

**MINUTES OF THE MEETING OF THE MADISON COUNTY
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON
THURSDAY, THE 4th DAY OF MAY, 2023 AT 9:00 A.M. AT THE
MADISON COUNTY COMPLEX BUILDING**

BE IT REMEMBERED that a meeting of the Madison County Planning and Zoning Commission was duly called, held and conducted on Thursday, the 4th day of May, 2023, at 9:00 a.m. in the Madison County Complex Building.

Present: Walter McKay
 Dr. Keith Rouser
 Rev. Henry Brown
 Scott Weeks, Planning and Zoning Administrator

Not Present: Larry Miller
 Bill Billingsley

The meeting was opened with prayer by Commissioner Brown, and all present participated in pledging allegiance to our flag, led by Chairman Rouser.

There first came on for consideration the minutes of the April 13, 2023, meeting of the Commission. Upon motion by Commissioner McKay, seconded by Commissioner Brown with all voting "aye," motion to approve the April 13, 2023, minutes passed.

There next came on for consideration, the need to open the meeting for public hearing of certain matters. Upon motion by Commissioner McKay to open the meeting for public hearing of certain matters, seconded by Commissioner Brown, with all voting "aye," the public hearing was so opened.

There next came on for consideration the Application of Willie Cline for Variance on Setbacks. The property subject to the application is 305 Pine Cove, Lot 33 Vision Subdivision, is zoned R-2 Medium Density Residential District, and is in Supervisor District 5. Willie Cline appeared as the Applicant. Mr. Cline advised that he is seeking a variance of six (6) feet on the front and rear of Lot 33 because the lot is skewed such that the width is large enough, but that he needs a variance with regard to the length in order to accommodate the proposed home to be built on the lot. Mr. Cline asked for a reduction of the required setbacks on the rear from 25 feet to 19 feet, and on the front from 30 feet to 24 feet. Upon motion by Commissioner McKay to approve the Application of Willie Cline for Variance on Setbacks on Lot 33 Vision Subdivision, seconded by Commissioner Brown, with all voting "aye," the motion to approve the Application of Willie Cline for Variance on Setbacks on Lot 33 Visions Subdivision, was approved.

There next came on for consideration the Application of the Madison County Economic Development Authority ("MCEDA") for Variance on Parking. The property subject to the application is the Clark Beverage Group project on Madison County Parkway at the Madison County Megasite, is zoned I-2 Heavy Industrial District, and is in Supervisor District 4. Chad

Wages with Civil Link appeared on behalf of the Applicant. Mr. Wages advised that Applicant is seeking a variance on the current I-2 parking requirement of one (1) space per thousand square feet of building. The current building is approximately 400,000 square feet, and would thus require 400 parking spaces. However, Mr. Wages advised that the number employees of Clark Beverage Group is approximately 325-350, and that number is divided between two daily shifts. Mr. Wages requested the variance in order to reduce the number of parking spaces to a number that would not be "over built," and ultimately "unused" for this specific project. Commissioner McKay inquired as to the number of parking spaces to be used, and noted that the current number shown on the Application was 342. Mr. Wages advised that the exact number was in a state of flux, but that 342 was approximate and consistent with plans going forward. Commissioner McKay also noted that the Application did not show the number of handicap parking spaces, or space size dimensions required under the Ordinance. Mr. Wages confirmed that the Applicant would meet all requirements under the Ordinance as to number of handicap spaces, and parking space size dimensions (and specifically not that of the ADA, as Madison County Ordinance requirements are greater than that of the ADA). Attorney Clark also noted that the Ordinance now requires that if there is ever a change of use of the facility from the current use, then the new owner/operator would have to come back before the Planning & Zoning Commission with a site plan for parking, and any other changes, that would meet the needs of the new use, and comply with the Ordinance. Upon motion by Commissioner McKay to approve the Application of MCEDA for Variance on Parking at the Clark Beverage Group project, with the Applicant's agreement that the requirements of the Ordinance as to the number of handicap spaces, and parking space size dimensions, seconded by Commissioner Brown, with all voting "aye," the motion to approve the Application of MCEDA for Variance on Parking at the Clark Beverage Group project, was approved.

There next came on for consideration, the Application of Kevin Anniston for Re-Zoning of +/- 2.85 acres currently zoned as A-1 Agricultural District to I-2 Heavy Industrial District. The property subject to the application is on Highway 22, is Madison County Tax Parcel No.: 092I-31D-011/00.00, and is in Supervisor District 4. Daniel Wooldridge appeared on behalf of the Applicant. Mr. Wooldridge advised that the Applicant was seeking the Re-Zoning from A-1 to I-2 in order to accommodate a planned climate-controlled storage, and presented a preliminary site plan. However, Mr. Wooldridge made clear that he was not seeking approval of the site plan at this meeting. Commissioner McKay questioned as to why the Applicant was seeking I-2 designation instead of a C-2 designation as the next higher use. Mr. Wooldridge advised that he understood that he would have to have a Conditional Use for C-2 designation, and I-2 did not require a Conditional Use for climate-controlled storage. Commissioner McKay opined that climate-controlled storage would be a Conditional Use under C-2, but that I-2 opened the door for any number of uses of the property, and that C-2 would be a more appropriate zoning. Mr. Wooldridge also stated that there had been a rumor that medical waste would be stored on the property, but that was not true. Commissioner McKay inquired as to what type of storage would be on the property, and Mr. Wooldridge stated that any typical storage of files, furniture, and other things typically stored in climate-controlled storage.

Administrator Weeks offered an email from Angela White on behalf of the Rose K. White family objecting to the Re-Zoning, and such email is attached hereto as **Exhibit "A."**

Attorney Clark reminded the Commission of the criteria for Re-Zoning as being a demonstrated change in the character of the neighborhood, and a public need to justify such Re-Zoning.

Mr. Wooldridge opined that his clients had done their due diligence, and that there was certainly a public need for such facility, and that the surrounding property zoned as I-2 approaching the property demonstrated a change in the character of the neighborhood.

Angela White appeared in opposition and expressed concern on the impact such Re-Zoning would have on surrounding properties in an agricultural area, and the isolation of this property from other industrial areas. Ms. White advised that she is concerned about the impact on property values and it attracting criminal activity. Ms. White expressed a desire to work with the county on a plan to develop the area as opposed to piecemeal development.

Colleen Wise appeared in opposition and stated that over 1700 acres of surrounding the subject property is zoned as I-2, owned by Turkey Lake, LLC, and used as a private and corporate retreat for entertaining clients. Ms. Wise stated that this use was approved by the Board of Supervisors, and deemed appropriate with other uses in the area. Ms. Wise submitted a map showing all of the property owned by Turkey Lake, LLC, and which is zoned as I-2, but actually being used for a lesser purpose, and does not change the character of the neighborhood to support the Re-Zoning. Such map is attached hereto as **Exhibit "B."**

Terry Sowell appeared in opposition, and stated that he has lived on the corner of Catlett Road and Highway 22 for most of his life. Mr. Sowell stated that the proposed development would be an eye sore in the middle of the residential and agricultural community that is there now.

Douglas Upton appeared in opposition, and stated that he has a lease agreement with the owners of the property adjacent to the subject property and stated that he did not want storage in the area.

James Creekmore appeared in opposition, and stated that he owns property directly across Highway 22 from the property, that the proposed use is out of character with the surrounding properties, and would devalue the surrounding property.

Danny Spivey appeared on behalf of James Creekmore and stated that the Applicant had not met their burden in proving a change in character of the neighborhood, or a public need to support the Re-Zoning. Mr. Spivey also opined that the proposed Re-Zoning would be going from the lowest designation of A-1 to the highest designation of I-2, and that opens the door for a number of different types of development including C-1, C-2, or TIP. Mr. Spivey opined that this was not in harmony with orderly development under the Madison County Land Use Plan. Mr. Spivey also pointed out that, according to the Ordinance, I-2 was to be located, in as far as possible, adjacent only to C-2 or TIP districts. Mr. Spivey also produced a diagram demonstrating that the subject property abuts nothing but property zoned as R-2. Such diagram is attached hereto as **Exhibit "C."** Mr. Spivey also pointed out that this property is in a dangerous curve, and would constitute a safety concern if the property was allowed to be rezoned as I-2, or even C-2.

Kacey Saik appeared in opposition and stated that she and her husband own six (6) properties in the vicinity of the subject property. Ms. Saik echoed the concern of the safety due to the position of the road curve, and that 114 accidents were reported in 2020, and that many of them were in this area. Ms. Saik expressed concern over declining property value due to the proposed use of the subject property. Ms. Saik also stated that she would like to see a master plan for the area, as opposed to piecemeal development.

Daniel Wooldridge addressed the concerns and reiterated that the development would be a climate-controlled facility, and that such businesses do not generate a large amount of traffic. Mr. Wooldridge stated that the site would be fenced in order to increase safety and security. Mr. Wooldridge also stated that the façade of the building would be brick, and would have a large amount of landscaping. Mr. Wooldridge argued that leaving the property as A-1 does not promote efficient use of the property.

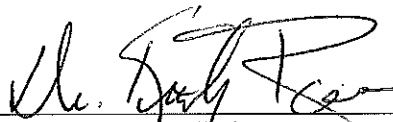
Commissioner McKay noted that the opposition to the Application was overwhelming, and that the Applicant had not met their burden of demonstrating a change in character of the neighborhood, or a public need to support the Re-Zoning. As such, upon motion by Commissioner McKay to deny the Application of Kevin Anniston for Re-Zoning of +/- 2.85 acres currently zoned as A-1 Agricultural District to I-2 Heavy Industrial District, seconded by Commissioner Brown, with all voting "aye," the motion to deny the Application of Kevin Anniston for Re-Zoning of +/- 2.85 acres currently zoned as A-1 Agricultural District to I-2 Heavy Industrial District, was approved.

There next came on for consideration, the need to close the public hearing. Upon motion by Commissioner McKay to close the public hearing, seconded by Commissioner Brown, with all voting "aye," the public hearing was so closed.

There next came on for discussion, the setting of the June, 2023 meeting. June 8th, 2023, was suggested. Upon motion by Commissioner Brown, seconded by Commissioner McKay, with all voting "aye," the motion to set the June, 2023 meeting for June 8, 2023, passed.

With there being no further business, the May 4, 2023, meeting of the Madison County Planning and Zoning Commission was adjourned.

6-8-23
Date


Dr. Keith Rouser, Chairman

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Hwy 22 zoning change request on Thursday's Planning agenda

Angela D White • ADW Consulting View profile

AW Angela White <angdwhite@yahoo.com> To: Scott Weeks

Wed 5/3/2023 1:20 PM

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Scott Weeks and the Madison County Planning and Zoning Commission

As the owner of the adjacent property, I am opposed to the rezoning from A-1 to I-2 of the property at Hwy 22 Tax Parcel #0921-31D-011/00.00 and its proposed development as a storage unit business.

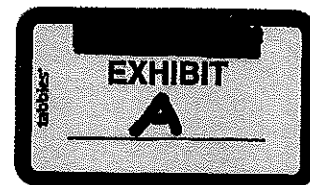
I am opposed to this not because I am anti-growth but feel the proposal reduces surrounding property values. Changing the zoning to I-2 is detrimental to the area's future use of the areas for mixed use (residential and business) development. This change also conflicts with the existing Madison County land use map.

Additionally, the parcel's isolated area allows the proposed storage business to be attractive for illegal and criminal activity that will impact the residents in the area and the future development of the surrounding properties.

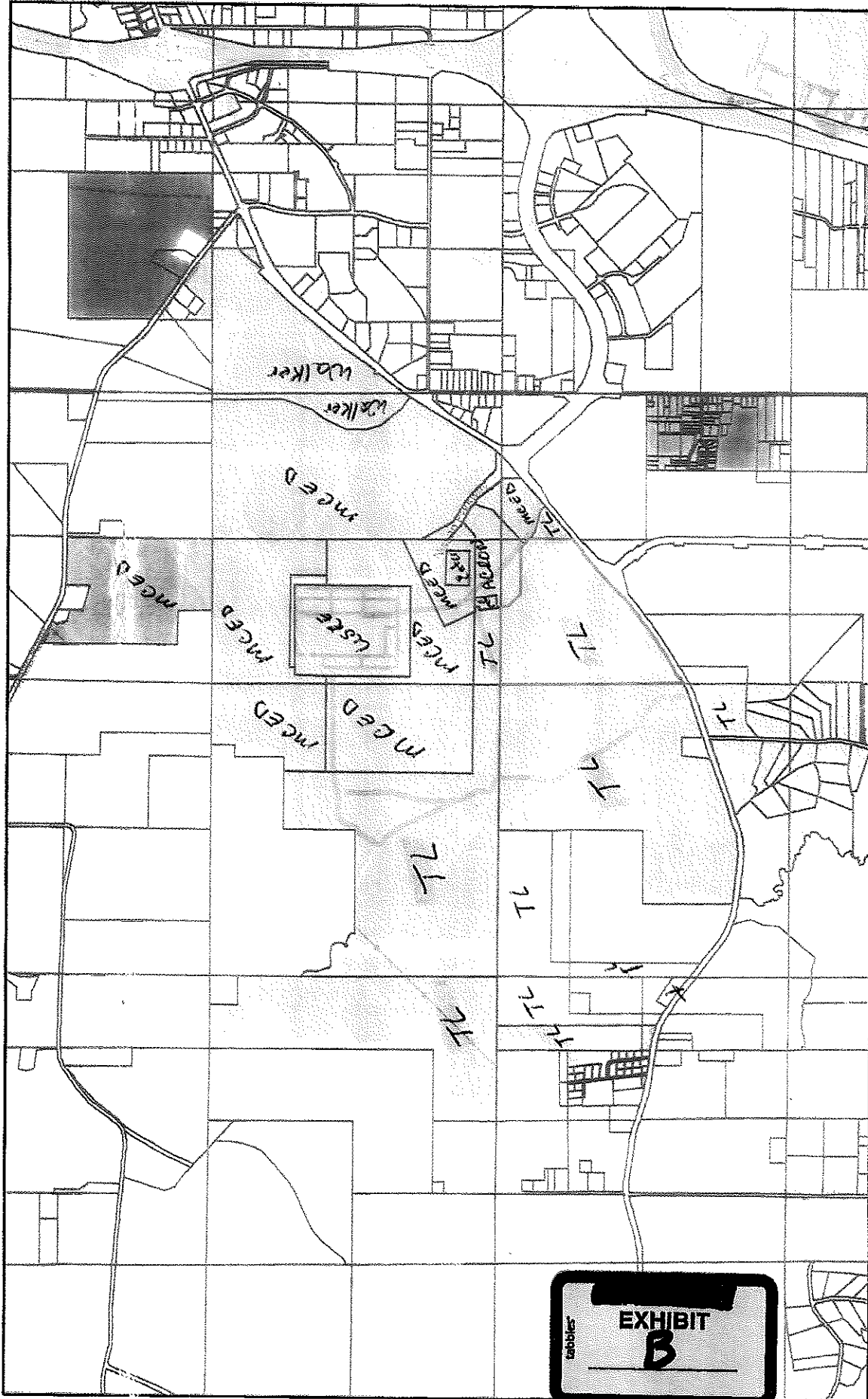
Regards,

Rose K White and family

Reply Forward



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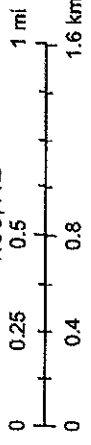


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