

**Guilford County
Planning Board
NOVEMBER 12, 2014**

The Guilford County Planning Board met on Wednesday, October 8, 2014 at 6:30 p.m., Old Guilford County Courthouse, County Commissioner's Meeting Room, Second Floor, and Greensboro, North Carolina. There was a brief Business Meeting prior to the regular session.

Members Present: Mr. Westcott, Vice-Chair; Mr. Jones; Mr. Mann; Mr. Geter; Mr. Apple; Mr. Cannon; Ms. Gibson; and Mr. Leonard.

Staff Present: Les Eger and Tonya Hodgin, Planning Staff. Also present was J. Leslie Bell, Guilford County Planning Director.

APPROVAL OF MINUTES:

Mr. Cannon moved approval of the October 8, 2014 meeting minutes as amended, seconded by Mr. Jones. The Board voted 8-0 in favor of the motion. (Ayes: Westcott, Jones, Mann, Geter, Apple, Cannon, Gibson, Leonard. Nays: None.)

Vice-Chair Westcott explained the policies and procedures of the Guilford County Planning Board.

PUBLIC HEARING ITEMS:

SPECIAL USE PERMIT CASE #14-10-GCPL-05448 (BEACH VOLLEY BALL CLUB)

Located on the west side of Sandy Camp Road approximately 550 feet south of Sandy Ridge Road, in Deep River Township, Being Guilford County Tax Parcel #0170884, owned by Brenda R. Spencer. **(APPROVED)**

Mr. Eger stated that this is a request for a Special Use Permit in the AG (Agricultural) zoning district for a Private Club/Recreational Facility/Other. The club is a beach volley ball club and training facility. Members are in receipt of a site plan showing the volley ball courts and the location of the caretaker dwelling along with landscaping plans. Hours of operation for the facility will be 8:00 a.m. until 9:00 p.m. Lighting is not being set up to operate past the evening hours. The applicant is Brenda Spencer. The property is located on the west side of Sandy Camp Road approximately 550 feet south of Sandy Ridge Road in Deep River Township. The use of the property is currently a single-family residential structure. To the west is a single-family residential structure. To the north and west of the site is a cemetery. To the south is a maintenance facility for DOT (Department of Transportation) and beyond that is a prison transfer station for the old Guilford County Sheriff's Office. In reviewing the quasi-judicial Special Use Permit public hearing, certain findings of fact must be met with this case. Mr. Eger stated that the Private Clubs/Recreation Facility/Other designation is represented in the Guilford County Development Ordinance as a required Special Use Permit in the table of permitted uses; the site plan has been submitted and reviewed and complies with the development standards of the Guilford County Development Ordinance; and the proposed Beach Volley Ball Club meets the intended uses within the Agricultural district with approval of a Special Use Permit.

Mr. Eger and Scott Castevens were sworn as to their testimony in the following matters.

In Support:

Scott Castevens, 2809 Ingleside Drive, High Point, North Carolina, addressed the five findings of fact. He stated that the proposed conditions meet or exceed the development standards and all required conditions and specifications found in the Development Ordinance. They have met with Planning staff, DOT, and the Health Department to make sure appropriate steps have been taken for parking, landscaping, emergency access, and handicap accessibility. Mr. Castevens stated that the use as proposed is consistent with the purpose of the district and compatible with surrounding uses. The site is located between the DOT maintenance facility, a vacant piece of property, and a cemetery. This facility would be a great addition to the community and provide a needed service. The current facility is about five minutes away at Triad Park where there is also a baseball complex down the street. He stated that the use will not materially endanger the public health or safety if located where proposed and developed according to plan submitted. They are putting in several sand courts but no structures. The use will not substantially injure the value of adjoining or abutting property and is a public necessity. This facility will not negatively affect the value of surrounding properties. They are making improvements on the property by providing screening and landscaping which will block the views of the cemetery and DOT from some residents. They are building this facility because they have been limited to practice time at Triad Park. Tournaments will be held at Triad Park but training will occur at the new facility. Mr. Castevens said that the use if developed will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the Jurisdiction and its environs. The facility will be beside a cemetery, DOT, and a vacant lot. In a land use analysis this property is in the Airport Area Plan which is not conducive to residential building. They have spoken to all the neighbors to inform them of the plans and everyone seemed supportive of the facility.

In Opposition:

None.

There being no more speakers, Vice-Chair Westcott closed the Public Hearing.

Discussion:

None.

After considering the evidence presented in regard to case **14-10-GCPL-05448** for a **Special Use Permit**, Mr. Cannon moved that the Board finds credible evidence that the Special Use Permit should be approved subject to the site plan and all applicable conditions and in support of this decision, the Board makes the following findings: (1) The proposed use requires a Special Use Permit under the Development Ordinance; (2) The proposed conditions meet or exceed the development standards found in the Development Ordinance; (3) The use as proposed, or the use as proposed subject to such additional conditions as the owner may propose or the Planning Board may impose, is consistent with the purposes of the district and compatible with surrounding uses; (4) The use will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted; (5) The use meets all required conditions and specifications; (6) The use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and (7) The location and character of the use, if developed according to the plan submitted, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the Jurisdiction and its environs. Therefore, Mr. Cannon moved that this request for a Special Use Permit along with all applicable conditions and subject to the site plan be approved, seconded Ms. Gibson. The Board voted 8-0 in favor of the motion. (Ayes: Westcott, Jones, Mann, Geter, Apple, Cannon, Gibson, Leonard. Nays: None.)

ROAD RENAMING CASE #14-10-GCPL-05445

Renaming a portion of previously named Frosty Court to a new name: Misty Way, located on the west side of Breezy Hill Drive approximately 1000 feet north of Hopkins Road in Madison Township. **(APPROVED)**

Mr. Eger stated that the applicant has requested that the road name be changed from Frosty Court to Misty Way to have a continuous road across the two cul-de-sacs. If approved, the road renaming becomes effective unless appealed to the County Commissioners.

In Support:

Speaking in support of the request was Eddie Maness, 607 Summit Avenue, Brown Summit, North Carolina. He said the State requires five (5) houses to be on a road before they can take over the road for maintenance. At this time there are only three (3) houses that face the subject road. Renaming the entire length of the road would allow the State to take over the road. In addition, it would be less confusing for emergency access into the area.

In Opposition:

None.

There being no other speakers, Vice-Chair Westcott closed the Public Hearing.

Discussion:

It was noted that the Fire Department was supportive of the request.

In the matter of **Case #14-10-GCPL-05445**, Mr. Leonard moved to approve the renaming of a portion of previously named Frosty Court to a new name: Misty Way, seconded by Mr. Mann. The Board voted 8-0 in favor of the motion. (Ayes: Westcott, Jones, Mann, Geter, Apple, Cannon, Gibson, Leonard. Nays: None.)

NON-PUBLIC HEARING ITEMS:

TEXT AMENDMENT CASE #14-08-GCPL-04264

A proposed amendment to the Guilford County Development Ordinance adding new Sections 6-7 Dumpster Screening. **(RECOMMENDED)**

Mr. Eger stated that this text amendment came before the Planning Board in September, 2014. Concern was indicated at the Public Hearing regarding the text written about the dumpsters and the discussion was tabled. Subsequently, the Planning Board came back and indicated that the dumpster should be screened at eight (8) feet. Mr. Eger stated that he received an email this morning requesting that the matter be revisited. Interpretation was questioned that If the screening height is eight (8) feet, will a screening height of ten (10) feet be allowed. Members are in receipt of a suggested change to the amendment that will be a recommendation to the County Commission. The amended text says that the minimum height of the structure will be eight (8) feet in height around dumpsters and the height may be exceeded at the applicant's discretion. Staff is requesting recommendation to the County Commissioners with the change in text as distributed to Board members as follows: *The height of the opaque screening material or structure shall be a minimum of eight (8) feet in height. (The height may be exceeded at the applicant's discretion.)*

Ms. Gibson moved approval to recommend the proposed text amendment, seconded by Mr. Cannon. The Board voted 8-0 in favor of the motion. (Ayes: Westcott, Jones, Mann, Geter, Apple, Cannon, Gibson, Leonard. Nays: None.)

RESOLUTION OF INTENT ROAD CLOSING CASE #14-10-GCPL-05443:

Being that portion of Cambell Court Road extending approximately 461 feet north from National Service Road SR #1883, Deep River Township, Guilford County. **(APPROVED)**

Mr. Eger stated that the requested action is to set a date for a Public Hearing on the matter at the December 10, 2014 meeting.

Mr. Jones moved to set a date for a Public Hearing on the proposed road closing on December 10, 2014, seconded by Mr. Mann. The Board voted 8-0 in favor of the motion. (Ayes: Westcott, Jones, Mann, Geter, Apple, Cannon, Gibson, Leonard. Nays: None.)

ADDITIONAL BUSINESS:

Change in Planning Board Start Time:

Mr. Leonard moved that the December, 2014 Planning Board meeting and all meetings going forward be moved to 6:00 p.m. with the Business Meeting to begin at 5:45 p.m., seconded by Mr. Apple. The Board voted 8-0 in favor of the motion. (Ayes: Westcott, Jones, Mann, Geter, Apple, Cannon, Gibson, Leonard. Nays: None.)

ADJOURNMENT:

There being no further business before the Board, the meeting adjourned at 6:50 p.m.

Respectfully submitted,

Anthony Collins, Chairman

Les Eger, Secretary to the Board

MW:sm/jd