

**Fairview Planning and Zoning Meeting**  
**July 20, 2010**  
**6:30 p.m.**

The following members were present, constituting a quorum: Chairman, Phil Thomas, Vice Chairman, Jesse Hargett, Patricia Kindley, Nancy Randall, Pattie Freeman and John Crowell

Staff Attending: Land Use Administrator, Ed Humphries

Chairman Thomas opened the meeting.

**Approval of Previous Minutes**

The June 15, 2010 minutes were not presented, but will be on the agenda August 17, 2010.

**Public Comments:** None

**Committee Reports:** None

**New Business**

The Board reviewed a request from B.C. Nance, LLC to rezone parcel #08120027A from RA-40 to L-1. Ed Humphries explained that Mr. Nance wanted to relocate his business (presently on Brent Haigler Road) to this new location – 7616 Unionville-Brief Road).

The subject property is located on both sides of Unionville-Brief Road in three (3) tracts. The part of this property being purchased by Mr. Nance is the two (2) tracts on the east side of Unionville-Brief Road and between Unionville-Brief and Old Ferry Roads. Humphries indicated that these two tracts are the ones to be rezoned. Mr. Nance is acting as agent for the owners and plans to purchase if rezoning is approved.

Patti Freeman stated she had a concern about the increased traffic on either Unionville-Brief or Old Ferry due to the site – distances on Highway 218. She lives on Old Ferry and indicated how difficult it was to see on-coming traffic (Unionville-Brief if you are looking east and Old Ferry if you look west). Mr. Nance indicated that he might have 30 or 40 vehicles visit the property on an average (daily during busy season). The driveway is planned to be on Unionville-Brief. Mr. Nance agreed with Ms. Freeman and indicated he would investigate all other options.

Humphries reminded everyone that this was a rezoning and everyone should have reviewed all uses permitted in L-1.

A motion was made by Jesse Hargett to recommend the Permit #RZ.01.10 (RA-40 to L-1) on the request part of Parcel #08120027A and add this statement with the motion:

The proposed zoning amendment under consideration **is** found to be reasonable and consistent with the recommendations of the Town's adopted comprehensive plan, the Town of Fairview Land Use Plan (adopted April 18, 2005) and the Town of Fairview Land use Ordinance (effective July 1, 2005).

The motion was seconded by John Crowell. Members Thomas, Hargett, Crowell, Kindley and Randall voted yes. Pattie Freeman voted no.

A proposed text change was considered for parking requirements. After discussion, it was recommended by Ed Humphries to leave the Parking Requirements section as is.

Jesse Hargett made a motion to add the following section to the Parking Requirements:

**Section 303: Parking Lots shall be placed behind buildings**

Parking lots shall be placed behind buildings; side of the building parking will be permitted only as indicated by Building type and shall be measured along the build-to line. Off-street parking is not permitted in front of the primary building façade, except where specified in an adopted street section, detailed as a public plaza, or associated with a golf clubhouse and located a minimum of 800 feet from designated thoroughfare(s).

The proposed zoning amendment under consideration is found to be reasonable and consistent with the recommendations of the Town's adopted comprehensive plan, the Town of Fairview Land Use Plan (adopted April 18, 2005) and the Town of Fairview Land use Ordinance (effective July 1, 2005).

Nancy Randall seconded the motion. Members Thomas, Crowell, Hargett, Freeman, Kindley and Randall voted yes.

Ed Humphries stated that he had been asked to request the Planning Board to review the adopted **Future Land Use Plan** and recommend any changes that they might see as necessary.

During the discussion, the Board came up with several suggestions:

- enlarging the office/commercial areas around the intersection of Highway 601/218
- enlarging the office/commercial area around the intersection of Brief and Highway 601
- add an office/commercial area around the intersection of Old Dutch and Highway 601 (not to include area north of Old Dutch)

Ed Humphries also asked that the Planning Board review the **definition of "Special Events" and the issue of Temporary Use Permits**. The following suggestions were made:

- Council may want to consider using a format like the example received from Durham. The requirement in Durham is if any one of three of the following happen, a permit is needed:
  - causes any disruption to traffic

- has vendors selling products and/or
- has amplified sound

The Board also recommended that the requirement to have a Public Hearing be removed from the ordinance. The Land Use Administrator would issue a permit with Council approval.

Having no other business, Nancy Randall made a motion to adjourn the meeting. The motion was seconded by Jesse Hargett

Respectfully submitted,

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Ed Humphries  
Land Use Administrator

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Phil Thomas  
Chairman

**Adopted this 17 day of Aug, 2010 as Amended**