

**Guilford County
Planning Board
JULY 13, 2016**

The Guilford County Planning Board met in regular session on Wednesday, July 13, 2016 at 5:45 p.m. in the John H. McAdoo Conference Room, 3rd Floor, 201 West Market Street, Greensboro, North Carolina.

Members Present: Mr. Collins, Chair; Mr. Apple; Mr. Jones; Mr. Alexander; Mr. Cannon and Mr. Mann.

Members Absent: Mr. Geter and Mr. Leonard.

Staff Present: Les Eger and Paul Lowe, Planning Department.

APPROVAL OF MINUTES:

June 8, 2016 Regular Meeting Minutes

Mr. Mann moved approval of the June 8, 2016 regular meeting minutes, seconded by Mr. Alexander. The Board voted 6-0 in favor of the motion. (Ayes: Collins, Apple, Jones, Alexander, Cannon, Mann. Nays: None.)

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

AGENDA AMENDMENTS:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

PUBLIC HEARING ITEMS:

REZONING CASE #16-05-GCPL-02336: RS-40 to RS-30

Located 1,475 feet southeast from the intersection of Ariel Farm Road and Church Street in Monroe Township. Being Guilford County Tax Parcels 0129358 (part of) and 0129346. Approximately 31.39 Acres owned by Ariel Farm, LLC and Joseph and Melissa Pezik.

(APPROVED)

Mr. Eger stated that this request is in a portion of the county that is primarily low-density residential. The surrounding uses are low-density residential, open flood plain. The Land Use Plan for this portion of the county is the Northern Lakes Area Plan that recommends for Agricultural and Rural Residential with up to two units per acre. This request is consistent with the Land Use Plan and it is compatible with the surrounding uses and zoning. The request is in the public interest due to the provision of future residential construction. Staff recommends approval of this request. This request, if approved, will enable the applicant to develop the property with stick-built residential structures. If this request is

approved, no Area Plan amendment recommendation will be necessary. The Plan's recommendation for low-density residential is consistent with this request.

Amanda Hodiernne, 804 Green Valley Road, is an Attorney representing the applicants. An illustrative rendering was distributed to members for their review. This request is for a change from the RS-40 district to the RS-30 zoning district. She described the unique shape of the property along with its natural features. There is a large area of stream buffer and flood plain along the southern edge up to the eastern point that has to be protected and will not be used. The developer has designed a single-family neighborhood to suit this unique property. The site is a total of 31.39 acres but the rendering shows only 17 lots which is far less dense than the 45 lots allowable with 30,000 square foot lots. This request is about design and flexibility, not density. The 17 lots are clustered in one area and the remaining site will be untouched. Ms. Hodiernne explained how the request is compatible with the Northern Lakes Area Plan by working with the land which can only be achieved with the RS-30 designation.

Responding to questions, Ms. Hodiernne stated that her client, Christopher Lyons, sent out a letter and met with the surrounding neighborhood last week. The density and lot layout were discussed at the meeting. She also explained that one of the existing property owners would like to retain ownership of one of the lots for their own use and therefore, there will be a total of 17 lots.

In Opposition:

Bob Thornley, 215 Ariel Farm Road, stated that only neighbors with adjoining property were contacted by the applicant. There are many neighbors who have questions about the proposed project. He expressed a major concern about traffic flow in and out of the neighborhood. Access into the neighborhood should be before the blind curve area to be safer. He asked for a continuance in this matter to inform neighbors who are not aware of this plan and to talk to the developer to get a better location for the road coming in and out of the neighborhood.

Chair Collins said that the Department of Transportation will address the access issue during their approval process. It is not in the purview of the Commission to talk about transportation matters unless a Traffic Study is involved. In addition, Chair Collins stated that an opportunity for a continuance request was offered at the beginning of the hearing and there were no responses. The Commission will hear the evidence and see what questions the members may have. Normally, a continuance request is taken before the case is presented and the case is now already underway. Mr. Thornley stated that he was unaware of the procedure.

It was noted that a letter was received from Dr. Cramer, a concerned neighbor, in opposition to the request. Two additional letters in opposition were presented to the Commission.

Shannon McElroy, 222 Ariel Farm Road, stated that she was not informed of the neighborhood meeting last week. Mr. Eger noted that signs were posted about tonight's Rezoning Hearing.

Ms. McElroy said that traffic is a major issue with this request. Adding 17 lots in the area would significantly impact the entire neighborhood as a whole.

Melanie Neal, 209 Ariel Farm Road, stated her opposition to the proposed entrance and exit location because headlights would shine into the bedroom windows of her home at night. She was also concerned about the access point near the dangerous curve and she requested a redesign by the developer.

William Vose, 511 South Ariel Farm Court, said that traffic in the morning is horrific and more homes and traffic in the area would make the situation worse. He pointed out that homes presently in the neighborhood are spaced out whereas the proposed developed will have homes with very little space in between. He felt that it would be more in keeping with the spirit of the community to maintain RS-40 zoning. He reiterated concerns about the dangerous curve near the proposed entrance to the development.

Joanne Muire, 300 Ariel Farm Road, stated her opinion that the zoning for this property should remain at RS-40. Changing to RS-30 would only give developers license to change other nearby properties from RS-40 to RS-30.

Bob Thornley, 215 Ariel Farm Road, said that if he would have known what to do to ask for a continuance, he would have.

Rebuttal in Support:

Amanda Hodiernne addressed traffic and road design issues. This is an entitlement land use decision and the developer will have to go with a specific site plan that must meet the county's site plan review. Because this is a state road, NCDOT must sign off on the curb cut. There will be rigorous design standards to be able to put in any road or curb cut. They will abide by any decisions made during that process.

Ms. Hodiernne commented on the compatibility of RS-30 and RS-40 zoning. A variety of housing options in a neighborhood does not necessarily represent incompatibility. In fact, she felt that a variety of housing choices was a good thing for families to be able to choose the type of home that would work best for them.

Ms. Hodiernne said that accessing Church Street is not a possibility because that property is not part of the deal. They do not own frontage on Church Street.

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

Chair Collins commented that this is not the first time the Board has run across a similar problem because the county ordinance does not have a clustering option. The Board is being asked to look at these projects as cluster developments. He felt that something must be done to address this situation. This is a special piece of property and if maxed out, it could probably be 21 lots which would be the same number of lots as what is in the other part of the neighborhood, as seen on the map.

Chair Collins felt that the Board was being put in an awkward position and there needs to be another option because this situation will come up again.

In the matter of **Rezoning Case #16-05-GCPL-02336**, Mr. Cannon moved that the Guilford County Planning Board believes its action to approve this zoning amendment located on Guilford County Tax Map Parcel #0129358, (portion of) and 0129346, from RS-40 to RS-30 to be consistent with the adopted Northern Lakes Area Plan and considers the action to be reasonable and in the public interest because it is generally consistent with the land use category indicated in the Northern Lakes Area Plan Future Land Use Map. The motion was seconded by Mr. Apple. The Board voted 6-0 in favor of the motion. (Ayes: Collins, Apple, Alexander, Cannon, Jones, Mann. Nays: None.)

REZONING CASE #16-06-GCPL-02989: AG & RS-30 to CZ-RS-30

Located 1,920 feet northeast from the intersection of NC Highway 150 West and Valley Falls Road in Center Grove Township. Being Guilford County Tax Parcels 0219459 and 0219446.

Approximately 42.157 Acres owned by Alan and Brenda Redmon and Steven and Karen Redmon. **(APPROVED)**

Mr. Eger stated that this request is in a portion of the county that is low-density residential and farming uses. A condition has been offered with this request that would permit a maximum of 40 residential lots on the entire parcel. The land uses on the property are vacant and farming. To the south and east, it is residential and to the north and west, it is primarily vacant properties. The Land Use Plan for this area is the Northern Lakes Area Plan that recommends for rural residential with two units per acre. This request is consistent with the intent of the Northern Lakes Area Plan and it is compatible with surrounding uses and zoning. The request is being offered in the public interest in the provision of future residential structures. Staff recommends approval of this request. If approved, the applicant will be allowed to develop up to 40 residential lots. If this zoning request is approved, no Land Use Plan amendment will be necessary.

Marc Isaacson, 804 Green Valley Road, is an Attorney representing the applicants and Byron Development. Packets of information were distributed to Board members. Mr. Isaacson reviewed the packets of information and described surrounding properties and the proposed layout. They are requesting RS-30 zoning and feel it would be compatible with adjoining properties.

Mr. Isaacson said that a condition has been placed on the application stating that there will be a maximum of 40 lots on the property. This translates into a maximum density that is roughly equal to what RS-40 would allow anyway which is approximately 1 acre per lot. There are just over 42 acres on the subject property. The RS-30 designation would allow for more flexibility in the design of the lots and fewer off site septic lots. The illustrative map distributed to members showed 36 lots on the site.

A letter was sent out to surrounding neighbors. Three phone calls were received as a result of the letter and no significant concerns were noted.

Mr. Isaacson summarized that the RS-30 request would allow for more flexibility, provides for fewer offsite septic lots, would minimize maintenance concerns and would create fewer impervious surfaces. The request fits the Northern Lakes Area Plan and it is consistent with zoning patterns in the area. No detrimental effects would result from approval of this request.

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

In the matter of **Rezoning Case #16-05-GCPL-02989**, Mr. Cannon moved that the Guilford County Planning Board believes its action to approve this zoning amendment located on Guilford County Tax Map Parcels #0219459 and 0219446 from AG & RS-30 to CZ-RS-30 to be consistent with the adopted Northern Lakes Area Plan and considers the action to be reasonable and in the public interest because it is generally consistent with the land use category indicated in the Northern Lakes Area Plan Future Land Use Map. The motion was seconded by Mr. Apple. The Board voted 6-0 in favor of the motion. (Ayes: Collins, Apple, Alexander, Cannon, Jones, Mann. Nays: None.)

ADJOURNMENT:

There being no further business before the Board, the meeting adjourned at 6:58 p.m.

Respectfully submitted,

Tony Collins, Chairman

Leslie P. Eger, Secretary to the Board
TC:sm/jd