

**Guilford County
Planning Board
REMOTE/VIRTUAL RECONVENED MEETING MINUTES
VOTING SESSION
August 13, 2020**

The Guilford County Planning Board was reconvened by *virtual meeting* on Thursday, August 13, 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. Jones (remotely); Mr. Apple (remotely); Mr. Alexander (remotely); Mr. Mann (remotely); Ms. McKinley (remotely). (one vacancy exists)

Members Absent: Ms. Hayworth, Mr. Thompson, Ms. Buchanan

Staff Present: Tonya Hodgin, Planning Technician; Leslie Bell, Guilford County Planning Director; Kaye Graybeal, Guilford County Planning Deputy Director (remotely); Matt Talbott, Senior Planner/Planner II, Oliver Bass, Planner I (remotely); and Robert Carmon, Deputy Fire Marshal (remotely)

Chair Jones called the meeting to order and welcomed everyone in attendance. He stated that this meeting was for voting opportunities only and no other business would be discussed.

Chair Jones reported that there is a request to remove re-zoning request Rezoning Case # 20-07-GCPL-04508, 2546 Nelson Farm Road. The applicant is on the phone to confirm that request.

Marcus Battle stated that he has asked that this request be withdrawn.

Chair Jones asked for a motion to remove this item from the agenda.

Mr. Alexander moved to remove Item 20-07-GCPL-04508, 2546 Nelson Farm Road, as requested, seconded by Ms. McKinley. The Board voted unanimously 5-0 in favor of the motion. (Ayes: McKinley, Mann, Apple, Alexander, Jones. Nays: None.)

Public Hearing Items:

CONDITIONAL ZONING CASE #20-07-GCPL-04508: AG to HB 2546 Nelson Farm Road

Located on the northwest corner of the intersection of Nelson Farm Road and I-85 S. Being Guilford County Tax Parcel #118024, approximately 7.09 acres owned by Battle Brands & Co., LLC. Marcus Battle, Applicant. **(WITHDRAWN)**

CONDITIONAL ZONING CASE #20-07-GCPL- 04332: RS-40 to CZ-HB 4041 – 4045 Randleman Road. Located on the east side of Randleman Road, approximately 700 feet north from its intersection of S. Elm-Eugene Street. Being Guilford County Tax Parcel #142788 & #142778, approximately 1.78 acres owned by Afshan Sajjad. **(APPROVED)**

Mr. Alexander moved approval of the Conditional Zoning Case **#20-07-GCPL-04332, 4041 – 4045 Randleman Road**, as described by the staff report, Guilford County Tax Parcel #142788 & #142778, from RS-40 to CZ-HB. This approval also amends the Southern Area Plan, the Zoning Map Amendment and associated Southern Area Plan, based on the following changes and conditions:

Although inconsistent with the Southern Area Plan recommendation, the rezoning will be extended to adjacent HB zoning to the proposed parcels in this request. There is also HB zoning properties less than 200 feet north of the property. The HB (Highway Business) district is primarily intended to accommodate those retail services and distribute uses which typically are located along thoroughfares. The district is established to provide locations for establishments which require high visibility and good road access for which are primarily accessible to passing motorists. Developments in this district generally have required front setbacks. Also, this amendment is reasonable and in the public interest because the rezoning provides employment opportunities and services to the citizens of Guilford County, also the rezoning would adhere to the Guilford County Landscape buffer requirements and lighting requirements. This proposed Conditional Zoning is inconsistent with the Southern Area Plan uses of agriculture, thus if approved, an Area Plan Amendment - Moderate Commercial, would be required.

Leslie Bell clarified that for the Amendment which was discussed last evening, the conditions were accepted for Item #2: 1) Brick or masonry required on three (3) sides of the building facing the parking lot; 2) there would be a 6' shadow-box fence along the rear of the property and back of the building from S. Elm-Eugene to Randleman Road; and 3) a row of Leland Cypress trees planted along the rear of the property. Chair Jones pointed out those conditions were voted on last evening. He asked if Mr. Alexander accepted the friendly Amendment to the finding #2. Mr. Alexander agreed to the friendly Amendment.

Mr. Apple seconded the motion. The Board voted unanimously 5-0 in favor of the motion. (Ayes: Jones, Mann, Apple, McKinley and Alexander. Nays: None.)

Chair Jones stated that action constitutes final approval unless appealed within 15 days of today's decision.

REZONING CASE #20-07-GCPL-04164: LI to HB 814 Knox Road Located on the northwest corner of the intersection of Knox Road and Kivett Dairy Road. Being Guilford County Tax Parcel #116873, approximately 6 acres owned by Bob Rose, Jr. Proposed Rezoning from LI to HB. The proposed Rezoning is inconsistent with the Northeast Area Plan land use classification of Light Industrial; thus if approved, an area plan amendment to Heavy Commercial would be required. **(DENIED)**

Oliver Bass stated that the main reason that staff is recommending denial of the request is because the surrounding property is mostly industrial, and the district uses on the site are primarily industrial.

Chair Jones stated that the Board did hear about a batting cage with people coming in and out of the site on a regular basis.

Mr. Mann stated that he is having a difficult time with this one, especially with the fact that this is a proposed funeral home, and how this could come up in more of a heavy commercial type lot. That is his main concern with denial.

Ms. McKinley moved to deny the Rezoning Case #20-07-GCPL-04164: **LI to HB 814 Knox Road**, located on the northwest corner of the intersection of Knox Road and Kivett Dairy Road. Being Guilford County Tax Parcel #116873, approximately 6 acres owned by Bob Rose, Jr. Proposed Rezoning from LI to HB. The proposed Rezoning is inconsistent with the recommendation of the Northeast Area Plan land use classification of Light Industrial; thus if approved, an area plan amendment to Heavy Commercial would be required. The property is in an area that is primarily

industrial and the existing tenants on the site are wholesale and retail activities. The Rezoning Amendment is not in the public interest because of the increase in traffic.

Mr. Alexander seconded the motion. The Board voted unanimously 5-0 in favor of the motion to deny the request. (Ayes: Jones, Mann, Apple, McKinley and Alexander. Nays: None.)

Chair Jones stated that action constitutes final approval of denial unless appealed within 15 days of today's decision.

REZONING CASE #20-07-GCPL-04218: AG to PD-R 3670 & 3682 Brick Church Road Located on the west side of Brick Church Road, approximately 1200 feet north from its intersection of Holts Store Road. Being Guilford County Tax Parcels #109522 and #109519, approximately 35.08 acres owned by Sylvia Jean Gilliam and Shirley Ann Clapp. Proposed Rezoning from AG to PD-R along with the submitted proposed Zoning Sketch Plan. The proposed Rezoning is consistent with the Rock Creek Area Plan land use classification of Agricultural/Rural-Residential; thus if approved, no plan amendment would be required. **(APPROVED)**

Chair Jones pointed out that staff had received additional comments and concerns about this case. Tonya Hodgin stated that copies of these comments were sent to the Board members for their review. Mr. Apple stated that he did not get it.

Leslie Bell summarized the nature of those comments or concerns. There were approximately eleven (11) comments and some were from the people who spoke at last night's meeting, with a few additional comments. Overwhelmingly, they are against the rezoning in that area.

Mr. Alexander stated that this has been done and asked if there is any way to send comments to the applicant and have a discussion with the surrounding land owners before a vote is taken. Chair Jones stated that while the Board cannot mandate a potential applicant speaking with the surrounding property land owners, the basic concern is the size of the proposed development. He certainly thinks further communication could be helpful here. He gave Mr. Allred a chance to respond if he would be willing to consider that. Chair Jones explained the discussion to Mr. Allred and asked if he would consider postponing the vote to give him an opportunity to speak with neighbors in the area.

Jeff Allred, the applicant, stated that most of the concerns raised by the opposition were issues that the County doesn't have any control over and he would have to comply with the rules and regulations that they were concerned about related to stormwater and run-off. Because of the nature of their opposition, he would be okay with moving forward with the vote because he feels it is going to be irreconcilable differences between the applicant and the property owners.

Chair Jones stated that the Board would proceed with the vote this evening.

Mr. Mann moved approval of the Conditional Zoning **Case #20-07-GCPL-04332 from AG to PD-R 3670-3682 Brick Church Road**. Located on the west side of Brick Church Road, approximately 1200 feet north from its intersection of Holts Store Road. Being Guilford County Tax Parcels #109522 and #109519, approximately 35.08 acres owned by Sylvia Jean Gilliam and Shirley Ann Clapp. Proposed Rezoning from AG to PD-R along with the submitted proposed Zoning Sketch Plan, Because the proposed Rezoning is consistent with the Rock Creek Area Plan land use classification of Agricultural/Rural-Residential; thus if approved, no plan amendment would be required. The Amendment is reasonable and in the public interest because the proposed zoning will allow for the preservation of environmental or sensitive areas on the site. From a single-family residential

development under the control of the Unified Development Plan consistent with the development in the area.

Mr. Apple seconded the motion. The Board voted unanimously 4-1 in favor of the motion. (Ayes: Mann, Apple, McKinley and Alexander. Nays: Jones.)

Chair Jones stated that action constitutes final approval unless appealed within 15 days of today's decision.

REZONING CASE #20-07-GCPL-04697: LI (City of Gboro) to LI (County) 2335 Campground Rd
Located approximately 1,800 feet southwest from the intersection of S Holden Road and Campground Road. Being Guilford County Tax Parcel #228250, approximately 8.205 acres owned by Oliver Enterprises of Greensboro, LLC. Proposed Rezoning from **LI (City of Greensboro)** to **LI (Guilford County)**. The proposed Rezoning, for which the subject property was de-annexed by the City of Greensboro, is consistent with the Southern Area Plan land use classification of Light Industrial; thus, if approved, no plan amendment would be required. **(APPROVED)**

Chair Jones pointed out that this was because of a de-annexation and the zoning in the County is exactly the same as the zoning with the City.

Mr. Mann moved approval of the Rezoning Case #20-07-GCPL-04697 2335 Campground Road, as described by the staff report, being Tax Parcel #228250 because the Amendment is consistent with the Southern Area Plan because the use would be Light Industrial, thus if approved, no plan amendment would be required. The amendment is reasonable and in the public interest because the Light Industrial zoning district primarily is intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial activities which, in their normal operations have little or no adverse effect upon adjoining properties.

Mr. Alexander seconded the motion. The Board voted unanimously 5-0 in favor of the motion. (Ayes: Jones, Mann, Apple, McKinley and Alexander. Nays: None.)

Chair Jones stated that action constitutes final approval unless appealed within 15 days of today's decision.

ADJOURNED:

There being no further business before the Board, the meeting was adjourned at 7:01 pm.