

**Guilford County  
Planning Board  
APRIL 11, 2018**

The Guilford County Planning Board met in regular session on Wednesday, April 11, 2018 at 6:00 p.m. in the Blue Room, Old Guilford County Courthouse, 301 West Market Street.

**Members Present:** Mr. Collins, Acting Chair; Ms. Hayworth; Mr. Alexander; Mr. Geter; Mr. Apple; Mr. Mann and Ms. Burnett.

**Members Absent:** Mr. Jones and Mr. Leonard.

**Staff Present:** Les Eger and Tonya Hodgin, Planning Department; Stephen Thomas, Guilford County Fire Marshal's Office; and Leslie Bell, Guilford County Planning Director.

Mr. Collins said that Chair Jones and Vice-Chair Leonard could not be present at tonight's meeting. Mr. Collins volunteered to lead the meeting and asked for a motion from the Board to allow him to serve as Acting Chair at tonight's meeting.

Mr. Apple moved to allow Mr. Collins serve as Acting Chair at the meeting, seconded by Ms. Burnett. The Board voted unanimously in favor of the motion.

Acting Chair Collins called the meeting to order and welcomed everyone in attendance.

**AGENDA AMENDMENTS:**

None.

**CONTINUANCE REQUESTS:**

None.

**APPROVAL OF MINUTES:**

**March 14, 2018 Regular Meeting Minutes:**

Ms. Hayworth moved approval of the March 14, 2018 regular meeting minutes as amended, seconded by Mr. Alexander. The Board voted 7-0 in favor of the motion. (Ayes: Collins, Hayworth, Alexander, Geter, Apple, Burnett, Mann. Nays: None.)

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

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

**ROAD RENAMING CASE #18-03-GCPL-01532**

Renaming a portion of previously named Gilbreth Lane to a new name: Roberts Ranch Lane, that portion of Gilbreth Lane running approximately 327 feet southeast from Beane Road to the Guilford County Line, in Jamestown Township. **(APPROVED)**

This is a request to rename a portion of Gilbreth Lane to a new name, Roberts Ranch Lane. If the Guilford County Planning Board approves this road renaming, the request will then go to Randolph County and they will rename the southern portion located in Randolph County. This case came about when the owner of land that is adjacent to Gilbreth Lane requested to have the name changed to Roberts Ranch Lane.

Dwayne Roberts, 4392 Hollow Hill Road, Kernersville, North Carolina, said that he purchased the adjacent land last year. At the time of purchase, the land was in poor condition and he did not realize that several of the surrounding neighbors were very upset with the former owner. Mr. Roberts cleaned up the land and said that the neighbors are very pleased that the area has been improved and turned into agricultural farm land. Mr. Roberts would like to change the name of a portion of the road to his family name.

Responding to questions, Mr. Roberts confirmed that he and his wife are the only property owners on this road.

There being no other speakers, Acting Chair Collins closed the public comment portion of the hearing.

Mr. Geter moved approval of the name change and resolved that the official name be established for the following road:

PREVIOUS NAME:	Gilbreth Lane
ESTABLISHED NAME:	Roberts Ranch Lane
LOCATION:	That portion within Guilford County running approximately 327 feet southeast from Beane Road to the Guilford County/Randolph County Line, in Jamestown Township.

The motion was seconded by Mr. Alexander. The Board voted 7-0 in favor of the motion. (Ayes: Collins, Hayworth, Alexander, Geter, Apple, Burnett, Mann. Nays: None.)

**REZONING CASE #18-03-GCPL-01499: AG to LI**

Located along Burlington Road from Sprucetree Drive to Lookout Place, and along Birch Creek Road for approximately 2,040 feet south from its intersection with Burlington Road in Jefferson Township. Being Guilford Tax Parcel Numbers 0117416, 0117423, 0119081, 0117426, 0117441, 0119080, 0119113, and part of parcel #0117421. Approximately 340.37 acres owned by Burch Creek Farm LLC, Darnell and LD Thompson, Robert Darnell, Rebecca Lowdermilk, Lowdermilk HC Sons Inc., John and Eula Paisley, Thomas Lowdermilk, and Aline Cooper. If this case is approved, the recommended uses specified for the subject properties in the Northeast Area Plan will be updated from Rural Residential to light Industrial.

**(APPROVED)**

Mr. Eger read the case into the record. This is a request to rezone approximately 340 acres from Agricultural (AG) to light industrial (LI). The applicant is Tuggle Duggins, P.A. This request is in an area of the county that is primarily large lot low-density residential uses surrounded by large vacant acreage tracts of land. There are several industrial and non-residential uses in the area to the north

and south of this request. Existing land uses on the property include residential units, large vacant tracts of land and a golf course. To the north across Highway 70 from the property, there is a mixture of residential, industrial, residential care facility and religious institutional use. To the south of the property is low-density residential and vacant tracts of land. To the east and west are low-density residential uses and large vacant tracts of land.

The land use plan for this request is the Northeast Area Plan that was updated in 2016. The plan recommends for the use of the area to be Residential, Public Institutional and Rural Residential. Although this request is inconsistent with the adopted plan, development requirements of the Guilford County Development Ordinance along with good access to Highway 70 will help to minimize any possible impact on to the surrounding uses and area.

Staff recommends approval of this request. It will enable the applicant to develop the site for light industrial uses that will have minimal adverse effect upon adjoining properties. If this request is approved, a land use plan amendment for this request would be needed changing the land use classification from Rural Residential and Public Institution uses to Light Industrial.

### **Speaking in Support:**

Mike Fox, 100 North Green Street, is an attorney with Tuggle Duggins, P.A. The goal is to develop this site for light industrial use, specifically looking at warehousing and distribution. The Light Industrial category was chosen after consulting with the County because it allows those uses which a warehouse or distribution facility would need while eliminating the heavier industrial uses. The LI category is primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development and related commercial/service activities which, in their normal operations, have little or no adverse effect upon adjoining properties. The projected transportation improvements as well as the County's well respected setbacks, landscaping and buffering would be in place and would mitigate any potential impacts to neighbors on this property.

Referring to a slide presentation, Mr. Fox described other commercial, LI and HI (Heavy Industrial) uses in the area and noted that the subject property is virtually surrounded by these uses. By adding LI to the parcel it will be consistent with the surrounding areas.

Mr. Fox stated his belief that a LI use is the highest and best use for this property. The area is changing and developing with the recent infrastructure improvements that have been made and development has slowly grown out into the area over the past few years. A lot of new development can be seen on Wendover Avenue with the section of the Urban Loop that has been opened from I-40 to Wendover. Highway 70 provides good access to the subject site and makes this a desirable location for a distribution warehouse facility. Warehousing and distribution facilities will provide opportunities for many good jobs in this area. Mr. Fox noted the excellent transportation network in the area with four major interstates, excellent rail service and an airport making it a logical place for distribution.

Responding to questions, Mr. Fox stated that the closest LI use is about one mile from the subject site. Mr. Eger clarified that it is approximately one mile to the Urban Loop and there are numerous LI uses in that area.

Robbie Perkins, 18 Sturbridge Lane, said that there have been numerous conversations with NCDOT (North Carolina Department of Transportation) about Highway 70 from the Urban Loop further east. Widening Highway 70 has been in the planning stages for many years but has not come about due to budgeting issues. A representative of NCDOT indicated that if a large distribution center were to locate in this area, the State would consider accelerating their plans to widen Highway 70 in time for the

distribution center to open. The road would be fully improved to the west of this site all the way to the Urban Loop.

### **Speaking in Opposition:**

Andrea Williams, 506 Debanne Road, McLeansville, North Carolina, said that her property is adjacent to what used to be Cedarcrest Golf Course. She expressed concern that the development would have to bring in Greensboro water and sewage services and possibly annex that area into the City. Her home is very far off the road and it would be a big expense to bring a sewage line into the property. In addition, she was concerned about the possibility of noise and light pollution because the warehouse would be located directly behind her. She was also concerned that Eastcrest Road, which is a cut through to Burlington Road, will become a major cut through for cars. She asked if Debanne Road would be closed when Highway 70 becomes four lanes so it would not function as a super highway through her neighborhood. Ms. Williams asked if the distribution center would operate on a 24/7 basis and what considerations would be made to control possible flooding and runoff onto her property because she is near a 100-year old flood plain.

Acting Chair Collins explained that anything that goes on the subject property must have a site plan submitted to Guilford County for their review. The County looks at all the concerns that were mentioned. There are standards for Light Industrial property that borders residential property. Light pollution and water runoff are included in these standards. The developer will have to submit an Erosion Control Plan and a Stormwater Plan which could actually improve the present situation.

Mr. Eger explained to Ms. Williams that annexation rules have changed and the City of Greensboro cannot just reach out and annex her property without supplying services. She would not be forced to tie into water and sewer. Regarding access into the residential neighborhood, Mr. Eger said that the local residential streets will remain. The ordinance states that local residential streets cannot be used for access to commercial or industrial uses through a residentially zoned neighborhood. Mr. Eger address concerns about buffering and said there would be at least a maximum buffer that is required per the ordinance. This Type A buffer yard would have 50 feet of vegetative buffering consisting of canopy trees, understory trees and shrubs to create a visual barrier. In reference to lighting concerns, the ordinance now requires full cut-off fixtures for lighting that will force light down onto the area instead of spot lights shining outward and lighting up the sky. In addition, Mr. Eger stated that erosion controls and stormwater requirements will be in place. Stream buffers will be necessary as part of erosion control.

Also speaking in opposition was Sara Shawstack, 5617 Burlington Road, who lives directly across from the subject site and owns 13.5 acres. Her biggest concern is property value and the road widening. She bought the property nine months ago and it was not disclosed that the road would be widened. If they had known about the road, they would not have purchased the property. She expressed concern about how the proposed 1.8 million square feet warehouse with 1,000 employees would affect property values. Ms. Shawstack has horses and animals and her property is fenced in. She purchased the property because it was agricultural land and expressed concerned about the possible effect traffic might have on her horses during the day.

### **Rebuttal in Support:**

Mr. Fox pointed out that wetlands and two rather distinct streams run through this property. The developer must stay away from these and therefore the proposed facility will be in the center of the property giving the neighbors located on the edges of the property much larger buffer areas. The developer must comply with all federal, state and local stormwater and groundwater regulations and

they cannot make anyone's situation worse. In all likelihood, there might be some improvement in terms of less water coming off of the site once it has been developed.

Mr. Fox did not feel that annexation was a concern because annexation laws have changed significantly in the last 10 years. Cities can't involuntarily annex property like they used to. Property owners must ask to be brought into the City.

Mr. Fox commented that the widening of the road has been on the books for 20 years and it is uncertain when the project will be funded. Plans to widen Highway 70 from Burlington to Greensboro have been discussed for a while. He felt that having 13.5 acres across from the warehousing facility would result in increased property value. Ms. Shawstack would easily make her money back with 13.5 acres by selling it to someone who wants a commercial use. Her property will be a good long term investment.

**Rebuttal in Opposition:**

None.

There being no other speakers, Acting Chair Collins closed the public hearing.

**Discussion:**

Addressing a question Ms. Williams had earlier about the timing of a development, Acting Chair Collins asked Mr. Eger how long the site plan process might take. Mr. Eger indicated that the process is not immediate and could take anywhere between 6 months and a year.

Mr. Alexander moved to **Approve** this zoning amendment located on Guilford County Tax Parcel #s 0117416, 0117423, 0119081, 0117426, 0117441, 0119080, 0119113, and part of parcel #0117421, from **AG** to **LI**. 1. This approval also amends the **Northeast Area Plan 2016 Update**. 2. The zoning map amendment and associated **Northeast Area Plan 2016 Update** amendment **are** based on the following changes in conditions in the **Northeast Area Plan 2016 Update**: Although this request is inconsistent with the adopted plan, development requirements of the Guilford County Development Ordinance along with good access to US 70 will help to minimize any possible impact on to the surrounding uses and area. (1) LI, Light Industrial District, is primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development and related commercial/service activities which, in their normal operation, have little or no adverse effect upon adjoining properties; and (2) The request is reasonable and in the Public interest as the site chosen for this request is large enough accommodate future LI uses and minimize impacts onto the area through the implementation of the County Development Ordinance, landscaping, lighting, and structure placement standards. 3. The amendment **is** reasonable and in the public interest because it provides future employment opportunities and services to the citizens of Guilford County. The motion was seconded by Ms. Hayworth. The Board voted 7-0 in favor of the motion. (Ayes: Collins, Hayworth, Alexander, Geter, Apple, Burnett, Mann. Nays: None.)

Mr. Alexander moved to recommend an amendment to the Northeast Area Plan changing the land use category from Public Institutional and Rural Residential to Light Industrial. The motion was seconded by Ms. Hayworth. The Board voted 7-0 in favor of the motion. (Ayes: Collins, Hayworth, Alexander, Geter, Apple, Burnett, Mann. Nays: None.)

**ITEMS FROM THE PLANNING DEPARTMENT:**

Mr. Eger advised the Board that there is one case on next month's agenda.

**ADJOURNMENT:**

There being no further business before the Board, the meeting adjourned at 6:32 p.m.

Respectfully submitted,

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Tony Collins, Acting Chairman

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Leslie P. Eger, Secretary to the Board

TC:sm/jd