conventional restaurant by definition; and
 - (d) May have as an ancillary or accessory use a full service bar, live or recorded amplified music, floor show, and dancing area which is open to the restaurant patrons and general public and is limited to the hours of operation of the principal use restaurant.
- (2) The following is not considered a "restaurant, fast food" under this definition.
- (a) Ancillary or accessory food service for a permitted principal use where the food service is open to the general public such as an employee and/or patron cafeteria or eating area;
 - (b) Temporary food service as part of permitted temporary uses such as carnivals, fairs, street fairs, circuses, athletic events, community events, concerts, nonprofit fund raising events, emergency shelters and the like; or
 - (c) Any establishment where the preparation of food is merely incidental to the sale of food such as a grocery store or food market and the like.

Specific Criteria

Section 9-4-86 (P) and 9-4-103 (O)

(P) *Restaurant; conventional or fast food.*

- (1) Except as further provided, whenever a proposed restaurant is to be located adjacent to a permitted residential use, or a residential zoning district, the following minimum standards shall be required:
 - (a) The restaurant principal structure shall maintain a public street (front yard) setback not less than the adjoining residential zoning district;
 - (b) The restaurant principal structure shall maintain a side and rear yard setback not less than 25 feet from any property line which abuts a residential zoning district or a permitted residential use;
 - (c) The maximum height of the restaurant principal and/or accessory structure(s) shall not exceed 35 feet; and
 - (d) Any exterior menu reader board or order station which contains an audio speaker(s) shall be set back not less than 50 feet from any side or rear property line which abuts a permitted residential use or residential zoning district, and the speaker shall be oriented and directed away from any adjacent permitted residential use or residential zoning district in a manner approved by the Director of Community Development or the Director's authorized representative, and the requirements shall be indicated upon an approved site plan. Separation of the speaker from an adjacent permitted residential use or residential zoning district by an intervening nonresidential building or structure of sufficient dimension to negate or block the transmission of sound may, upon approval of the Director of Community Development or representative, substitute for the speaker setback, orientation and direction standards of this section. No exterior menu reader board or order station shall be utilized or operated in a manner which constitutes a nuisance or hazard to the general public.
- (2) No new restaurant within any MS Zoning District shall be located within 500 feet of any existing or vested restaurant in any zoning district or within 1,000 feet of any existing or vested restaurant in any MS District, as measured between the nearest enclosed structural part of the establishments.
- (3) Within any MO Zoning District no fast food restaurant shall be located in a freestanding detached structure exclusive to such use. All fast food restaurants in any MO Zoning District shall be located within and be part of an attached multi-unit structure which contains not less than three individual units occupied by, or are available for sale or lease, to separate establishments.

Section 9-4-103 (P)

(P) *Restaurant, conditional and/or restaurant, fast food; records retention requirement.* Records related to the sale of prepared and/or packaged food in a ready-to-consume state and the sale of all other products and services shall be maintained on premises for not less than one year and shall be open for inspection or audit at all reasonable hours during any period of establishment operation by the Zoning Enforcement Officer. The

Zoning Enforcement Officer may view the records on the premises of the establishment or may request copies of the written records be delivered to the city. Records of sales of prepared and/or packaged food in a ready-to-consume state and the sale of all other products and services shall be filed separate and apart from all other records maintained on the premises. The requirements of this section shall be for the purpose of determining the portion of sales attributed to the sale of prepared and/or packaged food in a ready-to-consume state. Failure to provide all records required by this section in a timely manner, to be determined by the city, upon written request of the Zoning Enforcement Officer shall constitute a violation of the zoning regulations.

Staff Recommended Conditions:

Site plan approval required prior to issuance of a building permit.

Other Comments:

The proposed project must meet all related State of North Carolina fire and building codes prior to occupancy.

Staff Recommendation:

Planning staff is of the opinion that the request can meet all the development standards required for issuance of a special use permit upon proper findings by the Board.

Mr. McKinnon asked about traffic.

Ms. Blount stated that a site plan has not been submitted and therefore traffic impact has not been analyzed.

Chairman Johnson opened the public hearing.

Mr. Dan Kallweit, of T.D. Goodwin Construction, representative of the applicant, spoke in favor of the request. This will be the future site of Bill's Hot Dogs. It will be a 950 square feet center space within the existing building. It will be divided to include a second space and the third space that is currently a barber shop. The parking lot will be repaved and restriped. The drive off of Portertown Road will be eliminated.

Mr. Moretz mentioned the Portertown Road expansion and asked how much of the current parking lot will be taken.

Mr. Kallweit stated not much. They have also spoken with GUC for sewer and it won't be affected.

Ms. Bellis asked if the roundabout at this intersection was taken into consideration.

Mr. Kallweit stated yes, there will be plenty of room. The roundabout is farther up from the current intersection.

Mr. Paul Cuomo, a North Carolina certified real estate appraiser at Carolina Coastal Group, Inc., has practiced in Greenville, North Carolina for 15 years and serves as the Applicant's appraiser. Mr. Cuomo's company, Carolina Coastal Group, Inc., specializes in appraisals, land use and imminent domain. Mr. Cuomo was, qualified, and duly recognized by the Board as an expert in the fields of appraisal and commercial use.

Ms. Bellis made a motion to accept Mr. Paul Cuomo as an expert in the fields of appraisal and commercial use. Mr. Faison seconded the motion and it passed unanimously.

Mr. Cuomo stated the area is a growing area. The Portertown Road expansion (DOT plan) is well planned and there will be plenty of room for egress/ingress and for utilities behind the building. The neighborhood area sales are up and there will be no effect on adjacent properties.

No one spoke in opposition to the request.

Chairman Johnson asked for the staff recommendation.

Ms. Blount stated staff had no objection to the application with the recommended conditions.

Chairman Johnson closed the public hearing and opened for board discussion.

Mr. Godley asked if the special use permit needs to be approved before the site plan, with the parking details, is submitted.

Ms. Blount stated that the condition of the special use permit is that the site plan with the parking details needs to be approved before occupancy.

Mr. Moretz stated that the Department of Health was not listed as a requirement.

Ms. Blount stated the Board can add that as a condition.

Mr. McKinnon asked about stacking at the intersection. There is already congestion in this area.

Mr. Kallweit stated that added sewer and a grease trap to the site will be on the site plan. This is not a drive thru nor a sit down restaurant. It is take out only. This should not create stacking.

Mr. Faison stated that the square footage of the building is not changing. Parking spaces are allotted accordingly.

Ms. Bellis asked how the roundabout related to this intersection.

Mr. Kallweit stated the roundabout is farther up than the current intersection and will provide more room and avoid stacking. He showed a picture from DOT of the future roundabout which eased concerns.

Ms. Meyer stated the engineering division will make sure the approved site plan has appropriate driveways, parking spaces, meets ADA requirements and that the trash is not in a parking space or in the bufferyard.

Chairman Johnson read the required findings criteria. No objections.

Mr. McKinnon made a motion to adopt the finding of facts with the recommended conditions, Mr. Moretz seconded and it passed unanimously.

Mr. Godley made a motion to approve the petition with the stated conditions, Mr. Bullock seconded the motion and it passed unanimously.

With no further business, Mr. Moretz made a motion to adjourn, Mr. Bullock seconded and it passed unanimously. The meeting adjourned at 7:10 pm.

Respectfully submitted,

Elizabeth Blount
Planner II