Camden County Planning Board
Regular Meeting
June 19, 2019, 7:00 PM
Historic Courtroom, Courthouse Complex
Camden, North Carolina

MINUTES

The regular meeting of the Camden County Planning Board was held on June 19, 2019 in the Historic Courtroom, Camden, North Carolina. The following members were present:

CALL TO ORDER & WELCOME

Planning Board Members Present:

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
<th>Arrived</th>
</tr>
</thead>
<tbody>
<tr>
<td>Calvin Leary</td>
<td>Chairman</td>
<td>Present</td>
<td>6:50 PM</td>
</tr>
<tr>
<td>Fletcher Harris</td>
<td>Board Member</td>
<td>Present</td>
<td>6:50 PM</td>
</tr>
<tr>
<td>Rick McCall</td>
<td>Board Member</td>
<td>Absent</td>
<td></td>
</tr>
<tr>
<td>Ray Albertson</td>
<td>Board Member</td>
<td>Present</td>
<td>6:50 PM</td>
</tr>
<tr>
<td>Steven Bradshaw</td>
<td>Board Member</td>
<td>Present</td>
<td>6:50 PM</td>
</tr>
<tr>
<td>Cathleen M. Saunders</td>
<td>Board Member</td>
<td>Present</td>
<td>6:50 PM</td>
</tr>
<tr>
<td>Nathan Lilley</td>
<td>Board Member</td>
<td>Present</td>
<td>6:50 PM</td>
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Staff Present

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
<th>Arrived</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dan Porter</td>
<td>Planning Director</td>
<td>Present</td>
<td>6:40 PM</td>
</tr>
<tr>
<td>Amy Barnett</td>
<td>Planning Clerk</td>
<td>Present</td>
<td>6:30 PM</td>
</tr>
</tbody>
</table>

Others Present

<table>
<thead>
<tr>
<th>Attendee Name/Address</th>
<th>Title/Company</th>
<th>Meeting Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ken Bowman, Camden NC</td>
<td>Applicant, Camden County Manager</td>
<td>New Business, #1</td>
</tr>
<tr>
<td>Joe Howell, US Navy</td>
<td>Representing Captain J.P. Kline of the US Navy</td>
<td>New Business #1</td>
</tr>
<tr>
<td>Northwest Annex,</td>
<td>Commanding Officer US Navy Northwest Annex</td>
<td></td>
</tr>
<tr>
<td>Chesapeake, VA</td>
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</table>
CONSIDERATION OF AGENDA

Motion To Approve Agenda As Presented

RESULT: PASSED [UNANIMOUS]
MOVER: Steven Bradshaw, Board Member
SECONDER: Fletcher Harris, Board Member
AYES: Leary, Harris, Albertson, Bradshaw, Saunders, Lilley
ABSENT: McCall

CONSIDERATION OF MINUTES FROM APRIL 17, 2019

Motion To Approve April 17, 2019 Minutes As Written

RESULT: PASSED [UNANIMOUS]
MOVER: Fletcher Harris, Board Member
SECONDER: Steven Bradshaw, Board Member
AYES: Leary, Harris, Albertson, Bradshaw, Saunders, Lilley
ABSENT: McCall

OLD BUSINESS

There was no Old Business to consider.

NEW BUSINESS

Item #1 - UDO 2019-05-28 Rezoning US 17 and McPherson Rd

Planning Director Dan Porter described this agenda item and went over some of the staff report as incorporated herein below:

STAFF REPORT
UDO 2019-05-28
Zoning Map Amendment

PROJECT INFORMATION

File Reference: UDO 2019-05-28
Project Name: N/A
PIN: 01-7071-00-67-6843-0000
Applicant: Camden County
Address: 117 N. 343 Camden, NC
Phone: (252) 338-1919
Email:
Agent for Applicant:
Address:
Phone:
Email:

Current Owner of Record: Applicant

Meeting Dates:
05/29/2019 Neighborhood Meeting
06/19/2019 Planning Board

Application Received: 05/16/2016
By: David Parks, Permit Officer

Application Fee paid: N/A

Completeness of Application: Application is generally complete.

Documents received upon filing of application or otherwise included:
A. Rezoning Application
B. GIS Aerial, existing zoning, Comprehensive Plan/CAMA Plan future land use maps, and CAMA Land Use Plan Suitability Maps
C. Table of Permissible Use comparison.
D. U.S. Highway 17 Corridor Plan
E. Neighborhood meeting comments.
F. Liaison Officer Navy Support Activity letter

REQUEST:
Rezone approximately 260 acres from Working Lands (WL) to Highway Commercial (HC) on property located at the intersections of U.S. 17 and McPherson Road.

From: Working Lands (WL). The Working Lands (WL) district is established to accommodate agriculture, agriculturally related uses, and limited forms of residential development at very low densities in rural portions of the County. The district is primarily intended to preserve and protect bona fide farms and resource lands for current or future agricultural use as well as to protect the rural character of the area. One of the primary tools for character protection is the requirement to configure residential subdivisions of more than five lots as conservation subdivisions. The conservation subdivision approach seeks to minimize the visibility of new residential development from adjacent roadways through proper placement and screening, and allows farmers to capture a portion of the land's development potential while continuing to farm. Conservation subdivisions allow a portion of a tract or site to be developed with single-family detached homes while the balance of the site is left as conservation or agricultural land. The district also accommodates a wide range of agricultural and agricultural-related uses like "agri-tourism" as well as service and support uses to the rural community, including day care, educational uses, public safety facilities, parks, and utility features.
To: Highway Commercial (HC). The Highway Commercial district is applied to lots along the County's major roadways (e.g., US 158, US 17, NC 34, and NC 343) and is intended for automobile-oriented commercial development as well as large floorplate commercial uses and uses that require or generate truck traffic. The district also accommodates agricultural and institutional uses as well as higher density residential uses with a special use permit. New development in the HC district is grouped and configured to ensure regular lateral vehicular and pedestrian access along major transportation routes as a means of establishing a well-connected transportation system. New development is configured to maintain high visual quality along the major roadway, or is fully screened from view. Sufficient spacing and screening is included along lot lines shared with adjacent residential zoning districts to ensure compatibility. New commercial and multi-family developments in the district are subject to the design standards in Article 151.5 - Development Standards.

Maps Show:
- Vicinity Map - Property Located in South Mills Township, US 17 & McPherson Road
- Current Zoning - Planned Development (PD)
- Comprehensive Plan Future Land Use Map - Mixed Use Employment
- CAMA Future Land Use Map - Low Density Residential
- CAMA Land Suitability Map - Very High

SITE DATA

Lot Size: Approximately 260 Acres
Flood Zone: X
Zoning District(s): Working Lands (WL)
Existing Land Uses: Farmland/Sewer Plant Spray Field

Adjacent Zoning & Uses:

<table>
<thead>
<tr>
<th>Zoning</th>
<th>North</th>
<th>South</th>
<th>East</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planned Development (PD)</td>
<td>Rural Residential Planned Unit (RR)</td>
<td>Rural Working Lands (WL)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Use &amp; Size</th>
<th>Camden Commerce</th>
<th>Camden Plantation</th>
<th>Farmland</th>
<th>Dismal Swamp</th>
</tr>
</thead>
</table>

Proposed Use(s): Commercial Uses.

Description of Property: Majority of property being farmed with the portion to the East being used as a Sewage Treatment Facility holding pond/spray field.

ENVIRONMENTAL ASSESSMENT

Streams, Creeks, Major Ditches: Property drains into the Dismal Swamp Canal. Distance & description of nearest outfall: Less than 1 mile.
INFRASTRUCTURE & COMMUNITY FACILITIES

Water  Water lines are located adjacent to property along US 17 and McPherson Road
Sewer  Sewer runs along US 17
Fire District  South Mills Fire District off Keeter Barn Road located approximately 3 miles from property
Schools  Proposed uses in requested zoning will not impact schools
Traffic  Traffic impact analysis will be required upon development of property

PLANS CONSISTENCY

CAMA Land Use Plan Policies & Objectives - Inconsistent; the proposed zoning change is inconsistent with the CAMA Land Use Plan as Future Land Use Maps has it designated as Low Density Residential. Plan will need to be amended.

2035 Comprehensive Plan - Consistent; Consistent with Comprehensive Plan (Adopted 2012) as Future Land Use Maps reflect land as Mixed Use Employment. To have Mixed Use Employment, water and sewer is preferred which both are adjacent to this parcel.

Comprehensive Transportation Plan - Consistent; Property abuts US 17 and McPherson Road. Property also does not have direct access to US 17.

Other Plans officially adopted by the Board of Commissioners - N/A

FINDINGS REGARDING ADDITIONAL REQUIREMENTS

Will the proposed zoning change enhance the public health, safety, or welfare? Yes; Reasoning: The proposed zoning change will enhance the public welfare as proposed zoning change will encourage commercial development along a major corridor providing a needed tax base and employment opportunities.

Is the entire range of permitted uses in the requested classification more appropriate than the range of uses in the existing classification? Yes; Reasoning: Requested uses are more appropriate due to the location of the property and infrastructure available (water & sewer). The eastern portion of the property serves as the County's sewage Treatment Plant affluent holding pond / Spray Fields.

For Proposals to re-zone to non-residential districts along major arterial roads:

Is this an expansion of an adjacent zoning district of the same classification? No; Reasoning: The property abuts county owned Commercial Park directly to the north which is zoned as a Planned Development (PD).

What extraordinary showing of public need or demand is met by this application? Yes; Reasoning: The need for commercial development, employment opportunities, and tax base.
Will the request, as proposed, cause serious noise, odors, light, activity, or unusual disturbances? Yes; Reasoning: Some uses could cause some noise, odors, light, activity, or unusual disturbances. Buffering will be addressed at permit issuance for the use which should mitigate some of the issues.

Does the request impact any CAMA Areas of Environmental Concern? No; Reasoning: Property is outside any CAMA Areas of Environmental Concern. Property located outside the 100 year floodplain.

Does the County need more land in the zoning class requested? Yes; Reasoning: In appropriate areas where location of property and infrastructure (water & sewer) is available. Property abuts US 17 and there is water and sewer available to the site.

Is there other land in the County that would be more appropriate for the proposed uses? No; Reasoning: The property along US 17 and the future I-87 corridor is one of the most appropriate and marketable properties in the County. The geographic location of the property to the Hampton Roads MSA enables prospective investment to capitalize upon synergistic business opportunities, interstate arterial routes, workforce compliment, and the Port of Virginia. The property is also within the boundaries of Foreign Trade Zone #20 which offers significant value to entities engaged in global trade.

Will not exceed the County's ability to provide public facilities: No;
Schools - N/A;
Fire and Rescue - Level of impact would be determined upon the type and size of the business attracted to the site;
Law Enforcement - Minimal impact;
Parks & Recreation - No impact;
Traffic Circulation or Parking - Depends on type and size of business;
Other County Facilities - No.

Is this a Small Scale "Spot" Rezoning request requiring evaluation of Community Benefits? No; If Yes (regarding small scale spot rezoning), Applicant's Reasoning: N/A.

STAFF COMMENTARY / RECOMMENDATION:

The original intended use of this parcel was for utilization of the County's Waste Water Treatment Facility to spray the affluent from the plant on trees. Technology at the time required 1 acre of land to every 100 gallons of affluent. New technology and possible partnership with the development community has diminished the amount of land required for handling affluent. Staff feels that the current highest and best use of the property due to its location (abuts US 17/Interstate 87) and availability of infrastructure (water/sewer) is commercial uses proposed under requested zoning (Highway Commercial).

Consistency Statement: The requested zoning is consistent with Camden County's Comprehensive Plan as it has property identified as Mixed-Use Employment which uses are permitted in the Highway Commercial Zoning District.

Staff recommends approval of the rezoning as the uses in the proposed zoning classification are more appropriate than that of the existing zoning classification.
At this time, Dan Porter introduced County Manager Ken Bowman, who is representing Camden County as applicant, and he spoke regarding this rezoning request:

- Rezoning request is primarily due to prime location.
- County owned, prime property along US 17, adjacent to the Commerce Park, that can be developed.
- Commerce Park has its first company locating there during the past year.
- Processes underway to widen the Commerce Park road(s), putting underground utilities in place, and timbering is in the initial phases.
- Since the processes began, there has been more interest in the properties in the Commerce Park.
- On the left side of the road leading into the Commerce Park is the Commerce Park itself, on the right side is the 260 acres for which rezoning request is being made.
- There is an established company who is interested in property in the area of the Park that would afford them closer access to the Ports of VA, and locating there is contingent on the zoning of the land.
- Think it is a good idea to go ahead and rezone this entire parcel so that as companies who have interest in the land begin to investigate their options, the zoning will be there for highway commercial uses.
- Will give the County the ability to market the land better.
- Have interest in both the Commerce Park and the parcel under consideration here.
- Having the land properly zoned is very important to commercial developers when evaluating property for potential commercial sites. If property is already zoned for the use an applicant proposes, they are not at the mercy of any boards to get it rezoned.
- Will not be proposing a move for the spray field or lagoon, they will stay in place, and may be adding a filtration pond adjacent to the lagoon some time in the future.
- Without the rezoning, there are not a lot of options for the land. Rezoning for highway commercial would allow the best use of the land.

Dan Porter went over the definitions of Working Lands (WL) and Highway Commercial (HC). Mr. Porter then continued going over the staff report.

- Went over the adjacent uses, North, South, East, and West of the property, which are summarized in the staff report herein above.
- Went over the various maps included in the staff report, and summarized herein above.
- High suitability according to the CAMA Land Use Plan.
- Water and Sewer are both available in the vicinity along Hwy 17.
- Located in South Mills Fire District
- While Working Lands zoning would have some impact on schools, Highway Commercial will not have any impact on schools.
- Any development will likely require a traffic impact analysis. Will have to take into consideration the limited access to US 17, which is via the entrance to the Commerce Park, and McPherson Road.
- NCDOT will not allow any new curb cuts along US 17.
- Proposed zoning is inconsistent with the CAMA Land Use Plan, as the plan calls for the land to be low density residential.
• Proposed zoning is consistent with the 2035 Comprehensive Plan as the Future Land Use Maps reflect the land as being Mixed Use Employment.

• Went over the Findings Regarding Additional Requirements, which are included herein above.

• Property is one of the most marketable properties in Camden County. Proximity to Hampton Roads, and the Ports of VA make this a very valuable location for potential commercial businesses. Also is within the boundaries of Foreign Trade Zone # 20, which offers significant value to entities engaged in global trade.

• One change in the staff report:
  o "Will not exceed the county's ability to provide public facilities"
    ▪ Staff report as presented answered this as a "No", however without knowing in advance the companies which would locate there, there is no way to know what the impacts would actually be as far as Fire & Rescue and Law Enforcement are concerned. Also, any development which is commercial in nature is sure to have increased traffic flow.
    ▪ Staff now feels there could be an impact and would like to change this to a "Yes" answer.

Steven Bradshaw pointed out that the impacts would also be evaluated when a company comes in for a Special Use Permit. Mr. Bradshaw stated his opinion that this should be considered at that point and not at rezoning. Mr. Porter responded saying that the question of public facilities is one of the questions on the rezoning application, and so has to be included.

Nathan Lilly asked if the spray field would need to be expanded should the area be fully developed, both commercial properties and the adjacent residential properties. Mr. Porter responded saying that with the development in the area, the need for increasing sewer treatment is there, however technologies have improved significantly to the point that the amount of land required to treat it is much less than it used to be and the level of treatment is also greatly improved which potentially reduces the limitations imposed by DENR regulations.

Steven Bradshaw asked if Camden Plantation would have its own sewer system. Mr. Porter responded saying that Camden Plantation has proposed their own system, but that they would work with the County in any way possible to help build the county's system. The first 109 units, as already proposed, will be hooked up to the county's sewer system.

Dan Porter read the Staff Commentary / Recommendation from the Staff Report incorporated herein above, noting that staff is recommending approval.

Cathleen Saunders asked for clarification regarding NCDOT's not allowing curb access along US 17. Mr. Porter replied saying that NCDOT has not been allowing additional curb access on US 17 at least since he has worked with the county, which is in excess of 12 years. Ms. Saunders asked if there was access via the Commerce Park roads so that access would not have to be via the residential roadways. Mr. Porter stated that with the exception of a minor bridge/culvert at the very back of the Commerce Park, there is currently not access in that manner, but that the plan would be to run a road through the 260 acre parcel to the Commerce Park.
Mr. Porter stated that with any development along US 17 in the area, there would need to be ability to interconnect the properties of the Commerce Park and the 260 acres under consideration here.

Nathan Lilly asked if McPherson Road would be considered an access point. Mr. Porter stated that it would be an access point for the southern portion of the property. He added that the entry road into the Commerce Park would be the access point for the northern portion of the property.

At this point, Chairman Calvin Leary asked if there were any further questions or comments from the board. Hearing none, he opened the floor to public comment.

Joe Howell, Representing Captain J.P. Kline of the US Navy, Commanding Officer US Navy Northwest Annex, Chesapeake, VA

- Representing the US Navy's Northwest Annex, ROTHR Radar facility
- Referred to a letter which was sent to Dan Porter regarding Navy request to be consulted on development on the property under consideration. Copy of which was included in board packet and copy of which is available at the Planning Department.
- Commercial and industrial uses have the potential to create electro-magnetic interference (EMI) which could interfere with the mission of the ROTHR Radar. Specifically uses which include such activities as use of high frequency transmitters, welding, electrical systems that are normally attributed to industrial / manufacturing type of operations.
- If this rezoning is approved, it would allow for those types of activities to be permitted uses.
- ROTHR has a detection monitoring mission with respect to illegal activities. Its detection footprint extends all the way down to the Caribbean, Central, and South America.
- Would like to have language added into the rezoning such that the Navy would be consulted on any development so that the possibility of frequency interference can be mitigated or avoided. Consultation would allow the Navy to research and determine if a proposed commercial use would have any detrimental effect on the ROTHR.
- Goal of consultation would be to curtail EMI effects which might impede the mission of the ROTHR.
- Beyond consultation, Navy could offer mitigation opportunities such as recommendations relating to the orientation of certain elements so that the effects are limited or avoided, recommendations of certain building materials, filters, and so on.

Fletcher Harris asked what the distance was for needing to consult on potential EMI due to operations at the Commerce Park and the property under consideration. Mr. Howell responded that it was about 4-5 miles.
Steven Bradshaw asked if this was a change from the request made by the Navy when the Commerce Park was created. Mr. Porter replied saying that it was basically the same request.

Mr. Porter stated that he understands and appreciates the importance of the mission of the ROTH. Mr. Porter added the following:

- Zoning cannot be conditional, language cannot be added to zoning.
- Any future development has to come before the Planning Board and Board of Commissioners. The request by the Navy would be best served to be addressed at that point.
- State law requires that any time there is a rezoning or development within 5 miles of any military installation that the military branch owning the installation be afforded an opportunity for comment.

Steven Bradshaw commented that it is better for developers to know beforehand that there might be an issue with the location depending on the type of business they want to pursue. Mr. Howell commented that he wants to work with the county on this and be able to comment and offer recommendations to any developers in order to limit the effects to the ROTH.

At this time, Chairman Calvin Leary asked if there were any further questions or comments from the public. Hearing none, he entertained a motion.

**Motion to Approve UDO 2019-05-28 Rezoning Property Located at Corner of US 17 and McPherson Road**

| RESULT: | PASSED [UNANIMOUS] |
| MOVER: | Steven Bradshaw, Board Member |
| SECONDER: | Ray Albertson, Board Member |
| AYES: | Leary, Harris, Albertson, Bradshaw, Saunders, Lilley |
| ABSENT: | McCall |
INFORMATION FROM BOARD AND STAFF

There was no Information from Board and Staff to present.

CONSIDER DATE OF NEXT MEETING - JULY 17, 2019

ADJOURN

Motion to Adjourn June 19, 2019 Planning Board Meeting

RESULT: PASSED [UNANIMOUS]
MOVER: Ray Albertson, Board Member
SECONDER: Fletcher Harris, Board Member
AYES: Leary, Harris, Albertson, Bradshaw, Saunders, Lilley
ABSENT: McCall

Meeting Adjourned at 7:30 PM.

Chairman Calvin Leary
Camden County Planning Board

ATTEST:

Amy Barnett, Planning Clerk