

MINUTES

RANDOLPH COUNTY PLANNING BOARD

February 5, 2008

The Randolph County Planning Board met at 6:30 p.m., on Tuesday, February 5, 2008, in the Commissioners' Meeting Room, Randolph County Office Building, 725 McDowell Road, Asheboro, North Carolina.

1. **Chairman Lynden Craven** called to order the Randolph County Planning Board meeting at 6:30 p.m.
2. **Hal Johnson**, Planning Director called roll of the members: **Lynden Craven**, Chairman, present; **Jim Rains**, Vice Chairman, present; **Larry Brown**, present; **Phil Ridge**, absent; **Chris McLeod**, present; **Reid Pell**, present; **Wayne Joyce**, present; and **Danny Shaw**, Alternate, present (substituting for regular member Ridge). **County Attorney Alan Pugh** was present for this meeting.
3. **Brown** made the motion, seconded by **Pell**, to **approve** the Minutes of the January 8, 2008 Randolph County Planning Board meeting. The motion passed unanimously.
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."

One person took this oath.

- A. **DONALD ESTLER & MARLA HYATT**, Franklinville, North Carolina, are requesting a Special Use Permit for a Rural Family Occupation to obtain a automotive dealer's license with a display of 6 cars (2 cars will be displayed at the road and 4 cars kept at the residence as per site plan) at their residence located at 3678 Mack Lineberry Road, 35.98 acres, Rural Growth Area, Franklinville Township, Zoning District RA, Tax ID #8710029674.

Estler was present and explained that he is retired and would like the license to be able to operate a small business for supplemental income. Estler said that he won't have much drive-by sales and he plans to keep most of the vehicles back off the road at his residence. Estler said that he doesn't plan any car repairs and

there will be no additional employees. **Brown** asked if Estler plans to have a sign. **Estler** said that he doesn't plan to have a sign at the road.

There was no one present in opposition to this request.

Rains made the motion, seconded by **McLeod**, to **approve** this request for a Special Use Permit. The motion passed unanimously.

5. **REQUESTS FOR PROPERTY REZONING:**

- A. **JEROME DAVIS**, Archdale, North Carolina, is requesting that 20.5 acres out of 58.36 acres located on Elmer Beeson Road, New Market Township, be rezoned from RA to RBO-CD. Rural Growth Area. Tax ID# 7737832650. The proposed Conditional Zoning District would specifically allow the operation of a sports riding arena and facility as per site plan.

• **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.

The Technical Review Committee found the following Policies within the Growth Management Plan that support determination of consistency with the adopted plan with this recommendation are:

Policy 1.3 The continued growth of Randolph County's heritage tourism industry will be encouraged.

Policy 10.4 The County should recognize through land use decisions that properly designed development can co-exist along conservation areas, protecting our natural heritage and making Randolph County's quality of life sustainable.

Johnson explained that this request was sent back to the Planning Board due to the fact that there was no one present at the Commissioners' Meeting to represent Davis. Johnson said there were some questions that came up during the Commissioners' Meeting about possible expansion of the facility.

Davis was present and explained his operation and his intentions. Davis said that they have one big event in August every year. Davis said they would like to try to have more events throughout the year. Davis said they have updated their concession stand and would like to be able to hold weekly events. Davis said the new events would be kids rodeos, cattlemen association seminars, etc. Davis said these events are smaller than the event that is held in August. Davis said the one event they hold each August brings approximately 7,000 people to the area. Davis said the first year they held the August event they did have some traffic problems on Elmer Beeson Road. Davis said they have since made plans for overflow traffic and the problem has not continued. Davis said he has employees up and down the road to prevent cars from parking along the road. Davis explained that he also has security employed for these events. Davis said no alcohol is allowed on the premises. Davis said that he would agree to not allow parking along the roadside as a condition of his rezoning.

Jack Swigart, 2912 Spencer Road, said that one of his big concerns is that Elmer Beeson Road becomes quite crowded during these events. Swigart said that Spencer Road will be cut-off by the new by-pass and their only access will be from that end of Spencer Road. Swigart said he would like to see DOT improve Elmer Beeson Road with a turn-lane to handle the added traffic. Swigart asked if the County noise ordinance required that noise stop at 10:00 p.m. **Pugh** said that noise ordinances were difficult to enforce out in rural areas. **Swigart** asked if portable toilets would be allowed for these events. Swigart asked how many events would be held each year. **Davis** answered that the weekly events would probably be just a couple hundred people. **Swigart** said that he has lived at this location for 28 years.

There were 3 people present in opposition to this request.

Johnson said that one of the issues is the concern for Elmer Beeson Road. Johnson said the Board could ask DOT if they would consider upgrading the road. **McLeod** said that he went to one of these events and the security was mainly off-duty Sheriff employees and they did a good job moving cars off the road. McLeod

said he didn't feel the Davis' should be required to improve the road. **Rains** said that DOT would not require a turn-lane with this being an existing facility.

Rains asked if there were any time limits (for the events) in the application. **Johnson** answered no.

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

- B. BARRY MANESS**, Asheboro, North Carolina, is requesting 30.00 acres out of 42.76 acres located on Joe Farlow Road., Richland Township, be rezoned from HI-CD/RA to HI-CD. Primary Growth Area. Tax ID# 7666057269. The proposed Conditional Zoning District would specifically allow the operation of a motorcycle course and training facility as per site plan.

- *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 as the request is a less intense use as the current approved plan for a trucking terminal.

The Technical Review Committee found the following Policies within the Growth Management Plan that support determination of consistency with the adopted plan with this recommendation are:

Policy 3.2 Industrial development should be on land that is physically suitable and has unique locational advantages for industry. Advanced planning for the identification of such land should be encouraged.

Policy 3.3 Heavy industrial sites should be separated from nonindustrial areas by natural features, green belts and/or other suitable means.

Policy 3.4 Light industrial sites should be located in urbanized areas to take

advantage of available services and to reduce home-to-work distances. Careful design and/or buffering shall be required to insure compatibility with surrounding areas.

Maness was present for this meeting. Maness presented a booklet to the Board concerning his request. Maness said his children race trail bikes and the closest track that his children can practice on is a 1 ½ hour drive each way. Maness said he felt this site would be a good location for training. Maness said that the operation would be open from 10 am to 10 pm each day and from 12 pm to 10 pm on Sundays. Maness said that there may be as many as 12 students training with them. Maness said the track will be dirt and showed the Board pictures of the a track in Raeford, North Carolina that they currently use. Maness presented pictures of riders and explained that the track will be used by members only. Maness said that 90% of the riders are under 15 years of age. Maness explained that the maximum number of riders could be 50-75 riders but normally 20-30 riders. Maness said there will be approximately a dozen part-time employees. Maness said that these kids ride (race) all over the country. Maness said that they are proposing lights for the track and are working with DOT with the lighting plan due to the close proximity of the interstate. Maness said that the lighting would be similar to football fields at the high school and the lighting would be projected on the track and away from the neighboring residences.

David Peryear, Attorney representing Maness, reminded the Board that the property is currently approved from a trucking terminal. Peryear said that this proposed use is for families and tourist and the Maness' will be living on the property. Peryear said that the request does meet several of the Policies within the Growth Management Plan. Peryear said that this request would draw people from across the state to use this facility. Peryear said that this would be a benefit to the County's economy. Peryear said that this would be a tourist attraction and would be good for the County. Peryear listed the following Growth Management Policies he felt this request met:

Policy 1.1 *The County will encourage new and expanding industries and businesses which: (1) diversify the local economy, (2) utilize more highly skilled labor force and (3) increase area residents' incomes.*

Policy 1.3 *The continued growth of Randolph County's heritage tourism industry will be encouraged.*

Policy 1.6 *Planning and development decisions should be based on the principal*

of promoting investment in Randolph County to expand employment opportunities while preserving and improving the quality of life for all county residents.

Policy 3.2 *Industrial development should be on land that is physically suitable and has unique locational advantages for industry. Advanced planning for the identification of such land should be encouraged.*

Policy 3.6 *New industrial development should be encouraged to locate in existing and planned industrial parks.*

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.*

Policy 4.4 *Commercial uses should be encouraged to develop by consolidation and deepening of existing commercially zoned property, only when such consolidation and deepening can be developed in a way that lessens the effect of incompatibility with adjoining residential land uses.*

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 7.4 *Protection of public water supply watersheds and the water quality critical areas shall be considered in rezoning and development proposals. Industrial and heavy commercial development shall not be promoted within the water critical areas of Randolph County.*

Policy 8.4 *The County should approach land use and economic development decisions, not as isolated individual issues, but as part of a larger interconnecting framework of building sustainable growth within Randolph County.*

Pugh asked if any considerations have been made to reduce noise such as berms,

vegetative buffers, hours of operation, etc. **Peryear** said that Maness has spoken with people in the area and asked Maness to answer this question. **Maness** said that there are steps to keep noise down. Maness said that he does plan for some berms and vegetation. Maness said there is a 12 ft. rise from the parking lot to the adjoining property. Maness said they do plan to build a berm that should protect Bobby Moran Drive residents.

Rains questioned the grade changes on the track and **Maness** said there would be grade changes as much as 15 to 20 ft in height. **Rains** asked about the trailer parking and if they would be staying there over-night. **Maness** said that the trailers would be stay overnight and are usually self contained. **Pell** asked if there would be several campers and **Maness** said it would normally be only 1 or 2 trailers that stayed over night. **Maness** added the condition of daily hours of operation from 10 am to 10 pm and Sundays from 12 pm to 10 pm.

Tim Richardson, 390 Burney Road, told the Board that he owns the property north of the proposed site. Richardson said that a corner of his property is zoned for an asphalt plant. Richardson said it is his intention to build his residence on his property. Richardson said that if the Maness' were doing this for their personal use (his family and a few friends) this would be okay. Richardson said that the number Maness is proposing is going to be a noise problem. Richardson said that this would be like listening to lawnmowers running all day long 7 days a week. Richardson said that the only access to this property and to his property is a private road. Richardson said that this could cause traffic problems along this small private road. Richardson said that he felt this growth would be at the neighbors expense. Richardson said that the lighting will be a nuisance to the neighbors. Richardson said that these bikers are going to cause a noise problem for him and the neighbors. Richardson said that he has had the opportunity to sell his property for another asphalt plant but he didn't want to burden his neighbors. **Pugh** explained that this Board must have rational land use policies to consider when making land development decisions. Pugh said that this area is considered a Primary Growth Area. Pugh said that this type of growth area is required to take those policies into consideration.

There were 2 people present in opposition to this request.

Rains said there are a lot of opportunities on the property to use existing vegetative buffers to assist with noise abatement. Rains said that berms would require a significant amount of grading work. **McLeod** said that he felt the

proposed berm and maintaining the existing vegetation along the driveway on the east side would help with noise control. **Pugh** asked **Maness** if he would consider a condition on his RA zoned area to maintain the existing tree growth. **Maness** agreed to maintain all the vegetation existing east of the old drag strip. **Maness** also agreed to a 30 ft. existing no-cut buffer along the northern property line.

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

6. **Election of Officers.**

Brown said that he felt the current Chairman and Vice Chairman are doing a good job and should continue if they would agree to do so.

McLeod agreed that the current officers have done a good job, but felt that **Rains** should be given the opportunity to serve as Chairman this year and **Craven** should serve as Vice Chairman.

Pell agreed with **McLeod** and made the motion to nominate **Rains** for **Chairman** and **Craven** for **Vice Chairman**. Both **Rains** and **Craven** accepted their nomination. **McLeod** seconded this motion and the motion passed unanimously.

7. **Johnson** told the Board that the Commissioners have moved their March meeting to March 10th. **Johnson** asked the Board if they would like to move their meeting to March 11th. It was the consensus of the Board to move their March meeting to the 11th.
8. The meeting adjourned at 7:54 p.m. There were 25 people present for this meeting.

NORTH CAROLINA
RANDOLPH COUNTY

HAL JOHNSON

Planning Director

JILL WOOD

Date

Clerk/Secretary