



Stanly County Planning Board January 12, 2009 - Meeting Minutes

Call to Order.

The Stanly County Planning Board held the regular meeting scheduled on January 12, 2009 at 7 p.m. at the Stanly County Commons Meeting Room located at the Stanly County Commons 1000 N 1st Street, Albemarle North Carolina.

Stanly County Planning Board Members Attending

Joe McManus, Chairman
Ronald Crawley, Vice Chairman
Robert Davis
Floyd Eudy
John Horne
Brenda Hunter

Planning Board Members Absent

Houston Clark

Stanly County Planning Staff Attending

Linda Evans, Planner
Jonas Perez, Planner

Others Present

Charles Brown representing OAKMONT ACQUISITION LLC
Rex & Glenda Austin from 8504 Swift Road in Oakboro.
Alexander Burris from 1411 Lilac Road in Charlotte
Maria Santos Zelaya from 16787 Buster Road in Oakboro

Approval of minutes for the regular meeting held on November 10, 2008.

Motion: Floyd Eudy made a motion to approve the minutes of November 10, 2008.

Second: John Horne seconded the motion.

Action: the Board unanimously approved this motion.

Item 1 – ZA 09-01 Rezoning from RA (Residential Agricultural) to M-2 (Heavy Manufacturing). Charles Brown, Attorney on behalf of Oakmont Acquisition, LLC, respectfully requests that 4 tracts totaling approximately 42.9 acres (Tax Record Numbers, 949, 12658, 11849, 30047) currently zoned RA be rezoned to M-2. The properties in question are located near the corner of Swift Road, (SR 1110) and Buster Road (SR 1118). The purpose of this requested amendment is to allow existing parcels of land to be used for Heavy Industrial.

Chairman McManus asked Linda Evans to present the Staff report. Which she read: **“Item 1 – ZA 09-01 Rezoning from RA (Residential Agricultural) to M-2 (Heavy Manufacturing).** Charles Brown, Attorney on behalf of Oakmont Acquisition, LLC, respectfully requests that 4 tracts totaling approximately 42.9 acres (Tax Record Numbers, 949, 12658, 11849, 30047) currently zoned RA be rezoned to M-2. The properties in question are located near the corner of Swift Road, (SR 1110) and Buster Road (SR 1118). The purpose of this requested amendment is to allow existing parcels of land to be used for Heavy Industrial.

The adjoining properties are zoned R-A to the west, south, and east and Industrial zoning to the north in Oakboro’s jurisdiction. Public utilities including water and sewer are not provided to the properties in question but are located within one mile of the site. This property is not located in either a floodplain or water supply watershed area. A portion of the property in question is located within a secondary growth area around the town of Oakboro. Traffic on Buster road is approximately 730 cars per day while Swift road carries 430 cars per day as of 2007 NCDOT data.

The Planning Staff recommends M-2 (Heavy Manufacturing) as a general use in cooperation with the town of Oakboro zoning.

This rezoning would be in conformance with the 2002 Stanly County Land Use plan due to the fact that this is a secondary growth area.”

Chairman McManus called on a representative to speak for the case. Mr. Charles Brown, on behalf of Oakmont Acquisition LLC, came forward and explained some consequences of the rezoning. Creation of new jobs was one of the main reasons for petition ZA 09-01.

Mr. Brown discussed some actions that the County may take after approving the rezoning and before building conforming structures in the area. He also mentioned that providing water and sewer lines for future industrial development would improve the quality of life for area residents. According to Mr. Brown, some entities that have shown interest into this area: Duke Energy, North Carolina Department of Commerce, Golden Leaf Fund, Stanly County for Economical Development, North Carolina Rural Center for Agricultural Development.

Chairman McManus allowed questions to Mr. Brown. The first one came from Chairman McManus on the reason to meet with the Town of Oakboro about rezoning. Mr. Brown stated that Oakmont acquisition LLC is also requesting that property in Oakboro’s jurisdiction be rezoned to industrial.

Ronald Crawley was concerned with the intentions behind the rezoning and specific names of companies that have shown interest in buying land from Oakmont Acquisition to move to the area. Mr. Brown provided no information on this issue.

Ronald Crawley also asked if Mr. Brown anticipated a heavy need of water and sewer Mr. Brown answered that indeed there will be a great need for water, sewage, and road improvement. If these utilities improve, the quality of life of the area population will improve too.

Chairman McManus allowed the public to voice their opinion. Glenda Austin from Oakboro expressed concerns on her children's safety and privacy if the proposed rezoning takes place. She also replied to a question from Mr. Crawley that she has heard proposals to buy her property.

Alex Burris from Charlotte inherited 27 acres on the West side of Swift Road. He is concerned with the possibility from RA to M-2 Heavy Industrial without being water and sewer lines in the area yet. Linda Evans explained that anyone that decides to build anything still has to go through the building permit process to find if there are adequate public facilities and services and that rezoning is not a building permit. Mr. Burris also answered affirmatively when asked by Board member R. Crawley if he is willing to sell his property for a fair value price. Mr. Burris answered that he has not received any proposal to sell his property.

María Zelaya, from Buster Road brought her friend Henry who tried to interpret for her. She owns 1 acre off Buster Road. The North and West boundaries of her property border with the proposed M-2 rezoning. After Henry, her friend, tried to translate to Spanish, Jonas Perez volunteered to explain to her, the rezoning process. Chairman McManus accepted a motion from Mr. Floyd Eudy to take a five minute recess to allow Jonas Perez to explain to María Zelaya and her friend Henry in Spanish what the rezoning process is and what it would mean to her property. John Horne seconded and the Board approved it unanimously.

The board resumed its meeting and Chairman McManus explained to María Zelaya that any information given by Jonas Perez to her had no legal value and it was provided so she could learn about the rezoning process.

Ronald Crawley expressed his mixed feelings to the Board due to the fact that in one side there is a need for jobs to come to Stanly County, but in the other hand he is opposed to recommend rezoning when residents oppose rezoning or even they do not understand the consequences of the rezoning process.

Glenda Austin said that she was not against creation of jobs for Stanly County, but her concerns were on safety and quality of life for her family.

Ronald Crawley asked Mr. Brown if the Department of Transportation has contacted Oakmont Acquisition LLC about road needs close to the properties that are being discussed. Mr. Brown expressed the interest of Oakmont Acquisition LLC to help with road improving if there is development in this land.

Robert Davis asked all three neighbors present, Glenda Austin, Alex Burris and María Zelaya if they were interested in selling their properties if a fair price was brought to them. All three guests agreed that with a fair price they would sell their property.

John Horne made a motion to send ZA 09-01 to the Board of County Commissioners with a favorable recommendation.

Second: Floyd Eudy seconded the motion.

Action: the Board unanimously approved this motion.

2. Other Business.

Ronald Crawley proposed to adopt the 2009 proposed Planning Board meeting calendar.

Second: Robert Davis seconded the motion.

Action: the Board unanimously approved this motion.

Section 405 was tabled due to the absence of Michael Sandy.

Not having any other business to address, Chairman McManus asked for a motion to Adjourn.

Adjournment

Motion: Ronald Crawley made a motion to adjourn.

Seconded: John Horne seconded the motion.

Action: The meeting was adjourned at 8:40 pm.

Joe McManus, Chairman of the Board

Michael M. Sandy, Clerk of the Board.