

Guilford County Planning Board

October 10, 2012

The Guilford County Planning Board met on Wednesday, October 10, 2012 at 6:34 p.m., Old Guilford County Courthouse, County Commissioner's Meeting Room, Second Floor, Greensboro, North Carolina. There was a brief Business Meeting prior to the regular session.

Members Present: Mr. Deal, Chair, Mr. Derrickson, Mr. Wood, Mr. Leonard, Mr. Nelson, Alt., Ms. Munden, Ms. Bailey, Alt., Ms. Gibson, Alt.

Also Present: Les Eger and Tonya Hodgin, Planning Staff.

Chair Deal stated that draft minutes of both the June 13 and July 11, 2012 meetings were included in the Board members' package. He asked for any corrections or motions.

Approval of minutes:

Ms. Munden moved to approve the minutes of the June 13, 2012 and July 11, 2012 meetings, as submitted, seconded by Mr. Derrickson. The Board voted 7-0 in favor of the motion.

Chair Deal explained the policy and procedures to be followed by the Board for all cases coming before them. Appeal of any decision is due within fifteen (15) days to the County Commissioners. Speakers from both sides will be allowed twenty (20) minutes, regardless of the number of speakers and all speakers must be sworn in.

PUBLIC HEARING ITEMS:

A. Rezoning Case # 12-08-GCPL-03702: AG to RS-30

Located on the east side of Rankin Mill Road approximately 1900' south of Huffine Mill Road in Sumner Township, Being Guilford County Tax Parcel # 01153587, Approximately 3.16 Ac owned by Ronald R & Leigh L Chilton. **(APPROVED)**

Les Eger stated that this is a request to rezone from Agricultural to RS-30 to accommodate the platting of two residential lots. The property consists of approximately 3.16 acres and is a portion of the County that is primarily low density residential. The use of the property is residential and surrounding uses are also residential. The Northeast Area Land Use Plan recommends for Conditional Use Residential. The request is consistent with the land use plan and is consistent with the density restrictions of two to four units per acre. The request is compatible with the surrounding residential uses and compatible with the RS-30 zoning and presents no conflicts with the public interest. Staff recommends approval of the request.

Chair Deal asked if there was anyone wishing to speak in favor of this request.

Drew Fleming, Evans Engineering, stated that he represents the applicant in this case. Mr. Chilton wishes to subdivide the property. There currently are two houses on the property.

Mr. Chilton recently inherited the property and has no interest in keeping it. The smaller of the two houses is rented and he would like to sell one of the houses and when the renter moves out, sell that house also. Under the current AG zoning requirements, the property cannot be subdivided into two lots, as the requirements are for 150' lot width. The entire property is just under 300' wide, at about 296', so rezoning it to RS-30 would enable him to subdivide the property with 100' lot width.

There being no one speaking in opposition, the public hearing was closed.

Mr. Wood moved that in regard to Rezoning Case # 12-08-GCPL-03702: AG to RS-30, the Guilford County Planning Board believes that its action to approve the zoning amendment located on Guilford County Tax Parcel # 0115358, from AG to RS-30, to be consistent with the adopted Northeast Area Plan and considers the action reasonable and in the public interest for the following reasons: It is generally consistent with the land use category indicated for the property on the Northeast Area Pan Future Land Use Map, seconded by Mr. Derrickson. The Board voted 7-0 in favor of the motion. (Ayes: Deal, Gibson, Nelson, Leonard, Wood, Munden, Derrickson, Nays: None.)

B. Rezoning Case # 12-09-GCPL-03846: RS-40 to HI

Located on the south side of Bishop Road across from the intersection at Viewmont Drive in Sumner Township, Being Guilford County Tax Parcel # 01431347, Approximately 0.46 Ac owned by Ronald E Sr & Betty Petty. **(APPROVED)**

Mr. Eger stated that this is Rezoning Case # 12-09-GCPL-03846 from RS-40 to HI, the property consists of approximately 20,000 square feet and is in a portion of the County that is primarily industrial, but there are some transitional houses in the area. The land use on the property today is a vacant residential structure, to the north is industrial and residential, to the east is a residential structure and to the west it is industrial. The land use planned for this request is the Southern Guilford Land Use Area Plan which recommends for industrial uses in this area. This request is consistent with the land use planned for the area and presents no conflicts of public interest. Staff recommends approval of the request.

Chair Deal asked if there was anyone wishing to speak in favor of the request.

Mark Taylor, Ecologic Associates, representing the property owners, stated that this is about a four-acre tract that they owners wish to develop and the parcel in question is a little less than one-half acre. The remainder is currently zoned HI, as is the property across the street. The property to the east is zoned RS-40 but there are no occupied dwellings on it and it has vacant land. This is a matter of filling in one corner of this tract in order for it to be developed for an industrial use.

Mr. Wood asked if the Pettys also own the HI tract directly to the west. Mr. Taylor stated that they do own that property.

There being no one speaking in opposition to the request, the public hearing was closed.

Mr. Wood moved that in regard to Rezoning Case # 12-09-GCPL-03846, from RS-40 to HI that the Guilford County Planning Board believes that its action to approve this zoning amendment located on Guilford County Tax Parcel # 01431347, to be consistent with the adopted Southern Guilford Area Plan for the following reasons: It is generally consistent with the land use category indicated for the property on the Southern Guilford Area Plan Future Land Use Map, seconded by Mr. Nelson. The Board voted 7-0 in favor of the motion. (Ayes: Deal, Gibson, Nelson, Leonard, Wood, Munden, Derrickson, Nays: None.)

C. Conditional Use Rezoning Case # 12-09-GCPL-03845: PI to CU-CP

Located on the north & south side of Howerton Road approximately 2500' east of NC Highway 61 N in Washington Township, Being Builford County Tax Parcel # 0100354, Approximately 617 Ac owned by Guilford County. **(DENIED)**

Les Eger stated that this is a request to rezone from PI to CU-CP, which is on approximately 617 acres in eastern Guilford County. The uses with this conditional use application for all uses permitted in the CP zoning district. The conditions apply to this request are that water and sewer will be provided by a municipal source, and all development of the site will be compliant with an approved transportation impact study. The uses in this portion of the County are primarily low density residential, woodland and farms. The existing land use on the property is the County Prison Farm, which is the PI use. The surrounding uses are farm and low density residential, firing range, and additional wooded areas. The land use plan for the area is the 2003 Northeast Area Plan and that plan recognizes the area is PI and the use for the Future Land Uses and PI for mid- to large-scale public, semi-public, and institutional uses, which have substantial land use impacts or traffic generation potential. The requested zoning to CP for this property is not consistent with the 20032 Northeast Area Plan, however, future land uses and traffic impacts were recognized with the future land use designation. Although not consistent with the recommended plan, corporate park zoning and landscaping requirements, in addition to conditions submitted with the request, will help to minimize impacts on the surrounding properties and area.

Chair Deal asked if there was anyone wishing to speak in favor of the request.

Mark Payne, Guilford County Attorney, representing the applicant, Guilford County, stated that because this is a County applicant, it creates certain unusual situations for the Planning Board and for the County. A County applicant has the same responsibilities and obligations, with respect to the application, as any other applicant. There have been concerns raised about a possible use of the property as a land-clearing, interet debris LCID or landfill, or some other construction demolition landfill, but that clearly is not the intention of the County. He has been authorized by the County Manager, to request that the Planning Board modify their application to change the use condition to read as follows:

The zoning would allow all uses permitted in a Corporate Park District, excluding construction demolition debris and land-clearing interet debris landfills.

Mr. Payne stated he also wished to address is that zoning does not change the use of the property. The purpose of zoning is to set the possibility to allow for the possible change in the use of the property. Guilford County does anticipate a possible change in use consistent with the

request to zone with two-stated development conditions, one that water and sewer form a municipal service will be provided, and that any development will be compliant with an approved Traffic Impact Study. Also, just as any other applicant, Guilford County is seeking the change of zoning to allow for the possibility of a different use in the future. There is a very specific goal in mind and unlike a private corporation, the goal is not to develop for commercial reasons, the goal is to develop property for economic development reasons. Guilford County's intent to use this property, consistent with the zoning, is going to be dependent upon the realization of a project that has economic development impact. The current use of the property as a prison farm would clearly be a grandfathered use, if the zoning were changed. The grandfathered use can remain in place as long as that operation continues and does not cease for a period of twelve months.

Mr. Wood asked why the County is asking for this rezoning now. The rezoning process takes 60 to 90 days and based on the current economy, the County is facing a budget crisis. He was concerned about paying water and sewer lines to be run to this property. He also pointed out that it may be a very long time before the State commits to putting roads in that area.

Mr. Payne stated that in regard to the timing, the application is to set the stage for this opportunity. There is the advantage of being able to market property and being able to say that the zoning process has been started, and using that as a marketing tool to create that economic development. Rezoning a property is a first step in what is clearly going to be a long process. Rezoning property is not an irreversible process and does not make commitments that cannot be changed if circumstances do change in the future. He feels that this would promote the property and be able to offer it to someone for economic development.

Mr. Nelson asked if it does not make more sense to have the water and sewer in place first, so that the property can be utilized for marketing. Mr. Payne responded that there are several tracts to be addressed to make this rezoning happen and it makes more sense to move forward in a certain order and if possible, do two things as once, as there may be a very compressed timetable. In response to a question by Mr. Wood concerning the water and sewer, Mr. Payne presented a letter from the City of Burlington, which states that they have the capacity to provide water and sewer.

Dan Lynch, 342 N. Elm Street, president of the Greensboro Economic Development Alliance, stated that they support this request for rezoning. He gave a PowerPoint presentation and explained that they feel there is a shortage of large, single-owner, industrial sites in Guilford County. The western portion of the County in the airport area is heavily developed, with very little development opportunities; eastern Guilford County between Greensboro and Burlington, has an extremely high growth potential. They have met with the City of Burlington and Alamance County and they are very interested in forming partnerships and relationships as Guilford County sets about developing in that area. They will be promoting jobs and currently, there is a high unemployment rate. There are limited industrial development and job growth opportunities in the eastern part of the County between Greensboro and Burlington area. The prison farm is a large, very attractive, non-revenue generating asset. Guilford County recently lost three opportunities for development because there was not a site that was easily developed for offering to these possible companies for their use. The current opportunity is a large, master-planned corporate park for the prison farm and the County controls roughly 760 acres in both Alamance and Guilford Counties. Within that, property is the potential for several large sites; in particular, there

is a very unique characteristic, 140-acre site that is devoid of streams, wetlands, right-of-ways and easements. That site is extremely attractive for long-term development. He pointed out that the benefit to Guilford County is the enhanced competitiveness.

Mr. Wood stated that he had a question for the Chairman and the County Attorney. He questioned the legality of Mr. Alston speaking tonight, because the case will eventually go before the County Commissioners and because he feels that would be a conflict of interest.

Mr. Alston stated that if it were the consensus of the Board, he would be glad not to speak on this item tonight. Mr. Derrickson stated that he does not feel it would be a conflict of interest for Mr. Alston to speak. Mr. Payne stated that there are usually always two considerations, something legal and the other is more along the lines of policy and administrative issues. He feels that if this Board does not have a comfort level with Mr. Alston speaking, then he would encourage the Board to let that concern be known, because there is the policy and administrative issue that needs to be addressed, as well as the legal issue. The legal issue is that the Board is an independent body that makes an independent decision so the lawfulness of whether or not an application is appropriately before the Board or what weight will be put on evidence that is heard is a decision that the Board must make. If any Commissioner speaks to the Board today about a matter, the Board's responsibility is to determine the weight and appropriateness of that information in making decisions. Mr. Wood stated the reason he brings this up is because Mr. Alston is Chairman of a Board that appoints each Planning Board member and if someone on this Board disagrees with his opinion, then he could ask that those Board members be removed, if he so choose. He does not feel that is a fair situation to put the Board members in. Mr. Payne stated that if the Board does not feel comfortable hearing from a Commissioner, they should make that know.

Mr. Nelson stated that he would like to hear from all the Commissioners because they have already voted 6-5 to approve this matter, so once it goes past this Board, he feels it will be voted on 6-5 again, more than likely. He would like to gather all the information that he can from everyone, to allow him to make an intelligent decision. Mr. Payne stated that what the Board has done previously is, entered a resolution in which they said that the County should move forward with the development of a Corporate Park and they should move forward over the next ninety days, and that the development of the Corporate Park should not happen unless, if within ninety days, there is a firm commitment from an entity. After that resolution, the application was presented to the Planning Board, there was a motion made on 9/20/12 and on 10/4/12, there was a motion made after the application had been made, to withdraw the application, and that was voted down 6-5. The Commissioners have said do not stop moving forward with the rezoning.

Mr. Derrickson stated that he feels the Board should listen to the Commissioner and even though he understands Mr. Wood's position, he does not see any harm in hearing the information available.

Chair Deal stated that he agrees and asked that this matter proceed.

Skip Alston stated that he does not wish to intimidate any of the Board members and he would not speak. He wants the Board members to make a decision based on the information related to the case. Chair Deal asked Mr. Alston to proceed. Mr. Alston stated that the Guilford County Commissioners are trying to have vision and be pro-active instead of re-active. They have lost a

firm that could have brought 550 jobs and invested \$120M dollars into this county. Yes, there is a budget crisis, but the Commissioners feel that this is a good time to try to have new jobs for the citizens and an investment of over \$1.Billion dollars in this county. That is why they are asking the Planning Board to approve the request.

Chair Deal asked for those who wished to speak in opposition to the matter to come to the podium, give their name, and address for the record.

Billy Yow, 1429 Country Dale Park, stated that the Commissioners have had a vision and they felt things were going to go bad and they did not want that, so they did a plan. He asked who the applicant is, and who is she to tell the Planning Board to put in conditions in a rezoning that should have been innovated by the Board of Commissioners. The Board of County Commissioners has never made a motion that says to go and rezone this property. They passed a resolution and that resolution said that they would give Dan Lynch ninety days and if he succeeds in ninety days, they will move forward with a rezoning and do the appropriate things to endeavor into making this a commercial park. But there were three conditions: 1) Eighty-five million dollars in tax base, 2) four hundred jobs, and 3) a firm commitment. Mr. Lynch does not have that and the ninety days is not up. He made the motion that they rescind and do their due diligence and do like any other developer would have to do that comes before this Board, by doing an impact study and talk to the citizens. This property was purchased by Guilford County in 1934, more than 75 years ago. If this property is developed for commercial use, it will have far more traffic than the prison farm is doing today. He stated that the citizens of Guilford County have not had a say in this matter. He also pointed out that Alamance County should be at the meeting to talk about their interest in the property that is within their jurisdiction. You cannot randomly zone property in the middle, it has to be surveyed and identified, that is what is done, that is what is expected and anything short of that, is not right.

Anne Kearnes Heist, Pleasant Garden, stated that she manages a 130-acre farm for her family there and that farm has been in her family since 1901. Farming has been an occupation for ten thousand years and then there is economic development 101. A third of our farmers are now 65 years and older. She pointed out that the agricultural business industries contributed approximately \$2 billion dollars to the Guilford County economy in 2008. The total AG business employment equates to 39,721 jobs or 14.2% of the share of the County's employment. Utilize this asset, manage the property wisely. The challenge is for the Board to bring all the resources together, soil and water, cooperative extension, NCA&T, Elon University and the citizens to the table to develop a farmland preservation management program for the farmers. This resource is too valuable. Instruct the Economic Alliance to puts its efforts to promoting the many acres already zoning for industry that are vacant.

Ann Castlebaum, Amick Road, stated that she is opposed to the rezoning of this property. A corporate park would feel like an alien landing and the land use plan describes this open space and shows it clearly surrounded by a very wide buffer of residential and rural land. This location is 13 miles, round-trip from the interstate, where nearby vacant sites await buyers. The high and unknown costs of moving the prison farm, roads, water, sewer, on speculation will be borne by tax payers. If the land is paved and developed for a corporate park, or it becomes a ghost corporate park it cannot be restored for far better uses as public institutional land. It is inconsistent with the current land use plan, which had the wide support and considerable discussion of citizens. The tax evaluation for this property was reduced by 43% this year. The

public zoning of this land will allow it to continue to house and develop one of the most humane incarceration facilities in the country. This land should be preserved for the future public institutional uses it is currently zoned for; schools, agriculture, park, public event sites, care facilities, and prison farm among them.

George Teague, 7092 Sockwell Road, Elon, stated that he is the Chairman of the Guilford Falling Water Conservation District and they have discussed this matter at their last meeting. They have worked to protect the soil and water in Guilford County and they are very concerned about this issue. He pointed out that there are several people in the audience, showing their opposition to this request.

Louis Brandon, 2308 Zornbrook Drive, stated that agriculture and tourism are the industries that drive the economy in this state. The open space is needed and he suggested that this land be turned over to the Open Space Committee to find the best use for the property.

Dick Philips stated that he served on the Northeast Area Plan. He was born and raised on a farm and he still has farming in his heart. He feels this rezoning is a bad idea and is based on some false thinking. 1) The highest use of land is always economic and industrial development . He disagrees with that, as this type of thinking will lead to complete paving, eventually from Raleigh to Greensboro to Charlotte. 2) Land is either developed or it is idle and is idle awaiting development. This is a complete denial of the value of open space and green space. 3) The citizens did vote this bond issue for open space and it would be a travesty to eliminate this area as one of our best open spaces. 4) a lot of people think their food comes from Harris Teeter. It does not, it comes from the farm. In conclusion, this farm is green space and open space and should remain so now and in the future.

Chair Deal stated that concluded the initial twenty minute period for the opponents to this matter. He stated that there would now be five-minute rebuttal for the applicant and those in favor of the request.

Pat Danehey, President and CEO of the Greensboro Partnership, which is the partners of the Chamber of Commerce, the Economic Development Alliance and Action Greensboro. He pointed out that jobs are needed in Guilford County and we need to take advantage of every opportunity to attract and expand jobs to ensure the quality of life in our community, going forward. He also pointed out that there have been three large projects where companies needed a hundred plus acres of construction-ready sites and we were eliminated from consideration because a site was not available anywhere in Guilford County in the time frame that enable us to take advantage of that. Site consultants that come to this area on a regular basis, development consultants that have been engaged by the City, local consultants and our own assessment of the development community, the property developers, say that there are no other hundred-acre sites in Guilford County that are suitable for development that can be acquired and made construction-ready because of the streams and topography of our County. The prison farm is an excellent opportunity for large sites with one owner, the County. What is currently on the property can be replicated and put anywhere. There is a plan for it to be moved to existing prison firms elsewhere. This is an opportunity to solve a problem for the long term and be prepared for future development. There is high growth potential in eastern Guilford County along with western Alamance County and working together, we can take advantage of that. Water and sewer is available from Burlington as well as other utilities are in place. There is an opportunity for multijurisdictional revenue sharing agreements with Burlington and with land additions to the

corporate park being discussed. The process that has been laid out needs to be followed, which is a reasonable approach to developing this particular piece of property, including the rezoning to solve the void for a hundred acre plus construction-ready sites for the next twenty years.

Skip Alston stated that what was heard by Mr. Yow, a fellow Commissioner, is what would be considered as the minority report. He made the same argument last Thursday, a vote was taken and Mr. Yow lost his argument. The experts are saying this is what needs to be done. That is why they are paid with taxpayer's money to make their recommendations.

Linda Shaw, County Commissioner stated that she supported the rezoning of this property. She feels that tonight's meeting and decision is to get started in order to create jobs. The Commissioners are trying to do something for the people of Guilford County, by taking this land and creating jobs that are desperately needed during this economic crisis. She hopes the Board will support this issue as she feels it is very critical.

Chair Deal stated that there will be five minutes of rebuttal for the Opposition.

Larry Proctor, 4957 Friendly Farms Road, stated that he did not know that the Planning Board was a jobs position and if a jobs position is going to cost the taxpayers more money than will be made from rezoning this property, he feels that is wrong. He does not feel that this plan is consistent and is wrong.

Kurt Perkins stated that everyone knows that there is a need for jobs and economic development, but to rezone that many acres with no Master Plan just seems to be getting ahead of ourselves. Rezoning this property does not give us a site-ready area. When the property is rezoned, all it does is change the designation on the map, and does not really solve anything. There is no current agreement with Burlington and it will cost millions of dollars to do that. He hopes that a Master Plan can be developed; public hearings need to be held and talk to the people that are affected.

Jack Jazorak, 1405 Fairmont Street, stated that he agrees that jobs are needed but he has worked very hard for 15 years as a volunteer to establish and then implement an open space program in Guilford County. With the bond money approved by the County citizens, when all is spent, they will have preserved about 1,400 acres of forest, fields and farms for future generations. Add to that the Haw River State Park is an additional 1,200 acres, which the open space program was largely responsible for acquiring for Rockingham and Guilford counties. When this and all the other open space in the county is added up, including the prison farm, there is only about 50% of that which is recommended by professionals with knowledge of these issues. This request flies in the face of reason and all that has been accomplished, so far, to convert nearly 700 acres of forest, fields and farms owned by the people of the County, is extremely hurtful to the many citizens who have worked to preserve our natural areas and farms for future generations. He asked that the Board have no part in the loss of so much of our natural and cultural heritage.

Alice Patterson, 5084 Bunch Road, Summerfield, stated that she has also volunteered for several years with Open Space and she does not feel that this rezoning needs to take place right now. This land is owned by the citizens and it should come to a committee like Open Space and be evaluated the same way other open space is evaluated.

Chair Deal stated that the Public Hearing was now closed. He asked for comments by the Board members.

Mr. Wood directed a question to the County Attorney; every single member of the Board that is here tonight, plus the other two members that are not here, in a contentious zoning case, the first question that is always asked is, did you, as the applicant, sit down at a meeting with the affected landowners, the immediate adjacent landowners and try to work out something that is mutually agreeable to the County and all the landowners whose property abuts the farm.

Attorney Payne stated that he does not believe that they did.

Mr. Wood then asked the same question of the Planning Department head, did the applicant do as the Board has always requested, and have a meeting with the affected adjacent landowners, did the applicant go to the person who is most affected, who is the current, sitting Sheriff, B.J. Barnes, and ask him if he had any concerns about this. Mr. Payne responded, yes.

Chair Deal stated that he certainly understands the thinking behind this application, and Rock Creek Center was mentioned during earlier discussions and the largest contiguous tract available there now is around 80 acres and he cannot speak to the topography of that. There are probably some larger tracts available. Not having rezoning in place could be a major negative, if not a filter for interest in a property.

Mr. Derrickson stated that he thinks the County made a reasonable argument, they used facts, they used a presentation and he appreciates the people from that area coming out. Sometimes everything cannot be in place and sometimes you have to move, especially in these economic times. He thinks it is reasonable to look out to the future and have a vision, because if you don't then what would be done ten years from now. He thinks it is reasonable, as the land is just sitting there and no disrespect to land being vacant, but if this is the best use and if it will create jobs, and is reasonable, then he is in agreement that we need to move on this tonight. Timing is important. If there is no shovel-ready land available, there will be other missed opportunities for companies to come to this area. He thinks this just makes good business sense.

Mr. Wood stated that Mr. Carroll has done many wonderful things in development, but he is a private developer. There have been several other private developers who have had successful development. This Board is not opposed to economic development, but there is no Master Plan here and it is not good planning. Even though there are a lot of good reasons to do this project, but he feels there needs to be more information and tonight he would vote against it.

Chair Deal asked Mr. Lynch if he was accurate in saying there was approximately 80 to 100 acres at the Rock Creek Center. Mr. Lynch stated that currently that is down to about 40 acres.

Commissioner Yow stated that this is the last working prison farm in North Carolina.

Mr. Lynch responded that as you identify the land, you look at the most attractive options for development, which in this case, is the least impactful and the zoning that creates the most open space is the Corporate Park zoning. It is the unique feature of 140 acres that does not exist anywhere else that drives this process at this point in time. Developers will not come and invest to do all the Master Planning, only to come forward to a public hearing that could be contentious

and have it voted down and they have lost their initial investment. Once the zoning is in place, then someone would be willing to invest the money necessary to do the Master Plan and move it forward. The property has to be rezoned first, and then all else will follow.

Mr. Wood asked why the applicant could not just ask for 148 acres instead of the whole tract. Mr. Lynch stated that it makes more sense to Master Plan and that would look at the best way to bring roads in, where the water and sewer should be, the size of the water and sewer lines and all of that is set forth in a Master Plan and then they look at the entire site, based on the streams and wetlands that are out there and the roadways and then they make a determination on the best way to subdivide the property.

Ms. Gibson stated that she agrees of a vision and is also in support of economic development. The question has been asked if the adjacent landowners have had meetings, and her concerns are why no one is taking the time to sit down and talk with these people, who are going to be impacted. She, also, is concerned that there is no Master Plan. Attorney Payne responded that they have been moving so quickly and they were trying to do everything so quickly, while at the same time trying to land the proposed very large project for the property. He stated that they met with the Sheriff and the City of Gibsonville.

Mr. Bailey stated that what concerns her is the speed with which all of this has come about that not enough information has been given. This is such a valuable piece of property for Guilford County that not enough study has been done to ensure that this plan is the highest and best use of that property.

Mr. Wood asked Sheriff Barnes if, should this Board decide tonight to rezone the property and Mr. Lynch brings the Commissioners a really great project, how many jobs would be lost, right now. Sheriff Barnes stated that he did not think there would be any jobs lost because they could be reallocated. There will be the same number of prisoners and they would have to be placed somewhere, even to the downtown jail, he would still have to have people to watch them. As far as the other jobs that are out there, he wished to clarify that there was a conversation with him and at that particular time when it was brought to him, it was brought to him by a couple of Commissioners as well as Mr. Lynch and some other people, who said they had 500 to 600 jobs and asked if they could have the prison farm and how that would impact him. They can refocus what is done at the prison farm and the firing range and the firing range cannot go anywhere else, unless the County buys other land to put the firing range. That is a working farm that does generate revenue for the County. With that in mind, the only thing that was put on the table was for that one particular incident that was brought up by Commissioner Yow, which was they had an entity that was willing to come in with 500 to 600 jobs.

Mr. Derrickson asked Mr. Lynch if this is the standard practice that he sees around in other counties when they get ready to have shovel-ready property, that they try to have other companies come in without a Master Plan, but have a pretty good idea of the studies that they have done. Mr. Lynch stated that what is unique about this is that it is not owned by a private developer, but is owned by the County. Forsyth County has done this for years and much more aggressively, where they recognize the value of having construction-ready sites and they go out and market that property for development. Mr. Derrickson reminded the Board members that sometimes you do not always have to have all the plans in hand. Mr. Derrickson then asked Commissioner Alston if the property could be rezoned to something else, other than what today's request concern. Commissioner Alston stated that it could be rezoned to several other

zoning districts. Mr. Derrickson pointed out to the Board members that even if the property is rezoned to something other than PI, it could at some point be rezoned again to PI. He also pointed out that this is a good opportunity for Guilford County.

Mr. Derrickson moved in favor of Rezoning Case # 12-09-GCPL-03845, PI to CU-CP. This request is to rezone approximately 617 plus acres from PI- to CU-CP with all uses permitted in the Corporate Park zoning district, conditions: water and sewer will be provided from a municipal source, development of the site will be approved providing a Traffic Impact Study. Excluding the end use of a construction/demolition landfill operation and a LCID land clearing and an inert debris landfill and uses.

Mr. Wood asked that Mr. Derrickson also put into the motion that reasons that support the approval of the zoning request and put in number #2, although the request is inconsistent with the adopted Northeast Area Plan, it has been determined that zoning the property to CU-CP is compatible with the surrounding area and uses and other factors raised at the public hearing, if applicable.

Mr. Derrickson agreed to amend his motion to include these reasons in his motion and to say that it is in the public interest.

The motion was seconded by Mr. Deal.

Ms. Munden stated that she has listened closely to everyone and she is very sympathetic and supportive of people that will be affected by this move, but she does support this rezoning.

Mr. Leonard stated he also feels that there should be more information and a Master Plan with water and sewer agreements in place.

Mr. Wood stated that maybe Burlington is ready to run the water line tomorrow and maybe Guilford County is ready to push some earth, but with the State Legislature in place, the roadway will not be built any time in the near future.

Chair Deal stated that the question has been called.

The members voted 2-5 and the motion was denied. (Ayes: Derrickson and Munden. Nays: Wood, Gibson, Nelson, Leonard and Deal.)

OTHER BUSINESS:

Chair Deal stated that the next meeting is scheduled for November 14th, 2012.

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ADJOURNMENT:

There being no further business before the Board, the meeting adjourned at 8:45 p.m.

Respectfully submitted,

Jeffery Deal, Chairman

Les Eger, Secretary to the Board

LE/jd