

**JACKSONVILLE PLANNING ADVISORY BOARD  
REGULAR MEETING AGENDA  
November 14, 2016 6:00 P.M.**

**COUNCIL CHAMBERS  
JACKSONVILLE CITY HALL**

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. INVOCATION**
- IV. APPROVAL OF THE AGENDA**
- V. REVIEW & APPROVAL OF THE MINUTES**
  - Regular Meeting – October 10, 2016
- VI. CITY COUNCIL UPDATE – Councilman Robert Warden**
- VII. OLD BUSINESS - None**
- VIII. NEW BUSINESS**
  - A. Type III Site Plan with approved Special Use Permit – Sturgeon City Civic and Environmental Education Center – 50 Court Street Building 100
- IX. REPORTS**
  - A. Planning & Permitting Administrator
  - B. Development Services Director
- X. ADJOURNMENT**



**JACKSONVILLE PLANNING ADVISORY BOARD  
REGULAR MEETING AGENDA  
October 10, 2016, 6:00 p.m.**

**COUNCIL CHAMBERS  
JACKSONVILLE CITY HALL**

Present: Homer Spring, Al Keyes, Doug Lesan, Theresa VanderVere, Thomasine Moore, Jim Dorn, Suzanne Nelson, and Albert Burgess.

Others Present: Bob Warden, Reginald Goodson, Ryan King, Jeremy Smith, and Pam Ramsey.

I. [CALL TO ORDER](#)

The regularly scheduled Jacksonville Planning Advisory Board meeting was called to order by Chairman Doug Lesan at 6:00 pm on Monday, October 10, 2016 in Council Chambers at Jacksonville City Hall.

II. [PLEDGE OF ALLEGIANCE](#)

Homer Spring led the Board in reciting the Pledge of Allegiance.

III. [INVOCATION](#)

Al Keyes gave the invocation.

IV. [APPROVAL OF THE AGENDA](#)

**Homer Spring moved to approve the agenda with moving Item C under New Business up and the other two Items down. Theresa VanderVere seconded the motion.**

**The motion to approve the agenda with moving Item C under New Business up and the other two Items down was unanimously approved by the Board Members present.**

V. [REVIEW & APPROVAL OF THE MINUTES](#)  
[Regular Meeting - September 12, 2016](#)

**Homer Spring moved to approve the minutes as presented. Al Keyes seconded the motion.**

**The motion to approve the minutes as presented was unanimously approved by the Board Members present.**

VI. [CITY COUNCIL UPDATE – Councilman Robert Warden](#)

Councilman Warden gave a report.

VII. [OLD BUSINESS - None](#)

There was no old business.

VIII. [NEW BUSINESS](#)

A. [UDO Text Amendment -Article 5: Development Standards, Section 5.12 Signage, M: Billboards, Section 7.6 Nonconforming Signs and Billboards and Article 9.3 Definitions](#)

Fairway Outdoor Advertising and Lamar Advertising are requesting a Unified Development Ordinance (UDO) text amendment that would establish provisions to allow up to 10% of all existing billboard faces to be converted to changeable copies (LED faces) provided certain provisions are met. In early 2016, staff recognized that a recent court case would permit changeable copy billboards based on the language of the UDO at that time.

In March 2016, Staff drafted ordinance language which was adopted by City Council specifically prohibiting changeable copy billboards. This was followed by a series of new meetings with representatives from the outdoor advertising industry. As a result, Fairway Outdoor Advertising and Lamar Advertising are now requesting a Unified Development Ordinance (UDO) text amendment that would establish provisions to allow up to 10% of all existing billboard faces to be converted to changeable copies (LED faces) provided certain provisions are met.

"Before adopting, amending, or repealing any ordinance authorized by this Article, the City Council shall hold a public hearing on it. A notice of the public hearing will be given once a week for two successive calendar weeks in a newspaper having general

circulation in the area. The notice shall be published the first time not less than 10 days nor more than 25 days before the date fixed for the hearing." Notifications in accordance with North Carolina General Statutes have been followed.

Staff advises the Planning Board move to recommend approval of the Unified Development Ordinance (UDO) text amendment found in Attachment A.

Mr. Spring asked if this would allow LED to go back to back on one billboard. Mr. King said yes. Ms. Moore asked for an explanation of between and LED billboard and a regular billboard. Mr. King explained the difference between both. Ms. VanderVere asked why there was a difference between 8 seconds and 15 seconds on the billboards. Mr. King explained that if an agreement to allow emergency messages was signed with the City of Jacksonville, messages could be displayed every eight seconds. Mr. Keyes asked if the messages could be displayed as animation. Mr. King stated that DOT is very strict about how messages are displayed. They must be displayed instantly, no animations. Mr. Keyes asked if they would be similar to the DOT signs. Mr. King said they must be the least distracting as possible. Mr. Keyes asked about the wind loads for the LED signs. Mr. King stated that the signs must be able to withstand the additional weight and would be evaluated by an engineer. Mr. Spring asked how big the billboard sign is by the old Walmart. Mr. King said it is 378 square feet, 30 feet high, 10'6" x 36'. Mr. Burgess asked if this text amendment was a solution for their discussions in March. Mr. King said that is correct.

**Homer Spring moved to approve the Unified Development Ordinance (UDO) text amendment found in Attachment A. Albert Burgess seconded the motion.**

**The motion to approve the Unified Development Ordinance (UDO) text amendment found in Attachment A was unanimously approved by the Board Members present.**

B. [Rezoning - 523 Freedom Way - Residential Multifamily - Low Density \(RMF-LD\) to Corridor Commercial \(CC\)](#)

Annette F. Metts has submitted a rezoning request of a 1.24 acre tract of land located at 523 Freedom Way. The applicant is requesting the parcel currently zoned Residential Multifamily - Low Density (RMF-LD) be rezoned to Corridor Commercial (CC). If approved the parcel would be allowed to be used more broadly.

The proposed CC zoning is consistent with the City's future land use plans. During the 2003 Extraterritorial Jurisdiction (ETJ) expansion, Mrs. Mett's property and those around hers were assigned a City's zoning classification of Residential Multi-Family 5 (RM-5). Her property has historically and consistently been used for commercial purposes, specifically automobile service and repair, considered a legal nonconforming use. A

recent inquiry led Mrs. Metts to apply to rezone her 1.24 acre tract of land located at 523 Freedom Way. The applicant is requesting the parcel currently zoned Residential Multifamily - Low Density (RMF-LD) be rezoned to Corridor Commercial (CC). If approved the parcel would be allowed to be used more broadly.

The proposed CC zoning is consistent with the City's future land use plans. Article 5.6 Transportation Impact Analysis (TIA) of the Jacksonville Unified Development Ordinance (UDO) identifies the type of applications that necessitate an assessment, which includes a zoning map amendments (rezoning). In typical fashion, staff did not recommend that a TIA be prepared and would defer any possible TIA to an actual development proposal if/when one is submitted. The parcel proposed for rezoning is located at 523 Freedom Way. The property is bordered on the south by Freedom Way (NC Highway 24); to the north across Carefree Street by undeveloped property zoned RMF-LD; to the east by property used residentially, zoned RMF-LD; and to the west by property zoned Corridor Commercial (CC) and used as a convenience store. None of the parcels identified within the rezoning request are found within the Flight Path Overlay District (FPOD).

Staff recommends the Planning Advisory Board recommend approval the rezoning request based on Findings of Facts A thru J being found in the affirmative and find that the rezoning advances the public interest by allowing for more orderly and logical development.

Chairman Lesan asked what the long structures are to the right of the subject property. Mr. Smith said they are mini storage buildings that are in the county's jurisdiction. Mr. Keyes asked if the properties to the north would remain the same. Mr. Smith said they would remain the same. Mr. Keyes asked about the property to the right of the subject property. Mr. Smith said that the front building was previously used as a restaurant and there are some residential structures on this property and the city decided that it would be best to leave this property zoned as is so it wouldn't create any non-conformity. Mr. Spring brought to Mr. Smith's attention the two different street names on the two different maps. Mr. Smith said he brought the issue up to the GIS folks to bring to their attention so they can fix. Mr. Burgess asked if most of the areas were used for small businesses. Mr. Smith said that historically most of the areas along Lejeune and Freedom Way are used for commercial. You may have a few residential sprinkled along the highway.

Mr. King gave a history of what happened with the ETJ expansion so the board would have a better understanding of why this property is zoned as it is.

**Albert Burgess moved to approve the rezoning based on Findings of Facts A thru J being found in the affirmative and find that the rezoning advances the public interest by allowing for more orderly and logical development. Suzanne Nelson seconded the motion.**

**The motion to approve the rezoning based on Findings of Facts A thru J being found in the affirmative and find that the rezoning advances the public interest by allowing for more orderly and logical development was unanimously approved by the Board Members present.**

C. [Rezoning - 1610, 1602 Wilmington Highway and 1111 Canady Road - Residential Single family - 20 \(RSF-20\) to Corridor Commercial \(CC\)](#)

Fred Beacham has submitted a rezoning request of a .87 acre tract of land located at 1610 Wilmington Highway. The applicant is requesting the parcel currently zoned Residential Single Family - 20 (RSF-20) be rezoned to Corridor Commercial (CC). While reviewing the applicant's request, staff identified two adjacent properties that we felt should be included for consideration of rezoning. A .25 acre parcel located at 1602 Wilmington Highway, and a 1.6 acre parcel at 1111 Canady Road, both of which are also currently zoned RSF-20.

The proposed CC zoning is consistent with the City's future land use plans. If approved the parcel(s) would be allowed to be used more broadly. During the 2003 Extraterritorial Jurisdiction (ETJ) expansion, Mr. Beacham's property and those around his were assigned a City's zoning classification of Residential Agricultural 20 (RA-20). His property has historically and consistently been used for commercial purposes, specifically warehouse storage (1610 Wilmington Highway). A recent inquiry led Mr. Beacham to apply to rezone his .87 acre tract of land located at 1610 Wilmington Highway. The applicant is requesting the parcel currently zoned Residential Single Family - 20 (RSF-20) be rezoned to Corridor Commercial (CC). While reviewing the applicant's request, staff identified two adjacent properties that we felt should be included for consideration of rezoning. A .25 acre parcel located at 1602 Wilmington Highway, and a 1.6 acre parcel at 1111 Canady Road, both of which are also currently zoned RSF-20. These properties have also been historically and consistently used for commercial purposes, specifically as a dry cleaning service (1602 Wilmington Highway and 1111 Canady Road) and were considered a legal nonconforming use. The proposed CC zoning is consistent with the City's future land use plans. If approved the parcel(s) would be allowed to be used more broadly.

Article 5.6 Transportation Impact Analysis (TIA) of the Jacksonville Unified Development Ordinance (UDO) identifies the type of applications that necessitate an assessment, which includes a zoning map amendments (rezoning). In typical fashion, staff did not recommend that a TIA be prepared and would defer any possible TIA to an actual development proposal if/when one is submitted. The parcels proposed for rezoning are located at 1610 and 1602 Wilmington Highway, and 1111 Canady Road. The properties are bordered on the southeast by Wilmington Highway to the north by property zoned RSF-20, used for a Single family dwelling; to the east across Canady Road by property used residentially, zoned Residential Multifamily - Low Density; and to the west by property zoned Corridor Commercial (CC) and used for an accessory building retailer.

Both of the parcels identified within the rezoning request are found within the Flight Path Overlay District (FPOD). This designation would require any large square foot facilities or tall structures to obtain Special Use Permits during any development review.

Staff recommends the Planning Advisory Board recommend approval of the rezoning requests based on Findings of Facts A thru J being found in the affirmative and find that the rezoning advances the public interest by allowing for more orderly and logical development.

Mr. Keyes asked if the properties are currently being used for commercial. Mr. Smith stated he has been here a long time and that is what he has always remembered it being used historically.

**Homer Spring moved to approve the rezoning based on Findings of Facts A thru J being found in the affirmative and find that the rezoning advances the public interest by allowing for more orderly and logical development. Thomasine Moore seconded the motion.**

**The motion to approve the rezoning based on Findings of Facts A thru J being found in the affirmative and find that the rezoning advances the public interest by allowing for more orderly and logical development was unanimously approved by the Board Members present.**

## IX. REPORTS

### A. [Planning & Permitting Administrator](#)

Ryan King gave a report.

### B. [Development Services Director](#)

Reginald Goodson gave no report.

Chairman Lesan asked the staff and citizens listening to G10 to keep those that are affected by Hurricane Matthew in their thoughts and prayers. Please reach out and help those that are in need in the aftermath.

## X. ADJOURNMENT

**Jim Dorn moved to adjourn at 6:43 pm. Theresa VanderVere seconded the motion.**

**The motion to adjourn at 6:43 pm was unanimously approved by the Board Members present.**

Adopted this 14<sup>th</sup> day of November, 2016 for the 10<sup>th</sup> day of October, 2016.

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Doug Lesan, Chairman

ATTEST:

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Pamela Ramsey  
Permitting Specialist Supervisor





# Request for Planning Advisory Board Recommendation

Agenda Item:	<b>A</b>
Date:	11/14/2016

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**Subject:** Type III Site Plan with approved Special Use Permit – Sturgeon City Civic and Environmental Education Center – 50 Court Street, Unit 100  
**Department:** Development Services  
**Presented by:** Jeremy B. Smith, Senior Planner

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## Issue Statement

The City of Jacksonville has submitted a Type III Site Plan with approved Special Use Permit application for a proposed 12,790 square foot building that would be home to a Civic and Environmental Education Center, or any other community center and cultural facility as requested. The 27.02 acre development site is located at 50 Court Street, Unit 100 and zoned Downtown Business (DTB). The Special Use Permit and site plan was approved on June 18, 2013. Since that time, building permits were never submitted and thus the site plan expired.

## Financial Impact

None

## Action Needed

Recommendation on the Special Use Permit and Site Plan

## Recommendation

City staff recommends the Planning Advisory Board move to approve the Type III Site Plan with approved Special Use Permit.

## Attachments:

- A Zoning and Land Use Map
- B Site Plan



# Staff Report

Agenda Item:	<b>A</b>
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Type III Site Plan with approved Special Use Permit – Sturgeon City Civic and Environmental Education Center – 50 Court Street, Unit 100

## **Introduction**

The City of Jacksonville has submitted a Type III Site Plan with approved Special Use Permit application for a proposed 12,790 square foot building that would be home to a Civic and Environmental Education Center, or any other community center and cultural facility as requested. The 27.02 acre development site is located at 50 Court Street, Unit 100 and zoned Downtown Business (DTB). The Special Use Permit and site plan was approved on June 18, 2013. Since that time, building permits were never submitted and thus the site plan expired.

## **Procedural History**

- On February 3, 2004 City Council approved a special use permit and site plan for the Sturgeon City Municipal Park for this location.
- On April 8, 2013 the City of Jacksonville submitted a Special Use Permit and site plan application proposing a Civic and Environmental Education Center.
- On June 10, 2013 the Planning Advisory Board recommended approval.
- On June 18, 2013 the City Council approved the Special Use Permit and Site Plan.
- On June 18, 2015 the Development Services Director granted a one year extension as allowed by the UDO.
- On June 18, 2016 the site plan expired.
- On October 12, 2016 the City of Jacksonville submitted a Type III Site Plan (with approved Special Use Permit) application.
- On November 14, 2016 the Planning Advisory Board will provide a recommendation on this request.
- On November 22, 2016 City Council will consider this request.

## Stakeholders

- City of Jacksonville – Owner/Applicant
- CLH Design P.A. – Engineer
- John Sawyer Architects – Architect
- Lanier Surveying Company – Surveyor
- Adjacent Property Owners

## Zoning Assessment

The property is located within the City limits and zoned Downtown Business (DTB). Townhomes are found along the southern border, zoned Residential Multifamily – High Density (RMF-HD); Vacant property across Court Street zoned Residential Multifamily – Low Density (RMF-LD) to the west; Single family homes and vacant property across Loyala Drive to the north zoned Residential Single Family - 5 (RSF-6); and along the eastern border is the New River and open space/park.

## Parking Assessment

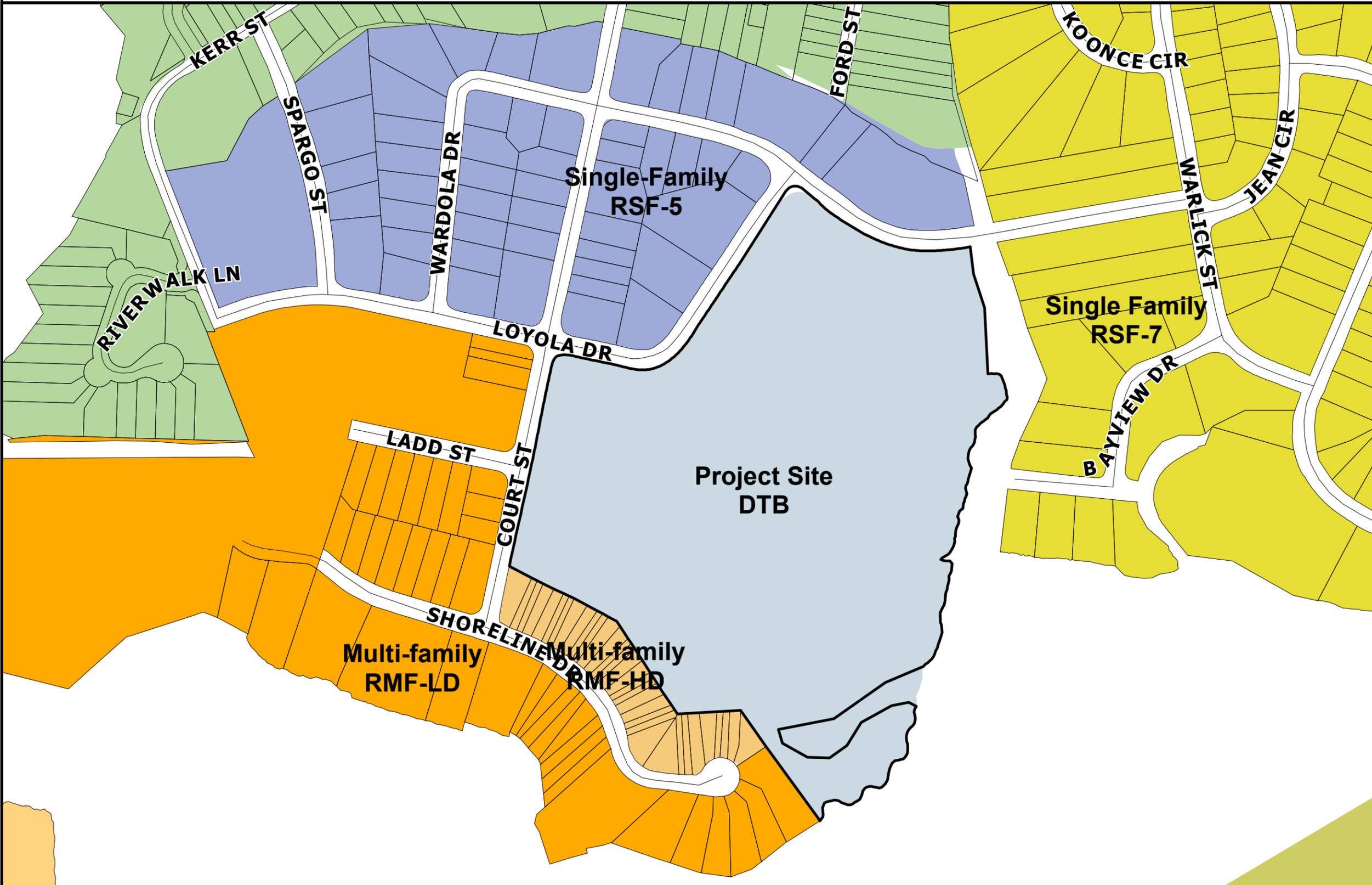
Per Article 5.1 of the Unified Development Ordinance (UDO), on site parking is not required within the DTB Zoning district; however, the site plan identifies 97 off street parking spaces proposed.

## Options

- A. Approve the Type III Site Plan with approved Special Use Permit as presented.
  - Pros: The site meets all applicable City Standards and conditions of the Special Use Permit **(RECOMMENDED)**
  - Cons: None.
- B. Deny the Type III Site Plan with approved Special Use Permit request.
  - Pros: None
  - Cons: Would impact the mission of Sturgeon City.
- C. Defer Consideration of the request.
  - Pros: Deferral would allow staff sufficient time to address any concerns that Planning Advisory Board may have.
  - Cons: Deferral would cause unexpected delays for the applicant.



# Sturgeon City Civic and Environmental Education Center



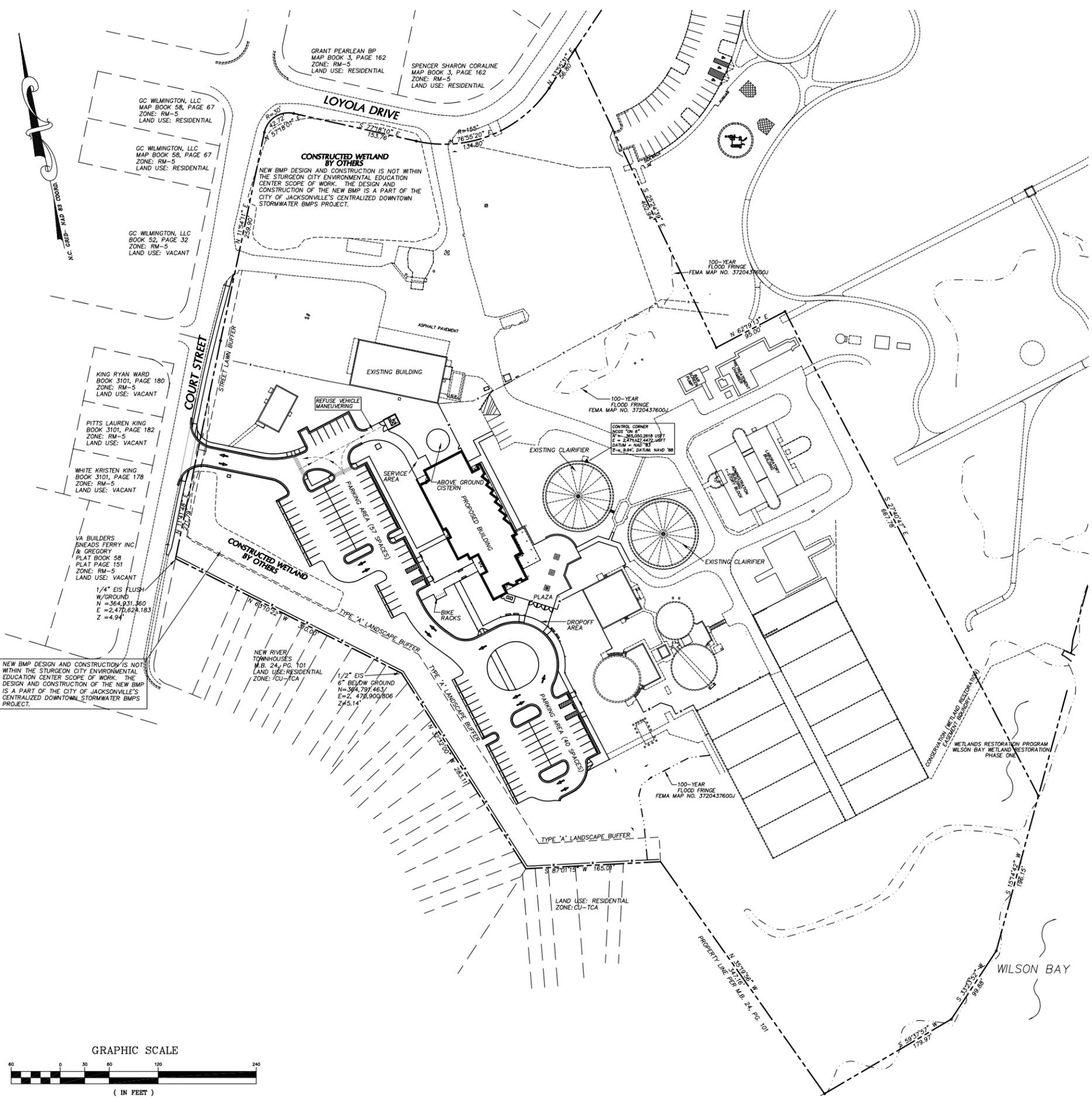
Disclaimer: This Map is intended to use for planning purposes only. City of Jacksonville or its individual departments are not liable for any data inaccuracies. Once again this map should not be used for any legal boundary determinations and data displayed on this map is collected from various different sources.



1 inch = 257 feet

Attachment  
**A**



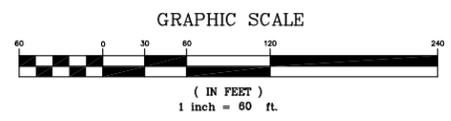


NEW BMP DESIGN AND CONSTRUCTION IS NOT WITHIN THE STURGEON CITY ENVIRONMENTAL EDUCATION CENTER SCOPE OF WORK. THE DESIGN AND CONSTRUCTION OF THE NEW BMP IS A PART OF THE CITY OF JACKSONVILLE'S CENTRALIZED DOWNTOWN STORMWATER BMPs PROJECT.

NEW RIVER TOWNHOUSES  
M.B. 24, PG. 101  
LAND USE: RESIDENTIAL  
ZONE: CU-TCA

1/2" EIS  
6" BELOW GROUND  
N=394.797/48.37  
E=2,478.900/806  
Z=5.14'

LAND USE: RESIDENTIAL  
ZONE: CU-TCA



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PE: C-1095



Sturgeon City Civic and Environmental Education Center

BID DOCUMENTS  
SEPTEMBER 15, 2013

Revisions:


SITE OVERALL PLAN

Attachment  
**B**

C1.0  
of

