

**MINUTES**  
**MOORE COUNTY PLANNING BOARD**  
**THURSDAY, MARCH 2, 2017 6:00 PM**  
**MOORE COUNTY HISTORIC COURTHOUSE – 2<sup>nd</sup> FLOOR**

**Board Members Present:** Joseph Garrison (Chair) Eddie Nobles (Vice Chairman),  
Gene Horne, John Cook, Scott McLeod, Aaron McNeill  
David Lambert, Harry Huberth

**Board Members Absent:** Bobby Hyman

**Staff Present:** Debra Ensminger, Planning Director  
Brenda White, Deputy County Attorney  
Theresa Thompson, Senior Planner  
Lydia Cleveland, Administrative and Transportation  
Program Manager

**CALL TO ORDER**

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

**INVOCATION**

Vice Chairman Eddie Nobles offered the invocation.

**PLEDGE OF ALLEGIANCE**

Board Member Aaron McNeill led in citing of the Pledge of Allegiance.

**MISSION STATEMENT**

Board Member David Lambert 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 December 1, 2016
- C. Consideration of Abstentions

Board Member Gene Horne made a motion to approve the consent agenda. The motion was seconded by Board Member Harry Huberth and the motion passed unanimously 8-0.

## **PUBLIC HEARING(S)**

Chairman Garrison stated the following

“Neighborhood Youth Leadership is requesting conditional rezoning for a “Elementary, Middle, and High School” to expand the existing elementary and middle schools to provide additional classroom space, incorporating high school grade levels to the Sandhills Theatre Arts Renaissance School (also known as STARS Charter) located at 140 Southern Dunes Drive, Vass, NC 28394. The request would rezone a total of +/-9.17 acres from Highway Commercial (B-2) / Residential & Agricultural – 40 (RA-40) to Highway Commercial Conditional Zoning (B-2-CZ) where the only permitted use for the property will be a school.”

Senior Planner Theresa Thompson explained that the request is to rezone an approximate 9.17 acres from Highway Commercial and Residential and Agricultural 40 to Highway Commercial conditional zoning district, where the only permitted use for the property will be a school and the site specific development plans are available in the board packets. The applicant is currently in the process of combining an approximate 3.53 acres from a neighboring property to provide additional classroom space incorporating high school grade levels. The existing adjacent zonings districts include Highway Commercial on the front portion of the property and Residential and Agricultural 40 in the rear half of the property. Adjacent land uses include single family homes, townhomes, undeveloped parcels, a dentist office, and an auto sales business. Staff has determined that there is general capability of mixed uses in the existing proposed zoning districts. The intent of the Highway Commercial district is to provide for the development of commercial service centers that serve community, county wide, or regional commercial needs, are accessible by residents from surrounding neighborhoods and are of such nature so as to minimize conflicts with surrounding residential areas. Schools are permitted within the Highway Commercial zoning district. Due to the school expansion request the applicant has elected to pursue conditional rezoning where the only permitted use on the property will be the school. The conditional rezoning process is beneficial for staff, adjacent property owners, the Planning Board, and the Board of Commissioners in order to know with certainty what the applicant will develop on the property. If approved the only development allowed to occur on this property is the school per the site specific development plan. Another beneficial aspect of conditional rezoning is the applicant or the boards may propose reasonable specific conditions of approval and those mutually agreed upon can be imposed. Staff has determined that the proposed conditional zoning district is consistent with the Moore County Land Use Map that classifies this area of land as high density residential with mixed uses. The requested zoning to Highway Commercial conditional zoning with the specific use of a school is compatible with the land use classification. The land use states that the high density residential with mixed land use classification includes a density of 4-8 dwellings per acre, single family detached or attached, housing may include a mixture of dwelling types including single family detached, duplexes, patio homes, semi-detached, detached dwelling, multi family or townhouse. This category should also include some non-residential neighborhood and

supportive uses such as retail, commercial office, schools, daycares, churches, and other similar uses compatible with residential. Public infrastructure such as roads, water, school, fire/rescue, open space must be adequate to accommodate the development. The public service providers in proximity of these areas are shown on the future land use map. This request is consistent with several goals with the Land Use Plan.

Ms. Thompson asked the Board if they had any questions.

Board Member Horne asked if county water and sewer is available at the site and Ms. Thompson stated yes.

Board Member John Cook asked if the proposed area is currently owned by the school and Ms. Thompson explained that the purchase of the property is contingent on the rezoning.

Chairman Garrison opened the public hearing.

Mr. Bob Koontz acting as the representative for Stars Charter School explained that they are essentially trying to add a high school because they are currently kindergarten through 9<sup>th</sup> grade. The school would like to roll the project out in 3 phases with an immediate need to add 10<sup>th</sup> grade by August 2017 which will include a 5500 square foot building. Phase 2 and 3 will include an additional 28,000 square foot building which will allow the current mobile classrooms to be removed, parking areas will be paved, and all buildings will be connected by sidewalks. Mr. Koontz stated there is currently a wetland area on the site and the school intends to make this a learning area for the students. Mr. Koontz reviewed the master plan and explained that they are currently working with NCDOT on the Traffic Impact Analysis to address traffic issues.

Board Member Cook asked if there will be any acceleration/deceleration lanes, flashing lights, or any other signals and Mr. Koontz stated there will be deceleration lanes but he is unsure of any acceleration lanes and yes the intent is to have signs that clearly mark the hours of operation.

Board Member Huberth asked if there will be any screening to accommodate the townhomes and Mr. Koontz stated they will meet code requirements and if there is anything in addition requested that can be considered.

Mr. Wes Graner the Executive Director of Stars Charter School stated that any screening that was requested in the past was completed.

Board Members Huberth and Scott McLeod asked if there had been any discussions with neighbors and if any issues were worked out, Mr. Graner stated that they were resolved to his knowledge.

Ms. Louis Valure stated that she and her husband are the owners of the townhomes and have been battling issues with the school for 8 years. Ms. Valure expressed concern

regarding the fencing around the current playground, the amount of room available for an emergency apparatus, and the amount of traffic and lighting at night for extra-curricular activities. Ms. Valure concluded with a request to delay the vote until the NCDOT report was available.

Board Member Huberth stated that traffic is obviously a concern and asked the staff who owns Southern Dunes Drive. Planning Director Debra Ensminger stated that the school owns the road.

Board Member McLeod asked if the townhomes were granted an easement and Ms. Ensminger stated yes.

Board Member McLeod made a motion to table the item until the report from NCDOT is available for review.

Mr. Koontz stated that the building permit would not be issued until the report was available and all requirements of the report were met.

Ms. Valure clarified that they were never granted an easement.

Upon learning that there is not an easement in place Board Member McLeod withdrew his motion and Board Member McNeill stated that if the road belongs to the school then they can do what they want.

Mr. Gene Barton who owns the track of land that the school intends on purchasing stated that the school has worked very hard to handle the traffic concerns.

Chairman Garrison closed the public hearing.

Chairman Garrison made a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement Approval and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Vice Chairman Nobles and the motion passed unanimously 8-0.

Board Member Huberth made a motion to endorse the Moore County Board of Commissioners to approve the conditional rezoning a total of +/-9.17 acres located at 140 Southern Dunes Drive, Vass, NC 28394 from Highway Commercial (B-2) / Residential & Agricultural – 40 (RA- 40) to Highway Commercial Conditional Zoning (B-2-CZ) where the only permitted use for the property will be a “Elementary, Middle, and High School” as proposed per the approved site specific development plan and contingent on meeting the requirements of the Traffic Impact Analysis. The motion was seconded by Board Member McNeill and the motion passed unanimously 8-0.

**OTHER BOARD MATTERS**

No other board matters were discussed.

**PLANNING DEPARTMENT REPORTS**

Ms. Ensminger stated she did not have anything further to report.

**BOARD COMMENT PERIOD**

No other board comments were discussed.

**ADJOURNMENT**

Vice Chairman Nobles made a motion to adjourn the March 2, 2017 regular meeting. The motion was seconded by Board Member McNeill and the motion passed unanimously 8-0.

Respectfully submitted by,

Lydia Cleveland