



Minutes of the Planning and Zoning Board of the City of Belmont

The Planning and Zoning Board met Thursday, 14 December 2017, at City Hall, 115 N. Main Street

Members present

- Neil Brennan
- Patricia Franks
- Jim Hefferan
- Beth Lloyd
- Allison Cottingham
- David Baker
- Andrew Miller
- Walter Dixon

Staff present

- Shelley DeHart, Planning Director
- Janet Schafer, Planning Technician
- Adrian Miller, City Manager
- Parks Wilson, City Attorney

Acronyms

LDC	Land Development Code
LUP	Comprehensive Land Use Plan
ZA	Zoning Map Amendment
MDP	Major Development Plan

A quorum having been met, Vice Chair Beth Lloyd called the meeting to order.

Set Agenda: Patricia Franks moved to set the agenda. Jim Hefferan seconded the motion which passed with a unanimous vote.

Approval of 16 November 2017 Minutes: Minor revisions to the minutes were proposed. Jim Hefferan moved to approve the minutes of the 16 November 2017 meeting with the proposed revisions. Andrew Miller seconded the motion. The motion passed by unanimous vote.

ZA 2017.02– Tower Crest Subdivision: a request to rezone a 2.24 acre parcel from the General Residential (G-R) zoning district to a Neighborhood Center Residential Conditional District (NC-R/CD) for the purpose of developing a 12-lot single-family residential community. Applicant: Frank Craig; Property Owner: Belmont Residential, LLC; Location: Northeast corner of South Main and Oak Street. Parcel ID#125823.

Director DeHart presented the Zoning Map Amendment ZA 2017.02. This project, as proposed, needs flexibility in the street-tree landscaping area requirements on Main St. and minimum lot width for the 4 lots proposed on Oak Street. Director DeHart presented photos of the project area and an overview of the plans for the project. City ordinances restrict driveway connections on collector roads in the City. The applicant proposes alley load lots on S. Main Street and shared driveway lots on Oak St. limiting access points to three for a 12-lot development.

The applicant is also proposing to widen the grass strip (street tree landscape area) on Main Street to four feet in width with a five foot wide sidewalk. Although the applicant is widening the street tree landscape area from about one foot wide to four feet wide, it is still non-conforming with our current six foot wide requirement. The applicant is seeking relief from this measure. The property is subject to the Phase II storm water program and the developer will have to pay special attention to the design during the construction plan phase. This project does not warrant a traffic analysis. The project is designed to minimize curb cuts and the homes are proposed to be full-brick with variations in design. The applicant's team has held two neighborhood meetings; the first did not comply with the Planning Department's process, but the second was well attended and many

neighbors expressed their opinions and interest. Director DeHart stated that staff is of the opinion that the proposal is a reasonable request, consistent with the Comprehensive Land Use Plan as conditioned, and recommends approval to City Council.

Vice Chair Beth Lloyd introduced Applicant Andy Pressley of BowerTraust. Pressley stated that the second neighborhood meeting was well attended and the general feedback from those in attendance was favorable. Pressley feels that this is the best development for this property.

Walter Dixon asked for clarification in regards to the landscaping along the streets. Director DeHart explained that the sidewalk will be located farther away from the street and the existing utility poles will remain in place. Patricia Franks asked how many lots would be lost if the lot sizes met the minimum. Director DeHart explained all lots, except lots 1 through 4, exceed the minimum lot width; however, they would probably lose one. David Baker asked if the proposed utilities are feasible, to which Director DeHart responded that all projects are reviewed by our utility department for utility feasibility prior to being presented the Board. The design of the utility takes place at the construction plan phase.

Marilyn Berwind, 5 Oak Street, expressed her concerns with drainage, storm water, and traffic as a result of this project. There are 10 school busses that use Oak Street and she is concerned that these busses and other traffic will not be able to use this road during construction. Berwind also expressed concerns about the utility poles on the property that have been hit by cars recently.

Applicant Frank Craig, Engineer for the development, explained that the runoff from the property drains to a storm water detention system and stated that the construction site will have fencing for safety.

Vice Chair Beth Lloyd opened questions and comments from the Board. Jim Hefferan stated that he feels this project is reasonable and will improve the area. Jim Hefferan moved to approve ZA 2017.02 subject to conditions. David Baker seconded this motion and there was a 6 to 1 vote in favor with Patricia Franks voting in the negative.

Jim Hefferan moved that the Belmont Planning and Zoning Board find the request to be consistent with the Belmont Comprehensive Land Use Plan and all other adopted plans for the City of Belmont. Andrew Miller seconded, and the motion was approved with a 6 to 1 vote, Patricia Franks voting in the negative.

ZA2017.03 – Starbucks Rezone: a request to establish a Highway Commercial Conditional Zoning District (HC/CD) on a five acre parcel currently zoned Highway Commercial (HC) to accommodate a drive-through window proposed on the west side of the building facing Park Street. Applicant: Kenneth Orndorff; Property Owner: HK Belmont, LLC; Location: 602 Park Street; Parcel ID# 204982.

Director DeHart presented the Zoning Map Amendment ZA 2017.03. The existing zoning for this project is Highway Commercial (H-C) and the request is to establish this as a conditional district to allow flexibility for the drive-through window to be adjacent to Park Street. Director DeHart presented an overview of the property and the location of the proposed Starbucks along with the proposed parking and landscaping. The Land Development Code states that drive-through facilities can be located only on the rear or side of a building and that the front of the building is considered the side that faces the street. This site also has an existing Duke Energy right-of-way that limits the placement of the building. The builder is proposing an enhanced drive-through on the front of the building with a landscaped pergola. The applicant held a neighborhood meeting and there was no one in attendance for this meeting. Staff recommends the drive-

through window be screened by a pergola adding brick to the proposed post sleeves and landscaping. Staff believes this proposal is consistent with the Belmont Comprehensive Land Use Plan.

Jim Hefferan expressed concerns about the project creating additional left-turning traffic using the lane intended for interstate traffic. Director DeHart explained that the morning traffic will be entering and exiting as a right-in and right-out movement. The Board expressed concerns about the safety of the pergola and the ability for drivers to exit the vehicle and queue line if needed. Director DeHart explained that there is no space available for exiting the queue line but additional space within the pergola will be considered for safety.

Vice Chair Beth Lloyd opened the public comment portion of the meeting. Applicant Ken Orndorff addressed the Board to summarize the island structure and traffic pattern proposed for this property. The drive-through is a 10-foot-wide lane that allows for vehicle doors to be opened. Orndorff also stated that they can be flexible with the pergola as requested by the Board.

Andrew Miller expressed his concerns about the visibility of cars in the drive-through. Orndorff explained that he has studied several drive-through lines on Park Street and various locations. He believes that this project limits the visibility of the drive-through lane while achieving a more attractive look than existing drive-through lanes in the area. Orndorff explained that the drive-through lane is at a higher elevation than those on Park Street and that landscaping will also be in place to screen the drive-through.

Vice Chair Beth Lloyd closed the public comment portion of the meeting and the Board discussed processes and findings. Andrew Miller stated that he believes the proposed building is attractive and a good use of the parcel. Walter Dixon asked if the screening is compliant with the Land Development Code. The Board suggested a condition of approval to include a landscape plan that further screens the drive-through. A landscape plan will be submitted to the Planning Department for further review.

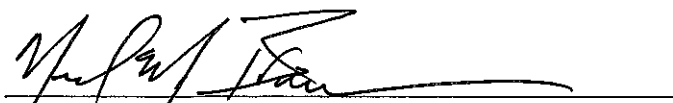
Vice Chair Beth Lloyd entertained a motion and Andrew Miller moved to recommend approval of ZA2017.03 with conditions to City Council. This motion was seconded by David Baker with a unanimous vote in favor.

Jim Hefferan moved that the Belmont Planning and Zoning Board find the request to be consistent with the Belmont Comprehensive Land Use Plan and all other adopted plans for the City of Belmont. This motion was seconded by Patricia Franks with a unanimous vote in favor.

Other business: Director Dehart asked if the Board would like to move forward with the Chair and Vice Chair elections for the Planning and Zoning Board or postpone until all members of the Board are present. Vice Chair Beth Lloyd entertained a motion and the Board reached a consensus to postpone elections until the next meeting on 18 January, 2018.

Having no other business, Vice Chair Beth Lloyd entertained a motion to adjourn at 8:15 pm. Walter Dixon moved to adjourn, Allison Cottingham seconded this motion, with a unanimous vote in favor.

Adopted this 18th day of January, 2018


Neil Brennan, Chairman