

**MINUTES OF THE REGULAR
CONOVER PLANNING BOARD MEETING
March 20th, 2012**

The regular meeting of the Conover Planning Board was held on March 20th, at the Conover City Hall.

PRESENT: Vice Chairman Jim Ten Kate, Board Members David Brown, Ryan Spleet, Ken Hilderbran, Jim Rice, Janette Sims, Helen Whitfield, Robert Jarrett and Steven Kiger

ABSENT: Chairman Joe Kaylor

STAFF: Planning Director Q. Lance Hight, AICP
GIS Coordinator Erik Schlichting

Vice Chairman Ten Kate called the meeting to order at 7:00 p.m.

ITEM 1: Approval of Minutes.

Vice Chairman Ten Kate presented the minutes of the regular meeting on February 21st, 2012.

Upon a motion from Mrs. Sims, seconded by Mr. Jarrett: It was unanimously resolved:

That the minutes of the regular meeting on February 21st, 2012 be approved.

ITEM 2: Old Business:

There was no old business.

ITEM 3: New Business:

Mr. Hight presented an amendment to the Planned Unit Development – Business (PUD-B) at the Walmart shopping center. He explained that the PUD-B restrictions currently in place state that a gas station/convenience store use is limited to a single outlot on the property. That one outlot was recently developed as a Dollar Tree retail store, and Murphy Oil has requested the PUD-B amendment such that “Outlot 1” of the Walmart subdivision to be allowed to be developed as a gas station/convenience store. The current matter before the board has only to do with amending the PUD-B use requirements; the actual development of the lot would be a separate matter that the board would consider in the future, should the amendment be approved. Staff reviewed the request and recommends the change be approved.

Mr. Ten Kate asked for clarification of the procedure on the change of use amendment and future development timeline, with regard to subsequent Planning Board and City Council meetings, which Mr. Hight provided.

Mr. Brown asked about asking other property owners in the PUD-B for their consent to the amendment under consideration.

Mr. Hight stated that the City’s legal counsel felt that getting approval from those other property owners under the PUD-B restrictions was advantageous. Staff has requested the applicant obtain written “no objection” letters from the other property owners. As of the meeting 5 of the 7 property owners have responded in writing that they do not oppose the gas station development. Two property owners had not

yet responded in writing, however Murphy has met with them and they have stated verbally that they do not oppose, but they will respond through their legal departments, which is the reason for the delay.

Mr. Jarrett asked if there had been any negative response to the proposed amendment. Mr. Hight stated that while the property owners within the PUD had not all replied yet, no negative concerns had been received from the public.

Mr. Ten Kate clarified that the amendment needed approval from other property owners to proceed. Mr. Hight concurred that that is a recommendation of the City Attorney. Mr. Hight recommended that should the board see fit to recommend their approval of the change, their motion is recommended to stated that the approval is contingent upon the city receiving the written “no objection” letters from the other PUD-B property owners.

Mrs. Sims stated she felt that the lot being considered for the change would be a better choice for the gas station use than the lot that is currently approved for that use.

Mr. Brown agreed, stating traffic concerns at the corner of NC 16-B and Thornburg Dr (NC 16).

There being no further discussion, Mr. Ten Kate opened a public meeting. There being no comments from the public, the public meeting was closed.

Upon a motion by Mr. Brown, seconded by Mr. Jarrett, it was unanimously resolved that:

The Walmart PUD-B be amended such that conditional note 4) I) on the plat registered with Catawba County Register of Deeds, plat Book 65, pp. 62-65, be changed to strike the words “future lease area” and replace them with “Outlot #1.” This change is contingent upon the city receiving the written approval letters from the other property owners in the Walmart PUD-B.

ITEM 4: Appointments to Planning Board Member Review Committee

Mr. Ten Kate asked for volunteers from the board who were not up for re-appointment to serve on the committee. Mr. Brown and Mr. Spleet both volunteered and were appointed to the committee by unanimous vote.

ITEM 5: Informational Items:

Mr. Hight gave a brief summary of the progress on the City’s stormwater/wetland project currently underway at Conover Station.

Mr. Hight presented the February 2012 Permit Report.

ITEM 6: Adjournment:

There being no further business, the meeting ADJOURNED at 7:25 p.m.

Jim Ten Kate, Planning Board Vice Chairman

Q. Lance Hight, Planning Director