

MINUTES OF MEETING OF MAYOR AND CITY COUNCIL HELD
NOVEMBER 2, 2015

WORK SESSION

The Mayor and Council of the City of Goldsboro, North Carolina, met in a Work Session in the Large Conference Room, City Hall Addition, 200 North Center Street, at 6:00 p.m. on November 2, 2015 with attendance as follows:

Present: Mayor Alfonzo King, Presiding
Mayor Pro Tem Chuck Allen
Councilmember Michael Headen (arrived at 6:11 p.m.)
Councilmember Bill Broadaway
Councilmember William Goodman
Councilmember Charles J. Williams, Sr.
Councilmember Gene Aycock
Jim Womble, City Attorney
Scott Stevens, City Manager
Melissa Corser, City Clerk
Kim Best, Public & Government Affairs Director
Randy Guthrie, Assistant City Manager
Jimmy Rowe, Planning Director
Kaye Scott, Finance Director
Mike West, Interim Police Chief
Marty Anderson, City Engineer
Jennifer Collins, Assistant Planning Director
Felicia Brown, Parks & Recreation
Jose Martinez, Public Works Director
Scott Williams, IT Director
Ethan Smith, Goldsboro News-Argus
David Ham, Citizen
Herbert O. Herbst, Chef Herbs Bistro
Lonnie Casey, Citizen
Glenn Barwick, Citizen
Antonio Williams, Citizen (arrived at 6:22 p.m.)
Yvonnia Moore, Citizen (arrived at 6:22 p.m.)

Call to Order. The meeting was called to order by Mayor King at 6:00 p.m.

Invocation. Councilmember Williams provided the invocation.

Business Incentive Grant. Mr. Stevens stated we had talked about the idea of \$20,000 for loans to downtown merchants. In talking with the School of Government, we cannot just do that. We cannot loan money just to loan money because we are not a financial institution. You can loan money for economic development purposes. He stated it would need to have criteria and would likely be similar to our Business Incentive Program.

Mayor Pro Tem Allen stated he believed there is a need and suggested maybe (7) \$3,000 loans for a period of two years. Mr. Stevens cautioned Council could be setting a precedent. Mr. Stevens stated staff would bring back a list of criteria and the program would likely be mirrored after the Business Incentive Program.

Cover Agenda. Each item on the cover agenda was generally discussed. Items with additional comments included the following:

Item A. 2015 Bituminous Concrete Resurfacing B.R. #2015-005 – Change Order No. 2. Mayor Pro Tem Allen asked if the money would come from the utility fund and Mr. Anderson replied yes.

The meeting was called to order by Mayor King at 7:00 p.m.

The invocation was given by Councilmember Williams.

Public Comment Period. Mayor King opened the public comment period. The following people spoke:

1. Christopher Howell, 8001 Goldenrod Drive, Greensboro, NC stated on October 19th he spoke out against the rezoning of the William Howell property on the east side of Salem Church Road. He stated he stands here again in that same position and wanted to emphasize the OJ Howell Jr. Family is the single family that stands to lose the most. He stated he understands there have been other residents in support of their opposition but they don't stand to lose as much as the OJ Howell Jr. family. He stated he is trying to protect his mother's estate and is counting on you as members of the Council to help us protect the value of that property. OJ Howell Jr. led a charge years ago to have the property annexed into the City. He stood fast with that. If that opportunity should ever present itself again, it would fulfill a dream my father and mother had, which to begin with was to develop Canterbury Village and then we will cross Salem Church Road over to Stoney Hill Road area where we have woodlands that we would want to develop and ultimately some time down the road for his family, children and grandchildren, develop even some of the agricultural land which is what we own which is adjacent to said property. He stated he is asking Council to help us protect the value of their property. Thank you for your consideration and stated he would ask Council to vote no for the rezoning request.
2. Carl Martin, 801 S. Baines Place, Goldsboro stated in April of this year he applied to be added to the Parks & Recreation Committee and attended a meeting in May and was told it was a forgone conclusion that he would be added to the commission. He stated since that time he has not heard a word from the City or the Parks & Recreation Committee. He stated he called two weeks ago and when he did not get a return call he called again and was told there are lots of problems and someone was out, we will have the director call you tomorrow. Mr. Martin stated that was the middle of last week and he has yet to receive a call.

Mayor Pro Tem Allen asked who he was calling and Mr. Martin stated Parks and Recreation, the one on Ash Street. Mayor Pro Tem Allen stated you are not calling the City Manager's Office right, Mr. Martin stated no. Mayor Pro Tem Allen suggested he contact the City Manager's Office.

Mr. Martin asked that they look into the practice of good customer service and return phone calls. Council agreed.

3. Beth Trahos, 434 Fayetteville Street, Raleigh, NC, an attorney with Smith Moore Leatherwood, stated she is here tonight on behalf of Highwater Solar. We are here tonight to ask for your support in line with the Planning Commission's recommendation which states "The change to R-20 Residential would be compliant with the City's Comprehensive Land Use Plan which recommends Medium Density Residential development. The specific use as a solar facility should be compatible with surrounding development in the area if developed as shown within the approved site and landscape plan." We would like to say, solar farms are good neighbors, they are good neighbors to farms, they are good neighbors to residential developments, they are good neighbors to the myriad of uses of which this property could be put. We shared with you in a letter a copy of an impact study an appraiser did for this property indicating there would no negative impacts on adjacent property values. We think it is a good use, it is compatible with your plan. Your planning staff and planning board have recommended approval and we would

Upon the request of City staff, Barnhill Contracting Company submitted a cost estimate in connection with resurfacing of additional streets associated with the current sanitary sewer rehab projects. The approximate cost of \$270,137 submitted by Barnhill Contracting includes milling and resurfacing for sections of Walnut Street, Pineview Avenue, Oleander Avenue, Slocumb Street, Mulberry Street, Simmons Street, Pou Street, Magnolia Street, John Street, Holly Street, and Hollybrook Avenue as shown on the cost estimate.

The addition of the above street sections will require the contract completion time to be extended by sixty (60) days. The amended contract completion date for the remaining street sections is April 9, 2016.

We propose to issue a change order to Barnhill Contracting Company's current contract for bituminous concrete resurfacing. We have reviewed this change order with the Finance Director and determined that funds are available from Phase I and II Sewer Rehab Projects in Sanitary Sewer Bond Proceeds.

Staff recommended Council adopt the following entitled Resolution authorizing the City Manager to execute a change order for the amount not to exceed \$270,137 with Barnhill Contracting Company of r additional street resurfacing. Consent Agenda Approval. Broadaway/Headen (7 Ayes)

RESOLUTION NO. 2015-50 "RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER #2 WITH BARNHILL CONTRACTING COMPANY FOR BITMINOUS RESURFACING – CONTRACT #2015-005"

FY 2015-16 Budget Amendments for Police, Sanitation and Parks and Recreation. Ordinance Adopted. During the past few months, there have been several discussions with Council in regards to budget allocations for additional departmental expenditures.

There are several departments/divisions that require budget revisions for FY 2015-16.

1. Sanitation Division requested six (6) seasonal workers from November 1 – December 31, 2105 to assist with leaf season and overflow over the Christmas holiday. An appropriation of \$27,000 for funding is required.
2. Parks and Recreation discussed Pickle Ball courts at Herman Park. The cost to convert the courts is \$20,000. An appropriation of \$20,000 for funding is required.
3. At the September 8, 2015, Council authorized the lease agreement with Suntrust for the purchase of mobile and portable radios for the Police and Fire Departments at a cost of \$546,937. The first lease payment is due this fiscal year in the amount of \$95,000. Since funding was not allocated in the current budget, it is necessary to appropriate the funding for this payment.
4. The Police Department discussed several expenditures with Council that included cell phone stipends in the amount of \$20,000; physical fitness equipment for the gym totaling \$20,000; and Police parking lot paving and repairs in the amount of \$43,000.
5. The City agreed to lease three (3) art pieces for the Streetscape Project in the amount of \$6,000 along with granite base plaques totaling \$5,565. An appropriation of \$11,565 for funding is required.
6. On October 19, 2015, Council adopted a budget amendment for a KaBoom grant. The budget amendment addressed the City receiving the KaBoom portion of the grant. KaBoom will purchase and pay for the playground equipment. Since they are taking care of the purchase, the City will not need to authorize their portion of the grant playground equipment purchase. The City's matching funds in the amount of \$50,000 is still required.

Staff recommended the following entitled budget ordinance be adopted which will be decreasing the Unassigned Fund Balance of the General Fund by \$236,565. Consent Agenda Approval. Broadaway/Headen (7 Ayes)

It is recommended the City Council grant street closing on Center Street between Ash Street and Oak Street. Consent Agenda Approval. Broadaway/Headen (7 Ayes)

Informal Bid No, 2015-006 – Pat Best Athletic Field – Running Track Improvements. Approved. The City’s Community Development Block Grant Program (CDBG) allows for funding to undertake a variety of public facilities and improvement projects within low-to-moderate income areas. The request for funding to improve the running track located at the Pat Best Athletic Field adjacent to Dillard Middle School was brought before City Council on September 21, 2015 (Item Q.) At that time staff was directed to allocate CDBG funds and facilitate the bid process for improving the running track.

Four (4) sealed bids were received in the Office of the Finance Director until 10:00 a.m. on October 16, 2015 and were publicly opened at that time. The proposals submitted we as follows:

CONTRACTOR(S)	BID AMOUNT(\$)
1. Hamvis Properties, Inc. (Goldsboro, NC	\$39,500
2. Weaver Asphalt & Maint. Co., Inc. (Rocky Mount, NC)	\$28,000
3. IWC Sealcoating (Fremont, NC)	\$16,539
4. Bridgeview Contractors, Inc. (Rocky Mount, NC)	\$26,050
5. Asphalt Services of Goldsboro, LLC (Pikeville, NC)	\$15,950

**Please note that at time of bid opening, no bid documents were provided for Asphalt Services of Goldsboro, LLC. Only the Addendum IFB 2015-006 was provided; therefore, Asphalt Services of Goldsboro, LLC was disqualified in the bid process.*

Staff recommended Council accept the low and qualified bid of \$16,539.00 submitted by IWC Sealcoating of Fremont, North Carolina and authorize the City Manager and City Clerk to execute a contract to perform the specified work at the Pat Best Athletic Field. Consent Agenda Approval. Broadaway/Headen (7 Ayes)

Setting a Public Hearing – Contiguous Annexation Request – AAR Property (23.8 Acres). Public Hearing Set. The City Council at their meeting on October 19, 2015, requested that the City Clerk examine the subject annexation petition for sufficiency.

The City Clerk has completed the examination and has determined that the petition is sufficient. Sufficiency indicates that property is described accurately within 1:10,000 feet and that all property owners have signed the petition.

Pursuant to G.S. 160A-31, the Council shall fix a date for public hearing on the annexation if the petition is considered sufficient by the City Clerk.

The Notice of Public Hearing would schedule November 16, 2015 as the date for the public hearing. A report prepared by the Department of Planning and Community Development, in conjunction with other City departments, would be submitted to the Council on that date.

Staff recommended Council schedule a public hearing for the proposed annexation of the AAR Property for November 16, 2015. Consent Agenda Approval. Broadaway/Headen (7 Ayes)

Non-contiguous Annexation Petition – Triangle East Timber Company, Inc. (Eugene Raynor) (1.9 Acres). Referred to Clerk. The applicant is requesting that non-contiguous property described by metes and bounds in Item 2 of the petition be annexed to the City of Goldsboro. Maps are available showing the property proposed to be annexed.

A proposed concrete dumpster pad is shown at the rear of the building which will have to be screened in accordance with the City’s UDO.

Two areas in front of the retail building are to be planted with grass and a total of eight Autumn Fantasy Maples will be installed along the site frontage to serve as street trees. An additional 2,400 sq. ft. area to the rear of the main building will also be planted with grass adjacent to a proposed ramp. Since the project’s repair and renovations will not exceed 50% of the site’s tax value, no additional landscaping is required.

The property is located within a Special Flood Hazard Area and will be subject to the City’s floodplain requirements.

The applicant will be required to submit plans for drainage to the City’s Engineering Department for review.

At their meeting held on October 26, 2015, the Planning Commission recommended approval of the site and landscape plans with a modification to allow the northernmost driveway and display/storage areas to remain unpaved.

Staff recommended Council accept the recommendation of the Planning Commission and approve the site and landscape plans with a modification to allow the northernmost driveway and display/storage areas to remain unpaved. Consent Agenda Approval. Broadaway/Headen (7 Ayes)

Site and Landscape Plan – Earnest Waters (Childcare). Approved. The property is located on the east side of Central Heights Road between Sanborn Lane and Waters Circle. The existing building and lot had been previously operated as a child care facility, however, because the business has been closed for more than six months, the City of Goldsboro Unified Development Ordinance requires that the site meet current regulations and performance standards.

Frontage: 124.7 ft.
Depth: 170.0 ft.
Area: 20,905 sq. ft. or 0.48 acres
Zoning: Neighborhood Business

Hours of Operation: 8:00 a. m. to 6:00 p. m. (5 days per week)
No. of Employees: 3

The submitted site plan indicates a single-story, 1,048 sq. ft. vinyl-sided building with a 20 ft. wide gravel-access drive extending to Central Heights Road. The front yard, which would be utilized for parking, loading and unloading is shown to be graveled. NCDOT will not require a driveway permit since this is not considered a change of use.

The rear yard of the property is proposed for use as an outdoor play area with associated playground equipment. North Carolina licensed child care facilities are required to provide a fenced outdoor play area of at least 75 sq. ft. per child with a minimum fence height of 4 ft. The rear yard is surrounded by an existing 4 ft. high chain-linked fence and the North Carolina Department of Health and Human Services will determine the maximum number of children which can be served at this location.

Parking: Required parking for the site is based on one space per 300 sq. ft. of gross floor area, plus an unloading and loading area capable of stacking four vehicles. Based on the size of the structure a total of four (4) parking spaces will be required to include one handicap accessible space. Parking spaces in excess of three are required to be paved and striped accordingly. Applicant has requested a modification of the paving and striping requirement.

Interconnectivity: The lot is adjacent on both sides to residentially-zoned and developed property. Interconnectivity will not be required.

Staff recommended accept the recommendation of the Planning Commission and approve the two-lot final subdivision plat with a modification of the requirement that the lots have frontage on an improved, dedicated public street. Consent Agenda Approval. Broadaway/Headen (7 Ayes)

CU-10-15 Mark Khuns – Northeast Corner of Shelley Drive and Samuel Road. Approved. The applicant requests a Conditional Use Permit to allow the construction of an accessory dwelling on a corner lot with a modification to allow the structure to extend 10 ft. beyond the established building line for the primary structure.

Frontages: 119.24 ft. (on Shelley Drive)
189.64 ft. (on Samuel Road)
Area: 0.52 Acres (approx.)
Zoning: R-16 Residential

The R-16 Residential zone permits one residential unit on a lot containing 16,000 sq. ft. Accessory dwellings are only permitted with the issuance of a Conditional Use Permit by the City Council with specific conditions as follows:

1. Accessory dwellings must comply with all applicable codes and only one accessory dwelling may be permitted per lot.
2. The accessory dwelling may not exceed 40% of the square footage of the principal structure or 1,100 sq. ft. of gross floor area, whichever is less.

The principal dwelling on the site contains approximately 2,306 sq. ft. The applicant is proposing to construct a 24 ft. x 28 ft. (672 sq. ft.) building with over half (408 sq. ft.) to be utilized as a workshop and 264 sq. ft. to be utilized as a part-time residence for his father-in-law who stays in Goldsboro during the winter months. The accessory dwelling portion of the building constitutes only 10% of the gross floor area of the existing home.

3. Accessory dwellings must meet all applicable setback requirements and be located to the rear of the principal structure.

The proposed accessory building does meet the R-16 setback requirements and is located to the rear of the principal structure. However, because the property is a corner lot, in addition to the required setback distance of 32 ft., the structure must also be located behind the established building line for the primary residence.

The established building line for the primary residence is 42 ft. from the property line on the Samuel Road side of the lot, therefore, the proposed new building also cannot be located closer than 42 ft. from the property line on the Samuel Road side of the lot.

The applicant wishes to preserve as much open space in his back yard as possible by placing the new structure closer to the Samuel Road side of the lot.

A modification of the setback requirement from 42 ft. to 32 ft. will be necessary in conjunction with the Conditional Use Permit.

Samuel Road currently terminates at the applicant’s rear property line and there are no approved plans at this time to extend this right-of-way to serve vacant land to the north.

4. The exterior of the accessory dwelling shall be compatible in appearance to the principal residence.

The applicant has indicated that the building materials for the proposed new structure will be identical to the existing house which is bricked.

of the 5 ft. required buffer. Existing vegetation along the southern property line meets the landscape buffer requirements for the rear yard.

The property is served by City water and sanitary sewer lines. The amount of existing impervious area is not being disturbed, therefore stormwater detention and/or nitrogen calculations are not required for this property.

At the public hearing held on October 19, 2015, no one appeared to speak either for or against this request.

The Planning Commission at their meeting held on October 26, 2015 recommended approval of the Conditional Use Permit and submitted site plan detailing the flea market operation.

Staff recommended Council accept the recommendation of the Planning Commission and adopt an order approving a Conditional Use Permit to allow the operation of a weekend flea market and approve the submitted site plan detailing the proposed flea market operation. Consent Agenda Approval. Broadaway/Headen (7 Ayes)

CU-12-15 Kathy Moore – East side of North Herman Street between East Ash Street and East Mulberry Street. Approved. The applicant requests a Conditional Use Permit to allow the operation of a licensed massage therapy clinic.

Frontage: 43 ft.
Depth: 135.11 ft.
Area: 5,809 sq. ft., or .13 acres
Zoning: Neighborhood Business

Licensed massage therapy clinics are permitted within the Neighborhood Business zoning district with a Conditional Use Permit.

Chapter 112 of the City's Code of Ordinances regulates massage therapists and massage therapy establishments. It establishes licensing provisions which ensure that such a use includes the proper credentials and operates in a professionally-prescribed manner. The applicant has submitted proof of her membership in the American Massage Therapy Association and the staff has requested a background check of the applicant through the Police Department.

A site plan has been submitted which indicates an existing one-story 1,772 sq. ft. brick structure which previously utilized by a local medical doctor (Dr. Robert Meyer). Ingress and egress is provided through a shared driveway with an existing medical office just north of the subject site.

Based on the size of the building, a total of five parking spaces are required including one handicapped space. There is sufficient space to provide the required spaces at the rear of the lot.

Since the office has been closed for more than six months, the applicant will be required to meet Neighborhood Business performance standards relative to both setbacks and buffers.

Interconnectivity is provided to the north and south. There is not sufficient area to provide for the installation of the required 5 ft. side yard buffers along the northern and eastern property lines or to provide the required 20 ft. wide buffer along the southern property line. There is an existing Magnolia tree which will serve as the required street tree for the site.

With the existing building, a number of setback modifications will be necessary including side yard setbacks from 15 ft. to 4 ft. along the southern property line and from 15 ft. to 10 ft. along the northern property line. A modification of the front yard setback will be required from 30 ft. to 17 ft.

One existing curb cut will be retained along West Grantham Street. An existing shared curb cut on Collier Street will provide access to the rear of the site.

The submitted site plan indicates 11 proposed parking spaces (including 1 handicapped space). A total of 12 parking spaces are required for the proposed use. The applicant is requesting a modification of one parking space to accommodate for truck deliveries.

Hours of operation are being proposed from Monday thru Friday 8:00am to 5:00pm. A total of two employees will be associated with the operation. Deliveries are anticipated weekly by semi- or box trucks. Local deliveries will be shipped out by van.

The property is served by City water and sanitary sewer lines and is located within the 100-year Flood Hazard Area. Appropriate measures to waterproof or elevate the proposed building will be required.

Stormwater detention and/or nitrogen calculations are not required since less than one-half acre of land is being disturbed. Staff will work with the applicant to review and approve a drainage plan for site prior to issuance of any building permits.

Interconnectivity is provided to the west with the existing shared driveway. A modification of required interconnectivity to the east has been requested.

Interior sidewalks are provided around the building and the applicant is requesting to pay a fee in lieu of exterior sidewalk installation in the amount of \$1,920.

The submitted landscape plan indicates a Type A (5 ft.) buffer along the eastern and western property lines and will contain combinations of Oaks, Cherry trees, Privet and Carissa Hollies. The applicant is requesting a modification to reduce the length of the western buffer by approximately 81 ft. to allow for the shared driveway location.

An 8 ft. wide street yard is proposed along Collier Street and West Grantham Street. Redbuds are proposed as street trees. Vehicular Surface Buffer Shrubs (Dwarf Yaupon Hollies) will be installed along West Grantham Street.

Building elevations have been submitted and the building will be constructed of split-faced block and metal panels along the sides with the front elevation consisting of brick, insulated glass and metal panels.

The following modifications have been requested.

1. Side yard setback along the western property line from 15 ft. to 5 ft.;
2. Side yard setback along the eastern property line from 15 ft. to 8 ft.;
3. Number of total required parking spaces from 12 to 11;
4. Interconnectivity to the east; and
5. Western buffer for a distance of approximately 81 ft. in the location of the shared driveway.

At the public hearing held on October 19, 2015, no one appeared to speak either for or against this request.

The Planning Commission at their meeting on October 26, 2015 recommended approval of the zoning change with the requested modifications.

After the Planning Commission's meeting, the developer's engineer contacted staff and indicated that they wish to reduce the total parking spaces on the site from 11 to 9 in order to allow for necessary delivery vehicles.

Staff recommended Council accept the recommendation of the Planning Commission and adopt an Ordinance changing the zoning for the property from R-6 Residential to General Business Conditional District limiting the use of the property to warehouse, office and retail sales areas for chemicals and related industrial supplies with the following modifications:

tree requirement along Oak Forest Road. A 50-ft. riparian buffer exists along McLain Street therefore street trees are not required in this location.

A total of 215 trees and 1,881 shrubs are required within the Vehicular Surface Area. A total of 178 Dwarf Yaupon Hollies have been proposed within the vehicular surface area and the applicant is requesting a modification of the required trees and remaining shrubs (1,703) within that area.

The applicant has requested the following modifications associated with the landscaping requirements.

1. Modification of the requirement that rows of parking spaces exceeding 15 shall be visually divided by a parking lot landscaped island and that all parking spaces shall be located within 60 ft. of a parking lot tree.
2. Modification of landscaping along proposed bio-retention ponds.
3. Modification of the interior tree requirement (215 trees) and shrub requirement from 1,881 to 1,703.
4. Modification of the street tree requirement along Oak Forest Road.

Building elevation plans have been submitted for the Ford and Nissan dealerships which indicate that the buildings will utilize split-faced constructed masonry units with aluminum panels. The front of the buildings will include architectural aluminum panels and glass with company logos. The elevations for the Kia dealership and lighting plan for the dealerships have not been submitted however staff will work with the applicant to ensure building design standards and lighting standards are applied per the Unified Development Ordinance.

At the public hearing held on October 19, 2015, no one appeared to speak either for or against this rezoning request.

The Planning Commission, at their meeting held on October 26, 2015 recommended approval of the zoning change and the submitted development plans with the referenced modifications. They further recommended, however, that the staff work with the developer to allow for the installation of additional plant material within the first display row fronting on US 70 East and to require that the developer request an encroachment agreement with the North Carolina Department of Transportation to allow installation of low-growing plant material in traffic islands adjacent to the site on US 70 East.

Staff recommended Council accept the recommendation of the Planning Commission and:

1. Approve the zoning change from Shopping Center to General Business Conditional District; and
2. Approve the submitted development plans with the following modifications:
 - a. Modification of the requirement that rows of parking spaces exceeding 15 shall be visually divided by a parking lot landscaped island and that all parking spaces shall be located within 60 ft. of a parking lot tree.
 - b. Modification of landscaping along proposed bio-retention ponds.
 - c. Modification of the interior tree requirement (215 trees) and shrub requirement from 1,881 to 1,703.
 - d. Modification of the street tree requirement along Oak Forest Road.

The staff will work with the developer to require the installation of additional plant material within the first display row fronting on US 70 East. Further, the developer will be required to request an encroachment agreement with the North Carolina Department of Transportation to allow installation of low-growing plant material in traffic islands adjacent to the site on US 70 East.

The zoning change to General Business would be consistent with the City's Comprehensive Land Use Plan which recommends commercial development for the property. Consent Agenda Approval. Broadaway/Headen (7 Ayes)

Facility). Denied. The property is located on the east side of Salem Church Road between Belfast Road and Stoney Hill Road. The Wayne County Tax Identification No. is 3601-05-9480 (portion). The property has a frontage of approximately 50 ft., an approximate depth of 2,255 ft. and a total area of approximately 14.0 acres. The present zoning classification is R-40 Residential. The proposed zoning classification is R-20A Residential Conditional District to allow the development of a solar farm facility with site and landscape plans approved separately.

The property is currently vacant farmland.

If rezoned to R-20A Conditional District, the use for the property would be limited to a solar facility and development plans detailing the use would be required.

The City's Comprehensive Land Use Plan designates this property for Medium Density Residential development.

City water and sewer is not available to this property which is not located within a Special Flood Hazard Area.

The submitted site plan indicates a 20 ft. wide compacted soil access drive extending from an existing curb cut on Salem Church Road and extending easterly a distance of approximately 1,380 ft. through a gated entrance and ending at an area designated as a turnaround.

The solar panels will be installed within an area to be surrounded by a 6 ft. tall chain link fence with barbed wire. The site plan indicates that applicant will install a Type C (20 ft. wide) planted buffer along the northern and a portion of the southern property lines which will contain a combination of small trees and large and small evergreen shrubs.

Property around the site on the south and west was recently timbered and, therefore, no buffers exist in those locations. In accordance with the City's UDO relative to tree preservation requirements:

"Properties that are cleared within two years prior to site plan approval by the City will be required to replant removed landscaping with double the required number of trees and shrubs. Replacement trees shall be a minimum of four (4) inches in caliper at the time of planting."

As a result, the applicant's site plan will need to be revised to indicate a 20 ft. wide buffer containing twice the required plantings and larger replacement trees wherever tree lines previously existing have been removed.

The developer contends that it has been more than two years since the trees were removed, however, they have submitted a revised plan which shows a 30 ft. wide buffer along the northern, southern, and western property lines containing evergreen shrubs and trees having a caliber of three (3) inches.

At the public hearing held on October 19, 2015 one person spoke in favor of the request and two people spoke in opposition.

The Planning Commission at their meeting held on October 26, 2015, recommended approval of the change of zone request and the revised site and landscape plans.

Councilmember Aycock moved to deny the change of zone request from R-40 to R-20A Conditional District. The motion was seconded by Councilmember Headen. Mayor King, Mayor Pro Tem Allen, Councilmember Broadaway, Councilmember Headen, Councilmember Williams and Councilmember Aycock voted in favor of the motion. Councilmember Goodman voted against the motion. Mayor King declared the motion carried 6:1.

City Manager's Report. Mr. Stevens stated he appreciated those who put the streetscape dedication together and thank those who attended the event this evening. The

Councilmember Broadaway stated Mayor Pro Tem Allen congratulated the citizens and he would like to congratulate the merchants for coming with us through a hard time. He stated he would also like to encourage everyone to vote tomorrow. Councilmember Broadaway stated he would also like to encourage everyone to come out and show support for the veterans on Veterans Day. He shared November 10th is the Marine Corps Birthday, they will be celebrating at the Flying Shamrock.

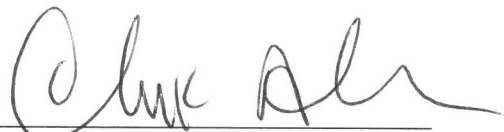
Councilmember Goodman stated he would like to also encourage everyone to get out and vote tomorrow. It is a right many people fought for and our youth should take advantage of that. Vote for the candidate of your choice. Thank you.

Councilmember Williams stated he really appreciated being invited to bring greetings on behalf of Council at the NAACP event. He stated he firmly believes in the divine intervention of God into the NAACP and also in this election. He stated he believes whatever his will is will be done. God never makes a mistake. Councilmember Williams encouraged everyone to vote for who they want to vote for. Thank you.

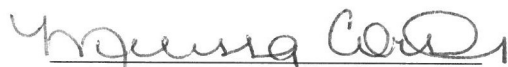
Councilmember Aycock stated to follow up on voting, he had a young lady come up to him last week who shared she had just turned 18 and looked forward to voting in the upcoming elections. He stated he hopes everyone will follow that young lady's enthusiasm and vote.

Mayor King stated he too would like to encourage everyone to get out and vote. Vote for the person of your choice who you believe will serve you best. He also congratulated and thanked business owners' downtown. They have been motivated, encouraged, and he is so proud. He stated they are now beginning to reap the harvest. He also thanked everyone who supported streetscape.

There being no further business, the meeting adjourned at 7:33 p.m.



Chuck Allen
Mayor



Melissa Corser, CMC
City Clerk