

MINUTES

RANDOLPH COUNTY PLANNING BOARD

May 4, 2010

The Randolph County Planning Board met at 6:30 p.m., on Tuesday, March 23, 2010, 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; Wayne Joyce, present; and **Danny Shaw, absent**. Darren Allen, County Attorney, was present for this meeting.
3. **Pell** made the motion, seconded by **Rains**, to **approve** the Minutes of the March 23, 2010 Randolph County Planning Board meeting. The motion passed unanimously.

Hal welcomed Dillon Shaw, Boy Scout, who is currently working on his tenderfoot merit badge.

4. **REQUEST FOR PROPERTY REZONING:**

- A. **JIMMY GRAVES**, Asheboro, North Carolina, is requesting that 1 acre (out of 2.51 acres) located on US Hwy 64 West (just west of Mt. Shepherd Road), Tabernacle Township, be rezoned from RA to HC-CD. Tax ID# 7712835051. Secondary Growth Area. The proposed Conditional Zoning District would specifically allow an automotive sales lots 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 2009 Growth Management Plan adopted by the Board of County Commissioners. The Technical Review Committee recommends to the County Planning Board that this request be approved as consistent with the Growth Management Plan.

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

Policy 4.3 Individual Rural Business or Highway Commercial rezoning decisions will depend upon the scale of the proposed development as it relates to

the specific site and location weighed against the impacts to adjoining rural land uses.

Policy 4.5 Effective buffering and/or landscaping should be provided where commercial development adjoins existing or planned residential uses.

Board of Commissioner Resolution Adopting the Growth Management Plan, Policy #4. Ensure the opportunity for landowners to achieve the highest and best uses of their land that are consistent with growth management policies in order to protect the economic viability of the County's citizens and tax base.

Graves was present and explained his intentions to operate a used car lot on his property just west of Mt. Shepherd Road on Hwy 64. Graves said that he and his son would operate the business. Graves said he purchased the property at auction approximately one year ago. Graves said that he would like to start with approximately 20 cars. Graves said that he would be installing the septic system on the side of the property next to the neighboring residence. Graves said that he is planning to maintain a level 1 buffer along the side next to the existing residence. Graves said he wouldn't be doing any automotive repair.

Terry Yates, 3582 Stutts Road, property owner across from the proposed site, spoke in opposition to this request. Yates said that he felt this rezoning would not be conducive to the rural neighborhood. Yates expressed concern for the creek with possible run-off from the business. Yates said that there is another car lot approximately one mile from this site and the neighborhood doesn't need another business of this type. Yates said he felt this would cause traffic hazards along this stretch of Hwy 64. Yates said the road is on a downward slope with a slight curve right before this site. Yates said he is retired from NCDOT and discussed the numerous wrecks with fatalities that have occurred along with stretch of road. Yates said this is a very dangerous location for any type of business.

David Allsbrook, 5743 US Hwy 64W, said that he lives across from this site and has lived here approximately 9 months. Allsbrook said that he agrees with Yates concerning the dangers on Hwy 64. Allsbrook said that due to the vegetation and topography of the site there would be traffic dangers for vehicles entering and exiting the site. Yates also discussed possible pollution to the stream due to run-off from the car lot. Yates asked the Board to not recommend this proposal.

Randy Johnson, 5735 US Hwy 64W, said that he is concerned because his driveway location is directly across from this site. Johnson said his main concern is the traffic hazards and fatalities that have occurred along Hwy 64. Johnson said this business would cause more congestion and cause a safety hazard to the community.

Brenda Johnson, 5735 US Hwy 64W, said that she feels strongly about this

request. Johnson said that they deal with traffic problems here everyday. Johnson said they deal with enough traffic problems now. Johnson said she didn't feel this request would add to the community.

Johnson asked Graves if he had any plans to change the grade of the property. **Graves** said that the grade of the property doesn't really drop where the driveway enters the property.

Rains said that originally he was concerned about the creek on the property, but it appears that Graves plans to protect the creek with the appropriate buffer and he plans to keep the cars away from the creek.

Joyce said that the major highways are areas where industrial growth are normally expected.

Joyce made the motion, seconded by **Ridge**, to recommend to the Commissioners that this request be approved. The motion passed by a vote of 5 to 1 - **Rains** voted against the motion.

- B. **STEP THREE, INC.**, Asheboro, North Carolina, is requesting that 3.10 acres located on US Hwy 64 West (just west of Robbins Circle), Tabernacle Township, be rezoned from RA to HC-CD. Tax ID# 7712437632. Secondary Growth Area. The proposed Conditional Zoning District would specifically allow commercial development as per site plan.

Technical Review Committee Recommendation

The Technical Review Committee met and found that this proposal was not in compliance with the standards outlined in the 2009 Growth Management Plan adopted by the Board of County Commissioners. The Technical Review Committee recommends to the County Planning Board that this request be denied as inconsistent with the Growth Management Plan.

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

Policy 1.3 The benefits of economic development should be balanced against the possible detrimental effects such development may have on the quality of live enjoyed by area residents.

Policy 7.5 Site plans should be provided that design built-upon areas to specifically minimize stormwater runoff impact to streams and other receiving waters.

Johnson said this request is like a general use request with the exception of the applicant has agreed to a 25' buffer along the west property line.

Jerry King, surveyor, was present to represent Daniel Stickler owner of Step Three, Inc., and said that his client has purchased the property to resell the property for commercial use. King said that Stickler has spoken to the pastor of the neighboring church and they have no opposition to the request. King said there is a representative of the church present tonight with no opposition to the request. King said that the access for the property would be on Hwy 64 and Stickler intends to sell the property for a restaurant, gas station, or convenience store. King said that there are several commercial businesses in the area. King said Stickler would like to propose a 25' buffer along the west and east property lines. King said the property has been perked and has access to water lines. King said that a curb connection has been approved by NCDOT. King said that the business will front on Hwy 64. **Ridge** asked King if Stickler would buffer the adjoining residence and Stickler agreed to this condition.

Jerry Robbins, 6133 US Hwy 64W, said that he grew-up on the property. Robbins said his driveway is across the road from the entrance to this site. Robbins said that he is concerned about the problems he will have entering and exiting his driveway. Robbins said that this is a dangerous stretch of road. Robbins said that he built here 33 years ago. Robbins said that this is a straight-away, but cars are passing in this area. Robbins said he would feel better if he knew what type of business would be on the property.

Elbert Wood, adjoining property owner, said that he owns the 6 acres to the west of this site. Wood said that there is a reveue between his property and this site. Woods said that he is concerned about his well water and what damage possible spills could cause. Wood said that this is an area where people fly up and down Hwy 64. Wood said they were interested in the property and it didn't work out. Wood said that this area is the history of the Robbins Family. Wood said that he his concerned what type of business would come to this site. Wood said that the minister of the church doesn't live on Robbins Circle anymore. Wood said that if the minister still lived here he might would oppose the request. Wood said that his neighbors, the Causey Family, is also opposed to this request. Wood said that if this is rezoned he would like to see a privacy fence along with the buffer. Wood expressed concern that this could bring crime to the area. Wood said this could possibly be a noise problem. Wood said that this is mostly a residential area. Wood said they are concerned about their property values, water quality, noise pollution, traffic safety, and quality of life.

There were 2 people present in opposition to this request.

King said there is a gully between the properties but an erosion control plan is required by the State to control any run-off. King said that if there is a problem NCDOT will take action to control those issues.

Jerry Robbins, said there are power-lines that create a lot of area where no buffers can be placed because of the power line right-of-way.

Jones asked if NCDOT would require a turn lane, and **Stickler** answered no.

Darren Allen advised the Board that they must consider any use permitted in the district. **Johnson** said that the only concern the TRC had was the fact that there is no plan for the type of business. **McLeod** said that he felt like commercial development is coming to these major highways. **Joyce** talked about the request that was approved by the Commissioners next to Pinewood Country Club. Joyce said no type of business was specified in that case and it was approved. **Rains** said that he felt buffers should be vegetated and if the power line right-of-way falls in that area designated as a buffer it should not be counted in the buffer. **McLeod** said that he felt the buffers that are being offered are adequate.

King said for clarification that the 25' no-cut buffer doesn't include any of the power line easement.

Joyce said based on past decisions made he would make the motion, second by **Ridge**, to recommend to the Commissioners that this request be approved with the condition of the 25' no-cut buffers on the east and west side of the property. The motion passed by a vote of 5 to 1 - **Rains** voted against the buffer.

5. The meeting adjourned at 7:30 pm. There were 16 citizens present for this meeting.

**NORTH CAROLINA
RANDOLPH COUNTY**

HAL JOHNSON

Planning Director

JILL WOOD

Date

Clerk/Secretary