



VANCE COUNTY
PLANNING & DEVELOPMENT
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Planning Board Minutes

February 21, 2019

TO: Vance County Planning Board
FROM: Angie Blount
SUBJECT: Major Subdivision, "Charlies Place", Rezoning Case #RZ20192014-1 (US 1 Hwy & Edwards Rd) Rezoning Case #RZ20192014-2 (Warrenton Rd), Proposed Amendments regarding Camper & RV use within the county
DATE: February 21, 2019

Board Members Present: Thomas Shaw III, Chair, Agnes T. Harvin, Phyllis Stainback, Logan Darensburg

Board Members Absent: Alvin Johnson, Jr., Blake Haley, Ruth H. Jones, Vice-Chair

County Staff: Sam Hobgood, Director, Planning & Development, Angie Blount, Planner

Chairperson Shaw called to order the February 21, 2019 meeting of the Vance County Planning Board to order. He announced the first order of business would be to approve the minutes from the last meeting held November 8, 2019. Chairperson Shaw asked if there were any corrections or comments. Board member Agnes Harvin stated she had corrections and was instructed to give them to Angie Blount, Planning for correction. Board member Agnes Harvin made a motion to approve the minutes with corrections, which was seconded by board member Logan Darensburg. Chairperson Shaw stated that a motion to approve having been made and seconded, the board would now vote. The vote was unanimous to approve the minutes with corrections.

Chairperson Shaw announced the next order of business would be the approval of the board meeting dates for 2019. Chairperson Shaw asked if there were any discussion. Board member Agnes Harvin made a motion to approve the meeting dates for 2019, to which board member Logan Darensburg seconded. Chairperson Shaw announced that a motion having been made and seconded, the board would now vote. The vote was unanimous to approve the meeting dates for 2019.

Chairperson Shaw announced the next order of business was to review a Major Subdivision, "Charlies Place", submitted by Wakefield Holdings, Inc. Chairperson Shaw asked Angie Blount, Planning if they had any comments from staff. Mrs. Blount stated that she had written some concerns into the staff report regarding soil reports provided by the applicant but that those needed to be disregarded as it would not be relevant to the actual subdivision. She explained that when the lots are presented to planning for perk tests, the issues could be addressed at that time, that if a recombination of a couple of the lots became necessary to provide septic, it could be done at that time. Mrs. Blount continued that the minimum lot size and lot width requirements for the subdivision had been met and those were the issues that needed to be considered at this time. Board member Mrs. Stainback asked if the soil will not perk on some of the lots, who would address that after the approval of the subdivision. Mrs. Blount replied that when the lots are presented to Environmental Health for perk tests it would be confirmed then and the options could be discussed. Mrs. Blount advised that the subdivision of land is all that is being approved and if during the perk process it is determined that some lots do not perk, they could be recombined or reconfigured at a later time. Mrs. Blount explained that they could also consider alternative septic systems other than the conventional as an alternative to recombining lots. Board member Mrs. Stainback stated that she was concerned that someone would buy a lot and then find out it would not perk. Mrs. Blount advised if they recombined the lots to make 8 instead of 10 it would still have come to the planning board as a major subdivision.

Chairperson Shaw asked the board if anyone had any further concerns about approving the subdivision. Board member Mrs. Harvin advised she felt that these concerns could be dealt with during the process as

it moves along. Mrs. Harvin made a motion to approve the subdivision application with the inclusion of staff comments concerning the ability of the lots to perk. Board member Logan Darensburg seconded the motion to approve. Chairperson Shaw announced that a motion having been made and seconded, the board would now vote. The subdivision passed with a vote of three to one, with board member Phyllis Stainback having voted nay.

Chairperson Shaw announced the next order of business, the rezoning of a parcel of land on US 1 Hwy and Edwards Rd., from R30 to GC1. Mr. Shaw asked staff for their report.

Planning Staff member Angie Blount advised the board the rezoning was for a 7.77 acre tract of land fronting US 1 Hwy and Edwards Rd, request is for the parcel to be rezoned from R30 to GC1 in order to establish a commercial business, retail sales and service in nature, accessing US 1 Hwy. Mrs. Blount advised that the applicant had obtained permission from NC DOT to access from US 1 Hwy. She advised that adjoining properties had been notified of the rezoning request, the property had been posted with the meeting date and proposed zoning. Mrs. Blount further advised that the property met the minimum lot size and lot width for the proposed GC1 zoning. She continued that the adjoining properties are residentially zoned. She explained that the parcel, if it achieves rezoning, would have to meet the greater setback requirements for a commercial property that adjoins residential property as well as implementing buffering requirements. Board member Mrs. Stainback asked what size building was planned for the property. Mr. Edwards, the applicant, was asked if he would like to come to the podium and explain his rezoning request. Board member Mrs. Stainback asked Mr. Edwards how large the building is that he plans for the property, to which Mr. Edwards replied he plans approximately 7,000 sq. ft. Chairperson Mr. Shaw asked for clarification on the request to rezone 7.7 acres when the plat shows more than that, staff member Mrs. Blount replied that is the figure without road frontage added in. Board member Mrs. Stainback asked about buffers. Mrs. Blount advised he would have to have 10' of vegetative buffer between the building and the residential area which would start at 3' tall and then mature to 8', but that the lot is so large that what already exists naturally would more than serve. Chairperson Mr. Shaw advised it would depend on how much grading had to be done on the lot, to which Mr. Edwards advised less than an acre of grading would occur. Board member Mrs. Stainback asked if the vegetation was already there or if it would have to be planted, to which Mr. Edwards replied that there was already natural buffers in place at the back and sides. Chairperson Mr. Shaw asked if there was a site plan showing the building on the lot. Staff member Mrs. Blount advised not at this stage, that the board was only considering the rezoning. Board member Mrs. Harvin asked if there were any other commercial zonings in the area. Staff member Mrs. Blount advised the surrounding properties are all residentially zoned and referred the board to the map they were given in their packets showing the adjoining properties. Mr. Edwards advised within a mile there was a commercial area. Board member Mrs. Harvin asked if after the rezoning would the board have to approve the plans, staff member Mrs. Blount replied no as it would be a permitted use in the GC1, but that he would be coming to the planning department to obtain zoning and building permits and that his plans would be approved by planning. Board member Mrs. Stainback asked if the property was on the corner, to which Chairperson Shaw advised it was not. Chairperson Mr. Shaw asked Mr. Edwards where he was planning to build on the lot, to which Mr. Edwards advised the right front corner. Board member Mrs. Stainback asked Mr. Edwards how far away from the houses would his building be, to which Mr. Edwards advised he did not have a figure but that he would comply with the setback of 25' on the side and probably more. He advised it would be more than the 75' front setback, as it would be closer to US 1 Hwy than to any of the houses. Mr. Edwards stated that he has included with his application a letter from NCDOT stating that he could receive a driveway permit for his location. Chairperson Mr. Shaw advised the board that they had each received a copy of an email from one adjoining property owner in opposition to the rezoning and wished to have it entered into the record. Board member Mrs. Harvin asked about the ingress/egress. Mr. Edwards advised he would have access from US Hwy 1 only, no access from Edwards Rd.

Board member Mrs. Stainback made a motion to approve the rezoning. Board member Mrs. Harvin seconded the motion. Chairperson Shaw asked if there were any further discussion. Being none, Chairperson Shaw asked for those in favor of the rezoning to signify by saying Aye, those opposed to signify by saying Nay. The motion to approve the rezoning passed unanimously.

Chairperson Mr. Shaw announced the next case, a rezoning of a one-acre parcel of land on Warrenton Rd. from RMHC to AR, owner and applicant Vance County. Chairperson Mr. Shaw asked planning staff member Angie Blount for a report from staff on the specifics. Mrs. Blount stated this was a one acre tract of land currently zoned as RMHC or Residential Manufactured Home Community being rezoned to AR or Agricultural Residential brought by the owner and applicant Vance County. Mrs. Blount advised the minimum lot size and lot width had been met for AR. Mrs. Blount advised the property falls within the Anderson Creek Watershed area. Mrs. Blount advised that if the board recommend the rezoning it would then be brought before the Watershed Review Board. Mrs. Blount advised that Sherry Moss, Special Projects Coordinator for the County was present if anyone had any questions regarding the application. Board member Mrs. Harvin asked about access from Warrenton Rd to the site. Director of Planning, Sam Hobgood advised that a turn lane would be required per NCDOT, and it had been proposed in plans for a convenience site. Mrs. Moss advised that she had been in contact with Jason Falls, Solid Waste for the county, as this rezoning is to utilize the property as a Convenience Site and that plans for the site were being drawn up. Mrs. Moss advised that those issues would be addressed if the rezoning were recommended due to the Conditional Use permit that would have to be sought for the proposed use. Chairperson Mr. Shaw asked Mrs. Moss if she had information regarding the adjacent Convenience Site, whether it would be abandoned in favor of the new site or added to it or used along with the new proposed site. Mrs. Moss advised the current site would be abandoned in favor of the new site. Board member Mrs. Harvin asked where it is in location to the existing site, to which Chairperson Mr. Shaw advised it would be adjacent toward US 1 Hwy and that the current site is on a third of an acre on property owned by the Ellington family. Board member Mrs. Harvin made a motion to approve the rezoning of the one-acre tract. Board member Mrs. Stainback seconded the motion to rezone. Chairperson Mr. Shaw asked for a vote from the board as a motion had been made and seconded. The vote was unanimous to rezone the tract to AR.

Chairperson Mr. Shaw announced the next case, a proposed addition to the zoning ordinance definitions and Permitted Uses Table to include Convenience Centers. Chairperson Mr. Shaw asked planning staff member Angie Blount to give the report from staff. Mrs. Blount advised this is a request to amend the ordinance to add a definition for Convenience Centers and to add it to the Permitted Use Table under Industrial Uses and allowable in the AR zoning district with a Conditional Use Permit from the Board of Adjustment. Mrs. Blount explained that the current ordinance does not have a listing for Convenience Centers and that the closest to it would be a combination of Waste and Disposal or Recycling and Storage which neither are allowed within the WOZ or Watershed Overlay Zone. Mrs. Blount further advised that there are other uses which have a greater impact on the land which are allowed. Mrs. Blount advised it was decided to add convenience site to the definitions and the permitted use table and make it allowable in the WOZ as the impact to the watershed would be much more minimal than some that are allowed. Board members Mrs. Harvin and Mrs. Stainback advised they felt it should be allowed with a Conditional Use Permit within the WOZ instead of being a permitted use. (Mrs., Blount failed to explain to the board adequately regarding this. It is not changing from a prohibited use to a permitted use. The definition and use are being added, not changed. Convenience Center is a new use and new to the table). Mr. Hobgood, Director of Planning, added that a CUP would be required for the use from the BOA. Board Member Mrs. Stainback asked if this was in the Anderson Creek Watershed area, to which Mr. Hobgood replied that it was, on the very bottom edge. Mr. Hobgood added that there was nothing in the table that even came close to a Convenience Center, which Recycling and storage was the closest, and that is what prompted adding the definition and placing it in the Permitted Use Table. Board Member Mrs. Stainback asked where it was going to be placed within the table, to which Mr. Hobgood advised it would be under Industrial and was being added to the definitions so it would be clearly defined. He advised it is being rezoned to AR and the use permitted with a CUP. Board member Mrs. Harvin asked if what they received in their packets was the proposed, to which Mr. Hobgood advised it was. Board member Mrs. Stainback asked if this would be the standard for any future Convenience Centers, to which Mr. Hobgood replied that it was, and that there would probably be more revisions to the use table coming before the board as planning staff ran into changes that needed to be made.

Chairperson Shaw asked if there were any further discussion. Board member Mrs. Stainback made a motion that the board approve the proposed addition to the definitions and to the Permitted Use Table for Convenience Centers located in the AR with a CUP. Board member Mrs. Harvin seconded the motion. Chairperson Mr. Shaw asked for a vote. The addition to the definitions and Permitted Use Table to add Convenience Centers passed unanimously.

Chairperson Mr. Shaw announced the next order of business which was a discussion of proposed amendments to the ordinance regarding camper and RV use within the county. Chairperson Mr. Shaw asked Planning staff member Mrs. Blount to give a report. Mrs. Blount advised that the board had previously asked planning staff to present some possible amendments to the ordinance regarding the subject. Mrs. Blount advised that the board members had each received several possible examples of amendments regarding camper and RV use for their consideration. Mrs. Blount reviewed the versions and asked the board which ones they felt would best serve to be presented to the Environmental Committee. After discussing it, the board agreed that version 2, regarding the Recreational Vehicle definition and Version 2 regarding actual camper use should be brought to the committee for consideration. Board member Mrs. Harvin made a motion to recommend version 2 for both the definition and for the use. Board member Mrs. Stainback seconded the motion. Chairperson Mr. Shaw asked if there was any further discussion, being none, he asked for a vote. The vote was unanimous in favor of recommending version 2 of both the definition and the use regarding campers in the county. Being no further business,

Chairperson Shaw declared the February 21, 2019 meeting of the Vance County Planning board adjourned.