

TOWN OF FOUR OAKS
PLANNING BOARD MEETING MINUTES
August 15, 2023 at 6:30 p.m.

- 1) Call to Order
Albert Brewer, Chairman called to order at 6:55 pm due to storm delay. Members present were Loretta Beasley, Jamey Caudill, DeLaine Jackson, Steve Kelly, and Casey Matthews. Absent were Diane Holland, John Martin, and Ashton Wood. Also present were staff: Mike Cook, Martha Garris, & Barry Stanley.
- 2) Pledge of Allegiance – Led by Albert Brewer
- 3) Welcomes and Mission Statement – Albert Brewer
- 4) Approval of Minutes
 - (a) Planning Board Meeting – July 11th, 2023
Motion to approve the July 11th, 2023 Planning Board minutes as presented was made by Steve Kelly, seconded by DeLaine Jackson, voting unanimous.
- 5) Public Hearings:
Albert Brewer called the meeting into a public hearing.
 - (a) Lonnie & Cynthia Allen, Petitioner & Owner – Request for a Special Use Permit to allow for a Singlewide Manufactured Home located at 1335 A Parker Road in the Town’s ETJ; Parcel # 08H10081B

NOTES ON CASE BY STAFF PRESENTED BY MIKE COOK:

- Owners would like to place a 1995 14’ x 76’ manufactured singlewide home on their parcel at 1335 A Parker Rd on 5.98 acres
- Parcel is in the Town’s ETJ
- Zone R-A (Residential Agriculture) – Zoning ordinance requires a special use for SWMH. Meets the R-A minimum requirement of 20,000 sq ft.
- Can meet required setbacks of: 40’; 15’; 30’.
- Public notice was in the FO Benson News in Review on August 2 & 9, 2023
- Sign was placed on property
- Letters were mailed to 25 property owners within a 500 ft radius on August 2, 2023.
- No inquiries.
- Meets the following Chapter 160D special use 4 finding of facts requirements. According to Chapter 160D, the 4 finding of facts are:
 1. Will not endanger the public health or safety (yes)
 2. Will not injure the value of the adjoining property (yes)
 3. Will be in harmony with the area in which it is located (yes)

- 4. Will be in conformity with the future land use plan, thoroughfare plan, or other plan officially adopted by the Board of Commissioners (yes – rural agriculture)
- Staff has determined the findings meets requirements and recommends approval.

Lonnie Allen was present. Mr. Brewer commented that it must meet all rules and regulations and have brick underskirting with tongue and axles removed. Mr. Allen acknowledged that is his intention.

Motion to recommend the special use for a SWMH at 1335 A Parker Rd to the Board of Commissioners for approval was made by Jamey Caudill, seconded by Loretta Beasley, voting unanimous.

- (b) Nathan & Jessica Slaughter, Petitioners & Owners – Request for a Special Use Permit to allow for a Singlewide Manufactured Home located at 1741 Hockaday Road in the Town's ETJ; Parcel # 08111077C.

NOTES ON CASE BY STAFF PRESENTED BY MIKE COOK:

- Owners would like to place a used manufactured singlewide home on their parcel at 1741 Hockaday Rd on 2.07 acres
- Parcel is in the Town's ETJ
- Zone R-A (Residential Agriculture) – Zoning ordinance requires a special use for SWMH. Meets the R-A minimum requirement of 20,000 sq ft.
- Can meet required setbacks of: 40'; 15'; 30'.
- Public notice was in the FO Benson News in Review on August 2 & 9, 2023
- Sign was placed on property
- Letters were mailed to 9 property owners within a 500 ft radius on August 2, 2023.
- No inquiries.
- Meets the following Chapter 160D special use 4 finding of facts requirements. According to Chapter 160D, the 4 finding of facts are:
 1. Will not endanger the public health or safety (yes)
 2. Will not injure the value of the adjoining property (yes)
 3. Will be in harmony with the area in which it is located (yes)
 4. Will be in conformity with the future land use plan, thoroughfare plan, or other plan officially adopted by the Board of Commissioners (yes – rural agriculture)
- Staff has determined the findings meets requirements and recommends approval.

Nathan Slaughter was present. Mr. Slaughter commented he was not going to move forward with his application. He didn't realize all the ordinance requirements and their intention for the SWMH is temporary until they can build, not permanent, so they are not moving forward.

It would too expensive for what they are trying to do. With that, Planning Board action was taken.

- (c) Patrick & Lynn Bowles, Petitioners & Owners – Request for a Special Use Permit to allow for an Oversized Garage on their Property located at 101 Dogwood Lane in the Town's ETJ; Parcel # 081100371.

NOTES ON CASE BY STAFF PRESENTED BY MIKE COOK:

- Owner would like to construct an attached 43' x 30' garage with a recreation area above it and enclose a carport to make a mudroom on their property at 101 Dogwood Ln on 0.91 acres
- Parcel is in the Town's ETJ
- Zone R-A (Residential Agriculture) – Zoning ordinance requires a special use for buildings over 1,000 sq ft.
- Meets setbacks.
- Public notice was in the FO Benson News in Review on August 2 & 9, 2023
- Sign was placed on property
- Letters were mailed to 30 property owners within a 500 ft radius on August 2, 2023.
- Received several inquiries for clarity.
- Meets the following Chapter 160D special use 4 finding of facts requirements. According to Chapter 160D, the 4 finding of facts are:
 1. Will not endanger the public health or safety (yes)
 2. Will not injure the value of the adjoining property (yes)
 3. Will be in harmony with the area in which it is located (yes)
 4. Will be in conformity with the future land use plan, thoroughfare plan, or other plan officially adopted by the Board of Commissioners (yes – rural agriculture)
- Staff has determined the findings meets requirements and recommends approval.

Mr. & Mrs. Bowles were present. They shared a site drawing and acknowledged the building would match the existing home.

Motion to recommend the special use for an oversized garage at 101 Dogwood Ln to the Board of Commissioners for approval was made by DeLaine Jackson, seconded by Jamey Caudill, voting unanimous.

- (d) Jones Creek, LLC, Petitioner and Lynwood G. Dowdy, Owner – Request for a Subdivision located at 2198 Hockaday Road in the Town's ETJ; Parcel # 08112016.

NOTES ON CASE BY STAFF PRESENTED BY MIKE COOK:

- Petitioner & Owner would like to obtain approval for a subdivision with approximately 22 lot on their property at 2198 Hockaday Rd on 20.82 acres.

- Parcel is in the Town's ETJ
- Zone R-A (Residential Agriculture). Each lot meets the R-A minimum requirement of 20,000 sq ft.
- Each lot will be on county water and individual septic system
- Adams & Hodge Engineering will review plans since BRL Engineering is preparing them for the Petitioner.
- Public notice was in the FO Benson News in Review on August 2 & 9, 2023
- Sign was placed on property
- Letters were mailed to 13 property owners within a 500 ft radius on August 2, 2023.
- Received several inquiries for clarity.
- Meets the following Chapter 160D special use 4 finding of facts requirements. According to Chapter 160D, the 4 finding of facts are:
 1. Will not endanger the public health or safety (yes)
 2. Will not injure the value of the adjoining property (yes)
 3. Will be in harmony with the area in which it is located (yes)
 4. Will be in conformity with the future land use plan, thoroughfare plan, or other plan officially adopted by the Board of Commissioners (yes – rural agriculture)
- Staff has determined the findings meets requirements and recommends approval.

Sauyer Roberts with BRL Engineering was present representing the developer. In addition to what Mr. Cook presented, Mr. Roberts added there will be a USPS standard mailbox kiosk and the development will only be on the east side of Hockaday Rd, streets will belong to the NCDOT not the town, and preliminary correspondence with NCDOT indicates that based on the daily average traffic volume no turn lane will be required. The natural tree line buffer on the southern and eastern sides of the property will remain. Mr. Roberts indicated they would be asking for approval for no curb & gutter or sidewalks being this is in the ETJ and this will match other developments in the ETJ.

Trina Baker commented she opposed along with other neighbors of which she handed a list of signatures to the clerk. She added the property is prime farmland. NOTE: after the meeting she took the list back home with her.

Tony Capps inquired assuming some of the 22 lots do not perk, what is the minimum lot count for the developer to still proceed forward with. Brian Leonard, BRL Engineering, responded that would be up to the developer and he wasn't sure at the time.

Motion to recommend the special use for a subdivision at 2198 Hockaday Rd, based on the facts, to the Board of Commissioners for approval was made by DeLaine Jackson, seconded by Steve Kelly, voting unanimous.

- (e) Kristie Massengill, Petitioner & Green Door Properties, LLC, Owners – Request for a Special Use Permit to allow for an Upscale Cocktail Lounge Venue located at 102 B S. Main Street in the Town's City Limits; Parcel # 08012018A.

NOTES ON CASE BY STAFF PRESENTED BY MIKE COOK:

- **Petitioner would like to obtain approval for an Upscale Cocktail Lounge Venue at 102 S. Main St.**
- **Parcel is in the Town's City Limits**
- **Zone B-2H (Central Business District) – Zoning ordinance for B-2H requires a special use permit for a Bar or Nightclub.**
- **Public notice was in the FO Benson News in Review on August 2 & 9, 2023**
- **Sign was placed on property**
- **Letters were mailed to 53 property owners within a 500 ft radius on August 2, 2023.**
- **Received several inquiries about what was going on.**
- **Meets the following Chapter 160D special use 4 finding of facts requirements except for one possible concern. According to Chapter 160D, the 4 finding of facts are:**
 1. **Will not endanger the public health or safety (Concerned with overlapping operating hours in the afternoon with the proximity of the Preschool across the street)**
 2. **Will not injure the value of the adjoining property (yes)**
 3. **Will be in harmony with the area in which it is located (yes)**
 4. **Will be in conformity with the future land use plan, thoroughfare plan, or other plan officially adopted by the Board of Commissioners (yes – rural agriculture)**
- **Staff has determined the findings meets requirements except for one concern with the proximity of the Preschool and recommends approval.**

Mike Cook read a letter of concern received on August 15 by Marlene Dunn & Kelly Johnson, owners of Kids Academy.

Kristie Massengill was present. Ms. Massengill has turned in a description of her business plan. Ms. Massengill made a few comments: (1) her mission is – To create and maintain a venue that has a positive and memorable influence on our guest while respecting our community; (2) she will offer beer, wine, cocktail, and mocktail drinks and serve charcuterie snack cups for adults to come socialize with no outdoor hanging out; (3) will have a food truck 3 nights a week; (4) she stressed this will be an up-scale venue open to the public with no pool tables or machine and no one under age 21 will be allowed in; (5) she has spoken with various business owners who seem excited about it; (6) as for parking there are approximately 15 spaces behind the building, and marked parking on US 301, Main St, & Railroad St. ; (7) she plans to work together with other businesses not to overlap events and to help bring business to town; (8) her operating hours will be Monday – Wednesday 4 pm to 10 pm and Thursday-Saturday 4 pm – 11 pm to comply with the town's noise ordinance; and (9) she would like to hold special events such as sip and paints, widows & widowers clubs, local sips, local players, karaoke nights, trivia, silent disco nights, jazz, etc.

Among the attendance, there were expressed concerns about: the traffic; preschool and Christian office; aiding to the growing addictions and mental health crisis of today all over the country; the town boards need to evaluate ordinances and decide the direction of where the town is going by establishing a good business plan; and whether the ordinance allows for primary sale volumes to be alcohol.

Due to all the public concerns, motion to take no action by the Planning Board and to pass the hearing to the Board of Commissioners on August 21 was made by DeLaine Jackson, seconded by Casey Matthews, voting unanimous.

- (f) Zoning Ordinance Amendment to the language for Section 308.2.4:

Section 308.2.4 Development Permitted by Type – Standards which Apply

Recreation Fees: Recreation fees shall be required on any new subdivision or multi-family development subject to the Town's subdivision ordinance in the amount of \$800.00 referenced in the Town's Permit and Miscellaneous Fee Schedule. The recreation fee shall be per lot for a major subdivision (4 or more lots) or per unit for a multi-family development. The recreation fee shall be dedicated for parks and recreation use by the Town. The Board of Commissioners may grant an exception to this policy if the developer demonstrates a willingness to construct an active recreation facility that will serve the needs of the community. All projects will need to meet the guidelines set forth by the respective permit issuing authority. (Amended 3/10/21)

Motion to recommend amending the zoning ordinance language for section 308.2.4 to remove listing the dollar amount and reference the recreation fee amount to the Town's Permit and Miscellaneous Fee Schedule was made by DeLaine Jackson, seconded by Jamey Caudill, voting passed.

Chairman Brewer reminded everyone of the following meeting dates:

Mayor and Board of Commissioners will hear the recommendations of the Planning Board at their monthly meeting on Monday, August 21, 2023 at 6:30 p.m. at the Four Oaks Town Hall Chamber.

Mark your calendar for the next Planning Board Meeting, Tuesday, September 12, 2023 at 6:30 p.m.

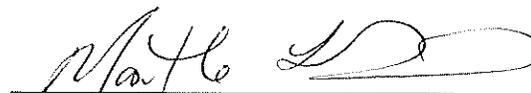
Meeting Adjourned

Motion to adjourn at 8:00 pm was made by Casey Matthews, seconded by Jamey Caudill, voting unanimous.

Attest



Albert Brewer, Chairman



Martha L. Garris, NCCMC
Town Clerk