



**TOWN OF CARTHAGE
PLANNING BOARD
August 1st, 2024
6:00 P.M.**

AGENDA

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVAL OF AGENDA** - Members of the board may remove or add items to the agenda prior to commencing the meeting. Motions/votes are not required to approve the agenda but there must be unanimous consent before proceeding.
- 5. CONSENT AGENDA** - All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except on request of a member of the Planning Board to remove an item from the consent agenda and place it on the regular agenda.
 - a. Approval of minutes from July 2nd, 2024, Regular Meeting Minutes.
- 6. PUBLIC COMMENT** - Members of the public may use this time to address the Planning Board with any presentations, questions or concerns. Those who wish to speak should fill out the sign-up sheet in the building's entryway to be recognized during the public comment session or raise their hand and wait to be recognized by the presiding member. All public comment made as part of a public hearing should be withheld until the public hearing has begun and the floor is given to public comments. No public comment will be had outside of this public comment session or a public hearing unless otherwise permitted by the members of the board. The chairperson may place time limits on speakers prior to the start of the public comment session.
- 7. OLD BUSINESS**
 - a. No Old Business.
- 8. NEW BUSINESS**
 - a. CZ-04-24: Conditional Zoning Request at 211 N McNeill Street (Parcel ID #00004545) to allow for two duplexes.
- 9. OTHER BUSINESS OF THE BOARD**

No other business.
- 10. ADJOURNMENT**

**TOWN OF CARTHAGE
PLANNING BOARD
MEETING MINUTES**

July 2nd, 2024

Attendance: David Norris, Bill Smyth, Elizabeth Futrell, Antoniette Kelly, and Ian Lumgair.

Absent: Victoria Riddle

1. CALL TO ORDER

- a. Elizabeth Futrell called the meeting to order at 6:04 p.m.

2. INVOCATION

- a. Elizabeth Futrell gave the invocation.

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF AGENDA

- a. Elizabeth Futrell made a motion to approve the agenda as presented. All ayes.
Motion passes 5-0.

5. CONSENT AGENDA

- a. Elizabeth Futrell made a motion to accept the Consent Agenda with the approval of the June 6th, 2024, Regular Meeting Minutes. All ayes, motion passes 5-0.

6. PUBLIC COMMENT

- a. There was no public comment made at this time.

7. OLD BUSINESS

- a. No old business.

8. NEW BUSINESS

- a. *Rezoning to RA-40 & RA-40CZ (Moore County) to RA-40 for 5682 NC HWY 22 (Parcel ID #00037478).*

Mrs. Jamie Sandoval began the discussion by stating that the request for the rezoning was due to an annexation request to receive services. Mrs. Sandoval stated that the annexation request would be presented to the Board of Commissioners for final approval.

David Norris made a motion to recommend approval for the map amendment with Goal 2 of the adopted Land Use Plan. Antoniette Kelly seconded the motion. All ayes. Motion passes 5-0.

David Norris made a motion to recommend approval R-03-24, the rezoning request of 5682 (Parcel ID #00037478) as written and presented. Antoniette Kelly seconded the motion. All ayes. Motion passes 5-0.

9. OTHER BUSINESS OF THE BOARD

a. No other business.

10. ADJOURNMENT

Elizabeth Futrell motioned to adjourn the meeting. Antoniette Kelly seconded the motion. All ayes. Motion passes 5-0. Meeting adjourned at 6:11 p.m.

PLANNING BOARD UPDATE FROM BOARD OF COMMISSIONERS MEETING ON JULY 10TH, 2024

- The Board of Commissioners decided on the Downtown Revitalization Plan that was recommended by the Planning Board – Option #2. The Board of Commissioners also chose the Streetscape Plan that was recommended by the Planning Board – Streetscape A.

PLANNING BOARD UPDATE FROM BOARD OF COMMISSIONERS MEETING ON JULY 17TH, 2024

- The Board of Commissioners received a public comment to rewrite an enforceable code to address excessive music/noises from vehicles on the public streets.



MEMORANDUM

Date: August 1, 2024
To: Planning Board
From: Jennifer Hunt, Town Planner
Subject: CZ-04-24: Conditional Zoning Request for two duplexes on approximately 1.02 acres of land located at PARID 00004545, R-10 (Residential) to R-10-CZ (Residential Conditional Zoning);
Petitioner: James Stermer

I. SUMMARY OF APPLICATION REQUEST:

The applicant, James Stermer, is requesting Conditional Zoning to allow for two duplexes on the property where the old Carthage swimming pool was located. This land is approximately 1.02 acres and is permitted for one duplex. The conditional zoning request is for two duplexes. This parcel 00004545 is in the R-10 "Residential" zoning district. Please view Attachment 1 for his proposed site plan.

Currently this parcel is located off North McNeill Street just past D Carlton Street on the west side. Mr. Stermer recently attended the Technical Review Committee meeting for his proposed request on July 11, 2024 and received feedback from Planning, Public Works and the Fire Department.

II. PROJECT INFORMATION:

1. PARID: 00004545 PIN: 857800614662
2. Applicant: James Stermer
3. Owner: Delcoast Properties, LLC (a Delaware Limited Liability Company)
4. Long-Range Plan Designation:
This future area of this land appears to be Downtown or Town Residential, per the adopted 2040 Land Use Plan.
5. Current Zoning:
The current zoning is R-10 (Residential).

Figure 1: Site Map outlined in red.



III. APPLICATION REVIEW:

When reviewing an application for conditional zoning, the Planning Board shall consider and be guided by Article 3. Below is highlighted Section 100.32, Section 100.42 and Section 100.44 (4) as set forth in UDO:

Sec. 100.32 Planning Board – Powers and Duties

In addition to its specific duties set forth in this and other Town Ordinances and policies, the Planning Board shall have the following powers and duties:

- 1. To make studies of the Town and surrounding areas;*
- 2. To determine objectives to be sought in the development of the Town;*
- 3. To propose and recommend plans for achieving these objectives;*
- 4. To develop and recommend to the Board of Commissions policies, ordinances, administrative procedures and other means for carrying out plans in a coordinated and efficient manner;*
- 5. To advise the Board of Commissioners concerning the use and amendment of means for carrying out plans;*
- 6. To exercise such functions in the administration and enforcement of various means for carrying out plans as may be assigned by this article or other ordinances of the Town; and*
- 7. To perform other related duties as may be assigned by this article or other ordinances.*

Section 100.42 Types of Amendments:

Amendments may be to the text of the ordinance or take the form of map amendments, often known as rezoning. The Town of Carthage recognizes three types of amendments.

- 1. Text Amendments. This type of amendment is used when a party chooses to modify the actual text of the ordinance. This is a legislative decision by the Board of Commissioners.*
- 2. Map Amendments. This type of amendment is used when a party chooses to change a zoning district from one type to another. Often known as a straight rezoning, it recognizes that the change in district allows for all uses allowed within a given zoning district. It cannot be conditioned in any way. This is a legislative decision by the Board of Commissioners.*
- 3. Conditional Zoning. Conditional Zoning is an amendment process that is both a map amendment and a text amendment. It is a legislative decision by the Board of Commissioners, but it allows for the placement of conditions and/or limits on the approval.*

Section 100.44 (4) Planning Board

All proposed Development Ordinance amendments must be given review by the Planning Board for a recommendation to the Board of Commissioners. They are not required to conduct a public hearing, but

they are encouraged to accept public input. The Planning Board shall evaluate all proposals for consistency with any adopted long-range plans and adopt a statement of consistency with said plans before voting to recommend approval or denial of the request.

A. Staff Comments:

Staff has met with the applicant at the Technical Review Committee meeting on July 11, 2024. The applicant is willing to meet all the requests from the Town to meet the Unified Development Ordinance (UDO) requirements. The applicant is requesting two duplexes, which is a greater density than what our current UDO permits, which is one duplex per parcel, per Section 100.56A* Special Requirements (SR) 50. The greater density request in Section C for SR 50 outlines that the applicant must go through the Conditional Zoning process.

The minimum lot area for one duplex in the R-10 zoning district is 15,000 square feet. This parcel has approximately 43,560 square feet. The applicant meets the setback requirements and has submitted the site plan, please view Attachment 1.

The Special Requirements 50 (SR 50) section from UDO 100.56A* says below:

SR 50:

Dwellings, Duplexes and Single-Family Attached.

A. Duplexes. Duplexes shall comply with the following standards: 1. One duplex is permitted per lot. 2. Each lot must meet the dimensional requirements for duplexes as listed in Section 100.57.21 Table of Dimensional Standards.

B. Single-Family Attached. Single-family attached development shall comply with the following standards: 1. Each single-family attached development project must meet the dimensional requirements for Single-family Attached projects listed in Section 100.57.21 Table of Dimensional Standards. 2. The maximum number of units is based on the underlying zoning district, the Dimensional Table as shown in Section 100.57.21, and the size of the project parcel. 3. Subdivision standards listed in Section 100.65, shall be applied to projects with more than three (3) attached dwellings.

C. Projects requesting greater density must go through the Conditional Zoning process as outlined in Section 100.46. Any requested revisions to other development requirements such as buffer yards and parking will be considered during the Conditional Zoning process.

D. For all Single-family attached and duplex development, the net residential area should be used to calculate the number of dwellings allowed. (See definition in Section 100.70).

E. All streets or access ways providing ingress and egress from the development to an existing street system in the R-10 and RM-10 zoning districts shall be classified as public and are required to use current street drainage standards and install curb and gutter. Additionally, a minimum of twenty (20) feet pavement width is required on all streets.

F. All site plans shall be in accordance with Section 100.64.

IV. ATTACHMENTS PROVIDED BY THE APPLICANT:

1. Proposed Site Plan

V. PLANNING BOARD ACTION:

The Planning Board shall evaluate all proposals for consistency with any adopted long-range plans and adopt a statement of consistency with said plans before voting to recommend approval or denial of the request. All proposed Development Ordinance amendments must be given review by the Planning Board for a recommendation to the Board of Commissioners. They are not required to conduct a public hearing, but they are encouraged to accept public input, per UDO Section 100.42 and 100.44.

The Planning Board shall first adopt a Resolution of Consistency with the adopted Land Use Plan and other long-range plans then the Planning Board shall vote on the petition (**two motions required**). The Resolution of Consistency may take one of three forms consistent with N.C.G.S 160D-604(d); 605(a); 701.

LUP CONSISTENCY MOTION (1st Required Motion)

I move to:

OPTION 1

Approve CZ-04-24 and describe its consistency with the adopted Land Use Plan.

or

OPTION 2

Reject CZ-04-24 and describe its inconsistency with the adopted Land Use Plan.

or

OPTION 3

Approve CZ-04-24 and deem it a modification of the adopted Land Use Plan. The Planning Board believes this action taken is reasonable and in the public interest because.....

PETITION MOTION (2ND Required Motion)

And, therefore, I move to:

OPTION 1

Approve CZ-04-24 as written and presented.

or

OPTION 2

Approve CZ-04-24 with the following conditions.....

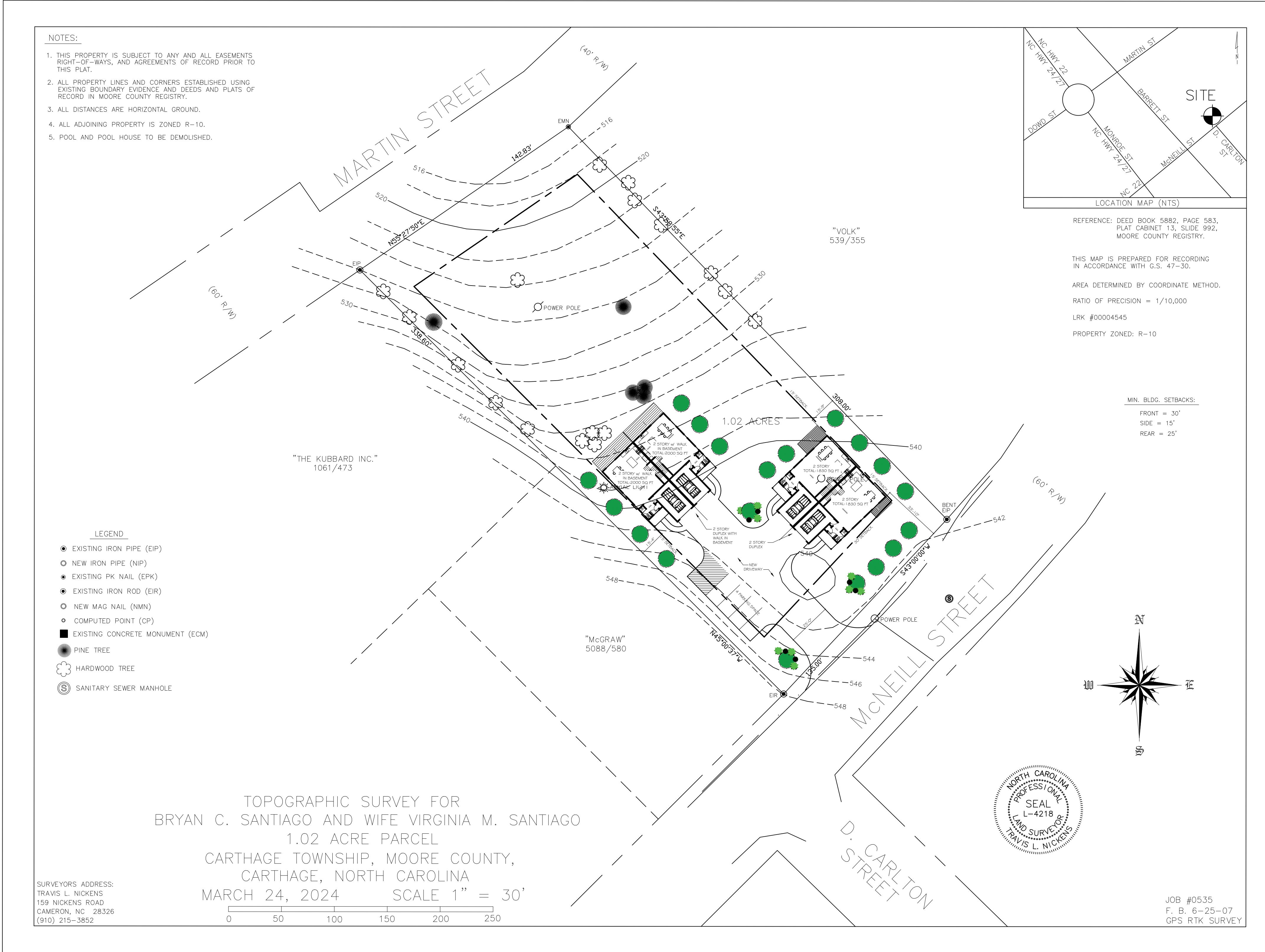
(Option 3 on next page)

OPTION 3

Deny CZ-04-24 for the following reasons.....

NO.	DATE	DESCRIPTION

BLACKWELL ARCHITECT
 E.-J. "BUD" BLACKWELL, AIA, NCARB
 310 FAIRWOOD COURT FAYETTEVILLE, NC
 CELL: 8439098509

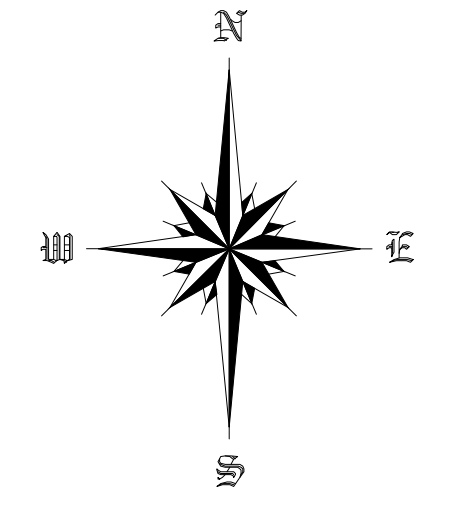
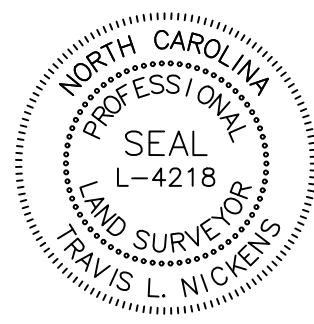
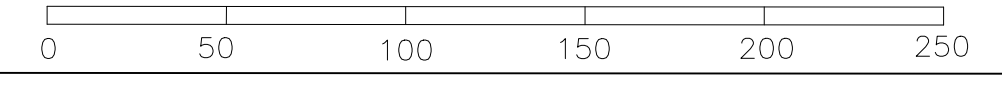


- NOTES:
1. THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS RIGHT-OF-WAYS, AND AGREEMENTS OF RECORD PRIOR TO THIS PLAT.
 2. ALL PROPERTY LINES AND CORNERS ESTABLISHED USING EXISTING BOUNDARY EVIDENCE AND DEEDS AND PLATS OF RECORD IN MOORE COUNTY REGISTRY.
 3. ALL DISTANCES ARE HORIZONTAL GROUND.
 4. ALL ADJOINING PROPERTY IS ZONED R-10.
 5. POOL AND POOL HOUSE TO BE DEMOLISHED.

- LEGEND
- EXISTING IRON PIPE (EIP)
 - NEW IRON PIPE (NIP)
 - EXISTING PK NAIL (EPK)
 - EXISTING IRON ROD (EIR)
 - NEW MAG NAIL (NMN)
 - COMPUTED POINT (CP)
 - EXISTING CONCRETE MONUMENT (ECM)
 - PINE TREE
 - HARDWOOD TREE
 - Ⓢ SANITARY SEWER MANHOLE

SURVEYORS ADDRESS:
 TRAVIS L. NICKENS
 159 NICKENS ROAD
 CAMERON, NC 28326
 (910) 215-3852

TOPOGRAPHIC SURVEY FOR
 BRYAN C. SANTIAGO AND WIFE VIRGINIA M. SANTIAGO
 1.02 ACRE PARCEL
 CARTHAGE TOWNSHIP, MOORE COUNTY,
 CARTHAGE, NORTH CAROLINA
 MARCH 24, 2024 SCALE 1" = 30'



REFERENCE: DEED BOOK 5882, PAGE 583,
 PLAT CABINET 13, SLIDE 992,
 MOORE COUNTY REGISTRY.

THIS MAP IS PREPARED FOR RECORDING
 IN ACCORDANCE WITH G.S. 47-30.

AREA DETERMINED BY COORDINATE METHOD.
 RATIO OF PRECISION = 1/10,000
 LRK #00004545
 PROPERTY ZONED: R-10

MIN. BLDG. SETBACKS:
 FRONT = 30'
 SIDE = 15'
 REAR = 25'

1 SITE PLAN SCALE: 1/32" = 1'-0"

JAMES STEMER
 211 N. McNeill St.
 Carthage, NC

05/31/22
 SITE PLAN

C1.0



REVISIONS

NO.	DATE	DESCRIPTION

BLACKWELL ARCHITECT
 E.J. "BUD" BLACKWELL, AIA, NCARB
 310 FAIRWOOD COURT, FAYETTEVILLE, NC
 CELL: 813.909.8509

JAMES STEMER
 211 N. Mc Neill St.
 Carthage, NC

05/31/22
 SITE PLAN
C1.0

1 ENLARGED SITE PLAN
 SCALE: 3/32" = 1'-0"

TOWN OF CARTHAGE
TECHNICAL REVIEW COMMITTEE
MEETING MINUTES
July 11th, 2024

In attendance: Town Planner, Jennifer Hunt; Public Works Director, Allen Smith; Fire Chief, Brian Tyner; Management Analyst, Jamie Sandoval; Applicant, James Stermer.

Project: 211 N McNeill Street – Two Duplexes Conditional Zoning

Ms. Hunt started the by giving the Planning comments. According to Section 100.57 (10), sidewalks are not required on existing lots or on a block containing sidewalks. Ms. Hunt addressed the parking that was presented and with the additional parking lot for visitors, the parking is meeting requirements. The developer must also meet all site plan requirements listed in Section 100.64 and landscaping and lighting requirements. If the developer chooses to place a sign for the development, a sign permit application must be completed and submitted to the Town Planner.

Mr. Allen Smith stated that all parking areas and driveways are to be remained private. Mr. Smith asked if each unit would be individually metered. Mr. Stermer stated that he planned to have each unit metered. Mr. Smith and Mr. Stermer also had some discussions about the best way to install the sewer for the project. Final verification for sewer and waterlines will be provided in the construction drawings and engineering plans. There was also some discussion of stormwater. Mr. Stermer stated that the natural slope of the property would address the stormwater.

There were no comments made by the Fire Chief.

**TOWN OF CARTHAGE
PLANNING BOARD
STATEMENT OF LAND USE PLAN CONSISTENCY
FOR PROPOSED CONDITIONAL ZONING OF 211 N MCNEILL STREET (PARCEL ID #00004545) TO
ALLOW FOR TWO DUPLEXES ON THE PARCEL.**

WHEREAS, amendments to the Town of Carthage Unified Development Ordinance have been proposed, which amendments are identified as follows:

NOW THEREFORE, the Planning Board of the Town of Carthage resolves as follows:

Section 1. The Planning Board concludes that the above-described amendment(s) **are/are not** consistent with the Town of Carthage 2040 Land Use Plan, as amended based on the following:

- Goal 1: Preserve and celebrated small-town community roots.**
- Goal 2: Coordinated, intentional, and well-planned growth and development.**
- Goal 3: Protection of open space and critical natural features.**
- Goal 4: Ample employment opportunities and support for business development.**
- Goal 5: Vibrant commercial areas that provide a variety of goods, services, entertainment options, and amenities.**
- Goal 6: A well-connected multi-modal transportation system.**
- Goal 7: High-quality parks and recreational facilities that are accessible to all.**
- Goal 8: Protected and preserve historic and cultural resources.**
- Goal 9: Adequate supply and high quality of housing.**
- Goal 10: Informed, engaged, and active residents that represent a variety of neighborhoods and citizen groups.**
- Goal 11: Regulations that are consistent with the Town’s vision.**
- Goal 12: Cultural, educational, recreational, and other amenities that contribute to the quality of life of Carthage’s citizens.**

The developer, James Stermer, proposes to go through the conditional zoning process to allow for an additional duplex on 211 N McNeill Street (parcel #00004545) due to the Unified Development Ordinance only allowing one duplex per lot on this zone.

Section 2. Please state the Planning Board’s reasonings/findings for the approval or disapproval of this consistency statement based on the above selected goals.

Section 2. The Planning Board concludes that the above-described amendment(s) **are/are not** reasonable and in the public interest as they **do/do not** fulfill a direct objective of the Land Use Plan.

This statement adopted the _____ day of _____, 2024

Elizabeth Futrell, Chair

Jamie Sandoval, Clerk to the Planning Board