

TOWN OF STOKESDALE
8416 US Hwy 158
STOKESDALE, NORTH CAROLINA

A special meeting of the Stokesdale Town Council was held in the Town Hall at 8416 US Highway 158 on Thursday, August 13, 2009.

Mayor Randle L. Jones called the meeting to order at 6:31 PM. The following members of Council were present: Mayor Randle L. Jones, Mickie Halbrog, James Attaway, Cheryl Steele and Norman Cook.

Others present included: Town Planner Trevor Nuttall, Town Attorney William B. Trevorrow, and Town Clerk/Finance Officer Carolyn Joyner.

Mayor Jones called the meeting to order at 6:31 pm and stated that the Special meeting was held for the purpose of considering a site plan for the Stokesdale Town Hall. The matter was an appeal from the Planning Board. It is Site Plan 08-04-STCP-02580 and it is being heard on August 13, 2009.

Mr. Nuttall presented the case as follows: This site plan is presented to the Town Council for review following an appeal of the Planning Board's decision on August 6, 2009 to deny the plan due to outstanding revisions as advised by the Guilford County Technical Review Committee (TRC) in a memorandum dated July 22, 2009. Philip Scott Lawrence filed the appeal.

Mr. Nuttall pointed out that the original report that was given to the Planning Board is shown in the middle of the page. There is a revised report at the bottom of the page which is based on revised plans that Council has before them. The plans that Council has before them is different that the plans that the Planning Board saw. The planner has incorporated the revisions as requested by TRC into the plan that is before Council. The Council will be making an administrative decision. The Council should approve the plan if it meets the requirements of the Ordinance or deny it if it does not and note which provision of the Ordinance is not satisfied.

A revised plan and response from the designer have been received and reviewed for compliance with Ordinance requirements. This revised plan and response is presented for Council's review. There were three primary areas of comments given by TRC. One was planning related, one from the Fire Marshal's office and one was from the public health department. All of the Planning comments have been addressed at this time. The Fire Marshal's office has reviewed the turning radius documentation that was asked for and they have asked for additional insurance that the turning radius can accommodate a fire truck in addition to a 40 foot bus. Mr. Nuttall pointed out that on the front sheet of the plan, in the upper left hand corner there is an addendum to the plan that the engineer provided showing the turning radius around the round-about. The primary concern of the fire marshal's office is that a fire truck can get into the back of the site should there be an emergency. The Fire Department has requested additional information from the designer to insure that the radius is satisfactory. The plan as submitted may meet the requirements or if not, they may have to shrink the interior island down to allow for the proper radius.

The Health Department has accepted the response that was provided in the letter from Stewart Cooper Newell Architects from Page 2 of the staff report. It concerned a well abandonment issue that is being addressed as a part of the Town Park issue.

Staff recommends approval of the plan subject to the Fire Marshal's approval of the turning radius.

Mayor Jones said that Council would take public comments and that each side would have fifteen minutes. He also noted that comments should be limited to "Does this site plan meet the criteria for approval and it is not whether you are for or against a Town Hall but it is whether the plan is legally sufficient to meet the requirements of the Ordinance and the County regulations.

Mayor Jones noted that the Planning Board records are public records.

No one came forward to speak in favor of the matter.

Those speaking in opposition to the matter:

Jim Flynt, 7743 NC 68, asked for the decision of the Planning Board. Mayor Jones said that the Planning Board denied it. Mr. Flynt asked if the plan was identical to the plan that the Planning Board had looked at. Mr. Trevorrow explained that the Planning Board had three options when they listened to the Mr. Nuttall's presentation of the plat for the Town Hall. They could have approved, denied, or they could have approved it conditionally. They elected to deny and the Ordinance states that when the Planning Board elects to deny the approval of a plat, they must state their reasons. The Planning Board stated their reasons and those reasons were incorporated into this new plat that Mr. Nuttall has here tonight. The designer has corrected the things that the Planning Board did not like. Mr. Flynt asked if the plan should go back to the Planning Board rather than for it to come to Council. Mr. Trevorrow said that this is an appeal. The Ordinance says that anyone one aggrieved by an action of the Planning Board may appeal the decision to Council within 15 days. Mr. Flynt asked if the appellant has standing to make the appeal. Mr. Trevorrow said that any citizen has standing. When the appeal was taken from the Planning Board action, it removed any further jurisdiction for this matter from the Planning Board and placed it with Council.

The matter was with the Council.

Mayor Jones said that based on the information from staff, it meets all of the legal requirements and it has incorporated any reservations that the Planning Board had indicated in their decision. Mr. Nuttall said that the only issue remaining was the turning radius which will be addressed prior to a building permit being issued. That requirement is probably coming from the fire code and not from the development ordinance. It is outside the scope of the Ordinance. He reported that the plan meets the requirements of the Development Ordinance.

Ms. Steele made a motion to accept the site plan and to approve it. Mr. Attaway seconded the motion. All Council members voted aye and the site plan was approved.

ADJOURNMENT: Mayor Jones said that the business of the special meeting was concluded and he made a motion to adjourn. Mr. Cook seconded the motion.

The meeting adjourned at 6:42 pm.

Carolyn L. Joyner, Town Clerk

APPROVED:

Randle L. Jones, Mayor