Pender County
Planning and Community Development

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MINUTES

Pender County Planning Board Meeting
Tuesday, December 2, 2014 7:00 p.m.
Pender County Public Meeting Room
805 S. Walker Street, Burgaw, North Carolina

Call to Order: Chairman McClammy called the meeting to order at 7:03 pm.
Due to the absence of Chairman Williams; Vice-Chairman McClammy presided as the Chairman.

Roll Call: Chairman McClammy
Pender County Planning Board Members:
Williams: _ McClammy: X Baker: _ Boney: x Edens: X Marshburn: _ Nalee: X

1. **Adoption of the Agenda:** Board member Boney made the motion to adopt the agenda; seconded by Board member Nalee. The vote was unanimous.

2. **Adoption of the Minutes: (November 5, 2014)** Board member Edens made the motion to adopt the minutes; seconded by Board member Boney. The vote was unanimous.

3. **Adoption of the 2015 Meeting Dates:** Board member Boney made the motion to adopt the 2015 Meeting Dates; seconded by Board member Edens. The vote was unanimous.

4. **Public Comment:** Chairman McClammy asked if there were any sign-ups for public comment; due to no sign-ups, Chairman McClammy closed the floor to public comment and opened the floor for the public hearings.

(Public Hearings Open)

5. **Master Development Plan:**
The Pantry, Inc., applicant, on behalf of Fred Albrecht, Et Al, owner, requested approval of a Master Development Plan for one tract totaling ± 2.5 acres for a gasoline station with convenience store and limited service restaurant. The property is located at the corner of US HWY 17 and Hoover Road (SR 1569), in Hampstead and may be further identified as Pender County PIN 3292-08-2849-0000. Director Breuer presented and gave background information for agenda item 5. Chris Clayton, Commercial Site Design, PLLC, project engineer, commented that Director Breuer covered all the comments that he wanted to discuss, but he did want to clarify that the far entrance would not be a right in only entrance, it would be a full access entrance. Chairman McClammy commented that the far entrance is located north on Hoover Road and would have a heavy traffic flow during school hours; Chairman McClammy asked Mr. Clayton if he could address how the traffic flow would be affected; Mr. Clayton answered that the DOT approved the plan based off of the traffic study and the TIA warranted the plan as well. Chairman McClammy opened the floor for the Board's discussion; due to no questions or discussion Chairman McClammy opened the floor for a motion.

Board member Boney made a motion to approve the Master Development Plan as presented; seconded by Board member Edens. The vote was unanimous.

6. **Zoning Text Amendment:**
Four Points Recycling, applicant, requested the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. The request is to amend Section 5.2.3 to add Solid Waste Compost Facilities as a permitted use in the GB, General Business zoning district. Senior Planner O'Hare presented and gave background information for agenda item 6. Planner O'Hare stated that the Administrator recommended denial of the proposed amendment with the intention of further examination of an appropriate zoning district or potential standards for this use. Robert Kenan, attorney for applicant, gave a brief history of the application and stated that there was no area in the Topsail Township that would allow a debris site to process vegetative debris, the use would be low impact and service the community with a use that is not available at this time. Attorney Kenan stated that request does meet the requirements of the Pender County Unified Development Ordinance and Land Use Plan, so the applicant asks to please approve the request. Board member Nalee asked if citizens would have to pay to drop of debris; Attorney Kenan answered that the applicant's intent is to sell the by-product: that in the future they may have to charge a drop off fee. Board member Boney stated that he felt the proposal should be presented as a request for a Special Use Permit, the use was a great fit for the requested area, but didn't believe it would be a great fit for all General Business Districts. Board member Edens asked how the concrete would be crushed and recycled; Attorney Kenan referred the question to the applicants; Chairman McClammy asked the applicants to also answer what type of materials did they believe would be recycled the most; Ray Peele and Carroll Raynor, applicants, answered that they have been recycling debris for over 10 years and 90% of the materials are vegetative and they use a crushing machine that is on tracks, the concrete is fed into the machine, crushed, and sold for ABC rock. Attorney Thurman reminded the Board that the requested Text Amendment request could not be reviewed or approved based on the specific site, that if the Text Amendment was approved it would allow the use in all General Business Districts. Harold Harris, adjacent property owner, stated that he supported the request. Teresa Evans, adjacent property owner, commented that there was a need for such a business and supported the request. Chairman McClammy opened the floor for the Board's discussion; the Board held their discussion; Chairman McClammy opened the floor for a motion.

Board member Boney made a motion to approve the requested Zoning Text Amendment with the requirement of an approved Special Use Permit; seconded by Board member Nalee. The vote was 1 in favor; 2 opposed and 1 abstained.

Chairman McClammy asked staff what other options would the applicant have if the Zoning Text Amendment request was denied, staff explained that there were no other options for the applicant which is why they requested denying the request so further examination of an appropriate zoning district or potential standards for this use could be examined. After further discussion Board member Boney requested to make another motion to table item 6.

Board member Boney made a motion to table the requested Zoning Text Amendment until the Planning Board's next meeting; seconded by Board member Nalee. The vote was unanimous.

7. **Zoning Text Amendment:**
Pender County, applicant, requested the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. The request is to amend Section 5.3.12.G Portable Storage Containers, to further specify the use standards required for permitting of these structures. Also requested is amendment to Sections 7.10.1 Off Street Parking and Loading/Parking Requirements, specifically Day Care minimum parking requirements; and 7.10.5 Surfacing standards for parking areas, for alternative surfacing requirements to five (5) or fewer parking spaces. Senior Planner O'Hare presented and gave background information for agenda item 7. Chairman McClammy thanked

staff for their hard work creating the requested Zoning Text Amendment and due to numerous discussions on the matter he would like to entertain a motion.

Board member Edens made a motion to approve the Zoning Text Amendment as presented; seconded by Board member Boney. The vote was unanimous.
(Public Hearings Closed)

8. Discussion Items:

a. Planning Staff Items: *Items that were not covered during Work Session.

i. Technical Review Committee Updates: Senior Planner O'Hare provided the Board with a list of TRC meeting dates and deadlines, reviewed the TRC review and response sheet, and gave an overview of the TRC process that staff created. Board member Edens asked if an agenda would be distributed, Planner O'Hare stated that the agendas would be posted on the Pender County website and staff would email the Board the website link.

b. Planning Board Members Items: NONE

9. Next Meeting: January 6, 2015

10. Adjournment: 8:45 pm