

**MINUTES OF THE
NASH COUNTY PLANNING BOARD MEETING
HELD MONDAY, MARCH 16, 2020 AT 6:30 P.M.
FREDERICK B. COOPER COMMISSIONERS ROOM
CLAUDE MAYO, JR. ADMINISTRATION BUILDING – THIRD FLOOR
120 WEST WASHINGTON STREET
NASHVILLE, NC 27856**

BOARD MEMBERS PRESENT

Jeffrey Tobias, Vice-Chairman
Sandra Edwards
Jimmy Glover
DeLeon Parker, Jr.
Barbara Pulley
Chris Sandifer
Kevin Smith

BOARD MEMBERS ABSENT

Leonard Breedlove, Chairman
Moses Brown, Jr.

STAFF MEMBERS PRESENT

Adam Tyson, Planning Director
Adam Culpepper, Senior Planner
Windy Braswell, Planning Technician
Jessica Flores, Planning Technician

OTHERS PRESENT

Tony Bartlett
Andy Brown
Shawn Pearce
Kevin Varnell
Turner Votipka
Jim Wrenn
Michael Wrenn

1. Call to Order.

Vice-Chairman Tobias called the meeting to order at 6:30 p.m.

2. Determination of a Quorum.

Vice-Chairman Tobias recognized a quorum.

3. Approval of the Minutes of the January 21, 2020 Regular Meeting.

The minutes of the January 21, 2020 regular meeting were mailed to each member of the Board for review. Vice-Chairman Tobias asked for any revisions or corrections. None were offered.

BOARD ACTION: Mr. Sandifer offered a motion, which was duly seconded by Ms. Edwards, to approve the minutes of the January 21, 2020 regular meeting as submitted. The motion was unanimously carried.

4. Approval of the Minutes of the February 11, 2020 Joint Strategic Land Use Planning Workshop.

The minutes of the February 11, 2020 Joint Strategic Land Use Planning Workshop were mailed to each member of the Board for review. Vice-Chairman Tobias asked for any revisions or corrections. None were offered.

BOARD ACTION: Ms. Pulley offered a motion, which was duly seconded by Mr. Parker, to approve the minutes of the February 11, 2020 Joint Strategic Land Use Planning Workshop as submitted. The motion was unanimously carried.

5. Approval of the Minutes of the February 17, 2020 Regular Meeting.

The minutes of the February 17, 2020 regular meeting were mailed to each member of the Board for review. Vice-Chairman Tobias asked for any revisions or corrections. None were offered.

BOARD ACTION: Mr. Sandifer offered a motion, which was duly seconded by Mr. Smith, to approve the minutes of the February 17, 2020 regular meeting as submitted. The motion was unanimously carried.

6. General Rezoning Request Z-200301 made by Gail Grimes & Anita Liverman, the property owners, and A. H. Brown Builders LLC, the developer, to rezone an approximately 0.24 acre portion of a 0.34 acre tract of land located on the north side of White Oak Road off E NC Highway 97 from R-30 (Single & Two-Family Residential) to R-20 (Medium Density Residential).

Vice-Chairman Tobias recognized Mr. Tyson to present the staff report for this item.

Mr. Tyson presented the staff report and supplemental materials related to General Rezoning Request Z-200301 as submitted to the Board in the March 16, 2020 Nash County Planning Board agenda document. He noted that the Nash County Technical Review Committee (TRC) considered General Rezoning Request Z-200301 on February 28, 2020 and recommended approval based on its determination that the request is reasonable, in the public interest, consistent with the recommendations of the Nash County Land Development Plan, and not "spot zoning."

Mr. Sandifer asked about the difference between the R-30 (Single & Two-Family Residential) and the R-20 (Medium Density Residential) Zoning Districts.

Mr. Tyson explained that the slightly reduced minimum building setback distances required by the proposed R-20 (Medium Density Residential) Zoning District were the motivating factor behind the request, more so than the difference in permitted land uses.

Vice-Chairman Tobias recognized Mr. Andy Brown representing A. H. Brown Builders LLC, one of the request applicants, to address the Board in support of the request.

Mr. Brown stated that it was his intention to construct a spec home on the subject property and that the reduced minimum building setbacks of the requested zoning district would increase the allowable area in which a future buyer could add an accessory structure to the lot.

BOARD ACTION: Mr. Parker offered a motion, which was duly seconded by Mr. Sandifer, to recommend the following consistency statement related to General Rezoning Request Z-200301 for consideration by the Nash County Board of Commissioners:

General Rezoning Request Z-200301 is:

- (1) Reasonable and in the public interest.**
- (2) Consistent with the recommendations of the Nash County Land Development Plan (LDP) because:**
 - (a) The LDP designates the subject property as Suburban Growth Area.**
 - (b) The LDP explicitly supports the rezoning of property within the Suburban Growth Area to the R-20 (Medium Density Residential) Zoning District where both public water and sewer service is available.**
 - (c) The subject property has access to Nash County public water and sewer service via an existing 6-inch waterline and an existing 8-inch gravity sewer line installed within the immediately adjacent White Oak Road public right-of-way.**
- (3) Not “spot zoning” because it is an expansion of the already existing and immediately adjacent R-20 (Medium Density Residential) Zoning District established along the E NC Highway 97 corridor between the City of Rocky Mount to the north and W Tarboro Road to the south, including the western portion of the subject lot itself.**

The motion was unanimously carried.

BOARD ACTION: Mr. Parker offered a motion, which was duly seconded by Ms. Pulley, to recommend approval of General Rezoning Request Z-200301 to rezone the approximately 0.24 acre subject property located on the north side of White Oak Road to R-20 (Medium Density Residential) for consideration by the Nash County Board of Commissioners.

The motion was unanimously carried.

- 7. Text Amendment Request A-200301 made by Turner Votipka to amend the Nash County Unified Development Ordinance Articles II, IX, & XI in order to define “event and conference venue” as a land use, to permit its development in the A1 (Agricultural), OI (Office & Institutional), RC (Rural Commercial), and GC (General Commercial) Zoning Districts with the issuance of a conditional use permit, and to establish related development standards.**

Vice-Chairman Tobias recognized Mr. Tyson to present the staff report for this item.

Mr. Tyson presented the staff report and supplemental materials related to Text Amendment Request A-200301 as submitted to the Board in the March 16, 2020 Nash County Planning Board agenda

document. He noted that the Nash County Technical Review Committee (TRC) considered Text Amendment Request A-200301 on February 28, 2020 and recommended approval based on its determination that the request is reasonable, in the public interest, and not inconsistent with the recommendations of the Nash County Land Development Plan.

Mr. Glover asked about the 9:30 p.m. time limit related to noise as referenced by the staff report.

Mr. Tyson explained that the 9:30 p.m. restriction was included in the currently effective noise ordinance previously adopted as part of the Nash County Code of Ordinances Chapter 16, Article III.

Mr. Sandifer asked about the status of the existing Rose Hill Plantation event and wedding venue.

Mr. Tyson explained that the Rose Hill facility was considered a legal, nonconforming land use, meaning that although it does not conform to the currently applicable zoning requirements, it was legally established prior to their adoption by Nash County.

The Board members engaged in a general discussion regarding the necessity of the proposed land use and the required steps for its development.

Vice-Chairman Tobias recognized Mr. Turner Votipka, the request applicant, to address the Board in support of the request.

Mr. Votipka stated that he owns an approximately 15-acre parcel of land that he and his wife desire to develop for a wedding and event venue.

Mr. Sandifer asked about another existing venue located outside of Nash County known as Bunn's Farm.

Mr. Tyson answered that he was not familiar with that particular location, however, he explained that some bona-fide farming operations were permitted to also operate as event venues that would be exempt from County zoning requirements due to provisions for agri-tourism in the state statutes.

Vice-Chairman Tobias asked about the proximity of the subject property to an existing commercial area.

Mr. Tyson noted that the subject property was immediately adjacent to Allen's Nursery, an existing commercial land use, however, the nursery was actually a legal, nonconforming commercial land use and both the subject property as well as the nursery site were currently zoned residential.

BOARD ACTION: Mr. Sandifer offered a motion, which was duly seconded by Mr. Parker, to recommend the following consistency statement related to Text Amendment Request A-200301 for consideration by the Nash County Board of Commissioners:

Text Amendment Request A-200301 is reasonable, in the public interest, and not inconsistent with the recommendations of the Nash County Land Development Plan because the plan does not specifically address an "event and conference venue" as a land use type.

The motion was unanimously carried.

BOARD ACTION: Mr. Parker offered a motion, which was duly seconded by Ms. Pulley, to recommend approval of Text Amendment Request A-200301 to establish “event and conference venue” as a permitted land use for consideration by the Nash County Board of Commissioners.

The motion was unanimously carried.

8. **Major Subdivision Final Plat for the Stonehill Farm Subdivision, Phase II submitted on behalf of Tony R. Stone & Brenda C. Stone, the property owners, for eight (8) proposed new residential lots to be developed along the existing US Highway 264A on a 25.54 acre tract of land located in the R-40 (Single-Family Residential) Zoning District.**

Vice-Chairman Tobias recognized Mr. Culpepper to present the staff report for this item.

Mr. Culpepper presented the staff report and supplemental materials related to the Major Subdivision Final Plat for the Stonehill Farm Subdivision, Phase II as submitted to the Board in the March 16, 2020 Nash County Planning Board agenda document. He noted that the Nash County Technical Review Committee (TRC) considered the Major Subdivision Final Plat for the Stonehill Farm Subdivision, Phase II on February 28, 2020 and recommended approval subject to required revisions that have since been completed.

BOARD ACTION: Mr. Parker offered a motion, which was duly seconded by Mr. Glover to approve the Major Subdivision Final Plat for the Stonehill Farm Subdivision, Phase II, subject to the following condition:

Condition for Final Plat Approval:

The developer shall submit a soils report prepared by a licensed soil scientist for review and approval by the Nash County Environmental Health Division verifying that each proposed new lot will be suitable for the installation of an individual private on-site septic system.

The motion was unanimously carried.

9. **Major Subdivision Preliminary Plat for the Poplar Run Subdivision, Phase 2 submitted on behalf of Claudette & Roger Reges, the property owners, for twelve (12) proposed new residential lots to be developed along the existing Nick Coley Road on a 40.3 acre tract of land located in the A1 (Agricultural) Zoning District.**

Vice-Chairman Tobias recognized Mr. Culpepper to present the staff report for this item.

Mr. Culpepper presented the staff report and supplemental materials related to the Major Subdivision Preliminary Plat for the Poplar Run Subdivision, Phase 2 as submitted to the Board in the March 16, 2020 Nash County Planning Board agenda document. He noted that the Nash County Technical Review Committee (TRC) considered the Major Subdivision Preliminary Plat for the Poplar Run Subdivision, Phase 2 on February 28, 2020 and recommended approval subject to required revisions that have since been completed.

Vice-Chairman Tobias recognized Mr. Kevin Varnell of Stocks Engineering, PA to address the Board in support of the proposal and to answer any related questions.

Mr. Glover asked about the proposed access to be provided for Lots 11 & 12 located in the rear of the subdivision.

Mr. Varnell noted the 40 foot wide access and utility easement located between Lots 6 & 7 intended to serve those rear lots.

Mr. Sandifer asked about the proposed width of the easement.

Mr. Tyson referenced the Tar-Pamlico riparian stream buffer located along the northern rear property line, but noted that the subject property was not located in a regulated floodplain.

The Board members engaged in a general discussion regarding the width of the proposed access and utility easement.

BOARD ACTION: Mr. Parker offered a motion, which was duly seconded by Ms. Pulley, to approve the Major Subdivision Preliminary Plat for the Poplar Run Subdivision, Phase 2, subject to the following conditions:

Conditions for Future Final Plat Approval:

- (1) The title of the plat shall be revised to "Major Subdivision Final Plat."
- (2) The plat shall be resized to be 18 inches x 24 inches.
- (3) The owner/developer's phone number shall be added to the plat.
- (4) The following certificates found in UDO Appendix 2, Section A-2-2 shall be added to the plat: A, C, F, H2, I1 or I2, L, O, and P.
- (5) A Tar-Pamlico River Basin Overlay District Stormwater Permit shall be issued and recorded either prior to or concurrently with the final plat.
- (6) The developer shall either have each of the proposed lots evaluated for the issuance of a wastewater permit by the Nash County Environmental Health Division or submit a soils report prepared by a licensed soil scientist verifying that each proposed new lot will be suitable for the installation of an individual private on-site septic system.
- (7) If the United States Postal Service Whitakers Postmaster determines that the installation of a shared cluster box unit (CBU) mailbox to accommodate centralized mail delivery will be required for this subdivision, then the developer shall designate an appropriate location designed in accordance with all applicable U.S.P.S. and N.C. Department of Transportation requirements.

The motion was unanimously carried.

10. Major Subdivision Final Plat for the Driver Landing Subdivision submitted on behalf of Pier One Investments, the developer, for thirteen (13) proposed new residential lots to be developed along the existing Debnam Road on a 13.5 acre tract of land located in the A1 (Agricultural) Zoning District.

Vice-Chairman Tobias recognized Mr. Culpepper to present the staff report for this item.

Mr. Culpepper presented the staff report and supplemental materials related to the Major Subdivision Final Plat for the Driver Landing Subdivision as submitted to the Board in the March 16, 2020 Nash County Planning Board agenda document. He noted that the Nash County Technical Review Committee (TRC) considered the Major Subdivision Final Plat for the Driver Landing Subdivision on

February 28, 2020 and recommended approval subject to required revisions that have since been completed.

Vice-Chairman Tobias recognized Mr. Michael Wrenn of Parrish Realty to address the Board in support of the proposal and to answer any related questions.

BOARD ACTION: Mr. Parker offered a motion, which was duly seconded by Ms. Edwards, to approve the Major Subdivision Final Plat for the Driver Landing Subdivision subject to the following condition:

Condition for Final Plat Approval:

The developer shall submit a soils report prepared by a licensed soil scientist for review and approval by the Nash County Environmental Health Division verifying that each proposed new lot will be suitable for the installation of an individual private on-site septic system.

The motion was unanimously carried.

11. Other Business.

There was no other business.

12. Adjournment.

There being no further business, Vice-Chairman Tobias adjourned the meeting at 7:22 p.m.