

MINUTES

RANDOLPH COUNTY PLANNING BOARD

June 7, 2005

The Randolph County Planning Board met at 6:30 p.m., on Tuesday, June 7, 2005, in the Commissioners' Meeting Room, Randolph County Office Building, 725 McDowell Road, Asheboro, North Carolina.

1. **Chairman Maxton McDowell** called to order the Randolph County Planning Board meeting at 6:30 p.m.
2. **Hal Johnson**, Planning Director, called roll of the members: Maxton McDowell, Chairman, present; Bill Dorsett, Vice Chairman, present; Lynden Craven, present; Larry Brown, present; Phil Ridge, present (entered the meeting late); Chris McLeod, absent; Jim Rains, present; and Reid Pell, Alternate, (substituting for regular member McLeod) present. County Attorney Alan Pugh was present for this meeting.
3. **Dorsett** made the motion, seconded by **Craven**, to **approve** the Minutes of the May 3, 2005 County Planning Board Meeting. The motion passed unanimously.

Phil Ridge entered the meeting at 6:34 p.m.

4. **REQUESTS FOR A SPECIAL USE PERMIT:**

Swearing in of the Witnesses - "Do you swear or affirm that the information you are about to give is the truth, the whole truth, and nothing but the truth, so help you God."

Ten (10) citizens took this oath.

- A. **ANDREW LAIN**, Thomasville, North Carolina, is requesting a Special Use Permit for a rural family occupation of a dealer's license with a 5-car display at his residence located at 2005 Fuller Mill Road, on 5 acres, Tabernacle Township, Lake Reese Watershed, Zoning District RA, Tax ID# 6794425925.

Lain was present and explained that he has lived here for 4 ½ years. Lain said he and his wife would be the only employees in this small business. Lain said the junk vehicles that were shown in pictures of his property (taken earlier) have now been moved. Lain said the vehicle display lot would be located approximately halfway down his driveway. **Dorsett** questioned Lain's access to Fuller Mill Road. Lain said he requested the easement when he purchased the property but he was not sure he has an easement.

Sidney Thompson, 6927 NC Hwy 62, Trinity, said he is a Deacon with Gospel Tabernacle Church and the church purchased their property in 1999. Thompson said there is confusion about the right-of-way to the road. Thompson said he felt a car lot would hurt the value of the church property. Thompson said a lot of nice homes have been built in this area and the traffic is bad enough already. Thompson said the Lains have been good neighbors. Thompson said they would be concerned that the number of cars would increase in the future. **Pugh** asked if Lain had moved the junk cars and **Thompson** answered yes. **McDowell** asked Pugh about the easement. **Pugh** said there is probably not an easement but the home has been at this location (stated by Thompson) for 20 years. It would probably be unlikely that the drive could be closed. **Thompson** said that they would not close the access. **Pugh** asked Thompson if he realized that if the Special Use Permit was issued it would be strictly limited to that number of vehicles allowed by the permit, and if the permit was not followed it would be revoked. **Thompson** said he didn't realize this but he would still be against the request. **Dorsett** asked Thompson if the church now owns the property in front of Lain's property and **Thompson** answered yes.

Ann Wilmoth, 2258 Fuller Mill Road, said she would like to see the neighborhood remain residential. She said they already have problems with traffic. Welborne presented a petition with 69 signatures of neighbors opposed to this Special Use Permit.

One resident of Fuller Mill Road said that she is a fourth generation property owner of this neighborhood. She said they want their area to remain a rural neighborhood. She said there are still some junk vehicles remaining on the property. She said the property has not been completely cleaned up.

McDowell asked if any junk vehicles were still remaining, and **Lain** said the junk race car is still on the property.

There were 7 citizens present in opposition to this request.

Dorsett asked Lain about his hours of operation on Sunday. **Lain** answered that they do not plan to operate on Sunday. Lain said this would only be a part-time business.

Brown said that he felt test #4 *"That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to located and in general conformity with the Land Development Plan for Randolph County."* would not be met in this case.

Dorsett said that any time a change is being made there is a difference made in a

community. Dorsett said that this is being located back off the road and he didn't feel this would be a problem to the community.

Pugh said if an ordinance allows a use in a district by a Special Use Permit, the courts interpret that there is a presumption that it is in harmony with the community.

Johnson said that he didn't disagree with Pugh's opinion with most Special Uses but a "rural family operation" is not a specific use. This is a request to allow a property owner to operate a small business at this residence. Johnson said the Board must determine if this type of rural family occupation would be in harmony with the community because it encompasses so many things.

McDowell said that he wouldn't have as much of a problem if it was located back at the residence and not so close to the church. **Dorsett** said he would also feel more comfortable if the display was located back closer to the residence.

Johnson asked Lain if he would have a problem with moving the display lot back closer to the residence. **Lain** said he could move the proposed area back to his residence.

Rains asked Lain if he had moved the junk vehicles from in front of his house to the rear of his house. **Lain** answered yes. **Rains** asked if the vehicles being sold would be in running order when they are brought to the property or if they would be repaired at the residence and then sold. **Lain** said all vehicles would be in running condition when brought to the residence.

Pugh asked Lain if he would be willing to remove all junk vehicles. **Lain** said that he has some race vehicles that he doesn't consider junk and wouldn't want to remove. Lain said that he has a 6 ft. privacy fence behind the residence and he would be willing to move those vehicles behind the fence. Lain said the vehicles would not be visible from the road.

Pugh asked Lain if he was asking that he not be allowed to operate on Sunday. **Lain** said he was in agreement with these hours.

Pugh said there appears to be some dispute if the junk vehicles are out of sight. Pugh said that the County would want to see an improved situation. **Lain** agreed that all the vehicles would be moved behind the fenced area and not just stuck in the woods. **Pugh** asked if the displayed car would be parked near his residence and **Lain** answered yes.

Ridge asked how large the proposed enclosed junk vehicle area is. Ridge expressed concern and said he didn't want to see a large area allowed to have junk

vehicles. **Johnson** said that the Code Enforcement Officers would enforce the junk vehicle ordinance and not allow more junk vehicle storage than would normally be allowed.

Dorsett said the vehicle storage area should be contained (buffered) from the neighboring properties.

Craven made the motion, seconded by **Dorsett**, to **approve** this request with the following conditions:

- **maximum of a 5-car display area
- **located within 300 ft. of his residence
- **all junk vehicles be enclosed within fenced area
- **permit will not be issued until all conditions have been met

Dorsett said he would prefer that an additional buffer be provided to the side property.

Craven agreed to amended the motion to include

- **10 ft. setback buffer to the side property line

The motion passed by a vote of 6 to 1. Larry Brown voted against the motion.

- B. **JIMMY HILL**, Asheboro, North Carolina, is requesting an amendment to his Special Use Permit to include the operation of a seasonal paint ball course (during the spring and summer) at his residence located on 27.22 acres located on Linda Lane (just off of Hoover Hill Road), Tabernacle Township, Zoning District RA, Tax ID#'s 7713564256, 7713568335, 7713569184. The current Special Use Permit allows a seasonal haunted trail, to be operated only in October.

Hill was present. **Hill** described a paint ball field as similar to a football field. **Hill** explained the activity. **Hill** said this would be a seasonal operation from November until May. **Hill** said he would manage the activity with assistance from his nephew. **Hill** said he would employ registered referees. **Hill** said they would expect approximately 50-60 participants each day. **Craven** asked if the activity was safe and **Hill** said that their insurance company rates the activity safer than golf. **Hill** said there are many rules applied to keep the activity safe.

Johnson asked what impact this would have to the adjoining property. **Hill** said that he leases much of the adjoining property. **Johnson** asked where people currently go for this activity in Randolph County. **Hill** said there is no place in Randolph County for paint ball. **Hill** explained that even church groups play paint ball. **Johnson** asked about the insurance, and **Hill** said that they would carry a million dollar liability policy and explained the policy. **Johnson** asked about the

noise with this activity and **Hill** said that the noise is minimal. Hill said it sounds like a bunch of air rifles going off. Hill said they operated a paint ball facility here years ago. Hill said there is netting set up around the speedball field to prevent the balls from going over to other properties. Hill said that this will not be operated at the same time as the haunted trail. **Rains** asked why they didn't ask for this activity at the time they asked for the haunted trail. **Hill** said they didn't think about operating the field at that time. **Pugh** said that his oldest son was into this activity at one time. Pugh said that kids get together and use someone's field but there is no supervision with those types of gatherings.

Lousie Downing, 1410 Mountain View Drive, Asheboro, said there is noise with this activity. Downing said she had problems when they operated this years ago. Downing said that it brings a lot of traffic and bothers the farm animals. Downing said now they can leave their farm tools lying out, but with this many people coming in, their property will no longer be safe. Downing said we need to think how we train our children to use guns. Downing said she is bothered by the haunted trail but she gave in and let him have the trail because it is only operated 30 days. Downing said this would be an additional 7 months each year.

Dorsett asked Hill about the parking situation. **Hill** said since the approval of the haunted trail they have created a parking lot for 160 cars behind his residence. Hill said that years ago they operated their fields on the front portion of the property and now they will operate on the back portion of their property. Hill said their operating hours will be Saturday 9 am until 6 pm and Sunday 11 am until 6 pm.

Pugh asked Hill if he would agree to these hours being a part of his special use permit if it is approved, and **Hill** said yes.

Downing asked if the Sunday hours could be changed to exclude the church hours. **McDowell** asked if there was a church in the area, and **Hill** said the nearest church was 1 mile from the property on Hoover Hill Road. **Craven** asked Hill if he would agree to no shooting until after 12 pm on Sundays, and **Hill** agreed to this change.

Craven made the motion, seconded by **Rains**, to approve this request for a Special Use Permit amendment with the agreed changes. The motion passed unanimously.

5. **REQUESTS FOR PROPERTY REZONING:**

- A. **EARNHARDT BUILDERS INC.**, Asheboro, North Carolina, is requesting that 100.46 acres (out of 208.20 acres) on the corner of Old Mountain Road/Post Road, Tabernacle Township, be rezoned from RA to CVOE-CU. Secondary Growth Area. Lake Reese Watershed. Tax ID# 6794085766 and 6794281486.

The proposed Conditional Use Zoning District would specifically allow the development of a 49-lot residential subdivision for site-built homes with a minimum house size of 1,500 sq. ft.

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that the proposal was in compliance with standards outlined in the Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommends to the County Planning Board that this request be approved.

Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:

Policy 6.5 The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long-term quality of life in Randolph County.

Policy 6.12 Factors to be considered in major subdivision approval in Primary and Secondary Growth Areas will include suitability of soils, access to major thoroughfares, the potential availability of public services and facilities and community compatibility.

Policy 6.13 Conventional Residential Subdivisions are anticipated of similar housing characteristics to the community.

Bobby Earnhardt, Asheboro, said that they chose to go with a conventional subdivision instead of a conservation subdivision because of the perking situation. Earnhardt said he would have to improve the existing Davidson waterlines if this is approved. **Dorsett** asked about the septic systems, and **Earnhardt** said that 95% of the systems would be gravity systems. **Johnson** asked about other developments in the area, and **Earnhardt** said he has been approved for another development with 18 lots on Fuller Mill Road for 1500 sq. ft. homes. Earnhardt said most of the homes he is building in that development are 1700 sq. ft. or larger. Earnhardt said the lot sizes for this subdivision are from 1 acre to 7 acres. **Johnson** asked Earnhardt if he had talked with NCDOT about driveway permits, and **Earnhardt** said he was told by Randolph County NCDOT office that if the Commissioners approved the building lots a permit would not be denied. Earnhardt said he would only be creating 2 new driveways and 1 new road on Old Mountain Road if this development was approved.

Gary Satterfield, 2130 Old Mountain Road, said he is opposed to this development in this farming community. Satterfield said there are 13 farms in and around this area and they have been family farms for many generations. Satterfield said this development will affect the streams that run through this area. Satterfield said industrial sludge has been put on this farm for many years. Satterfield said that the sludge had very heavy metals. Satterfield said when the soil is disturbed it would release these dangerous chemicals into the Lake Reese Watershed. Satterfield said there are a lot of individual wells that are used for livestock around this development. Satterfield said he felt this proposal would be too congested for the ground water in the area. Satterfield discussed the heavy traffic and traffic problems on Old Mountain Road, Fuller Mill Road, and Kennedy Road. Satterfield said that 8 new driveways on Fuller Mill Road would be too many added driveways. Satterfield said the new driveways would be too many added to Post Road also. Satterfield said this would be a problem for the wildlife and would totally destroy the wildlife habitat area. Satterfield requested that another traffic study should be done.

Janice Sink, Old Mountain Road, said she has lived here for 30 years. Sink said their community is a rural community surrounded by family farms. Sink said she moved into the country for peace and quiet and space. Sink said there is no development near their community with 50+ building lots. Sink said this is phase 2 of the Earnhardt development. Sink said this will destroy their country side. Sink said that progress means improvement and to drastically change their country community is not improvement. Sink said there is one development, one contractor asking for this change. Sink said that there are many farmers here that do not want this change. Sink said the traffic change would cause great changes. Sink said the development impact study says there are no blind spots but they have lived with a blind spot on Old Mountain Road for many years. Sink discussed the traffic problems they have had because of this blind spot. Sink discussed the numerous accidents in this area and at the Fuller Mill Road intersection. Sink said there were several mistakes in the development impact analysis. The land is not vacant; it is used as farm/timber land. Sink said the utilities of Davidson water are served here but most people use wells in this area. Sink discussed her concerns for the additional students to the school system. Sink said this is historically a rural community in Randolph County, and this would be a loss that could never be recovered. Sink said Earnhardt is not offering buffers, neighborhood input, or even a notice of surveying. Sink said perhaps if Earnhardt had talked with the neighbors, he would have been alerted that they like the country. Sink said the community will not profit from this development; only Earnhardt and Adams will profit from this request. Sink said according to the development impact analysis the average lot size in this area is 6.48 acres. Sink said that the County should protect this wooded pastoral land.

Eric Black, 6651 Post Road, said that they own property on both sides of Post Road. Black said saving land can save money. Black said farmers are under pressure to sell their land for developments. Black said Earnhardt's first phase (which has already been approved) of this development is known as Welborn Ridge. Black showed pictures of this development with no landscaping. Black showed pictures of the nicely landscaped development of Stan Byrd. Black said Byrd planted nice buffers and Earnhardt planted minimal buffers. Black said Earnhardt makes no attempt to clean up trash on his property. Black presented a picture of this trash. Black commended the job Byrd had done with the conservation subdivision he developed in their community. Black said Earnhardt had a paid dove shoot on this property with over 75 shooters. Black said Earnhardt has a "NIMBY" (not in my back yard) syndrome. Black said Earnhardt didn't have a dove shoot in his back yard nor a large housing development. Black discussed the size of the homes being proposed by Earnhardt. Black said he is bringing down the house sizes in this area. Black expressed concern for possible surface run-off and possible septic tank problems. Black discussed the sludge dumped on this property in the 1990's by the City of High Point. Black said these chemicals will resurface when the soil is disturbed. Black said he felt an environmental impact study should be required because of this sludge dump. Black said Randolph County is a member of the Piedmont Triad Water Quality Partnership and should practice what they preach and protect our watersheds. Black said he didn't think the school system could add or subtract when calculating the number of students this development will create. Black said that it costs \$6,000 a year to educate a child and these homes will only create \$1,075 in property taxes per year. Black said the deficit per year, if each house only had one child, would be \$241,000+. Black said that Hal Johnson and his staff are for any type of development as long as it doesn't have wheels. Black said he would invite the County to visit Stan Byrd's development to see an upscale subdivision. Black said a park and walking trails should be required in each development before it is approved. Black said that Earnhardt has not addressed paving Post Road. Black said he paved the road that leads to Earnhardt's subdivision and Earnhardt is going to benefit. Black said that Johnson should be used to find new jobs and new industry for this area instead of planning more subdivisions. Black said this "development freight train" should be slowed down. Black said the County should require larger lots and at least 1800 sq. ft. homes for this development.

Alvin Myers, Springs Grove Lane, Thomasville, said he owns two farms approximately 400 yards from this property. Myers said that this is a typical case of property being stripped of its timber and then low grade housing being developed on small lots. Myers said this is not compatible to their farming community.

Debbie Foster, 2107 Old Mountain Road, said they moved here 10 years ago.

Foster said they bought this land to be in the country. Foster said they want to hear the birds sing and not a lot of lawn mowers and screaming children. Foster said this will create a lot more traffic on this road. Foster said most of the houses in this area are larger than what is being proposed. Foster said this development will destroy the look of the land.

There were 17 citizens present in opposition to this request.

Dorothy Wright, 2110 Pleasant Loop, said that if the community is rezoned she would like the Board to consider the seniors and the cost of living for the seniors. Wright said she has lived here since 1962 and the Board should consider what is going to happen to them financially.

Johnson said he was glad to hear Black support the conservation subdivisions. Johnson said that subdivisions have been one of the most controversial requests before this board. Johnson said that in most counties the subdivisions are just a technical review process. Johnson said that Randolph County takes it a step further that allows more opportunities for citizen input into county planning. Johnson said he has seen plenty of subdivisions that he didn't like and the County's record speaks for itself. Johnson said that balancing an individual's right to use this property and the community's rights to maintain their way of life is a difficult job. Johnson said this is always difficult. Johnson said 3 years ago when the County was trying to design a new Growth Management Plan it was the farmers that attended saying that they didn't want their properties restricted so they couldn't develop their property if they were no longer farming. Johnson said that the Development Impact Analysis was mentioned, and Johnson said this is something that the Randolph County Planning Department creates, not the developer. Johnson said the Development Impact Analysis is designed so that information is provided in the same manner for all new subdivision requests. Johnson said he agrees about the impact development has on our schools. However, the staff doesn't guess at these figures; the figures are provided by the County School System. Johnson said it was mentioned that the block concerning blind spots in the traffic section of the development impact analysis was not checked, but the hills, curves, and everything else was, and this study is to give a general idea of the traffic situation in this area. Johnson said when considering average lot sizes, you have to consider that there may be a few really large lots and many small lots. Johnson said when determining average house size in an area, there may be one really large home and many small homes, but these figures are general figures. Johnson said the challenge faced by the County is to try to balance the rights of a landowner to develop their land with community concerns. Johnson said to balance these property rights the County relies on its Growth Management Plan. Johnson said that the location of the city limits and projected extensions of their growth, public water lines, population counts, etc. are considered when determining a growth area. Johnson said those areas with large

farms and low population counts were designated rural growth areas. Johnson briefly described the different growth areas and where water and sewer lines are projected to be extended in the future. Johnson described the subdivision options that the land owner may have when considering developing his property. Johnson said that 10 years ago we would have been discussing whether this would be a single-wide or double-wide manufactured housing development. Now we have evolved into discussing site-built home size, lot sizes, and other development design issues.

Pugh said that community input was sought from around the County, including the Archdale/Trinity area, when the Growth Management Plan was established.

Rains questioned the stream that was not located on the first plan. Rains asked if there were modifications to the plan after the community meeting and **Johnson** answered yes.

Rains expressed concern for who would monitor and what would happen when the heavy metals in the soils are disturbed. **Johnson** answered the Health Department along with the State. **McDowell** asked if this information would be gotten before the development is approved by the Commissioners. **Pugh** asked if the dumping was permitted by the State and **Johnson** answered yes. **Ridge** said there are lots of farms that have applied this sludge in the past. **Johnson** said that the Planning Board would be making a recommendation to the Commissioners and the Board could request that this information be included when the Commissioners meet. **Pugh** said this information could be requested from the State. **Dorsett** said he felt this is a problem that should be the burden of the developer and not the County. Dorsett said the property should present a clean bill of health before the development is approved. Dorsett said that he didn't agree with the advice that the applicant must agree with all conditions added to a zoning change. Dorsett said he realized that would make a court case easier to prosecute but he didn't feel that the law required it. Dorsett said he felt the Board had the right to attach conditions to the permit with or without the permission of the developer.

Earnhardt said he was told by the Commissioners that the sludge was his problem and he would be required to see that the property was safe. Earnhardt said that he checked with the State and the site was permitted and was safe. Earnhardt said he was told by the State that it would be difficult for them to dig up these records.

McDowell said he agrees with the issue that some of these lot sizes are way too small. McDowell said the lots are nowhere near what they should be in this area. McDowell said he didn't agree with the way it is laid out in density. McDowell

said that he felt the density issue was not compatible to the area. McDowell was also concerned about the sludge issue.

Dorsett said that if the Commissioners were to approve this request he would make a recommendation that the Board require the developer to provide a clean bill of health for the property before it is permitted to be developed.

McDowell said if the Board felt the request should be tabled then the Board should table the request. **Dorsett** said he didn't feel the request should be tabled.

Pugh said the Board may make the recommendation of denial, recommendation of approval, and recommendation of approval with certain conditions. Pugh said the Board could inquire if the landowner would agree to the conditions. **Rains** asked if the applicant can withdraw the request and resubmit with a different application. **Pugh** said that is one option, or a continuance to allow the developer time for changes would also be an option. **Rains** asked Earnhardt if he would like to take the request and reconsider his plan. **Earnhardt** said he would be more than glad to call NCDENR. **Pugh** said that this issue and the density issue can be considered. **Earnhardt** asked who is going to give him direction of this density issue, the Planning Department, the Board, or the neighbors. Earnhardt asked who he needs to get his direction from concerning development in the future. **Pugh** told Earnhardt that some serious concerns have been raised, and he can consider these issues now by asking the Board to continue this request until next month to allow him time to consider these issues. **Earnhardt** said he is looking for guidance but he didn't feel he was getting guidance. Earnhardt said he wanted the Board to vote on the density issue and he will contact NCDENR.

Dorsett said the subdivision does meet minimum requirements but he felt the neighbors should also be considered. Dorsett made the motion to recommend that this request be denied for the following reasons:

- **number of driveways connections
- **density
- **soil issue

Rains seconded the motion. The motion past by a vote of 6 to 1, Phil Ridge voted against the motion.

- B. **JEFF BRANTLEY BUILDERS**, Asheboro, North Carolina, is requesting that Conditional Use Permit issued to 5.23 acres located at the corner of Burney Mill Road/Kidds Mountain Road, New Hope Township, be amended. Tax ID# 6694978046. The Conditional Use Permit would specifically allow the applicant to construct 3 three-bedroom duplexes instead of the 3-space mobile home park. Tom's Creek Farm & Nursery - Property Owners.

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that this proposal was not in compliance with the standards outlined in the new Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee feels this request is totally out of character with this pristine, rural environment and recommends to the County Planning Board that this request be denied. Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:

Policy 6.5 The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long-term quality of life in Randolph County.

Policy 7.12 The County should clearly define land areas that are appropriate for development, as well as defined areas of environmentally sensitive, natural, or heritage asset land areas that need special protection.

Jeff Brantley briefly explained the request as proposing to build three duplexes with 3 bedroom in each unit.

Kimberly Doss, 6543 Burney Mill Road, said that she owns the adjoining residence. Doss said currently the mobile home on the property is right beside her home. Doss said they have no buffer from this property. Doss said they moved to the country to get out of the city. Doss said the three mobile homes are bad enough. **Dorsett** asked Doss if she would prefer the mobile homes over the duplexes. **Doss** answered no.

Mason Gilliland, 8641 New Hope Road, said they have gotten used to the mobile homes. Gilliland said you have to go to Asheboro, Denton, or Troy to find a duplex. Gilliland said this will increase the crime rate in their community. Gilliland said duplex apartments are not compatible with their community. Gilliland said they can live with the mobile homes. Gilliland said that Tom's Creek has 100's of acres and asked why they don't push over a few bushes and put the duplexes up at their farm. Gilliland said this is not compatible with their farming community. **Gilliland presented a petition of 38 residents in the community in opposition to this request.**

There were 4 citizens present in opposition to this request.

Melinda Vaughan, Tom's Creek Nursery, said that she tried to put more trailer sites on her property. She said she employees Montanards and Hispanics through the Lutheran Services. She said she has no problems with any of her employees. She said she is just requesting a place to allow these people to bring their families here. She said they are not transits, but farmers by nature. She said she felt this would be an upgrade of the property. She said this is for farm labor and if this is not approved she will be asking for single family homes, because she didn't want a mobile home park. She said she is not trying to cause any problems in the community. **Dorsett** asked about the property and she said it was an existing mobile home park when she purchased the property She said she was told by the County if she wanted to upgrade the property from a mobile home park she would need to rezone the property. She said she purchased the property a year ago but she doesn't want to operate a mobile home park. **McDowell** asked if she has housing on the farm and **Vaughan** answered that she does but they are now full. **McDowell** said the Planning Board recommended the mobile home park be denied but the Commissioners approved the 3-space mobile home park. McDowell said that this would be 3 vinyl siding duplexes. McDowell said he felt the stick built duplexes would be an improvement over a 3-space mobile home park.

Craven said that his Coleridge math told him that this would be 6 apartment units with 3 bedrooms in each unit. Craven said he couldn't see duplexes in this rural area. Craven made the motion to recommend that this request be denied.

Dorsett seconded this motion and the motion passed by a vote of 6 to 1, McDowell voted against the motion.

- C. **BEN ALBRIGHT**, Ramseur, North Carolina, is requesting that 47.63 acres located on U.S. Hwy 220 Business South, Cedar Grove Township, be rezoned from Residential Agricultural to Community Shopping. Primary Growth Management Area. Tax ID#'s 7658336829, 7658336829, 7658422827, 7658432280, 7658443552, and 7658443622. It is the desire of the property owners for the property to allow a commercial shopping center. Property Owners - Frances Lambeth and Others.

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that this proposal was in compliance with the standards outlined in the Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommends to the County Planning Board that this request be approved only with a Conditional Use Permit. It was the consensus of the committee that a Conditional Use Permit with a site plan, showing traffic circulation patterns, building locations, adequate buffers, etc., would be necessary to protect

the visual aesthetics of the community.

Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:

Policy 4.1 Commercial development should be encouraged to occur in clusters or planned shopping centers to minimize the proliferation of “retail strip” locations.

Policy 4.2 Highway oriented commercial uses should be clustered along segments of arterial streets and contain land uses that are mutually compatible and reinforcing in use and design. They should be designed in a way that minimizes signage, access points and excessive lengths of commercial strip development.

Ben Albright was present as the attorney representing the Lambert estate. Albright said he was appointed by Clerk of Court, along with Ben Morgan, to represent the property owners. Albright said that this plan is for possible hotel or retail development.. Albright said he thought that public water was nearby and that this type of development is projected for this area. Albright said that 20% ownership of the property is Fayetteville Street Baptist Church. Albright said he felt this would be a good area for this type of development. **Pugh** said as a fellow court appointed commissioner he would seriously make inquiries to EDC about this property. **Dorsett** said this is a very sensitive area and therefore he felt we should require a more detailed site plan for the development. Dorsett expressed concern for a general approval. **Albright** said that the way the property will be marketed these concerns would be considered. **Johnson** said that Community Shopping is a more restricted commercial district.

Eddie Lambert, 2362 Cole Mountain Road, asked about possible water run-off during development and who would be responsible to see that it didn't affect neighboring properties. **Albright** said the stormwater run-off will be looked at before development by civil engineers. **Lambert** expressed concern for the creek that runs through the property. Lambert said that he is not in opposition to this request, but he wants to make sure that the development is handled responsibly.

There were 6 citizens present with interest in this property. There was no one present that spoke in opposition to this request.

Dorsett said that he would like to see a more specific site plan; however, he has the highest regard for Albright.

Rains asked if a site plan and stormwater run-off plans would be required before

development. **Johnson** answered these plans are required and submitted during the permitting process. Johnson said the plans would be reviewed by the staff.

Craven made the motion, seconded by **Dorsett**, to recommend to the Commissioners that this request be approved. The motion passed unanimously.

- D. **KEITH HILL**, Seagrove, North Carolina, is requesting that 1.55 acres located at 6002 Gallimore Town Road, Tabernacle Township, Lake Reese Watershed, be rezoned from Residential Agricultural to Rural Business Overlay/Conditional Use. Rural Growth Management Area. Tax ID# 7702393056. The Conditional Use Permit would specifically allow a used auto sales business from an existing 30' x 30' building with a 10-car display lot. Joyce Hedrick, Carolyn Sabates, and Faye Hill - Property Owners.

Technical Review Committee Recommendation

The Technical Review Committee met and found that this proposal was not in compliance with the standards outlined in the Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee feels this request is totally out of character with this pristine, rural environment and recommends to the County Planning Board that this request be denied. The committee feels this activity would be an inappropriate use of the property and would be out of character with the surrounding community.

Hill said that his grandfather had a dealer's license here for many years. Hill said his grandmother, the property owner, wants to spend more time here. Hill said that he would only have approximately 10 cars at this location. Hill said that he would mainly use the property for wholesales. Hill said he has his retail dealer's license and car lot in Thomasville. **Johnson** said there has been a lot of concern voiced by neighbors for this residential agricultural community. Johnson said the neighbors felt additional businesses should not be allowed. Hill said that his grandfather's business closed here in 1990. Hill said that the property has not changed hands since .

Greg Bryant, 5688 Gallimore Town Road, said he and his family own over 300 acres here. Bryant said their opposition is nothing personal, but they don't feel businesses should be allowed in this residential, rural area.

Dorsett said that he did believe that Hill would take care of the property but future owners could be different.

McDowell said he has received several calls from people in this rural area in

opposition to this request.

Craven said that once you start allowing businesses in residential areas, it's hard to stop them.

Craven made the motion, seconded by **Dorsett**, to recommend to the Commissioners that this request be denied as incompatible to the area. The motion passed by a vote of 6 to 1, Rains voted against the motion.

- E. **AMON GARNER**, Asheboro, North Carolina, is requesting that 2.60 acres located on Meadowbranch Road, Richland Township, be rezoned from Highway Commercial/Conditional Use to Residential Agricultural. Rural Growth Management Area. Tax ID# 7694679286. The applicant no longer plans to build and operate a machine shop and would like the property reverted to its original zoning of Residential Agricultural.

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that this proposal was in compliance with the standards outlined in the new Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommends to the County Planning Board that this request be approved.

Johnson told Garner that he would schedule this request first on the agenda of the Commissioners' July 11th meeting.

There was no one present in opposition to this request.

Johnson said that Garner just wants his property to be reverted to its original zoning of RA.

Craven made the motion, seconded by **Pell**, to recommend to the Commissioners that this request be approved. The motion passed unanimously.

6. The meeting adjourned at 9:49 p.m. There were 56 citizens present for this meeting.

HAL JOHNSON

Planning Director

NORTH CAROLINA
RANDOLPH COUNTY

JILL WOOD

Date

Clerk/Secretary