

May 16, 2011

The Randolph County Board of Commissioners met in regular session at 6:00 p.m. in the 1909 Randolph County Historic Courthouse Meeting Room, 145 Worth Street, Asheboro, NC. Commissioners Holmes, Frye, Haywood, Kemp and Lanier were present.

This is the first time the Commissioners met for a separate regular meeting on the third Monday of the month to hear items related to Planning & Zoning issues only.

Chairman Holmes called the meeting to order.

Road Name Changes; Public Hearing and Action

Hal Johnson, County Planning Director, presented seven road name changes that are needed to facilitate faster response and less confusion for emergency vehicles, as follows:

1. Milton Circle Road—both segments of Milton Circle Rd. from the intersection of Little Brook Road to the end of Milton Circle Rd.

The Planning Board recommended unanimously that the eastern section be renamed **Milton Road** and the western section be renamed **Lester Farm Road**.

Chairman Holmes opened the public hearing on this request.

Susan Chriscoe, 7150 Milton Circle Rd., Seagrove, spoke in support of the proposed name changes.

*On motion of Frye, seconded by Lanier, the Board voted unanimously to approve the recommended name changes for Milton Circle Road, as follows: that the eastern section be renamed as **Milton Road**, and the western section renamed as **Lester Farm Road**.*

2. Spencer Road—an existing State road from US Hwy 311 to the intersection of I-74.

The Planning Board recommended unanimously that the road be renamed Old Spencer Road.

Chairman Holmes opened the public hearing on each of the remaining requests and closed it before Mr. Johnson proceeded with the next request. Action on the remaining requests came later in the meeting and so noted in these minutes.

No one spoke on the Spencer Road request.

3. A new service road off of Spencer Road (Segment 1).

The Planning Board recommended unanimously that the road be named, Three Creeks Drive. However, Mr. Johnson noted that he had been approached prior to the meeting from a citizen asking that the road be named, Hughes Drive.

Sue Hughes, 5095 Newlin Farm, Sophia, spoke in support of the name, Hughes Drive.

Mr. Johnson said that it had been ascertained that Hughes Drive already exists in another part of Randolph County and cannot be duplicated. At that time, the name, Hughes Farm Road, was suggested, and it was determined that that road name did not currently exist in Randolph County. Ms. Hughes said that this name was agreeable with her.

4. A new service road off of Branson Davis Road (Segment 2).

The Planning Board recommended unanimously that the road be named, Gray Farm Road.

There was no public comment on this name change.

5. A new State road off of Heath Dairy Road, just past Steele Lamb Drive (Drive 2).

The Planning Board recommended unanimously that the road be named, Pristine Valley Road.

There was no public comment on this name change.

6. SR 2063—a new State road off of Tuttle Road, just before the I-74 overpass.

The Planning Board recommended unanimously that the road be named, Maddy Lane.

Dr. Robert Burgess of Archdale, spoke in support of the road being named, Maddy Lane, in memory of his horse, Maddy, who had died recently.

7. SR 2064—a new State road on the north side of Tuttle Road, just past the I-74 overpass.

The Planning Board recommended unanimously that the road be named, Taylor Branch Road. However, Mr. Johnson said that he had been approached by a citizen who asked that the road be named, William Lee Place.

Libby Myers, 5276 Tuttle Rd., Archdale, asked that the road be named, Nee-nee Lane, after her mother who had died two years ago.

Jane Wright, 4717 Deaton Rd., Trinity, spoke in support of the name, Nee-nee Lane, to honor her mother.

B.L. Tuttle, 3180 Tuttle Rd., Archdale, spoke in support of the name, William Lee Place, in honor of someone dear to him.

On motion of Frye, seconded by Haywood, the Board voted unanimously, as follows:

- *to rename an existing state road (Spencer Road) from US Hwy 311 to the intersection of I-74, to **Old Spencer Road**;*
- *to name a new service road (Segment 1) off of Spencer Road, to **Hughes Farm Road**;*
- *to name a new service road (Segment 2) off of Branson Davis Road, to **Gray Farm Road**;*

- *to name a new state road off of Heath Dairy Road, just past Steele Lamb Drive, to **Pristine Valley Road**;*
- *to name a new state road (SR 2063) off of Tuttle Road just before the I-74 overpass, to **Maddy Lane**;*
- *regarding the naming of a new state road (SR 2064) on the north side of Tuttle Road, just past the I-74 overpass, the Board referred the request back to the Planning Staff to work with the citizens interested in this road name in order to work out a name agreeable to all parties and to bring the request back to the Commissioners in June.*

Rezoning Public Hearing; Action

Hal Johnson, Planning Director, presented two rezoning requests. Chairman Holmes opened the public hearing on each request and closed it before taking action on the requests.

1. Ken Staley, Staley, NC, is requesting that 1.89 acres (out of 85.75 acres) located on Ramseur Julian Road (approximately ½ mile south of Old Liberty Road), Liberty Township, be rezoned from RA to RBO-CD. Tax ID# 8716005665. Secondary Growth Area. Sandy Creek Watershed. The proposed Conditional Zoning District would allow the construction of a 60' x 100' welding shop as per site plan. The Planning Board reviewed the request at a public hearing on April 5, 2011, and unanimously recommended that this request be approved. The Planning Board found the following policies within the 2009 Growth Management Plan that support determination of consistency with the adopted plan with this recommendation:

Policy 4.1. Provide for sites in Randolph County jurisdiction where rural commercial activity can locate; with the goal of increasing economic activity, job creation, and the provision of services to the rural community.

Policy 4.3. Individual Rural Business or Highway Commercial rezoning decisions will depend upon the scale of the proposed development as it relates to the specific site and location weighed against the impacts to adjoining rural land uses.

Policy 4.7. The County should encourage the use of rural business overlay districts to provide locations where compatible rural land uses such as neighborhood retail and service establishments can be located in general proximity to established rural residential areas with the goal of reducing automobile travel distances and promoting better livability in the rural community.

No one spoke.

On motion of Haywood, seconded by Lanier, the Board voted unanimously to approve the request of Kent Staley, as determined consistent with the Planning Board's identified policies of the Growth Management Plan.

2. Ricky Loflin, Sophia, NC, is requesting that 146.10 acres located on the corner of Hoover Hill Rd./Morning Side Lane, Tabernacle Township, be rezoned from RA to RBO-CD. Tax ID# 7714641711. Secondary Growth Area. The proposed Conditional Zoning District would specifically allow the operation of a motocross riding club as per site plan. The Planning

Board reviewed this request at a public hearing on April 5, 2011, and recommended by a vote of 4 to 1, that this request be approved with the following conditions:

- Operation hours: Saturday and Sunday from 10 a.m. until 5 p.m. only
- Property must be clearly marked with “No Trespassing” signs
- Open space between riding area and mobile home park must remain open
- Must close the entrance located near the mobile home park
- No primitive camping allowed
- No organized racing events allowed

The Planning Board found the following policies within the 2009 Growth Management Plan that support determination of consistency with the adopted plan with this recommendation:

Policy 1.4. The continued growth of Randolph County’s tourism industry will be encouraged.

Board of Commissioner Resolution Adopting the Growth Management Plan, Policy #2. Recognize that growth management policies should afford flexibility to County boards and agencies that will enable them to adopt to the practical requirements often necessary for rural development.

Policy 4.3. Individual Rural Business or Highway Commercial rezoning decisions will depend upon the scale of the proposed development as it relates to the specific site and location weighed against the impacts to adjoining rural land uses.

Policy 10.2. The County should recognize, protect and creatively assist in the promotion of developing heritage areas in order to stimulate orderly, sustainable economic growth and quality of life.

Mr. Johnson said that this motocross track came to the attention of the Planning Department after Mr. Loflin began charging admission to racers for use of the track, thereby making it a commercial use. Mr. Loflin came before the Planning Board in an attempt to bring the track into compliance with County zoning regulations. Mr. Johnson said that Girl Scout Camp Keyauwee adjoins the race track property to the east, and supporters of the camp have expressed concern about the noise and the safety of their campers.

Chris Gosselin, 163 Rocky Knoll Rd., Asheboro, spoke on behalf of the applicant, saying that he essentially operates the track for Mr. Loflin. According to Mr. Gosselin, Mr. Loflin purchased the property about five years ago, and added that the property was “all grown up” when first purchased but now, it is in pristine condition. He said that Mr. Loflin lived on the property until his home burned about a year ago. Mr. Loflin has raced motorcycles all his life and built the track for his own use, but began allowing others to ride upon request. Until recently, Mr. Loflin has never had a complaint. Mr. Gosselin said that about a month ago, Mr. Loflin began charging \$15/rider to help offset some of the upkeep expenses, and added that there are no organized races held there. Mr. Gosselin said that the riders who are trespassing on the girl scout camp property at night are not associated in any way with the riders at the track. He said that Mr.

Loflin is willing to work with the camp to determine who the trespassers are and to assist in putting a stop to it. Regarding the noise issue, Mr. Gosselin said that if the camp will let Mr. Loflin know ahead of time when the camp will be holding a large event over the weekend, Mr. Loflin will not open the track that weekend. Mr. Gosselin said that the old entrance through the mobile home park has now been sealed; the only entrance is via Hoover Hill Rd. According to Mr. Gosselin, he and Steve Henderson, CEO of Peaks to Piedmont Girls Scouts, spoke via phone two days earlier and “ironed out” many of the camp’s concerns. Mr. Gosselin said that Mr. Loflin will be glad to assist in an event to raise funds to purchase signage for the camp and will assist the camp in marking its borders with no trespassing signs. Mr. Gosselin also asked the Board to consider extending the recommended hours of operation from 10 a.m. - 5 p.m. to 10 a.m. – 7 p.m. due to the heat during the summer. Also, Mr. Gosselin asked the Board to consider allowing primitive camping, primarily for families to have birthday parties for their children. Mr. Gosselin said that there would never be any more than 30-35 riders in a given day. He also said that the flat track is a pee-wee track for kids. He added that the track is used only for training and practice and there will be no organized racing events. He also said that riders must provide their own insurance and must sign waivers before riding.

Randy Welborn, 4170 Craven Pines, Sophia, said that he owns the adjacent mobile home park and spoke in support of the track.

Michael Foyl, 5090 Jordan Valley Rd., Archdale, said that he lives on the back side of the mobile home park and does a lot of horseback riding on Mr. Loflin’s property and on surrounding trails. He said he doesn’t see a problem with the track. According to Mr. Foyl, he rides his horse often after dark and can confirm that the motorcycle riders are long gone after dark. He said that he knows who the trespassers (at the scout camp) are. He also supports the allowance of the primitive camping area.

Bailey Bryant, 109 Brightleaf Ct., Archdale, spoke in support of the request, saying that he has to get good grades in school or he is not allowed to ride. He also spoke in support of allowing the primitive camping area so that he can have birthday parties there with his family and friends; he loves to tent camp and doesn’t roam the woods at night. He added that he has all protective equipment for riding and rides safe.

Richard Rumley, 2734 Union Grove Rd., Lexington, representing the Motorcycle Safety Foundation, spoke in support of the request, saying that they would like to expand their dirt bike school into Randolph and Guilford Counties. He said that part of the training teaches rider respect for others.

Cal Northrup, 4968 Ridgeview Rd., Archdale, said that he owned a small business that caters to this industry. He spoke in support of the request, saying that this is a great family activity.

Hunter Williams, 2772 Whispering Way, Sophia, said that he is twelve years old and that he supports this request. He distributed a picture depicting himself with numerous racing awards and trophies. He said that he has to keep his grades up to be able to ride. He loves to ride and wants to be a professional motorcycle rider one day. He said that it’s a family activity and that there is no other facility nearby.

Cody Richardson, 1866 Groom Rd., Sophia, spoke in support of the request, saying that it was a great place to ride and hang out.

Shay Bryant, 109 Brightleaf Ct., Archdale, NC, said that this track is important for the neighborhood and a good place to ride. He has three boys, who all ride. The nearest track is 1½ hours away. He also supports the allowance of primitive camping at the site.

Rodney Hill, 3215 Bethel Lucas Rd., Asheboro, spoke in support of the request, saying that the track is an excellent facility; it's safe and well-controlled and a great place for his son to practice.

Rodney Hill, Jr., 3215 Bethel Lucas Rd., Asheboro, said that the track is a good place to learn things and to get better at racing.

Stacie Anuszkiewicz, 308 Sterling Ridge Dr., Archdale, said that her two boys have given up all other sports for motorcycle riding. She said that there is not another track nearby to take her boys. It's a great family activity, according to Ms. Anuszkiewicz, and she attends every ride. She requires her boys to get good grades in school before they are allowed to ride.

Chad Williams, 2772 Whispering Way, Sophia, said that he often "runs the gate" at the track and has noted that the majority of the vehicles are families. He said that the most riders he has seen at the track is 30. His son gave up all other sports in order to devote all his time to motorcycle riding. He and his wife support this request. He also said that they would like to have the option to tent camp there in order to have a birthday party for their son. He also supports extending the hours to 7 p.m., due to the heat during the summer.

Mindy Hankins, 1866 Groom Rd., Sophia, said that she is a Randolph County middle school teacher and supports Mr. Loflin's request. She said that not all kids can "throw a ball." Her son enjoys riding. This track provides a safe environment for kids. According to Ms. Hankins, before he started riding, he struggled in school. Now, he is an A-B student.

Corey Miller, 5550 Leesville St., Trinity, spoke in support of the request, saying that he enjoys riding with his friends and family.

Roger Miller, 5550 Leesville St., Trinity, said that his son has been riding for five years. He is an A-B honor roll student and a member of the Boy Scouts. He said that Mr. Loflin provides a safe place to ride and that the track is well supervised. He also said that he would be willing to help Mr. Loflin rectify any problems in order to keep the track open.

John Megerian, Asheboro attorney representing some of the opponents to the request, presented a petition containing 160 signatures of citizens who oppose this request. He said that the first choice of the opponents is for the Commissioners to deny the request. The second choice is to "nail down" some better restrictions or conditions, which should include a maximum number of riders per day and whether alcohol will be permitted. He said that the operation has been going on illegally and continues to operate illegally. He argued that while the trespassers on the camp's property may not be riders from the track, the racetrack should be considered an

“attractive nuisance” that attracts trespassers. He said that no trespassing signage is not a solution and added that Mr. Loflin should erect a fence around his property to protect the girl scout camp. Also, Mr. Megerian stated that this property lies within a Rural Growth Area. He argued that there are lots of policies and goals that the girl scout camp meets that the racetrack does not.

Ann Watkins, Peaks to Piedmont Girl Scout Board Chair, spoke in opposition to the request, saying that the girl scout camp has been in operation for 71 years and has served over 17,000 girls and more than 5,000 adults. She said that she cannot quantify all of the benefits the camp provides. She is concerned with the safety of the campers due to increased traffic and trespassers. She asked the Board to either deny the request or to impose some strict conditions.

Steve Henderson, Peaks to Piedmont CEO, said that he had a good conversation with Mr. Gosselin about his two major concerns: noise and security of the property. He said that while they prefer not to have the race noise at all, since the weekends are transition days at the camp, perhaps the noise won't be a big problem to the campers. He mentioned the problems with the trespassers near sleeping campers, saying that he's not sure who the trespassers are. He is also concerned about riders on the trails that the girl scouts use, as well as the temptation for tent campers at the race track to wander over onto camp property, should the primitive campsite be allowed at the track. Mr. Henderson agreed that both the scout camp and Mr. Loflin need to work on posting their properties. Mr. Henderson also suggested using the creek as a natural barrier between the two properties. He also suggested imposing a maximum number of riders as part of the conditions, should the request be approved. Mr. Henderson reminded the Board that any changes in the property's zoning would follow the property and not the owner.

Whitney Rose of 617 Cascade Ave, Asheboro; **Shekinah Fonville** of 632 Allred St., Asheboro; and **Jamie Pemberton** of 2015 Holland St., Asheboro, spoke, representing Girl Scout Troop 4175. They said that Camp Keyauwee has been a big part of their lives since the 3rd grade. They said that while they understand the riders' love for this activity, they hope that the race track doesn't interfere with the camp, since it is so important for thousands of girls.

Paul Hoffman, 2573 Sweet Briar Rd., Sophia, said that he had been the Ranger at Camp Keyauwee for 11½ years. The most important of his duties is the safety of the campers. He said that when he checked out the last troop from camp recently, one of the girls said that there had been riders in the woods that kept them awake. He said that he is not sure who the trespassers are, but it has been a problem for several months now. He said that there should be a solution to this issue and that neighbors should be able to work out these types of issues.

Carrie Myers, 304 Florence St., Greensboro, Girl Scout Program Director, spoke in opposition to the request. She said that the Girl Scout program does good things for the girls. She also said that scouting is good for the county's economy.

Hank Harris, Winston-Salem resident, said that he had been a girl scout for 35 years. According to him, Camp Keyauwee is a precious place and that a race track and a girl scout camp just don't mesh.

Leslie Lamb-Rhodes, 728 W. Front St., Burlington, said that she lives in Burlington but grew up in Randolph County. She's been going to Camp Keyauwee since the second grade. She

is now a scout leader. She said that the girl scouts are the most safety conscious organization in the country. She said that parents need assurance that when they send their children into the woods that they will be safe. She doesn't feel safe when there are trespassers around.

Tracy Gosselin, 163 Rocky Knoll, Asheboro, spoke in support of the request. She said that she is the wife of Chris Gosselin. They are the parents of a son, age 7 and a girl, age 10. She has watched Asheboro change tremendously over the years and said that Asheboro has fewer activities than it used to. Walmart, according to Ms. Gosselin, has put local business owners out of business. She stated that she was proud of the boys who spoke in support of the request. She said that she is at the track with her son and said, "It's pretty awesome." Ms. Gosselin said that a lot of what Mr. Megerain said is untrue. She wants the best for her kids and for them to be safe. She said that there are never any races and no awards or trophies given out. She hopes that this family activity can continue and encouraged both parties to come up with a workable solution.

Chris Gosselin spoke again, arguing that there has been no illegal activity at the race track for the past five years, contrary to what Mr. Megerian said.

Ben Morgan, County Attorney, said that there had been three visits to the track by Code Enforcement Officers; there were no violations noted.

Following discussion by the Commissioners, on motion by Frye, seconded by Kemp, the Board voted unanimously to postpone a decision on the request of Ricky Loflin and directed the County Attorney and Hal Johnson to meet with Mr. Loflin and representatives from the Girl Scouts to find a workable solution and to bring this item back to the Commissioners for their consideration at their June 20 zoning public hearing.

At 8:45 p.m., on motion of Frye, seconded by Haywood, the Board voted unanimously to adjourn.

J. Harold Holmes, Chairman

Darrell L. Frye

Phil Kemp

Stan Haywood

Arnold Lanier

Cheryl A. Ivey, Clerk to the Board