

**Guilford County  
Planning Board  
REMOTE/VIRTUAL REGULAR MEETING  
July 8, 2020**

The Guilford County Planning Board met in regular session on Wednesday, July 8, 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); Mr. Thompson (remotely) and Mr. Jones (in person). (one vacancy exists)

**Members Absent:**

**Staff Present:** Tonya Hodgin, Planning Technician (in person); J. Leslie Bell, Guilford County Planning Director (in person); Kaye Graybeal, Guilford County Planning Deputy Director (remotely); Matt Talbott, Sr. Planner(in person); 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 June 10, 2020 minutes and the June 11, 2020 voting session, seconded by Mr. Thompson. The Board voted 8-0 in favor of the motion (Ayes: Apple, Alexander, Hayworth, McKinley, Buchanan, Mann, Thompson 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 July 9, 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 are called upon. 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](mailto: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, July 9, 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 #20-06-GCPL-03689: AG to CZ-LI** 8043 Thorndike Road  
 Located on the south side of Thorndike Road, approximately 2200 feet east from its intersection of Gallimore Dairy Road, Being Guilford County Tax Parcel \$ 169760, approximately 10.10 acres owned by Robert L. & Keith H. Lackey.

Proposed Conditional Zoning from AG to CZ-LI and limited to the following: Use Condition: All uses allowed in the LI zoning district except Manufacturing Uses.

The proposed Conditional Zoning is consistent with the Airport Area Plan land use classification of Non-residential, thus if approved, no plan amendment would be required.

Matt Talbott, Sr. Planner, stated that 8043 Thorndike Road is located on the south side of Thorndike Road, approximately 2200 ft east from its intersection of Gallimore Dairy Road, being Guilford County Tax Parcel # 169760, approximately 10.10 acres owned by Robert L. & Keith H. Lackey. The proposed request is conditionally zoned property from AG to CZ-LI, limited to the following use conditions: that all uses permitted in the LI zoning district except manufacturing uses. The AG district is primarily intended to accommodate uses of agricultural nature including farm residences, farm and tenant housing. The CZ conditional zoning district is 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. The LI district is primarily intended to accommodate limited manufacturing, wholesale warehousing, research and development and related commercial service activities which in the normal operations have little or no adverse effect on adjoining properties. This request is in an area with a mixture of residential uses with varying lot sizes, small and large businesses and industrial uses. It is located adjacent to the City of High Point with Light Industrial zoning districts and economic center zoning districts. There are also properties nearby that are zoned Light Industrial within the County's jurisdiction. To the north is single family residential (vacant); to the south is vacant; to the east is single family residential; and to the west is vacant.

There are no inventoried Historic Properties located on or near the property. Thorndike Road is a two-lane collector road and an NCDOT driveway permit will be required on the site plan as submitted.

This property is within the Airport Area Plan and it is recommended for non-residential use. This request is consistent with the adopted Plan in the public interest to provision of future employment opportunities of goods and services to the surrounding areas. 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 Plan designates the area as Non-Residential which is consistent with this request.
2. The Light Industrial (LI) 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. This request has a condition that will not allow manufacturing uses which will further limit the impact on surrounding areas.
3. The request is reasonable and in the public interest as the site is located on Thorndike Dr with close access to Interstate-40 and Highway 68 which provides for ease of access. Landscaping and lighting standards of the County Development Ordinance will minimize impacts onto the surrounding properties.
4. It provides employment opportunities and services to the citizens of Guilford County.

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

Matt Talbott clarified for the record that the sentencing referencing the RM-18 Zoning District in the staff report was an error and does not apply to this case. He asked to strike it from the record.

Chairman Jones opened the public hearing.

**IN SUPPORT:**

Attorney Marc Isaacson represented the applicant. Attorney 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. He stated that Steve Earp, who is with the company is also attending the meeting via phone, and Mike Fowler is the real estate agent involved in the transaction for this project. They are available for questions from the Board members. Attorney Isaacson stated that he represents EME Industrial in this matter. This is a local company with approximately 10 employees and has been in business here for over 20 years. Their primary business is engaging in the remediation of buildings to remove mold, lead and asbestos at the client's sites. Their current lease is expiring, and their landlord has other plans for the current location. Therefore, they have been looking to find a new location and determined that this is the perfect location for their business. Thorndike Road is central for access to I-40 and Highway 68 and to the Piedmont Triad international Airport. EME does work for many governmental clients including Guilford County, City of Greensboro and High Point, as well as many private companies in this area. None of the remediation work is done at their premises, all work is done at other locations and off-site. This property will be utilized to organize the company's employees in the morning to meet and determine projects for the day and they would return in the evening to store some equipment and check out. There is an existing residential structure on the property which is unoccupied, and they plan to use that as an office space. There is a self-imposed zoning condition in the application to exclude any manufacturing uses on the property. The property will primarily be used for office and storage purposes. The property is near other LI uses. Letters were sent to surrounding property owners and they received only one phone call, and that was just to ask questions. There was concern raised by a neighbor, Ms. Hawkes, who asked about the load limits on Thorndike Road. EME only uses small trucks, considered the size of small box trucks, so there would not be any tractor-trailer traffic created by EME. It is felt that this is an appropriate and compatible use for this property. They asked that this request be approved.

Chairman Jones asked if there were any questions by the Board of Attorney Isaacson. Ms. Hayworth stated she has 2 questions for Mr. Isaacson; 1) could he share the concerns that the 2 people he spoke with had; and 2) what type of equipment will be stored on the property?

Attorney Isaacson responded that the neighbor's questions had to do with what kind of buffers would be on the property, and there was a question as to whether there would be a detention pond on the property. There will not be a detention pond and there is none shown on the preliminary site plan that was submitted. That site plan will go through Technical Review Committee (TRC).

Steve Earp stated that the neighbor, Ms. Hawkes was confused and thought this was about the property next door to her, which has recently been acquired by a company for development. Then she was concerned that this would cause her to rezone her property. She is not opposed to this project request. Mr. Idol, another neighbor, stated that he has concerns about the noise fences (walls) along the highway, as he does not like those, at all. He really did not raise any concerns, he was just curious about what was going on with this property. In regard to what will be stored on the property, they store some trailers that would haul equipment to the job-site.

Chairman Jones then asked if there was anyone else who wanted to speak to the applicant's request (both in person and remotely).

Due to technical difficulties, Chair Jones stated that the question was about if the owner of the property the one that has made the request for rezoning? Attorney Isaacson stated that the applicants are the property owners or are under contract to purchase the property. Since it is conditional zoning, the owner was required to sign the application.

Chair Jones stated that because of the technical difficulties, the opponent could send his concerns to the

Mr. Sullivan stated that his primary concern is truck traffic and the results from that. Matt Talbott stated that, as Attorney Isaacson stated, that road is maintained by NCDOT and the County does not have any jurisdiction on that.

Attorney Isaacson stated that this is really a multi-phase process to go through. The zoning deals with the land use and the compatibility and compliance with the Area Plans, which it does, and then, assuming it is approved, they would have a full engineer's site plan prepared which would show all of the requirements of the County's Ordinance, including DOT driveways and DOT would be required to review and approve that driveway permit in order to move forward with the project.

With no other speakers, the Public Hearing was closed (motion to close the public hearing by Mr. Thompson and motion seconded by Mr. Alexander. The Board voted 8-0 in favor of the motion (Ayes: Apple, Alexander, Hayworth, McKinley, Buchanan, Mann, Thompson and Jones Nays: None).

Chairman Jones indicated that the Board would make its decision when the meeting reconvenes on Thursday, July 9, 2020 @ 6:30 pm.

#### **Road Closing:**

**ROAD CLOSING CASE #20-03-GCPL-01969:** Cardinal Circle and Robin Road. 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 PC 32 PG 20. The road closure request is adjacent to Parcel # 125762

Matt Talbott indicated that the Road Closing is 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

Resolution of Intent was adopted at the virtual regular meeting on June 10, 2020 and the virtual reconvened meeting on June 11, 2020. Pursuant to NCGS 153-A-241 concerning closing public roads, the request must go through a hearing before the road can be closed. Based upon the information presented at the hearing, the Board has found that: 1) the closing of said road is not contrary to public interest, and 2) that no individual owning property in the vicinity of said road or a subdivision of which it is located will be deprived any reasonable means of egress and ingress to the property.

Staff submits the following findings for consideration by the Board: 1) The Planning Department has received a request to close the entirety of Cardinal Circle and the remaining 1,182 feet of Robin Road, and 2) it was determined at the June 16, 2020 TRC meeting, that the closing of sad road is not contrary to the public interest and that no individual in the vicinity will be deprived of reasonable access to their property.

Mr. Thompson moved to close the matter and put it to a vote, seconded by Mr. Alexander.

Chairman Jones opened the public hearing.

#### **IN SUPPORT:**

No one either in person or remotely/virtually.

#### **IN OPPOSITION:**

No one either in person or remotely/virtually.

With no other speakers, the Public Hearing was closed (motion to close the public hearing by Mr. Thompson and motion seconded by Mr. Alexander. 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, July 9, 2020 @ 6:30 pm.

**OTHER BUSINESS:**

**UDO Project Update:**

Mr. Bell indicated that a UDO virtual presentation was scheduled for June [23] from 6:00 – 7:00 pm via GoTo Meeting. The presentation also was recorded and available on the Guilford County website [with link to UDO Project website]. More information will be forthcoming regarding any further action before the project moves forward.

**RECESSED:**

There being no further business before the Board, the *virtual* Regular meeting was recessed at 6:45 pm and will reconvene on Thursday July 9, 2020 at 6:30 pm for the Voting session.