

**Guilford County
Planning Board
NOVEMBER 18, 2015**

The Guilford County Planning Board met on Wednesday, November 18, 2015 at 6:00 p.m. in the Blue Room of the Old Guilford County Courthouse, Greensboro, North Carolina. There was a brief Business Meeting prior to the regular session.

Members Present: Mr. Collins, Chairman; Mr. Apple; Mr. Jones; Mr. Mann; Mr. Geter; Mr. Alexander; Mr. Leonard; Mr. Cannon; Ms. Gibson.

Members Absent: None.

Staff Present: Oliver Bass and Tonya Hodgin, Planning Department.

AGENDA AMENDMENTS:

Mr. Bass stated that there are no amendments to the agenda.

APPROVAL OF MINUTES:

October 14, 2015 Regular Meeting Minutes

Mr. Geter moved approval of the October 14, 2015 regular meeting minutes, seconded by Mr. Apple. The Board voted 8-0 in favor of the motion. (Ayes: Collins, Apple, Geter, Mann, Alexander, Leonard, Cannon, Gibson. Nays: None.)

Chair Collins reviewed the rules and procedures of the Guilford County Planning Board.

NEW BUSINESS

PUBLIC HEARING ITEMS:

REZONING CASE # 15-10-GCPL-05333: CU-HB to Amended CU-HB

Located 748 feet east of NC Highway 150 East and McLeansville Road intersection in Madison Township. Being Guilford County Tax Parcel #01114056 approximately 5.08 acres owned by Mark Rumley Enterprises, Inc. **(APPROVED)**

Mr. Bass stated that the subject property is located at 4905 NC Highway 150 and contains approximately 5.08 acres. The property is owned by Mark Rumley Enterprises. The property was rezoned from RS-30 to CU-HB in August, 2015 and the current request is to amend the CU zoning to allow the property to have access from the US Highway 20 service road rather than the originally approved Highway 150 due to issues with DOT (Department of Transportation). The property is currently vacant and is being proposed for development. It is surrounded by farm, low-density residential, commercial, and office uses. Staff determined that the request is consistent with the Northern Lakes Land Use Plan and they recommend approval with the stated condition.

Mark Rumley, 5571 Turner Smith Road, McLeansville, North Carolina, is the owner of Mark Rumley Enterprises. After the land was rezoned in August, 2015, it was determined that the service road was maintained by DOT; therefore, he wants to change the entrance from Highway 150 to come in on the service road. The business located on the property will be a utility trailer sales operation. There being no other speakers, Chair Collins closed the Public Hearing.

In the matter of case **15-10-GCPL-05333**, Mr. Cannon moved that the Guilford County Planning Board believes that its action to approve this zoning amendment located on Guilford County Tax Parcel #0114056, from CU-HB to amended CU-HB, to be consistent with the adopted Northern Lakes Area Plan and considers the action reasonable and in the public interest because it is generally consistent with the land use category indicated for the property on the Northern Lakes Area Plan Future Land Use Map. The motion was seconded by Mr. Leonard. The Board voted 8-0 in favor of the motion. (Ayes: Collins, Apple, Geter, Mann, Alexander, Leonard, Cannon, Gibson. Nays: None.)

Mr. Jones joined the meeting at 6:06 p.m. during discussion of this matter and did not vote.

REZONING CASE #15-10-GCPL-05358: CU-LI TO Amended CU-LI

Located 428 feet southeast of the Inman Road and Fleming Road intersection in Friendship Township. Being Guilford County Tax Parcel # 0151269 approximately 4.77 acres owned by American Flag-Inman Road, LLC. **(APPROVED)**

Mr. Bass stated that this property is located at 5757 Inman Road and is owned by American Flag-Inman Road, LLC. This property was rezoned from SC to CU-LI in May, 1995 under case #3595. In that case, the property was limited in use to a warehouse self-storage and required some landscape buffer. The amended rezoning request is to add radio and television communication towers to the list of allowed uses. The property is developed as a self-storage warehouse and is surrounded by commercial and light industrial uses. The Outer Loop is newly under construction in the area. This request is consistent with the Airport Area Plan which is recommended as non-residential. Staff is recommending approval of this request with the added condition noted in the application.

Laura Goode, 1501 Main Street, Columbia, South Carolina, is an Attorney with Pennington Law Firm, LLC. Ms. Goode reviewed the packets of information that were distributed to Board members. She introduced Terry Wethington, American Flag Storage, who stood to be recognized.

The proposed facility will be owned and operated by Verizon Wireless. They are asking to build this facility to meet demands in the Inman Road area. There are several existing Verizon sites in this area; however, the demand for wireless service in this area has reached a level where the existing site is reaching its capacity for service. A new wireless facility is needed to offset that demand. This site was chosen due to its location in the center of the search ring. A Co-Location Analysis was submitted to the Planning Department in September, 2015 and approved.

Ms. Goode clarified on the map where the proposed facility will be built. The proposed site is zoned CU-LI which only allows conditional use of a warehouse. They are asking for a zoning amendment to allow the additional use of a communications tower. A communications tower is a permitted use in the underlying LI district. She provided an overview of the site plan and indicated that the tower will be 87 feet in height with a 5 foot lightning rod. The site is in the Airport Overlay District and a Notice of Construction has been filed. The proposal is consistent with the Airport Overlay District and the FAA has given a Determination of No Hazard. The tower will be lit and marked as required by regulations.

Ms. Goode stated that the request meets all of the requirements of the ordinance and cited the following points: (1) There are no residentially zoned properties within a 100 foot radius of the proposed tower; (2) A Co-Location Analysis has been submitted and approved; and (3) The proposed tower meets all requirements for the underlying LI district.

Mr. Jones asked for clarification on the maximum height allowed for a tower in that district. Ms. Goode explained that there is not really a limit on tower height in terms of telecommunication standards; however, they have to comply with the Airport Overlay District.

There being no other speakers, Chair Collins closed the Public Hearing.

In the matter of case **15-10-GCPL-05358**, Mr. Geter moved that the Guilford County Planning Board believes that its action to approve this zoning amendment located on Guilford County Tax Parcel #0151269, from CU-LI to amended CU-LI, to be consistent with the adopted Airport Area Plan and considers the action reasonable and in the public interest because it is generally consistent with the land use category indicated for the property on the Airport Area Plan Future Land Use Map; seconded by Ms. Gibson. The Board voted 9-0 in favor of the motion. (Ayes: Collins, Jones, Apple, Geter, Mann, Alexander, Leonard, Cannon, Gibson. Nays: None.)

REZONING CASE # 15-10-GCPL-05330: AG to RS-40

Located at the intersection of US Highway 158 and Rumbley Road in the Bruce Township. Being part of Guilford County Tax Parcel #0147525 approximately 2.20 acres owned by John and Louise Powers.

(APPROVED)

Mr. Bass stated that this property is located at 6505 US Highway 158 and is owned by John and Louise Powers. The property is currently zoned AG and the applicant is requesting a rezoning to RS-40. The land use of the property is largely undeveloped and it is surrounded primarily by rural residential lots. It is consistent with the Northwest Area Plan recommendation which calls for the area to be rural residential. Therefore, staff is recommending approval of this request.

Brian Stanley, 8447 Rumbley Road, Summerfield, North Carolina is speaking on behalf of his father-in-law, John Powers. Mr. Stanley referred to a map and pointed out the parcel that Mr. Powers would like to give to his granddaughter to build a house. The land is not being farmed and has not been tended in many years. Surrounding parcels of land are currently being farmed. They are hoping to rezone the parcel so that a house can be built on it. With the exception of one parcel, he produced a petition from everyone on the street in support of rezoning the land for the construction of a house. Mr. Stanley acquired all the signatures himself with the exception of the Summerfield Fire Department that was secured by Mr. Powers. Mr. Powers spoke from the audience and confirmed that he acquired the Fire Station signature.

There being no other speakers, Chair Collins closed the Public Hearing.

In the matter of case **15-10-GCPL-05330**, Mr. Mann moved that the Guilford County Planning Board believes that its action to approve this zoning amendment located on Guilford County Tax Parcel #01147525, from AG to RS-40, to be consistent with the adopted Northwest Guilford Area Plan and considers the action reasonable and in the public interest because it is generally consistent with the land use category indicated for the property on the Northwest Guilford Area Plan Future Land Use

Map; seconded by Mr. Alexander. The Board voted 9-0 in favor of the motion. (Ayes: Collins, Jones, Apple, Geter, Mann, Alexander, Leonard, Cannon, Gibson. Nays: None.)

REZONING CASE 15-10-GCPL-05347: AG AND RS-40 to RS-30

Located 160 feet northeast of the Spencer Dixon Road and Justamere Farm Road intersection in Center Grove Township. Being Guilford County Tax Parcels #0139342 & 0139343 approximately 14.77 acres owned by Michelle A. Ackerman. **(APPROVED)**

Mr. Bass stated that property involved contains two lots. One is located at 6909 Spencer Dixon Road and another is an adjacent parcel to the north. The two lots combined total approximately 14.77 acres and are owned by Bryon Investment, Michelle Ackerman. Currently one lot is split-zoned mostly Agriculture but a leg of the property fronting on Spencer Dixon Road is zoned R-40. The second parcel is entirely zoned Agriculture. The request is to rezone the two parcels to RS-30. The land use on the parcel is generally low-density or undeveloped and surrounding uses are mostly low-density. This request has been found to be consistent with the Northern Lakes Area Plan recommendation which is rural residential. Therefore, staff recommends that the request be approved.

Bob Dischinger, President of Evans Engineering, 4609 Dundas Drive, is representing the applicant, Byron Investment. He indicated that Herb Parks was present as well. This request is to rezone 14.77 acres from existing AG and RS-40 to RS-30 to develop single-family lots. He reviewed packets of information that were distributed to Board members. The subject parcel is close to a school, fire station, and a residential subdivision. The illustrative site plan shows nine lots on 15 acres which represents approximately one unit for every 1.6 acres of land. He stated that NCDOT has no problem with their connection out to Spencer Dixon Road. Because of the tight angle, they are being asked to make a radius on the north side of the connection so that two cars coming in and out will not damage the sides of the road. A letter was mailed to adjacent property owners. Three calls were received but after their questions were answered, none of the callers expressed opposition to the request. This request is consistent with the Garden Lakes Area Plan and it is compatible with surrounding uses and zoning.

Providing additional information for Mr. Cannon, Mr. Dischinger explained that there is an existing house in the center of the southern portion part of the two parcels. They anticipate keeping that house on lot 5; however, they may build another structure there as well. The existing house is under contract with the applicant.

In Opposition:

Janice Keene was speaking for Pam Basinger, 6905 Spencer Dixon Road. She cited two issues, water quality and traffic. Every home in the area has at least one well and she expressed concern for residents along Spencer Dixon Road about water quality over time as the property is developed. In addition, she noted there is one access out of the proposed development to enter Spencer-Dixon Road. Justamere Farm Road is just a few feet away. There is a slope and incline of the road toward the school and long distances cannot be seen in either direction. She expressed concern that increased school bus, commercial, and regular traffic along Spencer Dixon Road would cause dangerous congestion in an area where there are many children.

Responding to a question from Chair Collins, Ms. Keene indicated that Ms. Basinger had no conversations with the applicant regarding her concerns.

Rebuttal in Support:

Mr. Dischinger stated that based on a Guilford County study done in 1990, their plan provides for sufficient density for ground water recharge. Each of these lots will have individual wells. He addressed the traffic concerns on Spencer Dixon Road and said there are a little over 3,000 vehicles per day. The connection onto Spencer Davis Road is the only location where an access point could be made and DOT saw no concerns with the connection.

Chair Collins asked if the line of sight will be sufficient from the driveway given the angle. Mr. Dischinger said that DOT did not see a problem with that; however, the need for improvements will be revisited during the plan permit process.

Ms. Basinger spoke from the audience and said she lives directly across the street and her drive comes right where the exit will be located. She said that she has difficulty getting out of her driveway on a daily basis regardless of the time of day due to fast traffic coming down the hill located on the other side of the fire station.

Mr. Dischinger said that when the developer goes through the plan permit process, DOT will look at all these issues and address any concerns.

Ms. Basinger reiterated that traffic is her main concern with this request.

There being no other speakers, Chair Collins closed the Public Hearing.

In the matter of case **15-10-GCPL-05347**, Mr. Cannon moved that the Guilford County Planning Board believes that its action to approve this zoning amendment located on Guilford County Tax Parcels #0139342 & 01394343, from AG and RS-40 to RS-30, to be consistent with the adopted Northern Lakes Area Plan and considers the action reasonable and in the public interest because it is generally consistent with the land use category indicated for the property on the Northern Lakes Area Plan Future Land Use Map; seconded by Mr. Leonard. The Board voted 9-0 in favor of the motion. (Ayes: Collins, Jones, Apple, Geter, Mann, Alexander, Leonard, Cannon, Gibson. Nays: None.)

ROAD RENAMING CASE #15-10-GCPL-05362

Renaming a portion of Wayne Road recorded in Plat Book 11, Page 29, and Plate Book 47, Page 64, to Wayne Court (Collector Road). **(APPROVED)**

Mr. Bass said that this resolution proposes to close a portion of Wayne Road realigned with a section of Gate City Boulevard. As a result, the realigned portion is now a dead end stump road and it is being proposed to name that portion from Wayne Road to Wayne Court. Wayne Road will extend beyond that to where it intersects with Gate City Boulevard.

Robert McClendon, 5533 Wayne Road, stated his support for the renaming request. He asked if the house numbers will be changed and noted the importance of emergency services knowing their location. Mr. Bass said that personnel within the GIS department are responsible for addressing. Chair Collins asked Mr. McClendon to give his contact information to staff so that Mr. Bass can contact him with the name of an individual in the GIS department.

Mr. Leonard moved to accept the road renaming case as submitted, seconded by Mr. Cannon. The Board voted 9-0 in favor of the motion. (Ayes: Collins, Jones, Apple, Geter, Mann, Alexander, Leonard, Cannon, Gibson. Nays: None.)

ROAD RENAMING CASE #15-10-GCPL-05364

Renaming a portion of Briarmeade Road recorded in Plat Book 161, Page 137, to Pud Barber Way (Collector Road). **(APPROVED)**

Mr. Bass stated that this resolution proposes to rename a portion of Briarmeade Road to Pud Barber Way. The property is located between McKnight Mill Road and Briarmeade Road and extends east to the new NCDOT Urban Loop project. As a result, Briarmeade Road is being split and they are requesting the resulting road to be named Pub Barber Way.

Mr. Apple moved to accept the road renaming case from Briarmeade Road to Pud Barber Way as submitted, seconded by Ms. Gibson. The Board voted 9-0 in favor of the motion. (Ayes: Collins, Jones, Apple, Geter, Mann, Alexander, Leonard, Cannon, Gibson. Nays: None.)

ITEMS FROM STAFF:

Chair Collins stated that one case is slated to be on the December, 2015 agenda.

ADJOURNMENT:

There being no further business before the Board, the meeting adjourned at 6:54 p.m.

Respectfully submitted,

Tony Collins, Chairman

Les Eger, Secretary to the Board

TC:sm/jd