



City of King City Planning Board Meeting

6:00 PM Monday, January 26, 2026

City of King City Hall Council Chambers
229 S. Main St., King, NC 27021

AGENDA

MEETING CALLED TO ORDER

PLEDGE

Notes on Pledge: Remain Standing for the invocation

INVOCATION

ANNOUNCEMENTS

Notes on Announcements:

- Parks/Recreation Advisory Board, Regular Meeting: Thursday, February 12, 2026, 6 p.m., Parks/Rec Community Building Parlor Room, 107 White Road
- King Planning Board, Regular Meeting: Monday, February 23, 2026, 6 p.m. at City Hall Council Chambers, 229 S. Main Street
- King City Council, Regular Meeting: Monday, March 2, 2026, 6 p.m., City Hall Council Chambers, 229 S. Main Street

1. ADJUSTMENTS TO AGENDA

2. APPROVAL OF MINUTES

A. Approval of Minutes

a. December 22, 2025

3. PUBLIC HEARING

A. Special Use Permit Request by Gary Bowman – SU-011

ITEMS OF GENERAL CONCERN

ADJOURNMENT



**CITY OF KING
PLANNING BOARD**

MEETING DATE:

01/26/2026

PART A

Subject:	APPROVAL OF MINUTES
Action Requested:	Unless any corrections are made, I recommend adopting the minutes of the December 22, 2025, Planning Board meeting as presented.
Attachments:	1. Draft copy of minutes from December 22, 2025, Planning Board meeting

<p>Nicole Branshaw</p> <hr/> <p>Nicole Branshaw, City Clerk</p>	This abstract requires review by:	
	City Manager	City Attorney

PART B

Introduction and Background:
Discussion and Analysis:
Budgetary Impact:
Recommendation:
Adoption of December 22, 2025, Planning Board minutes as presented.

MINUTES
King Planning Board
Regular Session
December 22, 2025

The King Planning Board held a regular session at King City Hall on Monday, December 22, 2025, at 6:00 p.m. Chairman Jeff Walker, Joe Ramsey, Peter Mosco, Alternate Members Kyle Hall, Jodie Wallace, Mindi Alexandra, Von Robertson, City Clerk Nicole Branshaw, Assistant Fire Chief J. Lane, Chaplain Paul Norman, and Mayor Rick McCraw were present at the meeting. Absent from the meeting were David Hudson, Jerry Messick, and Darrin Koone.

Vice Chairman Jeff Walker called the meeting to order.

Chaplain Paul Norman offered the invocation.

MOTION TO EXCUSE ANY BOARD MEMBERS AND SEAT

***MOTION:** Upon a motion by Chairman Walker and a second from Joe Ramsey, the board unanimously voted 2-0 to excuse David Hudson and Jerry Messick and seat Von Robertson and Kyle Hall in their place.*

PUBLIC COMMENT

Chairman Jeff Walker opened the public comment period at 6:09 pm. With no one signed up to speak for public comment, Chairman Jeff Walker closed the public comment at 6:09 pm. ****SEE DOCUMENT #1****

1. ADJUSTMENTS TO AGENDA

No adjustments were made to the agenda.

***MOTION:** The board approved the agenda as presented.*

2. APPROVAL OF MINUTES

A. Approval of Minutes - September 22, 2025

***MOTION:** Joe Ramsey moved to approve the minutes of September 22, 2025, as presented. Von Robertson seconded the motion, which passed unanimously with a vote of 4-0.*

3. ITEMS FOR PRESENTATION

A. Administration of the Oath of Office

On September 2, 2025, at the City Council Meeting, the King City Council voted unanimously to appoint new city planning board member Peter Mosco to fill the remaining term of a member who is no longer eligible for their three-year term. This appointment will be until December 2027. On December 1, 2025, at the City Council Meeting, the King City Council voted unanimously to appoint Mindi Alexandra and Jodie Wallace as alternate members of the city planning board, with a three-year term ending in December 2028.

Mayor Rick McCraw administered the oath of office to new board members:

- Peter Mosco
- Mindi Alexandra
- Jodie Wallace

The new members were sworn in together, with Mayor McCraw leading them through the oath.

Chairman Walker asked Peter Mosco to take his seat next to Kyle Hall, along with the other board members.

4. DISCUSSION ITEMS

A. Amendment to Chapter 32. – Zoning, Art. I. – General, Sec. 32-8. – Definitions; Chapter 32. – Zoning, Art. IV. – Uses By Zoning District, Sec. 32-198. – Commercial; Chapter 32. – Zoning, Art. V., Div. 1. – General, Add Section 32-262.

Chairman Jeff Walker opened the public hearing at 6:37 pm. With no one signed up to speak for public comment. Chairman Jeff Walker closed the public comment at 6:37 pm.

Emerson Wright, Intern City Planner, presented proposed amendments to the zoning ordinance regarding hemp stores. He explained that the City Council had requested staff to develop standards for hemp stores and similar businesses to protect the health and welfare of citizens.

The amendments included:

- Adding a definition for "Hemp Store" to Section 32-8
- Adding hemp stores to the table of permitted uses in Section 32-198
- Creating separation requirements in a new Section 32-262

Mr. Wright specifically asked the Board to recommend what percentage of gross sales would constitute a store being classified as a hemp store. He noted this would apply to any retail establishment selling these products, including pharmacies.

During the discussion, board members sought clarification on:

- How the percentage requirement would apply to pharmacies and convenience stores versus dedicated CBD/hemp shops
- The definition's two-part structure covers both stores with significant sales and those that advertise themselves as hemp/CBD businesses
- The locations of existing hemp stores in King (behind SECU, near Dollar Tree, and in Mountain View Shopping Center near Food Lion)
- The inability to ban such stores outright since the products are legal in North Carolina

Board members discussed the proposed 1,000-foot separation requirements between hemp stores and schools, parks, churches, ABC establishments, residences, and residential zones. Mr. Wright confirmed that existing businesses would be grandfathered in as legal non-conforming uses, but if they were closed, any new similar business would have to meet the new requirements.

The Board learned that the proposed amendments were drafted by the city attorney with the intention of being strict on these types of businesses.

MOTION: Joe Ramsey moved to approve a favorable recommendation to the City Council regarding the amendment to Chapter 32. – Zoning, Art. I. – General, Sec. 32-8. – Definitions; Chapter 32. – Zoning, Art. IV. – Uses By Zoning District, Sec. 32-198. – Commercial; Chapter 32. – Zoning, Art. V., Div. 1. – General, Add Section 32-262, and a recommendation of 15 percent of gross sales would constitute a store being classified as a hemp store unless City Planner E. Wright’s research finds the board needs to lessen the recommendation to Council. Peter Messick seconded the motion, which passed unanimously with a vote of 5-0. ****SEE DOCUMENT #2****

ITEMS OF GENERAL CONCERN

None

ADJOURNMENT

Von Robertson moved to adjourn the meeting at 6:41 pm. Joe Ramsey seconded the motion. The motion was carried unanimously with a vote of 5-0.

***** Clerk's Note: See documents 1-2 for supporting documents. *****

{SEAL}

Approved by:

Jeff Walker, Chairman

Attest:

Nicole Branshaw, City Clerk



**CITY OF KING
PLANNING BOARD**

MEETING DATE:

JANUARY 26, 2026

PART A

Subject: **SPECIAL USE PERMIT REQUEST BY GARY BOWMAN – SU-011.**

Action Requested: Review request and make a recommendation to city council.

- Attachments:**
- Zoning action request form.
 - Proposed conditions.
 - Public notice.
 - Owner/abutting property owners notice.
 - Site plan and elevations.
 - Ordinance requirements.

This abstract requires review by:

City Manager

City Attorney

Todd Cox, Int. Planning & Zoning Official
Emerson Wright, Planning & Zoning intern

PART B

Introduction and Background:

We have a request from Gary Bowman to build a 7-unit apartment building on the corner of Spainhour Road and Pineview Drive. Mr. Bowman owns the rest of the complex on Pineview Drive and wants to use the vacant area at the beginning of Pineview Street to add to his apartment complex, see site plan. This would, by our ordinance, require the issuance of a special use permit.

Discussion and Analysis:

The tract on Pineview Drive contains approximately 2.62 acres and is zoned R-MF (Residential-Multi-family) which would allow for more apartments to be placed on the tract as long as they meet the ordinance requirements. Our comp plan would support this use in this G-2 area. This area has access to public water and sewer and is within the existing city limits.

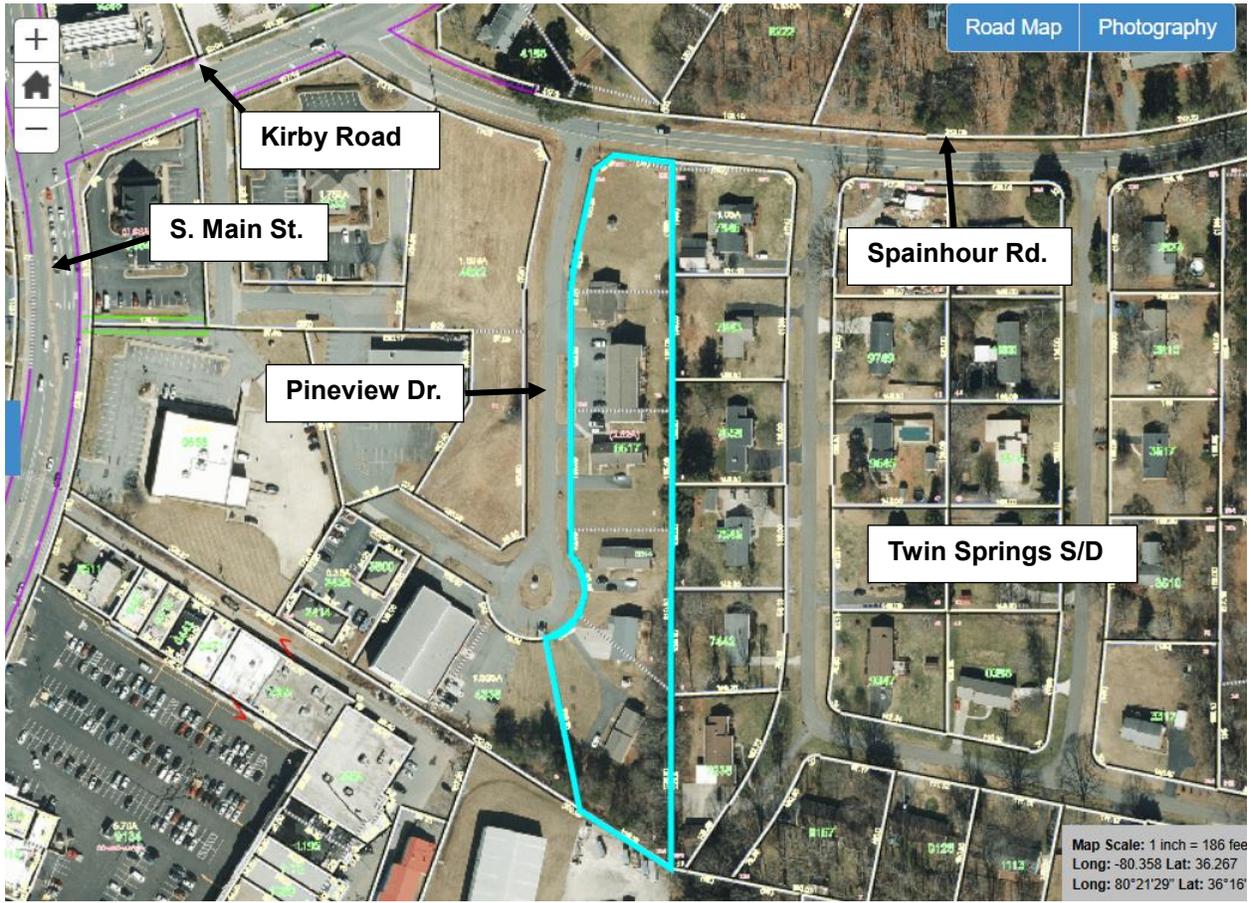
Budgetary Impact:

Additional tax base, additional permit fees, additional utility fees.

Recommendation:

Planning board recommends

Location Map



I. APPLICANT: GARRY BOWMAN DATE OF REQUEST: 12-1-2025
ADDRESS: 100 S. Cherry St, Ste 401 COUNTY: Stokes TOWNSHIP: Yadkin
Winston Salem, NC 27101 DEED BOOK: 624 PAGE: 1014
TELEPHONE: (336) 433-5711 TAX MAP: 5991-98 PARCEL: 6617
ZONING DISTRICT: R-MF (Residential-Multi-family) SUBDIVISION LOT NO.: N/A
OWNERS (SUBJECT & ABUTTING PROPERTIES): See Site Plan

II. APPLICATION IS HEREBY MADE FOR THE HEREIN DESCRIBED ZONING ACTION ON PROPERTY LOCATED: In the 100 Block of Pineview Drive on the east side.

THE REQUESTED ACTION IS: Approve a Special Use permit for a 7-unit apartment building.

IS THE PROPERTY LOCATED IN THE WATERSHED PROTECTION AREA? YES ___ NO X

IS THE PROPERTY LOCATED IN A FLOOD PLAIN? YES ___ NO X IF YES SEE ATTACHMENT B

III. INDICATE TYPE REQUEST:

___ REZONING PERMIT
___ TEMPORARY PERMIT (NO SITE INSP.)
___ CONDITIONAL ZONING REQUEST
___ MINOR SUBDIVISION PLAT REVIEW
X SPECIAL USE PERMIT
___ MAJOR SUBDIVISION PLAT REVIEW
___ VARIANCE PERMIT
___ PLAT FILING FEE
___ TEMPORARY PERMIT (SITE INSP.)
___ WATERSHED REVIEW

APPLICANT'S OR AGENTS SIGNATURE

ZONING ENFORCEMENT OFFICER

(SEE FEE SCHEDULE) TOTAL FEE DUE: \$650.00 + \$350.00 (Advert.) = \$1,000.00

IV. PLANNING BOARD WILL REVIEW (IF REQUIRED): January 26, 2026, at 6 pm at city hall

BOARD OF ADJUSTMENT WILL REVIEW & HOLD A QUASI-JUDICIAL HEARING: _____

COUNCIL WILL REVIEW & HOLD PUBLIC HEARING (IF REQUIRED): February 2, 2026, at 6 pm at city hall

PROPERTY POSTED BY: N/A

NOTIFICATIONS MAILED BY: January 20, 2026

NEWSPAPER ADVERTISEMENT: January 15, 2026 & January 22, 2026

V. ACTION BY PLANNING BOARD/BOARD OF ADJUSTMENT

APPROVAL/RECOMMENDATION ___ DISAPPROVAL ___ APPROVAL WITH MODIFICATIONS: _____

DATE

CHAIRMAN

VI ACTION BY CITY COUNCIL

APPROVAL ___ DISAPPROVAL ___ APPROVAL WITH MODIFICATIONS/CONDITIONS: _____

COMMENTS: _____

DATE

MAYOR

Exhibit

Conditions for SU-011 in the 100 Blk. of Pineview Drive Parcel

1. Adequate storm water facilities shall be provided per the requirements of NC DENR and as reviewed by the city engineer.
2. Adequate on-site and off-site public water and wastewater improvements shall be constructed as recommended by the city engineer and in compliance with all current city policies and procedures, including applicable tap fees and developer financing of necessary improvements, to ensure adequate utility service to all housing units and sufficient fire protection capability.
3. The project shall be developed in compliance with all applicable city zoning ordinance, construction manual, development site plan, and written text requirements as submitted by the developer and as entered into the special use permit hearing records.
4. Final plans for development with sufficient detailed information to determine that all conditions are provided for shall be submitted to the city on or before February 2, 2027, or an extension granted by the city council prior to this date. If not, the special use permit expires and is no longer valid.
5. All required permits must be obtained from the city inspections department and the city's fire inspections department prior to placing structures on the property. Developer shall have all required inspection done and approved prior to the issuance of a certificate of occupancy.
6. Developer/owner agrees to present, at the time of building permitting, to submit for approval a buffer design prepared by a licensed landscape architect or landscape contractor. The developer/owner also agrees to submit a scaled drawing of the recreation area and what will be in it per Sec. 32-245(c).
7. Each dwelling unit shall also have a visible unit number in a numbering scheme issued by the city to facilitate rapid emergency response (E- 911). Residences shall have a physical address number attached to the home/unit that is no less than four (4") inches in height. Buildings with multiple tenants shall have their physical address posted on the street side with numbers not less than six (8") inches in height and of a contrasting color.
8. Dumpster sites shall be enclosed and screened by decorative fencing. The minimum height of the fence shall be eight (8') feet and be placed on a minimum 10' X 15' X 6" thick concrete reinforced pad. The containment area shall have a minimum 10' X 8' gate for access by service vehicles and in addition a 3' X 8' access door shall be provided for access by residents. See Sec. 32-254(k).
9. A contact person/owner/association shall be responsible for the maintenance, upkeep, and general needs of the Pineview Apartments and shall be readily available by tenants and/or city/county personnel. A contact number shall be placed in a conspicuous place with a number to reach such person.
10. All costs and expenses associated with complying with these conditions shall be borne by the landowner/developer, with no expense being borne by the city or county.
11. Upon written request by the city, evidence of compliance with any of these conditions shall be provided to the city within ten (10) days after each request.
12. The rules and regulations of the Developer/Pineview Apartments shall not be inconsistent with these conditions. Any conflict between said rules and regulations shall be resolved in favor of these conditions.

13. If any of the conditions shall be found to be unreasonable, invalid or otherwise impermissible by a court of competent jurisdiction then the city council may impose such alternative reasonable conditions as it finds to be necessary and appropriate to protect the health, safety, and morals of the tenants and surrounding property owners.
14. If any of these conditions once met are not continuously maintained, the permit may be revoked by the city council upon the failure of the owner/developer to cure the deficiency in any specific condition within thirty (30) days after written notice to the owner/developer of the specific failed condition.

The developer/owner of Pineview Apartments agrees to the above-mentioned conditions as stated or amended by the King City Council.

Signature of Developer/ Owner

Date _____

Signature of Mayor of King

Date _____

Signature of City Clerk

Date _____

City Seal



**City of King
Notice of Public Hearing**

NOTICE IS HEREBY GIVEN that an evidentiary hearing will be held by the **City Council** of King at the King City Hall, 229 S. Main St., on the **2nd day** of **February, 2026**, beginning at 6:00 p.m., for the purpose of considering the following:

To grant a special use permit per the requirements of Chapter 32-Zoning, Sec. 32-129, in the following manner:

Item 1: SUP request SU-011 by Gary Bowman of Winston-Salem, NC, to construct a 7-unit apartment building in the 100 Block of Pineview Drive. Being listed as SCTM 5991-98-6617.

In accordance with the Code of Ordinances, Chapter 32-Zoning, Sec. 32-129, the City of King **Planning Board/Board of Adjustment** will hold a review session and make a recommendation to the city council on the foregoing amendment on **January 26, 2026**, at 6:00 p.m. at City Hall.

CITIZENS ARE HEREBY NOTIFIED that, upon consideration of the facts submitted at the herein-described public hearing, the City Council may approve or deny the request. This case is a quasi-judicial hearing, and only factual testimony may be considered at the city council public hearing.

A copy of the proposed request is on file at the City Hall for inspection by all interested citizens, or you can call the Planning Department at 983-8265.

Nicole Branshaw, NCCMC
City Clerk

P.O. Box 1132
King, NC 27021

Telephone (336) 983-8265
Fax (336) 983-2669



Dear Property Owner(s):

The City of King City Council will hold an evidentiary hearing on **February 2, 2026 at 6:00 p.m.** at City Hall, 229 South Main Street, King NC 27021, for the purpose of:

Case: SU-011. A request for a special use permit for a 7-unit apartment building by Gary Bowman. The subject site is located in the 100 Block of Pineview Drive (east side of road) and contains approximately 2 acres. It is currently zoned R-MF (Residential-Multi-family), and is inside the city limits. SCTM PIN#: 5991-98-6617.

This is a quasi-judicial hearing, very similar to a court hearing per Chapter 32, Sec. 32-129, of the city's code of ordinances. All testimony must be sworn and in person before the City Council. Comments called in and letters or written statements (such as petitions or emails) cannot be entered into the official record. Having first-hand testimony allows for cross-examination of all witnesses by the Council and the petitioner. Testimony offered on the case should be from direct personal or professional knowledge, and focused on the ordinance-specified considerations of the Council, no hearsay will be accepted as valid testimony. If several people have testimony to offer, it is suggested they coordinate their efforts to avoid repetition. Note: Changes to the proposed requested action may be made by the Council following the public hearing and in agreement by the petitioner.

Prior to the King City Council reviewing and acting on the request, the City of King Planning Board will review the applicant's request and make a recommendation to council. They will meet to do this on **January 26, 2026 at 6 p.m.** at King city hall.

The application and maps may be reviewed at the City Planning Department in City Hall, 229 South Main Street, between 9:00 a.m. and 4:30 p.m. The staff reports may be viewed on the Friday prior to the meeting.

An appeal of the city council's decision can be filed pursuant to procedures noted in Sec 32-129(k).

If you have any questions, please contact me between 9:00 a.m. and 4:30 p.m. at (336) 983-8265 or tcov@ci.king.nc.us or Emerson Wright ewright@ci.king.nc.us. Please reference the case number when calling.

Sincerely,

Todd Cox
Int. City Planner & Zoning Official
King, NC

King City Council
Mayor Pro Temp Jane Cole – Tyler Bowles - Terri Fowler – Michael Lane

I, J. Dean Stale, certify that this plat was drawn under my supervision from an actual survey made under my supervision (clear description recorded in Book 624, Page 1014, Book 2, Page 22) that the boundaries not surveyed are clearly indicated as drawn from information found in Book 2, Page 22 that the ratio of precision as calculated is 1:2,000.00, that this plat is of a survey and ordinance that regulates parcels of land in GS 47-30 (EX11) of this State that this plat was prepared in accordance with the ordinance of the Municipality that has this 17th day of June 20 25 as amended. Witness my original signature, registration number and seal

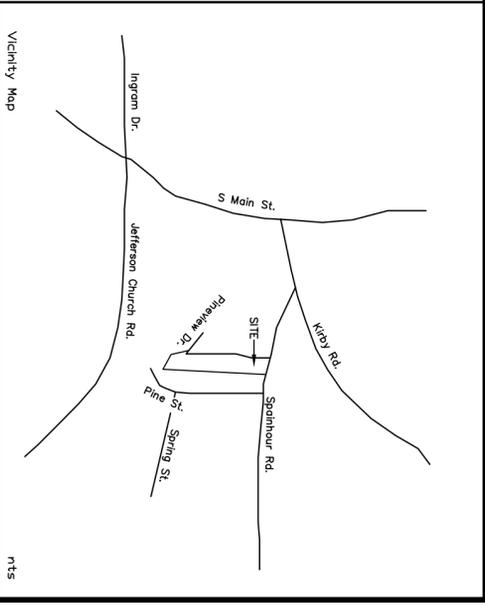
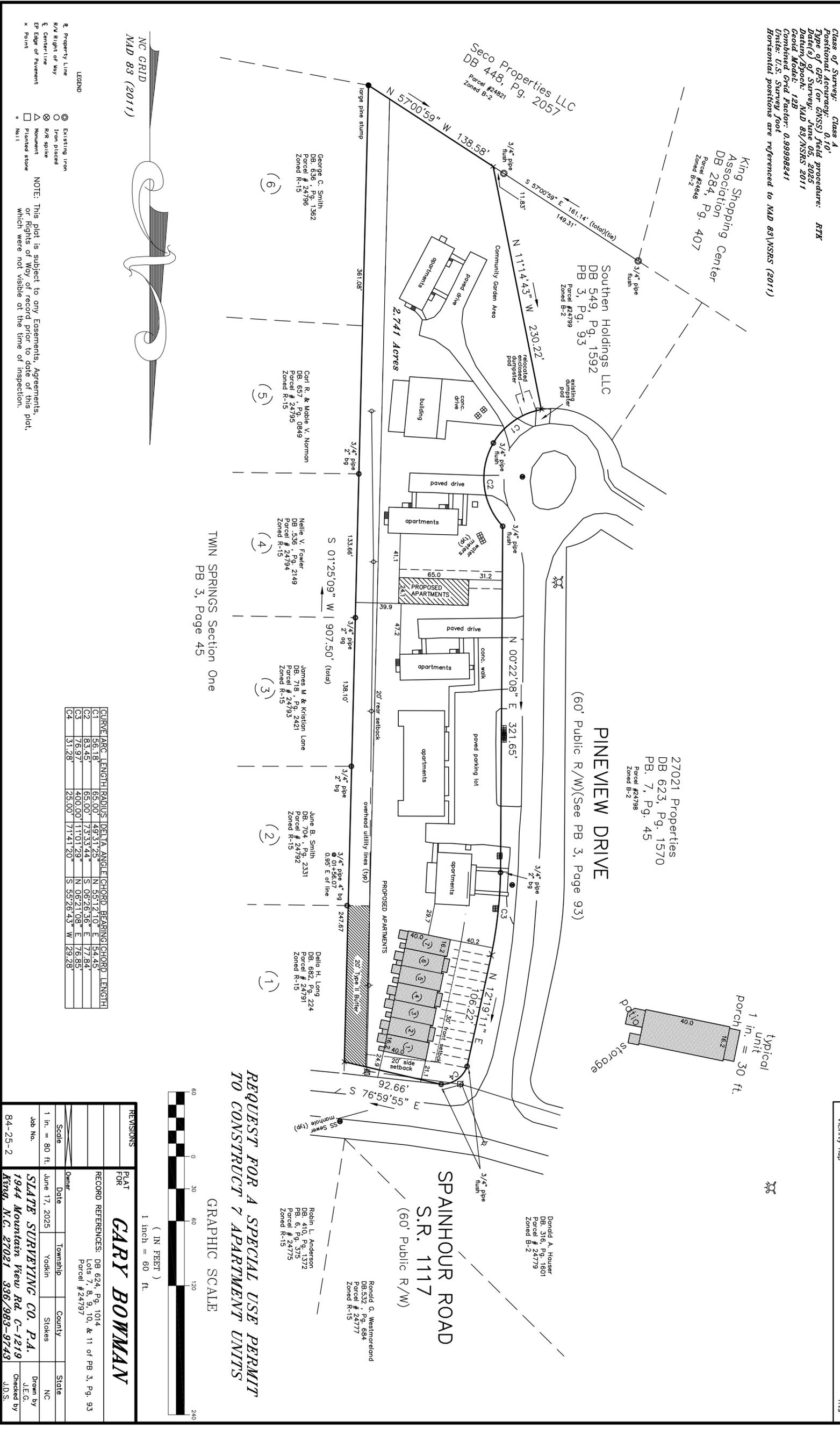
Signed _____ PLS No. L-2818

PRELIMINARY FOR REVIEW ONLY

I, J. Dean Stale further certify that the control for this survey is from an actual GPS (or GNSS) survey made under my supervision and the following information was used to perform the survey:

Class of Survey: Class 4
 Positional Accuracy: 0.10'
 Type of GPS (or GNSS) field procedure: RTK
 Date(s) of Survey: June 05, 2025
 Datum/Epoch: NAD 83/NSRS 2011
 Geoid Model: 12B
 Combined Grid Factor: 0.99998241
 Units: U.S. Survey Foot
 Horizontal positions are referenced to NAD 83/NSRS (2011)

Total Area: 2.741 Ac. (Coor.)
 Date(s) of Survey: June 05, 2025
 Property is Zoned R-MF
 Proposed 7 Apartment Units
 Required Parking 14 Spaces
 Required Recreation Space 17
 Required recreation space provided 9,000 Sq. ft.
 Provided recreation space provided 9,000 Sq. ft.
 Community Garden
 Project IS NOT in WS-IV Watershed Area
 Dumpster to be relocated out of R/W
 and installed per Sec. 32-254



PINEVIEW DRIVE
 (60' Public R/W)(See PB 3, Page 93)

SPANHOUR ROAD
 S.R. 1117
 (60' Public R/W)

TWIN SPRINGS Section One
 PB 3, Page 45



REQUEST FOR A SPECIAL USE PERMIT TO CONSTRUCT 7 APARTMENT UNITS

GARY BOWMAN

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	56.18	65.00	49.3125°	N 57°12'10" E	54.45
C2	83.45	65.00	73.3344°	S 06°26'36" E	77.84
C3	76.97	400.00	11°01'29"	N 06°21'08" E	76.85
C4	31.28	25.00	71.4120°	S 55°26'43" W	29.28

LEGEND

- Existing Iron
- Iron spike
- ⊕ Center-line
- ⊖ Edge of Pavement
- ⊗ Point
- ⊙ Monument
- ⊠ Planted stone
- ⊛ Nail

NOTE: This plat is subject to any Easements, Agreements, or Rights of Way of record prior to date of this plat, which were not visible at the time of inspection.

NC GRID
 NAD 83 (2011)

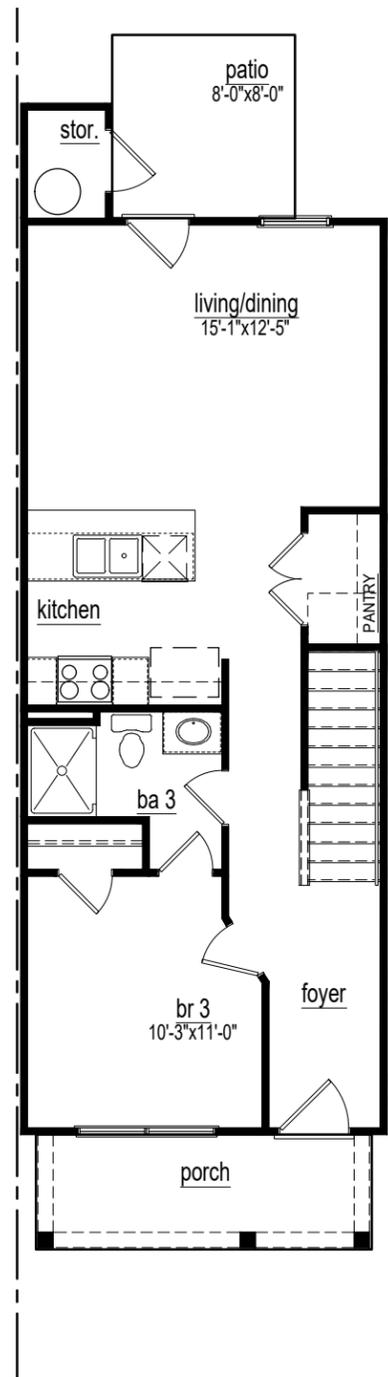
REVISIONS	DATE	BY	REASON
1	June 17, 2025	J.D.S.	Final Plat

Scale: 1 in. = 80 ft.

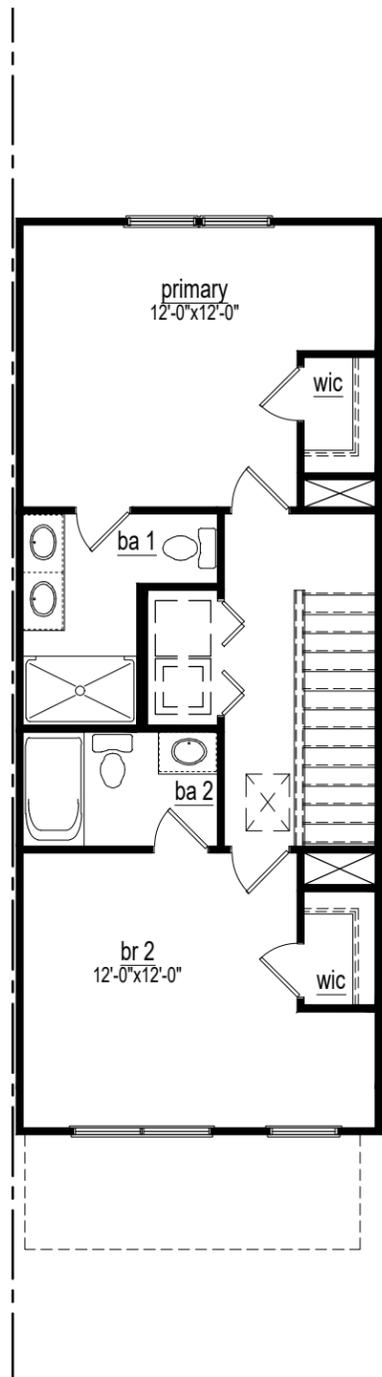
Job No. 84-25-2

Owner: SLATE SURVEYING CO. P.A.
1944 Mountain View Rd. C-1219
King, N.C. 27021 336/983-9743

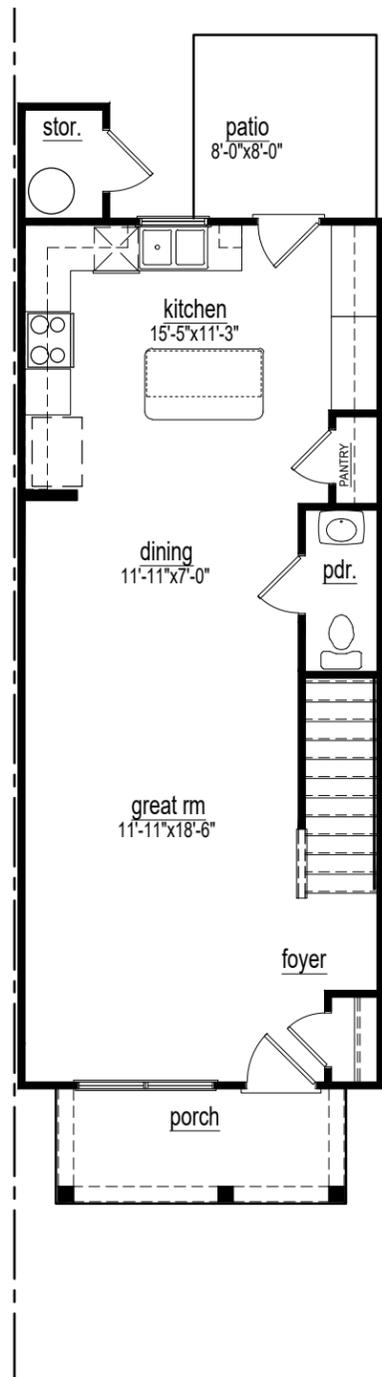
Drawn by: J.E.G.
 Checked by: J.D.S.



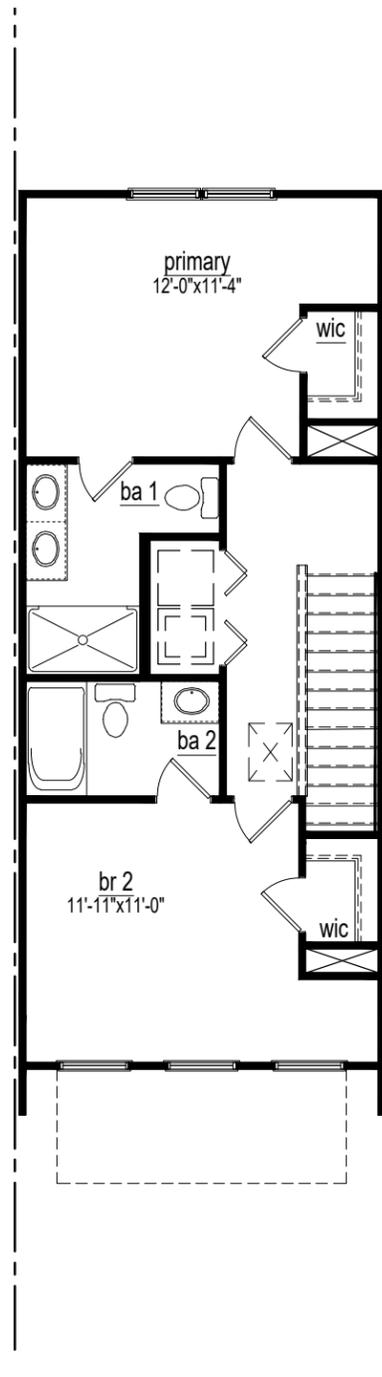
First Floor- 3 Bedroom



Second Floor - 3 Bedroom



First Floor - 2 Bedroom



Second Floor - 2 Bedroom

SQUARE FOOTAGE			
	HARTFORD		
	UNHEATED	INSIDE OF STUDS	OUTSIDE OF STUDS
FIRST FLOOR	0	608	640
SECOND FLOOR	0	608	640
PORCH	73	0	0
STORAGE	20	0	0
PATIO	64	0	0
TOTAL	157	1216	1280
BASE HOUSE			
OVERALL WIDTH: 16'-0"		OVERALL DEPTH: 45'-0"	

Section 3, Item # A.

SQUARE FOOTAGE			
	IRVINE		
	UNHEATED	INSIDE OF STUDS	OUTSIDE OF STUDS
FIRST FLOOR	0	577	608
SECOND FLOOR	0	577	608
PORCH	63	0	0
OPT. STORAGE	20	0	0
PATIO	64	0	0
TOTAL	147	1154	1216
BASE HOUSE			
OVERALL WIDTH: 16'-0"		OVERALL DEPTH: 43'-0"	



BUILDERS PLANSOURCE
 336.985.0363
 PO BOX 836
 KING, NC 27021

OWNER
BROOKDALE

ORG. DATE:
 2025-09-03

REVISIONS:

DRAWN BY:
 BPS
 APPROVED BY:
 JJT

PLAN #
 LOTS 01-07

PLAN NAME
 7 UNIT BUILDING
 DRAWING:
 FLOOR PLANS

SHEET #
ARB 14



KING, NC 27021

**BUILDERS
PLANSOURCE**

PO BOX 836



336.985.0363

BROOKDALE

OWNER

ORG. DATE:
2025-09-03

REVISIONS:

DRAWN BY:

BPS

APPROVED BY:

JJT

PLAN #
LOTS 01-07

PLAN NAME
7 UNIT BUILDING

DRAWING:
FRONT AND REAR ELEVATIONS

SHEET #

ARB

15



Front Bldg. Elev.

3/32" = 1'-0" @ 11x17
3/16" = 1'-0" @ 24x36

Section 3, Item # A.

I, J. Dean State, certify that this plat was drawn under my supervision from an actual survey made under my supervision (see description recorded in Book 624, Page 1014, Book 2, Page 82) that the boundaries not surveyed are clearly indicated as drawn from information found in Book 624, Page 82, that the ratio of precision as calculated is 1:100,000, that this plat is of a survey of an ordinance that regulates parcels of land (GS 47-30 (FACILITY 61) Municipality that has that this plat was prepared in accordance with GS 47-30 (FACILITY 61) Municipality that has this 17th day of June 2025

Signed _____
 PLS No. L-281B

**PRELIMINARY
 FOR REVIEW ONLY**

I, J. Dean State further certify that the control for this survey is from an actual GPS (or GNSS) survey made under my supervision and the following information was used to perform the survey.

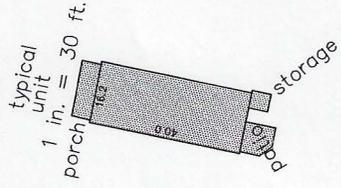
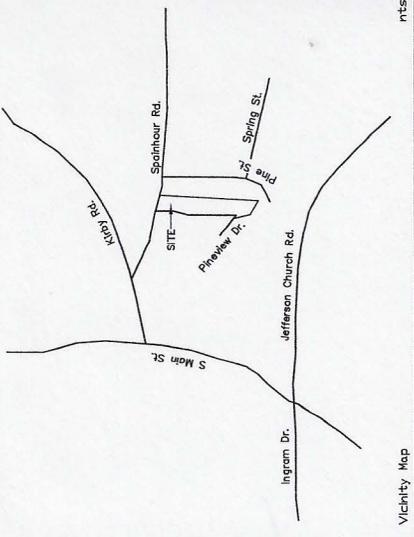
Class of Survey: Class 4
 Position Accuracy: 0.10'
 Procedure: RTK
 Date(s) of Survey: June 05, 2025
 Datum/Epoch: NAD 83/NSRS 2011
 Geoid Model: 12B
 Combined Grid Factor: 0.99998241
 Units: U.S. Survey foot
 Horizontal positions are referenced to NAD 83/NSRS (2011)

King Shopping Center
 Association
 DB 284, Pg. 407
 Parcel #24798
 Zoned B-2

Southern Holdings LLC
 DB 549, Pg. 1592
 PB 3, Pg. 93
 Parcel #24799
 Zoned B-2

Seco Properties LLC
 DB 448, Pg. 2057
 Parcel #24799
 Zoned B-2

Total Area: 2.741 Ac. (Coor.)
 Date(s) of Survey: June 05, 2025
 Property is Zoned R-MF
 Proposed 7 Apartment Units
 Required Parking 14 Spaces
 Parking Spaces Shown 17
 Required recreation space 9000 Sq. ft.
 Provided recreation space provided 9,000 Sq. ft.
 Community Garden
 Project IS NOT in WS-IV Watershed Area
 Dumpster to be relocated out of R/W
 and installed per Sec. 32-254



27021 Properties
 DB 623, Pg. 1570
 PB. 7, Pg. 45
 Parcel #24798
 Zoned B-2

PINEVIEW DRIVE
 (60' Public R/W)(See PB 3, Page 93)

SPAINHOUR ROAD
 S.R. 1117
 (60' Public R/W)

Donald A. Hauser
 DB. 316, Pg. 1801
 Parcel #24778
 Zoned B-2

Ronald G. Westmoreland
 DB. 532, Pg. 684
 Parcel #24777
 Zoned R-15

Robin L. Anderson
 DB. 410, Pg. 4372
 PB. 6, Pg. 375
 Parcel # 24775
 Zoned R-15

Della H. Long
 DB. 662, Pg. 224
 Parcel #24781
 Zoned R-15

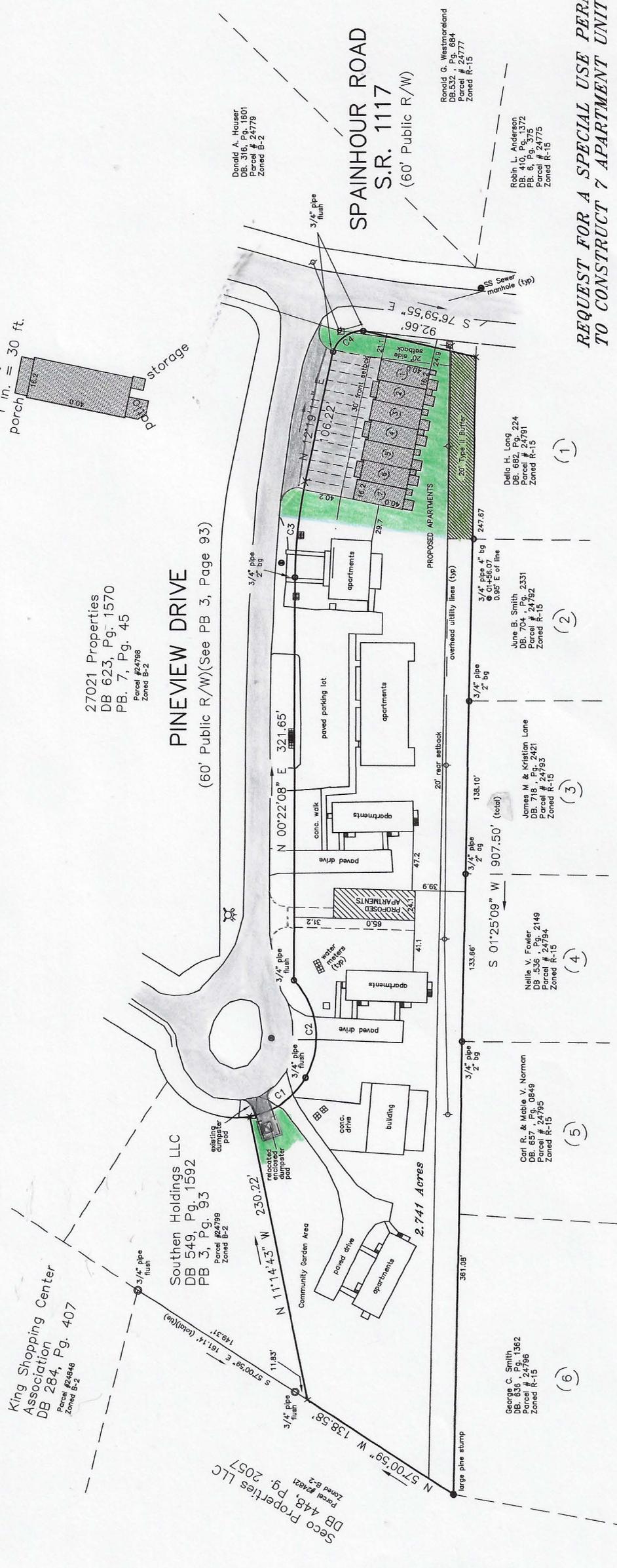
Uma B. Smith
 DB. 704, Pg. 2331
 Parcel # 24792
 Zoned R-15

James M. & Keston Lane
 DB. 818, Pg. 2421
 Parcel # 24793
 Zoned R-15

Nellie V. Fowler
 DB. 536, Pg. 2149
 Parcel # 24794
 Zoned R-15

Carl B. & Madie V. Norman
 DB. 657, Pg. 0849
 Parcel # 24795
 Zoned R-15

George C. Smith
 DB. 636, Pg. 1362
 Parcel # 24796
 Zoned R-15



REQUEST FOR A SPECIAL USE PERMIT
 TO CONSTRUCT 7 APARTMENT UNITS
 GRAPHIC SCALE

TWIN SPRINGS Section One

SUP Ordinance Requirements for Apartments

Sec. 32-129. - Special use permits.

A special use permit shall be issued in when in certain zoning uses have unique characteristics and cannot be properly classified in any particular district, without consideration, of the impact of those uses upon neighboring land and of the particular use in the proposed location. The governing board, planning board, or board of adjustment shall follow the following quasi-judicial rules when issuing a special use permit:

- (a) *Process required.* Boards shall follow quasi-judicial procedures in determining appeals of administrative decisions, special use permits, certificates of appropriateness, variances, or any other quasi-judicial decision.
- (b) *Notice of hearing.* Notice of evidentiary hearings conducted pursuant to this chapter shall be mailed to the person or entity whose appeal, application, or request is the subject of the hearing; to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and to any other persons entitled to receive notice as provided by the local development regulation. In the absence of evidence to the contrary, the local government may rely on the county tax listing to determine owners of property entitled to mailed notice. The notice must be deposited in the mail at least ten days, but not more than 25 days, prior to the date of the hearing. Within that same time period, the local government shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way. The board may continue an evidentiary hearing that has been convened without further advertisement. If an evidentiary hearing is set for a given date and a quorum of the board is not then present, the hearing shall be continued until the next regular board meeting without further advertisement.
- (c) *Administrative materials.* The administrator or staff to the board shall transmit to the board all applications, reports, and written materials relevant to the matter being considered. The administrative materials may be distributed to the members of the board prior to the hearing if at the same time they are distributed to the board a copy is also provided to the appellant or applicant and to the landowner if that person is not the appellant or applicant. The administrative materials shall become a part of the hearing record. The administrative materials may be provided in written or electronic form. Objections to inclusion or exclusion of administrative materials may be made before or during the hearing. Rulings on unresolved objections shall be made by the board at the hearing.
- (d) *Presentation of evidence.* The applicant, the local government, and any person who would have standing to appeal the decision under G.S. 160D-1402(c) shall have the right to participate as a party at the evidentiary hearing. Other witnesses may present competent, material, and substantial evidence that is not repetitive as allowed by the board.

Objections regarding jurisdictional and evidentiary issues, including, but not limited to, the timeliness of an appeal or the standing of a party, may be made to the board. The board chair shall rule on any objections, and the chair's rulings may be appealed to the full board. These rulings are also subject to

judicial review pursuant to G.S. 160D-1402. Objections based on jurisdictional issues may be raised for the first time on judicial review.

(e) *Appearance of official new issues.* The official who made the decision or the person currently occupying that position, if the decision maker is no longer employed by the local government, shall be present at the evidentiary hearing as a witness. The appellant shall not be limited at the hearing to matters stated in a notice of appeal. If any party or the local government would be unduly prejudiced by the presentation of matters not presented in the notice of appeal, the board shall continue the hearing.

(f) *Oaths.* The chair of the board or any member acting as chair and the clerk to the board are authorized to administer oaths to witnesses in any matter coming before the board. Any person who, while under oath during a proceeding before the board determining a quasi-judicial matter, willfully swears falsely is guilty of a Class 1 misdemeanor.

(g) *Subpoenas.* The board making a quasi-judicial decision under this chapter through the chair or, in the chair's absence, anyone acting as chair may subpoena witnesses and compel the production of evidence. To request issuance of a subpoena, the applicant, the local government, and any person with standing under G.S. 160D-1402(c) may make a written request to the chair explaining why it is necessary for certain witnesses or evidence to be compelled. The chair shall issue requested subpoenas he or she determines to be relevant, reasonable in nature and scope, and not oppressive. The chair shall rule on any motion to quash or modify a subpoena. Decisions regarding subpoenas made by the chair may be immediately appealed to the full board. If a person fails or refuses to obey a subpoena issued pursuant to this subsection, the board or the party seeking the subpoena may apply to the General Court of Justice for an order requiring that its subpoena be obeyed, and the court shall have jurisdiction to issue these orders after notice to all proper parties.

(h) *Appeals in nature of certiorari.* When hearing an appeal pursuant to G.S. 160D-947(e) or any other appeal in the nature of certiorari, the hearing shall be based on the record below, and the scope of review shall be as provided in G.S. 160D-1402(j).

(i) *Voting.* The concurring vote of four-fifths of the board shall be necessary to grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari. For the purposes of this subsection, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter under G.S. 160D-109(d) shall not be considered members of the board for calculation of the requisite majority if there are no qualified alternates available to take the place of such members.

(j) *Decisions.* The board shall determine contested facts and make its decision within a reasonable time. When hearing an appeal, the board may reverse or affirm, wholly or partly, or may modify the decision appealed from and shall make any order, requirement, decision, or determination that ought to be made. The board shall have all the powers of the official who made the decision. Every quasi-judicial decision shall be based upon competent, material, and substantial evidence in the record. Each quasi-judicial decision shall be reduced to writing, reflect the board's determination of contested facts and their application to the applicable standards, and be approved by the board and signed by the chair or other duly authorized member of the board. A quasi-judicial decision is effective upon filing the written decision with the clerk to the board or such other office or official as the development regulation specifies. The decision of the board shall be rendered within a reasonable time by person

delivery, electronic mail, or first-class mail to the applicant, landowner, and any person who has submitted a written request for a copy prior to the date the decision becomes effective. The person required to provide notice shall certify to the local government that proper notice has been made, and the certificate shall be deemed conclusive in the absence of fraud.

(k) *Judicial review.* Every quasi-judicial decision shall be subject to review by the superior court by proceedings in the nature of certiorari pursuant to G.S. 160D-1402. Appeals shall be filed within the times specified in G.S. 160D-1405(d). (2019-111, § 2.4.)

Sec. 32-163. - Statement of intent of districts.

The intents of the various conventional use districts are as follows:

(4) *R-MF-A residential multifamily - apartment district.* The intent of the R-MF-A residential multifamily - apartment district is to provide areas of high-density residential development. Residential units shall be rented or leased. Public water and sewer shall be available. This district shall be located near employment centers, shopping facilities and roads that can accommodate the traffic generated by the high-density development. Density of development shall be no more than 20 units per building and no more than 3 stories in height. All such projects shall be approved in accordance with the provisions of article V, [section 32-245](#).

Sec. 32-206. - Residential.

Residential uses shall be permitted in the zoning use districts as indicated:

	R-R	R-20	R-15	R-MF-A	R-MF-C	R-MF-T	R-MH-1	R-MH-2	R-MH-I	O-B-1	B-2	PD-RC	L-I	H-I
Backyard hobby workshops, excluding the open storage of materials and supplies	x	x	x				x	x			x			
Boardinghouses, including bed and breakfast, provided the owner or operator lives in the facility; separate apartments with private baths and kitchens are not established; and not more than five boarders stay at one time	s (PB)	s (PB)	s (PB)								s (PB)			
Dwelling units, multifamily (two or more buildings on a single lot), provided they comply with section 32-245 , section 32-246 , and section 32-247 . This would apply to tracks that				s (GB)	s (GB)	s (GB)								

are currently zoned R-MF , R-MF-A, R-MF-C, and R-MF-T. Tracts that are rezoned by conditional zoning will not need to get a special use permit. The conditional use rezoning permit will act as approval of the project.										
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ARTICLE V. - DEVELOPMENT STANDARDS

DIVISION 1. – GENERALLY

Sec. 32-241. - Table of area, height and placement regulations.

The table of area, height and placement regulations shall be as follows:

District	Minimum Lot Area (sq. ft.) ¹²	Required Additional Lot Area per Dwelling in Excess of One (sq. ft.)	Minimum Lot Width at Building Line (in feet)	Required Setbacks in Feet			Maximum Building Height (in feet)
				Front	Side	Rear	
R-R	20,000	20,000	85	30	10 ¹	35	35 ²
R-20	20,000	20,000	85	30	10 ¹	35	35 ²
R-15	15,000 ³	15,000 ³	80	30	10 ¹	30	35 ²
R-MF-A ⁷	8,000 ³	2,000 ³	100	10	10 ^{1, 11}	20 ⁴	35 ²

Footnotes

¹ 15 feet from edge of right-of-way where abutting a street.

² Additional height above the specified limits for every foot or fraction thereof of building height specified if one additional foot of front, side, and rear setback is provided. However, in no case shall a building exceed three stories above ground level.

³ Minimal lot sizes permitted only where public water and sewer are available. If a septic tank waste disposal system is used, the minimum lot size shall be determined by the county health department.

⁴ 20-foot setback where abutting a property line; 30 feet where abutting a street. Normally, rear yard setback is measured from the property line to the edge of the principal building, excluding a roof overhang. However, if a patio or deck is provided, the backyard setback shall be measured from the property line to these facilities.

⁷ Any one-family, detached dwelling in the R-MF-A, R-MF-C, R-MF-T, R-MH, R-MH-1, R-MH-2, B-2 or O-I districts shall meet the dimensional requirements of the R-15 residential district.

¹¹ Side yard setbacks shall be 30 feet from right-of-way when abutting a street.

Sec. 32-243. - Development plan.

A development plan shall be prepared and sealed by an architect, engineer or surveyor licensed in the state for shopping centers, multifamily developments, planned unit developments (PUD), mobile home parks and industrial parks, and business-related districts. The development plan shall show the following information, if applicable:

(1) Location, arrangement, and dimensions of truck loading and unloading spaces and docks. (see [section 32-392](#))

(2) Location, arrangement and dimensions of automobile parking spaces, width of aisles, width of bays, angle parking and sidewalk layouts. (see [section 32-359](#))

(3) Location and dimensions of vehicular entrances, exits and drives. (see [section 32-321](#))

(4) Specific drainage systems, as they relate to the site and adjoining properties. (per state guidelines)

(5) Location and materials of walls and fences. (see [section 32-259](#))

(6) Ground cover, topography, slopes, banks, and ditches. (per state and best management practices)

(7) The location and general exterior dimensions of main and accessory buildings.

(8) Architectural plans for proposed buildings. (per state technical codes)

(9) The location, dimensions, and arrangements of areas to be devoted to planting, lawns, trees and other plants. (see [sections 32-254](#) and [32-259](#))

(10) The plans for proposed utility layouts, including sanitary sewers, storm sewers, water distribution lines, natural gas, telephone and electric service (all utilities shall be constructed per the city's construction standards, if applicable).

(11) An analysis of anticipated traffic volume on larger projects or if deemed necessary by the approving board, city engineer, or NCDOT.

(12) Sediment control plan. (per state guidelines)

(13) Evidence that the state department of transportation has been made aware of the proposed development and that the developer will coordinate for the development with this agency.

(14) Plans for refuse disposal equipment and method of refuse disposal such as compactors or dumpsters. (see [section 32-254](#))

(15) Delineation of areas to be constructed in phases and sequential order.

Sec. 32-245. - Residential multifamily apartments (R-MF-A).

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Apartment. Two or more dwelling units in single ownership where the units are rented or leased. The development shall consist of one or more multifamily buildings on a single tract of land, and shall have no more than 16 units per building.

(b) *Open space.* A minimum of 15 percent of the gross acreage shall be reserved as natural vegetative space, grass areas or buffer areas.

(c) *Recreation facilities.* Multifamily projects shall provide recreational space based on the number of dwelling units per development as established in the following table:

Number of Dwelling Units Per Development	Minimum Space Per Dwelling Unit (sq. ft.)
1—8	900
9—16	1,800
17—32	2,700
33+	3,600

The term "recreational facility" is defined as, but not limited to, a building, enclosed structure or facility for use by the residents of the development for recreational activities, such as clubhouse, swimming pools, tennis courts, playground-equipped areas, picnic tables/shelters and/or basketball courts. These areas shall be furnished by the developer and maintained by the owner of the development.

- (d) *Spacing between circulation system and buildings.* Automobile parking spaces and drives shall not be located closer than ten feet to the front, side or rear of any building.
- (e) *Building relationships.* No building shall be located closer than as specified by the state building code, volume 1, but in no case shall any building be located closer than 20 feet to an adjacent building.
- (f) *Courtyard.* Any group of buildings forming a courtyard shall have at least 25 percent of the perimeter of such courtyard open for access by emergency vehicles.
- (g) *Buffering.* Adequate landscaping and buffering shall be included to buffer the development from its adjacent land uses, lots, or public rights-of-way per [section 32-259](#).
- (h) *Perimeter requirement.* No building shall be erected, reconstructed, altered or moved nearer the exterior project property lines than 20 feet or the applicable district yard requirements, whichever is greater. If a deck or patio is provided, the setback shall be measured from property line to these facilities instead of from the property line to the permanent structure.
- (i) *Solid waste disposal.* A plan for solid waste storage, collection and disposal shall be submitted to the city and approval obtained prior to issuance of a zoning permit. If dumpster sites are used they must be screened and enclosed by a decorative fence of at least eight feet in height and having a gate of at least ten feet. Each dumpster shall be placed on a six-inch by ten-foot by 15-foot reinforced concrete pad.
- (j) *Streets.* Streets shall either be public or private. However, all streets shall be paved and built to the minimum construction standards of the state department of transportation, division of highways, or the city street standards, whichever is more stringent. When streets are private, a covenant shall be agreed upon between the city and the developer/owner of the project for the maintenance of streets and parking areas within the project. A copy of this proposed covenant shall be submitted to the city for review during the conditional use review phase.
- (k) *Street signs.* Where streets which access the development are public or private, signs shall be placed to identify the street names, directional information and regulatory information.
- (l) *Utilities.* All developments shall provide underground utilities, including electricity, telephone, cable, gas, water and sewer. All installation of utilities and maintenance of utilities shall be in accordance with the requirements of the city and/or related utility regulation.
- (m) *Fire protection.* A plan shall be submitted to the planning department and to the fire department for review of fire suppression systems, including hydrants, fire lanes and sprinkler systems.
- (n) *Watershed requirements.* See article V, division 2, of this chapter.

([Ord. No. 2024-01](#), 1-2-24)

Sec. 32-259. - Buffering and screening requirements.

Table 32-259.1

Level of Buffering by Zoning District*

Zoning District Adjacent To	R-R	R-20	R-15	R-MF-A	R-MF-T	R-MF-C	R-MH	R-MH-1	R-MH-2	O-I	B-I	B-2	L-I	H-I
R-R	**	**	**	1	1	1	1	1	1	1	**	2	2	3
R-20	**	**	**	2	1	1	2	2	2	2	**	2	3	3
R-15	**	**	**	2	2	2	2	2	2	2	2	2	3	3
R-MF-A	1	2	2	1	1	1	1	1	1	1	**	1	1	

(c) *Definitions.*

(9) *Landscape plan.* A component of a development plan on which is shown: Proposed landscape species (such as number, spacing, size at time of planting, and plant details); proposals for protection of existing vegetation during and after construction; proposed treatment of hard and soft surfaces; proposed decorative features; grade changes; buffers and screening devices; proposed ways to minimize the potentials for negative impacts upon public senses and protecting the community environment; and any other information that can reasonably be required in order that an informed decision can be made by the approving authority. Plans shall be prepared by a North Carolina licensed professional in the areas of landscaping.

Sec. 32-359. - Schedule of parking spaces.

Off-street parking spaces shall be provided and permanently maintained by the owners and occupants of the following types of property uses on the basis indicated:

(15) Residences and apartments, mobile homes and mobile home parks: Two spaces for each dwelling unit.

