

**MINUTES OF THE REGULARLY SCHEDULED MEETING OF:
THE ROCKINGHAM COUNTY PLANNING BOARD**



**BOARD OF COMMISSIONERS CHAMBERS
ROCKINGHAM COUNTY GOVERNMENTAL CENTER
WENTWORTH, NC
AUGUST 12, 2024 AT 6:30 PM**

MEMBERS PRESENT: Paul Ksieniewicz, Chairperson
Keith Duncan
Jeff Kallam
Bernie Parnell
Cory Scott
John Roberts (A)

MEMBERS ABSENT: Julie Talbert, Vice Chairperson
Daniel Woods (A)

STAFF PRESENT: Hiram Marziano, Community Development Director
Victoria Pedigo, Planner
Ben Curry, Code Enforcement Officer

I. CALL TO ORDER

Chairperson Ksieniewicz called to order the regularly scheduled meeting of the Rockingham County Board of Adjustment at 6:30 pm.

II. INVOCATION

Mr. Scott conducted the invocation.

III. ADOPTION OF THE AGENDA

Chairperson Ksieniewicz confirmed a quorum for conducting business, and he amended the agenda to include the oaths of office for Mr. Scott and Mr. Rakestraw. Additionally, Mr. Scott requested to include a corridor expansion discussion to new business as well. Mr. Kallam motioned to adopt the agenda as amended. Mr. Scott seconded. The board voted unanimously to adopt the motion (5-0).

IV. APPROVAL OF MINUTES

July 08, 2024 – Mr. Scott motioned to adopt the minutes as written, and Mr. Kallam seconded. The board voted unanimously to adopt. (5-0)

V. PROCEDURES FOR LEGISLATIVE HEARINGS

Mr. Ksieniewicz reviewed the procedures for legislative (zoning amendment hearings).

- a. Zoning Map Amendment 2024-17: a zoning map amendment has been requested for a portion of the parcel denoted by Rockingham County Tax PIN 7945-02-87-901 1, located at 1658 NC Highway 704, at the corner of McCollum Rd in the Wentworth Township. The request is to rezone (+/-) 2.5 acres from Neighborhood Commercial (NC) and Residential Agricultural (RA) to Neighborhood Commercial-Conditional District (NCCD).

Mr. Marziano presented the application request and packet information to the board, including staff recommendation to approve the request. Mr. Scott inquired had a question regarding acreage, and Mr.

Duncan asked about Department of Transportation permits. Mr. Kallam asked about citizen communication, to which Mr. Marziano replied that there were four inquiries and two people opposed.

Applicant Daniel Almazan spoke in support, and Mr. Scott had questions about the scope of the project.

Tina Jones, of 182 Webb Loop in Madison, spoke in opposition citing impact on neighborhood, oversaturation of Dollar General stores in the area, loss of revenue, and safety concerns.

Rene Jordan, of 1820 NC Hwy 704 in Madison, spoke in opposition. Her reasoning included preserving the rural neighborhood, opposing the business structure of Dollar General stores, traffic safety concerns, and lack of a perceived food desert.

Margaret Hankins, of 217 Liberty Rd in Reidsville, spoke in support on behalf of the Joyce family.

In rebuttal, Mr. Almazan discussed crime, traffic, and appraisal values. Mr. Parnell asked about the store entrance on Webb Rd. Mr. Ksieniewicz asked the applicant about traffic accidents at the Bethany store location. Mr. Duncan wanted to know more about the ownership of Dollar General stores. Mr. Ksieniewicz mentioned that code compliance and enforcement are complaint driven.

Mr. Ksieniewicz opened the floor for board motions and voting. Mr. Scott motioned to recommend approval of the request as consistent with the Rockingham County Land Use Plan, future land use map, and current land uses in the local area. Mr. Parnell seconded. The board voted to recommend approval of the rezoning request (3-2) with Mr. Duncan and Mr. Kallam dissenting.

The Board has reviewed **Case 2024-17**, rezoning to **Neighborhood Commercial-Conditional District (NC-CD)**. As required by NCGS § 160D, the Board makes the following findings:

1. The proposed action is found to be consistent with the adopted *Rockingham County Comprehensive Land Use Plan* because:
 - A. This parcel is located in the 0-2 Rural Land Class according to the *Rockingham County Comprehensive Land Use Plan*, characterized by a lack of public water or sewer services and low-density residential development, agricultural uses and open lands. (p. 46-47)
 - B. *The Rockingham County Land Use Plan* suggests that areas in the 0-2 Land Class should generally be zoned Residential Agricultural (RA), but notes that "...small stores" may be suitable in this land class. (p. 47)
 - C. *The compatibility of the zoning action with the comprehensive plan. Consistency.* A zoning change to Neighborhood Commercial (NC) is not directly supported by The Rockingham County Land Use Plan and future land use map in the 0-2 Land Class, although small stores are specifically noted as a suitable use in this land class.
2. The proposed action is found to be reasonable because:
 - A. *The size of the tract in question. Reasonableness.* The total parcel measures (+/-) 13.8 acres, which is typical of the area. The applicant proposes to rezone (+/-) 2.5 acres of the total parcel. This exceeds the minimum necessary size of 20,000 square feet in the Neighborhood

Commercial (NC) zoning district. The size of the subdivided and rezoned parcel will not be uncommon in the area.

- B. *The benefits and detriments resulting from the zoning action for the owner of the rezoning, the neighbors, and the surrounding community. Reasonableness.* This rezoning request will allow limited uses in the Neighborhood Commercial (NC) zoning district as proposed by the applicant. This may provide an opportunity for financial gain for the applicant/owner of the (+/-) 2.5 acres to be rezoned. Residents of the area and community may gain access to one or more of the services allowed if the rezoning is approved. The potential negative impacts to adjacent residential tracts will be minimized by the limited number of uses allowed and the commercial development regulations found in the Unified Development Ordinance (UDO).
 - C. *The relationship between the uses envisioned under the rezoning and the uses currently present in adjacent tracts. Reasonableness & Consistency.* Current uses in this area are almost exclusively residential, with the exception of the historical use at this location for a local store. This property is also located on and has direct access to a North Carolina highway, which generally supports limited commercial development.
- b. Zoning Map Amendment 2024-18: a zoning map amendment has been requested for the parcel denoted by Rockingham County Tax PIN 8906-03-23-8739, located at 163 Harrison Crossroad Loop in the Ruffin Township. The request is to rezone the property from Neighborhood Commercial-Conditional District (NC-CD) to Residential Agricultural (RA).

Mr. Marziano presented the application request and packet information to the board, including staff recommendation to approve the request. Mr. Ksieniewicz asked if the applicant would remove the old buildings towards the rear of the parcel. Mr. Kallam inquired about past land uses.

There were no speakers for the public comment period.

Mr. Ksieniewicz opened the floor for board motions and voting. Mr. Kallam motioned to recommend approval of the request as consistent with the Rockingham County Land Use Plan, other adopted plans and current land uses in the local area. Mr. Duncan seconded. The board voted to recommend approval of the rezoning request (5-0).

The Board has reviewed **Case 2024-18**, rezoning to **Residential Agricultural (RA)**. As required by NCGS § 160D, the Board makes the following findings:

1. The proposed action is found to be consistent with the adopted *Rockingham County Comprehensive Land Use Plan* because:

- A. This parcel is located in the 0-2 Rural Land Class according to the *Rockingham County Comprehensive Land Use Plan*, characterized by a lack of public water or sewer services and low-density residential development, agricultural uses and open lands. (p. 46-47)
- B. *The Rockingham County Land Use Plan* suggests that areas in the 0-2 Land Class should generally be zoned Residential Agricultural (RA). (p. 47)

2. The proposed action is found to be reasonable because:

- A. *The size of the tract in question. Reasonableness.* The parcel to be rezoned measures (+/-) 0.62 acres, according to the Rockingham County Tax Map. This is inconsistent with the size of the parcel according to the GIS estimate of (+/-) 0.76 acres and with the dimensions as

shown in the original subdivision plat dated 11/13/1992, recorded at Plat Book 28, Page 596. The size of the property is no uncommon in the area. It is surrounded on all sides by parcel containing a small golf course that was subdivided according to the same plat record.

B. The compatibility of the zoning action with the comprehensive plan. Consistency. A zoning change to Residential Agricultural (RA) is supported by The Rockingham County Land Use Plan and future land use map in the 0-2 Land Class. The Land Use Plan specifically indicates Residential Agricultural (RA) zoning as the most commonly indicated in 0-2 Land Class areas.

C. The benefits and detriments resulting from the zoning action for the owner of the rezoning, the neighbors, and the surrounding community. Reasonableness. This rezoning request will allow all uses in the Residential Agricultural (RA) Zoning District, including single-family residences. A large portion of properties in this area are zoned for the same uses. Impacts among adjacent parcels would be negligible.

D. The relationship between the uses envisioned under the rezoning and the uses currently present in adjacent tracts. Reasonableness & Consistency. The uses allowed in the Residential Agricultural (RA) Zoning District will be compatible with those that currently exist in the area.

- c. Zoning Map Amendment 2024-19: a zoning map amendment has been requested for the parcel denoted by Rockingham County Tax PIN 8915-00-60-9862, located at 117 Brooks Rd in the Reidsville Township. The request is to rezone the property from Residential Protected (RP) to Neighborhood Commercial-Conditional District (NC-CD).

Mr. Marziano presented the application request and packet information to the board, including staff recommendation to deny the request. Mr. Kallam had questions regarding building capacity, and Mr. Duncan inquired about the number of parking spaces, and Mr. Scott discussed lot size.

The applicant, Mi Chung of 2290 Grooms Rd in Reidsville, spoke in support of her case and crossed the banquet and conference areas off of the conditional use list. Mr. Parnell asked if the existing structure could be converted to a retail store.

Kathy Cannon, of 135 Brooks Rd in Reidsville, spoke in opposition as she claimed there is plenty of retail use in the area.

Judy Ware, of 153 Brooks Rd in Reidsville, spoke in opposition, echoing the availability of existing retail uses in the area.

Sherry Isley, of 147 Books Rd in Reidsville, also spoke in opposition primarily due to safety concerns. Mr. Duncan asked about transit stops in the area.

Mrs. Chung rebutted these concerns. Mr. Ksieniewicz had questions regarding fire turnaround requirements. Several members supported the idea but not the location.

Mr. Ksieniewicz opened the floor for board motions and voting. Mr. Kallam motioned to recommend denial of the request as inconsistent with the Rockingham County Land Use Plan, other adopted plans and current land uses in the local area. Mr. Duncan seconded. The board voted to recommend denial of the rezoning request (5-0).

VII. OTHER BUSINESS

a. New Business:

- i. Oath of Office for RE-Appointed Member (Cory R Scott) and New Alternate Member (M Dwayne Rakestraw)

Mr. Scott and Mr. Rakestraw took their oath of office.

- ii. Update from Community Development Director on review of commercial corridors to be included in future LUP update

Mr. Marziano briefly updated the board on corridor transportation plans. The discussion included the area north of Reidsville on Hwy 29 and Hwy 87 between Sandy Cross and Vance Street Ext. Mr. Scott asked about Hwy 14 from Eden to Reidsville. More information will be provided within the next year.

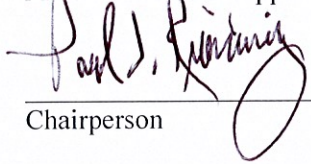
b. Old Business: Board Order Approval SUP 2024-16, Gen 7 Towers

Mr. Scott motioned to approve the board order for Special Use Permit 2024-016. Mr. Kallam seconded. The board voted unanimously to approve this board order (5-0).

VIII. ADJOURN

Mr. Kallam motioned to adjourn the meeting. Mr. Duncan seconded. The board voted unanimously to adjourn at 8:03 pm (5-0).

Minutes Read and Approved,

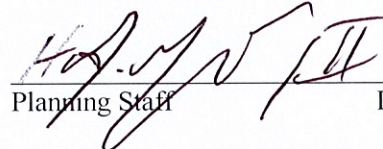


Chairperson

09/09/2024

Date

Respectfully Submitted,



Planning Staff

9/9/24

Date