

Mount Jackson
Planning Commission Meeting
November 2, 2020

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Regular Meeting

Chairman Larry Ambrose called the meeting to order at 7:00 PM in the council chamber at 5901 Main Street. The following were in attendance; Commissioners Anita Miller, and Jim Hines. Commissioners Dennis Andrick and Evelyn Burner attended electronically through Zoom.

Also present Neil Showalter, Town Manager; Debbie Stover, Town Clerk; and Donnie Pifer, Mayor. Darla Orr, the Town's zoning consultant from The Berkley Group attended electronically through Zoom. Dave Moore from Cornerstone Technology was present to video record the meeting.

Agenda Additions/Deletions/Changes: None

Introduction of Guests: None

Hear from Visitors: None

Approval of the Previous Meeting Minutes – Commissioner Miller MOVED, seconded by Commissioner Burner to APPROVE the Minutes of October 5, 2020 Regular Meeting and Joint Public Hearing.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Commissioner Andrick			
Commissioner Miller			
Commissioner Burner			
Commissioner Hines			
Commissioner Ambrose			
5 AYES, motion carried			

Old Business: None

New Business:

1. Special Use Permit Application (SUP 20-06) – French Brothers, LLC and Boddie-Noell Enterprises, Inc. – Hardees Restaurant Sign. Introduce/Set for Public Hearing December 7, 2020 at 7:00 PM.

Darla Orr stated the applicant is requesting a special use permit (SUP 20-06) relative to their proposed free standing sign, located on the 1.04 acre parcel known as 5412 Main Street, which is the same location the Commission and Council considered in October under special use permit (SUP 20-05). Ms. Orr stated at the conclusion of the joint public hearing in October, the Planning Commission recommended approval of the sign package to the Council. The Council approved an exception to permit two wall mounted signs, one on the building facing Main Street and one facing the shopping center entrance road, at 20 feet in height, which is five feet taller than the 15 feet allowance. Mr. Orr stated Council did not support two components of the request; 1) that would increase the total sign area along the shopping center entrance road from the 100 square feet allowance in the ordinance to 189.5 square feet, and, 2) to increase the area and height of the free standing sign from the current allowance of 25 square feet and 20 feet tall, to the proposed 164.5 square feet and 30 feet tall. Mr. Orr stated page 3 of the staff report includes a chart which provides an overview comparison of the previous ordinance, the current ordinance, and the proposal. The previous ordinance had no limitation on the total sign area, and allowed 100 square feet per side and 30 feet tall on a free standing sign. The current ordinance allows a total sign area of 100 square feet, and 25 square feet per side and 20 feet tall for a free standing sign.

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The current proposal is 149.5 square feet total sign area along the shopping center entrance road, and a free standing sign of 124.5 square feet and 30 feet tall. Ms. Orr stated the Town's zoning ordinance allows special use permits when considering larger signs, and Commissioners should consider the appropriateness of the request and whether there is an unnecessary hardship for the applicant, as well as insuring approval would not create a departure to the standards without compromising their intent. The applicants have offered, for their justification, that they are competing with other food service businesses located between this property and I-81, and interstate customers are important to their business model.

Commissioner Andrick MOVED, seconded by Commissioner Burner to APPROVE the introduction and to set a public hearing for Special Use Permit Application (SUP 20-06) for December 7 at 7:00 PM.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Commissioner Andrick			
Commissioner Miller			
Commissioner Burner			
Commissioner Hines			
Commissioner Ambrose			
5 AYES, motion carried			

Board of Zoning Appeals Report: None

Town Council Items – Mr. Andrick: None

Zoning Administrator Report – October 2020 - Mr. Showalter:

Mr. Showalter referred to the Zoning Administrator report in the commissioner packets, and pointed out staff will be scheduling a Board of Zoning Appeals meeting with Bowman Andros approximately December 9 or 10, to hear their request for variance to allow two 72 feet tall silos, in which they will store sugar, at the manufacturing site they are currently building.

Board Members' Items: None

Commissioner Miller made a motion, seconded by Commissioner Andrick to adjourn the meeting at 7:11 PM.

Submitted by:

Debbie Stover
Town Clerk