

**MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY, JULY 7, 2022, 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR**

Board Members Present:

Joe Garrison (Chairman), Jeffrey Gilbert, Bobby Hyman (Vice chair), Farrah Newman, John McLaughlin, Mick McCue, David McLean

Board Members Absent:

Amy Lynn, Tucker McKenzie

Staff Present:

Debra Ensminger, Planning Director; Stephanie Cormack, Admin Officer; Jaimie Walters, Senior Planner; Ruth Pedersen, Senior Planner; Stephan Lapping, Associate County Attorney

CALL TO ORDER

Chairman Joe Garrison called the meeting to order at 6:00 pm.

INVOCATION

Chairman Joe Garrison offered the invocation.

PLEDGE OF ALLEGIANCE

Vice chair Bobby Hyman led in citing of the Pledge of Allegiance.

MISSION STATEMENT

Board Member David McLean read the Moore County Mission Statement.

PUBLIC COMMENT PERIOD

There was no public comment.

APPROVAL OF THE CONSENT AGENDA

- A. Approval of Meeting Agenda
- B. Approval of Minutes of May 5, 2022
- C. Consideration of Abstentions

Chairman Joe Garrison informed the board the Watershed Review Board has been pulled from the agenda. Board Member John McLaughlin made a motion for approval of the consent agenda

and to amend removing the Watershed Review Board item. Vice chair Bobby Hyman seconded the motion as amended and the motion passed unanimously 7-0.

ELECTION OF VICE CHAIR

Board Member John Mc Laughlin made a motion to nominate Bobby Hyman to serve another year as Vice chair. Board Member Jeffrey Gilbert seconded the motion and the motion passed unanimously 7-0.

PUBLIC HEARING

Public Hearing #1 – Conditional Rezoning Request: Rural Agricultural (RA) to Rural Agricultural Conditional Zoning (RA/CZ) – Hwy NC 22. – Jaimie Walters

Senior Planner Jaimie Walters presented a request by Cellco Partnership d/b/a Verizon Wireless requesting a Conditional Rezoning from Rural Agricultural (RA) to Rural Agricultural Conditional Zoning (RA-CZ) to construct a 255' monopole tower for a Wireless Communication Facility on an approximately 0.23-acre portion of one parcel of approximately 70.20 acres located on NC 22 Highway, owned by Carolyn & Chesley Rimmer, per Deed Book 5180 Page 166 and further described as ParID 00003579 in the Moore County Tax Records.

Mrs. Walters went over the items within the packet regarding the request.

With no further questions from the board, Chairman Garrison opened the Public Hearing.

The following have signed up to speak during the Public Hearing; all in favor of the item.

- Ralph Wyngarden, applicant representative
- Nick LaSala, 975 Cranes Creek Rd. Cameron NC

The following have signed up to speak however have declined when called upon.

- David Best
- Chesley Rimmer
- Carolyn Rimmer

With no further discussion or public comment Chairman Garrison closed the Public Hearing.

With no further comments Board Member Bobby Hyman made a motion to adopt and approve the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize its chairman to execute the document as required by North Carolina General Statute 160D-604. The motion was seconded by Board Member Jeffrey Gilbert; the motion passed unanimously 7-0.

Vice Chair Bobby Hyman made a motion to recommend approval to the Moore County Board of Commissioners of the Conditional Rezoning from Rural Agricultural (RA) to Rural Agricultural Conditional Zoning (RA-CZ) to construct a 255' monopole tower for a Wireless Communication Facility on an approximately 0.23-acre portion of one parcel of approximately 70.20 acres

located on NC 22 Highway, owned by Carolyn & Chesley Rimmer, per Deed Book 5180 Page 166 and further described as ParID 00003579 in the Moore County Tax Records; The motion was seconded by Board Member Mick McCue; the motion passed unanimously 7-0.

Public Hearing #2 – Conditional Rezoning Request: Residential and Agricultural - 40 (RA-40) & Highway Commercial (B-2) to Highway Commercial Conditional Zoning (B-2/CZ) – US 15-501 Highway. – Jaimie Walters

Senior Planner Jaimie Walters presented a request by Jeff Tucker, Vice-President of JT & JR, Inc, requesting a Conditional Rezoning from Residential and Agricultural-40 (RA-40) & Highway Commercial (B-2) to Highway Commercial Conditional Zoning (B-2/CZ) to construct a building and storage yard for a Contractor Office on an approximately 4.96-acre portion of two parcels of approximately 14.07 acres located on US 15-501 Highway, owned by JT & JR, Inc., per Deed Book 5504 Page 445 and Deed Book 5446 Page 365 and further described as ParID 00014913 and 00016274 in the Moore County Tax Records.

Mrs. Walters went over the items within the packet regarding the request mentioning this item was previously brought to the board for approval however, there was a modification in which the applicant had to modify the site plan due to an existing septic system located on the property that was unknown at the time of the original presentation.

With no further questions from the board, Chairman Garrison opened the Public Hearing.

Chairman Garrison asked staff to confirm the modification was an update to the site plan and inquired if the board approved the item previously when presented.

Mrs. Walters confirmed a modification to the site plan was made and acreage was added. It was also confirmed that the board had previously voted to recommend approval of the request.

Board Member John McLaughlin requested the applicant go over the screening to be installed.

Phillp Picerno, LKC Engineering; applicant representative provided the board with a rendering of the site to show the future screening to be installed, attached as “Exhibit A”.

The following have signed up to speak during the Public Hearing all against the item.

- Pauline Ross, 311 Pinehill Rd. West End, NC-representing members of the community
- Charles Kearns, 7719 Hwy 15/501 West End, NC

The following have signed up to speak during the Public Hearing neither in favor of nor against the item.

- Nick LaSala, 975 Cranes Creek Rd. Cameron NC

The following have signed up to speak however have declined when called upon.

- Lester Gillespie
- Joyce Jackson

- Richard Barns

The following have signed up to speak during the Public Hearing in favor of the item.

- Phillip Picerno, LKC Engineering; applicant representative
- Jackson Maples, LKC Engineering; applicant representative

Mr. Maples presented a PowerPoint to the board to help address all citizen issues and questions, attached as “Exhibit B”.

Board Member Gilbert asked what type of landscape vehicles would be used by the applicant and how many.

Mr. Picerno informed the board his applicant has two (2) dump trucks that would be used. He also addressed Board Member McLaughlin comment regarding screening which would be a six (6) foot vinyl fence to include an extensive number of shrubs and trees.

Vice chair Hyman asked when the most recent traffic daily trip analysis completed.

Mr. Picerno mentioned the information is taken from the ITE trip generation manual which are updated approximately every three to five years.

Board Member McLean asked how many employees would the applicant have?

Mr. Picerno mentioned his applicant would have approximately twelve (12) employees. The trip generation was based on approximately fifteen (15) employees.

Board Member Gilbert asked if additional screening was considered between the adjoining property owners.

Mr. Picerno explained there would be almost a football field between the proposed building and one of the adjoining properties.

Chairman Garrison asked if any part of the adjoining property owners’ easement would be utilized.

Mr. Picerno confirmed no adjoining property owner’s easement would be used by his applicant.

With no further discussion or public comment Chairman Garrison closed the Public Hearing.

Chairman Garrison reminded the board the item heard before them was a legislative decision not a Quasi-Judicial.

With no further comments Chairman Garrison made a motion to adopt and approve the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize its chairman to execute the document as required by North Carolina General Statute 160D-604. The motion was seconded by Board Member Mick McCue; the motion passed unanimously 7-0.

Vice chair Bobby Hyman made a motion to recommend approval to the Moore County Board of Commissioners of the Conditional Rezoning from Residential and Agricultural-40 (RA-40) & Highway Commercial (B-2) to Highway Commercial Conditional Zoning (B-2/CZ) to construct a building and storage yard for a Contractor Office on an approximately 4.96-acre portion of two parcels of approximately 14.07 acres located on US 15-501 Highway, owned by JT & JR, Inc., per Deed Book 5504 Page 445 and Deed Book 5446 Page 365 and further described as ParID 00014913 and 00016274 in the Moore County Tax Records; The motion was seconded by Board Member Mick McCue; the motion passed unanimously 7-0

PLANNING DEPARTMENT REPORTS

Ms. Ensminger informed the board the items heard before them would go before the Board of County Commissioners as a Public Hearing on August 16, 2022.

Ruth Pedersen, new Senior Planner was introduced to the board.

BOARD COMMENT PERIOD

Chairman Garrison welcomed new Planning Board members Mick McCue and David McLean as well as thanking Moore County staff for all their hard work.

ADJOURNMENT

With no further comments Vice chair Bobby Hyman made a motion to adjourn the July 7, 2022, regular meeting. The motion was seconded by Board Member Jeffrey Gilbert; meeting adjourned at 7:15 p.m., the motion passed unanimously 7-0.

Respectfully submitted by,

Stephanie Cormack

JT & JR, LLC – Commercial Building

Pool Contractor

Moore County, NC

Planning Board Meeting – Conditional Rezoning Request

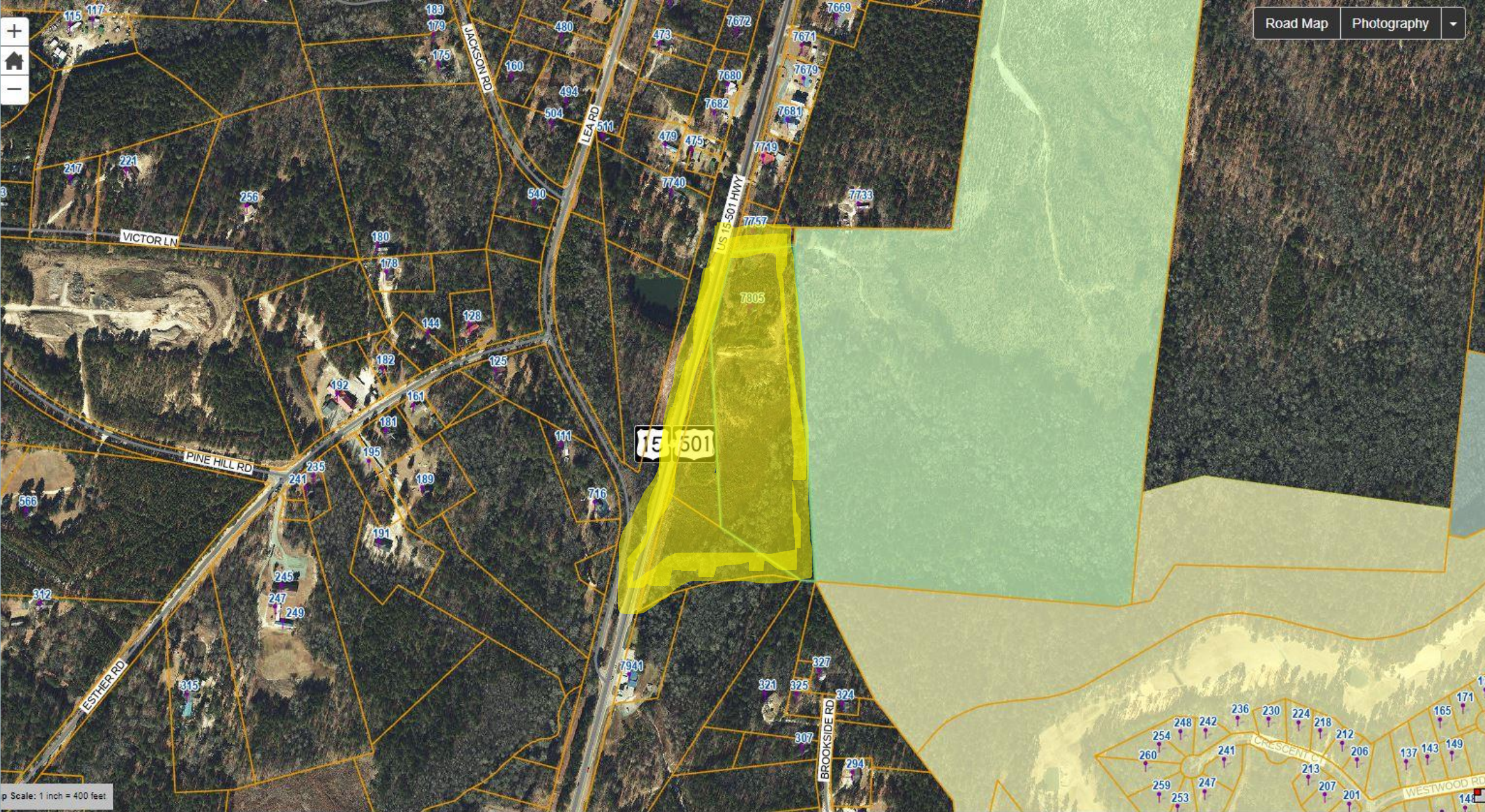
"EXHIBIT B"

**Applicant:
JT & JR, LLC**

July 7th, 2022

LKC

Site Location



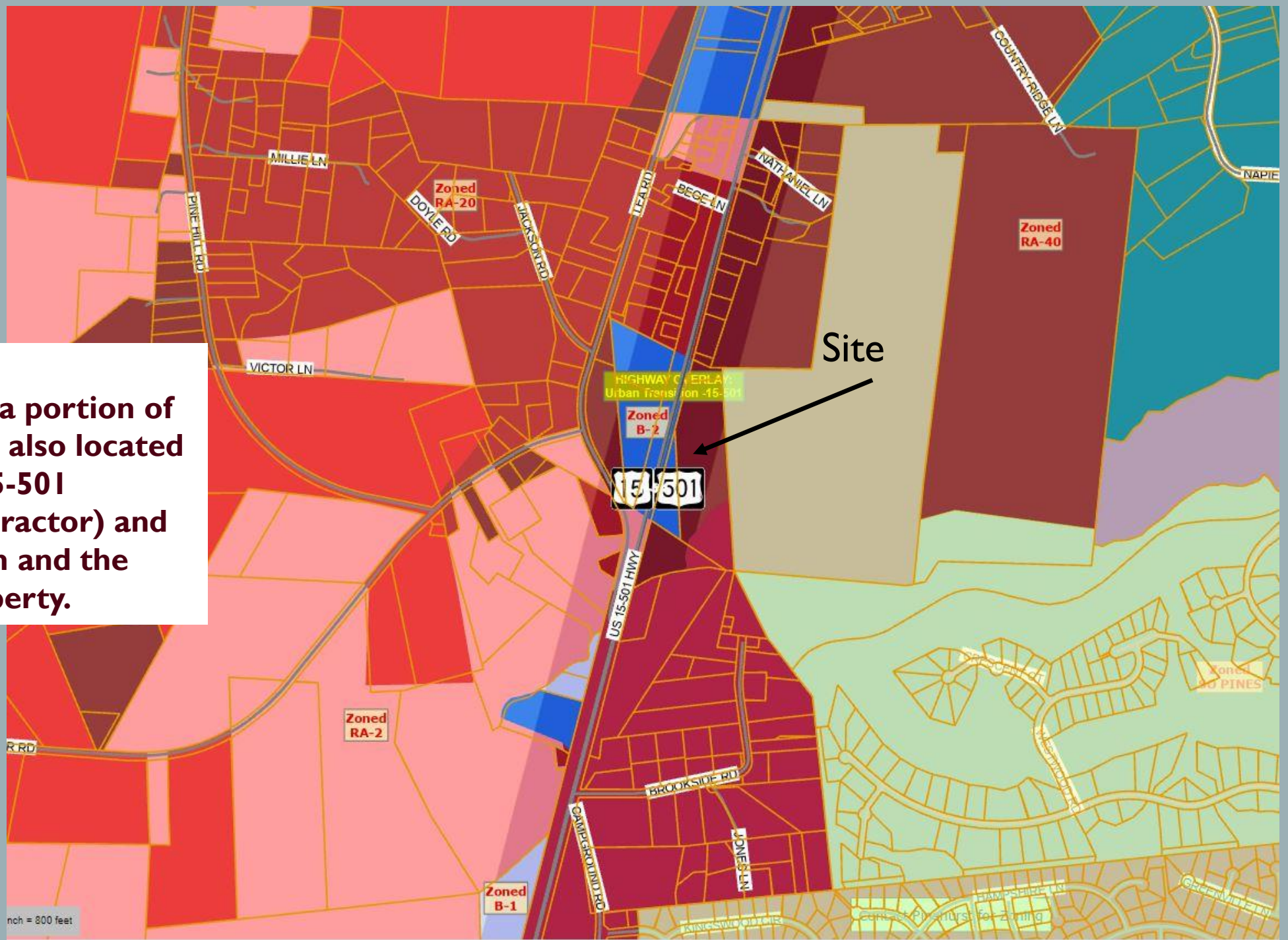
Site Background

Existing Conditions

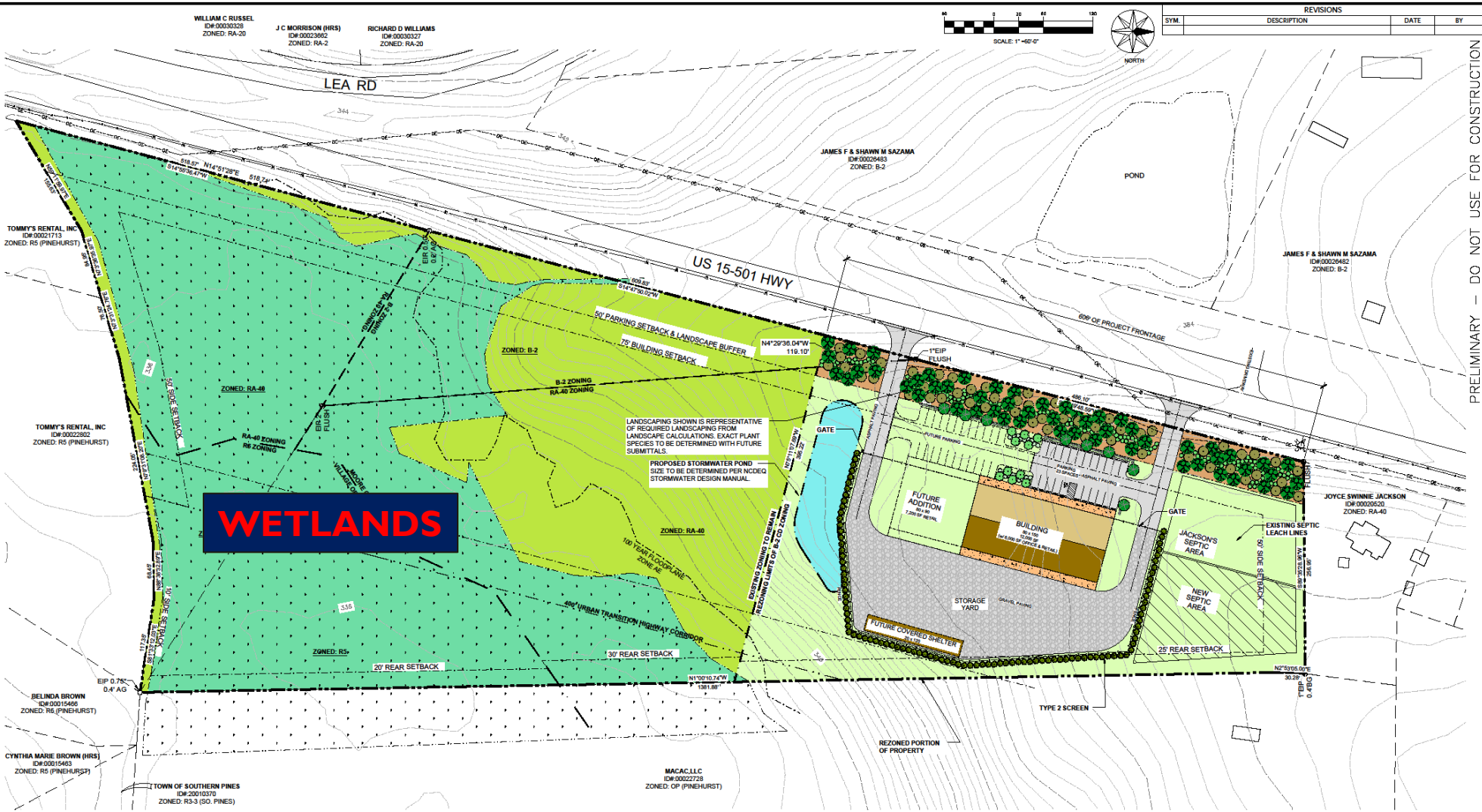
- **Location:** Located along Hwy 15-50 approx. 1 mile south of the intersection of Hwy 15-501 and NC 73.
- **Site Acreage:** 16.49 acres comprised of 3 parcels
- **Current Zoning:** 2 parcels are Zoned RA-40 and the other B-2
- **Topography:** The Site generally from North to South. The site elevations range from 400' to 336' in a North to South direction.
- **Current Use:** The site is wooded with a mix of pines, hardwoods, and undergrowth. A previous owner used the site for dumping waste materials like broken concrete, asphalt, brick, wood, and dirt.
- **Environmental Features:** Wetlands and a small stream allocate a large portion of the southern end of the property. The 100-year flood zones is also present around the South end of the site where the wetlands are.
- **Utilities:** Moore County water is Available. Private Septic for sewer.

Existing Zoning

- RA-40 and B-2.
- B-2 currently on a portion of the property. B-2 also located directly across 15-501 (Landscape Contractor) and both to the north and the south of the property.



SITE PLAN - Overall View



DIMENSIONAL STANDARDS (5.1)

AREA: 10,000sf MINIMUM
LOT WIDTH: 75' MINIMUM
LOT FRONTAGE: 100' MINIMUM
PRINCIPAL BUILDING SETBACKS: FRONT - 50'
SIDE - NONE
SIDE CORNER - 25'
REAR - 25'
ACCESSORY BUILDING SETBACKS: FRONT - 50'
SIDE - 15'
SIDE CORNER - 20'
REAR - 20'

REZONED PORTION

PROPOSED ZONING: B-2 CD
AREA: 4.96 AC. (216,021sf) (PREVIOUSLY 4.76 AC.)

HIGHWAY CORRIDOR STANDARDS (7.8)

URBAN TRANSITION HIGHWAY CORRIDOR OVERLAY DISTRICT
DEPTH: 400' FROM R.O.W.
CONDITIONAL ZONING USE: CONTRACTOR'S STORAGE YARD & OFFICE
STORMWATER MANAGEMENT: 25 YEAR, 24 HOUR DESIGN STORM
STORMWATER CONTROL MEASURES PER
NCEQ STORMWATER DESIGN MANUAL
BUILDING SETBACKS: FROM RESIDENTIAL DISTRICTS - 50'
FROM NON-RESIDENTIAL DISTRICTS - 25'
BUILDING HEIGHT: 35' MAXIMUM
PARKING SETBACKS: FROM R.O.W: 50'
PAVING SURFACE: ASPHALT - PARKING AND DRIVEWAYS
GRAVEL - STORAGE YARD
CURBING: WHEELSTOPS
SERVICE AREAS SCREENING: TYPE 1 OR TYPE 2
DRIVEWAYS: 2 PER LOT MAXIMUM, 30' APART MINIMUM
VEHICLE USE SCREENING: PERIMETER: 1 TREE/ 30' F & 1 SHRUB/ 3' IF OF FRONTAGE
INTERIOR: 2 TREES & 4 SHRUBS PER 10 SPACES

PARKING DIMENSIONS & CALCULATIONS

SIZE: 9' WIDE x 18 FEET DEEP MINIMUMS
BACK-UP AISLE: 20' MINIMUM
REQUIRED SPACES: 1 PER EMPLOYEE AND 1/3000sf OFFICE SPACE
EMPLOYEES: 3 = 3 SPACES REQUIRED
6000sf OFFICE / 300 = 20 SPACE REQUIRED
TOTAL SPACES REQUIRED: 23
TOTAL SPACES PROVIDED: 23 (22 STANDARD AND 1 HANDICAP)

WATERSHED REQUIREMENTS

WATERSHED: WS-II-BW NICKS CREEK
MAXIMUM IMPERVIOUS: 24 % (70% W/ SHA)
LOT SIZE: 16.40 ACRES TOTAL (718,361sf)
ALLOWABLE IMPERVIOUS SURFACE: 16.40ac. x 0.24 = 3.95 acs (172,393sf)
PROPOSED IMPERVIOUS SURFACE (INCLUDES FUTURE): 2.07 acs. (90,000sf, 12.55%)

LANDSCAPE CALCULATIONS

- 600' OF ROAD FRONTAGE OF PROJECT AREA
TREES REQUIRED: 18 PER 100 IF = 6.08 x 18 = 109 TREES REQUIRED
100 TREES PROVIDED
SHRUBS REQUIRED: 25 PER 100 IF = 6.08 x 25 = 152 SHRUBS REQUIRED
152 SHRUBS PROVIDED
- VEHICLE USE AREA PERIMETER: 202' IF TOTAL FRONTAGE
TREES REQUIRED: 1 PER 30 IF = 202 / 30 = 6.73 TREES REQUIRED
10 TREES PROVIDED
SHRUBS REQUIRED: 1 PER 3 IF = 202 / 3 = 67.33 SHRUBS REQUIRED
98 SHRUBS PROVIDED
- SCREENING WITHIN V.U.A.: 47 PARKING SPACES (INCLUDES FUTURE)
2 TREES PER 10 SPACES = 2 x 4.7 = 9.4 TREES REQUIRED
10 TREES PROVIDED
4 SHRUBS PER 10 SPACES = 2 x 4.7 = 9.4 SHRUBS REQUIRED
19 SHRUBS PROVIDED
- SERVICE AREA SCREENING: TYPE 2 SCREEN = SINGLE ROW OF SHRUBS TO BE 10' HIGH AT 5 YEARS AFTER PLANTING.

SPECIAL USE STANDARDS (8.96)

CONTRACTOR'S STORAGE YARD & OFFICE
1. ALL STORAGE BUILDINGS AND OUTDOOR STORAGE AREAS SHALL BE LOCATED A MINIMUM 50 FEET FROM ANY RESIDENTIALLY ZONED PROPERTY LINE
2. 1 PARKING SPACE PER EMPLOYEE AND 1 SPACE PER 300sf OF OFFICE SPACE

NOTES

- SITE LIGHTING SHALL COMPLY WITH HIGHWAY CORRIDOR OVERLAY DISTRICT (SECTION 7.8 & Q) FOR ALL PROPOSED LIGHTING.
- BUILDING SHALL CONFORM TO ALL HIGHWAY CORRIDOR OVERLAY DISTRICT BUILDING STANDARDS (SECTION 7.8.I).
- PROPOSED FENCE TO BE 6' HIGH VINYL COATED.
- ALL PARKING TO HAVE WHEELSTOPS.

PRELIMINARY — DO NOT USE FOR CONSTRUCTION

LKC

CONCEPTUAL SITE PLAN
(REZONE FROM RA-40 TO B-2)

Engineering
Landscape Architecture
Surveying

DATE: 6-15-2022
DESIGNED:
DRAWN: LS
CHECKED:
NO.

94355
P.M.P.A.

LKC Engineering, PLLC
440 Aqua Street, Suite 300
Auburn, AL 36831
O: 910.420.1437
F: 910.637.0096
lkceengineering.com
License No. P-1 095

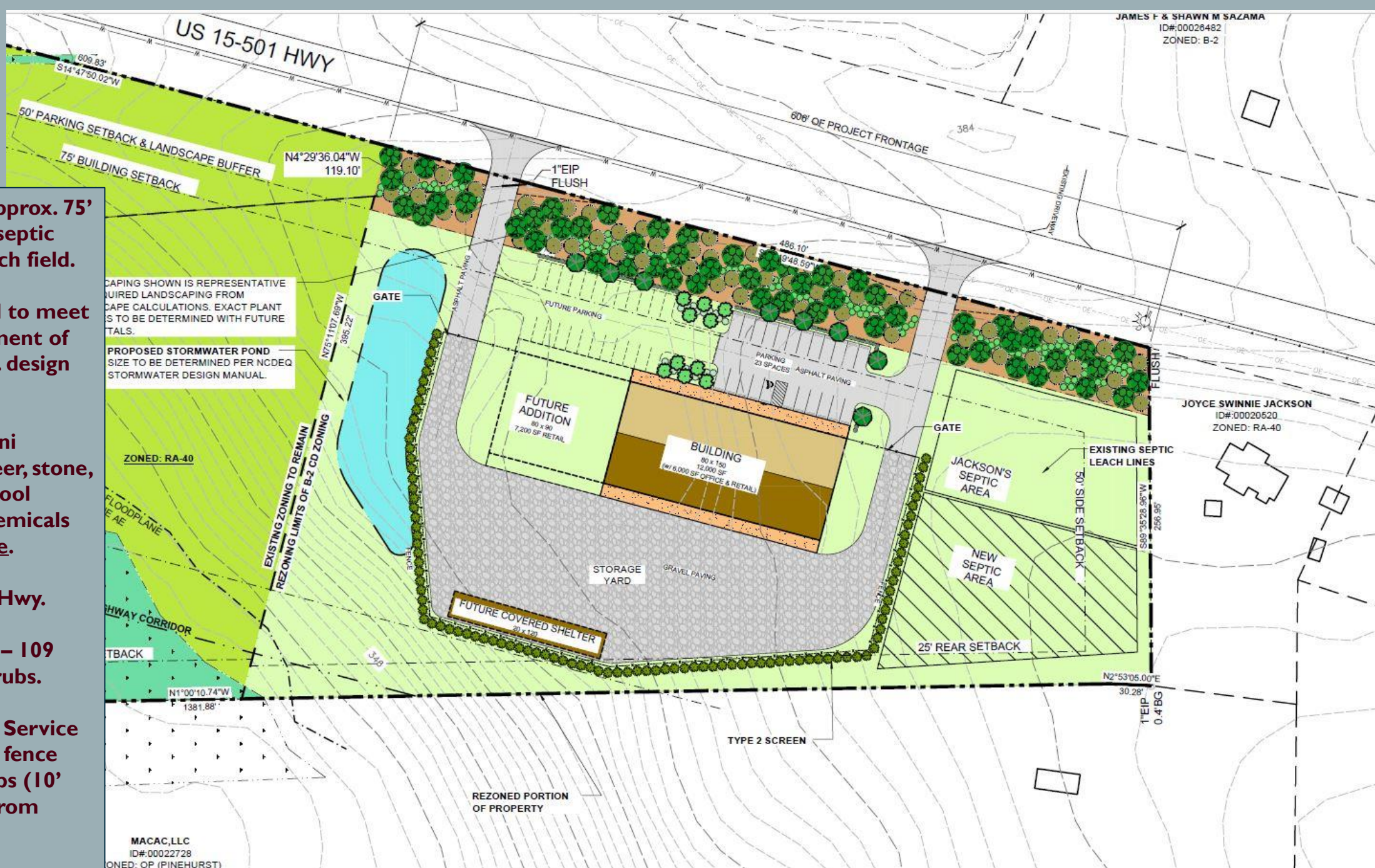
MOORE COUNTY, NORTH CAROLINA

JT & JR, LLC
COMMERCIAL BUILDING

L-01

SITE PLAN – Rendered

- Building shifted approx. 75' south because of septic easement and leach field.
- Stormwater pond to meet County's requirement of pre-post for 25-yr. design storm.
- Storage Yard – mini excavator, skid steer, stone, brick, and other pool related items. Chemicals to be stored inside.
- Urban Transition Hwy. Corridor Overlay Landscape Buffer – 109 Trees and 152 Shrubs.
- Type 2 Screen for Service Yard – 6' tall vinyl fence and a row of shrubs (10' tall after 5 years from planting).



Easement Document Summary's – 1983

NOW THEREFORE in consideration of One (1) Dollar and other valuables, Grantor does hereby grant to Grantees a Right of Way and Easement over a strip of land 15 feet wide from U. S. Highway #15-501 to the land of Grantees for the purpose of access from and to property of Grantee from said Highway and the right to clear said strip of land to permit the access.

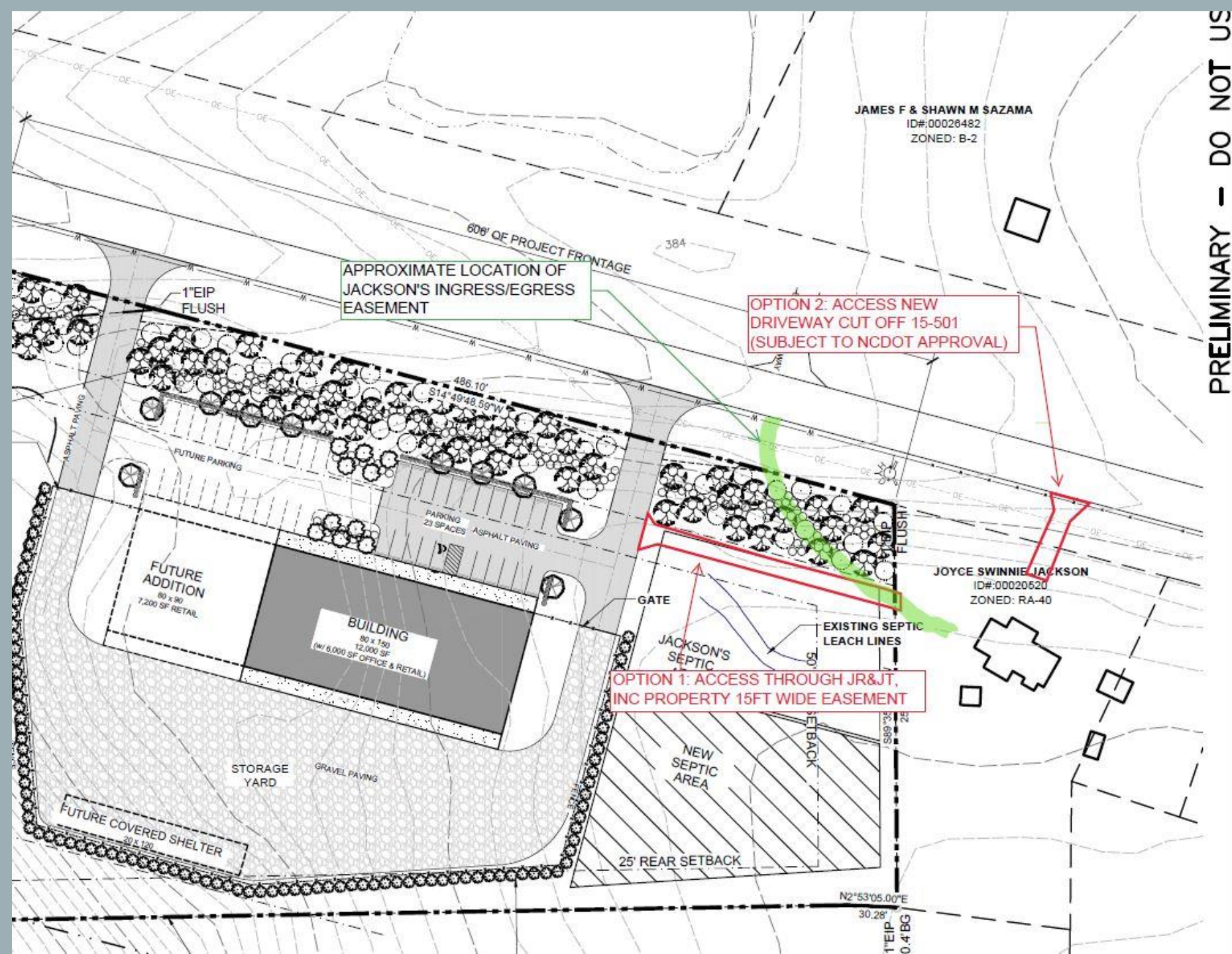
Access

NOW THEREFORE in consideration of One (1) Dollar and other valuables, Grantor does hereby grant to Grantees, an Easement upon his land permitting Grantees to extend a septic tank and or drain lines onto his property as needed for the proper construction of a sanitary septic system for one dwelling house. The Grantor also gives to the Grantees the right to maintain said septic tank and drain lines as necessary to keep them in proper sanitary working condition.

Septic

Access Easement Options

Owner and Mr. Keith Austin (family relative) are working on options to maintain ingress/egress.



Traffic Generation

ITE Trip Generation Manual – Industry Standard Manual used to predict traffic generated by various developments.

ITE Trip Generation Maunal							
Land Use	LUC	Size/Quantity	DAILY TRIPS				
			IN	OUT	TOTAL	AM Peak	PM Peak
Specialty Trade Contractor	180	12000sf	23	22	45	6 IN / 2 OUT	3 IN / 6 OUT
Single-Family Detached Housing	210	4 homes	27	27	54	2 IN / 6 OUT	3 IN / 2 OUT

For Comparison:

- Daycare (just north of property) – Approx. 4,500sf – 215 Daily Trips
- Gas Station (just south of property) – Approx. 3,000sf – 1,873 Daily Trips

Sight Distance

Sight Distance
looking North
on Hwy 15-501

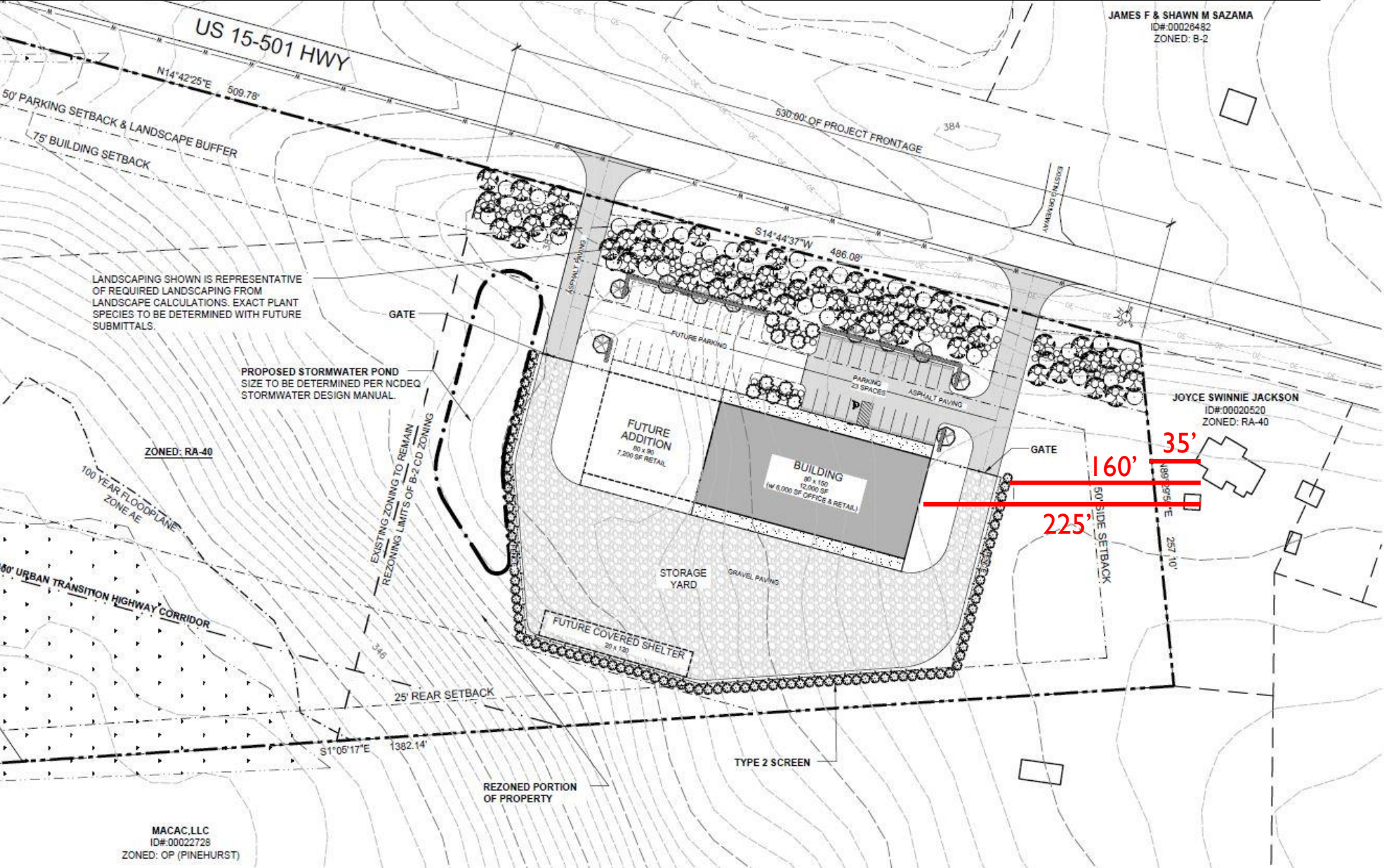


Sight Distance

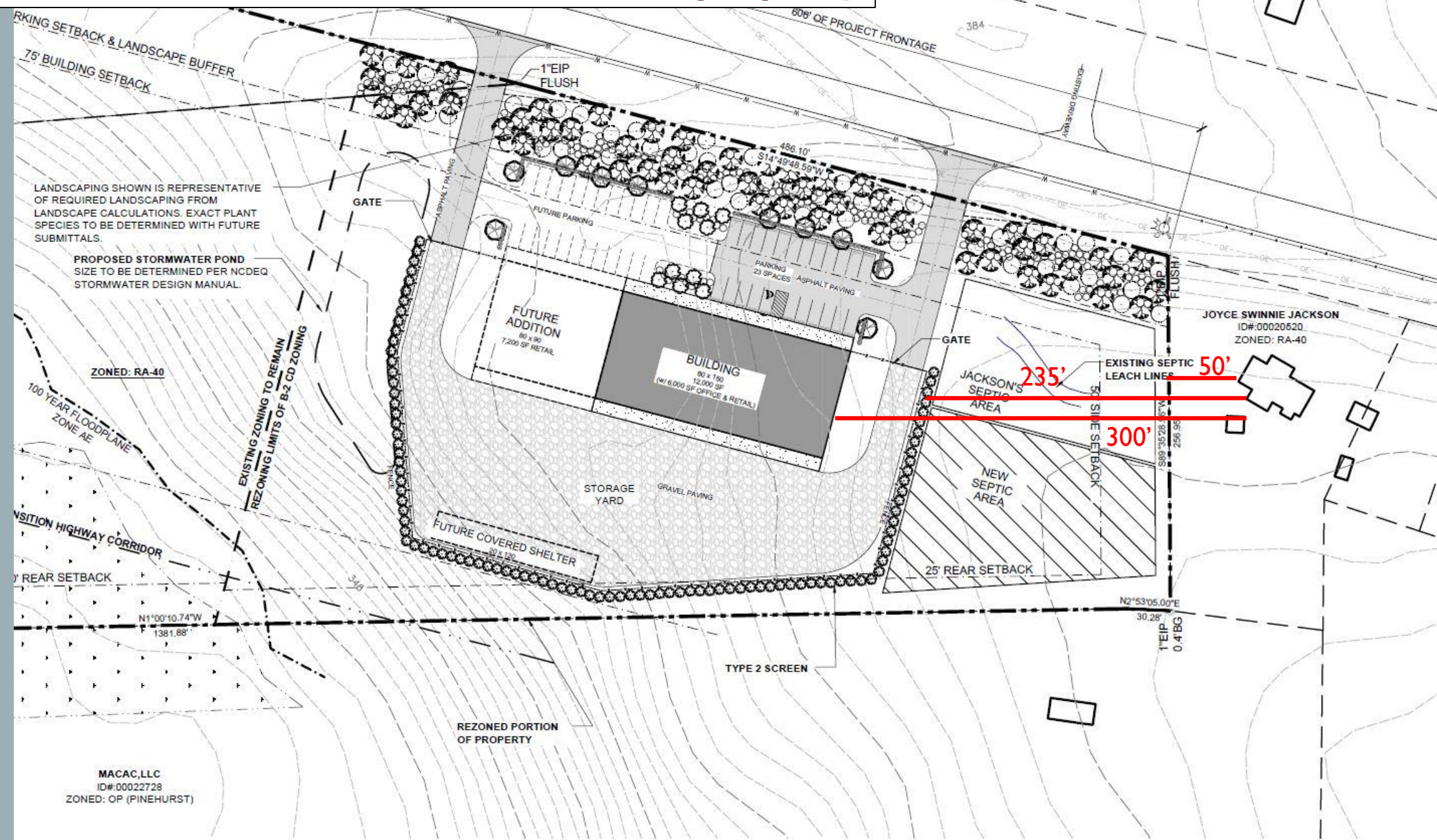
Sight Distance
looking South
on Hwy 15-501



ORIGINAL SITE PLAN as approved at January 6, 2022 Planning Board Meeting



Current Site Plan - Dimensions from Jackson property



[illegible]

1. 806' OF ROAD FRONTAGE OF PROJECT AREA
TREES REQUIRED: 18 PER 100 LF = 6.06 x 18

Rezoning Request

B. Urban Transition. The Urban HCOD overlays the zoning along portions of the following roadways as depicted on the official zoning map, not including any municipal zoning jurisdiction: US 1 Highway, US Highway 15/501, NC 22 Highway, and NC 211 Highway. This district's goal is to improve property, support the natural conditions, and keep in visual character and appearance of the nearby Towns. The Sandhills and Longleaf Pine are unique within North Carolina and these elements are of economic value to the Towns and make it a desirable place for both residents and visitors.

Goal 3: Maximize accessibility among living, working, and shopping areas

- Action 3.1.2: Encourage non-residential development to locate near major transportation routes and areas served by adequate water, sewer, natural gas, broadband, and electric power.

3. The rezoning request is reasonable and in the public interest considering the property is located adjacent to a major thoroughfare, is located within the Urban Transition Highway Corridor Overlay and has access to public water.