COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA FOR THE PLANNING BOARD MEETING

November 28, 2023

6:00 PM

1333 Fallston Road

Call to order and Establishment of a Quorum

Invocation and Pledge of Allegiance

Approval of Minutes

Minutes from the October 24, 2023 Planning Board meeting

Items

Road Case 23-07: Request to name right of way as Obando Drive

Road Case 23-08: Request to name right of way as Hartness Farm Road

Road Case 23-09: Request to name four roads at Kings Mountain RV as Black Bear Drive, Bonfire Lane, Dream Catcher Drive, and Fire Pit Lane.

Case 23-25: Request to rezone property on Freshwater Drive from Restricted Residential to Residential

Major Subdivision Preliminary Plat Approval - Burns Estates Subdivision

Miscellaneous Business

The December Planning Board Meeting will be held Tuesday, December 19th, 2023 at 6:00 p.m.

Adjournment
COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Minutes

Department:
Agenda Title: Minutes from the October 24, 2023 Planning Board meeting
Agenda Summary:
Proposed Action:

ATTACHMENTS:

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PLANNING BOARD  
1333 Fallston Rd., Shelby, NC  
October 24, 2023 - 6:00 p.m.

Members Present:  
Dobbin Lattimore, Vice Chairman  
Jay Carpenter  
Matthew Hord  
David Caldwell  

Members Absent:  
Noah Saldo, Chairman  
Eddie Kee  
Clinton Cook  

Others Present:  
Tyler Bowlby  
Heidi Bowlby  
John Ferry  

Staff Present:  
Chris Martin, Planning Director  
Henry Earle, Planner  
Isaac Cook, Code Enforcement  
Anna Parker, Clerk  
Matt Bell  
Kelly Bell  
Scott Glidden  
Cynthia Glidden  
Scott Bradshaw

CALL TO ORDER AND ESTABLISH QUORUM
Vice Chairman Lattimore called the meeting to order at 6:00 pm. Quorum was established.

INVOCATION AND PLEDGE OF ALLEGIANCE
Vice Chairman Lattimore led the Pledge of Allegiance, followed by the invocation.

APPROVAL OF MINUTES FOR SEPTEMBER 26, 2023
Jay Carpenter made a motion to approve the minutes for September 26, 2023 minutes. David Caldwell seconded the motion and it passed unanimously.

RE-ZONING CASE 23-21: Dove Cove Lane- Restricted Residential to Residential
Henry Earle stated that the three parcels 16372, 61286, and 66493 are currently zone restricted residential. There are mostly single-family dwellings in the area and some modulars. The main difference between restricted residential and residential is the residential allows for manufactured homes like single wide and double wide homes, as well as duplexes and multi-family housing. The areas to the south and across the street have been rezoned to residential in the past therefore this is a continuation of an existing zoning district. The Land Use Plan shows the area as secondary growth, which supports and is not affected by the residential zoning district. The owner of the interior lot has stated they don’t want to include their lot in the rezoning but don’t mind the surrounding parcels being rezoned. This zoning request would not change the density requirements for these parcels.
Tyler Bowlby, the property owner, stated he lives at 124 Dove Cove Lane and he wants to keep the properties in his family and for them to be able to have manufactured homes.

Jay Carpenter made a motion to recommend approval of Case 23-21 since it is a continuation of an existing zoning district and consistent with the Land Use Plan. Matthew Hord seconded the motion and it carried unanimously.

RE-ZONING CASE 23-22: Oveda Dr- Heavy Industrial to Manufactured Home Parks

Henry Earle said there are two parcels totaling about 140 acres that are currently zoned Heavy Industrial. Heavy Industrial is the most impactful zoning district. The applicant is requesting to re-zone to Manufactured Home Parks. This would be a continuation of an existing zoning district that is to the west of the property. Currently there are large vacant tracts of land, with neighborhoods to the west and south. Oveda Dr. is a NCDOT maintained road up to the property. The Land Use Plan shows the area as Secondary Growth, which supports going from industrial to residential. Industrial uses are encouraged in the Primary Growth area. There are Heavy Industrial business uses to the southeast.

Dobbin Lattimore asked about the previous re-zoning requests for this property. Mr. Earle said it was re-zoned about 10-12 years ago to Heavy Industrial. There is Kings Mountain sewer service at the back of the property. The lot was split into three and one of the parcels was approved for an RV park. The remaining two parcels are now being requested for re-zoning for the Manufactured Home Parks zoning district.

John Ferry is a representative of the applicant. He stated that he represents mobile home companies and this is his second brand new development. He showed photos of a mobile home park and said it increases affordable housing.

Matt Bell at 206 Dixon Dairy Rd. said the vacant land around is being farmed. He is concerned if over 400 mobile homes go in that it will be the equivalent of a small town and it will strain the infrastructure. He said it will have a big impact and implores everyone to ask all the questions that need to be asked.

Dobbin Lattimore pointed out that the density allowances would be the same if the property were re-zoned Residential or Restricted Residential if sewer is available. Mr. Earle added that this is a general re-zoning, not a conditional use or site-specific request. Staff does not have a plan for future use of the property. The property was originally Residential before it was re-zoned to Heavy Industrial.

Scott Glidden said he owns the farm next to the site which is downhill from the property. He is concerned about the impact 400 homes will have on the neighborhood.

Cynthia Glidden said the owners are only concerned about selling the property. They like the farming and rural atmosphere of the area and she doesn’t want that taken away. Mr. Bell encouraged everyone to look at the footprint it will make.

Jay Carpenter asked if the density requirements would change if it went back to the original Residential zoning. Mr. Earle said the density would be the same, but the lots would have to be
subdivided for each residence. Residential uses are not currently allowed in the Heavy Industrial zoning. Heavy Industrial is for large industrial uses like PPG.

**David Caldwell** asked about the Secondary Growth designation on the Land Use Plan Map. Mr. Earle showed the layer on the GIS map. There are Primary Growth areas shown in yellow, primarily to the south in the industrial use areas. The Secondary Growth area is in light green and supports residential growth, including dense residential developments. It does not support industrial parks. Mr. Carpenter pointed out that the properties to the left are currently zoned manufactured home parks.

**Jay Carpenter** made a motion to recommend approval of Case 23-22 since it is a better fit for the area, it is a continuation of an existing zoning district, and it is consistent with the Land Use Plan. David Caldwell seconded the motion and it carried three in favor and one opposed.

**RE-ZONING CASE 23-23: 4624 Ellenboro Rd. GB-CU to GB-CU for new site plan**

Isaac Cook stated that the Dollar General has been before the board previously with a re-zoning request. It was approved by the Town of Mooresboro with a condition to change their site plan by moving their entrance location. Unfortunately, the NCDOT is requiring them to move the driveway back to the original location so they are required to resubmit their plan in a new Public Hearing with the Town of Mooresboro for approval.

**Jay Carpenter** made a motion to recommend approval of Case 23-23 since it is going back to the original site plan that they previously recommended approving. Matthew Hord seconded the motion and it carried unanimously.

**RE-ZONING CASE 23-24: 2603 S. Lafayette St.- General Business to Residential**

Mr. Earle said the property is currently zoned General Business. The area is surrounded by residential zoning and use so the current zoning is out of place. The property is not at a major intersection. It used to be a store but it has been closed for 10-15 years. The Land Use Plan shows the area as Secondary Growth so the request is consistent with that.

**Scott Bradshaw** said his foster parents owned the property in the past and it used to be a taxidermy business. It has been closed for about twenty years. He wants to use the property for residential purposes.

**Jay Carpenter** made a motion to recommend approval of Case 23-224 since it is a continuation of an existing zoning district and consistent with the Land Use Plan. David Carpenter seconded the motion and it carried unanimously.
MISCELLANEOUS BUSINESS

Mr. Martin stated that the next meeting will be November 28th.

ADJOURNMENT

There being no further business, Vice Chairman Lattimore entertained a motion to adjourn.

Matthew Hord made a motion to adjourn at 6:41 pm. Jay Carpenter seconded the motion and it passed unanimously.

ATTEST:

Noah Saldo, Chairman

Anna Parker, Clerk
COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Road Case 23-07

Department:
Agenda Title: Road Case 23-07: Request to name right of way as Obando Drive
Agenda Summary:
Proposed Action:

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STAFF REPORT
To: Cleveland County Planning Board  Date: 11/28/2023
From: Chris Martin, Planning Director
Subject: Road Renaming Case 23-07

Summary Statement: A request to name an unnamed right of way as Obando Drive has been filed.

Review: Kenneth Obando is requesting to name a recorded right of way as Obando Drive. The proposed road touches parcels 65460, 66192, 66399, and 66401, located at 2927 Philadelphia Road. Mr. Obando recently subdivided the property and is building houses on the four parcels.

E911 has reviewed the name and given its approval as well.

Pros:
• Giving this road a new name will help with E911 services for the property owner and tenants.

Cons:
• None

Fiscal Impact:
• None
Road Renaming Case #23-07
Obando Drive
COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Road Case 23-08

Department:

Agenda Title: Road Case 23-08: Request to name right of way as Hartness Farm Road

Agenda Summary:

Proposed Action:

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To: Cleveland County Planning Board  Date: 11/28/2023
From: Chris Martin, Planning Director
Subject: Road Renaming Case 23-08

Summary Statement: A request to name a new road inside an RV park.

Review: James and David Gibson have a permitted RV park, called Dry Ridge RV Park, on parcels 59068 and 55397, located at 414 Davis Road. There is an existing road inside the RV park called Dry Ridge Road. On July 10\textsuperscript{th} an expansion was granted, including a new road on parcel 55397. Section 12-161 of the Cleveland County Unified Development Ordinance states that recreational vehicle parks shall name internal access roads. The requested name for the new road is Hartness Farm Road.

E911 has reviewed the names and given its approval as well.

Pros:  
- Giving this road a new name will help with E911 services for the property owner and tenants.

Cons:  
- None

Fiscal Impact:  
- None
Road Case 23-09

Department:

Agenda Title: Road Case 23-09: Request to name four roads at Kings Mountain RV as Black Bear Drive, Bonfire Lane, Dream Catcher Drive, and Fire Pit Lane.

Agenda Summary:

Proposed Action:

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STAFF REPORT

To: Cleveland County Planning Board  Date: 11/28/2023
From: Chris Martin, Planning Director
Subject: Road Renaming Case 23-09

Summary Statement: A request to name four roads inside an RV park.

Review: The Moser Group has a permitted RV park, called Kings Mountain RV Park, on parcel 10528 located at 241 Battleground Road. There are four roads inside the proposed park. Section 12-161 of the Cleveland County Unified Development Ordinance states that recreational vehicle parks shall name internal access roads. The requested names are:
- Black Bear Lane
- Bonfire Drive
- Dream Catcher Drive
- Fire Pit Lane

E911 has reviewed the names and given its approval as well.

Pros:
- Giving this road a new name will help with E911 services for the property owner and tenants.

Cons:
- None

Fiscal Impact:
- None
Road Renaming Case #23-09
Multiple Road Names
COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Case 23-25

Department:

Agenda Title: Case 23-25: Request to rezone property on Freshwater Drive from Restricted Residential to Residential

Agenda Summary:

Proposed Action:

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STAFF REPORT

To: Planning Board
Date: November 28, 2023
From: Chris Martin, Planning Director
Subject: Rezoning Case 23-25

Summary Statement: Frances Johnson is applying to change the zoning of parcels 51247 and 51248 from Restricted Residential to Residential.

Property: Location – 216/218 Freshwater Drive, Earl
Parcels – 52147 and 52148
Acreage – 1.3 acres

Review: The parcels are on Freshwater Drive in Earl, west of Blacksburg Road. The applicant has requested to rezone the property to Residential from Restricted Residential. Surrounding zoning is mostly Restricted Residential, with Residential outside of town limits. Surrounding uses are mostly residential, single-family dwellings and manufactured homes. The Land Use Plan calls this area Future Residential.

Current zoning district: Restricted Residential – The Restricted Residential (RR) zoning district permits single family dwellings such as site-built homes and modular homes. It is the most restrictive residential type zoning district.

Requested zoning district: Residential – The purpose of this district is to accommodate low density single family detached dwellings, modular homes, and manufactured homes. Multifamily housing is also permitted in this district but may be exempt from the density standards.

NCGS 160D-605 requires that local government boards adopt a consistency statement showing that the decision it makes fits in with the land use plan or if not, is reasonable and has a public interest.

Requested Board Action: Review, comment and make a recommendation to the Town Council of Earl.
Planning Board Case #23-25
216/218 Freshwater Drive
Parcels 51247 and 51248  1.3 acres
Planning Board Case #23-25
216/218 Freshwater Drive
Parcels 51247 and 51248  1.3 acres
EARL

The Town of Earl is in south central Cleveland County and is one of the oldest municipalities in the County. With just under one square mile of area, the Town is a close-knit community with around 200 residents. Earl is home to multiple churches, a United States Postal Office, a central commercial area, low density residential housing, and agricultural uses. The Town is not anticipated to grow significantly in the coming years, thus the Future Land Use Map largely reflects existing development patterns. The Residential areas have been expanded from the current development extent in order to permit additional residential development in the future. Efforts are underway to complete the rail trail, which will hopefully encourage revitalization of the existing commercial areas in the center of town. As the Rail Trail is developed and its impacts are measurable, the Town’s Future Land Use Map should be re-assessed.
COUNTY OF CLEVELAND, NORTH CAROLINA

AGENDA ITEM SUMMARY

Major Subdivision Preliminary Approval

Department:
Agenda Title: Major Subdivision Preliminary Plat Approval - Burns Estates Subdivision
Agenda Summary:
Proposed Action:

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<td>Burns_Estates_Preliminary_Subdivision.pdf</td>
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STAFF REPORT

To: The Cleveland County Planning Board

Date: November 28, 2023

From: Chris Martin, Senior Planner

Subject: Major Subdivision – Burns Estates

Summary Statement: Peeler Engineering is requesting preapproval for a proposed major subdivision.

Review: Parcel 65165 is a 16.0-acre tract located on Schenck Farm Road, belonging to Arnel and Julie Mullins. The applicant, Peeler Engineering, is requesting to subdivide this property, as a cluster subdivision, into a total of 26 buildable parcels, ranging in size from 0.4 acres to 0.6 acres.

- Section 12-60.2 states that lot size and dimensional requirements are waived for cluster subdivisions.
- Section 12-60.3 says that a cluster subdivision must have permanent open space that is “equal to or greater than the total square footage reduction in all lots, but in no case less than one contiguous acre.”

Calculations:

- 26 lots at ½ acre minimum = 566,280 square feet
- Average lot size = 20,445 square feet x 26 lots = 531,573 square feet
- 566,280 – 531,573 = 34,707 square feet in reduction, needed in open space.
- Proposed open space = 96,739 + 22,323 = 119,062 square feet in open space.

The technical review committee (NCDOT, Cleveland Water, Fire Marshal, CC Building and Environmental Health) has reviewed the plan.

- **Wes Clary, NCDOT Assistant District Engineer:** The road would need to be designed to NCDOT standards. NCDOT would prefer a 50’ R/W to accommodate utilities. Minimum sight distances must be met at drive location.

- **Brad Cornwell, Cleveland Water Director:**
  - Public water is available by the existing 6” water main located on Schenck Farm Road.
  - Waterline plans will be required to be designed by a licensed Professional Engineer in NC and sent to Cleveland County Water at the developer’s expense.
  - A 6” C900 PVC waterline will be required to be designed and extended along Claire Court at the developer’s expense.
  - Hydrant spacing and valving will be determined upon submission of the waterline plans and knowledge of the length of Claire Court.
  - Each individual lot shall not be pre-tapped with the water meter. Water taps/meters will be purchased directly from CCW upon development of each individual lot and installed by CCW.
The job of the Planning Board is to review the submitted plat and vote to approve or deny the preliminary plat and to offer any recommendations.

If approved, the developer may begin improvements (septic evaluations and road construction, bond posted). Once improvements have been completed the developer will submit a final plat for approval.

Pros:
- Subdivision may assist with housing.
- Preliminary approval allows the developer to begin necessary improvements before final approval is submitted.

Cons:
- None noted
COUNTY OF CLEVELAND, NORTH CAROLINA
AGENDA ITEM SUMMARY

Meeting Date Change

Department:

Agenda Title: The December Planning Board Meeting will be held Tuesday, December 19th, 2023 at 6:00 p.m.

Agenda Summary:

Proposed Action:

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