

**TOWN OF STOKESDALE**  
**PO BOX 465**  
**STOKESDALE, NORTH CAROLINA**

The public hearing for Rezoning Case #07-10-STPL-07048 scheduled for the regular meeting of the Stokesdale Town Council that was held in the Town Hall at 8416 US Highway 158 on Thursday, November 15, 2007 was continued to Tuesday, November 20, 2007 at 8500 Ellisboro Road.

Mayor Randle L. Jones called the meeting to order at 7:09 PM. The following members of Council were present: Mayor Randle L. Jones, Mayor Pro Tem John W. Flynt, Bobby Richardson, Mickie Halbrook and Powell Shelton.

Others present included: Guilford County Deputy Steve Christman, Trevor Nuttall, Guilford County Planning Department; William B. Trevorrow, Town Attorney; and Carolyn Joyner, Town Clerk/Finance Officer.

Mayor Jones stated that the meeting was a continuation of the regular Council meeting of concerning the following case:

**REZONING CASE #07-10-STPL-07048: AG to CU-HB.** Located on at the southeast corner of HAW RIVER ROAD (SR 2028) and NC HIGHWAY 68 NORTH in Oak Ridge Township. Being Guilford County Tax Map 1-58, Block 1105, Parcel 20; and, Block 1114, Parcels 3, 4, 9, 13, 15, 22, and 23, approximately 27.43 acres. Owned by Sarah E. York, etal.

Mayor Jones announced that he would call five people would be at a time to come forward with the first going to the podium to speak and the other four being seated until they were called. People are addressing Council and should direct all comments to Council. Others should be quiet and courteous so that everyone may hear. The staff will give information to the Council and will make a recommendation. At that time it will be opened to public comment with the proponents first to be followed by those speaking in opposition. There will be a time for rebuttal. Each side will have one hour and thirty minutes to speak and there will be a fifteen-minute rebuttal. Everyone who wants a chance to be heard will be heard before leaving tonight. He asked that everyone state the facts pertinent to the position that you are taking. Do not repeat the same thing over and over. I asked you to do that so that it is not repetitive and you will not infringe on your neighbors' time. Names will be called out in the order that you signed up last week and the ones that signed the list tonight. If your name is called and you do not want to be heard or if others have already said covered the topic, let Council know. If you are a spokesperson for a group, please let Council know.

Mayor Jones noted that some people could not attend the meeting and had sent letters and emails to Council. Those matters are added to the official record of the meeting.

Mayor Jones said that he would recognize people as having the floor and asked everyone to please state their name and address for Council. He would recognize them and they may then address Council at that time.

Trevor Nuttall, Guilford County Planner and Town Planner for the Town of Stokesdale presented the request. Mr. Nuttall indicated that the request is to rezone approximately 27.43 acres from the Agricultural District to the Conditional Use Highway Business District. A majority of the properties are within the Scenic Corridor Overlay District. Several conditions and use limitations have been proposed by the applicant. They are included with the staff report.

The AG, Agricultural District, is primarily intended to accommodate uses of an agricultural nature, including farm residences and farm tenant housing. It also accommodates scattered non-farm residences on large tracts of land. It is not intended for major residential subdivisions.

The HB, Highway Business District, is primarily intended to accommodate those retail service and distributive uses which are typically located along thoroughfares. The district is established to provide locations for establishments which require high visibility and good road access, or which cater primarily to passing motorists. Developments in this district generally have substantial front setbacks.

The property owner indicated in the report is largest property owner involved, Sarah E. York. The other property owners are Sarah Elizabeth York, Kevan Combs, Richard Allen Regan, Carl & Kathy Robinson, Kevan Combs, Hazel Stevens, Bobby & Rachel Gauldin and Lisa Gauldin Pegram. There are eight tax parcels involved in the request. The property is located at the southeast corner of NC 68 North and Haw River Road in Oak Ridge Township and totals approximately 27.43 acres.

The Land Use Analyses: The existing land use includes residential. The requested land use is commercial. There is no history denied cases. Surrounding uses include Dawn Acres Golf Course to the north of the property. To the south and east are residential uses. There is commercial, developing commercial, and residential to the west of the property.

The recommendation of the Northwest Area Plan of 1998 is rural area. The Stokesdale Land Use Plan 2007 Update which was adopted by Council last month recommends balancing the Town's desire for rural character preservation with the right of land owners to seek appropriate development of their property.

There are no inventoried properties located on or near this property. Efforts should be made to rule out the potential of unknown gravesites should the property be developed.

Public water currently terminates north of the property on NC Highway 68 at Prince Edward Road.

The subject property is in the Stokesdale Fire Protection District and it is approximately two miles from the Fire Station.

Transportation Analysis: Existing transportation conditions show NC Highway 68 as a state maintained major thoroughfare with a variable right-of-way. Haw River, also a state maintained road, east of NC Highway 68 is a local street that serves residential properties and the Pine Needles facility; the road terminates at this facility. West of NC Highway 68, Haw River Road is designated a minor thoroughfare. NCDOT showed an Annual Average Daily Traffic count (2005) of 16,000 vehicles on US Highway 68 just north of Haw River Road and a count of 3200 vehicles on Haw River Road west on NC Highway 68.

No roadway improvements are proposed at this time. The NCDOT will be responsible for reviewing driveway locations. Required road improvements will be a part of that review should the property be rezoned.

Traffic generation is difficult to estimate because a plan has not been provided that outlines the expected square footage of the commercial activity or designates specific commercial uses for the site.

Physical characteristics are provided which include topography and soils. A small pond and an intermittent stream are located on the southern portion of the property. The property is not located in a water supply watershed but it will be subject to stormwater management regulations under NPDES II. A topographical map is included in the packet as well as a survey that was submitted by the applicant.

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**STAFF RECOMMENDATION:** Staff believes that the acreage involved in the request is too large to strike the balance recommended by the Land Use Plan, but would be in support of a smaller scale commercial rezoning that could compliment the developing property to the west. In addition, traffic management at the NC Highway 68 and Haw River Road intersection is an important consideration. While the NCDOT will review drive locations and stipulate required road improvements, staff believes that a Traffic Impact Study should be performed prior to a large-scale rezoning to provide information regarding anticipated improvements associated with development of the site. After considering all of the goals and policies of the Land Use Plan, and without the benefit of a traffic study, staff does not consider the request to be in the public's interest at this time and recommends denial of the request.

It is important to note that the applicant has proposed conditions advancing other recommendations of the Land Use Plan. Specifically, the applicant has offered enhanced landscape buffers adjacent to residential uses and adherence to Scenic Corridor standards which would be required by the Ordinance. These standards require non-residential building facades to be comprised of brick, stone, wood, or similar materials, prohibit unscreened outside storage of building materials, scrap, pipe, vehicles, or equipment, and stipulate other requirements pertaining to signage, billboards, and building design.

Mr. Nuttall had included the state law requirements which states that Council's decision must contain a statement that explains how the decision is or is not consistent with your adopted Land Use Plan, why the requested zoning district is or is not a reasonable designation for the property and how Council's action promotes the public's interest. The Town planning Board heard the case on November 2. It was recommended favorably with a 4 to 3 vote. The Planning Board recommended approval noting that the request was, in their view consistent with the Land Use Plan, the subject property was in an area where other commercial rezoning have been approved and it will provide jobs in the area.

There were no questions from Council at this time.

**Those speaking in favor of the request were:**

Jesse Joyce, 8308 Moritz Drive, Stokesdale, indicate that he had heard that it was going to be a Lowes, a Food Lion and a restaurant and all kinds of things. He talked with Mr. Combs to find out what his plans were for the property. He feels that what he has in mind for the property will be an asset to the community because of jobs and benefits and it will save trips to Greensboro for lumber. Lowes is a good neighbor on Hwy 158.

Keith Halbrook, 8334 Moritz Drive, said that he would think it would be unreasonable to expect anything else there because the other three corners are commercial and it would be wrong to deny one corner. He saw no reason not to rezone the property.

Kevan Combs, 7400 Hadleigh Court, said that he is not against anyone in the community or the neighbors. He said that he has weighed the pros and the cons of the project and the pros outweigh the cons. The land is for sale and some of the uses were not as good for the property. Mr. Combs does not own all of the property. Traffic issues and property values seem to be the biggest concerns. He has a traffic engineer, John Davenport, has done a full traffic study and Jim McNairy, McNairy & Associates of Greensboro has looked at how a store such as Loews might affect the property values in the surrounding area. Bill Greco, his land planner was present as well as representatives from Lowes to answer questions. He said that he is proposing to extend the Town water lines from Prince Edward Road to Haw River Road. So the community wells in Huntcliff, Weatherstone, Meadow Ridge and Arbor Run. He said that impervious surface on the 27 acres, he can only develop 24 % of the site unless they install other devices or acquire more land and then they could only develop one third of the property He tried to include conditions that neighbors would agree with and he would like to add another condition regarding noise. He said that Guilford County recommendation for denial is based on the staff's interpretation of the Land Use Plan. He said he feels that this is the best use for the property. He felt that the community should feel flattered and all they are asking is for the privilege to build it and no incentives are being asked for.

Zane Anthony, 7736 Anthony Road, said that he felt that it would be a shame to let this slide through our fingers and what it would bring to Stokesdale to go to someone several miles away.

Brandon Vannoy, Jefferson, North Carolina, said that he works for Gemsite Development that currently has the property under contract with Mr. Combs and they are a Lowes developer and develop Lowes all over the country. There is a potential for a new Lowe stores. He said that there are a lot of benefits that Lowe could bring 1500 new jobs with the development itself. He would love to answer questions. Mayor Jones asked if he would stay as Council may have questions later.

Melvin Cline, 1607 US Hwy 220, Jefferson, said that he was also with Gemsite. They are real estate developer and do a lot of Lowes work. They try to address all issues such as traffic and they have been working with Mr. Combs to put a plan together. He would answer questions.

Jon Davenport said that his firm worked on the project across NC 68 and were hired to determine what type of road improvements that would be needed for this project. They will follow NCDOT engineering standards. They have looked at it in terms of capacity and safety to make sure that improvements would be in place to accommodate the project and to make sure that safety is maintained at NC 68.

Bill Greco, Land Solutions, 7622 Bentley Road, Greensboro thanked Council for moving the venue and allowing time for all of the speakers. He indicated that they would like to offer another condition after hearing the concerns of the neighbors. They would like to add the condition that noise levels on the site will comply with any and all applicable Guilford County ordinances or regulations relating to noise. The Town of Stokesdale does not have it owns noise ordinance but we would like to offer this condition to insure folks that we are paying attention to noise levels and there will be some regulation.

He directed Council attention to the three items that the Legislature asked Council to address in any rezoning matter. The first is the consistency with the Land Use Plan. A land use plan can be interpreted and the Planning Board took another position and recommended approval. He said that he believes that the request is consistent with the Land Use Plan. He said that the conditions offered by the applicants are designed to enhance and enforce the requirements of the Land Use Plan (LUP) such as buffer yards, scenic corridors requirements and outside storage. A lot of things addressed in the Land Use Plan are addressed by the conditions. The LUP speaks about industrial areas and notes that there are areas that are zoned for industrial use that would allow future expansion in those areas. Rezoning this parcel would not adversely affect any industrial areas that are vacant now. This rezoning would provide for the addition of businesses and service that cater to the citizens which is stated on the first page of the LUP. As to whether this is a reasonable designation for this property, he noted that the HB district as defined is intended to accommodate retail services and uses that are typically along thoroughfares. The intersection of NC 68 and Haw River Road has always had some type of commercial use at the intersection. It is reasonable to allow that growth to continue. Development, growth and construction are controlled through the use of regulations, ordinances that are designed to promote positive things with health, safety, and welfare of the public. There are over a dozen counties that do not have zoning ordinances, land use plans, development plans or stormwater ordinances. The land use plan says that less than 1% of the total land area in the Town has been used for commercial zoning. A development of the size of this request will not have an impact on the total amount.

The applicants have acted in a reasonable manner and have developed the conditions, met with the neighbors. The conceptual sketch shows certain items such as the loading dock has been located away from neighbors, the buffers have been doubled, the septic fields are planned for an open field and existing ponds and woods will remain. They have tried to address concerns that have been expressed.

The third item is how the project will promote public interest. Mr. Greco said that there will be jobs with Lowes and there will be jobs created for electricians, plumbers and landscapers and other who are in business in Stokesdale. The tax base will be increased. The costs of extending the water main will be paid by the developer any residences along the route will be able to connect to the water system. There will be

improvements to NC 68 at no cost to the Town. This project will allow an existing business in Stokesdale to expand and there are no incentives to the business.

Jim Flynt asked that his name be stricken from the list.

Commie Johnson, 7769 NC 68 North, said that his home is about 1 mile from the site and he has lived there for about 29 years and he did not feel that Stokesdale could not pass up the opportunity. Lowes is a good corporate citizen now and he is in favor of the project.

Worth Mitchell, 8121 Riesling, in Arbor Run said that he feels that it will be wonderful for the community and it should not be passed up.

Tim Venable, 8700 South Point Drive, said that many people are moving into Town said they will be putting a lot of money into their structure and the community. They will give to the community. The road is busy now, but when houses are added there will be more cars. More cars and more development will get the road widened. When people want to sell their property, they should have the opportunity.

Conway Thresher, 411 Crossing Creek, Belews Creek, said that he felt that it is a good opportunity for the community and the surrounding area. He felt that it is the best thing for that corner and it will benefit everyone.

Joshua Lemons and Jessica Jones declined to speak.

Herb Parks Amy Wheeler: Position has been stated.

Casey Johnson said that his position has been stated.

Ron Davis, 7575 Haw Meadows Drive said that his position has been stated.

D. S. Butler, 8429 West Harrell Road, operates DS Butler airfield and has lived there 11 years. He said that he is in favor of the project. He has known Mr. Combs and said that he always builds first class projects. He says that it will provide a tax base and take the pressure off of residents. It should provide a number of jobs. It is close and convenient and it will save gas. The grocery store will provide competition for the Lowes in Oak Ridge and should hold prices down. It should be an asset to the community.

Greg Browning did not speak.

Mary Hardin, 8208 Millrun Road, said that she was in favor of the project. She said that jobs are needed and if more homes are built that brings in many more homes.

Bob Simpson, 8302 Strand Drive, said that it is a no brainer, with three businesses on the other corners why not one on the fourth corner. He felt that it would be less traffic than if another housing development was built. Agriculture is gone.

Mary Ann Williams, 8632 Warner Road, said that she lives next to the west of NC 68 and next to the largest landfill in North Carolina. To the East of NC 68 is the Tank farm. Stokesdale should take an environmental stand and try to attract clean commercial businesses to Town. Lowes will bring business to other businesses in Town.

Mickey Marshall was not present.

Janice Simpson, 8302 Strand Drive, said that Lowes would be great. With the high price of gas, it would be more economic and there would be less global warming if there is less traffic. Jobs are needed.

W. R. Victory did not speak.

Luann Hardin said that her position had been stated.

Jim Parker, 8632 Haw River Road, said that he was representing his mother in law, Ruth Sherron, who is an adjoining property, (H & I on the map) and they are in favor of it. It is needed and it will be convenient.

Rush Hardin was not present.

Nancy Tritt declined to speak.

Terri Johnson said she was for it but would not speak

James McNairy, 1616 Battleground Avenue said that he has been a real estate appraiser and consultant since 1976. He was hired by Mr. Combs. His analysis turned up no detrimental damage to property in the neighborhood. In surveying the neighborhood traffic on the morning, there were numerous vehicles at the intersection which were not stopping but continuing on NC 68. With the Development of the FEDEX, traffic from a Lowes will not have an effect on the traffic. The Triad MLS which covers a large percentage of the houses that are brought and sold in Guilford County shows that in 2007 the average days on the market is 102.4 days. Of the houses sold in the Huntcliff and Weatherstone Subdivision, only one approached the 102.4 days mark. The average was about 50 days. Of the houses that were currently for sale as of November 15, one house had been on the market for 217 days. The others average 88.5 days which says that there is no effect on the residential property.

Joe Thacker, 7936 Lester Road, said that jobs and convenience has been discussed. He said that he had a small business and tries to buy things locally but he does have to make trips to Greensboro and Kernersville to buy lumber. If items could be purchased locally, it would eliminate trips to Greensboro or Kernersville and this would eliminate traffic. He expressed concern for the environment and the excessive use of gasoline and saving natural resources. He stated that by trying to follow the Land Use Plan and putting commercial businesses in the Town Core or out on Hwy 158, you would have traffic coming down NC 68 and turning onto US 158 creating more traffic.

Sarah Johnson, Jason Barnes, and Brandy Barnes, were not present.

Robert L. Casey, 8146 Flat Rock Road, Stokesdale, said that he felt that Stokesdale would have a tax in the future and by having a corporate citizen to pay the taxes, it would be less on everyone else. He said that the Fire Department would see an immediate increase in their tax base because of their seven to eight cent tax rate.

James Dowdy was not present.

Billy Yow, 1429 Country Lake Drive, Greensboro, said that he does not live on the north side of town but he does a lot of work in the area. He said that it does not matter whether it a Lowes or some other use but the property owners are entitled, as taxpayers, to have their property at the highest value of use. He said that the rezoning is supposed to enhance the community which it will because there will be a reduction in traffic. He said that parents would be able to stop with their children after work and get these resources with leaving the children alone and this will reduce crime because kids will have the opportunity to work at a neighborhood job after school. The rezoning is an asset to Oak Ridge, the rural area of the County, and the schools. He said that the County Planner said that the County would support this highway business if it were a little smaller. He felt that it was not the County's position to take the size and the magnitude but it is about the rezoning. Their responsibility is to come to this Board and give a professional opinion as to whether the property should be rezoned. Every piece of property around this subject piece of property has been rezoned already. When you start a trend of rezoning property, the rest will come. You can't keep building houses without adding amenities and you can't add amenities if you don't have houses to support

it. These are tough economic times. He felt it was impressive to see this many people come out in support of this rezoning in the neighborhood. He wished there was more of this type of rezoning to come to the Towns around and in Guilford County, with their hands in their pockets and the future in their minds and the betterment of the community because it would make Guilford County a better place for all of us.

Sandra Charles, 7713 NC 68, Stokesdale, said that she lived across from the Golf Course and is the third house down from the Sunoco and she will be staring at this property for the rest of my life. She said that she was happy when Lowes took over an abandoned building and made it into a distribution center and she apologized to any Lowe's representatives for this slight inconvenience on their stores. She presented Mayor Jones with a petition with 526 signatures with a statement that says " By my signature I support the rezoning at the corner of Haw River Road and NC 68 to try to bring a Lowes Homes Improvement Store and new Jobs to Stokesdale." She only had 12 people to tell her no.

Sheldon Steele, 8419 Deer Path Court, he said that the issues of transportation, cost and time have been brought up. He has to get materials because of his business and has to waste time running around Town. He pointed out that Lowes is a North Carolina business and that he has had personal business with Mr. Combs and he is a man of his word.

Jan Wyrick 1400 Lennox Woods Drive, Summerfield, asked that the facts be considered. The rezoning needs to pass to help the Town which has had several blows. She became a resident of Stokesdale 40 years ago and lived here for 26 years. She still is an active member of the community since her parents live here. She recalled that the Blue Bell is gone. Tobacco is about gone. The Burlington Industries Distribution Center where she worked for about 15 years is gone. She lost her job there about 5 years ago. She said that is the past and we must look to the future. She said that Lowes is 45<sup>th</sup> in the Fortune 500 companies. She felt that Council should put emotions aside and look at the facts. Jobs, Health insurance, 401 K retirement opportunities and a commitment to the community. She read a statement from the Lowe's website.

Ron Teisler and Jean Tiesler said that everything has been covered.

**Those speaking in opposition:**

Robert Wurz, Dorsett Downs Drive, felt that this was not about Lowe's coming to Stokesdale but it is a zoning case for 27.4 acres being changed to HB. He said that he would love to see Lowe's in Stokesdale but there is no guarantee that the site plan will be enacted and no guarantee that Lowe's will come. He questioned whether having 27.4 acres of Highway Business at the corner of NC 68 and Haw River Road makes sense for the Town. Does it fit in with the rural character of the Town, the safety of the Town and how you want the Town to develop? He pointed out that the property is not owned by one person. Should the plans not come to fruition, the individual parcels could be developed differently. He said that the Land Use Plan was not developed with the development of NC 68 in mind. The ordinances that were suggested by the Land Use Plan pertaining to the scenic corridor are not in place. The types of ordinances to manage big box commercial development have not been discussed or put in place. The conditions offered by the developer are a good step forward but they may not be in concert with the final Town Ordinances. He noted that the Town Core and the Land Use Plan was not formulated with the growth that almost 50 acres of retail land would be developed at the Haw River – NC 68 intersection. He asked if Council has considered what will happen to the Town Core. He felt that it will diminish and it will be tough to get any revitalization and the focus on cultural areas may go to the new retail area. He said that he thinks that a Lowes will be fabulous for the Town but it should be placed where it will fit into the rural character of the community and the safety and traffic concerns should be addressed.

Glenn Miller, 8140 Sangiovese Drive said that he was not so much against the rezoning as he was against Lowes. He suggested that you should talk to the people at that the Lowes at Martinsville if you can find anyone. He also suggested that Mr. Combs should build a nice building so that if the Town cannot support a Lowes, then the building will look nice.

Gary Thomlin, 7907 McCreedy Drive in Huntcliff said that Kevan built a nice neighborhood for families. Chestershire Road runs into Kristin Drive which runs into Bartonshire. When the cars cannot get through the traffic light, people will take shortcuts through these streets. There are a dozen children on his street playing ball, and riding bikes. There are about 200 homes in these developments and it is a nice neighborhood. Increased traffic in the neighborhoods will endanger children.

Robin Rakes, 7911 McCreedy Drive, Huntcliff Subdivision, said that Gary is his neighbor and he had heard Kevan say something about the good of the community and wouldn't it be great if we could come together for the community. He felt that if he was opposed to this, then he was not interested in what was good for the community. He said that he was not against a Lowes and he did not mind driving to Greensboro or Kernersville when he needed something. He saw the Vision Statement in Town Hall. "Small, rural and safe" were words that struck me. He said that he did not move here for convenience. Nothing can be done at the intersection is going to make NC 68 any better. The traffic will find its way through his neighborhood and he felt that his child will not be safe and that is not good for this community. He mentioned that someone had commented that the commercial activity had always been there. He noted that the new Sunoco is there and Dawn Acres Golf Course is not commercial but it is leisure activity and it is a business. There is commercial development now and he was not sure if it is one man's vision for the intersection. There are people that live on NC 68 who are in favor that probably will have their property rezoned. The people that will suffer the most are the children and people in the development. He hopes that no one has to pay the ultimate price for the sake of having commercial development at this corner and to have it rezoned just because the other three corners have been rezoned does not wash.

Bryon Ramsey, 7601 Kristin Drive, one of the shortcuts mentioned, said that the unemployment rate for Stokesdale is 1.4%. Everyone that wants a job has a job has one. The questioned the need for a tax base and said that he pays for the services he received such his garbage service, water and sewer. We need to be fiscally responsible. He felt that the conditions, such as noise and lighting are driven by the laws. Traffic facts were not given and Mr. Nuttall had said that a proper traffic study needs to be done. He noted that the multiple listings that were cancelled on house that were for sale were not given. He indicated that some houses on his street were turned into rentals when they did not sale and others have not sold in over a year. Turning lanes for turning left on Haw River Road has only space for one delivery truck only has one delivery sand and traffic will then back up in NC 68 north. Wrecks result from this on East and West Harrell. He said that he was not against Lowes. Oak Ridge has an ordinance for not allowing building over 30,000 square feet. He said that he was supportive of Lowes, but not at this location. He said that he supported local businesses such as the Stokesdale Hardware. Ten of the people who had already spoken did not live in Stokesdale. He pointed out that Mr. Yow, an elected official, said that there was nothing that we can do about it. I don't know if that is ironic or disappointing or what. This is a moment of truth for Stokesdale. A big box here and more will follow until we are like Battleground Avenue. He said that he would support a Lowes in another location.

Michael Bullock, 8209 Chestershire Drive, Huntcliff Subdivision, said that he is a big Lowes stockholder and he is totally against this. He said that he lived at Brassfield and they moved because of Home Depot. He lived 1.4 miles from the Home Depot to his deck. He pointed out that the site plan was not binding. Noise is an issue and buffers will not stop noise. He has been to 41 Lowes sites and none of them have gated parking lots. Delivery trucks will be coming in at 3:00 AM to make deliveries. Forklifts are used and store sets and stocking is done at night. He and 101 other residents of Huntcliff do not want it. He feels that it is not the appropriate place to put it. He asked what would keep the Parking lot from becoming the all night Stokesdale truck stop. The paging system and security system are noise issues and traffic is another concern. He feels that Haw River Road has 101 houses that it services plus the gas plant. Trucks will miss the turn and end up at the gas plant. Haw River Road will not support that the traffic. Mr. Hall, NCDOT, said that they would not make improvements at this intersection. It will be up to the developer. DOT said that they would not consider widening NC 68 for eight years. He noted that Guilford County EMS response time is slow. He said that this was not the right place for this large project. He suggested that Council should wait until they can see the impact of the Food Lion and the Walgreens on the area and then decide on this rezoning. He said that there are too many unanswered questions about the request.

Laura Watson did not speak.

Terri Whittington, 8209 Chestershire Drive, Huntcliff Subdivision, said that a picture of the Food Lion had been brought last October to their homeowner association meeting and they were asked if they opposed the turn lanes on NC 68. Mr. Combs came to her house and wanted to know if there are any issues. She said that she wants jobs and development in this area but she does not want it in her backyard.

Pat Cheely, 7607 Kristin Drive, said that he has gone through the same thing in Olive Branch, Mississippi where Lowes put in a big box store. He said they started having more traffic in his neighborhood and the crime rate began going up. When people started looking for shorter routes and ways to get around the traffic light, speeding cars will cause concern for the safety of their children and speed bumps will have to be put in. This area would be good for a professional building that would not bring the traffic.

Eileen Thiery, 8101 Meadow Spring Place, Springdale Subdivision, Stokesdale said that she had spoken with Jeff Lattray, the commercial developer for Lowes who is working with Mr. Combs on the project. She suggested that Mr. Combs should withdraw the request since it is dividing the community. She said that she had facts on the salaries for Lowes. She had contacted human resources in Kernersville and interviewed employees there as well as in Greensboro. She was told that \$11.00 is being bantered around but that is probably for department heads and experienced individuals but it is probably more like \$7.00 or \$280 versus \$440. She talked with a stockbroker and found that at one year ago the Lowe's stock was at \$35 and now it is down to \$22.30. If they have to close a store, it is a write off for them. If they should have to close, then there will be a big white elephant on NC 68. The Board of Transportation has a new 25 year State Wide Transportation Plan which has been approved which says that we have 20 years of what we have now are living with now on NC 68. She pointed out that traffic will be routed through the 158-68 intersection when they come from other areas to Lowes. She had a report issued for the schools by the American Lung Association. She said it indicated that children near busy intersections have asthma. She said that for 10 years the section of NC 68 from the Airport to Rockingham County Line has been on a watch list of dangerous roads. She pointed out that all property owners have rights and while you have the right to make money on your property, others have the right to live here and have good quality of life. She asked Mr. Combs to withdraw the request.

John Weber did not speak.

Crystal Evans, 7600 Tall Meadows Drive, Meadowridge Subdivision, said that she was not opposed to Lowes. She is concerned about what the community has promised the citizens that live here. She gave the definition of "harmony" and "rural" and said that she did not feel that Lowes is rustic. She did not feel that Lowes at this intersection would be safe nor would it blend with what exists there. There would be no harmony in the community. She talked about the size of the building pointing out the proposed small Lowes building would be 94,000 square feet which does not include parking lot, garden center, lighting, landscaping. The building alone would cover 2.51 acres. She pointed out that the Stokesdale Business Center where the meeting was being held, contains 27,000 square feet and sits on 8 acres and the rezoning request is for 27 acres. The Business Center would fit inside the proposed building for three and one half times. She suggested other types of uses such as a health care facility or a shoe store would be more appropriate for the community. She felt that it is like trying to put a dinosaur in a doghouse. It does not fit. She said that the project is not harmonious or rural. The new shopping center across the street has grown from 14.3 acres to about 23 acres after the rezoning. She questioned whether the request could "grow" as well. Ms. Evans expressed concerns over traffic noting that she had traveled on NC 68 from Haw River Road to Alcorn Road at 3:24 PM. The trip took six minutes and she met 24 tractor-trailers and 9 heavy-duty construction trucks in addition to private vehicles, which passed her traveling north. She felt that the Council should objective and consider what is best for the citizens and the community. She expressed the concern over the comment that was made that residential activity would not be affected by Lowes. She felt that it was premature to say since they were not here yet. She also noted that according to the newspaper, Lowes' had reported a 10.2% drop in third quarter profits and they anticipate a slow start in 2008 and the stock had dropped 7% hitting a 52 week low.

Jan Clayton Miller was not present.

Chris Hendrix, 7807 Perthshire Drive, said that he has shopped at all four Lowes within 15 miles of his house and he could find everything that he needed at those locations. He said that Mr. Combs had built his development and Mr. Louie, Planning Board Chairman, said that zoning is forever. This is a pivotal moment for the Town since it is a major change from the past. He felt that the land use plan was very thoughtful and should be followed. He felt that other big box stores will follow along NC 68. He said that this location will just increase traffic problems and it is far away from the other businesses. He noted that part of the property has commercial zoning and that is appropriate but the remainder does not need to be changed.

Maria Rossi, 8116 Chestershire Drive, Huntcliff, said that it is tough economic times and Lowes has reported a drop in 3<sup>rd</sup> quarter profits. She expressed concerns that Lowes may abandon the site in the future leaving a large structure and no tenant. She expressed concerns over the kind of traffic with trucks of lumber and the safety of the children in the neighborhood. She said that gas is going to take priority and people will delay their home improvements. She requested that Council deny the request because of the stress of economic times.

Randy Byrd, 7902 McCreedy Drive, Huntcliff, said that he is opposed to Lowes because it is not appropriate for this corner. He was concerned about property values and the safety of his kids. The majority of the people that live in Huntcliff have the majority of their wealth in their homes and they cannot afford a 25% drop in value. Over 100 homes would be affected and only Combs, Inc. will benefit from this. He felt that the opposite corner should be completed and see those results before going forward with Lowes.

Mark Hanson, 7809 Perthshire Drive, Huntcliff, thanked the audience for the civil tone that this meeting had versus the Planning Board meeting and said that no matter what happens we are still neighbors tomorrow. He and his wife chose Stokesdale because they wanted a safe environment that was quiet and peaceful and it seemed that they had found it. A Lowes Home Improvement store is not in the community's best interest. Neither Oak Ridge nor Summerfield would allow this development. He felt that it would threaten the quality of life of the local residents due to water pollution from parking lot runoff, noise pollution from delivery traffic, light pollution, increase traffic on an already dangerous and congested highway, and threats to the safety and security of local neighborhoods are among the many problems that will result from the poor planning that fails to grasp the long term consequences of proposal. A few new jobs will not offset the negative economic impact felt by nearby homeowners when property values and quality of life plummet when the Lowes is built. He suggested that another option should be chosen that would best serve all of the community.

Natalie Wurz, 7900 Dorsett Downs Drive, said that she has lived in Dorsett Downs for ten years and she felt that safety is a big issue. There is only one road into and out of Dorsett Downs and there is no traffic light. It is a dangerous intersection. She felt that the appropriateness of the development and the kind of traffic that will be generated should be considered. She noted that the golf course is zoned agricultural not commercial or highway business. She felt that the appropriate ordinances are not in place to preserve the attributes of our Town that makes it a wonderful place to live. She was not opposed to growth and development and she is a business owner. She suggested that there should be long term considerations such as the impact of the 220 connector and the truck traffic that will be needed to service Lowes. This type of growth would be wonderful in the appropriate place where it would not have a negative impact on the homes and safety of the community.

Olaf Fryxell, 8207 Chestershire Drive, Huntcliff Subdivision, said that he has only been here a couple of years. When he lived in a small Town in Arizona, the population grew from 35,000 to 120,000 so he has seen unrestrictive growth and development. He suggested looking at the Lowes in Kernersville and Greensboro to see if that is what the Town wants. He felt that it should be built closer to the downtown area. He felt that Oak Ridge is developing in the right kind of way by encouraging development to occur at their town center.

Mary Flynn, 8207 Chestershire Drive, said that she agreed with the other comments that have been made. She is opposed to Lowes being located at that intersection mainly because of traffic. She also had concerns over groundwater pollution and the Huntcliff residents will have to deal with the traffic issues every day.

Doug Trent, 8069 Haw River Road, said that he is the buffer for this establishment. He said that there are environmental issues that must be addressed. He said that the lighting would be an issue for his residence and for the Hunt cliff residents. He questioned the type of sewage system that will be used for the Food Lion as well as Lowes. He said that if it is the same type of system that was used at Oak Ridge and odors can be a problem. He said there is another issue, a dumpsite that is on the site. He said that he has been told that there is hazardous waste located on the York property. The County is aware of it and may put in monitoring wells. He felt that this issue should be addressed before a zoning decision is made because it could be a bad situation since it runs into a creek which crosses his property and flows into the Haw River.

Lenwood Smith, 7511 Bartonshire Court, said that he moved to the area in 2000. He worked for NC DOT for 2 ½ years. One year ago he bought his property in Weatherstone after deciding that he wanted to stay in Stokesdale. He checked with NCDOT on the Connector and NC 68 before purchasing his home. He said that he found that Lowes will need truck traffic and NCDOT wants truck traffic to follow the Connector. The Guilford Mill and Oak Ridge Military Academy are on the National Register of Historic Properties and this affects the availability of getting Federal Highway money for roads and will slow down the widening of NC 68. He worked on a turn lane project on NC 68 that the State was going to pay for. They found that it was cheaper to close it down and have the neighborhood enter from another way. They are not going to widen NC 68. On August 23, 2007 the Governor said that counties could build roads. I did my due diligence and found that the truck traffic should go away when the Connector is built. He and others run in the neighborhood and it is safe to do so. When traffic cuts through, it will not be safe. He asked for Council to consider if the infrastructure is in place or will it eventually be provided when the structure is built.

Jeff Hagan, 7914 McCreedy Drive, said that this is the third meeting that he has attended where this was the main problem. He had made it clear that the Town Hall was inadequate for the meeting yet the meeting was held there anyway. He and his neighbors stood on Hwy 158 for 2 hours. He worried that the concerns of he and his neighbors would not be addressed.

David Rossi, 8116 Chestershire Road, asked Council to deny the application to rezone the property. If the property is rezoned it will change the character of Haw River Road. It is rural and residential with some agricultural but no commercial. He asked for consideration of the impact on the hundreds of families and homeowners and citizens of Stokesdale. The rezoning will create unnecessary risks for children. Traffic is an issue. Crime came to Food Lion area of Summerfield because of the easy US 220 access to Virginia and NC 68 will be no different. The rezoning decision will impact Stokesdale forever. He asked if would Council vote for the rezoning if this commercial development would be in their backyard.

Mark Brown, 7613 Kristin Drive, said that he was a Lowes customer, a Dicks Store, a Crown Auto and other retail stores in Greensboro, but he moved here six years ago to get away from the city lifestyle. He encouraged Council to look at growth that supports small businesses rather than big box development.

John Weber, said that he moved here about one year ago to get away from the traffic and noise on Wendover Avenue. Now it is coming to me and a small subset of people will benefit from it. The best indicator is how the community felt the election results which when Mr. Louie had about 76 votes and the nearest competitor got about 250 votes.

Council took a ten-minute recess at 10:00 PM.

Mayor Jones reconvened the meeting at 10:10 PM. He announced that each side would have 15 minutes for rebuttal.

Rebuttal from those speaking in favor of the rezoning:

Billy Yow, 1429 Country Lake Drive, reminded Council that this is a rezoning. It will be to the advantage to the public if the property is developed and the contamination is cleaned up. He felt that it was revolting for the Board to be threatened to be sued and to be unseated. The facts should be considered.

Bill Greco, 7622 Bentley Road, Greensboro, reminded Council that 60 uses have been stricken and will not be available if the property is rezoned. It is about a conditional use highway zoning for this property. Traffic has been an issue and Mr. Davenport who is our traffic consultant and he will address some of the issues.

John Davenport, Davenport Engineering, 545 N. Trade Street, Winston Salem explained that the first item in their traffic impact analysis is to count the traffic. They consider what is being planned and add the projected traffic to the count. Normally traffic increases 3% per year. The shopping center across the street will be considered. This is not opinion but it is an analysis according to NCDOT standards. NCDOT will not make improvements for shopping centers. His firm has made recommendations and suggestions for improvements to accommodate and improve conditions in terms of safety and capacity. NCDOT will review the document and will change or add to the plan. The developer will be responsible for making the improvements suggested by the document. He is suggesting turn lanes on NC 68 and Haw River Road with double left turn lanes on the Food Lion side. The entrance on NC 68 will be right in and right out with no left turns. Haw River Road will be widened with a center turn lane. All improvements will be done to State standards. The Food Lion and this project can work together to improve traffic. He worked for NCDOT for nine years and has seventeen years of engineering practice.

Rebuttal from those speaking in opposition to the rezoning:

Robert Wurz stated that Council has a difficult decision which will change how Stokesdale develops and the character of the Town. It is the zoning of 27.4 acres and it could change Stokesdale forever. He feels that the pros are convenience and being able to get things when needed, and a few more jobs. The cons he has heard are about why people move here and stay, safety, how this will lower the quality of life and ruin property values. IT is tough to see how rezoning this property to HB is of benefit to the community as a whole and how it is in the best interest of the whole public interest.

David Rossi, said that the emotions and passions of one or two individuals are shared by others. He asked that their opinions not be discounted for how this will affect people's lives. He felt that there was misinformation about the meeting and some citizens thought that it was scheduled for December 20. He said there was no information on the website about it. He asked for consideration of all citizens and not just those who are paid to bring data rather than having independent studies.

Brian Ramon, 7601 Kristin Drive, said that it was supposed to be about the rezoning but the Lowes issue was put out on the table as a carrot. Davenport's traffic study was done on assumptions. I would like to see facts. Loews is going to spend \$12 to \$15 M to build it. The considered their profits which he suggested that a 3 year rate of return which would mean a net of \$45 M. He questioned how many dollars would have to be spent to make that profit and how many trucks would be needed to bring in that amount of merchandise. He felt that there are better places for it.

Mark Hanson pointed out that there are a lot of Lowes signs in the audience for it not to be about Lowes. Perhaps more time should be taken to look at the matter if there was misinformation about the meeting and the change of venue.

Greg Zarnstorff, 7920 Daltonshire Drive, said that he had sent emails earlier to Council. He said that the pros are convenience and jobs. He noted that the diagram is not accurate because it does not show turn lanes and other information. He felt that 100 jobs but when FedEx comes to PTI there will be 1500 jobs and Honda Jet jobs will average \$70,000. All of this traffic will be coming up NC 68 and it cannot be widened. He calculated that if 5 minutes are added to each commute, which would be 10 minutes per day round trip, 2300 minutes per year or 38 hours of your life would be wasted sitting in traffic. Additional

time would be added if there are wrecks. A bottleneck would result if this is built. There is not enough traffic information available tonight to make a decision.

Lynn Smith, 7511 Bartonshire Court, said that his main issue with traffic was the truck traffic going to Virginia which should eventually decrease when the collector is built. The Lowes will draw trucks and cars that otherwise would not be on the road. It will affect Weatherstone, Huntcliff and Dorsett Downs. People will come to Lowes that do not live in the community and that will impact traffic on Haw River and NC 68.

Mayor Jones indicated that the matter was now with Council.

Mr. Flynt had questions for Mr. McNairy. Mr. Flynt summarized that Mr. McNairy's report indicated that there has been no detrimental effect on property values since people became aware of the Lowes rezoning. He said that there may not have been sufficient time to determine if there will be a detrimental effect. He asked if he had had any other experience with a big box store that has moved into an area. He noted that there is nothing at this point that says that a Lowes will be built and a two-month notice would not be sufficient to determine the effect on property values.

Mr. McNairy said that this is to address the rumors in that the store has not been built. He said that the property values of the homes located near the Lowes on Battleground have continued to increase. He has not run a model for the Lowes Battleground location compared to other similar neighborhoods. A CVS Drug Store has been put in across the street and it did not have any effect. The values of those houses were affected by the traffic noise from Battleground. Lowes and CVS are not the sole generators of noise on Battleground. The Lowes off of Stanley Road which is a part of a much larger complex and house values near it have not been affected.

Mr. Flynt asked if the Lowes is built as shown on the diagram, then it would be his opinion that the surrounding neighborhoods would not be adversely affected. Mr. McNairy said that if traffic is diverted through their neighborhoods, they may have some loss of value initially. Mr. Flynt asked about light and noise pollution. Mr. McNairy said that if the light does not come off of the property it should not have any effect.

Mr. Flynt asked Mr. Davenport if he generated any opinion on the increase in the number of vehicles per day on NC 68 and Haw River Road East. Mr. Davenport said that they looked at peak hours when they study intersections. Mr. Davenport said that for the Lowes store during peak hour (rush hour), he estimated that 90 vehicles would enter and 76 vehicles exiting in the AM and for the PM peak hour 159 vehicles entering and 179 vehicles exiting during the rush hour. He would estimate that approximately 30% is traffic that is already on the road. Mr. Flynt said that one of Mr. Davenport's associates presented information during the rezoning for the Food Lion across the street and he had said that it would generate about 6,200 trips per day. He asked if he had this information for the Lowes. Mr. Davenport estimated that it should generate about 4,000 trips per day. He asked if he had any numbers if the use for the property was not restricted to a Lowes but it could be 28 acres of commercial development. Mr. Davenport said that the driveway permit would have to be specific. Mr. Flynt noted that for the purposes of the rezoning meeting tonight, other uses would have to be considered which might generate more traffic than Lowes. Mr. Davenport said that he had not considered anything other than a Lowes Hardware.

Mr. Flynt said that he feels that he must decide if this is an appropriate use for 27 acres for conditional use highway business. He asked Mr. Combs if he would restrict to a single user, specifically Lowes Home Improvement. Mr. Combs said that he had negotiated with another home improvement store but as landowners they have agreed to participate with Lowes. The site is limited to 24% impervious surfaces. If anything was going to be added, nothing else could be added unless more land was acquired. He said that the site plan for Food Lion has not grown but he had to get more land than was shown on the site plan to make it work with impervious surface. He said that the Lowes will work out for the site. He said that if sand filters or other devices it could go up to maybe 30%.

Mr. Nuttall said that in water supply watershed (Reidsville Watershed) there is a cap of 50% even if you

supply storm water devices. This area is not covered by the water supply watershed regulations but it is covered by NPDES regulations. Up to 24 % you do not have to provide any on site control but I do not believe that there is a cap provided that treat all stormwater as required by the State. Mr. Nuttall said that he was not a watershed engineer but his understanding is that he did not feel that there is a cap on it.

Mr. Flynt noted that his concern was the Lowes on Battleground was located on 14.5 acres and the Wendover-Stanley Road Lowes is on 10.5 acres. Mr. Combs said that it is not practical to install the devices. The septic is a different issue and there will be two bathrooms and a break room. He said that the issue is impervious surface and not septic issues.

Mr. Shelton said that this would be a tough decision for Council. He commended both sides for presenting the case. He commented that he lives on NC 68 and he has driven the area and traveled into Huntcliff and Weatherstone. He saw two businesses on the northeast and northwest side of the intersection and the southwest corner has been rezoned and a site plan approved. He said that he cannot see another area in Stokesdale that lends itself to a more beautiful and similar layout than the other side of the road that we are dealing with. The Town deals with waterlines and this is an extension of the water lines and people along the way may hook on. We need more jobs in Stokesdale and a lot of people would like to work there. There is a tax base factor. Each year during the budget process, Council tries to work out ways to operate the Town without levying a tax. The Lowes on US 158 is a good corporate citizen. Whatever goes in will be or Kevan would not put it in there. Despite the fact that the opposition made good strong comments, my feelings is that the request should be approved for the southeast corner. Mr. Shelton made a motion to approve the rezoning of the property. Mayor Jones pointed out that finding must be included in the motion. A statement must be provided to show how its action is or is not consistent with the adopted Land Use Plan, why the requested zoning district is or is not a reasonable designation for the property and how its action promotes the public's interest.

Mr. Shelton included with his motion to approve of the rezoning request saying it is consistent with the Land Use Plan. The subject property is in the area where other of other commercial rezonings have been approved. The approval of the request will promote jobs in the area. Ms. Halbhook seconded the motion. She said that she has lived here for 50 years and we need Lowes, we need to grow a little and there are a lot of houses and we need other things. She said that she has children and grandchildren that need jobs and Lowes is a good company.

Mayor Jones said that statements from all parties have been well spoken and it is not an easy decision. Mr. Flynt said that it is a tough case and he has had more calls than any other case and this is a defining case for the Town. About 4 years ago the people of Stokesdale and Oak Ridge and Haw River, Bethel Church road organized a campaign against Waste Management. Two reasons that we were able to defeat that issue was that there was no commercial development on the south portion of NC 68. There were traffic issues with Haw River Road and DOT did not own the appropriate rights of way to build turn lanes. The safety of the intersection and traffic concerns was one reason the landfill was defeated. He asked if the approval of this rezoning would mute those arguments if Waste Management were to come back for approval of the landfill. Mr. Trevorrow said that there is a change of circumstances from then to now and if this request was approved, then what some subsequent request would be for then some consideration would have to be given to the volume of traffic at that time as it exists. It is a speculative question. He said that he did not believe that it would set precedence.

With there being no further discussion, Mayor Jones called the question. Flynt Nay and Jones Nay. The motion to approve the rezoning was approved by Council with a vote of three to two. A copy of the Use Limitations and Conditions are incorporated into and made a part of the minutes of the meeting.

<b>ROLL CALL VOTE:</b>	Jones	<u>Nay</u>	Halbrook	<u>Aye</u>
	Flynt	<u>Nay</u>	Richardson	<u>Aye</u>
	Shelton	<u>Aye</u>		

Mr. Flynt made a motion to adjourn. The meeting adjourned at 11: 08 PM.

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Carolyn L. Joyner, Town Clerk

Approved:

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Mayor Randle L. Jones