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**Planning Board Commission**

**January 11, 2019 Meeting**

**Minutes**

The meeting began at 12:33 at the Town of Warrenton Town Hall. Members present: Wally Hurst, chairperson, Bill Overby, Carlos Verdaguer, Kristye Steed, Travis Packer. Also present: Town Administrator Robert Davie, Claude O’Hagan, Tommy & Anne Satterwhite, Dwayne Hicks, Ellen (unknown last name) and Bridget Marlin.

The chair called the meeting to order and welcomed everyone present. All the members were supplied with:

* Agenda.
* July 2018 minutes.
* Special Use Application from Claude O’Hagan.
* Findings of Fact for the Special Use Application.
* Findings of Fact for the proposed location in the C-2 commercial zone.
* Finding of Fact and Motion – Sample worksheet.
* 2 “Statements of Interest to Serve.”

Wally Hurst ask for approval of the minutes and they were approved by consensus.

**Old Business.** There was no old business.

**New Business.**

An ***Application for Special Use Permit*** for 305-B Macon St. (*Just Save* shopping center, old ABC store) was presented by Claude O’Hagan. Mr. O’Hagan explained that he wants to put an internet café at that site. He has a similar business in Manson on Rt. 1. He said that he also owns Firehouse Biscuits and Burgers in Warrenton and on the weekends employs a police officer as a security guard. The applicant affirmed that there have been no problems with loitering, drugs or alcohol use and he does not tolerate ‘riff-raff.’ He will do a background check and drug test for all employees.

The chair asked for comments from the board. Kristye Steed stated that when she work at the SECU, which had been previously located in the same shopping center, there were undesirable people who loitered in the shopping center. Carlos Verdaguer inquired if there would be food or drink offered and Mr. O’Hagan stated, “No, only on special occasions.” Carlos also queried the applicant if he had visited other such establishments in the area and Mr. O’Hagan answered in the affirmative. When asked by Bill Overby the average age of the clientele, O’Hagan replied that the patrons would probably be middle-age persons. A question as to the impact this would have on a potential grocery store tenant (the *Just Save* grocery store had been closed since July 2018) was voiced by Travis Packer. O’Hagan expressed his opinion that having stores occupied would be preferred over empty sites. Robert Davie conveyed that

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when Lowe’s (*Just Save*’s parent company) was present they did not allow sweepstakes tenants.

Carlos then inquired as to the hours of operation and if there were be music & flashing lights.

Mr. O’Hagan affirmed that he would abide by the ordinance for hours of operation (Ordinance states:

Monday – Thursday 7:00 AM-11:00 PM, Friday & Saturday 10:00 AM -2:00 PM,

Sunday 1:00-11:00 PM). He added that there would be no music, flashing lights or loitering as he would not tolerate that type of behavior. He also plans to hire a police officer on Friday& Saturday nights as a security guard.

The chair asked for a motion to vote on the application and it was submitted by Kristye Steed and seconded by Bill Overby. The chair then opened the floor for discussion on the motion. Bridget Marlin offered some clarification for the members; that there are 2 parts of this application ~ special use for a gaming room and location of business in a C-2. Some members articulated their concern as to a precedent that would be set if the application was approved. A show of hands was taken. In favor: Kristye Steed. Opposed: Travis Packer, Bill Overby & Carlos Verdaguer. Abstain: Wally Hurst. The motion to allow an internet café/gaming business failed.

Robert Davie then asked the commission for a motion to deny the application or approve with conditions. Travis Packer initiated a motion to deny the application and Carlos Verdaguer seconded it. The chair brought it to a vote. In favor: Wally Hurst, Carlos Verdaguer, Travis Packer, Bill Overby. Opposed: Kristye Steed. The motion to deny the application passed.

The 2nd phase of the application is that the proposed site sits in a C-2 zone and the request does not comply with the specific requirements of §Chapter 151 (C) (9). Per the ordinance it must be located at least 2,000 feet from any residential zone. The site abuts 3 residential areas. A discussion ensue as to changing the zone from C-2 to C-1. Mr. O’Hagan said he thought that there is very little difference from C-2 to C-1. Bill Overby stated that a review of the Town of Warrenton’s ordinances for their clarity might be helpful. Robert Davie reminded the commission that it should follow the ordinances as they are written. It was not in their purview to change or alter the ordinance; changing the ordinance is up to the Town of Warrenton Board of Commissioners.

A motion to recommend to the Board of Commissioners to change §Chapter 151 (C) (9) was advanced by Bill Overby and seconded by Wally Hurst. A voice vote was unanimous in the affirmative.

Mr. O’Hagan then requested that the Planning Board approve his gaming application, contingent on the Town of Warrenton Board of Commissioners changing §Chapter 151 (C) (9) so that his internet café/gaming room would be allowed. Wally Hurst communicated that that type of approval does not adhere with the town ordinances. The chair affirmed that Mr. O’Hagan would need to return to the Planning Board if the BOC made the proposed changes to §Chapter 151 (C) (9). Mr. O’Hagan inquired if he would need to pay an additional $200.00 permit fee and Robert Davie said, “No, he would not need to pay a fee again.”

The applicant & other visitors then left and the board review 2 “Statements of Interest to Serve” from Fern Boyd and Georgiana Weddington. Bridget Marlin shared that there were 2 “in-town” vacancies and when these 2 persons were asked if they would serve, they responded enthusiastically, “Yes.”

Robert Davie advised the board that both nominees had real estate experience.

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Members were then asked to review the statements for any questions or comments. There being none, a motion to send to the BOC for approval was put forth by Carlos Verdaguer and seconded by Travis Packer. A voice vote was unanimous to send to the BOC for their endorsement.

The chair inquired as to any other business or announcements and there being none, he adjourned the meeting at 1:35.

Respectfully submitted,

***Bridget Marlin***