

# **Town of Kenly Planning Board Meeting**

**March 21, 2023**

**Town of Kenly Council Chambers**

**5:45 pm**

- 1. Call to order**
- 2. Roll Call**
- 3. Election of Chairperson and Co Chairperson.**
- 4. Approval of Agenda**
- 5. Approval of February 21,2023 minutes for the Town of Kenly Planning Board minutes.**
- 6. Comments from the public on non agenda items.**
- 7. Consideration of a rezoning request for parcel # 03-Q-03-035 that address being 2383 Old Route 22 from R-20 to I-1.**
- 8. Follow up questions from the March 14,2023 Planning Board Training Session.**
- 9. Comments from the public**
- 10. Next regular meeting, April 18,2023.**
- 11. Next training session, April 11,2023 at 5:45.**
- 12. Adjourn**

**Meeting of the Town of Kenly Planning Board  
Tuesday, March 21, 2023**

1. **Call to Order:** The meeting was called to order at 5:45 PM on March 21, 2023 by Dale Holland.
2. **Attendance:** *Present:* Planning board members: Mark Smith, Patricia Shaw, Melody Worthington, Chris Manning, Jamey Wilkinson, Tom Wood and JoAnne Medlin. Staff: Dale Holland, Planning Director; Janie Holland, Code Enforcement.
3. **Approval of Agenda:** A motion was made by JoAnne Medline and seconded by Patricia Shaw and unanimously passed to approve the agenda with amendments (approved agenda attached).
4. **Selection of Chairperson and Co-Chair Person:** Tom Wood was the only nomination for chairperson. A motion was made by JoAnne Medlin and seconded by Mark Smith and the vote was unanimous to approve the nomination of Tom Wood as chairperson. Tom Wood nominated Chris Manning for co-chairperson and Mark Smith seconded it and the vote was unanimous for Chris Manning to be co-chairperson.
5. **Approval of February 21, 2023 Minutes:** A motion was made by JoAnne Medlin and seconded by Patricia Shaw and unanimously passed to approve the minutes for the February 21, 2023 meeting.
6. **Public Comment for non agenda items:** Rupert Langston inquired about having the Planning Board minutes posted on the Town of Kenly website following all Planning Board meetings. The staff responded that the minutes will be posted.
7. **Consideration of a rezoning request from R-20 to I-1 for parcel #03-Q-03-035 with the address of 2383 Old Route 22.**

Dale Holland, Planning Director, gave a brief explanation of the area to be rezoned with a reference to the Future Use Land map. He explained the impacts of the rezoning to the area. It was explained that the Planning Board had to base their decision on all uses that are allowed in the I-1 zoning district. He presented and read aloud a letter from Elizabeth Jones who was in opposition to the request (see attached). The staff had no recommendation. Peggy Batten, the applicant, spoke on behalf of the rezoning request. She stated that the county would want to voluntarily annex at a later date. Mr. Ferrell spoke to lighting issues. Rupert Langston, who resides at 853 Tedder Road, spoke about tax revenues, lighting and noise levels. Travis Narron, who resides at 879 Bay Valley Rd, spoke in opposition to the rezoning and cited water runoff concerns. Mr. Watson, who resides at 836 Bay Valley Rd, spoke in opposition to the request citing water runoff concerns. Mr. Ferrell, who owns land adjacent to the

applicant, read a letter that he had written to the Planning Board in opposition to the rezoning (see attached).

Tom Wood thanked the speakers. A motion was made by Patricia Shaw to recommend to the Town Council and seconded by Chris Manning to deny the proposed rezoning request. The vote was unanimous.

8. **Public Comment:** Rupert Langston commented on how rezoning could cause the density to change in that area. Mr. Ferrell thanked the Planning Board.
9. Next meeting is April 18, 2023 at 5:45PM. The next Planning Board training session is April 11, 2023 at 5:45
10. **Adjourn:** A motion was made by Mark Smith and seconded by Chris Manning and unanimously passed to adjourn the meeting at 6:25 PM.

Submitted by: Dale Holland, Planning Director



## **STAFF REPORT – AGENDA ITEM**

**TO:** Mayor and Town Council

**SUBMITTED BY:** Dale Holland, Planning Department

**SUBJECT:** Consideration of a request for rezoning

**DATE:** March 21, 2023

### **SUMMARY AND REVIEW**

Rezoning request for parcel number 03-Q-03-035 north/west corner of the intersection of Old Route 22 and Bay Valley Road to rezone from R-20 to I-1. The applicant is Mrs. Peggy Batten (Grady Family Trust).

### **REVIEW:**

The Comprehensive Plan is indecisive as to the proposed future use of the property. The Comprehensive plan appears to classify the majority of the subject parcel rural residential and a portion as light industrial along Old Route 22.

Mrs. Batten presented the request. Approximately eight people objected to the proposed rezoning. Two letters were submitted in opposition to the request. The full Planning Board was present. See the attached Planning Board meeting minutes for a summary of the deliberation.

### **RECOMMENDATION:**

The Planning Board voted unanimously to recommend denial of the request.

### **ATTACHMENT(S)**

Minutes of the March Planning Board Meeting

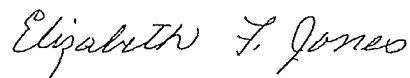
March 17, 2023

Town of Kenly  
Planning Board

I understand that the purpose of this meeting is to rezone farmland adjacent to my farm. This rezoning is for the purpose of creating an industrial park. I am adamantly opposed to this rezoning. I believe this rezoning will have a negative impact on my property. This will cause a loss of crucial farmland in the area and an increase in traffic and noise and will lead to an exodus of residents and farmers from the community.

My property has been in my family for at least five generations dating back to the mid 1800's similar to other farms in the area. Farmland is a precious resource and my family hates to see it encroached upon by an industrial park. I believe if this rezoning takes place it will cause a domino effect in the area. As our population continues to grow we should be more protective of our farms. The increased taxes you might derive from this rezoning is not worth the harm it will cause to the longstanding farming community of Johnston County.

Thank you for your consideration of my objection to this rezoning.



Elizabeth F. Jones

Ladies and Gentlemen of the Kenly Planning Board,

March 21, 2023

My name is Jonathan E. Ferrell, but people around Kenly know me as Johnny. My family has been in this state for over 220 years. We have served this area for well over 60 years –teaching children and adults alike, repairing cars, working on the railroads, providing electricity, selling automobiles, running local businesses, serving in this town’s government, preaching in its churches and farming. We are: Ferrell’s, Luper’s, Lane’s and Cockrell’s; Spivey’s, Barnes’, Page’s and Perry’s; Jackson’s, Proctor’s, Weaver’s and Howell’s. There are even a few Pittman’s, Daniels and Braswell’s in the mix. Each of these family members raised their children and cared for their neighbors - the same as you and I. Many of my people are now gone. They finished their race –some well, others not-so-well, leaving only a few things behind: their memories, our way of life, and the land.

These are all I have left of them today. Now it is my turn to follow in their footsteps. I do business in this town. I care for my neighbors and I farm this land. Kenly’s rural landscape has been its defining attribute, not just for my lifetime, but for all those who have been stewards before. Kenly was known for “Pride in Tobacco” and that was one of the attributes that made “Friendly Kenly.” My Daddy taught us that all roads lead to Kenly. I have travelled all over the world just to discover that he was right!

As a kid, I helped harvest tobacco all around this town. Agriculture has always been the life-blood of Kenly – as represented by a Museum just a little ways down 301 from here. Today, we are at a cross-road. Our history is being forgotten, our culture is disappearing, our roots are neglected and our “neighbors” are few – in spite of their close proximity. The “Pride in Farming” has been replaced with a “lust for money” as people sell their heritage for pennies. The Bible tells us plainly that man cannot serve two masters” We cannot serve both God and Material things. Only one is eternal and money is not the one!

Being a steward of what He created involves putting others first –providing for people other than ourselves. The Holy Creator spoke this land into existence, but He did it once and isn’t making any more here today. HE left it here for us to tend and because of our first father, Adam’s mistakes, we do so by the ‘sweat of our brow” and it produces “thorns and thistles for us.” Our farming heritage has a value, good citizens of Kenly! This value is far greater that the pieces of paper that are being exchanged for it.

This piece of paper is only worth the paper it is printed on and the promise of the government who runs our country today – is that “government” worth trusting? I will leave that up to you. When difficulty arises, I trust my neighbor up the road far more than I do the government who printed this paper!!

When my Daddy was a boy, he plowed a field with a mule to help feed his family. The location of that field is covered in a car dealership and the asphalt parking lot of a grocery store here in Kenly today. Several years ago, I buried my great Uncle and Aunt on soil that used to feed his family. Today that graveyard is surrounded by the industrial park that is the Kenly Truck stop. My parents are buried in

sight of the proposed land in question today. If you rezone this for Industry, I will get to retire on a porch that looks at a business park. In an area that doesn't have convenient access to the interstate as does the area already zoned for industry. This proposed property is where we farm, hunt and live today. Are you being a good neighbor? Many years from now, when you and I are gone, the money exchanging hands today over this piece of property will also be gone. Our descendants will no longer be able to walk in the cool shade of the pines that cover our property. They will no longer be able to smell the fresh-turned soil in the spring or watch these fields turn green from the food that we grow on them today.

Almost 250 years ago, our founding fathers spilled blood to create this state. Over 160 years ago, my ancestors spilled blood fighting for this state. There is a battle once again for the great state of North Carolina – it is a battle for our culture, for our heritage and our land. Those of us who have cared for this land are being driven off. The land in question was owned by Fred Grady. Mr. Fred and my Daddy, Bobby Ferrell were friends. They grew up within sight of each other. They played ball together. They were neighbors. This proposed business park would have never happened then because they both knew that good neighbors not only help each other –they don't make decisions that hurt each other!

Gentrification is happening all across our great state today. I have seen it first-hand – as family farms give way to real-estate speculation and urban sprawl. Outside interests are throwing money at us in hopes that we will surrender our farms. Deep-pockets are buying up anything we are willing to sell. Why? Is it because they want to be better stewards of this great state? NO! They want to make money. They don't care about you or me because they are not our neighbors. Why does one person have the right to do what they want with their land –at the expense of all those already living here? This is not in "their" backyard. It is in mine.

For forty years, Bobby Ferrell tended the land that is "Ferrell Family Farms" today –as well as the farms around it. Farms owned by Watson's, Aycock's and Wallace's. I have tended our farm for over 20 years myself. This proposal affects me personally! The gentrification I mentioned earlier is possible because of small town planning boards and county commissions are saying that it is OK. This is not OK. You have a decision to make today. You have a request to change my neighbor's land that is currently zoned "Residential" to "Industrial." I am making my request that you don't do this. Please leave the current zoning as is. Let industry build where it is currently zoned –just W/SW of town and keep the sprawl contained to that area. For the record, my family adamantly opposes this zoning change proposition.

Thank you for your time and your consideration.

I am respectfully yours,

Jonathan Edward Ferrell