

**Minutes
Newton Planning Commission
July 30, 2013**

The regular meeting of the Newton Planning Commission was held at 7:00 p.m. on July 30, 2013 in the Council Chambers at City Hall.

Members

Present: Ken Simmons, Chairman
Stan Gabriel
Jim Granny
Donny Setzer
Melinda Travis
Mark Stalnaker

Members

Absent: Jim Smith

Staff Present:

Sean Hovis, Assistant City Manager/Planning Director
Alex Fulbright, Assistant Planning Director

Item 1: Call to Order

Chairman Simmons called the meeting to order at 7:00 pm.

Item 2: Consideration of Minutes of the June 25, 2013 Meeting

Chairman Simmons asked for consideration of the minutes of the June 25, 2013 meeting.

Chairman Simmons ruled that the minutes approved as presented.

Item 3: Public Hearing

- a) Rezoning Application #2013-02 as filed by **City of Newton Planning Department**; the Applicant is seeking to establish zoning on 2.228 acres located at 1630 South Fork Drive, also known as Catawba County Pin #3619-15-54-8316. The proposed change is from an existing County 321-Economic Development District-Industrial (321-ED(I)) Zoning Classification and County R-20 Residential District to City of Newton 321-Economic Development District-Industrial (321-ED(I)) Zoning Classification.

Chairman Simmons opened the public hearing and recognized Assistant Planning Director Alex Fulbright who reviewed his memo dated July 30, 2013 highlighting the following:

The City of Newton Planning Department has submitted an application to establish zoning on 2.23 acres on behalf of United Franchise Group, Sign*A*Rama, Inc. The subject site is located at 1630 South Fork Drive, also known as a portion of Catawba

County Pin #3619-15-54-8316. The proposed change is from an existing County 321-Economic Development District-Industrial (321-ED(I)) Zoning Classification and County R-20 Residential District to City of Newton 321-Economic Development District-Industrial (321-ED(I)) Zoning Classification. The application is a result of a recent voluntary annexation that extended beyond the City's planning jurisdiction.

The area requested to be rezoned is currently 321-Economic Development District-Industrial (321-ED(I)) Zoning Classification and has been since 1996, when the US 321 Corridor Plan was adopted by the Catawba County Board of Commissioners and it was recently updated in 2011. This Plan represents formal policy statements by Catawba County concerning land use and land development within the Corridor. The 321-Economic Development District (321-ED) is designed to implement these policy statements and achieve the desired goals for the 321 Corridor. This Plan was The subject site is part of a voluntary annexation that will be effective July 1, 2013 and the City has to establish zoning on the portion property that was outside the City's Planning jurisdiction.

The current land use surround the site is a mix of vacant land and agriculture uses. The zoning is 321-ED(I) and R-20. The subject site is not impacted by any plan transportation improvements. City water, sewer, and electric are available to the site.

The City has no adopted plans that address the site; however, the City was an active participant in the process that created the US 321 Corridor Plan as well as the update of the Plan in 2011. The plan supports the proposal, which is reflective of the existing County zoning.

Chairmen Simmons asked if anyone else desired to speak on the matter, being none he closed the public hearing.

After general discussion, there was a motion made by **Mr. Setzer**, seconded by **Mr. Granny**, unanimously recommending that the application be sent to City Council for approval.

- b) Rezoning Application #2013-03 as filed by City of Newton Planning Department; the Applicant is seeking to establish zoning on 2.07 acres located at 1901 E 20th St, 804 E 19th St, 634 E 19th St, and 708 E 19th St; also known as Catawba County Pin numbers 3741-18-41-4075, 3741-18-40-4886, 3741-18-40-3728, and 3741-18-40-2762. The proposed change is from an existing EM-1 Exclusive Manufacturing District to R-9 Multifamily Residential District.

Chairman Simmons **Chairman Simmons** opened the public hearing and recognized Assistant Planning Director Alex Fulbright who reviewed his memo dated July 30, 2013 highlighting the following:

The Newton Planning Commission has initiated a rezoning request for 4 contiguous parcels for a total of 2.07 acres located at 1901 E 20th St, 804 E 19th St, 634 E 19th St, and 708 E 19th St; also known as Catawba County Pin numbers 3741-18-41-4075, 3741-18-40-4886, 3741-18-40-3728,

and 3741-18-40-2762. The proposed change is from an existing EM-1 Exclusive Manufacturing District to R-9 Multifamily Residential District.

This request came to the attention of City Council as several property owners have voiced concerns about the ability to rebuild their homes in the event that they are destroyed by fire or other catastrophic events; which EM-1 zoning would not allow. Attached are maps of the existing zoning in the area. In addition to the concerns about the ability to rebuild, the request implements goals of the Core Area Plan, adopted by City Council on February 15, 2011. The Planning Commission held a public information meeting on Public Meeting with the property owners within the affected area on May 28, 2013. Based on the property owners concerns and issues, a proposal was drafted and presented at a public hearing held on July 30, 2013. The proposed request is consistent with the 2011 Core Area Plan.

Judy Fisher of 1901 E 20th Street spoke in favor of the request.

Chairmen Simmons asked if anyone else desired to speak on the matter, being none he closed the public hearing.

After general discussion, there was a motion made by **Mr. Granny**, seconded by **Mr. Gabriel**, unanimously recommending that the application be sent to City Council for approval.

Item 4: New Business

There was no new business

Item 5: Monthly Reports

Chairman Simmons recognized **Mr. Fulbright**, who reviewed the monthly reports

Item 6: Adjournment

With no further business, the meeting was adjourned.

Respectfully submitted,



Alex Fulbright, AICP
Recording Secretary