

**Guilford County  
Planning Board  
AUGUST 9, 2017**

The Guilford County Planning Board met in regular session on Wednesday, August 9, 2017 at 6:00 p.m. in the Blue Room, First Floor, Old Guilford County Courthouse, 301 West Market Street.

**Members Present:** Mr. Jones, Chair; Mr. Alexander; Mr. Collins; Mr. Geter and Ms. Hayworth.

**Members Absent:** Mr. Leonard, Mr. Mann, Mr. Apple, and Ms. Burnett.

**Staff Present:** Les Eger and Tonya Hodgin, Planning Department. Also present was Jerry Coble, Guilford County Fire Marshall's Office.

**AGENDA AMENDMENTS**

None.

**OLD BUSINESS**

None.

**APPROVAL OF MINUTES**

**July 12, 2017 Regular Meeting Minutes:**

Mr. Geter moved approval of the July 12, 2017 regular meeting minutes as written, seconded by Mr. Alexander. The Board voted 5-0 in favor of the motion. (Ayes: Jones, Alexander, Hayworth, Collins, Geter. Nays: None.)

Chair Jones explained the rules and procedures of the Guilford County Planning Board.

**CONTINUANCE REQUESTS**

None.

**NEW BUSINESS**

**Public Hearing Items:**

**REZONING CASE #17-07-GCPL-03509: HB & AG TO CZ-HB**

Located east of the intersection of Old Randleman Road and Randleman Road in Sumner Township Being Guilford County Tax Parcel #0144231 and a portion of parcel #0144232. Approximately 1.421 acres owned by Eric and Christina Davis.

**(APPROVED)**

Les Eger said that this is a request to rezone approximately 1.4 acres from Highway Business and Agricultural to conditionally zoned Highway Business with stipulations that it can only be for mini warehouse self-storage and that no billboards will be permitted on the property. This request is in an area that is a mixture of low density residential and commercial uses. Uses on the property are vacant and residential. Surrounding uses are residential and commercial. The land use plan for this area is

the updated Southern Guilford Area Plan which recommends for moderate commercial and rural residential uses. This request is split by two different land use categories with Moderate Commercial on the front and Rural Residential to the rear of the property. The request for the front portion of the property is consistent with the plan while the rear portion is inconsistent with the plan. Should this request be approved, staff feels that the proposed low intensity use of the warehouse and required buffer per the Development Ordinance would minimize impacts to the adjoining properties and provide for service and potential employment opportunities to the area. Staff recommends approval of this request. If the request is approved, the land use plan for the back portion of this property would need to be amended changing it from Rural Residential to Moderate Commercial.

Speaking in support of the request was Eric Michael Davis, 5775 Big Oak Way, Randleman, North Carolina. He would like to build two rows of storage units that will be 20 feet wide and 150 feet long. The storage units will be approximately 10 feet by 10 feet. The property is already zoned straight Highway Business and all he is asking to do is to meet what Guilford County requires which is two acres for storage units. He owns several adjoining properties. He is requesting a conditional use permit for storage units only. He felt the request would be a low impact to the area as compared to a service station or restaurant. Storage units would generate a small number of cars which would be positive for the neighborhood. He noted that Bill's Pizza is next door and there are always a large number of patrons at the restaurant. There is also a gas station at the corner of Randleman Road and Old Randleman Road located diagonally across from the subject property. In addition, there is a mechanic's shop across the street right at Business 220 on Randleman Road. The storage units will have a professional façade and will be gated with keypad entry.

Responding to questions from the Board, Mr. Davis said that there will be a total of 60 storage units. A permit for access will be required from the Department of Transportation (DOT) that will insure good visibility from the buildings. Only Mr. Davis and one neighbor will be impacted by the request. He plans to provide a buffer with evergreen trees. Mr. Eger said that a Type A buffer will be required. A Type A buffer is the most extreme type of buffer providing an average width of 50 feet including canopy trees, understory trees and shrubs. A vegetative barrier will be provided so that the proposed business cannot be seen by adjoining properties.

Mr. Davis indicated that he did not make contact with surrounding neighbors to discuss details of the request.

### **In Opposition:**

Sharon Bass, 744 Hogan Road, owns a nearby property. She expressed serious concerns about traffic issues and described an awkward traffic pattern adjacent to the subject property. She noted the facility will have 24-hour access and there will be no onsite office. The lighting pollution will be problematic, there will be water runoff from the concrete pavement, and there will be noise from the climate controlled units. There are already seven self-storage facilities within a 10 mile radius of the property.

Sidney Neese, 5926 Old Randleman Road, lives 58 feet from the subject property. He was concerned that cars and trucks would be noisy at night and create a negative traffic impact.

Mr. Collins commented that the proposed request is the lowest impact that can be placed on this property other than a cemetery.

John Spencer, 22-I Beaufort Street, Ocean Isle, North Carolina, was present on behalf of Bill's Pizza located at 5200 Randleman Road. He was concerned about possible negative effects resulting from water runoff from the units that would flow into his septic area. Mr. Collins explained that the

County will conduct a plan review of this project. The County Planning Department is there to protect the interest of adjacent property owners.

Louise Wood, 5900 Siler Road, stated that Mrs. Neese is her mother. Water washes across her mother's property when it rains and the proposed storage facility will add to the problem. She stated traffic concerns and noted numerous accidents at the stop sign that is located 300 feet from the proposed facility's entrance.

Jerry Wood, 5900 Siler Road, pointed out that there is a 350 unit storage facility less than eight miles away that has not been sold out yet. He asked that the storage facility not be placed next to neighbors who have lived there for a very long time.

Sharon Bass commented that the evergreen trees Mr. Davis plans to plant will not grow tall enough to hide the light pollution that will happen there. In addition, she said there are businesses that rent storage units and are at the units several times a day to bring their equipment in and out. If this request is approved, she asked if there was some way Mr. Davis could meet with neighbors to discuss concerns. She felt the applicant should have made contact with neighbors prior to this meeting to discuss concerns and issues. She asked if the applicant could at least make arrangements to turn the lights off at the storage facility after a certain time period if there is 24-hour access.

Mr. Collins stated that this request represents the lowest impact that can be put there. If this is denied, the next request could be much worse in terms of impact. This request will be buffered and fenced and a storage facility is one of the lowest impacts there is. The Board cannot do contract zoning; however, Mr. Collins noted that the applicant could ask to add conditions at this meeting in response to concerns that have been stated by neighbors.

Mr. Eger clarified several issues for the Board. He described lighting requirements for new uses and said that a very small amount of light spillage is allowed over the property line and there are to be no lights shining up in the air to light up the night sky. An engineer will have to certify that no more than one percent of light spillage is occurring over the property line. Relative to access issues, Mr. Eger explained that it is up to DOT as to the safest driveway cut that will allow usage of the property. In addition, it is a zoning violation to run a business out of a storage unit. Mr. Eger addressed the water runoff issue and pointed out that there is a pond on Parcel G and the topography gently flows down toward the pond. He clarified that the maximum built upon area for conditional HB zoning is 50 percent. Watershed protection will limit this because of where it is in the watershed. The water will be retained and released slowly to aid drainage off the site when it rains.

Responding to a question from Chair Jones about access, Jerry Coble stated that it would be up to DOT to determine where the driveway will go. The applicant will be required to have a 20 foot access for fire department access. The DOT will look at traffic counts and accidents that have occurred there in the past as they make their recommendation as to where the driveway should be placed.

Sharon Bass asked staff for clarification on coverage requirements. Mr. Eger addressed development standards and said that the total ground area covered by buildings should not exceed 50 percent of the site.

Robert Bass, 744 Hogan Road, expressed concern about the height of the light poles and the brightness of the light.

**Rebuttal in Support:**

Eric Davis clarified that there is a natural draining area that feeds the pond at the bottom of the hill. He addressed concerns about lighting and said he is only trying to light the parking lot at night to aid his customers. This use will be a low impact and his research shows that there is a demand for a storage facility. This facility will not be climate controlled.

**Rebuttal in Opposition:**

Sharon Bass reiterated concerns about lighting and asked the applicant to consider turning off the lights at a certain time or putting them on a sensor.

There being no other speakers, Mr. Collins moved to close the public hearing, seconded by Ms. Hayworth. The Board voted 5-0 in favor of the motion. (Ayes: Jones, Alexander, Hayworth, Collins, Geter. Nays: None.)

**Comments:**

Chair Jones urged the applicant to have neighborhood meetings in the future to be able to work through issues prior to the Planning Board meeting.

Mr. Collins stated that this rezoning may not be the best thing but it is one of the lowest impact things to put there. If this request is approved, the Ordinance is in place and offers protections to surrounding neighbors if there are issues. Complaints can be filed with the Planning Department if there are problems with people using the storage units to conduct businesses. The County is being more aggressive towards zoning violations. Water runoff issues will be addressed in the plan review process and the traffic issue is under the purview of the DOT. Mr. Collins was disappointed that there was not a neighborhood meeting prior to this meeting because a lot of concerns could have been addressed. He felt the request would be a good use for the property and reiterated that it is one of the lowest impacts that adjoining property owners could have there.

Ms. Hayworth agreed with comments made by Mr. Collins. The traffic is under the purview of DOT and Mr. Davis cannot do anything about that. They will dictate where the points of ingress and egress will be. There are ordinances in place that protect surrounding property owners. She stated her opinion that the storage facility will have less impact on surrounding neighbors than Bill's Pizza. She plans to support the request.

Mr. Alexander felt the biggest concerns were lighting and times of operation. These issues could have been worked out if there had been a neighborhood meeting. The applicant could have stipulated that the lighting would align with Bill's Pizza as a way to resolve the issue. The remainder of the issues will be resolved by DOT and the County. He plans to support the request.

Chair Jones indicated his support of this request. He highly recommended that the parties hold discussions after this meeting because the request, if approved, is subject to appeal.

In the matter of Rezoning Case #17-07-GCPL-03509, Mr. Collins moved that the Guilford County Planning Board believes that its action to approve this zoning amendment located on Guilford County Tax Map Parcel #0144231 and a portion of parcel #0144232, from HB and AG to CZ-HB, to be compatible with the surrounding land uses and zoning and considers that action to be reasonable and in the public interest because although a portion of the property is inconsistent with the adopted Southern Area Plan, it has been determined that zoning the property to CZ-HB is compatible with the surrounding area and uses. The motion was seconded by Ms. Hayworth. The Board voted 5-0 in favor of the motion. (Ayes: Jones, Alexander, Hayworth, Collins, Geter. Nays: None.)

**ADJOURNMENT**

There being no further business before the Board, the meeting adjourned at 7:11 p.m.

Respectfully submitted,

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Frankie Jones, Chairman

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Leslie P. Eger, Secretary to the Board

FJ:sm/jd