

**TOWN OF ERWIN
PLANNING BOARD/BOARD OF ADJUSTMENTS
MONDAY, OCTOBER 21, 2024 AT 7:00 PM
ERWIN MUNICIPAL BUILDING BOARD ROOM**

AGENDA

- 1. MEETING CALLED TO ORDER**
 - A. Invocation
 - B. Pledge of Allegiance

- 2. CONSENT AGENDA**
 - A. Planning Board Minutes from Regular Meeting on September 16, 2024 **(Page 2)**

- 3. OLD BUSINESS**
 - A. Urban Camping Ordinance **(Page 10)**

- 4. NEW BUSINESS**
 - A. Encroachment Amendment **(Page 13)**
 - B. Village at Old Stage Subdivision Preliminary **(Page 18)**
 - C. B-2 Outdoor Storage Amendment **(Page 32)**
 - D. All-Way Stop Removal **(Page 35)**
 - E. Erwin Appointed Board Updates **(Page 39)**

- 5. ADJOURNMENT**

PLANNING BOARD
MEETING MINUTES
MONDAY, SEPTEMBER 16, 2024
ERWIN, NORTH CAROLINA

The Town of Erwin Planning Board held its regular meeting in the Erwin Municipal Building Board Room 100 West F Street, Erwin NC on Monday, September 16th, 2024 at 7:00 PM.

Board members present were: Chairperson Joshua Schmieding, Vice Chairperson Ronald Beasley, In-Town Board Members Kathryn Moore, Jim Hartman and Rebecca Kelly, and Out-of-Town Board Members Howard Godwin and Nicholas Skatell.

Board members absent were: In-Town Board Member Grace Watts, and In-Town Alternate Vanessa Lech. Town Manager Snow Bowden, Town Planner Dylan Eure, and Deputy Town Clerk Katelan Blount were present.

Chairperson Joshua Schmieding called the meeting to order at 7:00 PM.

Board Member Jim Hartman gave the Invocation.

Board Member Nicholas Skatell led the Pledge of Allegiance.

CONSENT ITEMS

Board Member Nicholas Skatell made a motion to approve the minutes of August 19, 2024, and was seconded by Howard Godwin. **The Board voted unanimously.**

OATH OF OFFICE

Deputy Town Clerk Katelan Blount administered the Oath of Office for Joshua Schmieding, Chairperson.

OLD BUSINESS

Updates

Town Planner Dylan Eure updated the Planning Board Members on the previous split zonings which had been approved by the Board of Commissioners. The additional split zonings would go before the Board at the October 10th 2024 meeting.

Encroachment in Public ROW

Town Planner Dylan Eure introduced Mr. Wesley Johnson, of Grain Dealers, who will be developing at the site of the old Mill. This request would be to install an HVAC unit.

Board Member Rebecca Kelly asked if this would be bushes or a fence.

Town Planner Dylan Eure explained that bushes would not be against any ordinance, but that the screening won't to be decided until the Encroachment amendment is approved.

Board Member Jim Hartman made a motion to approve the Accessory Structure amendment, which was seconded by Vice Chairperson Ronald Beasley. **The Board voted unanimously.**

Accessory Structures in ROW

Town Planner Dylan Eure reminded the Planning Board Members that this was an amendment to the Code of Ordinances, Chapter 36, Article XV, Sections 36-419, to allow for accessories in the public right of way as long as an encroachment agreement is approved by the Board of Commissioners, and standards are met.

Board Member Jim Hartman made a motion to approve the Accessory Structure amendment, which was seconded by Vice Chairperson Ronald Beasley. **The Board voted unanimously.**

Fences in ROW

Town Planner Dylan Eure reminded the Planning Board Members that this was an amendment to the Code of Ordinances, Chapter 36, Article XV, Sections 36-433, to allow for fences in the public right of way as long as an encroachment agreement is approved by the Board of Commissioners, and standards are met. Board Member Jim Hartman made a motion to approve the Accessory Structure amendment, which was seconded by Vice Chairperson Ronald Beasley. **The Board voted unanimously.**

ZT-2024-004

Town Planner Dylan Eure presented this rezoning plan to the Board. This would correct the split-zoning of five parcels throughout Erwin, to their current or intended use. The parcels are as follows:

- 1507 Denim Drive- rezone to Full B-2
- 104 County Ave- rezone to Full R-6
- 1605 Denim Drive- rezone to Full R-6
- 1601 Denim Drive- rezone to Full R-6
- HC Tax Pin 1507-400-4344.000- rezone to Full R-6

Town Planner Dylan Eure stated that after contacting the property owners, the owner of 1507 Denim Drive is the only one who wishes for their property to remain split-zoned.

Board member Nicholas Skatell made a motion to table 1507 Denim Drive from this rezoning. The motion was seconded by Vice Chairperson Ronald Beasley. **The Board voted unanimously.**

Board Member Nicholas Skatell made a motion in the affirmative, seconded by Kathryn Moore, and unanimously approved by the Board that the impact to the adjacent property owners and the surrounding community is reasonable, and the benefits of the rezoning outweigh any potential inconvenience or harm to the community.

- Reasoning: The re-zonings are compatible with the surrounding community and would not cause any inconvenience to those within the area, as this is the use they are currently being operated as.

Board Member Nicholas Skatell made a motion in the affirmative, seconded by Kathryn Moore, and unanimously approved by the Board that the requested zoning district is compatible with the existing Land Use Classification.

- Reasoning: According to Erwin's current Land Use Plan done in 2023 the properties are assigned to be zoned under mixed use that promotes residential and commercial uses where appropriate.

Board Member Nicholas Skatell made a motion in the affirmative, seconded by Kathryn Moore, and unanimously approved by the Board that the proposal does enhance or maintain the public health, safety, and general welfare.

- Reasoning: The rezoning would correct zoning nonconformities and ensure that clear uses are defined for the parcels.

Board Member Nicholas Skatell made a motion in the affirmative, seconded by Kathryn Moore, and unanimously approved by the Board that the request is for a small-scale rezoning and should be evaluated for reasonableness.

- Reasoning: This rezoning request includes 11 parcels, all within the corporate limits of Erwin.

Board Member Nicholas Skatell made a motion in the affirmative, seconded by Kathryn Moore, and unanimously approved by the Board that there is a convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group.

- Reasoning: Parcels are currently split-zoned, and by rezoning would ensure that their current uses are permitted.

Board Member Nicholas Skatell made a motion in the affirmative, seconded by Kathryn Moore, and unanimously approved by the Board, that there is a convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)

- Reasoning: All parcels are designated under the Erwin 2023 Land Use Plan to be either residential or mixed use.

Board Member Nicholas Skatell made a motion in the affirmative, seconded by Kathryn Moore, and unanimously approved by the Board that there is a convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.

- Reasoning: The rezonings would not alter the character of the neighborhood in any way. Rezoning's would ensure clarity for owners and not take away rights that they currently have to their land.

Board Member Nicholas Skatell made a motion in the affirmative, seconded by Kathryn Moore, and unanimously approved by the Board that the proposed change is in accord with the Land Development Plan and sound planning principles.

- Reasoning: All of the parcels that are included are designated to be mixed in the 2023 Erwin Land Use Plan for the purposes of residential and commercial where appropriate.

Board Member Howard Godwin made a motion that the requested rezoning from being split-zoned is compatible with all of the Town of Erwin's regulatory documents. According to Erwin's 2023 Land Use Plan and Erwin's Code of Ordinances, the uses defined within the mixed-use classification would best serve the above-stated parcels. It is recommended that this rezoning request be Approved and was seconded by Jim Hartman. **The Board voted unanimously.**

NEW BUSINESS

Urban Camping Ordinance

Town Planner Dylan Eure presented this proposed amendment to the Board. This would amend Chapter 36 within Article XV, Section 36-437, which would prohibit or limit public or private camping within the Town of Erwin.

Board Member Ronald Beasley asked if this would allow tiny homes or camper vans.

Town Planner Dylan Eure explained that it was not to allow either of these things. This would be to limit the number of days that residents could have a tent set up in their yard, typically for children to “camp”.

Board Member Nicholas Skatell made a motion to table the Urban Camping Ordinance until next meeting to allow for revised time limits, which was seconded by Jim Hartman. **The Board voted unanimously.**

ZT-2024-005

Town Planner Dylan Eure explained that this is a conditional zoning district application for apartment complexes on Professional Parkway’s undeveloped parcels. The plans for the project have adequate spacing, and all plans meet the requirements for the Town. The planners for the project have conferred with DOT to ensure there is nothing additional needed for road use.

The following individuals were present to speak in favor of the project.

-Ken Thompson, landscape architect. 510 S Wilmington St, Raleigh NC 27601

-Sean Brennan, traffic engineer. 5808 Farrington Place, Raleigh NC 27607

-Molly Cozart, attorney representing Rabbit Construction, attended via Zoom call.

Mr. Ken Thompson stated that this project would be 5 buildings, each a 3 story walkup, 24 apartments in each building, with a total of 120 apartments. The buildings will be a mix of 2 and 3 bedroom apartments, and there will be an approximately 5,000sqft clubhouse, pool, grills, swings, basketball courts, and open play fields. The lighting plan has been completed by Duke Energy.

Board Member Jim Hartman asked if there were elevation photos of the site.

Mr. Thompson stated that they do not have current elevation but will at the next meeting.

Board Member Ronald Beasley asked if there were any local projects that Mr. Thompson has worked on.

Board Member Rebecca Kelly asked about the traffic study being three years old and if it was still considered valid.

Discussion continued amongst the Board Members about the need for housing with the Town.

Mr. Sean Brennan with ERMP, the firm that did the trip generation letter, spoke regarding the compliance with NCDOT. The numbers used were from the AADT, or the Annual Average Daily Traffic. The trip generation was done using current standards.

Chairperson Joshua Schmieding asked if the side road that comes off Pope would be reopened for this project.

Town Planner Dylan Eure explained that this specific area is on private property and does not have a right of way, so that would not be reopened for this project.

Mr. Brennan stated that the project is a low-trip generator, so they do not require a traffic impact analysis, as they are about 1/3 of the threshold put in place by NCDOT for that analysis.

Board Member Ronald Beasley asked if there was an idea on what rents would be.

Mr. Thompson stated that the completion date was at least 2 years out, and it was too early to put a future price on what rental costs would be at that point.

Molly Cozart, attorney representing the applicant, Rabbit Construction, spoke from a Zoom call. She stated that this request was approved in 2023, and was ready to go to the Board of Commissioners for approval, but that Rabbit Construction decided to hold off until detailed site plans were ready before moving forward with this project. Multi-Family housing is permitted under R-6 Conditional District, and would be appropriate in this location, meeting all requirements. This would also be compatible with the Land Use Plan in 2023. This zoning request would help the growth of the town by providing needed housing to families, students at Campbell, and professionals. This will encourage and incentivize additional growth.

Board Member Rebecca Kelly asked how many people they expected per apartment.

Mr. Thompson replied that he was unable to answer that question due to not having control over specifics like that.

Board Member Kathryn Moore asked if this was approved for rezoning, would this be what goes there, or would it possibly change?

Mr. Thompson confirmed that this would be the project that would go there, no changes.

Molly Cozart stated that she has stated to the member/manager at the medical office building, as well as the attorney of the other building, and they have expressed no issues, and have been pleasant to deal with in getting this project accomplished.

Chairperson Joshua Schmieding asked if there was anyone to speak against the project.

Michael Jackson, of 309 Saint Matthews Road, Erwin, came forward.

He stated that his family owns multiple commercial properties in this area along 421/East Jackson Blvd and within eyesight of this project. He stated that he has no problem with apartments, and that Erwin needs projects like this. He stated that his issue is that he believes this is the wrong area for this complex to be built. This is one of the few undeveloped parcels of this size on East Jackson Blvd. This property was zoned commercial, not R-6. He stated that his concern is that anything allowable in R-6 would have to be allowed. With the housing project going in across East Jackson along Saint Matthews, he is concerned on the traffic impact. He stated that this is the corridor for Erwin to develop commercial properties, and Erwin's future is on 421/East Jackson Blvd for commercial development.

Chairperson Joshua Schmieding asked if there was anyone else to speak against the project.

No one came forward.

Chairperson Joshua Schmieding asked if there was anyone else to speak for the project.

No one came forward.

Board Member Ronald Beasley asked how water would be provided.

Town Planner Dylan Eure stated that the developer has spoken with Harnett Regional Water, and that HRW stated that the lines would be able to sustain the development with some upgrades to the current lines. The current line is a 6 inch main, which extends about halfway, and to meet the expected demand, they will have to tie into a main off of Pope Ave.

Board Member Howard Godwin asked if they would be running a 2 inch or 6 inch main for this project.

Town Planner Dylan Eure explained that the current main does go from a 6 inch to a 2 inch, but that the update from the Pope Street main will alleviate any issues and provide enough pressure for this project.

Chairperson Joshua Schmieding confirmed that this was a conditional rezoning, so if the land continues to be undeveloped, or if significant changes were made to the project, would the zoning revert back to B-2?

Town Planner Dylan Eure confirmed that there would have to be progress made and no major changes to the site plan, otherwise it would have to go back through the rezoning process again.

Board Member Rebecca Kelly asked if there would be a public hearing about this. She stated that she doesn't live too far from this proposed project, and wanted to know if residents in her area would be notified.

Town Planner Dylan Eure stated that he would be sending letters to those within 100 feet of the property, in accordance with the ordinances. The Public Hearing would be advertised in the newspaper and on the Town website. Anyone is welcome to come to the public hearing.

Board Member Ronald Beasley made a motion in the affirmative, seconded by Nick Skatell, and approved by the Board 4-2 (Rebecca Kelly and Howard Godwin) that the impact to the adjacent property owners and the surrounding community is reasonable, and the benefits of the rezoning outweigh any potential inconvenience or harm to the community.

- Reasoning: The rezoning to a conditional-use district for an apartment complex would not create any burdensome impacts on the surrounding neighbors due to screening.

Board Member Ronald Beasley made a motion in the affirmative, seconded by Nick Skatell, and approved by the Board 4-2 (Rebecca Kelly and Howard Godwin) that the requested zoning district is compatible with the existing Land Use Classification.

- Reasoning: According to Erwin's current Land Use Plan, done in 2023, high-density housing options, which include apartments, are to be along US 421 and are desired.

Board Member Ronald Beasley made a motion in the affirmative, seconded by Nick Skatell, and approved by the Board 4-2 (Rebecca Kelly and Howard Godwin) that the proposal does enhance or maintain the public health, safety, and general welfare.

- Reasoning: The rezoning would allow for additional housing options within Erwin.

Board Member Ronald Beasley made a motion in the affirmative, seconded by Nick Skatell, and approved by the Board 4-2 (Rebecca Kelly and Howard Godwin) that the request is for a small-scale rezoning and should be evaluated for reasonableness.

- Reasoning: This rezoning request includes 7 parcels, which are all along Professional Park.

Board Member Ronald Beasley made a motion in the affirmative, seconded by Nick Skatell, and approved by the Board 4-2 (Rebecca Kelly and Howard Godwin) that there is a convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group.

- Reasoning: The parcels in question are about a single-use only and are limited to multi-family dwellings.

Board Member Ronald Beasley made a motion in the affirmative, seconded by Nick Skatell, and approved by the Board 4-2 (Rebecca Kelly and Howard Godwin) that there is a convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)

- Reasoning: The conditional district zoning would only be for the use of multi-family dwellings which is designated in the Erwin 2023 Land Use Plan along US 421 and all developmental requirements are being followed.

Board Member Ronald Beasley made a motion in the affirmative, seconded by Nick Skatell, and approved by the Board 4-2 (Rebecca Kelly and Howard Godwin) that there is a convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.

- Reasoning: According to the 2023 Erwin Land Use Plan, any high-density developments such as apartments shall be along US 421. Such use would not impact the feel of current neighborhoods.

Board Member Ronald Beasley made a motion in the affirmative, seconded by Nick Skatell, and approved by the Board 4-2 (Rebecca Kelly and Howard Godwin) that the proposed change is in accord with the Land Development Plan and sound planning principles.

- Reasoning: The Erwin 2023 Land Use Plan has the area under high-density for apartment complexes along with traditional commercial uses.

Board Member Ronald Beasley made a motion that the requested rezoning from B-2 to an R-6 conditional district with special uses for multi-family dwellings is compatible with all of the town of Erwin's regulatory documents. According to Erwin's 2023 Land Use Plan, the areas along 421 would be the best fit for high-density residential developments, which include apartment complexes. It is recommended that this rezoning request be Approved and was seconded by Nicholas Skatell. **The Board approved 4-2** (Rebecca Kelly and Howard Godwin).

Board Member Nicholas Skatell made a motion in the affirmative, seconded by Kathryn Moore, that the use requested is listed among the special uses in the district for which the application is made.

- Reasoning: Multi-family developments require a special use permit in the R-6 Zoning districts.

Board Member Nicholas Skatell made a motion in the affirmative, seconded by Kathryn Moore, that the use requested is essential or desirable to the public convenience or welfare.

- Reasoning: Approving would increase the amount of housing units currently in Erwin's jurisdiction.

Board Member Nicholas Skatell made a motion in the affirmative, seconded by Kathryn Moore, that the requested use will not impair the integrity or character of the surrounding or adjoining districts, and not be detrimental to the health, morals, or welfare of the general public.

- Reasoning: There is no evidence that the proposed use of apartment complexes would be detrimental to the health, morals, or welfare of the general public.

Board Member Nicholas Skatell made a motion in the affirmative, seconded by Kathryn Moore, that the requested use will be in conformity with the Land Development Plan.

- Reasoning: According to Erwin’s 2023 Land Use Plan, apartment complexes are to be located off of US 421 and are to be encouraged.

Board Member Nicholas Skatell made a motion in the affirmative, seconded by Kathryn Moore, that adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities have been or are being provided.

- Reasoning: The developer has been in contact with Harnett Regional Water about the potential development and has stated that if upgrades are needed, that they are willing to make said upgrades.

Board Member Nicholas Skatell made a motion in the affirmative, seconded by Kathryn Moore, that adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

- Reasoning: The applicant has submitted a traffic impact study and the results would not cause any issues in relation to traffic congestion along Professional Park, nor would it require any additional modifications to the road.

Board Member Nicholas Skatell made a motion in the affirmative, seconded by Kathryn Moore, that the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners.

- Reasoning: All aspects of the submitted site plan and other documents meet all of the requirements set forth by the Erwin Code of Ordinances.

Board Member Nicholas Skatell made a motion that the special uses for multi-family dwellings is compatible with all of the town of Erwin’s regulatory documents. According to Erwin’s 2023 Land Use Plan, the areas along 421 would be the best fit for high-density residential developments, which include apartment complexes. It is recommended that this Special Use be Approved and was seconded by Kathryn Moore. **The Board approved 4-2** (Rebecca Kelly and Howard Godwin).

ADJOURNMENT

Board Member Ronald Beasley made a motion to adjourn the meeting at 8:08 PM and was seconded by Nicholas Skatell. **The motion was unanimously approved.**

Minutes recorded and typed by

Katelan Blount, Deputy Town Clerk

Joshua Schmieding

Chairperson

Katelan Blount

Deputy Town Clerk

Erwin Planning Board

REQUEST FOR CONSIDERATION

To: Erwin's Planning Board Members
From: Dylan Eure, Town Planner
Date: September 16, 2024
Subject: Urban Camping and Improper Use of Public and Private Places

The Town of Erwin Staff wishes to amend Chapter 36 within Article XV Section 36-437 to prohibit and or limit public and private camping within the Town of Erwin and to add a definition of children to Article 2 of Chapter 36 Section 36-34. The proposed language reads as follows:

Sec. 36-34 Definitions

Children- A young human being below or at 18 years of age.

Sec. 36-437 Living, Residing, Camping, or Sleeping in Open Air, Vehicles, and Tents.

No Person shall engage in any act of living, residing, or sleeping in the open air or an automobile or vehicle, unless as allowed under Sec. 36-426 as an approved temporary dwelling.

No person shall erect or cause to be erected on property within the town any tent or tenting material serving as a temporary dwelling or overnight accommodation. Children using tents on their parent's/guardian's own property shall be excluded from this.

Statement of Consistency

The proposed text amendment is compatible with all of the Town of Erwin's regulatory documents according to Erwin's 2023 Land Use Plan and Erwin's Code of Ordinances. It is recommended that this text amendment be **approved**.

Statement of Inconsistency (Only when denied)

The proposed text amendment is **NOT** compatible with all of the Town of Erwin's regulatory documents according to Erwin's 2023 Land Use Plan and Erwin's Code of Ordinances. It is recommended that this text amendment be **denied**.

Statement of Consistency
Urban Camping Amendment

The proposed text amendment is compatible with all the Town of Erwin’ regulatory documents, according to Erwin’s 2023 Land Use Plan and Erwin’s Code of Ordinances. It is recommended that this text amendment be **approved**.

Joshua Schmieding
Chairperson

Katelan Blount
Deputy Town Clerk

Statement of Inconsistency
Urban Camping Amendment

The proposed text amendment is **NOT** compatible with all the Town of Erwin’s regulatory documents, according to Erwin’s 2023 Land Use Plan and Erwin’s Code of Ordinances. It is recommended that this text amendment be **denied**.

Joshua Schmieding
Chairperson

Katelan Blount
Deputy Town Clerk

Erwin Planning Board
REQUEST FOR CONSIDERATION

To: Erwin's Planning Board Members

From: Dylan Eure, Town Planner

Date: October 21, 2024

Subject: Accessory Structures / Fences in ROW

The staff of the Town of Erwin has received a petition to amend its Code of Ordinances, specifically Chapter 36 within Article XV Sections 36-419 and Section 36-433 to allow for accessories in the public right-of-way along with fences. The purpose of this is to address properties that are along the downtown area of Erwin that are limited to their yard space for utilities.

Current language:

“fence prohibited in rights-of-way. No fence shall be erected or maintained within or on any state or town right-of-way”.

Proposed language:

“fence prohibited in rights-of-way. No fence shall be erected or maintained within or on any state or town right-of-way”

Exception: Fences within M-1 along town right-of-ways may encroach into said right-of-way following an approved encroachment agreement approved by the Town of Erwin Board of Commissioners.

Proposed language:

(G) “Accessory structures prohibited in rights-of-way. No accessory structure or use shall be erected or maintained within or on any state or town right-of-way”

Exception: Accessory structures within M-1 that along town right-of-ways may encroach into said right-of-way following an approved encroachment agreement approved by the Town of Erwin Board of Commissioners.



Town of Erwin

Zoning Text Amendment Application

Planning & Inspections Department
 PO Box 459, 100 West F St, Erwin, 28339 · 910-897-5140 · Fax 910-897-5

Applicant Name	Wesley Johnson
Applicant Mailing Address	2965 Hobson Road, Dunn NC 28334
Applicant Contact Phone	919-756-0411
Applicant Email	Info@GrainDealersBrewery.com
Zoning Ordinance Section Number	Sections 36-419 and Section 36-433

In the space provided below, or on a separate sheet of paper, please state the nature of the proposed text amendment.

The proposed change is to allow for consideration of instances where a building's historic nature, equipment size, or general site layout deem it necessary to place building infrastructure within public right of ways.

Wesley Johnson

Applicant's Name (Print)

Wesley Johnson

Applicant's Signature (Sign)

Digitally signed by Wesley Johnson
 Date: 2024.10.02 23:29:49 -04'00'

Oct 3, 2024

Date

Administrative Official's Comments and Additional Requirements:

In the space provided below, or on a separate sheet of paper, provide the language proposed by Staff and authorized by the applicant for consideration of the Planning Board and Board of Commissioners.

I, _____, do hereby certify that the language as herein provided and prepared by the Town of Erwin Staff does meet the intent, in all respects, of my proposed Zoning Ordinance Text Amendment; and authorize the same to be presented to the Town of Erwin Planning Board and Board of Commissioners for their consideration of approval.

Wesley Johnson

Applicant's Name (Print)

Wesley Johnson _____ 10/10/24

Applicant's Signature (Sign)

Date

~~\$\$\$~~ Ordinance Amendment Fee Must Accompany Application and Be Paid Prior to Scheduling for a consideration by Boards.

Fee Paid: 350	Date Paid: 10/10/24	Staff Initials: DMG
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Town of Erwin

Encroachment Application

Planning & Inspections Department

Fee: _____
Meeting Date: _____
Case #: _____

First Name: Wesley

Last Name: Johnson

Address: 2965 Hobson Road

City/State/Zip: Dunn, NC 28334

Home Phone: N/A Cell Phone: 919-756-0411

Email: info@graindealersbrewery.com

Parcel PIN / ID: 0597-54-9120.000

Acreage/size: 10.48

Zoning: Industrial

Encroachment Request (may be attached on a separate sheet):

Seeking permission to place a 27 ton HVAC unit partially within the right of way. This piece of infrastructure would be fenced in such a way to minimize visibility to street traffic while allowing for maintenance when needed. The size of the unit and the code around its spacing from the building makes this encroachment necessary.

Encroachment Reasoning (may be attached on a separate sheet):

The size of the HVAC and the historic nature of the buildings that it is set to serve (units J & K) prevent it from being placed on the roof of the building. The associated ductwork that feeds into the two spaces requires that the unit be placed in line with the juncture of those spaces. In addition, the grassy area between the building and 13th street is set to be parking to access this and other businesses set to be located in the development. The interior space is set to be a pedestrian only courtyard.

I, as the landowner, hereby **CERTIFY** that the information contained herein is true to the best of my knowledge.

Landowner's Signature: _____ Date: _____

Applicant's Signature: Wesley Johnson Digitally signed by Wesley Johnson
Date: 2024.10.02 23:49:28 -04'00' Date: October 3, 2024

Attach a scaled illustrative plot or site plan showing all dimensions of structure encroachment along with property lines.



Town of Erwin

Encroachment Application

Planning & Inspections Department

Fee: _____
Meeting Date: _____
Case #: _____

In order for the Town of Erwin's Commissioners to grant an encroachment into the Town of Erwin's Public Right-Of-Way all of the following standards must be met and found in the affirmative.

1. Cannot be easily sited in the private property due to physical constraints.
Reasoning: Ductwork orientation requires unit be placed at juncture of two building spaces. Pedestrian only courtyard to act as an extension of downtown Erwin.
2. Must not locate within a public street.
Reasoning: Would not extend into the street.
3. Must not encroach into public parking.
Reasoning: Would not be in public parking. This proposed location allows for the creation of publicly accessible parking in the grassy area towards 13th Street.
4. Must not block drainage ditches or gutters that control the flow of stormwater.
Reasoning: Should not hinder the drainage of the ditch.
5. Must not locate within 5 feet of public signs, utility boxes, utility poles/ lines, or other areas readily accessed by town or county departments.
Reasoning: Will not be within 5 feet of nearest power pole.
6. Must not be within 5 feet of any street intersection.
Reasoning: Will not be within 5 feet of Chief Joseph Lane and S 13th Street.
7. Must not be within 5 feet of a fire hydrant.
Reasoning: Will not be within 5 feet of a fire hydrant.
8. Must not block access to public street furniture or sidewalk.
Reasoning: Will not block access to public street furniture or sidewalk.
9. The circumstances are not the result of the actions of the applicant.
Reasoning: Consideration of future infrastructure needs were not likely consider by previous mill owners when road location was offered to the town.



TOWN OF ERWIN

P.O. Box 459 • Erwin, NC 28339
Phone: 910-897-5140 • Fax: 910-897-5543
www.erwin-nc.org

10/21/2024

Mayor
Randy L. Baker
Mayor Pro Tem
Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

The Villages at Old Stage Subdivision Memorandum

Subdivision Description

The Town of Erwin has received a preliminary major subdivision plat for 101 single-family homes zoned as RD (Rural District) to be built Old Stage and Avery Road located by Harnett County Tax pins 0588-82-5111, 0588-82-7366, 0588-82-0344, 0588-81-3955, 0588-81-8885, 0588-811-0141, 0588-90-0944, 0588-81-9765, 0588-90-0073, 0587-89-5936, 0587-89-6834, 0587-89-7730, 0587-89-9542. Said development is a total of 13 parcel totaling 90.95 acres, and the entirety is planned to be annexed into Erwin's corporate limits upon construction. To access said development there will be a road constructed to Erwin's road standards which would then be allocated to the town for future maintenance along with all Right-of-Ways included. Said development, does not contain any watersheds nor is any of the parcel in any potential flood hazard areas according to Harnett GIS. According to the site plan/ soil evaluation, there may be wetlands on the development, however, this would require further study on the behalf on the developer to ensure no wetlands are being disturbed and how they may mitigated from the Army Corp of Engineers.

Regulation

Per The Erwin Code of Ordinances subdivision section, along with RD zoning classifications all requirements for preliminary plats have been met and the produced residential lots are compliant with all RD zoning regulations including lot size, required frontage, and width. Along with Erwin's road and Right-of-Way requirements have been met.

Required Improvements

Prior to the final plat being submitted the applicant must show that they have made all of the required improvements per Erwin's subdivision ordinances, meet all RD zoning regulations, and obtain the proper permits from affiliated agencies. Upon submission of the final plat, the

applicant must have received approval from NCDEQ in regard to soil erosion. Along with approval from NCDEQ in regards to stormwater due to more than 1 acre being disturbed. They must also submit complete road construction plans that will be approved by Erwin's civil engineer and have approved NCDOT encroachment permits for the said roads to be constructed along with water lines. A letter from Harnett Regional Water approving said water lines to be constructed must also be included to ensure lines will be up to HRW standards. Due to the parcel lacking the ability to connect to Harnett Regional sewer lines the said development will be on septic tanks and will also require approval from Harnett Health before final plat submittal.

Sincerely,

Dylan Eure

Town Planner



Town of Erwin
Zoning Application & Permit
 Planning & Inspections Department

Permit #
25-0027

Rev Sep2014

Each application should be submitted with an attached plot/site plan with the proposed use/structure showing lot shape, existing and proposed buildings, parking and loading areas, access drives and front, rear, and side yard dimensions.

Name of Applicant	BRC Development	Property Owner	SEE ATTACHED
Home Address	3314 JAECKLE DR ST120	Home Address	
City, State, Zip	WILMINGTON, NC 28403	City, State, Zip	
Telephone	919-796-1612	Telephone	
Email	mgramling@BANKER.NET	Email	
Address of Proposed Property		SEE ATTACHED	
Parcel Identification Number(s) (PIN)	11	Estimated Project Cost	2.5M
What is the applicant requesting to build / what is the proposed use of the subject property? Be specific.		SINGLE FAMILY RESIDENTIAL	
Description of any proposed improvements to the building or property		GRADING, PIPE, UTILITIES, PAVEMENT, HOME COURSE.	
What was the Previous Use of the subject property?		AGRICULTURE	
Does the Property Access DOT road?		YES	
Number of dwelling/structures on the property already	0	Property/Parcel size	90 AC
Floodplain SFHA <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Watershed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Wetlands <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
MUST circle one that applies to property: <u>Existing/Proposed Septic System</u> Or Existing/Proposed County/City Sewer			

Owner/Applicant Must Read and Sign

The undersigned property owner, or duly authorized agent/representative thereof certifies that this application and the forgoing answers, statements, and other information herewith submitted are in all respects true and correct to the best of their knowledge and belief. The undersigning party understands that any incorrect information submitted may result in the revocation of this application. Upon issuance of this permit, the undersigning party agrees to conform to all applicable town ordinances, zoning regulations, and the laws of the State of North Carolina regulating such work and to the specifications of plans herein submitted. The undersigning party authorizes the Town of Erwin to review this request and conduct a site inspection to ensure compliance to this application as approved.

Print Name: <u>MARK GRAMLING</u>	Signature of Owner or Representative:	Date: <u>7-19-24</u>
----------------------------------	---------------------------------------	----------------------

For Office Use

Zoning District	R30	Existing Nonconforming Uses or Features	NA
Front Yard Setback	40 FT	Other Permits Required	<input type="checkbox"/> Conditional Use <input type="checkbox"/> Building <input type="checkbox"/> Fire Marshal <input type="checkbox"/> Other
Side Yard Setback	17 FT	Requires Town Zoning Inspection(s)	<input type="checkbox"/> Foundation <input type="checkbox"/> Prior to C. of O.
Rear Yard Setback	40 FT	Zoning Permit Status	<input type="checkbox"/> Approved <input type="checkbox"/> Denied
Fee Paid: \$1,310		Date Paid:	Staff Initials:

Comments: 101 proposed a residential subdivision

Signature of Town Representative: _____ Date Approved/Denied: _____

requires planning board recommendation
 & BOC approval



THE VILLAGE AT OLD STAGE ROAD

HARNETT COUNTY, NC

for

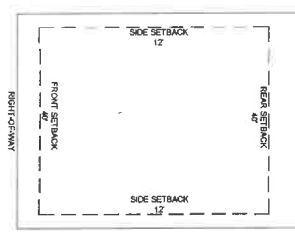
CLIENT: BRG DEVELOPMENT

INDEX OF SHEETS

CS101	COVER
CS102	EXISTING CONDITIONS
CS103	PROPOSED CONCEPT
CS104	PROPOSED CONCEPT
CS105	PROPOSED CONCEPT
SS101	SOIL MAP AND LEGEND



SITE
1"=500'



- #### GENERAL NOTES
1. ALL MATERIALS AND CONSTRUCTION METHODS FOR THE LATEST EDITION OF HARNETT COUNTY SPECIFICATIONS AND DETAILS SHALL BE USED IN ACCORDANCE WITH THE 2024 NC DOT ROADWAY STANDARD DRAWINGS AND STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES UNLESS OTHERWISE NOTED OR DIRECTED.
 2. UNDERGROUND UTILITIES HAVE EXIST ON, ALONG OR WITHIN CONFLICT OF THIS PROJECT SITE. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR THE DEMOLITION OF ANY EXISTING ON SITE ITEMS AS SHOWN ON THE DEMO PLAN, ABOVE AND BELOW RESULTING FROM DEMOLITION. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR REMOVAL OF ALL WASTE RESULTING FROM DEMOLITION.
 3. THE CONTRACTOR SHALL OBSERVE ALL REQUIRED SAFETY PRECAUTIONS IN THE PERFORMANCE OF ALL WORK IN ACCORDANCE WITH CURRENT OSHA.
 4. THE CONTRACTOR SHALL GRADE, SEED, AND SOO OR OTHERWISE PROVIDE TEMPORARY AND PERMANENT STABILIZATION OF ALL DISTURBED AREAS.
 5. WORK WITHIN PUBLIC RIGHT-OF-WAYS SHALL BE IN ACCORDANCE WITH ALL STATE AND LOCAL REGULATIONS. ANY SUBSTITUTIONS, CHANGES, OR MODIFICATIONS SHALL BE APPROVED BY THE PROJECT ENGINEER, PLANNING DEPARTMENT STAFF, AND OWNER PRIOR TO INSTALLATION/CONSTRUCTION.
 6. THE CONTRACTOR SHALL MAINTAIN ELEVATIONS OF THE PROPOSED SURFACE GRADE LINES MAY BE ADJUSTED AT THEIR BEGINNING, ENDING AND AT INTERMEDIATE POINTS AS DIRECTED BY THE ENGINEER IN ORDER TO PROVIDE A PROPER DRAINAGE SYSTEM AND SHALL BE REINFORCED BY THE ENGINEER IF NECESSARY. REQUIREMENTS ARE PROVIDED PRIOR TO INSTALLATION.
 7. THE EARTHWORK ON THIS PLAN DOES NOT NECESSARILY BALANCE. OVER-SITE BORROW OR WASTE MAY BE REQUIRED.
 8. ALL CONCRETE PIPE SHALL BE REINFORCED CLASS III.
 9. NEW SIGNS REQUIRE ZONING COMPLIANCE AND BUILDING PERMITS PERUDO. A HARNETT COUNTY STANDARDS.
 10. NO ADDITIONAL OUTDOOR LIGHTING IS PROPOSED. NEW LIGHTING REQUIRES ADDITIONAL PLANS AND PERMITS TO ENSURE COMPLIANCE WITH UDO.

DATE	BY	REVISION
06/28/24	JKL	ISSUED FOR PERMIT
06/28/24	JAN	REVISED
06/28/24	JAN	REVISED

THE VILLAGE AT OLD STAGE ROAD

ERWIN, NC
HARNETT COUNTY
BRG DEVELOPMENT

COVER

NICHOLS ENGINEERING, PLLC

1826 SIR TYLER DR. STE 200
WILMINGTON, NC 28403

910-617-7893
NCEBLS Firm License Number: P-2008

NO PE License #: 045403
http://nicholseng.com

ACRES	ACRES	ACRES
0689-32-5111.000	070589.0007	0.02
0689-32-2199.000	070589.0012	6.36
0689-32-2199.000	070589.0017	7.1
0689-31-3865.000	070589.0027	10.1
0689-31-0141.000	070589.0091	3.86
0689-30-0044.000	070589.0092	15.28
0689-31-0795.000	070589.0094	11.18
0689-30-0073.000	068367.0044.10	18.67
0689-30-0073.000	068367.0044.09	0.73
0689-30-0073.000	068367.0044.08	0.73
0689-30-0073.000	068367.0044.07	0.73
0689-30-0073.000	068367.0044.06	0.73
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0689-30-0073.000	068367.0044.00	0.73
TOTAL		90.95

LILLINGTON SITE

HARNETT COUNTY

DESIGNER:
ZACHRY L. NICHOLS, JR.
NICHOLS ENGINEERING PLLC
1826 SIR TYLER DR., STE 200
WILMINGTON, NC 28403
ZACHRY@NICHOLSPE.COM
OFFICE #910.845.9841

CLIENT:
BRG DEVELOPMENT, LLC
2314 JACQUE DR., SUITE 120
WILMINGTON, NC 28403

PROPERTY OWNERS:
TUBA NOTON-JOHNSON LAND PARTNERS
P.O. BOX 107
DUNN, NC 28335
PHONE: 866-488-7614

STEPHEN M. BURFRON PARTNERS, LIMITED PARTNERSHIP
13148 NC HWY 210
BENSON, NC 27524
PHONE: 910.914.2718

SURVEYOR:
ERIC S.
18 N. McKinney St., Coles NC 27721

APPLICANT:
BRG DEVELOPMENT, LLC
2314 JACQUE DR., SUITE 120
WILMINGTON, NC 28403

PROJECT SITE

ADJACENT PARCEL AND ZONING DATA

REF. NUMBER	OWNER	ADDRESS	ZONING	ADJACENT PARCEL AND ZONING DATA
1	EVERETT	1826 SIR TYLER DR. STE 200 WILMINGTON, NC 28403	RA-30	HARNETT COUNTY
2	EVERETT	1826 SIR TYLER DR. STE 200 WILMINGTON, NC 28403	RA-30	HARNETT COUNTY
3	EVERETT	1826 SIR TYLER DR. STE 200 WILMINGTON, NC 28403	RA-30	HARNETT COUNTY
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12	EVERETT	1826 SIR TYLER DR. STE 200 WILMINGTON, NC 28403	RA-30	HARNETT COUNTY
13	EVERETT	1826 SIR TYLER DR. STE 200 WILMINGTON, NC 28403	RA-30	HARNETT COUNTY
14	EVERETT	1826 SIR TYLER DR. STE 200 WILMINGTON, NC 28403	RA-30	HARNETT COUNTY
15	EVERETT	1826 SIR TYLER DR. STE 200 WILMINGTON, NC 28403	RA-30	HARNETT COUNTY
16	EVERETT	1826 SIR TYLER DR. STE 200 WILMINGTON, NC 28403	RA-30	HARNETT COUNTY
17	EVERETT	1826 SIR TYLER DR. STE 200 WILMINGTON, NC 28403	RA-30	HARNETT COUNTY

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16	EVERETT	1826 SIR TYLER DR. STE 200 WILMINGTON, NC 28403	RA-30	HARNETT COUNTY
17	EVERETT	1826 SIR TYLER DR. STE 200 WILMINGTON, NC 28403	RA-30	HARNETT COUNTY

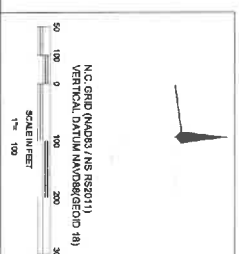


AVERY RD

OLD STAGE RD

PARCEL NUMBER	ADJACENT PARCEL AND ZONING DATA	CURRENT ZONING	ADJACENT COUNTY
1	AVERY LARRY EARL 5000 BROADMOOR PLACE GREENSBORO, NC 27410-0000 PA-30	PA-30	HARNETT COUNTY
2	JACKSON LUCRECIA DAWN AVERY PO BOX 334 ERWIN, NC 28338-0000 PA-30	PA-30	HARNETT COUNTY
3	MALDEN LARRY RAY 1032 BOWEN DR RD COATS, NC 27821-0000 RD	RD	ERWIN
4	BRIDGEMAN LEE TRUSTEE & GERALDINE LEE BYRD REVOCABLE TRUST - 8848 US 421 ERWIN, NC 28338-8822 RD	RD	ERWIN
5	JENNIFER JESSICA J & JERROLD PAULY JR 5035 OLD STAGE ROAD ERWIN, NC 28338-0000 RD	RD	ERWIN
6	3019 OLD STAGE ROAD ERWIN, NC 28338-0000 RD	RD	ERWIN
7	EDWARDS KIMMI T 88 MOUNTAIN LN DUNN, NC 28334 RD	RD	ERWIN
8	HOMEL THOMAS G & HOWELL MELISSA 3547 OLD STAGE RD S ERWIN, NC 28338-8011 RD	RD	ERWIN
9	EDWARDS KIMMI T 3867 OLD STAGE RD S ERWIN, NC 28338-8011 RD	RD	ERWIN
10	MULCAHY FREDERICK & MULCAHY ROGER 3431 OLD STAGE RD S ERWIN, NC 28338-8013 RD	RD	ERWIN
11	EDWARDS KIMMI T & EDWARDS KIMMI T TRUSTEE 3376 OLD STAGE RD SOUTH ERWIN, NC 28338-0000 RD	RD	ERWIN
12	MCKELL BRENDA AMERSON & MCKELL MELVYN JAVIUS 3341 OLD STAGE RD S ERWIN, NC 28338-0000 RD	RD	ERWIN
13	TINDALL BYRON LEE & TINDALL LERRIA H 3286 OLD STAGE ROAD SOUTH ERWIN, NC 28338-0000 PA-30	PA-30	HARNETT COUNTY
14	MCDONALD JAY & MCDONALD LINDA 3340 OLD STAGE ROAD SOUTH ERWIN, NC 28338-0000 PA-30	PA-30	HARNETT COUNTY
15	BRENDAKER CYNTHIA B 5020 WOODBURN ON TILLEY MOUNT GLENDA, NC 27206-8610 PA-30	PA-30	HARNETT COUNTY
16	BRENDAKER CYNTHIA B 5020 WOODBURN ON TILLEY MOUNT GLENDA, NC 27206-8610 PA-30	PA-30	HARNETT COUNTY
17			

LEGEND
 PROJECT BOUNDARY - - - - -
 EXISTING PARCEL - - - - -



DATE: 08/19/2024
 SCALE: AS SHOWN
 DRAWN: JMT
 CHECKED: ZMT
 PROJECT NO.:
 SHEET: CE101

THE VILLAGE AT OLD STAGE ROAD
 ERWIN, NC
 HARNETT COUNTY
 BRG DEVELOPMENT

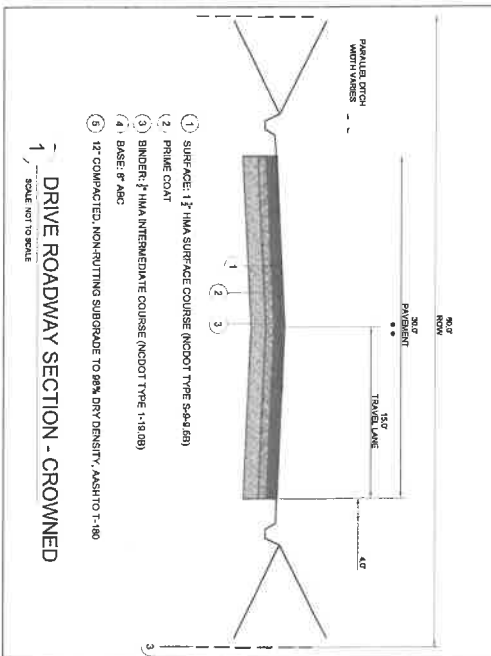
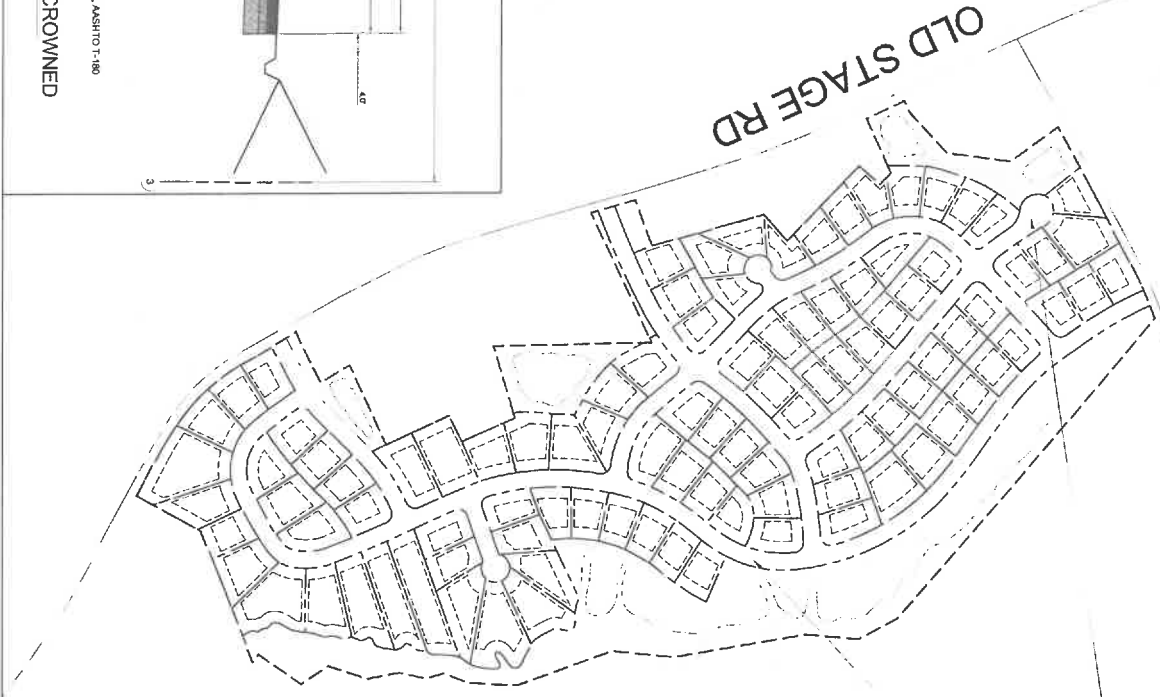
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NO.	REVISION	DATE

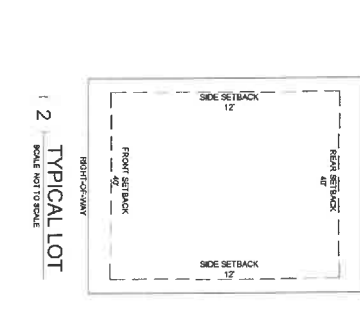
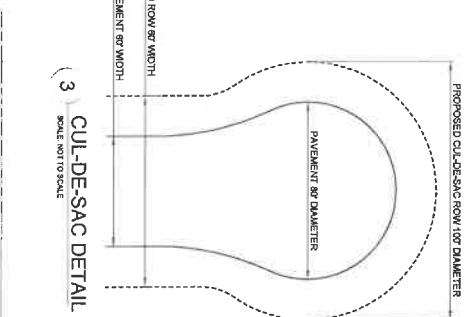
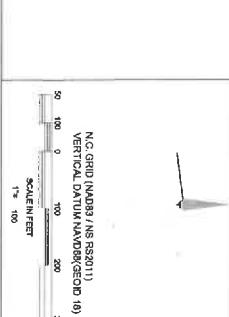
NICHOLS ENGINEERING, PLLC
 1828 SIR TYLER DR, STE 230
 WILMINGTON, NC 28405
 P. 910-417-7863
 NCELS Firm License Number: P-2006
 NCELS License #: 045463
 http://nke.com/

OLD STAGE RD

EVERY RD



NOTE:
1. ROADS SHALL BE CONSTRUCTED TO TOWN STANDARDS AND TO BE ALLOCATED TO THE TOWN OF ERWIN FOR MAINTENANCE.
2. 60' RIGHT OF WAY
3. 30' PAVEMENT WIDTH



SINGLE FAMILY BUILDING SETBACKS
FRONT SETBACK 40 FT
SIDE SETBACK 12 FT
REAR SETBACK 40 FT
SCALE: HORIZONTAL TO HORIZONTAL
SCALE: VERTICAL TO HORIZONTAL

DATE: 08/20/2014
SCALE: AS SHOWN
DRAWN BY: JAW
CHECKED BY: JAW
PROJECT NO.:
SHEET: CS101

NOT TO BE USED FOR CONSTRUCTION WITHOUT THE SIGNATURE OF THE DESIGNER

NO.	REVISION	DATE

THE VILLAGE AT OLD STAGE ROAD
ERWIN, NC
HARNETT COUNTY
BRG DEVELOPMENT

PROPOSED CONCEPT

NICHOLS ENGINEERING, PLLC
1825 SIR TYLER DR. STE 200
WILMINGTON, NC 28405
910-617-7863
NCBELS Firm License Number: P-2006
NC PE License #: 045483
http://nicholsengineering.com/



LEGEND
 PROJECT BOUNDARY
 PROPOSED PARCEL
 EXISTING PARCEL
 SETBACK



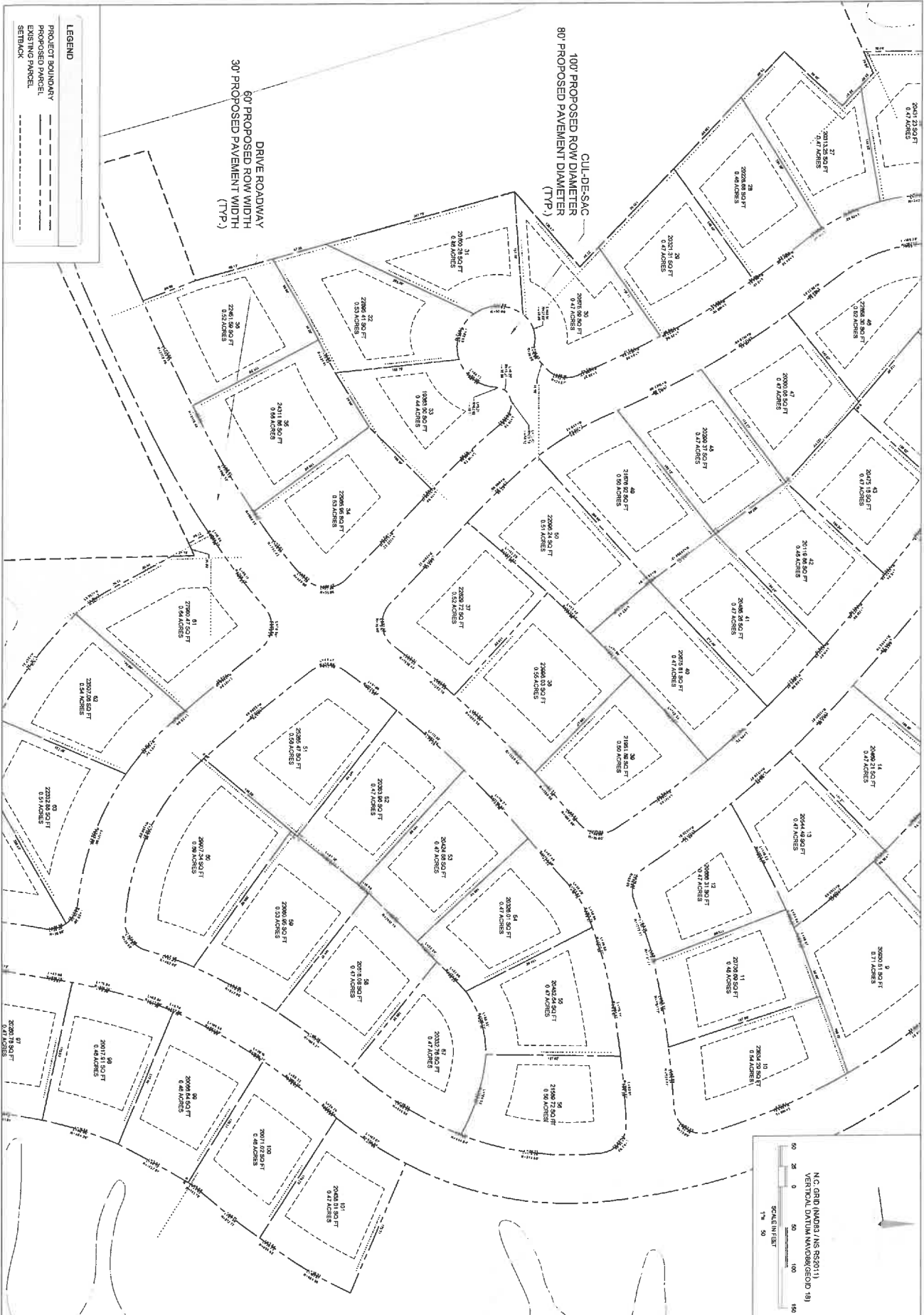
CS102

DATE: 08/20/2024
 SCALE: AS SHOWN
 DRAWN BY: JMT
 CHECKED BY: ZCN
 PROJECT NO.:
 SHEET:

THE VILLAGE AT OLD STAGE ROAD
 ERWIN, NC
 HARNETT COUNTY
 BRG DEVELOPMENT
PROPOSED CONCEPT

NO.	REVISION	DATE

NICHOLS ENGINEERING, PLLC
 1820 SIR TYLER DR. STE 230
 WILMINGTON, NC 28405
 910-417-7893
 NCELS Firm License Number P-2006
 NC PE License #: 045493
<http://nicholseng.com/>



DATE: 08/10/2011
 SCALE: AS NOTED
 DRAWN: JAT
 CHECKED: ZLN
 PROJECT NO.:
 SHEET: CS-103

THE VILLAGE AT OLD STAGE ROAD
 ERWIN, NC
 HARNETT COUNTY
 BRG DEVELOPMENT
PROPOSED CONCEPT

NO.	REVISION	DATE

NICHOLS ENGINEERING, PLLC
 1826 SIR TYLER DR. STE 200
 WILMINGTON, NC 28405
 910-417-7863
 NCEBLS Firm License Number: P-2006
 NC PE License #: 045403
<http://nicholseng.com>



LEGEND

PROJECT BOUNDARY

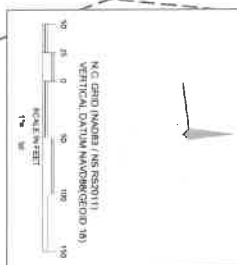
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EXISTING PARCEL

SETBACK

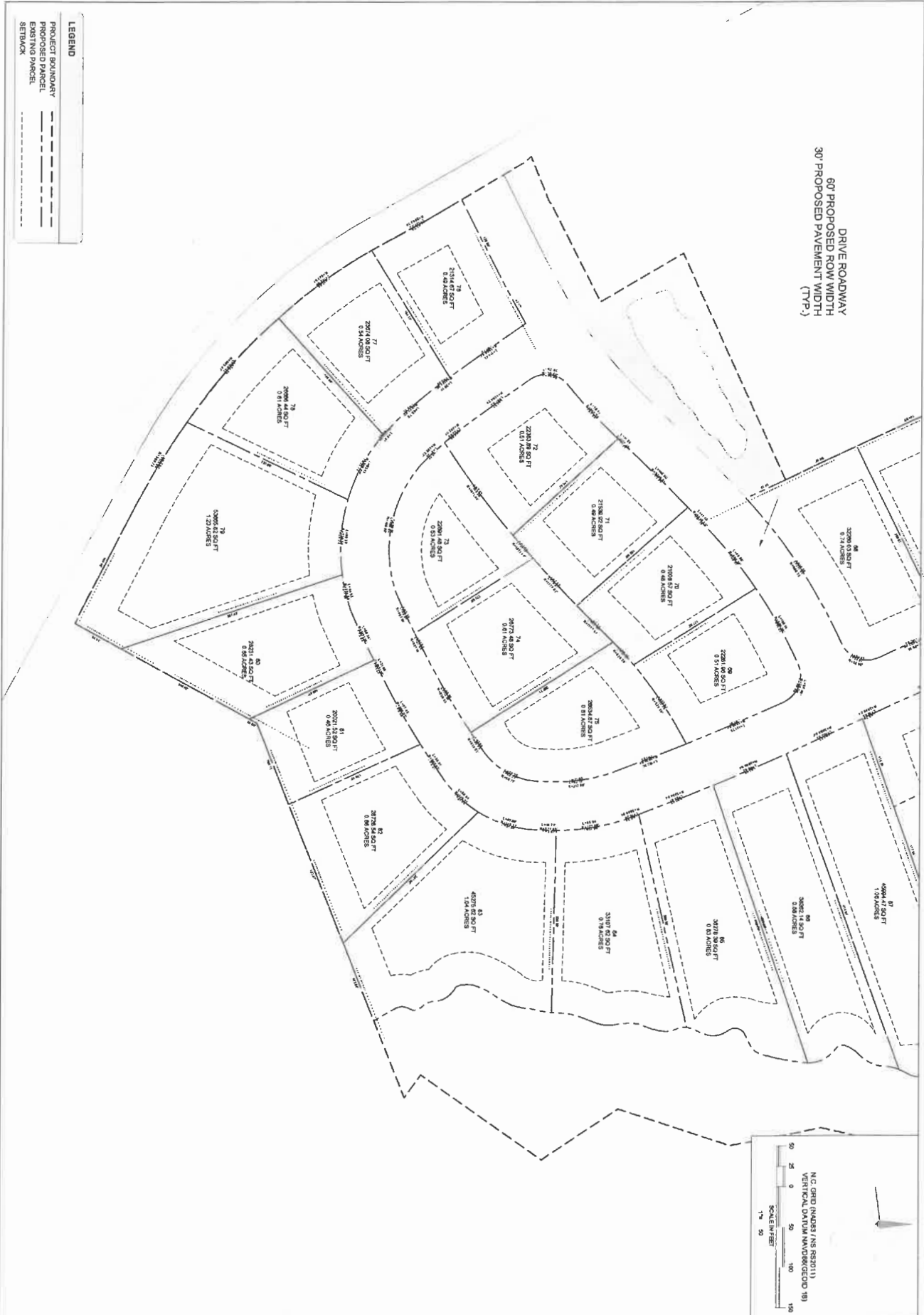
CLUDE-SAC
DRIVE ROADWAY
60' PROPOSED ROW WIDTH
30' PROPOSED PAVEMENT
(TYP.)

100' PROPOSED ROW DIAMETER
80' PROPOSED PAVEMENT DIAMETER
(TYP.)



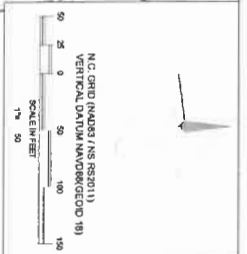
<p>CS104</p>	<p>THE VILLAGE AT OLD STAGE ROAD</p> <p>ERWIN, NC HARNETT COUNTY BRG DEVELOPMENT</p> <p>PROPOSED CONCEPT</p>					<p>NICHOLS ENGINEERING, PLLC</p> <p>1826 SIR TYLER DR., STE 230 WILMINGTON, NC 28405</p> <p>910-917-7863 NCBELS Firm License Number: P-2006</p> <p>NC PE License #: 046483 http://www.nicholseng.com/</p>
		NO.	REVISION	DATE	DATE	

DRIVE ROADWAY
 60' PROPOSED ROW WIDTH
 30' PROPOSED PAVEMENT WIDTH
 (TYP.)



LEGEND

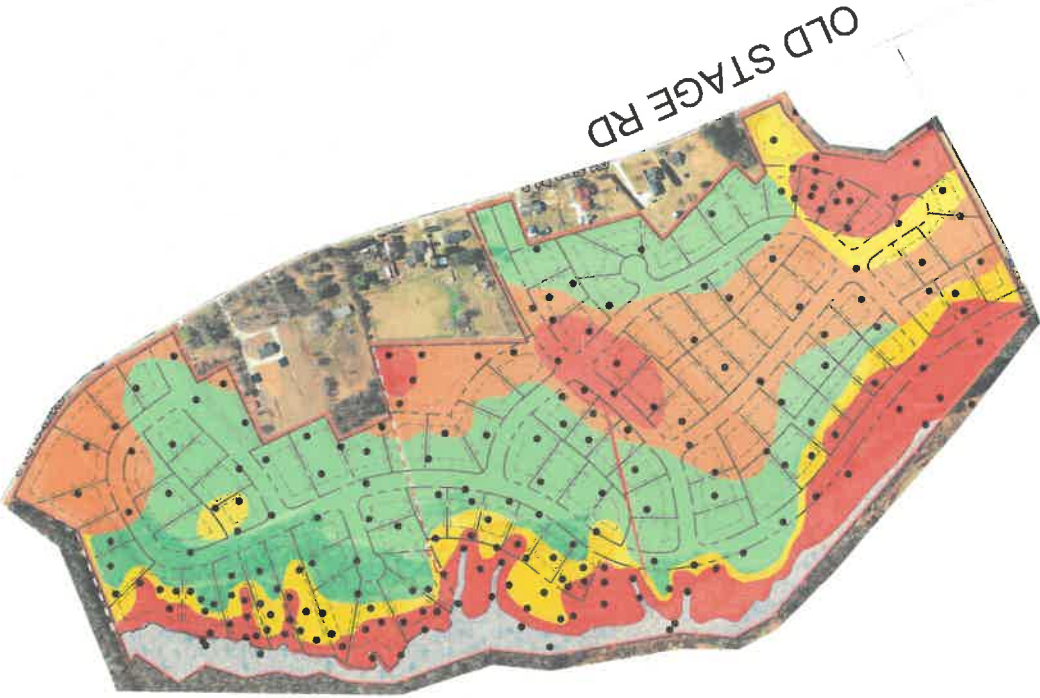
PROJECT BOUNDARY
 PROPOSED PARCEL
 SETBACK



<p>CS105</p>	<p>SHEET</p>	<p>DATE: 08/20/24 SCALE: AS SHOWN DRAWN: JAT CHECKED: ZAN PROJECT NO.:</p>	<p>THE VILLAGE AT OLD STAGE ROAD ERWIN, NC HARNETT COUNTY BRG DEVELOPMENT</p>	<p>PROPOSED CONCEPT</p>	<p>NO. _____</p>	<p>REVISION _____</p>	<p>DATE _____</p>	<p>NICHOLS ENGINEERING, PLLC 1826 SIR TYLER DR. STE 200 WILMINGTON, NC 28403 NC PE License #: 046483 NCBELS Firm License Number: P-2006 http://nicholseng.com/</p>
			<p>NOT BE USED FOR CONSTRUCTION WITHOUT THE SIGNATURE OF THE DESIGNER</p>			<p>NO. _____</p>	<p>REVISION _____</p>	<p>DATE _____</p>

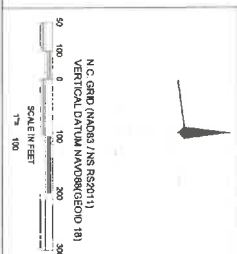
OLD STAGE RD

EVERY RD



Legend

- Green Soil Map Unit. These soils should be considered suitable for subsurface septic, conventional systems, low pressure pipe systems, and other innovative septic systems. These soils are coarse loams over fine loams with a seasonal high water table from 24-50 inches from the existing ground surface. The loading rate for these soils are 0.4-0.5 gal/day/ft² (-40 to 0 acres).
- Yellow Soil Map Unit. These soils should be considered conditionally suitable for subsurface conventional fill systems, low pressure pipe systems and other innovative septic systems. These soils are sandy over fine loams with seasonal high water table from 12-20 inches from the existing ground surface. The loading rate for these soils are 0.2-0.3 gal/day/ft² (-14 to 0 acres).
- Orange Soil Map Unit. These soils should be considered conditionally suitable for low pressure in fill systems and other innovative septic systems. These soils are coarse loams over fine loams with seasonal high water table from 20-24 inches from the existing ground surface. The loading rate is 0.4-0.5 gal/day/ft² (-14 to 0 acres).
- Red Soil Map Unit. Coarse sands over coarse fine loams and silt/clayey soil textures, or unsuitable landscape positions. These soils should be considered unsuitable for subsurface septic systems. These soils may be used for surface disposal of septic effluent in a septic field.
- Blue Patterned Map Unit. Special landscape conditions. Only a formal wetland delineation with CDE approval will determine the actual extent of data wetlands within this map unit. (-5.8 acres)
- Approximate Boring Locations (215 borings)
- Ditch. Will require a 25ft horizontal setback (-.7298 ft)
- Parcel Boundary



N.C. GEOLOGICAL SURVEY (NRS2011)
 VERTICAL DATUM NAVD83/EGM96 181

DATE: 08/20/2014
 SCALE: AS SHOWN
 DRAWN: JAT
 CHECKED: ZLN
 PROJECT NO.:
 SHEET: SS101

NOT FOR CONSTRUCTION
SEAL OF ENGINEER
 08/20/2014

THE VILLAGE AT OLD STAGE ROAD
 ERWIN, NC
 HARNETT COUNTY
 BRG DEVELOPMENT

SOIL MAP AND LEGEND

NO.	REVISION	DATE

NICHOLS ENGINEERING, PLLC
 1520 581 TYLER DR. STE 230
 WILMINGTON, NC 28405

NC PE License #: 045483
<http://nicholseng.com/>

Turlington-Johnson Land Partners

P.O. Box 1027
Dunn, NC 28335

July 17, 2024

Mr. Dylan Eure
Town Planner
100 West F. St.
Erwin, NC 28339

RE: Owner’s Authorization for Proposed Development at Old Stage Road and Avery Road

Dear Mr. Eure

We hereby give consent to the below referenced agent/applicant to act on our behalf, to submit application, all required materials and documents and to attend all meetings and represent us at all meeting and hearings pertaining to all processes associated with the development and approval of the above refenced project as related to the parcels identified by the attached.

AGENT/APPLICANT INFORMATION:

Name – Mark W. Gramling
Vice President Land Development
BRG Development, LLC

Address - 3314 Jaeckle Dr., Unit 120
Wilmington, NC 28403

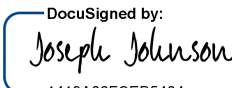
OWNER’S AUTHORIZATION:

Turlington-Johnson Land Partners
a North Carolina partnership

By: 
9B5A2F025BC247C...

Name: Stuart Turlington

Date: _____

By: 
1419A06E06E5404

Name: Joseph Johnson

Date: _____

DocuSigned by:
Edward Johnson
1419A06FCEB5404...

By: _____

Name: Edward Johnson

Date: _____

STEPHEN M. BUFFKIN FAMILY LIMITED
13148 NC HWY 210 Benson
Benson, North Carolina 27504

July 17, 2024

Mr. Dylan Eure
Town Planner
100 West F. St.
Erwin, NC 28339

RE: Owner's Authorization for Proposed Development at Old Stage Road and Avery Road

Dear Mr. Eure

We hereby give consent to the below referenced agent/applicant to act on our behalf, to submit application, all required materials and documents and to attend all meetings and represent us at all meeting and hearings pertaining to all processes associated with the development and approval of the above refenced project as related to the parcels identified by the attached.

AGENT/APPLICANT INFORMATION:

Name – Mark W. Gramling
Vice President Land Development
BRG Development, LLC

Address - 3314 Jaeckle Dr., Unit 120
Wilmington, NC 28403

OWNER'S AUTHORIZATION:

Stephen M. Buffkin Family Limited Partnership
a North Carolina limited partnership

By: Stephen M. Buffkin S.P.

Name: Stephen Buffkin

Date: 7/22/2024

We trust this request meets with your approval and look forward to working with you.

Erwin Planning Board

REQUEST FOR CONSIDERATION

To: Erwin's Planning Board Members

From: Dylan Eure, Town Planner

Date: October 21, 2024

Subject: Removal of outdoor storage in B-2

The Staff of the Town of Erwin wishes to amend its Code of Ordinances, Specifically Chapter 36 within Article X Section 36-274 entitled "Special Uses" within the B-2 business district to remove outdoor storage as a special use. As well as Article XV entitled General Provisions Section 36-435 for the same purpose. This amendment will still allow outdoor storage as a special use within Erwin's M-1 industrial district.

Proposed item to be removed from Sec. 36-274

- Outdoor storage of vehicles, equipment, or material.

Proposed amended Sec. 36-435

- Outdoor storage of goods, equipment, and materials shall be prohibited in all districts except the ~~B-2 Highway Business District and the~~ M-I Industrial Zoning District as a conditional use as provided within Article III, map and zoning districts of this chapter.

Statement of Consistency

The proposed text amendment is compatible with all of the Town of Erwin's regulatory documents according to Erwin's 2023 Land Use Plan and Erwin's Code of Ordinances. It is recommended that this text amendment be **approved**.

Statement of Inconsistency (Only when denied)

The proposed text amendment is **NOT** compatible with all of the Town of Erwin's regulatory documents according to Erwin's 2023 Land Use Plan and Erwin's Code of Ordinances. It is recommended that this text amendment be **denied**.

Statement of Consistency
Removal of Outdoor Storage in B-2 Zoning

The proposed text amendment to remove outdoor storage in B-2 Zoning is compatible with all the Town of Erwin' regulatory documents, according to Erwin's 2023 Land Use Plan and Erwin's Code of Ordinances. It is recommended that this text amendment be **approved**.

Joshua Schmieding
Chairperson

Katelan Blount
Deputy Town Clerk

Statement of Inconsistency
Removal of Outdoor Storage in B-2 Zoning

The proposed text amendment to remove outdoor storage in B-2 Zoning is **NOT** compatible with all the Town of Erwin' regulatory documents, according to Erwin's 2023 Land Use Plan and Erwin's Code of Ordinances. It is recommended that this text amendment be **denied**.

Joshua Schmieding
Chairperson

Katelan Blount
Deputy Town Clerk

Erwin Planning Board

REQUEST FOR CONSIDERATION

To: The Erwin Planning Board Members

From: Snow Bowden, Town Manager

Date: October 21, 2024

Subject: All-Way Stop Intersection Memo

At our last Planning Board meeting one of the all-way stop intersections was brought up. The all-way stop intersection at St. Matthews Road and Pope Street in particular. There are factors that I believe that we need to consider before making any decisions about this intersection such as the potential impact of a new business that will be accessed off of St. Matthews road from Shriji Lane (right behind Aarons). The parking lot to the new business will also have access to the MainStreet Family Care Urgent Care Facility. Once the word gets out about the interconnectivity of both of these parking lots people coming from the City of Dunn will turn left onto St. Matthews Road and then turn right onto Shriji Lane to access MainStreet Family Care instead of going past the business and making a U-turn at the next possible intersection off of HWY 421.

We do not need to just take these down because some people do not like them. They serve a purpose. I have had conversations with people that live off of St. Matthews Road that want the all-way stop intersections taken down as well. I have also spoken with numerous residents off of St. Matthews Road that like having both all-way stop intersections. It is not a good idea to just take them down because a few people do not like them. The Town hired a firm to prepare a study on our streets taking into account items such as shoulder width, how close structures are to the road and other factors. The firm did not deliver what we requested. We basically got a report similar to the Manual on Uniform Traffic Control Devices.

In order to take down the all-way stop intersection at Pope Street and St. Matthews Road we will have to hold a public hearing since it requires a text amendment to our Town Code. The Town will need data to justify taking the all-way stop intersection down. I have had discussions with some of you about other intersections in the Town of Erwin in the past. In my opinion, it would be best for the Town of Erwin to hire a traffic engineer to analyze this intersection and any other potential intersections at one time. Do you have any other intersections that you want us to consider? I will hire the traffic engineer as soon as possible. We will present the data to all of you once we receive it. In my opinion, this is the best route forward versus making a decision with no data at all and just opinions.

Erwin Planning Board

REQUEST FOR CONSIDERATION

To: Erwin’s Planning Board Members
From: Dylan Eure, Town Planner
Date: October 21, 2024
Subject: Removal of Three-way Stop at Pope St. and St. Matthews

At the request of the Planning Board, the Town of Erwin Staff wishes to amend Chapter 36 within Appendix 1 entitled Traffic Section 109 to reduce the three-way stop at the intersection of Pope St. and St. Matthews Rd. Said reduction would leave a stop coming from Pope St. (West) while removing the stops on St. Mathews Rd (North and South).

Current Regulations:

Stop 206 St. Matthews Rd.	Pope St.	North
Stop 207 St. Matthews Rd.	Pope St.	South
Stop 208 St. Matthews Rd.	Pope St.	West

Proposed Change:

Stop 206 St. Matthews Rd.	Pope St.	North
Stop 207 St. Matthews Rd.	Pope St.	South
Stop 208 St. Matthews Rd.	Pope St.	West

Statement of Consistency

The proposed text amendment is compatible with all of the Town of Erwin’s regulatory documents according to Erwin’s 2023 Land Use Plan and Erwin’s Code of Ordinances. It is recommended that this text amendment be **approved**.

Statement of Inconsistency (Only when denied)

The proposed text amendment is **NOT** compatible with all of the Town of Erwin’s regulatory documents according to Erwin’s 2023 Land Use Plan and Erwin’s Code of Ordinances. It is recommended that this text amendment be **denied**.

Statement of Consistency

Removal of Three-Way Stop at Pope St. and St. Matthews Rd.

The proposed text amendment is compatible with all the Town of Erwin's regulatory documents, according to Erwin's 2023 Land Use Plan and Erwin's Code of Ordinances. It is recommended that this text amendment be **approved**.

Joshua Schmieding
Chairperson

Katelan Blount
Deputy Town Clerk

Statement of Inconsistency

Removal of Three-Way Stop at Pope St. and St. Matthews Rd.

The proposed text amendment is **NOT** compatible with all the Town of Erwin’s regulatory documents, according to Erwin’s 2023 Land Use Plan and Erwin’s Code of Ordinances. It is recommended that this text amendment be **denied**

Joshua Schmieding
Chairperson

Katelan Blount
Deputy Town Clerk

Erwin Planning Board

REQUEST FOR CONSIDERATION

To: Erwin's Planning Board Members

From: Dylan Eure, Town Planner

Date: Oct 21, 2024

Subject: Updates to Erwin's Appointed Boards

Town staff wishes to amend several sections of Erwin's appointed board ordinances for the reason of updating the existing regulations to what Erwin currently uses and practices. This also brings Erwin's ordinances in line with many other municipalities in the area. Said items that wish to be amended are as follows:

- When new members are inducted and when their terms expire.
- Attendance policy.
- When the chair and vice chair are elected.
- When members can be reappointed.
- Authority granted by NC General Statutes to planning boards.
- The amount of terms members serve consecutively.
- Member removal for inefficiency.
- Member compensation when acting as the Board of Adjustment.

The first 4 are broad amendments that not only apply to the Erwin Planning Board but also to any other board created by the Erwin Board of Commissioners. The last 4 relate directly to the Erwin Planning Board/ Board of Adjustment.

Erwin Planning Board

REQUEST FOR CONSIDERATION

To: Erwin's Planning Board Members
From: Dylan Eure, Town Planner
Date: October 21, 2024
Subject: Erwin Appointed Board Updates

The Town of Erwin Staff wishes to amend Chapter 2 Article VII Section 2-194, 2-196,2-198,2-200, as well as Article VIII Section 2-228, 2-229, 2-231, and 2-232 to reflect the current practices used to govern the Erwin Planning Board and Board of Adjustment. Said amendments are as follows:

Current 2-194:

The term of office for each appointed member shall last from the date of appointment until June 30 of the remaining term. New members normally take office as of the July meeting of the Board of Commissioners.

Proposed 2-194:

The term of office for each appointed member shall last from the date of appointment until their three-year term ends.

Current 2-196:

An appointed member who fails to attend more than one scheduled meeting and a minimum of 80 percent of all scheduled meetings in any given calendar year automatically loses their status as a member of the board or commission, provided that these absences are unexcused. Absences due to sickness, death or other emergencies of like nature shall be regarded as approved absences and shall not affect the member's status on the commission or board, except that in the event of a long illness or other cause for prolonged absence, the member may be replaced.

Proposed 2-196:

An appointed member who fails to attend more than **two consecutive scheduled meetings in any given calendar year may be recommended to the board of commissioners for removal, provided that these absences are unexcused.** Absences due to sickness, death or other emergencies of like nature shall be regarded as approved absences and shall not affect the member's status on the commission or board, except that in the event of a long illness or other cause for prolonged absence, the member may be replaced.

Current 2-198:

There shall be a chairperson and vice-chairperson of each board or commission. An annual election of the chairperson and vice-chairperson shall be held by the board or commission members and shall occur at a regular monthly meeting in July. Officers shall serve for one year from election with eligibility for reelection. New officers shall take office at the subsequent regular meeting in August. In the event an officer's appointment to the board or commission is terminated, a replacement to this office shall be elected by the remaining members, from its membership, at the meeting following the termination. The town manager or the manager's assign shall serve as secretary of the board or commission or shall appoint a member of the advisory commission to do this work for the manager.

Proposed 2-198:

There shall be a chairperson and vice-chairperson of each board or commission. An annual election of the chairperson and vice-chairperson shall be held by the board or commission members and shall occur at a regular monthly ~~meeting in July.~~ **the following year** meeting. Officers shall serve for one year from election with eligibility for reelection. ~~New officers shall take office at the subsequent regular meeting in August.~~ In the event an officer's appointment to the board or commission is terminated, a replacement to this office shall be elected by the board of commissioners. ~~at the meeting following the termination.~~ The town manager or the manager's assign shall serve as secretary of the board or commission or shall appoint a member of the advisory commission to do this work for the manager.

Current 2-200:

A member of a board or commission may be re-appointed by the governing board to one subsequent term. However, after serving a second term, the member may not be re-appointed to the board until a period of one year elapses, after which the member may again serve up to two terms. This process may continue until such time as the member resigns from the board or commission or is not re-appointed by the governing board.

Proposed 2-200:

A member of a board or commission may be re-appointed by the **administrative official** to one subsequent term. However, after serving a second term, the member may not be re-appointed to the board until a period of one year elapses, after which the member may again serve up to two terms. This process may continue until such time as the member resigns from the board or commission or is not re-appointed by the governing board.

Current 2-228:

A town planning board is hereby created under the authority of the G.S. ch. 160A, article 19.

Proposed 2-228

A town planning board is hereby created under the authority of the **G.S 160D-301, Article 3.**

Current 2-229

The planning board shall consist of eight members who shall be citizens and residents of the town and shall be appointed by the board of commissioners for staggered terms, with a full term being three years. Vacancies occurring for reasons other than expiration of terms shall be filled as they occur for the period of the unexpired term.

Proposed 2-229:

The planning board shall consist of eight members who shall be citizens and residents of the town and shall be appointed by the board of commissioners for staggered terms, with a full term being three years. Vacancies occurring for reasons other than expiration of terms shall be filled as they occur for the period of the unexpired term. **In the case of expiration of terms, the appointee may be re-appointed by the administrative official, unless this is the appointee's second term. If it is the appointee's second term the member may not be reappointed to the board until a period of one year elapses, after which the member needs to be re-appointed by the board of commissioners.**

Current 2-231:

Members of the planning board may, after a public hearing, be removed by the board of commissioners for inefficiency, neglect of duty, or malfeasance in office.

Proposed 2-231:

All members of the Erwin Planning Board shall serve at the pleasure of the Town Board of Commissioners, regardless of the terms for which appointed, and the Town Commission may at its discretion at any time remove any members for any reason, including but not limited to inefficiency, neglect of duty, lack of attendance, or malfeasance in office.

Current 2-232:

All members of the planning board shall serve without compensation

Proposed 2-232:

All members of the planning board shall serve without compensation **unless acting as the board of adjustment. In the case where the planning board is acting as the board of adjustment, they shall be compensated. Said compensation shall be determined by the Town Manager on a yearly basis.**

Statement of Consistency

The proposed text amendment is compatible with all of the Town of Erwin's regulatory documents according to Erwin's 2023 Land Use Plan and Erwin's Code of Ordinances. It is recommended that this text amendment be **approved**.

Statement of Inconsistency (Only when denied)

The proposed text amendment is **NOT** compatible with all of the Town of Erwin's regulatory documents according to Erwin's 2023 Land Use Plan and Erwin's Code of Ordinances. It is recommended that this text amendment be **denied**.

Statement of Consistency
Erwin Appointed Board Update

The proposed text amendment to clarify appointed Board positions is compatible with all the Town of Erwin's regulatory documents, according to Erwin's Code of Ordinances. It is recommended that this text amendment be **approved**.

Joshua Schmieding
Chairperson

Katelan Blount
Deputy Town Clerk

Statement of Inconsistency
Erwin Appointed Board Update

The proposed text amendment to clarify appointed Board positions is **NOT** compatible with all the Town of Erwin's regulatory documents, according to Erwin's Code of Ordinances. It is recommended that this text amendment be **disapproved**.

Joshua Schmieding
Chairperson

Katelan Blount
Deputy Town Clerk