



Moore County Planning Board

September 19, 2024 | 6:00 PM
Historic Courthouse
1 Courthouse Square
Carthage, NC 28327

MINUTES

CALL TO ORDER

6:00pm Planning Director, Debra Ensminger, called the meeting to order per the absence of Chair McLean and Vice Chair Newman.

Board Members Present: Members Joe Garrison, Ron Jackson, Tucker McKenzie, Ray Daly, Tyler Brady, John McLaughlin.

Board Members Absent: Chair David McLean, Vice-Chair Farrah Newman, Member Guy McGraw.

Staff Present: Debra Ensminger, Planning Director, Danielle Orloff, Senior Planner, Ginger Bauerband, Planning & Zoning Specialist.

INVOCATION

Board Member, Tucker McKenzie, led the invocation.

PLEDGE OF ALLEGIANCE

Board Member, John McLaughlin, led the Pledge of Allegiance.

MISSION STATEMENT

Member Joe Garrison read the Mission Statement. Directly following the Mission Statement, Ensminger directed the Planning Board to appoint a temporary Chair for the night's meeting. **MOTION:** Member McKenzie nominated Joe Garrison for Temporary Chair, Member Ray Daly seconded. Motion passed unanimously.

I. PUBLIC COMMENT PERIOD

No speakers signed up for the general public comment period.

II. CONSIDERATION OF ABSTENTIONS

There were no absentions.

III. APPROVAL OF CONSENT AGENDA

Temporary Chair Garrison stated all items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except by a member of the Planning Board.

1. Planning - Approval of minutes of August 1, 2024, Regular Meeting minutes.

MOTION: McKenzie moved to approve the consent agenda, McLaughlin seconded. Motion passed unanimously.

IV. WATERSHED REVIEW BOARD

Garrison instructed the board of the need to recess as Planning Board and reconvene as Watershed Review Board.

MOTION: McKenzie moved, McLaughlin seconded. Motion passed unanimously.

1. Planning - Town of Southern Pines Request 121 Acres of Watershed Allocation Transfer Little River Intake No. 2

Ensminger presented the item. Staff recommendation is that the Watershed Review Board endorse the resolution to the Board of County Commissioners requesting the transfer of public water supply watershed allocation from the County of Moore to the Town of Southern Pines, North Carolina, in the amount of 121 acres located in the Little River (Intake No.2) Public Water supply Watershed.

Garrison opened the public hearing. There were no public comments for this item. Garrison closed the public hearing.

MOTION: Garrison moved to accept endorsement of the resolution to the Board of County Commissioners, McKenzie seconded. Motion passed unanimously.

Garrison called for a motion to adjourn as Watershed Review Board and reconvene as the Planning Board. **MOTION:** McKenzie moved, Brady seconded. Motion passed unanimously.

V. PUBLIC HEARING

1. Planning - Conventional Rezoning Request: Neighborhood Business (B-1) to Rural Agricultural (RA) Doby Rd

Senior Planner, Danielle Orloff, presented the staff report for the item. PUBLIC COMMENTS: The applicant, Tammy Bishop, was present but did not speak.

MOTION #1: McKenzie made a motion to approve the LUP Consistency Statement. Daly seconded. Motion passed unanimously.

MOTION #2: McKenzie made a motion to approve the rezoning from B1 to RA, Daly seconded. Motion passed unanimously.

2. Planning - Planned Development Conditional Rezoning Request: Rural Agricultural (RA) to Planned Development Conditional Zoning (PD-CZ)

Garrison asked the board if they wanted to adopt a time limit for speakers? McLaughlin asked how many had signed up to speak? Ensminger answered, 36.

MOTION: McKenzie made a motion to adopt a three-minute limit for speakers, Daly seconded. Motion passed unanimously.

Senior Planner, Danielle Orloff, presented the staff report. Garrison recognized the applicant, Bob Koontz. Garrison asked Ensminger if the applicant was also limited to three minutes? Ensminger advised the 3-minute limit did not apply to the applicant. Garrison disagreed with that assessment. Garrison, Ensminger, and County Attorney Tron Ross recessed briefly to confer. Upon returning, Garrison addressed the board asking for input regarding the 3-minute limit for the applicant. McKenzie stated the 3-minute rule should apply to all.

Bill Brian, Morningstar Law Group, attorney for the applicant, stated an objection to his client being limited to 3 minutes. Brian continued: the presentation prepared by Bob Koontz is informative in nature to aid in the decision making. Brian stated his objection to the limit and infringement of the rights established by the UDO. Brian stated the qualitative difference between public speakers and the applicant.

MOTION: Brady made a motion for 3-minute limits applying to all speakers including the applicant, Daly seconded. Motion passed unanimously.

Applicant, Bob Koontz, Koontz Jones Design, presented. Koontz pointed out the future Land Use Plan showed this area as a 'Future Industrial' district. It is also designated as an 'Opportunity Zone'. The site is 395 acres with a 100' buffer. The original plan has been revised, adding additional buffer area in the northern area of the plan.

The first speaker recognized in Public Comments, Nick LaSala, took the podium but the attorney for the applicant, Bill Brian, took the adjacent podium and addressed the board. Brian requested the remainder of the team representing the applicant, including the civil engineers, be allowed to speak in succession.

Garrison allowed Chris Petri to speak on behalf of the applicant from a water and wastewater standpoint. Petri explained all water and wastewater would be constructed at the expense of the applicant. Public Speakers spoke in the order in which they had signed:

1. Nick Lasala-**AGAINST**
CITIZEN
3 MINUTES

2. Bill Brian -**FOR**
OTHER-ATTORNEY FOR APPLICANT
3 MINUTES

3. Dianne Reid-**AGAINST**
CITIZEN
3 MINUTES

4. Don Harnem-**AGAINST**
CITIZEN
3 MINUTES

5. Cheryl Lamonds-**AGAINST**
CITIZEN
3 MINUTES

6. Barry Lamonds-**AGAINST**
CITIZEN
3 MINUTES

7. David Hensley-**FOR**
CITIZEN
3 MINUTES

8. Julie Rench-**AGAINST**
CITIZEN
3 MINUTES

9. Elizabeth Mangum-**AGAINST**
CITIZEN
3 MINUTES

10. Linda Jones-**AGAINST**
CITIZEN
3 MINUTES

11. Dorothy Shutt-**AGAINST**
CITIZEN
3 MINUTES

12. Gene Shutt-**AGAINST**
CITIZEN
3 MINUTES

13. Jeff Stapleton-**AGAINST**
CITIZEN
3 MINUTES

14. Cameron Dockery-**FOR**
CITIZEN
3 MINUTES

15. Matthew Lamonds-**AGAINST**
CITIZEN
3 MINUTES

16. Terry Bryant-**AGAINST**
CITIZEN
3 MINUTES

17. David Allred-**AGAINST**
CITIZEN
3 MINUTES

18. Mickey Brown-**FOR**
CITIZEN
3 MINUTES

19. Donna Strong-**FOR**
CITIZEN
3 MINUTES

20. Glen Williams-**AGAINST**
CITIZEN
3 MINUTES

21. William Kennedy-**AGAINST**
CITIZEN
3 MINUTES

22. Patrick Banham-**FOR**
OTHER-APPLICANT PARTY
3 MINUTES

23. Larry Cole-**AGAINST**
CITIZEN
3 MINUTES

24. Daniel Bowman-**FOR** (yielded time to Bob Koontz)
OTHER-APPLICANT
3 MINUTES

25. Bob Koontz-**FOR**
OTHER-APPLICANT
3 MINUTES

26. Aaron Eddington-**FOR**
CITIZEN
3 MINUTES

27. Joe Freeman-**AGAINST**

CITIZEN
3 MINUTES

28. Matthew Parker-**AGAINST**
CITIZEN
3 MINUTES

29. Jeff Marcus-**AGAINST**
CITIZEN
3 MINUTES

30. Kevin Stewart-**FOR** (yielded to Bob Koontz)
OTHER-APPLICANT
3 MINUTES

31. Ronnie Britt-**AGAINST** (yielded time to Dr. Tom Davis-**AGAINST**)
CITIZEN
3 MINUTES

32. Charlie Smooth-**FOR** (yielded time to David Hensley)
CITIZEN
3 MINUTES

Garrison asked the applicant to clarify the use of the track, is it for members only, or is it a public spectator sport? Koontz responded there would be races. Koontz continued, that many of the cars would be on-site and remain on-site while owners stayed in their condominiums. Garrison pressed for clarification that the track is not for private use only, but will in fact be open for festivals, spectator events, etc. Koontz clarified that yes, during track days and spectator days the resort would be open, there would be restaurants, dog parks, other spectator events, marathons. McKenzie asked the applicant, Bob Koontz, to clarify the hours of operations for the proposed resort. Koontz replied the main track would not be used except during daylight hours. Koontz spoke regarding the resort, restaurant hours, car delivery hours, could be dictated by the conditions. Brady commented that for club members, cars could still be delivered anytime, day or night. Brady asked how the public would be able to access the track, could the public rent the track to bring their own cars? Brady continued, asked Koontz to clarify the number and types of jobs this proposed project would bring. Are they part-time? Full-time? Koontz responded there would be lots of types of jobs but did not specify if they were Full-Time or Part-Time, continued there would be some 'festival' jobs. Garrison asked about the impervious percentage? Koontz responded that the impervious figure is unknown at this time. Garrison asked for clarification of how the track translates into economic impact for the County? Koontz replied mostly with property tax, on the track itself, the condos and the cars. Garrison clarified personal property tax on these vehicles would not be paid if the car was not registered in Moore County? Koontz responded that is correct. McKenzie clarified the condos are for sale units that may be rented out, and that is how they would be recognized as property tax? Koontz affirmed. McKenzie asked about the open space. Does it mean 'undisturbed'? Koontz responded that 'open space' does not necessarily mean 'undisturbed'. McLaughlin asked about the

water supply, that it would come from Robbins? Koontz affirmed. McLaughlin asked where the applicant is in negotiation for sewer? Koontz says they are still in discussion with different options. McKenzie asked if there would be gas tanks on property? Koontz answered, Yes, there would be fueling stations on site. Garrison asked what are the access points for the track? Koontz showed the board the 3 entrances at different locations. Koontz continued all access would be located off of Leach Rd. and all DOT standards would be in place, and right of way would be dedicated to build turn lane improvements. Koontz continued the transportation plan has been submitted to DOT and they are awaiting comments. McKenzie asked about how the board would add conditions? Garrison clarified the conditions would have to be part of the motion. Ensminger added the applicant would have to agree to conditions. Garrison reminded the board if there are any conditions added to the motions, the applicant has to agree to those conditions.

MOTION: McKenzie made a motion to adopt the consistency statement that the application is consistent with the 2013 Land Use Plan. Jackson seconded. Brady-Yea; Jackson-Yea; Garrison-Nay; Daly-Nay; McLaughlin-Yea. Motion carried 4-2.

MOTION: McKenzie made a motion to recommend approval of the CZ-PD to the Board of Commissioners, with conditions of the hours of use. Jackson seconded. Brady-Nay, Jackson-Yea, Garrison-Nay; McKenzie-Yea; Daly-Nay; McLaughlin-Nay. Motion to recommend approval failed 4-2.

MOTION: Daly made a motion to recommend denial of the Motorsports PD-CZ to the Board of Commissioners. Brady seconded. Brady-Yea; Jackson-Nay; Garrison-Yea; McKenzie-Nay; Daly-Yea; McLaughlin-Yea. Motion to recommend denial passed 4-2.

Garrison reiterated this is an advisory board. The Board of Commissioner will have the ultimate decision. Ensminger stated the Call to is October 1, the BOC Public Hearing is October 15.

VI. PLANNING DEPARTMENT REPORTS

Debra Ensminger

Ensminger presented an update of the 2024 LUP Steering Committee, on which Garrison serves. The next Steering Committee meeting is October 8. Ensminger notified the board there will be no items for review in October. Therefore, no Planning Board meeting in October. Ensminger noted the Planning Department should have added the applicant's presentation in the Chairman script.

VII. BOARD COMMENT PERIOD

The board had no comments.

VIII. UPCOMING EVENTS

- Tuesday, October 1, 2024, 10:30 AM Board of Commissioners Meeting, Historic Courthouse, Carthage
- Thursday, October 3, 2024, 6 PM Planning Board Meeting, Historic Courthouse, Carthage
- Tuesday, October 8, 2024, 6-8 PM Future Land Use Plan Steering Committee Meeting, Agricultural Center, Pinehurst Avenue, Carthage
- Tuesday, October 15, 2024, 5:30 PM Board of Commissioners Meeting, Historic Courthouse, Carthage

NO OCTOBER REGULAR PLANNING BOARD MEETING

ADJOURNMENT

MOTION: McKenzied moved to adjourn. Jackson seconded. Motion passed unanimously at 9:49pm.