

Mount Jackson
Planning Commission Meeting

December 7, 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. Roll call was taken with Commissioners Anita Miller and Jim Hines in attendance. Commissioners Dennis Andrick and Evelyn Burner attended electronically through Zoom.

Mayor Donnie Pifer called the council meeting to order at 7:01 PM with Councilmember Roger Rudy present. Councilmembers Rod Shepherd, Bonnie Good, Dennis Andrick, Judy Fultz, and Whitney Miller attended electronically through Zoom.

Also present Neil Showalter, Town Manager; Debbie Stover, Town Clerk; Reggie Barnacascel with Boddie-Noell Enterprises, and Billy French representing French Brothers LLC. 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.

Visitors were Bill Holtzman and Andrew Thayer.

Joint Public Hearing

Special Use Permit Application (SUP 20-06) – French Brothers, LLC and Boddie-Noell Enterprises, Inc. – Hardees Restaurant Sign.

Mr. Barnacascel stated Boddie-Noell has made modifications to the free standing sign, reducing it in size. He stated their branding and signage consultants feel the original larger sign is best, but this modification will be feasible.

Chairman Ambrose asked for the height and width of the free standing sign. Mr. Barnacascel stated the width is 17 feet 3.5 inches, and the height is 7 feet 4.25 inches.

Mr. Showalter stated one minor change was made to the application after it was introduced last month, which is the back of the free standing sign will be black, with no illumination or graphics.

Visitor Bill Holtzman stated he feels it is important the Planning Commission and Council approve Hardees plans, as the process has taken over a year. He stated Mount Jackson should be welcoming new businesses, and he came tonight to speak in favor of it.

Visitor Andrew Thayer stated he grew up in Avondale Acres, the neighborhood beside the Hardees site, and his mom has lived there for 40+ years. He stated he is neither for nor against it, but would like more information. Upon entering the Food Lion shopping center, there are street lampposts of the same height, until you reach the parking lot where the lampposts get taller. He asked how tall the Hardees sign will be relative to those lampposts. Mr. Barnacascel stated the proposed sign height is 30 feet tall, and presented a picture showing the perspective of the Hardees sign compared to the traffic signal. Mr. Thayer stated it appears the Hardees sign will be approximately the same height as the lampposts beginning at the entrance road.

Mr. Thayer also asked what type of border will divide Hardees from the subdivision to keep people from crossing over, because now there is only a small fence and trees. Mr. Barnacascel stated Mr. French would need to address that because there is a parcel between Hardees and the residential neighborhood, but that Hardees would landscape along their restaurant boundary edges only.

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Mr. Showalter stated the Town has an approved site plan showing the layout for Hardees, and he could make a copy for Mr. Thayer. Mr. French stated the parcel Hardees is building on, which abuts Avondale Acres, is approximately 9 acres, but Hardees is only developing a small portion of that parcel, approximately 1.3 acres. Mr. French stated there is a sewer line to tie into, so some construction will be done, but there will be no changes on the remaining acreage regarding boundary upgrades at this time, until such point someone would want to lease another parcel.

With no further public comments, Chairman Ambrose closed the joint public hearing.

Mayor Donnie Pifer called for adjournment of the Town Council; motion was made by Councilmember Rudy, seconded by Councilmember Fultz, and adjourned at 8:10 PM.

Mr. Showalter reminded the Town Council of the opportunity to review the staff report tomorrow at their regular meeting.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Fultz			
Councilmember Miller			
Councilmember Andrick			
Councilmember Shepherd			
Councilmember Rudy			
Councilmember Good			
6 AYES, motion carried			

Agenda Additions/Deletions/Changes: None

Introduction of Guests: None

Hear from Visitors: None

Approval of the Previous Meeting Minutes – Commissioner Burner MOVED, seconded by Commissioner Miller to APPROVE the Minutes of November 2, 2020 Regular Meeting.

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:

Consider the following for recommendation to the Town Council:

1. Special Use Permit Application (SUP 20-06) – French Brothers, LLC and Boddie-Noell Enterprises, Inc. – Hardees Restaurant Sign.

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Darla Orr stated in October the applicant proposed a total sign package, which included wall mounted signs, order boards, and a free standing sign. The Commission recommended approval of the total sign package to Council, but Council had concerns regarding the free standing sign so did not approve that condition for SUP 20-05. The applicant revised the free standing sign in SUP 20-06, and the table on page 3 of the staff report shows an overview. Ms. Orr stated part of the discussion is what the ordinance allowed at the time Hardees began the zoning process, prior to June 2020. The previous ordinance had no limit to the total sign area, and for the free standing identification sign the allowance was 100 square feet per side and 30 feet tall. The current allowance is 100 square feet on the entrance road, and 25 square feet per side and 20 feet tall for the free standing sign. The applicant's current proposal is for 149.5 total square feet signage area along the shopping center entrance road, and 124.75 square feet and 30 feet tall for the free standing sign. Ms. Orr stated the applicant feels they are in a unique situation in that the property has a lower elevation than other food service properties they will compete with, and, their original proposal was prior to the new zoning ordinance adopted in June 2020. Ms. Orr stated staff recommends approval, given the unique circumstances, and if the Commission would recommend approval, the suggested conditions are; 1A) a 49.75 square feet exception to the permitted 100 square feet of total sign area permitted along the entrance road to the shopping center; 1B) a 10 feet exception to the 20 feet height limitation for the free standing sign; and 2) the free standing sign is to be designed exactly as shown in the attachment of the SUP application.

Commissioner Burner MOVED, seconded by Commissioner Miller to APPROVE the recommendation to the Town Council of Special Use Permit Application (SUP 20-06), including the conditions above – French Brothers, LLC and Boddie-Noell Enterprises, Inc. – Hardees Restaurant Sign.

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			

New Business: None

Board of Zoning Appeals Report: Mr. Showalter stated the BZA will meet and have a public hearing on Monday, December 14 at 7 PM, to consider a variance request by Bowman Andros Products, relating to two towers to hold sugar for their new manufacturing processing plant.

Town Council Items – Mr. Andrick: None

Zoning Administrator Report - Mr. Showalter: None

Board Members' Items: None

Commissioner Miller made a motion to adjourn the meeting at 7:27 PM.

Submitted by:

Debbie Stover, Town Clerk