

**PARTIAL MINUTES OF THE
ZONING COMMISSION**

April 16, 2018

Z-18-04-003 1299 and 1301 Youngs Mill Road (east of Youngs Mill Road, west of McConnell Center Drive and south of Interstate Highway 40) - A rezoning request from CD-R-3 (Conditional District - Residential Single-family - 3) to CD-LI (Conditional District – Light Industrial) with the following conditions: 1. Vehicle access will only be allowed from McConnell Center Drive. 2. Loading docks shall not be oriented to any residentially zoned properties to the south. 3. Where permitted, provide a 50-foot wide landscape buffer along the southern property line. This buffer shall include a minimum six (6) feet tall berm or opaque fence adjacent to any lots containing residential uses. Any fence shall be installed in the portion of the buffer farthest from the southern property line. - For the property located at 1299 and 1301 Youngs Mill Road, generally described as east of Youngs Mill Road, west of McConnell Center Drive and south of Interstate Highway 40 (32.65 Acres) - William Seymour for Goria Youngs Mill, LLC and Gladys M. Sears. **(FAVORABLE RECOMMENDATION)**

Lucas Carter explained this request and presented related photographs of the subject property and surrounding areas.

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

Buddy Seymour, 5603 New Garden Village Drive, representing Goria Youngs Mill, LLC, stated that he has been involved with this property since its original annexation and zoning and the development of McConnell Center, which is property adjacent to this property and will be combined with the property. McConnell Center is a very active industrial park and is home to seven (7) businesses and hundreds of jobs. They are currently in the permitting process for another spec building in the park and upon completion of that building, there would only be one other buildable lot remaining in McConnell Center. They want this property rezoned so they can have an additional site available for industrial uses. They have reached out to the neighbors in terms of a letter and an invitation to call or meet with them at a set meeting last week. There were no phone calls and no one attended the meeting. One of the owners, Mr. Goria, did reach out to one of the owners, Mr. Stallings, and he is very much in support of the change to industrial use. He is currently out of state and unable to attend the meeting tonight. A traffic study was done and they followed up with all the protocols of this process.

Chair Bachmann asked if there was anyone wishing to speak in opposition to the request.

Jerry Cooper, 1591 Candace Ridge Drive, stated that his neighborhood is under the effects of the recent tornado so a lot of the residents were unable to attend the meeting. In regard to the letter that was sent out, they may or may not have been read by the neighbors who received it. The property management company for his neighborhood's association may not have received a letter. Residents did receive a monthly HOA letter, but none of this information was included in it. He has walked around the neighborhood and wanted to do more this past weekend, but with the tornado, they did not complete their walk-through. They had a petition with several signatures, but not as many as they could have, had it not been for the storms and weather conditions. This proposed development is going to be very close to the houses in this area. They moved to the County thinking that it would be a quiet development and the proposed development will see the loss of a lot of trees which created a buffer between the subject property and the residential neighborhood. Currently, the noise pollution from the highway can be heard because of the loss of all those trees. Mr. Cooper stated that if an industrial building is created, then there will be additional noise pollution of the transfer trucks visiting the property at all hours of the day and night, as well as the lighting from the property invading the

neighborhood. A 6-foot fence is not going to stop the lighting from getting into the residential neighborhood. In response to questions posed by Ms. Mazzurco, Mr. Grouper stated that there would be at least 85 homes that would be impacted, just in their neighborhood, as well as other homes on McConnell Road.

Nakisha Adams, 1315 Sharp Ridge Road, stated that she did receive the notification from the applicant. Nothing in the letter really explains what they are going to request to be put on the property. It stated that it could be an office, but she is unsure what a Corporate Park entails. Part of the letter stated that there would be loading docks and she does have concerns about that. She has enjoyed the freedom of the being in the country setting with very few businesses. Her children can safely play outside and there is very little traffic. They enjoy seeing the wild animals coming from the woods in their natural setting. She is worried about what type of business will be located on the property and feels that a 6-foot fence will not provide enough buffer. Since they took out all the trees off the property there is a lot more noise from the highway. She feels that the area residents need more information about exactly what is going to happen on this property.

Crystal Drew, 1591 Candace Ridge Drive, stated that they moved their children about 6-7 years ago and that subdivision is very much quiet, country living. She also enjoys seeing the natural wildlife of the area. She does not like to think she would look out her back yard and see a lot of tractor-trailers. The change will notably diminish the natural scenic character of the neighborhood and will decrease the home and property values in the area, it will add noise and excess lighting and potentially pollute the air and groundwater. She also feels that they need more information on what will be on the property. This change will affect hundreds of the area residents. She provided a petition that was signed by many of the area residents. She was not able to reach many of the residents because of the weather conditions related to the tornado in the area. She asked that the Commission deny this request to help protect all the people that will be affected.

In response to a question, Counsel Jones stated that the Commission can give the petition whatever consideration they deem appropriate. However, if this were a quasi-judicial proceeding, then the signatures on the petition would have to be notarized. Ms. Drew stated that the petition has approximately 30 signatures and she would have had more, had it not been for the weather conditions. She reiterated that the residents do not feel that a 6-foot berm is going to provide the buffer needed for the residents of this area.

Nakisha Adams returned to the podium and stated that she is a Notary and wanted to know if she could go around the neighborhood and notarize any signatures they may be able to obtain. Chair Bachmann stated that there is an appeal process so if the residents wish to appeal, they can provide additional information when this case goes to City Council for consideration.

In rebuttal in favor of the request, Buddy Seymour stated that he wished they had had an opportunity to meet with the residents. The zoning conditions and Development Ordinance will be followed through the development process. They were very specific in restricting all the truck access off McConnell Center Drive, which is an industrial drive, and it would keep truck traffic away from the residences located at the rear of this property. They were also specific in their condition of orienting all loading docks away from residential areas. They also feel that the building will serve as a buffer between the residential area and the interstate and should cut down on some of that noise. The 50-foot landscape buffer is also a condition beyond the Development Ordinance and he feels that they will also install a berm, which may be more than 6-feet high. He feels that this addresses the items that the residents have raised. They really want to be a good neighbor to the residential properties in the area.

In rebuttal in opposition to the request, Jerry Cooper stated that he had a question about the map that was shown and asked if letters were sent out to residents or individuals within 600 feet of the proposed development. Mike Kirkman stated that they did provide a list to the developer

of the residents and/or property owners within 600 feet of the proposed development. Mr. Cooper advised the Commission members that just the homes at the rear of this property are not the only ones that would be impacted by the development. There are other properties in the immediate area that would be impacted, which he pointed to on the map.

There being no other speakers, the public hearing was closed.

Mike Kirkman stated that this site is designated as Low Residential on the Comprehensive Plan's Generalized Future Land Use Map. The Low Residential designation includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. As part of this request, the applicant has requested a change to the Mixed Use Corporate Park. The Mixed Use Corporate Park designation is intended for large tracts of undeveloped land near the City's fringe that are appropriate for well planned, larger scale, business/employment parks with supporting uses. The proposal supports the Comprehensive Plan's Economic Development goal to promote a healthy and diversified economy, as well as the Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas. The CD-LI zoning, as conditioned, is primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related uses. Staff recommends approval of the request.

Commission Comments:

Mr. Pinto stated that he supports the request and feels that the conditions imposed will help protect the residential neighborhoods near the proposed development. Mr. Duggins thanked the neighbors for coming out to voice their concerns. He encouraged them to continue to reach out and work with the developer. He will support the request. Ms. Mazzurco stated that this was a difficult case for her but she relies on the highest and best use for the property. She will also support the request and thanked the residents for coming out and voicing their concerns and issues. She is disappointed that there was not very much communication between the developer and the residents prior to this meeting. Mr. Holston also agreed and stated that he would support the request, as he also feels that this is the highest and best use of the property. He encouraged the residents to have a conversation with the developer before leaving the meeting tonight to address the berm issue as well as the lighting and noise concerns.

Mr. Pinto moved approval of the request related to Z-18-04-003, 1299 and 1302 Youngs Mill Road and stated that the Greensboro Zoning Commission believes that its action to recommend approval for the proposed development, from CD-R-3 to CD-LI to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: 1) The request is consistent with Comprehensive Plan's Economic Development Goals for a healthy and diversified economy. 2) The request does implement measures to protect neighborhoods from potential negative impacts, seconded by Mr. Duggins. The Commission voted 7-1 in favor of the motion. (Ayes: Bachmann, Duggins, Holston, Lester, Pinto, Mazzurco, Duggins. Nays: Alford.)