

Archdale Planning and Zoning Board
Regular Meeting
Monday, March 6, 2023

Members Present: Larry Thomas, Chairman; Larry Linthicum, Vice-Chairman; Board Members: Brent Kinney, Chris Collins, Mitch Miller, Bob Kollm, Scott Greene, Chris Spillers, and Joy Sparks.

Members Absent: None.

Others Present: Jason Miller, Planning Director; Matthew Wells, Planning Administrator.

Item 1. Call to Order, Welcome, and Register of Attendance

Chairman Thomas welcomed everyone and explained the procedures for the Planning and Zoning Board meeting.

Item 2. Approval of the Minutes

Chairman Thomas stated the next order of business was the approval of the minutes from the February 6th, 2023 meeting.

Chairman Thomas stated that he remembered Billy Corn speaking in favor of the rezoning request under Item 3. Mr. Wells said the audio did not pick up Mr. Corn's testimony and might have missed it but would add that into the minutes.

Mr. Kinney said that on Page 3 of the minutes (at the end of the staff report) the words "Use Plan" were missing on the last sentence.

Mr. Kinney made a motion to approve the February 6th, 2023 minutes with the corrections stated. Mr. Linthicum seconded the motion, and it was approved unanimously by the Board.

Item 3. Public Hearing: Request by Brad and Alisha Riley to rezone property located along Old Glenola Road from R-40 to CD M-1 (Heavy Industrial), being a portion Randolph County Parcel # 7727647727.

Mr. Wells gave the staff report for this item:

Overview

The applicants, Brad and Alisha Riley, are seeking to rezone ± 11 acres, comprised of a portion of property owned by Soo Ja Chung from R-40 (Single-Family Residential) to CD M-1 (Conditional District – Heavy Industrial). This rezoning request is for a site-specific cement mixing "ready mix" business where cement will be mixed and poured into cement mixer trucks that will enter and exit the facility on Old Glenola Road. There will be a 6000 square foot pad with the

mixer equipment sitting on top of it, a 6000 square foot maintenance building, and a large gravel area for storage and truck traffic entering, exiting, and parking on the facility. Additionally, the applicant is requesting an extension of Archdale sewer service to their property. Per the extension policy, they are extending the line 996 feet from a manhole further west on Old Glenola Road across their property frontage to the easternmost corner of the property.

TRC reviewed the site plan on December 7th, 2022, and the plan has been conditionally approved, provided that the applicant meets all NCDOT driveway requirements as well as submits an engineered drawing of the sewer line to the City and State of North Carolina.

Stormwater Statement

The applicant is also requesting a High-Density Development Permit, the acquisition of which is required prior to the initiation of any construction. The Riley Ready Mix project has been reviewed based on the requirements of the High-Density Development Permit (HDDP) as well as the provisions of the ACE Integrated Stormwater Management Program. The requirements of Chapter 15 of the City Code of Ordinances are more stringent therefore govern in this case.

Requested Waivers & Modifications

- The maximum parking standard is exceeded. Conditional request is to allow eight spaces per the conditional zoning plan.
- Cross street access requirement to be waived for this rezoning application.

Consistency With *Plan Archdale*

The City's adopted Future Land Use Plan has this site designated as Industrial. The Industrial place type is intended to facilitate the use of land for a wide variety of manufacturing, assembly, processing, wholesaling, warehousing, logistics, and related higher intensity enterprises. As a source of employment in the City, Industrial areas are critical to the health of the local economy and provide employment opportunities for workers across the region. This site is close in proximity to former US Highway 311 and the Cedar Square Road and Interstate 74 interchange, which will provide for easier access for truck traffic. The request to rezone this property to CD M-1 as submitted is consistent with the Industrial place type and the City's adopted Future Land Use Plan.

Chairman Thomas thanked Mr. Wells and then opened the public hearing. He asked if there was anyone present in support of the request.

Brad Riley (2957 Tuttle Road, Archdale) introduced himself as the applicant and said he owned a concrete finishing company and had desires to expand into the ready-mix business. He showed pictures of a similar facility and how it differed from a concrete manufacturing plant. Mr. Riley said they had been looking for land that fit the zoning for their project and liked the proposed site due to its closeness other heavy industrial sites as

well as the recently rezoned site on US Highway 311 for Quikrete. He continued and said that he was looking to provide jobs as well as an accessible place for concrete. Mr. Riley concluded by stating his desire to work with the city and their regulations.

Lisa Roberts (5117 Glenview Drive, Archdale) said she knew the applicants and had respect for their efforts. She also said she was in favor of adding new jobs to the area.

Alisha Riley (2957 Tuttle Road, Archdale) introduced herself as the co-applicant and said she wanted to dispel concerns about potential pollution and showed that the silo on site would have a dust collector to reduce dust pollution.

Christian Vestal (150 S. Fayetteville Street, Asheboro) of Summey Engineering Associates stated he was the site designer for the project and that they had prepared everything required for preliminary zoning approval and that they will meet all regulations required.

Kathy Patty (3614 Old Glenola Road, Archdale) said she backs up to Davis Roofing and has never had issues being neighbors with an industrial property.

Brad Ingram (3892 Morris Road, Trinity) said he was a local business owner and that, as a contractor, it was good to have local access to concrete. He also said this would produce jobs and that the applicant will comply with all regulations.

Chairman Thomas then asked if anyone present was against the request.

Steve Freeman (4040 Old Glenola Road, Trinity) came forward and said he had invested over \$1 million on Old Glenola Road and was concerned with decreasing property values should this be approved. He also cited that Old Glenola Road is 55 mph from Tobacco Road to Archdale Road and that concrete trucks are the heaviest vehicles on the road and that, at high speeds, would cause accidents. Mr. Freeman also mentioned that the City Council turned down a request for a driveway for Future Foam off of Tom Hill Road. Lastly, he expressed concern over dust and air pollution.

Bren Knox (3752 Old Glenola Road, Trinity) was next and introduced herself as having volunteered with the Archdale Little League and Archdale Cheerleading. She also showed that she lived directly next door to the proposed site and had concerns about long term health effects as she has lung issues related to her being asthmatic and having a pulmonary embolism as well as having COVID and bronchitis. Ms. Knox cited that the former Trinity Foam site released toxins and pollutants into the water and that several former neighbors all had long term health effects because of that as well as some of these neighbors having their well and septic systems condemned. She continued and said that the high speed limit on Old Glenola Road has led to many accidents; several of which she has had to render aid to. Ms. Knox mentioned that she had spoken to someone at NCDOT and had been told that the roadway had 2100 cars a day. She expressed concern about adding 30 more trucks on a daily basis to Old Glenola Road. She also said that the plant could open as early as 4am, which would be disruptive to her sleep. Ms. Knox also stated that the dust would not only

affect her health, but also prevent her and her grandchildren from being able to be outside. She also referenced a recent neighbor that had their property for sale and had taken it off the market after learning about this request. Ms. Knox also said she was aware there was industrial uses in the area (and referenced the former United Furniture plant across the street), but the residents did not want additional industrial uses; especially with increased traffic and being an unclean site. She also stated that this was spot zoning as there were residences to both the east and the west. Lastly, she and another citizen handed out a folder of information and letters from neighbors to each of the board members and to staff (scanned into the records).

John McPherson (4045 Old Glenola Road, Trinity) said he had recently built his house in the area and expressed that he had moved out to the country to avoid development like this. He stated that the road was dangerous and that trucks were tearing it up already due to Old Glenola Road being a shortcut between US Highway 311 and Archdale Road.

Martha Hamm (109 Radiant Path, Archdale) cited a study out of Texas that stated particle matter from concrete dust reduced lung capacity and led to long term health effects and premature deaths. She also said this would decrease property values in the area. Ms. Hamm also said the proposed dust collector was ineffective. Lastly, she asked, that if approved, would the site receive a 24-hour operational permit.

Pam London (502 Shamrock Court, Archdale) said this site would be a major air pollutant. She asked why only 3 homes were notified. Ms. London said she had recently moved from California and in that state, there were stringent rules through NEPA and CAAQS for air pollutants and asked if North Carolina had similar laws. She also questioned whether an environmental and traffic study had been done. She stated that there was no buffer for dust pollution and that this would be detrimental in an area that still suffers from the effects of another environmental disaster. Ms. London also said this site would be very different than the former United Furniture Plant and would destroy property values. She concluded by stating that a site on Old Glenola Road was not comparable to ones on US Highway 311.

Scott Jacobson (107 Radiant Path, Archdale) introduced himself as a local first responder and stated that EMS currently uses that field for medical helicopter landings. He stated that he was concerned about high speeds on Old Glenola Road and that he had been at the scene of several accidents involving large trucks. He concluded by expressing concern over the effects of a hazardous waste spill.

Stephanie Kiser (109 Radiant Path, Archdale) said she had lived in the area most of her life and liked the rural area. She noted that the applicants lacked experience with this business and also cited concerns about traffic and road conditions on Old Glenola Road. Ms. Kiser expressed concern about air quality and fine silica dust being released. She listed several other pollutants and their long-term effects. She also expressed distress over potential water pollution and cited that silica dust and concrete washout water led to a high pH level. Lastly, she stated she was troubled by any potential effects a chemical spill could lead to.

Deborah Clodfelter (6128 Tobacco Road, Trinity) said she spoke against the annexation of United Furniture and that the City Council had made the applicants promise not to start trucks before 6am, but that was not followed. She also said her property had recently been reevaluated at 34% higher than the previous year and was worried that this potential site could damage those values. Ms. Clodfelter concluded by asking if Mr. Ingram would want this site in his backyard.

Fred Meredith (5162 Kentland Drive, Trinity) said he lives within ½ mile of the site, and that Old Glenola Road is too narrow for the amount of traffic this would bring. He also expressed concerns that because the lot would be gravel that there would be a lot of runoff back onto Old Glenola Road. Mr. Meredith concluded by stating that he had been a business owner in Archdale for 23 years and that the City had always done the right thing and he believed they would do the same by denying this request.

Hank Hill (4014 Old Glenola Road, Trinity) explained he was not against a new business, but that this was not the best location for a ready-mix site as the area was primarily rural. He said that he had been a contractor for over 20 years and knew that the concrete trucks are the heaviest vehicles on the road.

Renee Kessler (6108 Tobacco Road, Trinity) said she had recently bought her home and likes living in the country. She was worried that the heavy traffic and high speeds would prevent her daughter and other children in the area from being able to safely play in their yards. Ms. Kessler also expressed concern about long term health effects, especially as her daughter has underlying medical conditions.

Steve Freeman (4040 Old Glenola Road, Trinity) came forward again and thanked everyone that commented so far and that he will be at the City Council meeting on March 28th with an attorney who would file a class action lawsuit if approved.

Tom Baker (205 East Fork Road, Jamestown) was next and stated that the site did not fit within a residential setting. He also shared that he spoke with someone named Zach at NCDOT who said that 3200 cars a day traveled on Old Glenola Road, but no projected traffic data was available as it was considered a rural residential road. He also presented an article, that was passed out to Planning Board and staff, citing long term health effects. Mr. Baker also cited another source that said New Orleans flooded during Hurricane Katrina due to a high amount of impervious surface. He also expressed concern over potential declining property values as his experience as a realtor had shown him how industrial sites affect residential property values. Lastly, he cited another article that cited any residential property within 20 miles of a concrete facility was in the danger zone and any property within 5 miles was in a high danger zone.

Dalton Fulcher (3232 Johnson Street Extension, Archdale) introduced himself as a former Archdale city manager and concurred that Old Glenola Road was a dangerous road. He also referenced the former Trinity Foam site and that his children had long term health effects resulting from the toxins and pollutants that were released from that site during a

change in its process. Mr. Fulcher concluded that the change in water quality may not be immediate, but the effects could be felt within 10 to 15 years.

Matthew Maness (107 Shining Way, Archdale) shared similar health effect concerns and also concurred that property values would be dramatically changed. He said, as a realtor, he had seen this happen before. He concluded by reading a letter from LJ and Hazel Oxendine (residents of 3848 Old Glenola Road, Trinity) that expressed concerns about the project. This letter was handed out to staff and the Planning Board.

Cathy Osborne (5434 Tom Hill Road, Trinity) expressed concern about long term cardiovascular and respiratory health effects.

Aaron Henault (3739 Kreamer Drive, High Point) said he lives behind the site and expressed concern on the effect that it would have on animals that he likes to hunt.

Tana Henault (3739 Kreamer Drive, High Point) came up and expressed concern about silica dust causing air pollution, the washing out of trucks leading to water pollution, and that early operating hours would create noise issues that would disturb them as neighbors.

Lori Tucker Swiggett (5799 Joan Drive, Trinity) was next and said her mother lived in the area and she was representing her interests. She gave a history of the frequent turnover at the former United Furniture site and how that Old Glenola Road was very dangerous, especially in the area of the site where it changes from 35 mph to 55 mph going towards Archdale Road.

Brad Kiser (109 Radiant Path, Archdale) reiterated that Old Glenola Road is very dangerous and that many people take advantage of the high speed limit. He also said a lot of trucks use the road as a cut through. Lastly, he explained he frequently rides his motorcycle in that area and had almost been run off the road before by a large pickup truck.

Jeff Clodfelter (6128 Tobacco Road, Trinity) explained he lives nearby and had seen lots of accidents at high speeds and that, being at the bottom of the hill, the site would be at disadvantage with site distance.

John Bryson (5176 Glenview Drive, Trinity) said he has pulmonary issues and that several of neighbors also have health issues that would be affected by this site being approved. He stated that the site should be built in a safer and more remote location. He concluded by relaying concerns from a chemical spill that happened on US Highway 311 several years ago.

Jake Wilson (3746 Old Glenola Road, Trinity) read concerns of his from a letter that was submitted to Planning Board and staff.

Johnny London Jr. (502 Shamrock Court, Archdale) said he had recently moved from California to help his mother-in-law. He asked if the Board would want to raise their kids in this area if it was approved.

Joe Wingfield (5206 Kentland Drive, Trinity) said he lived in the area for over 20 years and used to travel the road daily to work in Asheboro. He said he also had to avoid accidents due to truck traffic turning into the former United Furniture plant.

Chairman Thomas then closed the public hearing and asked the applicant if they would provide rebuttal.

Mr. Vestal came forward and said that the site was consistent with the Future Land Use Plan. He also said he works across from Chandler Concrete in Asheboro and had not seen any long-term issues with working in close proximity. Mr. Vestal also noted that the site backed up to the recently rezoned Quikrete site as well as High Point Precast. He concluded by explaining that NCDOT had looked at traffic issues and many of the concerns would be addressed in the driveway permit. He also said that there was water treatment containment on site and that it was in compliance with DEQ and city stormwater ordinance standards.

Chairman Thomas then turned it over to the Board for discussion and a possible action.

Mr. Greene asked what full production would look like in terms of truck traffic and hours of operation. Mr. Riley responded that there would be 30 trucks plus another 2-3 trucks bringing in sand and gravel every day from 7am-6pm.

Chairman Thomas asked if a TIA was required. Mr. Wells responded that it was not required by the NCDOT or the City.

Chairman Thomas then asked if there would need to be permit approval from the Department of Health as well as DENR. Mr. Vestal said it would be reviewed by DEQ and the City stormwater management department, which was concurred by Mr. Wells. Mr. Wells also said that if the annexation does not happen and the rezoning does get passed, stormwater and erosion control would defer back to the State.

Mr. Greene thanked everyone for their comments and expressed that he would vote to recommend denial of the request.

Mr. Kinney referenced the Future Land Use Plan and that, as Plan Archdale was based on citizen input, the request needs to align with the desire of the residents being affected.

With no further discussion, Mr. Greene made a motion to recommend denial of the conditional district rezoning with the following consistency statement:

Motion to Deny the M-1 (CD) rezoning as presented due to a lack of:

- Harmony with the surrounding zoning.

AND

- Consistency with the objectives and goals in the City's Comprehensive Land Development Plan (*Plan Archdale*) or any of the City's other adopted plans.

Mr. Kinney seconded the motion.

Mr. Kollm asked staff about the headwall requirements and how that conversation was resolved. Mr. Wells answered that, per the Construction and Development Guidelines, it was required by the City to be installed, but DOT did not have the same requirements, and that due to Old Glenola Road being a DOT street, the City would defer to their authority.

With no further discussion, the motion to recommend denial was approved unanimously.

Item 4. Additional Items

There were no additional items.

Item 6. Adjournment

With no further discussion, Chairman Thomas adjourned the Monday, March 6th, 2023 meeting.