

The Board of Commissioners of the Town of Denton held a Tabled meeting on Thursday, February 9, 2023 at 6:00pm at Town Hall.

The following members were in attendance: Mayor Larry Ward, Mayor ProTem Deanna Grubb

Commissioners: Scott Morris, Anne Carter Bean, Julie Loflin, David Askew

Town Attorney: Misti Whitman; Town Manager: Angel Jenkins, Town Clerk: Paula Hedrick

**1. Continuation of the February 6, 2023 meeting for Special Use Permit at 68 W. Peacock Avenue.**

\*Ms. Jenkins advised that the Planning and Zoning approved the Special Use Permit for 68 W. Peacock Avenue at their meeting held Thursday, February 9, 2023 at 5:30pm. The Special Use Permit request is for a warehouse distribution company for snack food items. The property is in the Neighborhood Business zoning district. This type of business is not currently allowed. The main difference in this business is they will not have retail at this time.

It is staff recommendation to approve the Special Use Permit for 68 W. Peacock Ave for the purpose of a warehouse distribution company.

\*Motion made by Commissioner Morris made to approve the Special Use Permit for 68 W. Peacock Avenue.

\*Commissioner Bean seconded the motion. Motion passed unanimously. (5-0)

Mayor Ward asked for a motion to close the public hearing.

\*Commissioner Morris made a motion to close the public hearing.

\*Mayor ProTem \*Grubb seconded the motion. Motion passed unanimously. (5/0)

Quasi-judicial hearing - Based on the stated Findings of Facts, I move that the Special Use Permit to allow a Warehouse, Distribution Company to locate and operate at 68 W. Peacock Avenue [with the following conditions] based on the following:

Commissioner Morris read aloud the 4 step Quasi-judicial voting procedure

- (1) The use will not materially endanger the public health or safety if located where proposed and developed.

[Reason: The nature of this business will not materially endanger the public health or safety.]

\*Commissioner Morris made a motion

\*Second made by Mayor ProTem Grubb, Motion passed unanimously. (5/0)

- (2) The use meets all required conditions and specifications of the permit

\*Commissioner Morris made a motion

\*Second made by Commissioner Bean, Motion passed unanimously. (5/0)

(3) The use will not substantially injure the value of adjoining or abutting property, or the use is a public necessity.

[Reason: The property is in NB-Neighborhood Business and has been an active feed mill supply company for many years. The proposed business platform will not substantially injure the value of the adjoining or abutting property.]

\*Commissioner Morris made a motion

\*Second made by Mayor ProTem Grubb, Motion passed unanimously. (5/0)

4) The location and character of the use, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the town and its environs.

[Reason: The location and character of the use will be in harmony with the area in which it is located and in general conformity with the plan of development of the town and its environs.]

\*Commissioner Morris made a motion

\*Second made by Mayor ProTem Grubb, Motion passed unanimously. (5/0)

Mr. Todd Smith and Mr. Steve McCraven were asked to attend the Board of Commissioners meeting. The Board informed Mr. McCraven that the Special Use Permit was approved by the Planning and Zoning Board and the Board of Commissioners with no restrictions.

Mr. McCraven thanked the Board and stated that he would have to consider his options over the weekend as he did not want any issues from the neighbors.

Mr. Smith thanked the Board for their assistance and consideration.

### **3. New Business or Other Updates**

\*Ms. Jenkins updated the Board on the Backyard Buildings and Creations, LLC project on Highway 109. This building is located in the Highway Business Overlay District, and has been notified of not being in compliance.

\*Mr. Henry Morris came to Town Hall this week to talk about the project. He stated that all information was presented to Mr. Craver and a zoning permit was issued with no restrictions noted. He has asked to present information to the Board at the March Board meeting.

\*Ms. Jenkins stated that at the last meeting, she informed the Board that she had not received any information back from Christina Graham for the Parks and Recreation (P&R) Board despite several attempts. The Board decided to leave this seat open at this time.

\*Commissioner Bean has reached out to Ms. Graham to see if she is still interested in serving on the Parks & Recreation Board. Ms. Graham was interested.

\*Commissioner Loflin stated this would be a good time to change the number of Board members back to seven (7), being that we are having a difficult time filling the open seats.

\*Ms. Jenkins stated that the Board could consist of seven (7) members, four (4) in Town and (3) either in or out of Town.

\*The Board was in agreement to update the members to seven (7), four (4) in Town and (3) either in or out of Town.

\*Commissioner Loflin asked to add a Closed Session for Personnel to the agenda.

### **3a. Closed Session for Personnel Matters in Accordance of NC G.S. 143-318.11(a)(6)**

Mayor Ward asked to Open the Closed Session

Commissioner Loflin made a motion to Open Close Session at 7:00pm

Second made by Commissioner Bean. Motion passed unanimously. (5/0)

Mayor Ward asked for a motion and second to come out of Close Session

Motion made by Commissioner Loflin to Open Close Session at 7:35pm

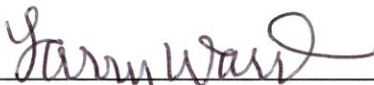
Second made by Commissioner Bean. Motion passed unanimously. (5/0)

### **4. Adjournment**

Mayor Ward asked for a motion and second to adjourn

Motion made by Commissioner Bean to Adjourn at 7:37pm

Second made by Commissioner Askew. Motion passed unanimously. (5/0)

  
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Larry Ward, Mayor

  
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Paula Hedrick, Town Clerk