

MINUTES

RANDOLPH COUNTY PLANNING BOARD

October 6, 2009

The Randolph County Planning Board met at 6:30 p.m., on Tuesday, October 6, 2009, in the Commissioners' Meeting Room, Randolph County Office Building, 725 McDowell Road, Asheboro, North Carolina.

1. **Chairman Chris McLeod** called to order the Randolph County Planning Board meeting at 6:30 p.m.
2. **Hal Johnson**, Planning Director, called roll of the members: **Chris McLeod**, Chairman, present; **Reid Pell**, Vice Chairman, present; **Larry Brown**, present; **Phil Ridge**, present; **Jim Rains**, present; **Lynden Craven**, present; **Wayne Joyce**, present; and **Danny Shaw**, Alternate, present. **County Attorney Darren Allen** was present for the meeting.
3. **Rains** made the motion, seconded by **Craven**, to approve the Minutes of the September 8, 2009 Randolph County Planning Board meeting. The motion passed unanimously.
4. **REQUESTS FOR PROPERTY REZONING:**

- A. **MARTHA LAMBETH**, Trinity, North Carolina, is requesting that 46.67 acres located on Finch Farm Road, Tabernacle Township, be rezoned from RA to CVOE-CD. Tax ID#'s 7705139972, 7705047174, and 7705148401. Secondary Growth Area. Lake Reese Watershed. The proposed Conditional Zoning District would specifically allow the a 5-lot residential subdivision for site built homes and conventional modular homes.

- **Neighborhood Information Meeting**

Martha Lambeth was present for this meeting along with her daughter and a friend. No one was present with concerns about this request.

- **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**.

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.

Resolution of Adoption – Policy # 4 Consider the costs as well as the benefits of growth management policies in order to preserve affordability for citizens real estate and housing needs.

Lambeth was present for this meeting along with her daughter and her son-in-law. Lambeth explained that this property would be divided among her children.

There was no one present in opposition to this request.

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

- B. **MARTIN GUTIERREZ CABRAL**, Trinity, North Carolina, is requesting that 34 acres (out of 63.10 acres) located at 712 Flake Briles Road, Tabernacle Township, be rezoned from RA to RBO-CD. Lake Reese Watershed, Secondary Growth Area. Tax ID# 6792723465. The proposed Conditional zoning District would specifically allow a rodeo riding arena open to the public.

• **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 recommends to the County Planning Board that this request be **denied**. The Committee expressed concerns of a commercial business with such a high volume of traffic only being accessed by a private driveway easement. The committee noted the easement was shared by additional property owners with no formal road maintenance agreement.

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

Policy 3.9 Individual rezoning decisions within Rural Growth Areas will depend upon the scale of the development, and the specific nature of the site and its location.

Policy 4.3 Individual Rural Business and Highway Commercial rezoning decisions will depend upon the scale of the proposed development as it relates to the specific site and location weighed against impacts to adjoining rural land uses.

Cabral was present for this meeting, and representing Cabral as his English interpreter was **Nora Gutierrez**.

Gutierrez stated that Cabral would be operating the public riding arena once a month during mostly the summer months. It would be held on a Saturday, once a month, from 12 noon until 8 p.m., no later than dark. The events that would be held would be bull riding and horse riding.

McLeod asked about the size of the attendants. **Gutierrez** responded that it would be a small number, about 200 people attending the events. **McLeod** asked about the availability of bathrooms. **Gutierrez** stated that “Porta Johns” would be provided for the attendants. **McLeod** asked how many public events had been previously held at the site. **Gutierrez** responded that two events had already been held.

Johnson asked if they would be charging admission for the event. **Gutierrez** stated that they would be.

Allen asked several questions about the private road, Flake Briles Road, that would be used as an access to these public events. What was the condition of the road? How many additional residences use the same road? **Johnson** responded that there were three. **Johnson** asked Cabral if he knew who maintained the road. **Gutierrez** responded that Cabral didn’t know.

McLeod asked Cabral if he had plans for cleaning up after the events. **Gutierrez** responded that they would clean up the day after the event with designated people who would be helping with the clean-up. **Johnson** asked Cabral if he had had problems with the trash with the previous events that were held. **Gutierrez** stated that they had picked up the trash on the next day after the event(s).

Johnson asked Cabral if they had planned for any type of security measures. **Gutierrez** responded that they had not had any problems with the previous two events.

Brown asked if there were any Private Road Maintenance Agreements recorded for Flake Briles Road. **Johnson** responded that there were no maintenance agreements. **Gutierrez** stated that Cabral would participate in the private road maintenance agreements. **Brown** stated that would require the recording of the maintenance agreements.

There were 2 citizens present in support of this request.

Marlon Winters, 6019 Briles Meadow Road, stated that he had moved to the community fifteen years ago. He had moved to the area because it was a rural and farming community, and that it was truly a close knit community. He stated that four events from the site had so far taken place with increasing numbers. Recalling the event that took place on Saturday, July 4, 2009, he stated that it lasted until around 10 p.m. Counting the cars, about 500 cars went down the road, and dust covered the houses. From the beer bottles that littered along side the road, there was indication of the public consumption of alcohol. **Winters** stated that it was a most disturbing event. He further stated that this community entertainment will destroy the fabric of this community. He was opposed to this zoning request. **McLeod** asked Winters how long did the event last on July 4. **Winters** replied that they began arriving as early as noon, and that it was still going on late at night. He believed that the number of events would grow and that it would get out of control.

Edward and Sheila Surratt, 938 Bescher Chapel Road, live in the house on the corner of Bescher Chapel Road and Briles Meadow Road. **Edward Surratt** stated that on Saturday, July 4, 2009, he stopped counting cars at the number of 400. He said that they heard music booming at 6 p.m. from the band performance at the event. He also said that they had observed cars leaving out from 10 p.m. until midnight. He further stated that beer bottles had been thrown in their yard, but that the bottles were picked up on the following day. **Surratt** said that the hill and sharp curve just before their house on Bescher Chapel Road and the entrance onto Briles Meadow Road would create a safety road problem mixed with all the traffic that would be created from the events. There would be too much speed and too much traffic to get safely in and out of the Briles Meadow Road. They were vehemently against the rezoning request.

Harold Lee Briles, 709 Flake Briles Road, stated that he owned part of the easement access of Flake Briles Road. He further stated that he was against the rezoning request.

John and Joyce Miska, 772 Bescher Chapel Road, stated that they were against the rezoning request because it was a commercial activity in a rural farming community. They felt that this activity would negatively affect the quality of life in this rural community.

There were 16 citizens present in opposition to this request.

Rains stated that it did not matter about the number of hand counts. The boards' decision was not based on a numerical call vote one way or the other.

McLeod asked Johnson what calls the department had received and how the Technical Review Committee felt about the request. **Johnson** said that when you have a request like this one, you need to look at what kind of impact it will have on the community. The basic issue that the TRC concluded was the problem with the private road access. Johnson felt there might be an access issue having to do with the commercial use of the easement. **Allen** stated there might be a problem with the scope of use with the easement access. Briles was asked about the private easement. **Briles** stated that the private road itself was about 30' wide. **Brown** stated that the private access was obviously not designed for a commercial operation.

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

5. **Pell** made the motion, seconded by **Craven**, to adjourn the meeting. The motion passed unanimously. The meeting adjourned at 7:15 p.m. There were 21 citizens present for this meeting.

**RANDOLPH COUNTY
NORTH CAROLINA**

Planning Director

Date

Clerk