

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – November 20, 2019

Camden County Planning Board

Regular Meeting

November 20, 2019 7:00 PM

Historic Courtroom, Courthouse Complex

Camden, North Carolina

MINUTES

The regular meeting of the Camden County Planning Board was held on November 20, 2019 in the Historic Courtroom, Camden, North Carolina. The following members were present:

Planning Board Members Present:

Attendee Name	Title	Status	Arrived
Calvin Leary	Chairman	Present	6:50 PM
Fletcher Harris	Board Member	Present	6:50 PM
Rick McCall	Board Member	Absent	
Ray Albertson	Board Member	Present	6:50 PM
Steven Bradshaw	Vice Chairman	Present	6:50 PM
Cathleen M. Saunders	Board Member	Present	6:50 PM
Nathan Lilley	Board Member	Present	6:50 PM

Staff Present:

Attendee Name	Title	Status	Arrived
Dan Porter	Planning Director	Present	6:45 PM
Dave Parks	Permit Officer	Present	6:40 PM
Amy Barnett	Planning Clerk	Present	6:35 PM

Others Present:

Attendee Name / Address	Title / Company	Meeting Section
Robert Krainiak	Applicant	New Business, #1
Sean Robey	Eastern Carolina Engineering	Representing Mr. Krainiak, New Business, #1

CALL TO ORDER & WELCOME

Chairman Calvin Leary called the meeting to order at 7:00 PM.

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – November 20, 2019

CONSIDERATION OF AGENDA

Motion to Approve Agenda As Presented

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

CONSIDERATION OF MINUTES – OCTOBER 16, 2019

Motion to Approve 10-16-19 Minutes As Written

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

OLD BUSINESS

None.

NEW BUSINESS

A. UDO 2019-10-24 Rezoning Request Robert Krainiak 25 Acres HC to VR

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

**STAFF REPORT
UDO 2019-10-24
ZONING MAP AMENDMENT**

PROJECT INFORMATION

File Reference:	UDO 2019-10-24
Project Name:	N/A
PIN:	See Attached List
Applicant:	Robert Krainiak
Address:	105 Havenwood Drive, Camden, NC
Phone:	(252) 599-7185
Email:	

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – November 20, 2019

Agent for Applicant:

Address:

Phone:

Email:

Current Owner of Record: Applicant

Meeting Dates:

10/21/2019 Neighborhood

11/20/2019 Planning Board

Application Received: 10/15/2019

By: Dave Parks, Permit Officer

Application Fee paid: \$800.00 Check #34759

Completeness of Application: Application is generally complete

Documents received upon filing of application or otherwise included:

- A.** Rezoning Application
- B.** Deeds
- C.** GIS Aerial, Current zoning, Comprehensive Plan Future Land Use, CAMA Future Land Use and Suitability map, and Floodplain Maps
- D.** Letter from County on capacity / availability of Water & Sewer
- E.** Zoning Comparison HC and VR
- F.** Summary of Neighborhood Meeting

REQUEST: Rezone approximately 25 acres (Lots 9-28 and a portion of 29 in Camden Business Park) from Highway Commercial (HC) to Village Residential (VR).

From: Highway Commercial (HC) - Article 151.3.5.6 (Purpose Statement)

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.

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – November 20, 2019

To: Village Residential (VR) – Article 151.3.5.6 (Purpose Statement)

The Village Residential (VR) district is established to accommodate a wide range of residential and institutional use types at modest densities on lots within and adjacent to designated village centers. The district allows duplexes, live/work units, single-family attached, and single-family detached dwellings, but does not allow mobile homes, manufactured homes, or conservation subdivisions. As a means of creating compact, functional neighborhoods, the district also allows a wide variety of institutional uses, including community centers, day care, schools, assisted living, religious institutions, parks, and utilities. Lots served by public sewer may have reduced minimum lot sizes and building height is measured from the base flood elevation. District regulations are intended to support the County's investment in infrastructure by encouraging the development of compact, vibrant neighborhoods with a variety of house sizes and types that are located in close proximity to complementary institutional uses. Low density development comprised of uniform building types or styles is discouraged.

MAPS SHOW:

Vicinity Map: Located in Courthouse Township in the rear section of Camden Business Park which is located off of US Hwy 158 East just past the Camden County Manager's Office.

CAMA Land Suitability: Very High suitability for development

Comprehensive Plan Future Land Use Map: Mixed Use Employment

CAMA Future Land Use Map: Industrial

Zoning Map: Highway Commercial

Floodplain Map: Zone X

SITE DATA

Lot size: Lots 9 - 28 and a portion of lot 29 approximately 25 acres in Camden Business Park

Flood Zone: X

Zoning District(s): Highway Commercial (HC)

Existing Land Uses: Camden Business Park (33 lots) - Lot 33 is only developed. Remaining 32 lots are vacant.

Adjacent Zoning & Uses:

	North	South	East	West
Zoning	Rural Residential (RR)	Light Industrial (LI)	Highway Commercial (HC)	Highway Commercial (HC)
Use & size	Camden Crossing Subdivision	Farmland	Farmland	Commercial Building / County Offices

Proposed Use(s): Residential.

Description/History of property: Camden Business Park was recorded in June 2008 consisting of 33 commercial lots. Lot 33 was only lot developed as a strip mall, currently occupied by Camden County Library and a Martial Arts Studio. Remaining lots went into foreclosure (except lots 7-10) and most of the remaining lots were purchased by Mr. Robert Krainiak. Waterlines exist.

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – November 20, 2019

ENVIRONMENTAL ASSESSMENT

Streams, Creeks, Major Ditches: Ditches run along railroad tracks.

Distance & description of nearest outfall: Sawyers Creek; approximately 1 mile.

INFRASTRUCTURE & COMMUNITY FACILITIES

Water: Waterlines exist within the development.
Sewer: Sewer lines adjacent to property along US 158.
Fire District: South Camden.
Schools: Proposed zoning will have an impact on Schools.
Traffic: Traffic Impact Analysis required at development stage.

PLANS CONSISTENCY

CAMA Land Use Plan Policies & Objectives: *Inconsistent.*

The CAMA Land Use Plan was adopted by the Camden County Board of Commissioners on April 4, 2005.

The proposed zoning change is inconsistent in that the Future Land Use Maps has property identified as Industrial.

2035 Comprehensive Plan: *Both Consistent and Inconsistent.*

The proposed zoning change is inconsistent and consistent with Comprehensive Plan (Adopted 2012).

Inconsistent as Future Land Use Map shows the property designated as Mixed Use Employment which based on the description (see Attachment A) prohibits residential development.

Consistent in that based on the Vision Statement new development will be focused within targeted core areas, the Camden Village Core Action Strategies promotes the 158 corridor for new mixed use and higher density development, and Priority Action item 5 promotes updating UDO based on key amendments listed. UDO update approved on February 4, 2019. (see Attachment B).

Comprehensive Transportation Plan: *Consistent.*

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 health, safety, or welfare as it will allow for higher density residential uses to support commercial uses nearby, with the availability of water and sewer. Sewer runs along U.S. 158.

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – November 20, 2019

Is the entire range of permitted uses in the requested classification more appropriate than the range of uses in the existing classification? Yes.

Reasoning: The range of uses in the new Village Residential zoning district allows for limited commercial along with a higher density residential development where water and sewer are available. Attached is letter from Camden Water & Sewer stating that water and sewer is available.

The 2035 Comprehensive Plan overall strategy is to focus commercial growth in and around the village centers and higher density residential thus maintaining the rural character of the lands away from the villages

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? New Zoning Classification. **Reasoning:**

What extraordinary showing of public need or demand is met by this application? Reasoning:

Will the request, as proposed cause serious noise, odors, light, activity, or unusual disturbances? No. **Reasoning:** In staff's opinion, the uses in the requested zoning classification will not cause serious noise, odors, light, activity, or unusual disturbances.

Does the request impact any CAMA Areas of Environmental Concern? No. **Reasoning:** Property is outside any CAMA Areas of Environmental Concern.

Does the county need more land in the zoning class requested? Yes. **Reasoning:** This is a new zoning classification to allow for higher development in locations in and around village centers.

Is there other land in the county that would be more appropriate for the proposed uses? Yes AND No. **Reasoning:** Based on the Village Residential (VR) Purpose Statement listed in the UDO, this and other areas are appropriate for the proposed uses.

Will not exceed the county's ability to provide public facilities: No. The proposed zoning uses will have an impact on all public facilities, how much and what facilities will be determined at the development of the property.

Schools -

Fire and Rescue -

Law Enforcement -

Parks & Recreation -

Traffic Circulation or Parking -

Other County Facilities -

Is This A Small Scale "Spot" Rezoning Request Requiring Evaluation Of Community Benefits? No. **If Yes (regarding small scale spot rezoning) - Applicants Reasoning:**

	Personal Benefits/Impact	Community Benefits/Impact
With rezoning		
Without rezoning		

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – November 20, 2019

STAFF COMMENTARY:

Planning Staff makes the following recommendations for either approval or denial:

Consistency Statement:

- The proposed zoning change is inconsistent with the **2005** CAMA Land Use Plan in that the CAMA Future Land Use Maps has property identified as Industrial; also
- The proposed zoning change is inconsistent and consistent with Comprehensive Plan (Adopted 2012);

Inconsistent as Future Land Use Map shows the property designated as Mixed Use Employment which based on the description (see Attachment A) prohibits residential development.

Consistent as based on the Vision Statement new development will be focused within targeted core areas and the Camden Village Core Area Action Strategies promotes the 158 corridor for new mixed use and higher density development. Property located within the 1 mile buffer of Core Village where county encouraging higher density housing mix.

Application:

Motion for approval: Recommend approval of proposed rezoning application (UDO 2019-10-24) to rezone properties from Highway Commercial (HC) to Village Residential as rezoning request is consistent with the Comprehensive Plan (Adopted 2012) as based on the Vision Statement new development will be focused within targeted core areas and the Camden Village Core Area Action Strategies promotes the U.S. 158 corridor for new mixed use and higher density development. Property located within the 1 mile buffer of Core Village where county encouraging higher density housing mix.

Motion for denial: Recommend denial of Rezoning Application (UDO 2019-10-24) to rezone property from Highway Commercial (HC) to Village Residential (VR) as rezoning request is inconsistent with the CAMA Land Use Plan in that the CAMA Future Land Use Maps has property identified as Industrial.

If recommendation is for approval need the following motion:

Motion to amend Comprehensive Plan Future Land Use Map for the 24 acres from Mixed-Use Employment to Village Mixed Use.

Mr. Porter noted the following from the staff report:

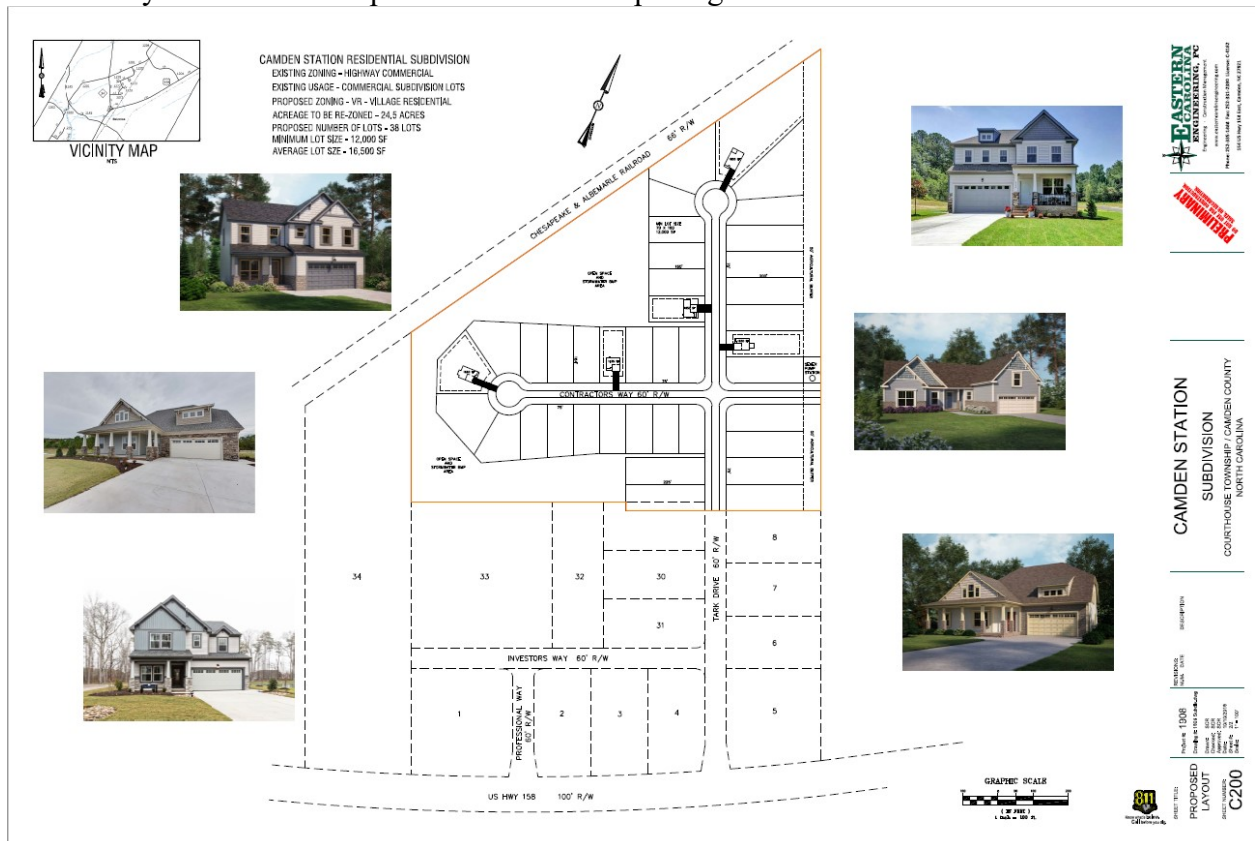
- Property is located at the rear of the Camden Business Park
- Request is to rezone 25 acres from Highway Commercial (HC) to Village Residential (VR)
- Mr. Porter read the definitions of HC and VR (see staff report above).

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – November 20, 2019

At this time, Mr. Sean Robey of Eastern Carolina Engineering spoke regarding this request.

- Property was prior owned by Mr. Mark Gregory who developed the existing commercial structures in the Camden Business Park. Mr. Gregory also created lots for future development
- Property became bank owned, and Mr. Krainiak acquired it hoping to develop it and sell off the lots.
- There has been no interest in the lots as commercial property.
- Mr. Krainiak desires to repurpose the property so he can sell it.
- With the Camden Sewer Plant coming online, this is a good time to look at rezoning the property to a residential use.
- Existing infrastructure and roads make it easy to meet the requirements for a Village Residential subdivision at this location.
- Mr. Robey showed a map to the board depicting the intended use of the lots:



- There are currently 20 existing lots, want to create 38 single family residential lots.
- Minimum lot width in VR is 75 feet if conditions are met
- Map shown depicts lots of 75 feet frontal width with varying depth.
- Lots could range from 12,000 to 16,000 square feet.
- Smaller lot sizes are possible due to availability of sewer connection to county system.
- Have reached out and received approval for sewer connection for 38 lots. Sewer availability is limiting factor.
- Feel it is a good fit for area.

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – November 20, 2019

- Mr. Krainiak also owns adjacent Highway Commercial zoned property which fronts on Hwy 158. He plans to keep that as Highway Commercial in the hope that developing the back portion of his property as residential might encourage commercial development on the property that fronts on Hwy 158.

Chairman Calvin Leary asked where the entrance for the subdivision would be. Mr. Robey responded that the ingress and egress would be along Tark Drive which is off of US 158 East.

Mr. Porter read through the site data of the staff report and noted the surrounding land uses, flood zone, and existing land uses (see staff report above). He also noted that the property was originally intended to be a business park, however lack of interest in commercial development of the property led to foreclosure on the property after which Mr. Krainiak acquired the land.

Mr. Porter then went over the Environmental Assessment noting the drainage path.

Mr. Robey explained that the drainage drains towards a ditch along the railroad track behind the property, then to the south west crossing under US Hwy 158 and into the swamp.

Mr. Porter then went over the infrastructure portion of the staff report noting the following:

- Waterlines exist in the development
- Sewer lines are adjacent, on the opposite side of US 158 E
- Will have an impact on schools, how much will be determined at development
- Will have an impact on traffic. Will probably be less traffic with residential than there would be with highway commercial.

Mr. Dave Parks went over the maps which are part of the staff report:

- Zoning Map - Shows property as Highway Commercial (HC), property behind is Rural Residential (RR), Property in front is Highway Commercial (HC), and across Hwy 158 is Light Industrial (LI).
- CAMA Future Land Use Map - Shows property as Industrial
- Comprehensive Future Land Use Map - Mixed Use Employment, with Rural Residential 1 Acre behind property, and Village Mixed Use across Hwy 158.
- Flood Zone: X
- CAMA Land Suitability - Very high suitability for development.

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – November 20, 2019

Mr. Porter went over Plans Consistency.

- CAMA Land Use Plan - Inconsistent, property is identified as Industrial
- 2035 Comprehensive Plan - Consistent and Inconsistent
 - Inconsistent - Future Land Use Map has property as Mixed Use Employment which based on description prohibits residential development (see attachment A of board packet).
 - Consistent - Based on vision statement, new development will be focused within targeted core areas, the Camden Village Core Action Strategies promotes the 158 corridor for new mixed use and higher density development. Priority Action Item 5 promotes updating UDO based on key amendments listed. UDO update was approved on February 4, 2019 (see attachment B of board packet).
 - Since property is located within 1 mile of the village core and has both water and sewer available, it is consistent with the policies in the Comprehensive Plan.
- If approved, then because of the General Statutes, the CAMA Maps will need to be amended as will the Comprehensive Future Land Use Maps (2 additional motions or 1 for both).

Mr. Porter read through the Findings Regarding Additional Requirements of the staff report, then read and went over the staff commentary, consistency statement, and recommended motions.

Vice Chairman Steve Bradshaw commented that developing the property at the back of Camden Business Park still leaves plenty of room for commercial development at the front of the property.

At this time, Chairman Calvin Leary asked if there were any further questions or comments. Hearing none, he called for motions.

Consistency Statement:

“The proposed zoning change is inconsistent with the 2005 CAMA Land Use Plan in that the CAMA Future Land Use Maps has property identified as Industrial; also

The proposed zoning change is inconsistent and consistent with Comprehensive Plan (Adopted 2012);

Inconsistent as Future Land Use Map shows the property designated as Mixed Use Employment which based on the description (see Attachment A) prohibits residential development.

Consistent as based on the Vision Statement new development will be focused within targeted core areas and the Camden Village Core Area Action Strategies promotes the 158 corridor for new mixed use and higher density development. Property located within the 1 mile buffer of Core Village where county encouraging higher density housing mix.”

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – November 20, 2019

Motion to Approve Consistency Statement:

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

Motion to Approve UDO 2019-10-24 Rezoning Request Robert Krainiak 25 Acres Highway Commercial (HC) to Village Residential (VR).

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

Motion to amend both the CAMA Future Land Use Map and the Comprehensive Plan Future Land Use Map to reflect the rezoning.

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

INFORMATION FROM BOARD AND STAFF

Dan Porter updated the board regarding some new laws that the School of Government is working on which seek to consolidate land use laws to make them more consistent. Also, at present only the 20 coastal counties have comprehensive plans. By 7-1-2022 all 100 counties will have such plans.

NEXT MEETING - DECEMBER 18, 2019

CAMDEN COUNTY PLANNING BOARD

Regular Meeting – November 20, 2019

ADJOURN

Motion to Adjourn

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

The meeting adjourned at 7:29 PM.

*Chairman Calvin Leary
Camden County Planning Board*

ATTEST:

*Amy Barnett, Clerk
Camden County Planning Department*