



RANDOLPH COUNTY PLANNING BOARD

MINUTES

May 3, 2022

There was a meeting of the Randolph County Planning Board on Tuesday, May 3, 2022, at 6:30 p.m. in the 1909 Historic Courthouse Meeting Room, 145-C Worth St, Asheboro, NC.

Chairman **Joyce** called the meeting to order at 7:55 p.m. and welcomed those in attendance. Next, **Joyce** called for a roll call of the members.

Jay Dale, Randolph County Planning and Zoning Director, called the roll of the members.

- Reid Pell, Chairman, *present*;
- Wayne Joyce, Vice Chairman, *present*;
- John Cable, *present*;
- Keith Slusher, *present*;
- Kemp Davis, *present*;
- Melinda Vaughan, *present*;
- Reggie Beeson, *present*;
- Barry Bunting, Alternate, *present*; and
- Brandon Hedrick, Alternate, *present*.

County Attorney, **Ben Morgan**, was also present.

Dale informed the Chairman there was a quorum of the members present for the meeting.

Joyce called for a motion to approve the consent agenda as presented.

Consent Agenda:

- Approval of agenda for May 3, 2022, Planning Board meeting.
- Approval of the minutes from April 5, 2022, Planning Board meeting.

Davis made the motion to approve the consent agenda as presented, with **Slusher** making the second to the motion. The motion was adopted unanimously.

Joyce asks the Board members if there are any conflicts in the following cases. Hearing none, **Dale** presented the first case along with site plans, and pictures of the site and surrounding properties.

REZONING REQUEST #2022-00001037

THOMAS E COLTRANE, Archdale, NC, is requesting to amend his existing zoning conditions on 0.620 acres at 7408 Davis Ctry Rd, New Market Township, Randleman Lake Protected Area Watershed, Tax ID 7747288472, Secondary Growth Area, *RBO-CD – Rural Business Overlay-Conditional District* to allow a planned business park for multi-tenant use in the existing building as per the site plan.

Joyce opened the public hearing and called for anyone supporting the rezoning request to come forward and speak

Tom Coltrane, 7625 Harlow Rd., Archdale, explained that his building has two tenant spaces, allowing multiple types of businesses throughout the years, including churches, a gun store, pool supply store, barber shop, beauty salon, daycare, and currently dog grooming. He said he requests the zoning change to allow different types of businesses without continuing to amend specific, permitted uses.

Davis said he is familiar with the area, and the building has had many tenants over the years. However, he said the appearance of the structure and function of the building has had no significant changes over the years. He said it is just part of the community.

Dale said the property had not generated any complaints

Beeson also said he is familiar with the building and has seen businesses change over time.

Joyce asked if anyone else would like to speak in favor of the request. Hearing none, **Joyce** asked if anyone would like to speak in opposition to the request. Hearing none, **Joyce** closed the public hearing for discussion among the Board members and a motion.

Cable asked if all notifications went out properly for the rezoning requests. **Dale** answered yes. **Cable** said there is no opposition to the request, and if no one would like to discuss this further, he would like to make a motion.

Cable made the motion to approve the rezoning request to rezone the specified parcel(s) on the rezoning application to the requested zoning district based upon the **Determination of Consistency and Findings of Reasonableness and Public Interest** statements that are included in the Planning Board agenda, submitted during the rezoning presentation and as may be amended, incorporated into the motion, to be included in the minutes, as well as the site plan(s) with all agreed-upon revisions, also incorporated into the motion and that the request is consistent with the *Randolph County Growth Management Plan*. **Slusher** made a second to the motion to approve the rezoning request.

Joyce called the question on the motion to approve the rezoning request, and the motion was adopted unanimously.

Dale presented the second case, site plans, and pictures of the site and surrounding properties.

REZONING REQUEST #2022-00001037

AMIGOS SALVAGE AUTO PARTS, LLC, Sanford, NC, is requesting to rezone 6.08 acres out of 10.21 acres at 8798 US Hwy 64E, Columbia Township, Tax ID #8722177824, Secondary Growth Area, from *RA – Residential Agricultural District* to *LI-CD – Light Industrial–Conditional District*. The proposed Conditional Zoning District would specifically allow the operation of a salvage yard and auto sales lot with a forty-foot, no-cut buffer on the northwest property line and a thirty-foot, no-cut buffer and eight-foot opaque fence on the southeast lot line as per the site plan.

Dale explained that the property's current use has been non-conforming as a junkyard for years. He said the applicant is asking for rezoning to expand their operation and add auto sales on the property. If rezoned, it would guarantee some required fencing and buffers; otherwise, it would remain the same.

Joyce opened the public hearing and called for anyone supporting the rezoning request to come forward and speak.

Victor J. Pena, 517 W. Rose St., Sanford, NC, said they are running a junkyard and would like to add auto sales on the property.

Joyce asked how many vehicles he planned to have on display for the auto sales. **Pena** said there would be ten to twelve. **Davis** asked if they planned to place vehicles in the front of the property. **Pena** said the vehicles would be inside the property toward the side. **Slusher** asked if the lighting would be added or stay as it is. **Pena** said the lighting would remain the same. **Vaughan** asked for the hours of operation. **Pena** said it would be open from 8 am until 5 pm. **Joyce** asked how many employees he planned to have. **Pena** said it is currently just he and his wife.

Cable asked **Pena** if he planned to continue the junkyard and the dealership. **Pena** answered yes. **Vaughan** asked what type of security he would have. **Pena** said he would have fencing only for now.

Beeson asked about the buffering requirements if approved. **Dale** said he would be required to have an eight-foot opaque fence to improve the appearance and is currently not required to have any buffers. **Morgan** pointed out that the junkyard is presently exempt from the zoning Ordinance because it is pre-existing, continued use. However, he said the applicant would be subject to zoning regulations if approved.

There was a discussion about the buffers required, as shown on the site plan. **Dale** said the requested changes would allow the vehicles for auto sales to be placed on the front of the property, whereas right now, they would be allowed to place junk cars next to the road without the buffering requirements. **Pell** asked if there is also a new building being proposed. **Morgan** answered yes.

Joyce asked if anyone else would like to speak in favor of the request. Hearing none, Joyce asked if anyone would like to speak in opposition to the request.

Jack Embree, 8737 US Hwy 64E., Ramseur, said he owns the property across the street from the request. He gave some history of the junkyard and said it had not been a problem over the years. **Embree** voiced his concerns about traffic issues because the road has expanded from a 2-lane highway. He also mentioned that the area has become more residential over the years and does not want to see it become an issue.

John York, 129 Vaughn York Rd., Staley, said he is not opposed to the business; however, he has concerns about EPA regulations and what happens with wastes from the property like oil and battery acid and how it affects the water table. He said there had been no regulations in the past. In addition, **York** said there is activity on the property all the time, not just between the hours of 8:00 am to 5:00 pm. He also expressed concerns regarding traffic hazards and the property's appearance.

George Leonard, 1421 NC Hwy 22 S., Ramseur, said he has family property just west of the property and is concerned about EPA violations. He said he worked on the property when he was younger, knew what was going into the ground, and was worried about the water table.

Dale asked if anyone had contacted the Division of Water Quality with any of the environmental concerns. **Leonard** said he was unaware of anyone calling.

Matthew York, 8930 Hwy 64 E., Ramseur, said he lives directly beside the junkyard and his biggest concern is the environmental impacts caused by the junkyard. He said he wants to see an environmental study completed before the request moves forward. He also said he is interested in knowing if the water run-off from the property flows toward his well.

York said the applicant is proposing a building on the property that is already constructed. He also mentioned that the parking of large trucks would occasionally block his drive and the drive for the junkyard. He also stated that there are multiple workers on the property even though **Pena** had stated that it is just he and his wife.

Pell asked York what year he built his home near the property and if he had the same concerns at that time. **York** said his house was constructed in 2005, and the junkyard was not operational. He said he was told a junkyard would not be allowed to continue on the property.

Morgan said county-wide zoning went into effect in 1987, and if there was a use already in place before zoning districts were established, the use became grandfathered if it continued. He said the Board has no jurisdiction over several of the concerns expressed by the opposition.

Joyce suggested that Mr. **York** contact the agency which handles the environmental

issues. **Dale** told Mr. **York** to contact the Planning Office for additional contact information.

Having no additional opposition, **Joyce** closed the public hearing for discussion among the Board members and a motion

Pell asked Mr. **Pena** to confirm the hours of operation for the record. **Pena** said the hours would be 8:00 am to 5:00 pm, Monday through Saturday. He said he has worked later than those hours to try and clean up the property and would like to apologize to the neighbors for working later.

Joyce asked about the additional workers brought up by one of the neighbors. **Pena** said he and his wife are working full time, and he has other workers help him pull parts and such, and if he is approved for the auto sales, he will eventually have to hire additional people. **Cable** asked how many employees he would have to hire. **Pena** said probably two, a total of four people.

Joyce asked **Pena** if tires were burned on the property. **Pena** said he burns trash but not tires.

Cable asked **Pena** if he understood the requirements for buffers and fencing and if he would abide by the stipulations that have been discussed by the Board if approved. **Pena** answered yes.

Joyce closed the public hearing for discussion among the Board members and a motion.

Cable said he feels the concerns from the opposition are legitimate; however, the Board does not address those concerns. He said this request allows the County to regulate the property to some degree and require buffers and fencing currently not on the property. **Joyce** agreed.

Morgan explained to the Board that conditions could be made as part of the rezoning, such as hours of operation, and the applicant can agree as part of the approval, and if not in agreement, the Board will vote on the request as it is before them.

Slusher asked if a motion is made based on the site plan submitted, it would include buffers and fencing as shown. **Morgan** answered yes. He said any changes to the approved site plan proposed in the future would have to be requested for the Board's approval.

Davis asked the other Board members if they would like to discuss any conditions other than hours of operation. Hearing none, **Beeson** suggested the hours of operation be from 8:00 am until 6:00 pm Monday through Friday and from 8:00 am until 5:00 pm on Saturday.

Davis made the motion to approve the rezoning request to rezone the specified parcel(s) on the rezoning application to the requested zoning district based upon the

Determination of Consistency and Findings of Reasonableness and Public Interest statements that are included in the Planning Board agenda, submitted during the rezoning presentation and as may be amended, incorporated into the motion, to be included in the minutes, as well as the site plan(s) with all agreed-upon revisions including the hours of operation to be from 8 am until 6 pm Monday through Friday and from 8 am until 5 pm on Saturday, also incorporated into the motion and that the request is consistent with the *Randolph County Growth Management Plan*. **Cable** made a second to the motion to approve the rezoning request described with conditions.

Morgan asked **Pena** if he understood and agreed to the conditions placed on the motion to approve the request and the conditions on the site plan submitted. **Pena** agreed with those conditions and the site plan.

Joyce called the question on the motion to approve the rezoning request, and the motion was adopted unanimously.

Dale presented the third case of the night along with site plans and pictures of the site and surrounding properties.

REZONING REQUEST #2020-00001066

HAROLD KOGER, McLeansville, NC, is requesting to rezone 3.10 acres on US Hwy64 W, approximately 1/4mile past Robbins Cir, Tabernacle Township, Lake Reese Balance Watershed, Tax ID #7712437632, Secondary Growth Area, from *RA – Residential Agricultural District* to *HC – Highway Commercial District*.

Koger requested a continuance for his case.

Slusher made the motion to continue the rezoning request. **Pell** made a second to the motion.

Joyce called the question on the motion for continuance of the rezoning request, and the motion was adopted unanimously.

Joyce requested a five-minute recess for the Board members.

Dale presented the last case of the night along with site plans and pictures of the site and surrounding properties.

REZONING REQUEST #2020-00001001

RUSSELL SCOTT LINEBERRY, Liberty, NC, is requesting to rezone 7.60 acres behind 6923 Willard Rd., Liberty Township, Rocky River Balance Watershed, Tax ID #8725960159, Primary Growth Area, from *RA – Residential Agricultural District* to *HI – Heavy Industrial District*.

Dale said he had been informed that the applicant wanted to table the request.

Cable made the motion to table the rezoning request until the following month. **Davis** made a second to the motion.

Joyce called the question on the motion to table the rezoning request, and the motion was adopted unanimously.

Having no further business, **Joyce** called for a motion to adjourn the meeting. **Cable** made the motion to adjourn, with **Davis** making the second to the motion; the motion was adopted unanimously.

The meeting adjourned at 8:52 p.m., with 33 citizens present.

**RANDOLPH COUNTY
NORTH CAROLINA**

Planning Director

Clerk to the Board

Date



**Approved by the Randolph County Planning Board
June 14, 2022**