

STATE OF NORTH CAROLINA)
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COUNTY OF STOKES)
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OFFICE OF THE COMMISSIONERS
STOKES COUNTY GOVERNMENT
DANBURY, NORTH CAROLINA
JUNE 2, 2015

The Board of Commissioners of the County of Stokes, State of North Carolina, met for regular session (Planning) in the Commissioners' Chambers of the Ronald Wilson Reagan Memorial Building (Administration Building) located in Danbury, North Carolina on Tuesday, June 2, 2015 at 7:00 pm with the following members present:

Chairman Ronda Jones
Vice Chairman Jimmy Walker
Commissioner J. Leon Inman
Commissioner Ernest Lankford
Commissioner James D. Booth

County Personnel in Attendance:
Clerk to the Board Darlene Bullins
Planning Director David Sudderth

County Manager Richard D. Morris - absent

Chairman Ronda Jones called the meeting to order and welcomed those in attendance.

Commissioner Booth delivered the invocation.

GENERAL GOVERNMENT-GOVERNING BODY-PLEDGE OF ALLEGIANCE

Chairman Jones opened the meeting by inviting everyone in attendance to join the Board in the Pledge of Allegiance.

GENERAL GOVERNMENT – GOVERNING BODY – APPROVAL OF AGENDA

Chairman Jones entertained a motion to approve or amend the June 2, 2015 Agenda.

Commissioner Lankford moved to approve the June 2nd Agenda as presented.

Commissioner Booth seconded and the motion carried unanimously.

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARING/PRESENTATION/DISCUSSION/ACTION AGENDAS **Rezoning Request – General Use Rezoning – Clifford Wall - H-B (Highway Business) to RA (Residential Agricultural) #15-136**

Chairman Jones noted the Rezoning Request is from Clifford W. Wall to rezone approximately 1.134 acres currently zoned H-B (Highway Business) to RA (Residential Agricultural).

Public Hearing

Chairman Jones opened the Public Hearing for the Rezoning Request for Clifford Wall – H-B (Highway Business) to RA (Residential Agricultural).

There were no public comments.

Chairman Jones closed the Public Hearing.

Presentation and Discussion by Planning Director David Sudderth

Planning Director David Sudderth presented the following information regarding the Rezoning Request from Clifford Wall – H-B (Highway Business) to RA (Residential Agricultural): (Director Sudderth noted that Clifford Wall, the applicant, was unable to attend the meeting tonight)

Clifford W. Wall – H-B to RA # 15-136

REQUEST: Rezone approximately 1.134 acres from H-B (Highway Business) to RA (Residential Agricultural).

SITE OWNER: Clifford W. Wall

APPLICANT: Clifford W. Wall

SITE LOCATION: The property is located at 1604 Volunteer Rd.

Map: 598404 **Parcel:** portion of 9859 **PIN #:** 5984-04-83-9859

Deed Book: 523 **Pages:** 867 **Township:** Yadkin

SITE INFORMATION:

PARCEL SIZE: Total tract 1.134 acres

PARCEL SIZE PROPOSED: 1.134 acres

CURRENT USE: The property is currently used for residential purposes

ZONING DISTRICT: H-B (Highway Business)

PROPOSED DISTRICT: RA (Residential Agricultural)

Minimum lot size is 43,560 sq. ft. (1.00 acre)

FLOOD HAZARD AREA: Not located in flood hazard area.

FIRM MAP #: 3710598400 J

FIRM MAP ZONE: Property is located in Zone X - Area outside 500-year floodplain.

WATERSHED DISTRICT: No

SEPTIC/WATER APPROVAL: Stokes County Environmental Health section has issued an IP (Improvement Permit) for the repair of a septic system.

SCHOOL DISTRICTS: Pinnacle Elementary, Chestnut Grove Middle, West Stokes HS

EMERGENCY SERVICES: Pinnacle VFD, EMS - Pinnacle # 103/104

EROSION CONTROL: N/A

ACCESS: The site has an existing residential driveway access off of Volunteer Rd.

SURROUNDING LAND USE: The adjacent surrounding properties are zoned (RA) Residential Agricultural.

STAFF COMMENTS: This rezoning request comes to the Board as a general use rezoning from H-B (Highway Business) to RA (Residential Agricultural). The applicant is requesting this rezoning due to a need to refinance the property. The property was once utilized as a store and was included on the original zoning maps when the county adopted zoning in 1983. The Planning staff sees no problem with this request.

PLANNING BOARD RECOMMENDATION: The Planning Board by a vote of 8 to 0 recommended approval of rezoning request #15-136 submitted by Clifford W. Wall to rezone approximately 1.134 acres from H-B (Highway Business) to RA (Residential Agricultural). The Board felt that this request was consistent with the Stokes County Land Development Guide and was a reasonable request.

Zoning Amendment Statement of Consistency and Reasonableness

The Board must decide if the rezoning petition meets the requirements of the Land Development Guide as to its consistency with the current development patterns and to the appropriateness of the request in regards to the guide. All decisions must be based on these standards. Please make all motions for approval or disapproval referencing the petitions consistency or non-consistency with the Stokes County Land Development Guide.

Director Sudderth presented the Zoning Amendment Statement of Consistency and Reasonableness from the Stokes County Planning Board for the Board of Commissioners' review:

STOKES COUNTY PLANNING & INSPECTIONS DEPARTMENT
1014 MAIN STREET PO BOX 20 DANBURY, NC 27016
OFFICE 336-593-2439 OR 336-593-2444 FAX: 336-593-5434

Zoning Amendment Statement of Consistency and Reasonableness

Case No. #15-136
Applicant: Clifford W. Wall
Parcel ID# 5984-04-83-9859
Location: 1604 Volunteer Rd., Pinnacle, NC 27043
Proposed Amendment: Rezone 1.134 acres from H-B to RA

This proposed amendment **is consistent** with the Stokes County Land Development Guide and other adopted plans in that: **The Land Development Guide designates this area as community class in the Southwest area which would provide clustered mixed land uses at low densities to help meet the housing, shopping and employment needs of rural areas. These uses would be suitable in areas where private septic tanks are utilized. This request is consistent with this definition and should be considered suitable for residential development.**

This proposed amendment **is reasonable and in the public interest** in that: **This property is located directly adjacent to property that is zoned RA (Residential Agricultural) and the intended use of the property is for residential use. The parcel is located in an area of mixed commercial, residential and agricultural properties along Volunteer Rd.**

Director Sudderth noted that his department had received no public comments regarding the request.

Discussion

Chairman Jones opened the floor for discussion.

The Board had no issues with the Rezoning Request.

Action

Chairman Jones entertained a motion.

Commissioner Inman moved to approve the Rezoning Request #15-136 for Clifford Wall – 1.134 acres from H-B (Highway Business) to RA (Residential Agricultural) with the request being consistent with the Stokes County Land Use Development Guide and is a reasonable request.

Commissioner Lankford seconded and the motion carried unanimously.

PUBLIC HEARING/PRESENTATION/DISCUSSION/ACTION AGENDAS **Rezoning Request – Conditional Zoning for a Funeral Home with Crematorium (Colonial Funeral Home and Chapel) – H-B-CU (Highway Business Conditional Use) to H-B-CZ (Highway Business Conditional Zoning) #15-249**

Chairman Jones noted the rezoning request is from Colonial Funeral Home & Chapel to rezone approximately 3.826 acres currently zoned H-B-CU (Highway Business Conditional Use) to

H-B-CZ (Highway Business Conditional Zoning).

Public Hearing

Chairman Jones opened the Public Hearing for the Rezoning Request Colonial Funeral Home & Chapel to rezone approximately 3.826 acres currently zoned H-B-CU (Highway Business Conditional Use) to H-B-CZ (Highway Business Conditional Zoning).

There were no public comments.

Chairman Jones closed the Public Hearing.

Presentation and Discussion by Planning Director David Sudderth

Planning Director David Sudderth presented the following information regarding the Rezoning Request for Colonial Funeral Home & Chapel to rezone approximately 3.826 acres currently zoned H-B-CU (Highway Business Conditional Use) to H-B-CZ (Highway Business Conditional Zoning): (Mr. Dudley Cook is in attendance to answer any questions)

Colonial Funeral Home H-B-CU to H-B-CZ # 249

REQUEST: Rezone approximately 3.826 acres from H-B-CU (Highway Business Conditional Use) to H-B-CZ (Highway Business Conditional Zoning) for a “Funeral Home with Crematorium”.

SITE OWNER: Colonial Funeral Home & Chapel

APPLICANT: Colonial Funeral Home & Chapel

SITE LOCATION: The property is located at 1020 Hope Beasley Rd. in the Sandy Ridge area.

Map: 6060

Parcel: 0637

PIN #: 6060-00-93-0637

Deed Book: 534

Pages: 1765

Township: Snow Creek

SITE INFORMATION:

PARCEL SIZE: Total tract 3.826 acres

ZONING DISTRICT: H-B-CU (Highway-Business Conditional Use)

PROPOSED DISTRICT: H-B-CZ (Highway Business Conditional Zoning)

FLOOD HAZARD AREA: N/A.

FIRM MAP #: 370362 0050B

FIRM MAP ZONE: Property is located in Zone X, area determined to be outside the 500-year floodplain.

WATERSHED DISTRICT: N/A

SEPTIC/WATER APPROVAL: Stokes County Environmental Health has approved the existing system for the proposed use.

SCHOOL DISTRICTS: N/A

EMERGENCY SERVICES: Northeast Stokes VFD, EMS - Station # 2 Lawsonville.

EROSION CONTROL: When construction begins, if necessary.

ACCESS: The business has two NCDOT approved driveway accesses. One located off of Hope Beasley Rd. (SR# 1615) that was approved during the original rezoning process in 2005. The second access is located off of NC Hwy 704 and was approved in February of 2006 by the Stokes County Board of Commissioners as a change of conditional use.

SURROUNDING LAND USE: The subject property is located on the corner of Hope Beasley Rd., SR# 1615 and NC Hwy 704. The surrounding property is zoned RA (Residential Agricultural) and consists of open land and residential structures.

ISSUES TO CONSIDER:

- Consistency with surrounding development.
- Impact on community infrastructure, roads, public services etc.
- Need of services provided.
- Increase in property tax base

STAFF COMMENTS: The rezoning request comes to the Board as a conditional zoning request; you may discuss the development plan of the proposed crematorium for the funeral home in detail. The addition of a crematorium to the existing funeral home requires a zoning process to allow this activity on the property. The Planning staff sees no problem with this request as submitted and feels the addition of a crematorium will provide a beneficial service to the community without causing a negative impact. The applicant has met the requirements of the Stokes County Zoning Ordinance in the development of the site plan for the crematorium.

The original conditions are listed below when the funeral home was first rezoned in 2005 and later when they changed the conditions of their permit to add additional land for parking in 2008. These existing conditions will remain in effect if the property is rezoned.

Existing
2005 APOVED CONDITIONS:
Colonial Funeral Home & Chapel

1. NCDOT must approve a commercial driveway access for the site.
2. Applicant shall adhere to all applicable Federal, State, and local laws.
3. If any of these conditions are not met or compiled with or the permit has not been exercised in or before one (1) year from the granting of the permit, the permit shall become void and of no effect.
4. All required permits must be obtained from the County Inspections Department prior to placing structures on the property, as well as any signage that may accompany the project.

5. Any structure shall post a visible lot number in a numbering scheme approved by the County to facilitate rapid emergency response (E- 911).
6. If conflict arises between any conditions or the developer's proposed site plan or written text, the most stringent conditions or requirements shall be considered the governing requirement.
7. All costs and expenses associated with complying with these conditions shall be borne by the landowner/developer, with no expense being borne by the County.
8. Upon written request by the County, evidence of compliance with any of these conditions shall be provided to the County within ten (10) days after each request.
9. If any of the conditions shall be found to be unreasonable, invalid or otherwise impermissible by a court of competent jurisdiction then the County may impose such alternative reasonable conditions as it finds to be necessary and appropriate.
10. If any of these conditions once met are not continuously maintained, the permit may be revoked by the County upon the failure of the owner/developer to cure the deficiency in any specific condition within thirty (30) days after written notice to the owner/developer of the specific failed condition.
11. Appropriate hedgerow buffer mixed with trees on sides of property.
12. Parking lot and building lighting that does not project directly to surrounding properties.
13. An approved erosion control plan must be submitted.
14. Or any other condition that the Boards may deem necessary at the time the project is approved.

2008 APPROVED CONDITIONS:
Colonial Funeral Home & Chapel

1. The property rezoned shall be utilized as parking for the funeral home.
2. Applicant shall adhere to all applicable Federal, State, and local laws.

PUBLIC INFORMATION MEETING: The Public Information Meeting for this proposal was held on Tuesday, April 21, 2015 at 5:00 pm at Colonial Funeral Home & Chapel. Information regarding attendance and minutes of the meeting was submitted by the applicant to Director Sudderth. Please remember that the Planning staff only gives the applicant the requirements for the PIM (Public Information Meeting), surrounding property owner's names and addresses and general guidelines. The applicant conducts the meeting and takes minutes of the meeting.

PLANNING BOARD RECOMMENDATION: The Planning Board by a vote of 8 to 0 recommended approval of rezoning request #15-249 submitted by Colonial Funeral Home & Chapel to rezone approximately 3.826 acres from H-B-CU (Highway Business Conditional Use) currently a Funeral Home to H-B-CZ (Highway Business Conditional Zoning) for a “Funeral Home with Crematorium”. The Board felt that this request was consistent with the Stokes County Land Development Guide and was a reasonable request.

Zoning Amendment Statement of Consistency and Reasonableness

The Board must decide if the rezoning petition meets the requirements of the Land Development Guide as to its consistency with the current development patterns and to the appropriateness of the request in regards to the guide. All decisions must be based on these standards. Please make all motions for approval or disapproval referencing the petitions consistency or non-consistency with the Stokes County Land Development Guide.

Director Sudderth presented the Zoning Amendment Statement of Consistency and Reasonableness from the Stokes County Planning Board for the Board of Commissioners’ review:

**STAFF REPORT
STOKES COUNTY PLANNING & INSPECTIONS DEPARTMENT**

1014 MAIN STREET PO BOX 20 DANBURY, NC 27016
OFFICE 336-593-2439 OR 336-593-2444 FAX: 336-593-5434

**Zoning Amendment
Statement of Consistency and Reasonableness**

Case No.	#15-249
Applicant:	Colonial Funeral Home & Chapel
Parcel ID#	6070-04-62-0190
Location:	1020 Hope Beasley Rd.
Proposed Amendment:	Rezone 3.826 acres from H-B-CU to H-B-CZ for a “Funeral Home with Crematorium”.

The Stokes County Land Development Guide designates the proposed site as being located in the Northern Area and shown as Community class in the Sandy Ridge Community along NC Hwy 704. The Land Development Guide Goals for all areas of the county promotes the development of policies and actions that address the needs of the communities throughout the county.

This proposed amendment **is consistent** with the Stokes County Land Development Guide and other adopted plans in that: **The Land Development Guide designates this area as community class which would provide clustered mixed land uses at low densities to help meet the housing, shopping and employment needs of rural areas. These uses would be suitable in areas where private septic tanks are utilized. This request is consistent with this definition and should be considered suitable for commercial development.**

This proposed amendment **is reasonable and in the public interest** in that: **This property is currently zoned H-B-CU for a Funeral Home and the proposed change to H-B-CZ to a Funeral Home with Crematorium does not substantially alter the intended use of the property as originally zoned. The parcel is located in an area of mixed commercial, residential and agricultural properties along NC Hwy 704 in the Sandy Ridge community.**

Director Sudderth noted that his department had received no public comments regarding the request.

Discussion

Chairman Jones opened the floor for discussion.

The Board had no issues with the Rezoning Request.

Action

Chairman Jones entertained a motion.

Commissioner Lankford moved to approve the Rezoning Request #15-249 for Colonial Funeral Home and Chapel to rezone approximately 3.826 acres currently zoned H-B-CU (Highway Business Conditional Use) to H-B-CZ (Highway Business Conditional Zoning for a funeral home with crematorium) with the request being consistent with the Stokes County Land Use Development Guide and is a reasonable request. Commissioner Booth seconded and the motion carried unanimously.

PUBLIC HEARING/PRESENTATION/DISCUSSION/ACTION AGENDAS **Rezoning Request – Conditional Zoning for Contractors Office and Storage Yard – Michael Allen Brown Jr. M-2-CU (Heavy Manufacturing Conditional Use) to M-2-CZ (Heavy Manufacturing Conditional Zoning) #15-256**

Chairman Jones noted the rezoning request is from Michael Allen Brown, Jr. to rezone approximately .8734 acres currently zoned M-2-CU (Heavy Manufacturing Conditional Use) to M-2-CZ (Heavy Manufacturing Conditional Zoning) for a “Contractors’ Office and Storage Yard.

Public Hearing

Chairman Jones opened the Public Hearing for the Rezoning Request for Michael Allen Brown, Jr – M-2-CU (Heavy Manufacturing Conditional Use) to M-2-CZ (Heavy Manufacturing

Conditional Zoning) for a “Contractors’ Office and Storage Yard.

There were no public comments.

Chairman Jones closed the Public Hearing

Presentation and Discussion by Planning Director David Sudderth

Planning Director David Sudderth presented the following information regarding the Rezoning Request for Michael Allen Brown, Jr – M-2-CU (Heavy Manufacturing Conditional Use) to M-2-CZ (Heavy Manufacturing Conditional Zoning) for a “Contractors’ Office and Storage Yard: (Mr. Michael Allen Brown, Jr is in attendance to answer any questions.)

Michael Allen Brown M-2-CU to M-2-CZ #15-256

REQUEST: Request by property owner Michael Allen Brown, Jr. to rezone approximately .8734 acres of property from M-2-CU (Heavy Manufacturing Conditional Use) to M-2-CZ (Heavy Manufacturing Conditional Zoning for a “Contractors Office and Storage Yard”.

SITE OWNER: Michael Allen Brown, Jr.

APPLICANT: Michael Allen Brown, Jr.

SITE LOCATION: The property is located at the corner of NC Hwy 66 and Denny Rd. (SR# 2000) and addressed at 5485 NC 66 Hwy S.

Map: 690404 **Parcel:** 5417 **PIN #:** 6904-04-60-5417

Deed Book: 598 **Page:** 23 **Township:** Yadkin

SITE INFORMATION:

PARCEL SIZE: Total tract .8734 acres, approximately 38,045.3 sq. ft.

ZONING DISTRICT: M-2-CU (Heavy Manufacturing Conditional Use) for a “Sawmill, wood cutting and splitting for firewood”

PROPOSED DISTRICT: M-2-CZ (Heavy Manufacturing Conditional Zoning) for a “Contractors Office and Storage Yard”.

FLOOD HAZARD AREA: N/A.

FIRM MAP #: 3710690400J

FIRM MAP ZONE: Property is located in Zone X, area determined to be outside the 500-year floodplain.

WATERSHED DISTRICT: N/A

SEPTIC/WATER APPROVAL: Public water (City of King), septic has been deemed suitable for the proposed use.

SCHOOL DISTRICTS: N/A

EMERGENCY SERVICES: Sauratown VFD, EMS - Station # 3 & 4 -Pinnacle.

EROSION CONTROL: N/A

ACCESS: The site has an approved access which is located off of NC Hwy 66 and Denny Rd., (SR# 2000).

SURROUNDING LAND USE: The subject property is located at 5485 NC 66 Hwy S. and at the corner of Denny Rd and NC Hwy 66. The property is currently zoned M-2-CU (Heavy Manufacturing Conditional Use) for “Sawmill, wood cutting and splitting for firewood”. The City of King owns property adjacent to the site which is utilized for a water tower. There is a small H-B (Highway Business) parcel next to the site that has frontage on NC Hwy 66 and the remaining surrounding property is zoned M-1-CU (Light Manufacturing Conditional Use). Property across NC Hwy 66 is zoned RA (Residential Agricultural) and is currently used for residential purposes. Property across from Denny Rd. is zoned RA (Residential Agricultural) and is a part of the Mount Olive Church Cemetery.

ISSUES TO CONSIDER:

- Impact on surrounding development.
- Consistency with surrounding development.
- Impact on community infrastructure, roads, public services etc.
- Retaining current tax base due to maintaining an existing commercial property.
- Potential jobs

Director Sudderth noted that Tim Walker, T K’s Electric, is here to answer any questions, as he is moving his electrical business from Rural Hall.

STAFF COMMENTS: The rezoning request comes to the Board as an M-2-CZ (Heavy Manufacturing Conditional Zoning) request for a Contractors Office and Storage Yard. You may discuss the site plan and commercial use of the property in specific terms. The requested change of the property to M-2 (Heavy Manufacturing Conditional Zoning) does not appear to be out of context with the immediate surrounding property due to the commercial nature of the surrounding area and the existing use and current zoning of the property. The property has access to public water and is served by a septic system. Although the requested use of the property is listed in the M-2 (Heavy Manufacturing) district, there are limitations to the potential uses that can be allowed on the property due to the existing infrastructure and the size of the parcel. The request for a “Contractors Office and Storage Yard is a use that will work on the property. If there is another change of use requested for the property in the future then the proposed use would be required to be sent back through the Planning Board and Board of Commissioners for approval.

The original conditions are listed below when the property was first rezoned in 2009. These existing conditions will remain in effect if the property is rezoned.

2009 APPROVED CONDITIONS:

Michael Allen Brown Jr. #215

1. NCDOT must approve any changes to the existing commercial driveway access.
2. The use allowed under the Conditional Use Permit shall be for “Sawmill, wood cutting and splitting for firewood”.

3. Applicant shall adhere to all applicable Federal, State, and local laws.
4. If any of these conditions are not met or complied with or the permit has not been exercised in or before one (1) year from the granting of the permit, the permit shall become void and of no effect.
5. All required permits must be obtained from the County Inspections Department prior to placing structures on the property, as well as any signage that may accompany the project.
6. Any structure shall post a visible lot number in a numbering scheme approved by the County to facilitate rapid emergency response (E- 911).
7. If conflict arises between any conditions or the developer's proposed site plan or written text, the most stringent conditions or requirements shall be considered the governing requirement.
8. All costs and expenses associated with complying with these conditions shall be borne by the landowner/developer, with no expense being borne by the County.
9. Upon written request by the County, evidence of compliance with any of these conditions shall be provided to the County within ten (10) days after each request.
10. If any of the conditions shall be found to be unreasonable, invalid or otherwise impermissible by a court of competent jurisdiction then the County may impose such alternative reasonable conditions as it finds to be necessary and appropriate.
11. If any of these conditions once met are not continuously maintained, the permit may be revoked by the County upon the failure of the owner/developer to cure the deficiency in any specific condition within thirty (30) days after written notice to the owner/developer of the specific failed condition.
12. Security fencing shall enclose the proposed site.
13. Security lighting shall be located in a manner not to illuminate adjacent residential property.
14. All signs shall require a permit and meet applicable zoning standards.
15. Or any other condition that the Boards may deem necessary at the time the project is approved.

PUBLIC INFORMATION MEETING: The Public Information Meeting for this proposal was held on Wednesday, April 29, 2015 at 7:00 pm at building site located at 5485 Hwy 66 S. Information was submitted By Michael Allen Brown, Jr. to Planning Director David Sudderth regarding the attendance and minutes of the meeting. Please remember that the Planning staff only gives the applicant the requirements for the PIM (Public Information Meeting), surrounding
June 2, 2015

property owner's names and addresses and general guidelines. The applicant conducts the meeting and takes minutes of the meeting.

PLANNING BOARD RECOMMENDATION: The Planning Board by a vote of 8 to 0 recommended approval of rezoning request #15-256 submitted by Michael Allen Brown to rezone approximately .8734 acres from M-2-CU (Highway Business Conditional Use) for a "Sawmill, wood cutting and splitting for firewood" business to H-B-CZ (Highway Business Conditional Zoning) for a "Contractors Office and Storage Yard". The Board felt that this request was consistent with the Stokes County Land Development Guide and was a reasonable request.

Zoning Amendment Statement of Consistency and Reasonableness

The Board must decide if the rezoning petition meets the requirements of the Land Development Guide as to its consistency with the current development patterns and to the appropriateness of the request in regards to the guide. All decisions must be based on these standards. Please make all motions for approval or disapproval referencing the petitions consistency or non-consistency with the Stokes County Land Development Guide.

Director Sudderth presented the Zoning Amendment Statement of Consistency and Reasonableness from the Stokes County Planning Board for the Board of Commissioners' review:

**STOKES COUNTY PLANNING & COMMUNITY DEVELOPMENT
DEPARTMENT**

1014 MAIN STREET PO BOX 20 DANBURY, NC 27016
OFFICE 336-593-2439 OR 336-593-2444 FAX: 336-593-5434

**Conditional Rezoning Petition
Statement of Consistency and Reasonableness**

Case No.	#15-256
Applicant:	Michael Allen Brown, Jr.
Parcel ID#	6904-04-60-5417
Location:	5485 NC 66 Hwy South, King, NC 27021
Proposed Amendment:	Rezone .8734 acres from H-B-CU to H-B-CZ for a "Contractors Office and Storage Yard".

The Stokes County Land Development Guide designates the proposed site as being located in the Southwest Area and shown as Community class. The Land Development Guide Goals for the Southwest area identifies the area having potential for enhancing non-residential potential outside watershed protection designated areas.

Community Class: Definition:

The purpose of the Community class is to provide for clustered, mixed land uses at low densities to help meet the housing, shopping and employment needs of rural areas. Areas meeting the intent of

the Community classification are presently developed at low densities that are suitable for private septic use. Municipal type services should be anticipated only to correct existing or projected public health hazards.

This proposed amendment **is consistent** with the Stokes County Land Development Guide and other adopted plans in that: **The Land Development Guide designates this area as Community class which would provide clustered mixed land uses at low densities to help meet the housing, shopping and employment needs of rural areas. These uses would be suitable in areas where private septic tanks are utilized. This request is consistent with this definition and the change of use of the existing commercial development a “Sawmill, wood cutting and splitting for firewood” to a “Contractors Office and Storage Yard” seems appropriate.**

This proposed amendment **is reasonable and in the public interest** in that: **This property is currently zoned M-2-CU and is being proposed to remain commercial in an M-2-CZ district which has been adopted by the county to replace conditional use zoning.**

Director Sudderth noted that his department had received no public comments regarding the request.

Discussion

Chairman Jones opened the floor for discussion.

The Board had no issues with the Rezoning Request.

Commissioner Inman commented:

- Had a business on Highway 66 and have never heard any complaints pertaining to Mr. Brown’s business

Action

Chairman Jones entertained a motion.

Commissioner Inman moved to approve the Rezoning Request #15-256 for Michael Allen Brown, Jr – M-2-CU (Heavy Manufacturing Conditional Use) to M-2-CZ (Heavy Manufacturing Conditional Zoning) for a “Contractors’ Office and Storage Yard with the request being consistent with the Stokes County Land Use Development Guide and is reasonable and in the public interest.

Vice Chairman Walker seconded the motion.

Commissioner Lankford commented:

- Confirmed with Mr. Brown that the present location has been cleaned up and ready for T.K’s Electric to move in as soon as his new location is finished
- Expressed appreciation to Mr. Walker for taking interest in Stokes County and moving his business to Stokes County

The motion carried unanimously.

PUBLIC HEARING/PRESENTATION/DISCUSSION/ACTION AGENDAS
Rezoning Request – Conditional Zoning for Medical Clinic and Laboratories/Offices – Stokes County - RA (Residential Agricultural) to CS-CZ (Conditional Shopping – Conditional Zoning) #15-287

Chairman Jones noted the rezoning request is from Stokes County to rezone approximately 36.549 acres currently zoned RA (Residential Agricultural) to H-B (Highway Business) for Medical Clinic and Laboratories/Offices.

Public Hearing

Chairman Jones opened the Public Hearing for the Rezoning Request for Stokes County to rezone approximately 36.549 acres currently zoned RA (Residential Agricultural) to H-B (Highway Business) for Medical Clinic and Laboratories/Offices.

There were no public comments.

Chairman Jones closed the Public Hearing.

Presentation and Discussion by Planning Director David Sudderth

Planning Director David Sudderth presented the following information regarding the Rezoning Request for Stokes County to rezone approximately 36.549 acres currently zoned RA (Residential Agricultural) to H-B (Highway Business) for Medical Clinic and Laboratories/Offices:

Stokes County RA to CS-CZ # 15-287

REQUEST: Rezone approximately 36.543 acres from RA (Residential Agricultural) to CS-CZ (Community Shopping Conditional Zoning) for a “Medical Clinic and Laboratories and Offices Professional and Public”.

SITE OWNER: Stokes County

APPLICANT: Stokes County

SITE LOCATION: The property is located on the north side of US 311 approximately 600 ft. northeast of the intersection of US 311, NC Hwy 772 and Pine Hall Rd. (SR# 1908)

Map: 699401

Parcels: 7701 & 0458

PIN #: 6994-01-05-7701 &
6994-01-16-0458

Deed Book: 600

Pages: 1276

Township: Beaver Island

SITE INFORMATION:

PARCEL SIZE: Total tract 36.543 acres

ZONING DISTRICT: RA (Residential Agricultural)

PROPOSED DISTRICT: CS-CZ (Community Shopping Conditional Zoning) for a Medical Clinic and Laboratories and Offices Professional and Public.

FLOOD HAZARD AREA: N/A.

FIRM MAP #: 3710698400J

FIRM MAP ZONE: Property is located in Zone X, an area determined to be outside the 500-year floodplain.

WATERSHED DISTRICT: WS-IV (Dan River)

SEPTIC/WATER APPROVAL: Soil has been evaluated, the IP (Improvement Permit) is pending.

SCHOOL DISTRICTS: N/A

EMERGENCY SERVICES: Stokes - Rockingham VFD, EMS - Station # 101 Walnut Cove.

EROSION CONTROL: Prior to issuance of building permit before construction begins if more than (1) one acre is disturbed.

ACCESS: The proposed project has tentative approval from NCDOT for a commercial driveway access off of US Hwy 311.

SURROUNDING LAND USE: The subject property is located near the intersection of US Hwy 311, NC Hwy 772 and Pine Hall Rd. (SR# 1908) in the Pine Hall Community. The surrounding property is zoned RA (Residential Agricultural) and consists of vacant land and residential structures. Commercially zoned properties are Wieland Copper (M-1) which is less than .1 mile northeast of the property, Bull Bagger Customs, a motorcycle shop (H-B) is a little over a .1 mile northeast of the property and 311 Speedway is approximately .6 mile northeast of the property. There are three (3) additional parcels zoned H-B (Highway Business) located on US Hwy 311 between the subject property and the Stokes/Rockingham County line.

ISSUES TO CONSIDER:

- Need of services provided.
- Economic impact
- Impact on surrounding development and future development.
- Consistency with the Land Development Guide.
- Impact on community infrastructure, roads, public services etc.

STAFF COMMENTS: The rezoning request comes to the Board as a conditional zoning request; you may discuss the development plan of the proposed "Medical Clinic and Laboratories and Offices Professional and Public" in detail. This proposal came about due to a unique and generous donation of land and money from the Walter Ronald Petree Charitable Trust. Mr. Petree wanted to give something that would benefit the Pine Hall Community and all of Stokes County. The Planning staff sees no problem with this request as submitted and feels the addition of this facility will provide a beneficial service to the community without causing a negative impact. The applicant has met or is meeting all the requirements of the Stokes County Zoning Ordinance in the development of the site plan for the facility.

PUBLIC INFORMATION MEETING: The Public Information Meeting for this proposal was held on Tuesday, October 14, 2014 at 7:00 pm at the Stokes-Rockingham VFD. Stokes County Manager Rick Morris submitted information to Planning Director David Sudderth regarding the attendance and minutes of the meeting. Please remember that the Planning staff only gives the applicant the requirements for the PIM (Public Information Meeting), surrounding property owner's names and addresses and general guidelines. The applicant conducts the meeting and takes minutes of the meeting.

(Report was submitted by Stokes County Manager, Richard D. Morris)

On October 14, 2014 I conducted an advertised community public meeting at the Stokes – Rockingham Volunteer Fire Department in the Pine Hall Community to brief the community on the Petree Project, which will consist of a new medical building / community center funded by Mr. Ron Petree and constructed on land donated to Stokes County by Mr. Petree. I was accompanied by the project architect, Mr. Perry Peterson, the Pioneer Hospital CEO Pam Tillman and Mr. Danny Stovall, who will manage the project for Stokes County. There were approximately fifty (50) people from the community that attended the meeting. At the end of the presentation questions were answered for the meeting attendees. The feedback on the project from the attendees of this meeting was all positive with no negative comments being made.

PLANNING BOARD RECOMMENDATION: The Planning Board by a vote of 8 to 0 recommended approval of rezoning request #15-287 submitted by Stokes County to rezone approximately 36.543 acres from RA (Residential Agricultural) to CS-CZ (Community Shopping Conditional Zoning) for a “Medical Clinic and Laboratories and Offices Professional and Public”. The Board felt that this request was consistent with the Stokes County Land Development Guide and was a reasonable request.

Zoning Amendment Statement of Consistency and Reasonableness

The Board must decide if the rezoning petition meets the requirements of the Land Development Guide as to its consistency with the current development patterns and to the appropriateness of the request in regards to the guide. All decisions must be based on these standards. Please make all motions for approval or disapproval referencing the petitions consistency or non-consistency with the Stokes County Land Development Guide.

Director Sudderth presented the Zoning Amendment Statement of Consistency and Reasonableness from the Stokes County Planning Board for the Board of Commissioners' review:

STOKES COUNTY PLANNING & INSPECTIONS DEPARTMENT

1014 MAIN STREET PO BOX 20 DANBURY, NC 27016
OFFICE 336-593-2439 OR 336-593-2444 FAX: 336-593-5434

**Zoning Amendment
Statement of Consistency and Reasonableness**

Case No. #15-287
Applicant: Stokes County
June 2, 2015

Parcel ID# 6994-01-05-7701 & 6994-01-16-0458
Location: US 311 in Pine Hall Community
Proposed Amendment: Rezone 36.543 acres from RA to CS-CZ for a “Medical Clinic and Laboratories and Offices Professional and Public”.

The Stokes County Land Development Guide designates the proposed site as being located in the Central Area and shown as Community class in the Pine Hall Community along US 311. The Land Development Guide Goals for all areas of the county promotes the development of policies and actions that address the needs of the communities throughout the county.

This proposed amendment **is consistent** with the Stokes County Land Development Guide and other adopted plans in that: **The Land Development Guide designates this area as community class which would provide clustered mixed land uses at low densities to help meet the housing, shopping and employment needs of rural areas. These uses would be suitable in areas where private septic tanks are utilized. This request is consistent with this definition and should be considered suitable for the proposed development.**

This proposed amendment **is reasonable and in the public interest** in that: **This property is proposed to be changed to a CS-CZ zoning district for the purpose of establishing a “Medical Clinic and Laboratories and Offices Professional and Public” which provides a needed facility and service in the community. The parcel is located in an area of mixed commercial, residential and agricultural properties along US 311 in the Pine Hall Community.**

Director Sudderth commented:

- In all the rezoning done over the years, this is one of my favor
- Have received no negative comments
- Stokes County is very fortunate to receive such a donation from Mr. Petree
- Very excited about this project for the Pine Hall area
- Believe things will start to happen in the community
- Kobe Copper is very excited about having a medical facility close by
- Facility will also serve as a community center for the area

Discussion

Chairman Jones opened the floor for discussion.

The Board had no issues with the request.

Action

Chairman Jones entertained a motion.

Commissioner Booth moved to approve the Rezoning Request #15-287 for Stokes County to rezone approximately 36.549 acres currently zoned RA (Residential Agricultural) to H-B (Highway Business) for Medical Clinic and Laboratories/Offices with the request being consistent with the June 2, 2015

Stokes County Land Use Development Guide and is a reasonable request and in the best interest of the citizens of Stokes County. Vice Chairman Walker seconded and the motion carried unanimously.

Departmental Updates

Director David Suddeth noted the following:

- Things are picking up
- Planning Department is busy
- Moving forward and expecting more things coming up in the summertime
- Estimate there were ten permits for residential houses last month
- Have a variety of commercial projects underway
- Would like to give a lot of credit to Manager Morris, Arts Council Director Eddy McGee and Information Tech. Systems (IT) Analyst Tory Mabe which have really helped with the tourism
- IT Analyst Tory Mabe is doing a great job and has taken over the technology aspect bringing back a lot of the outside contracted work; he is doing a great job

Chairman Jones expressed appreciation for the work being with Economic Development.

Commissioner Booth also expressed appreciation to Director Sudderth for his work with Economic Development and is anticipating very good results to follow.

Commissioner Lankford noted what a positive meeting this has been tonight.

Adjournment

There being no further business to come before the Board, Chairman Jones entertained a motion to adjourn the meeting.

Commissioner Inman moved to adjourn the meeting. Commissioner Booth seconded and the motion carried unanimously.

Darlene M. Bullins
Clerk to the Board

Ronda Jones
Chairman