



VANCE COUNTY
PLANNING & DEVELOPMENT OFFICE

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TO: Vance County Planning Board
FROM: Jordan McMillen
SUBJECT: Minutes of the February 12, 2015 Planning Board Meeting
DATE: February 12th, 2015 4:00 PM to 5:15 PM

Board Members: Thomas Shaw (Chairperson), Phyllis Stainback (Vice Chairperson), Ruth Brummitt, Blake Haley, Rev. Roosevelt Alston, Agnes Harvin

County Staff: Jordan McMillen, David Robinson

Absent: Alvin Johnson, Jr.

- ◆ Mr. Shaw opened up the meeting and entertained a motion for approval of the 01/08/2015 minutes:
- a. **Motion** was made by Ms. Harvin to approve the minutes.
 - b. **Second** was made by Ms. Brummitt.
 - c. **Motion** passed 6-0.
- ◆ Mr. Shaw moved to the next agenda item.
- A. **Rezoning Request (Case #RZ1502-1) – NC 39 Hwy South – Epsom (Tax Parcels 0553 02003 and 0553 02004)**
Request to amend the zoning map and to rezone 2 parcels (1.49 acres total) from Residential Medium Density (R-20) to Highway Commercial (H-C) zoning.
- Mr. McMillen stated that the intention is to recombine 0553 02003 and 0553 02004 pending rezoning approval. He continued to describe the surrounding land uses, which consists of primarily residential lots with a few commercial properties.
 - Mr. McMillen pointed out that the two subject parcels are adjacent to the county line. It was determined that this area is not located within one of Vance County's development communities, despite having the characteristics associated with them. It is thought that the reason for the lack of an established development community in the Land Use Plan is because Epsom is split between Vance and Franklin counties.
 - Staff outlined the impacts of the proposed rezoning: moving from residential use to trade/service/retail use, increased setbacks, increased lot coverage, higher density, installation of screening and buffering between it and residentially zoned properties. Mr. McMillen reached out to the Franklin County planning staff and explained that Epsom is not considered an 'activity node' in Franklin County's Land Use Plan, but it is their opinion it displays some of those characteristics.
 - Mr. Shaw proceeded to allow public comment and read from a list of individuals' names who requested to speak.
 - Donald Matthews, who lives near the subject property, believes that the residents of the Epsom community would benefit greatly from the proposed rezoning. There are limited choices for shopping in the area, with residents currently having to drive 8-10 miles to either Henderson or Louisburg.
 - Alice Jones, who is the owner of the two properties that are proposed to be rezoned, stated that she thinks the rezoning would be a huge help to the community.
 - G.C. Tant, who lives across the street from the subject property, stated that he does not believe the community is ready for another commercial property. Mr. Tant thinks a commercial establishment would cause traffic issues and clog up the nearby intersection.
 - Jeffrey Edwards is the owner of Edwards' Grocery which is in close proximity to the subject property. He explained that Epsom is a rural community and he would like for it to stay that way and does not believe there is a need for the property to be rezoned. Mr. Edwards presented a petition to the board with signatures from individuals who are opposed to the rezoning. Mr.

Edwards primary concern was safety. He stated that countless accidents have happened at the crossroads intersection and believes that adding another business would increase the number of accidents.

- Laney Renn, who owns the property behind the subject property, believes it would be nice to have another retail-type establishment in the area.
- Marie Peden, who represents Eastern Pride, made herself available to answer questions regarding the proposed rezoning. Mr. Shaw brought up the question of traffic and Ms. Peden responded by saying that NCDOT will analyze the site from a traffic and road safety standpoint when the applicants apply for a driveway permit. Ms. Peden also stated that the existing 'Epsom' sign in the area is representative of a defined and locally recognized community and believes that a Highway Commercial property would be beneficial. She also confirmed that NC 39 Hwy S is four lanes through the Epsom crossroads intersection.
- Sam Newton, a property owner in Epsom, stated his concern for road additions and the potentially increased traffic hazard from adding another business. Additionally, he stated his support for Edwards' Grocery and this preference for keeping local businesses around and not building a chain establishment.
- James Markham, a property owner in the area, is opposed to the rezoning due to changes in traffic volume and congestion.
- Mr. Blake Haley had questions surrounding storm water. Mr. McMillen stated that Vance County does not have a storm water ordinance; however, it is common for projects like this to install inlets in the parking lot and grade the property to allow for proper drainage.

Motion made by Ms. Harvin to recommend approval of the rezoning request for tax parcels 0553 02003 and 0553 02004 located on NC 39 Hwy South.

Second was made by Ms. Brummitt.

Motion passed 6-0.

B. **Rezoning Request (Case #RZ1502-2) – 1252 Warrenton Road (Tax Parcel 0525 04003)**

Request to amend the zoning map and to rezone 1 parcel (1.75 acres) from Agricultural Residential (A-R) to Residential Low Density (R-30) zoning.

- Mr. McMillen explained that the deed for this property states an approximately 2 acre conveyance. With that size of property in mind, the applicant proceeded to purchase two water taps from the Vance County Water District with the intent to subdivide the property and put two homes at the location. After having the property surveyed, the applicant found out that it was actually only 1.75 acres. The A-R district requires a 1 acre minimum lot size so rezoning the property to R-30 would decrease the minimum lot size and allow the applicant to subdivide. Mr. McMillen described the area as rural and agricultural in nature and that typically in these areas the residential lots front streets with larger farms behind them. Staff feels the proposed rezoning is harmonious with the area and fits its character.
- The applicant, Jason Righter, stated that the sole reason for the rezoning request is to be able to utilize the two water taps that he purchased.
- Mr. Haley asked about driveways and whether one or two would be utilized for the creation of the second lot. Mr. McMillen said that the county subdivision ordinance states a minimum distance between driveways, among other regulations, and that the applicant would have to comply with them. Also, Ellington Road would need to be considered when planning the location of the driveways.

Motion made by Ms. Brummitt to recommend approval of the rezoning request for tax parcel 0525 04003 on Warrenton Road.

Second was made by Ms. Harvin.

Motion passed 6-0.

C. **Proposed Zoning Ordinance Amendment**

Solar Farms / Church and Family Cemeteries / Manufacturing Uses / Home Occupations

- Mr. McMillen prepared a draft ordinance amendment and explained the details to the Board.
- For solar farms, the proposed changes in the amendment are: increased setbacks to 100 feet on all sides, vegetative buffers must be 30 feet wide and must be planted at 8 feet tall as well as being composed of an evergreen variety, change in language related to lighting, panels must be designed with anti-reflective coatings, and panels must be oriented to prevent glare towards adjacent inhabited buildings and street right of ways, and decommissioning plans must be submitted with Conditional Use Permit application.
- There was some discussion about whether the type of fencing should be regulated. Mr. McMillen said that he doesn't believe staff or the Board should have a preference of one type of fencing over another.
- Ms. Stainback asked whether staff visits solar project sites during construction. Mr. McMillen stated that building inspections take place throughout the project and a final zoning inspection takes place after completion.
- For church and family cemeteries, the proposed amendment will allow them to be permitted in the O-I zoning district but will not be permitted in the R-10 zoning district.
- For manufacturing use, the amendment will allow manufacturing use (through a conditional use permit) in the Highway Commercial zoning district.
- For home occupations, the proposed amendment changes the wording so as to be clear that no retail merchandise can be on display to prevent the home occupation becoming a storefront.

Motion made by Ms. Harvin to recommend approval of the zoning ordinance amendment as presented.

Second was made by Ms. Brummitt.

- Ms. Stainback and Mr. Haley wanted to discuss the home occupation portion of the amendment further. Mr. Haley questioned whether the proposed amendment hindered small businesses and their ability to sell products.

Motion passed 4-2.*

**it should be noted that the two nay votes resulted from beliefs opposing the proposed amendment change to home occupations. All other changes received unanimous support.*

◆ **Adjournment.**

- A. With no further agenda items, the board adjourned the meeting.