



Land Use Board

June 18, 2024

Meeting Minutes

The Union County Land Use Board met in regular session on June 18, 2024, at 6:00 p.m. in the Union County Government Center, 1st Floor Board Room, 500 N. Main Street.

Present: Chairman Darren Greene, Vice Chair Rick Davis, Dion Edwards, Doug McClew, and Mark Tilley.

Also Present: Senior Planner/Zoning Administrator Jim King, Senior Planner Bjorn Hansen, Attorney Kelly Cope and Land Use Board Clerk Amy Griffin.

Call to Order: Chairman Darren Greene called the meeting to order.

(a) Pledge of Allegiance and Moment of Reflection: Vice Chair Rick Davis gave the prayer and then the Pledge of Allegiance was said.

Establish Voting Members: Chairman Darren Greene said there were five regular members in attendance so there was a quorum.

Additions and/or Deletions to the Agenda: There were no changes. Vice Chair Rick Davis made a motion to approve it and Doug McClew seconded it. It was approved 5 to 0.

Approval of the Minutes: Mark Tilley made a motion for approval of the May 21, 2024 Land Use Board minutes, Dion Edwards seconded it, and they were approved 5 to 0.

Approval of the Decision Letter: Vice Chair Rick Davis made a motion for approval of the 2024-VAR-01 ATI Sidewalk Variance decision letter, Doug McClew seconded it, and it was approved 5 to 0.

Public Hearing:

Planning Staff Report - Rezoning Case # CZ-2023-002

Staff Contact: Bjorn Hansen, Senior Planner

Summary of Request

During the May Land Use Board Meeting, Rezoning Case #CZ-2023-002 was tabled. Director Lee Jenson and Zoning Administrator Jim King had noticed a potential issue that needed to be addressed prior to going to the Board of County Commissioners. The applicant was fine waiting thirty days.

Bjorn Hansen came to the podium to go over his report. He explained there was a misunderstanding with the initial application of whether there'd be a showroom or not and that had caused the confusion last month. Originally there was going to be a showroom which is allowed for the same B4 business zoning. During the community meeting, they changed to say they weren't having one. Bjorn admitted it was a

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mistake on his part that he didn't realize that would then trigger a light industrial zoning district. He spoke with the applicant and they said they can include a design studio or showroom as part of the development and it will not change the footprint to the site or parking. The interior upfit would be part of the building permit and site approval process if the rezoning is approved. He concluded by apologizing and stating that was the only change and would be happy to go through other slides to refresh anyone's memory if they needed it.

Chairman Darren Greene questioned if the petitioner was speaking tonight. Jim Craddock and Harris Lineberger came up and said they would answer any questions the Board may have. Chairman Darren Greene asked if anyone had any questions and no one did. He then acknowledged that one person had signed up to speak and asked that Roger Melton come before the Board.

Roger Melton of 3327 Hwy 218 spoke. He said he would like to express for all the neighbors that no one is happy about this. Noise pollution, air pollution, every pollution that comes along with it in addition to sitting on an aquafer. It's a swamp area and the traffic is terrible. Nobody is against progress and building buildings for purposes but this type of business is where everyone has the problem. Storage units would be fine but felt this was so close to everyone living there. He has major concerns – would anyone be checking for water or air pollution. Vice Chair Rick Davis wanted to know what made him think the water from their operation would pollute the water around the area. Mr. Melton replied they said the solids would be taken out of it. Where is the water going? He indicated he was a painter. He could let the paint settle to the bottom and still the water poured off the top would be polluted. He felt it was just common sense. The Board had no additional questions.

Vice Chair Rick Davis wanted to address water pollution concerns to the petitioners. Harris Lineberger said there was no reason to believe that since the water would be recycled. Vice Chair Rick Davis asked if it was 100% recycled and Mr. Lineberger responded yes sir. Doug McClew inquired about the grinding with air tools. Jim Craddock said the cutting process is done with an underwater jet so the entire cutting process is done underwater so there is no dust. It also cuts down the noise pollution because you're operating underwater. Vice Chair Rick Davis wondered what the possibility was there could be a fault in the recycling system and water be let loose. Harris Lineberger explained it was his assumption the machine would just simply shut down and wouldn't process. There wouldn't be an issue with that because it processes water within itself. Vice Chair Rick Davis asked Mr. Melton if that answered one of his questions. Roger Melton stated that he understood what they were saying but he didn't trust the answer or them. Mark Tilley asked what happens to the dust that settles in the water. Harris Lineberger explained as the machine's cutting, the dust goes into the water and it's extracted - basically filtered out and recycled. Mr. Craddock said it's like a cistern and it's captured that way. Once it builds up, it is taken off site to a waste facility. Mr. Lineberger continued that it was put in a dumpster and taken off. Doug McClew questioned if it was basically a cake and Mr. Lineberger said yes.

Chairman Darren Greene indicated his one concern was the traffic. He was concerned if a tractor trailer was stopped there to turn and somebody comes around over that little hill. Mr. Craddock explained that he thought the site plan shows where the driveway is proposed to be. Bjorn Hansen testified as a part of the rezoning process, the site plan was removed and the location was put at the direction of the NCDOT to meet site distance. Doug McClew commented that it also showed a roundabout for the area. Chairman Darren Greene agreed and said there's a roundabout on up at the other intersection that's the other direction. Chairman Green observed there's not going to be any breakdown lane to go in, it's just going to be a driveway. Jim Craddock indicated that NCDOT still has another bite at the apple obviously. This is where they want us to put the driveway to meet their site distance requirements. Mark Tilley wanted to

know with the trucks coming in and out, would there be a dock. Mr. Craddock told the Board there was no loading dock and they would pass through the building. Doug McClew mentioned he thought they said last week that everything was stored inside and the applicants agreed. Jim Craddock told the Board the max trips they estimate is five trips per day. Chairman Darren Greene asked if that was trucks and cars and Mr. Lineberger said that was for large vehicles. Rogert Melton asked if with the showroom, wouldn't there be a lot cars. Harris Lineberger stated from a showroom perspective maybe one to two max individual customers per day.

Mark Tilley asked Bjorn Hansen if the Commissioners approved the rezoning, would anything about this need a special use permit or anything. Bjorn Hansen explained they would not and they'd be limited to the uses that are proposed, which are the countertop fabrication and the showroom as part of it and it would be consistent with this site plan. Mark Tilley and Harris Lineberger discussed the showroom. It was concluded that people will come based on appointment. Roger Melton asked if there was going to be a compression test on this since that pond was filled in. There was some discussion concerning the matter but Jim Craddock explained that the rezoning process was just the first step. The applicant wanted to get past this part of the process before spending more money investigating if it is possible.

Chairman Darren Greene called for a motion to close the public hearing. Doug McClew made the motion and Dion Edwards seconded it. It was approved unanimously. Vice Chair Rick Davis believed with the evidence presented, he didn't see any reason to deny because all they were doing right now was making a recommendation to either deny or approve to the County Commissioners. Mark Tilley agreed they could get back the compaction test and not be able to go through. Vice Chair Rick Davis recommend approval of rezoning petition CZ-2023-002 submitted by CECGS to rezone the property appearing on the tax map as partial number 08- 036-025B in the Goose Creek Township from B4 with conditions to B4 with modified conditions and adopt the advisory consistency and reasonableness statement for recommendation of approval. Doug McClew seconded it. Chairman Darren Greene said he would be voting against the motion due to his concerns of traffic in the area and big trucks. Mark Tilley was not convinced about the harmony of the business in that spot and Dion Edwards agreed with him. There were two votes for (Vice Chair Rick Davis and Doug McClew) and three against (Chairman Darren Greene, Mark Tilley, and Dion Edwards). Chairman Darren Greene asked what should happen next and Bjorn Hansen stated someone could make a recommendation of denial. Mark Tilley made a motion to deny, Dion Edwards seconded it, and it passed 3 to 2.

Planning Staff Report: Bjorn Hansen told the Board the transportation planning process continues. Probably in July and August they would learn about what's going on with prioritization new projects. Also they will be presenting a draft development services interactive map created that had been mirrored from Indian Trail's map.

Brief Comments: There were no comments.

Close: With no further discussions, Doug McClew a motion to adjourn and Vice Chair Rick Davis seconded. It passed unanimously. The meeting adjourned at 6:30 pm.