

**Guilford County
Planning Board
REMOTE/VIRTUAL REGULAR MEETING
June 10, 2020**

The Guilford County Planning Board met in regular session on Wednesday, June 10, 2020 at 6:00 p.m. in the Blue Room, First Floor, Old Guilford County Courthouse, 301 West Market Street, Greensboro, NC.

Members Present: Mr. Apple (remotely); Mr. Alexander (remotely); Ms. Hayworth (remotely); Mrs. McKinley (remotely); Ms. Buchanan (remotely); Mr. Mann (remotely); and Mr. Jones (in person); (one vacancy exists)

Members Absent: Mr. Thompson

Staff Present: Tonya Hodgin, Planning Technician; J. Leslie Bell, Guilford County Planning Director; Kaye Graybeal, Guilford County Planning Deputy Director (remotely); Matt Talbott, Sr. Planner/Planner II, Paul Lowe, Planner I (remotely); and Robert Carmon, Deputy Fire Marshal (remotely)

Chair Jones called the meeting to order and welcomed everyone in attendance.

AGENDA AMENDMENTS: None.

APPROVAL OF MINUTES:

Ms. Hayworth made a motion to approve the February 12, 2020 minutes, seconded by Mrs. Buchanan Alexander. The Board voted 7-0 in favor of the motion (Ayes: Apple, Alexander, Hayworth, McKinley, Buchanan, Mann, and Jones Nays: None).

Ms. Hayworth made a motion to approve the March 16, 2020 minutes, seconded by Mr. Alexander. The Board voted 7-0 in favor of the motion (Ayes: Apple, Alexander, Hayworth, McKinley, Buchanan, Mann, and Jones Nays: None).

RULES OF PROCEDURE:

Chairman Frankie Jones read the rules of procedure and stated: "Let the record show that the Guilford County Planning Board is conducting its June 10, 2020 Regular meeting remotely and thus will follow the procedures and requirements as outlined in North Carolina General Statutes. For each case for which a public hearing is scheduled for this evening, both opponents and proponents will have an opportunity to speak, both those in person and those participating remotely, when the public hearing is opened for each case.

Cases are usually called as they are listed on the agenda. Withdrawals and continuances may be handled before other cases. We ask that if anyone in attendance wishes to speak on a matter to please add your name and address to the signup sheet and state your name and address for the record when you approach the podium. For those wishing to speak who are participating remotely, you will be recognized by the Chair and provided an opportunity to speak.

At the conclusion of the public comment, we will close the floor to public discussion and take the matter up as a Board for questions, discussion, and a motion.

For Rezoning Cases:

- The staff will call the specific case, read a description of the request and summarize their recommendation.
- First, we will hear from the applicant and those in support of the request, followed by those in opposition.
- Each side will have a total of 20 minutes to present their case. That's 20 minutes inclusive of all speakers. So, if you have multiple speakers [in the room], I suggest you keep your comments brief, to the point, and not repetitive of previous speakers.
- At the end of the initial presentation of the case, each side **may** be granted, by the chair, a five-minute rebuttal period. During this rebuttal, no new information may be presented, only comments on previously presented information.
- A vote of 5/7's (71.4%) or more favor of a request constitutes final action, unless appealed.
- A vote of less than 5/7's (71.4%) on a motion to approve will be forwarded to the Board of Commissioners for a final decision.
- A tie vote on any motion constitutes denial of the request, unless appealed.
- Appeals may be submitted to the Board of County Commissioners within 15 days and must be in writing. There is a processing fee.

For Road/Easement Closing Cases:

- The staff will call the specific case, read a description of the request and summarize their recommendation.
- Appeals may be submitted to the Board of County Commissioners within **30** days and must be in writing. There is a processing fee.

Also note that the new law requires that written comments can be made in writing for up to 24 hours after this regular meeting and can be mailed, hand delivered or e-mailed to THODGIN@GUILFORDCOUNTYNC.GOV.

A consequence of this requirement is that the public body (this Board) will not be able to take action on the matter immediately following the public hearing this evening. Thus, in order to meet the 24-hour requirement, the Guilford County Planning Board, following completion of the agenda this evening, will recess and reconvene on Thursday, June 11, 2020 at 6:30 pm at which time the Board will make its decision for each public hearing held this evening. Please refer to the posted notice for instructions for listening to the reconvened meeting.

CONTINUANCE REQUESTS: None.

OLD BUSINESS: None.

NEW BUSINESS:

Public Hearing Items:

CONDITIONAL ZONING CASE #20-05-GCPL-03127: LI to CZ-RM-18 6508 Interstate Drive Located south of the intersection of Center Crest Dr and Interstate Dr, being a 6.90 Ac portion of Guilford County Tax Parcel #107841, owned by Stoney Creek Properties LLC.

Proposed Conditional Zoning from LI to CZ-RM-18 limited to the following: Use Condition: All uses allowed in the RM-18 zoning district; Development Condition: Any multi-family building shall not be higher than three (3) stories.

The proposed Conditional Zoning is consistent with the Northeast Area Plan land use classification of Mixed Use, thus if approved, no plan amendment would be required.

Matt Talbott, Sr. Planner/Planner II, stated that [the subject property is] located south of the intersection of Center Crest Dr and Interstate Dr, being a 6.90 Ac portion of Guilford County Tax Parcel #107841, owned by Stoney Creek Properties LLC.

There is no history of denied cases.

This proposed request is to Conditionally Zone property from LI to CZ-RM-18 limited to the following:

Use Condition: All uses allowed in the RM-18 zoning district.

Development Condition: Any multi-family building shall not be higher than three (3) stories.

The LI, Light Industrial District is primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development and related commercial/service activities which, in their normal operations, have little or no adverse effect upon adjoining properties.

The CZ, Conditional Zoning District, is hereby established as a companion district for every district established in Section 4-2. All regulations which apply to a general use zoning district also apply to the companion conditional zoning. All other regulations, which may be offered by the property owner and approved by the Jurisdiction as part of the rezoning process, also apply.

The RM-18, Residential Multi-Family District is primarily intended to accommodate multi-family uses at a maximum overall density of 18.0 units per acre.

This request is in an area that has a mix of multi-family dwellings, commercial uses including restaurants, a bank, and a YMCA. There are also single-family developments in the area. The subject parcel is within designated watershed critical areas.

Existing Land Use(s) on the Property is vacant. Surrounding uses are: North, Vacant; South, I-85/I-40; East, Fairway Village PH 1 (multi-family); and West, vacant. Pictures of the subject property and surrounding area also was presented and available, both in the room and remotely/virtually.

There are no inventoried Historic Properties located on or near the property.

Public Water and Sewer is available by [the City of] Greensboro.

The Plan recommendation is Mixed Use and the request is consistent [with such].

1. The RM-18 zoning is generally consistent with the Mixed-Use land use designation in the Northeast Area Plan.
2. The RM-18, Residential Multi-Family District is primarily intended to accommodate multi-family uses at a maximum overall density of 18.0 units per acre.

3. It is reasonable and in the public interest as the request provide future multi-family residential uses in this growing area along I-85/I-40.
4. The subject property is located adjacent to property of the same ownership which is currently zoned for multi-family residential and will be phase 2 of the apartment complex.

Staff recommends approval and the proposed Conditional Zoning is consistent with the Northeast Area Plan land use classification of Mixed Use, thus if approved, no plan amendment would be required.

Chairman Jones opened the public hearing.

IN SUPPORT:

Attorney Marc Isaacson represented the applicant. Atty. Isaacson summarized the Conditional Rezoning request (see submitted presentation by Atty. Isaacson which also was presented in the room and also provided remotely/virtually) and further stated that the applicant also is the adjacent property owner as well.

Chairman Jones asked if there were any questions by the Board of Atty. Isaacson. There were none.

Chairman Jones then asked if there was anyone else who wanted to speak in support of the applicant's request (both in person and remotely). There were none.

IN OPPOSITION:

None either in person or remotely/virtually.

With no other speakers, the Public Hearing was closed (motion to close the public hearing by Hayworth and motion 2nd by Alexander) and Chairman Jones indicated that the Board would make its decision when the meeting reconvenes on Thursday, June 11, 2020 @ 6:30 pm.

ROAD CLOSING CASE #20-01-GCPL00109: Carmon Road (SR 5341) 0.15 miles
BEING that 0.15 mile portion of Carmon Road (SR 5341) running south from Frieden Church Rd and terminating at Norfolk Southern/NC Railroad.

Paul Lowe, Planner I, indicated that the Road Closing Resolution of Intent appeared at the Planning Board's February 12, 2020 Regular meeting [shortly following, both Guilford County and the State of NC declared a COVID-19 State of Emergency Declaration and this is the first meeting since some initial restrictions have been lifted].

Chairman Jones opened the public hearing.

IN SUPPORT:

None either in person or remotely/virtually.

IN OPPOSITION:

None either in person or remotely/virtually.

With no other speakers, the Public Hearing was closed (motion to close the public hearing by Hayworth and motion 2nd by Alexander) and Chairman Jones indicated that the Board would make its decision on the adoption of the Resolution to close and remove from dedication a portion of said public road when the meeting reconvenes on Thursday, June 11, 2020 @ 6:30 pm.

Non-Public Hearing Items:

RESOLUTION OF INTENT ROAD CLOSING CASE #20-03-GCPL-01969:

Being the entirety of Cardinal Circle & the remaining 1,182 ft. of Robin Road that currently ends at the intersection with Cardinal Circle previously platted in PB 32 PG 20. The road closure request is adjacent to Parcel #125762.

Paul Lowe, Planner I, indicated that this has come to the Planning and Development Dept. previously and requested that the Board approve the Resolution of Intent to Close said road and set the public hearing for the Resolution to close at the Planning Board's Wednesday July 8, 2020 Regular Meeting.

Chairman Jones moved to set the public hearing for the Resolution to close at the Planning Board's Wednesday July 8, 2020 Regular Meeting. Motion was 2nd by Mann.

OTHER BUSINESS:

UDO Project Update:

Mr. Bell indicated that a UDO virtual presentation is being scheduled for June 23 from 6:00 – 7:00 pm via GoTo Meeting. The presentation also will be recorded and available on the Guilford County website and Youtube. More information will be forthcoming regarding registration and access virtually.

RECESSED:

There being no further business before the Board, the meeting was recessed at 6:40 pm and will reconvene on Thursday June 11, 2020 at 6:30 pm [and per noticed procedures].