# ROCKINGHAM COUNTY

# PLANNING BOARD

**MINUTES**

**ROCKINGHAM COUNTY PLANNING BOARD AND BOARD OF ADJUSTMENT**

**REGULAR MEETING – October 12, 2020 - 7:00 P.M.**

The Rockingham County Planning Board met in regular session on October 12, 2020, 7:00 PM, Governmental Center, Commissioner’s Chambers, Wentworth, North Carolina.

1. Vice-Chairman Talbert called the meeting to order at 7:00 pm.

**2.** Invocation was given by James Harris.

**3.** Attendance:

Regular members present: James Harris, James Fink, Julie Talbert, Matt Cardwell, Tim Wyatt, Philip Stone

Alternate members present for training: Dylan Moore

Staff and others present: Carrie Spencer- Planning Director, Emily Bacon & Tim Mack- Planners, John Morris – County Attorney, Roy Sawyers – A/V Technician, Ben Curry – Code Enforcement, and citizens

**4. The following Minutes were approved.**

September 14th, 2020, Tim Wyatt motioned to approve the submitted minutes, James Harris seconded. The Board approved the minutes 6-0.

**5. PROCEDURES**

Vice-Chairman Talbert read the Rules of Procedure for public hearings.

**6. PUBLIC HEARINGS BEFORE THE PLANNING BOARD**

1. Rezoning Case #2020-23, South Rockingham Corporate Park: From Residential Agricultural to Light Industrial. Tax PINs: 792101487577, 792101478425, 792102570679, 531 Sylvania Rd & NC 65, New Bethel Township

Carrie Spencer read the Staff Report into the record.

Phillip Stone asked if there was a part of a parcel being carved out – reviewing aerial image and Spencer answered that three separate parcels are included and have been duly advertised.

Vice-Chairman Talbert asked the Board is there were any other questions for staff. There were none.

Mr. Leonard, co-applicant the owner Carroll Companies (address), stated that the firm is preparing for a variety of potential future uses. Mr. Leonard noted that he was pleased with the planning staff for their work on this case, and that he is open to questions.

Vice-Chairman Talbert called the following citizens who had signed up to speak, giving the Board opportunity to ask questions of each.

Ronald Priddy, 496 Sylvania Rd, spoke in opposition to the rezoning. He stated that his property directly adjoins one of the requested parcels. He expressed concerns about relocating with his elderly mother and how close new operations on the requested parcels would be to their house. James Fink asked which property belongs to Mr. Priddy and Priddy stated that his property adjoins it.

Terrance and Dory Wilson, 203 Boone Rd, spoke in opposition to the rezoning. Mr. Wilson stated that he was under the assumption that all the land in the area was always going to be zoned for residential and expressed concern over property values, increases in traffic on NC 65, and air, water and noise pollution.

Dory Wilson asked the Board what other companies would be coming to the area if the rezoning goes through and Talbert stated that Carrie and the planning staff would be able to address those questions.

James Harris asked the planning staff if Rockingham County had any protocols for pollution and environmental protection. Carrie Spencer said that the new facilities in this on the requested parcels will be subject to EPA rules and regulations, and that our protocols would satisfy those standards. Mr. Leonard was asked to address the Board again. He stated that their office has had many positive conversations with real estate professionals, and that they are being very diligent about safe and appropriate uses and projects. Have also stated that they have been working with engineers on air and water quality, and erosion prevention devices.

Vice-Chairman Talbert asked about measures taken to prevent or reduce noise pollution and Mr. Leonard said that they have not specifically addressed noise pollution, but they have turned down uses that produce excessive noise. He also said that they have focused their efforts more on preventing or reducing smells. He ended his statements by saying that it is their aim to be a top-notch corporate park.

Carrie Spencer volunteered to the Board that Carroll Companies did not specifically request a heavy industrial rezoning, and that would eliminate a lot of the uses that produce excess noise and offensive smells. She also stated that there would be buffers required on properties adjacent to residents.

Phillip Stone asked Mr. Leonard if his team has worked with NCDOT on access and Mr. Leonard stated that NCDOT has been involved in meetings on the project from day one, and that they are looking at design and access for the corporate park as a whole.

**Timothy Wyatt moved to approve the rezoning with the consistency statement provided by staff, Matt Cardwell seconded, and the motion carried 6-0.**

1. Rezoning Case #2020-27, Teramore Development: From Residential Agricultural/Highway Commercial to Highway Commercial-Conditional District. Tax PIN 706114446761 (portion), NC 14 & NC 87, Leakesville Township

Vice-Chairman Talbert noted prior to hearing this case that a member of the Board – James Fink – must recuse himself for having a conflict of interest.

James Fink made a motion to recuse himself due to a conflict of interest, Vice-Chairman Talbert seconded, and the motion carried 6-0. He was replaced by alternate Dylan Moore.

Carrie Spencer read the Staff Report into the record.

Tim Wyatt noted that the requested parcel is already mostly Highway Commercial. He asked if the rezoning could be accomplished without any action by the Board and Spencer stated that the maps are misleading and clarified the area requested for rezoning. (She later stated that the applicant could develop the portion already zoned for Highway Commercial.)

Vice-Chairman Talbert asked the planning staff if there was any indication that something other than the applicant’s proposal would be going on the requested parcel and Spencer noted that the request is not a conditional rezoning, the applicant has been forthcoming about their intent to develop the property as a Dollar General, but the general rezoning will allow for other uses so that the parcel is not limited in the future.

Mike Fox, 100 N Green St, Greensboro, NC, attorney for the applicant, Teramore Development addressed the Board. He stated that this was more of an extension of a current zoning rather than an actual rezoning. He stated that Dollar General is not a big traffic generator, and not a place that people go out of their way to get to, that it is a neighborhood serving business, and that staff has been recommended approval. He added that that they have not submitted site or signage plans yet, but will work with the TRC on that. He ended by saying that this a good investment for the community, and he was happy to answer any questions.

Joe Strickland, 214 Klumac Rd, Salisbury, NC, Director of Operations for development in North Carolina for the applicant, addressed the Board. He said NCDOT will require a left turn dedication for the project. He added that, even though Dollar General is not a traffic generator, they were conscious enough to add the lane to their site plan. He noted that the building would be constructed to simulate wood siding rather than the typical Dollar Generals in the area and that the design will blend well. In response to a question from Talbert, Mr. Strickland stated that NCDOOT has been monitoring the road to see how many cars pass by it daily on average, and that 2100 cars would the number that triggers a dedication. In response to question concerning the number of cars, Mr. Strickland said that 5600 cars a day come by the site. He then motioned to the aerial image on screen and noted that an area would be clear to maintain site distance. Carrie Spencer noted that the additional traffic count is minimal compared to the current count to the area. She added that NCDOT will conduct a more thorough review during site plan approval. Mr. Strickland added that their team will do buffers, landscaping and a 6’ fence.

Bonnie Joyner, 14947 NC Highway 87, spoke in opposition. She expressed concerns over traffic at the intersection, that she cannot see around the bend in the road, and concerns about light pollution, preferring to keep things more rural-looking and quiet. In response to a question from James Harris, Mrs. Joyner thought the speed limit there is 55, but people do not adhere to it. In response to a question from Talbert, she stated she has lived there for 13 years. In response to a question from Talbert, Mrs. Joyner stated that her concerns about light pollution would be addressed if adequate light coverage were provided but that her husband can speak more to that.

Roger Joyner stated that his biggest concern was light pollution. He said he is a retired astronomer with an observatory in his backyard and has no real objection to the rezoning but wants his concerns about light pollution considered. He suggested full cutoff light fixtures where no light goes into sky, inquired as to the hours of operation, stated that he hoped tress separating his property from the requested parcel would remain. Lastly, he echoed his wife’s concerns over traffic. In response to a question about any request to change the speed limit, Mr. Joyner did not know but added that he was more concerned with the light pollution than anything else. Carrie Spencer said that she will be happy to make that request to NCDOT.

Audrey Clark, 61 Powell Rd, Ridgeway, VA, spoke in favor of the rezoning. She stated that she has a mobile home park in the area, and that she thinks it would be great to have a store nearby for people so they do not have to drive far for quick grocery errands.

Ruby Nicholas, 5834 Jones Dr, Archdale, NC, spoke in opposition. She owns a neighboring mobile home park. She stated she is concerned over traffic in support of the Joyner’s concerns, that she has a hard time pulling out on to the road, and that no one observes the speed limit in the area. She ended her remarks by saying that she has no objection to the Dollar General, just the congestion it may cause.

Mr. Strickland came up for rebuttal, mainly to address light pollution. He said that they will be using cast-down lighting, which will not be emitting light into the sky.

In response to a question from Phillip Stone, Mr. Strickland stated that the landscape buffer would be located at the road right-of-way. In answer to a question from Talbert, Mr. Strickland said hours of lighting are set by corporate automatically, but they can request them to be cutoff earlier. In response to a question from Dylan Moore, Mr. Strickland said that lighting for the elevated sign would be cut off at closing, and that it is lit internally and does not give off a lot of light.

Prior to a motion, Carrie Spencer reminded the Board of the conditions offered by the applicant in their application.

**Phillip Stone moved to approve the rezoning with the conditions offered by the applicant and in accordance with staff consistency statement, James Harris seconded and the motion carried 6-0.**

1. Special Use Permit Case #2020-26, Nancy & Clayton Bennett: Seeking SUP to allow for a Doublewide Manufactured Home in Residential Protected District. Tax PIN: 792204510995, 815 Bennett Farm Road – New Bethel Township

Prior to hearing this case, Dylan Moore stepped down as alternate, and was replaced by James Fink.

Carrie Spencer read the Staff Report into the record.

Vice-Chairman Talbert asked if there were any questions for the planning staff. There were none.

Nancy Bennett, applicant, 3203 Apt C Stoneburg Court, Greensboro, NC, was sworn in to give testimony. She stated that they just want to live in the country and that her husband and her grew up in rural KY and moved to North Carolina over 20 years ago for work. They stated they prefer Rockingham County to Greensboro because it is peaceful and quiet and a better place for her family.

There were no questions from the Board to the applicant.

Carrie Spencer then reminded the Board of the standards for approving a Special Use Permit.

Phillip Stone: Is it off a gravel road?

Carrie Spencer: Yes. Existing lot, access already established.

Phillip Stone: Is that a mobile home park down there? Off that road?

Carrie Spencer: Yes.

Vice-Chairman Talbert: Any questions from the Board? Is there a motion?

**Timothy Wyatt moved for approval of the special use permit. James Fink seconded. Motion carried 6-0.**

1. Rezoning Case #2020-29, Gene Blackburn: Requesting change from Residential Protected to Residential Agriculture. Tax PIN: 891200600902, 1404 Mizpah Church Rd – Williamsburg Township

Carrie Spencer read the Staff Report into the record.

Vice-Chairman Talbert asked if there were any questions for staff.

Matt Cardwell asked if there have been any calls or complaints about the requested parcel and Spencer answered no, adding that this is a general rezoning, and the things he is considering are allowed in RA, he just needs that extra flexibility. Spencer also added that everything in that area is zoned RA.

Vice-Chairman Talbert asked if the applicant is going to speak and Spencer responded that he is not present but has been very involved.

Vice-Chairman asked if there was any discussion or questions from the Board. There were none.

**Matt Cardwell moved for approval of rezoning with the adoption of the staff consistency statement. Phillip Stone seconded. Motion carried 6-0.**

Tim Wyatt motioned to adjourn the Planning Board and call the Board of Adjustment to order to hear the next case, Vice-Chairman Talbert seconded and the motion carried 6-0.

Case before the Board of Adjustment:

1. Variance Case #2020-25, Glen Moore: Seeking Variance to Side Yard Setback requirements in a RP-Residential Protected district. Tax PIN: 792302884080, 140 Larkspur Lane – New Bethel Township

Carrie Spencer read the Staff Report into the record.

Applicant, Glen Moore, 140 Larkspur Ln, was sworn in to give testimony.

Vice-Chairman Talbert: Give us a little idea of what you’re doing.

Glen Moore: Well, I think Carrie did a good job of filling you in, but I’m happy to try and fill in any holes. I finally bought a new truck and needed a place to put it. There’s a beautiful Burch tree on the property and I wouldn’t cut it down for the world. I had a builder come out to look at the property, have the lumber all stacked up in my yard, and that’s when he told me he realized he didn’t think I had enough setback space.

Phillip Stone: Is there a reason why this location makes this the best spot?

Glen Moore: It’s just scenic and I don’t want to change that.

James Harris: Had you researched the boundary prior to the project?

Glen Moore: I hadn’t thought of doing this until I got the truck. I didn’t know I didn’t have enough space until the builder went to get the building permit.

**Phillip Stone moved to approve the variance with staff’s consistency statement, Matt Cardwell Seconded, James Harris dissented, and the Motion carried 5-1.**

James Fink moved to adjourn the Board of Adjustment and readjourn the Planning Board, Talbert seconded, and the motion carried 6-0.

**7. OTHER BUSINESS**

1. Old Business - none
2. New Business - Carrie Spencer noted that several board appointments had expired in October. The Board of Commissioners wanted to extend their appointments for six months – long enough for the UDO to be adopted within the next few months. The Board agreed by consensus.

**8. ADJOURN**

Matt Cardwell motioned to adjourn. James Fink seconded. The Board voted 6-0 to adjourn at 9:10PM.

Minutes Read and Approved, Respectfully submitted,

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Chairperson, Planning Board Date Planning Staff Date