

Town of Franklin Board of Aldermen

Meeting Agenda

Monday August 5, 2013 - 7:00 p.m.

Call to order -Mayor Collins

Approval of the July 1 and July 30, 2013 Town Board minutes

Public hearing 7:05 p.m. for re-zoning petition by the Town of Franklin for East Main Street, Gaston Street, Green Street and West Palmer Street

Public hearing 7:10 p.m. for re-zoning petition by residents of Pauline Avenue

Public hearing 7:15 p.m. for the application to amend text only of the Unified Development Ordinance for regulating the location of electronic machines and sweepstakes

Public session

New business

Town Board decision on re-zoning petition by the Town of Franklin for East Main Street, Gaston Street, Green Street and West Palmer Street

Town Board decision on re-zoning petition by the residents of Pauline Avenue

Town Board decision on application to amend text only of the Unified Development Ordinance for regulating the location of electronic machines and sweepstakes

Street Maintenance Ranking System- Town Manager Warren Cabe and Land Use Administrator Derek Roland

Growth Zone Analysis Water Model- Land Use Administrator Derek Roland

Town of Franklin Main Street Parallel Parking Study- Land Use Administrator Derek Roland

Update on Gazebo- Town Manager Warren Cabe

Legal - Resolution for Town of Franklin Tax Collector- Town Attorney John Henning Jr

Announcements

All non-profit funding pool applications are due Monday August 26, 2013

Town Hall will be closed Monday September 2, 2013 in observance of Labor Day

The next regularly scheduled Town of Franklin Board of Aldermen meeting will be Tuesday September 3, 2013 at 7:00 p.m.

Adjourn

August 5, 2013

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, August 5, 2013 at 7:00 P.M. in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Joyce Handley, Farrell Jamison, Billy Mashburn, Carolyn Pattillo and Bob Scott were present.

Approval of the Minutes

Motion was made by Mashburn, seconded by Jamison to approve the minutes for the July 1, 2013 and July 30, 2013 meetings as presented. Motion carried. Vote: 6 to 0.

Public Hearing – Rezoning Petition – Town of Franklin – East Main Street, Gaston Street, Green Street and West Palmer Street

Mayor Collins opened the public hearing on the rezoning petition by the Town of Franklin for East Main Street, Gaston Street, Green Street and West Palmer Street.

James Bryan Parker – Gaston Street – I have a couple of rentals on Gaston Street. I need to replace the mobile home that was destroyed by fire. The current zoning does not allow me to replace this mobile home. A water and sewer tap is already there on the property.

Derek Roland- Land Use Administrator – The Town of Franklin is requesting consideration for the rezoning of 144 parcels totaling 120.68 acres in land area located along the Green Street, Gaston Street, West Palmer Street and East Main Street Corridors. The effect of this proposal will result in a reclassification of the zoning along Green Street and Gaston Street from Residential (R-1) to Residential (R-2). The Residential (R-2) zoning district provides areas for medium to high density single and multi-family dwellings with a maximum density of eight dwelling units per acre, where adequate water and sewer facilities are available to serve the development. Housing types within this classification, unlike the R-1 district permit manufactured homes and manufactured home parks. Currently in the proposed area to be rezoned, approximately 48% of the structures are classified as “doublewides” or “trailers” according to records furnished by the Macon County Tax Office. The areas proposed for rezoning along the West Palmer Street and East Main Street corridors are zoned Central Commercial (C-1) and Neighborhood Mixed Use (NMU). As a result, many businesses which have served the residents of the Town of Franklin for decades, such as automobile repair facilities, tire shops and automobile sales facilities, have been rendered “non conforming” as set forth in 152.150 of the Town of Franklin Unified Development Ordinance. Site visits to many of these properties has revealed that the structures located upon them have been tailored to accommodate the aforementioned uses which are not permitted under the properties current zoning classifications. The Secondary Commercial (C-2) district provides for general commercial activities. This district promotes a broad range of commercial operations and services necessary for the operation of the town and surrounding areas, including those activities listed above which are currently “non conforming” along the West Palmer Street and East Main Street Corridors. The rezoning petition was amended by the Planning Board on June 17, 2013.

August 5, 2013 meeting continued,

Affect of said amendment was as follows: The Town of Franklin Planning Board recommends the north east boundary of the Green Street/Gaston Street portion of this rezoning by moved to the southwest, away from the intersection of Trimont Trail and Harrison Avenue. Furthermore, the board recommends a section of the western boundary in said portion, be moved to the east away from the Wilkie Street corridor. The board feels the rezoning proposal with these particular amendments will continue to benefit those included within this portion of the rezoning, as the change from R-1 to R-2 will render manufactured homes “conforming” in an area where approximately 48% of the structures are classified as “doublewides” or “trailers” by the Macon County Tax Office. Furthermore, as a result of the aforementioned amendments to this section of the rezoning, the character of the neighborhoods along the Wilkie Street, Harrison Avenue and Trimont Trail corridors, which are primarily R-1 in nature, will not be materially and adversely affected as they will remain R-1. The West Palmer Street/East Main Street portion of the rezoning will remain unchanged. As a result of the amendments described herein the “Town of Franklin Rezoning Request” is reduced from 144 parcels totaling 120.68 acres in land area to 131 parcels totaling 110.27 acres in land area. Attached are maps of the rezoning areas.

Karl E. Gillespie – The rezoning on West Palmer Street will have a positive growth for the economy. I want to thank the mayor and board.

James Conley, Jr. – West Palmer Street should be commercial. Thank you.

Mark Lathrop – 265 Green Street – I am afraid there will be more traffic on Gaston Street.

Mayor Collins closed the public hearing at 7:15 P.M.

New Business – Town Board Decision on Rezoning Petition by the Town of Franklin for East Main Street, Gaston Street, Green Street and West Palmer Street

Motion was made by Jamison, seconded by Pattillo to rezone Residential (R-1) properties along Green Street and Gaston Street corridors to Residential (R-2), to rezone Neighborhood Mixed use (NMU) properties and Central Commercial (C-1) properties along East Main Street and West Palmer Street corridors to Secondary Commercial (C-2), to accept the Planning Board recommendation to reduce from 144 parcels totaling 120.68 acres in the land area to 131 parcels totaling 110.27 acres in the land area and adopt the Consistency Statement. Motion carried. Vote: 6 to 0.

Recess

Mayor Collins recessed the meeting at 7:18 P.M.

Mayor Collins reconvened the meeting at 7:20 P.M.

August 5, 2013 meeting continued,

Public Hearing - Rezoning Petition – Pauline Avenue

John Henning, Jr. – Town Attorney – Some of the residents on Pauline Avenue did not make own application for the rezoning. We cannot do the rezoning at 54 Pauline Circle since they refused delivery of the letter. The notification requirement of actual notice pursuant to N.C.G.S. 160A-384 has not been met. We will need to reschedule this public hearing for a later meeting. The requirements can be met by running a legal notice for three consecutive weeks in the newspaper.

New Business – Set Public Hearing for Rezoning Petition by Residents of Pauline Avenue

Motion was made by Jamison, seconded by Handley to set the public hearing for the rezoning petition by the residents of Pauline Avenue on October 7, 2013 at 7:05 P.M. Motion carried. Vote: 6 to 0.

Recess

Mayor Collins recessed the meeting at 7:30 P.M.

Mayor Collins reconvened the meeting at 7:35 P.M.

Public Hearing – Application to Amend Text Only of the Unified Development Ordinance for Regulating the Location of Electronic Machines and Sweepstakes

Mayor Collins opened the public hearing on the application to amend text only of the Unified Development Ordinance for regulating the location of electronic machines and sweepstakes at 7:35 P.M.

Derek Roland – Land Use Administrator – The Planning Board recommendation is as follows: (1) approval of the text amendment to 152.028 (B) of the Unified Development Ordinance, (2) amend 152.010 (C) of the Unified Development Ordinance to include: Electronic Machines and Devices for Sweepstakes: Any device defined in N.C.G.S. 14-306.4, or any video game displayed on an electronic machine dependent on skill or dexterity of the player to reveal a prize and (3) amend 152.123 to impose special requirements on Electronic Machines and Devices for Sweepstakes similar to those currently being imposed on Private Clubs: “Shall not be located within a 500-foot radius of another establishment housing Electronic Machines and Devices for Sweepstakes, nor within 250 feet of a residential use or residential zoning classification”.

No other person spoke at the hearing.

Mayor Collins closed the public hearing at 7:39 P.M.

August 5, 2013 meeting continued,

Town Board Decision – Application to Amend Text Only of the Unified Development Ordinance for Regulating the Location of Electronic Machines and Sweepstakes

Motion was made by Handley, seconded by Curtis to amend text only of the Unified Development Ordinance for regulating the location of electronic machines and sweepstakes per the recommendation of the Planning Board and to adopt the Consistency Statement. Motion carried. Vote: 6 to 0.

New Business – Rezoning Request – Five Parcels – Pauline Avenue

Motion was made by Mashburn, seconded by Curtis to send the rezoning request on five parcels located on Pauline Avenue to the Planning Board for a recommendation. Motion carried. Vote: 6 to 0.

Public Session

Dan Williams – Town employees are not working on Dogwood Drive.

New Business – Street Maintenance Ranking System

Warren Cabe – Town Manager – In the future, the condition of a street will be analyzed by town staff by a Street Maintenance Ranking System. The weighted totals for each street will be ranked from highest to lowest. Maintenance will be performed on the streets with the highest scores first. A copy of the Street Maintenance Ranking System is attached.

New Business – Growth Zone Analysis Water Model

Derek Roland – Land Use Administrator – I want to present you information on the Growth Zone Analysis and Policy Recommendation Report using this power point. A copy of the power point is attached. Attached is the Growth Zone Analysis and Policy Recommendation Report.

Update of Gazebo

Warren Cabe – Town Manager – We have funds available for the gazebo project in the current budget. You have two options. Option one is to complete a new gazebo. Option two is to remodel the existing gazebo. We have five years remaining on the lease with Macon County. We are working on extending our lease with Macon County. We will need approval of the county on the design. It will be several months before any work can be done.

After some discussion, motion was made by Handley, seconded by Curtis to move Pickin' on the Square back to the gazebo at Donnie Clay's convenience. Motion carried. Vote: 6 to 0.

August 5, 2013 meeting continued,

Main Street Parallel Parking Study

Derek Roland – Land Use Administrator – The North Carolina Department of Transportation did a study of parallel parking on Main Street. We would lose about eight parking spaces if we change to parallel parking. A copy of the map is attached.

The Board did not take any action.

Legal – Resolution for Town of Franklin Tax Collector

Motion was made by Curtis, seconded by Pattillo to adopt a Resolution to the Town of Franklin Tax Collector Authorizing the Collection of Taxes. Motion carried. Vote: 6 to 0. A copy of the resolution is attached.

Announcements

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Other Business

Departmental reports are attached.

Adjournment

Motion was made by Pattillo, seconded by Mashburn to adjourn the meeting at 8:50 P.M. Motion carried. Vote: 6 to 0.

Joe Collins, Mayor

Janet A. Anderson, Town Clerk