PARTIAL MINUTES OF THE
ZONING COMMISSION
April 15, 2019

Z-19-04-010: An original zoning from County AG (Agricultural) to City CD-LI (Conditional District Light Industrial for 3712, 3724 and 3742 McConnell Road, generally described as south of McConnell Road and north of Interstate 40/Business 85, 14.86 acres. (Favorable Recommendation)

Z-19-04-011: An original zoning request from County AG (Agricultural) to City LI (Light Industrial) for a portion of Interstate 40/Business 85 right of way, generally described as south and west of McConnell Road, 17 acres. (Favorable Recommendation)

Request to Continue Matter (Considered at Beginning of Meeting)

Mr. Carter provided the zoning map and other summary information for the subject property and surrounding properties and noted the conditions associated with the request. He also noted the applicant intended to offer an additional condition with the request.

Speakers from the Floor

Mr. Marc Isaacson, 804 Greene Valley Road, Greensboro, provided the Commission with a booklet and stated Tab 2, the site plan, is an illustration of the Type A buffer associated with the additional condition he would like to add to the request.

Chair Lester made a motion to approve the new condition as presented on the screen, second by Mr. Blackstock. The Commission voted 7-0 to approve the new condition. (Ayes: Lester, Mazzurco, Marshall, Pinto, Holston, Blackstock, and Alford. Nays: none)

Mr. Isaacson stated he was there on behalf of Penske Truck Leasing Company, who would like to locate a new facility at property on McConnell Road. He referred to the site plan for illustrative purposes only but noted the site plan has been through a preliminary review at the Technical Review Committee. They do expect some tweaking moving forward but believe this is substantially the way the property will be developed and configured. Mr. Isaacson stated the TRC Committee downgraded the level of landscaping required for and that is the reason the condition has been added for a Type A buffer, which is roughly 45-50 feet in width.

Mr. Isaacson referred to important points such as the access off McConnell Road, noting that none of the trucks should go past the adjoining apartments to the west. The facility is being designed to take care of Penske customers, both existing and in the future. Currently Penske has a significant presence in Greensboro with approximately 150 employees with annual wages paying over $7 million in wages and over $50,000 in real estate taxes. He also noted Penske was a significant supporter of several non-profits in the area, including Goodwill and Second Harvest Food Bank. Mr. Isaacson stated the biggest driver for this request is the McConnell Road Industrial Center located on the other side of the highway and the future Publix distribution center which will they hope will need a lot of trucks.

Mr. Isaacson provided pictures of other Penske facilities to illustrate what Penske develops and does with their properties. Mr. Isaacson stated this would be about $8-10 million investment that was projected to and pay over $70,000 a year in taxes. Mr. Isaacson also stated there are 35 or so local customers located within a five-mile radius of this location, which is a big driver of the decision-making. In anticipation of concern about values of residential property, multi-family property, and others in the area, they requested Tom Taylor, a well-respected MAI appraiser, to study that issue and his opinion letter, which was in tab 5 of the packet, indicated no impacts to values of existing properties.

Mr. Isaacson indicated letters were sent out to every property owner within a 600-foot radius explaining the purpose of their application, the background, and the proposed development. There have been no phone calls or communications resulting from that letter. Mr. Isaacson

stated he attended the neighborhood meeting for the Linder Equipment proposal, discussed any of the concerns and felt everyone was fine with the proposal. Mr. Isaacson referred to photographs of existing Penske facilities. He provided aerial photographs depicting examples of facilities where other communities have embraced a Penske facility next to or near residential.

Speakers in Opposition:
Mr. Mike Fox, 100 North Greene Street, Greensboro, stated that he represents the adjoining property owner. He presented an image depicting a Penske Truck Leasing facility located on Gate City Boulevard and another one close to the proposed site and a similar one in Ashville. Mr. Fox talked about zoning history and why it exists to protect property owners and property values against incompatible uses. Mr. Fox stated that LI zoning is clearly contemplated in the Mixed Use Corporate Park designation, but the type of LI use is critically important. This is conditional use zoning and he knows Mr. Isaacson added a condition, which is appreciated. Mr. Fox stated their concerns were not about Penske. They are really talking about a site plan with specifics and hours of operation and having the right conditions when located besides certain uses. The Carroll Companies have made a tremendous amount of investment in east Greensboro and his plea to the Commission is to take that seriously and have higher expectations about what people can put at their front door.

Mr. Robbie Perkins, NAI Piedmont Triad, 348 North Elm Street, Greensboro, stated he had seen dozens of zoning cases and LI, Light Industrial, is an industrial zoning classification and HI, Heavy Industrial is a more intense zoning classification. There is a slight overlap between LI and HI when you get into these trucking oriented heavy uses. When looking at the site plan and seeing where the apartments are, there is a 50-foot buffer. When looking at the intensity of this particular use, adjacent to a first-class apartment development, they cannot have the residents impacted by this use next door whether LI or not. Mr. Perkins stated he thinks it is something that needs to be considered in the context of the bigger question for this area.

Applicant Rebuttal:
Mr. Isaacson stated a conditional zoning application is a blank canvas so you put basic conditions in and see how things go. They started with that and added the Type A landscape buffer as part of the process. They are looking forward to working with Mr. Fox, Mr. Perkins, and any others who have thoughts or concerns and addressing those as they work through the process to add conditions that address any reasonable concerns.

Mr. Isaacson then noted the photograph Mr. Fox presented was a facility built in the early 1990s before the current prototype was developed by the Penske Company. Penske has become much more conscious and aware of the appearance just like any company going through an evolution of their brand and their way of doing business. Mr. Isaacson stated as far as being incompatible, he invited the Commission to look up and down Interstate 40 here and in other counties. This is a major corridor and this is where distribution related facilities belong. That is what is envisioned by the Comprehensive Plan and the City of Greensboro.

Opposition Rebuttal:
Mr. Fox stated in response there is nothing in the zoning that requires them to build what they showed and they could do something much different. Mr. Fox wants to have conditions about what the appearance looks like which is not uncommon. He stated Mr. Isaacson has shared the examples of other Penske locations that might be near residential. Mr. Fox encouraged the Commission to look at the other examples because there are none like that one here.

Mr. Perkins stated he thought the big picture is something that is worth considering because this site a gateway similar to Gate City Boulevard and Gateway Center. Mr. Perkins asked what are they shooting for in the City of Greensboro and for the intersection of I-85 and I-40. This is a huge decision. He feels in order to have east Greensboro be successful in the future, attention needs to be applied to the two properties on the sides of this apartment complex because you can set a standard and appearance matters.

Chair Lester advised this closes the public portion of the hearing and requested the recommendation from the City.

Mr. Kirkman stated, as there are two requests, there will be two recommendations. The main property is designated as Mixed Use Corporate Park on the Generalized Future Land Use Map. The Mixed Use Corporate Park designation is intended for larger tracts of undeveloped land near the City's Fringe, appropriate for well planned and large-scale business and employment parks for supporting uses such as retail, hotels, and residential uses. The proposed request does support the Comprehensive Plan's Economic Development goal to promote a healthy and diversified economy, as well as the Growth at the Fringe goal to provide a development framework for the fringe that guides sound and sustainable patterns of land use. The proposed CD-LI zoning does support a variety of industrial and supportive uses, is directly adjacent to an interstate highway and the LI district in general allows uses that in their normal operations have little or no adverse impact upon adjoining properties. Staff is recommending approval of the request.

Discussion:
Chair Lester commended Mr. Perkins, Mr. Fox, and Mr. Isaacson for the discussion that they provided and feels it is a great value to the citizens of Greensboro and Guilford County. He further noted they are not only being heard by the Commission, they are potentially being heard by City Council next month and also indicated the folks from Penske right to them. Chair Lester feels this property is desirable for the type of use that is being proposed by Penske. In looking at the apartments, Chair Lester stated light industrial uses are probably subject to some business use hours, whereas the interstate is never closed.

Ms. Mazzurco stated she concurs with Chair Lester. She commended Mr. Isaacson, Mr. Fox, and Mr. Perkins for working so hard. Ms. Mazzurco stated she is going to support this and thanked the Penske people for choosing Greensboro as the city needs Penske and the people out in eastern Guilford County need jobs, places to live and marrying the two together will turn out to be a beautiful thing.

Mr. Holston stated the attorneys did a good job presenting and it does give him the ability to side in the favor of supporting it.

Zoning Commission Action
Chair Lester stated with respect to agenda item Z-19-04-010, the Greensboro Zoning Commission believes that its action to approve the zoning amendment for the properties located at 3712, 3724, and 3742 McConnell, from County AG (County Agricultural) to City CD-LI (Conditional District Light Industrial) 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. The request is consistent with the Comprehensive Plan's Economic Development goal to promote a healthy and diversified economy. The request is consistent with the Comprehensive Plan's Growth at the Fringe goal to encourage development at the fringe that follows a sound, sustainable pattern of land use, limits sprawl, protects rural character, evidence of sound stewardship of the environment, and provides for the efficient provision of public services and facilities as the City expands. Seconded by Mr. Marshall. The Commission voted 7-0 to pass the motion. (Ayes: Lester, Mazzurco, Marshall, Pinto, Holston, Blackstock, Alford, Nays: none). Chair Lester advised this constituted a favorable recommendation and is subject to a public hearing at the May 21, 2019 City Council meeting.

Chair Lester stated with respect to agenda item Z-19-04-011, the Greensboro Zoning Commission believes that its action to approve the zoning amendment for the property located on a portion of the Interstate 40/Business 85, right of way, from County AG (County Agricultural) to City LI (Light Industrial) 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: The request is consistent with the Comprehensive Plan's Growth at the Fringe goal, to

encourage development at the fringe that follows a sound, sustainable pattern of land use, limits sprawl, protects rural character, evidences sound stewardship of the environment and provides for efficient provision of public services and facilities as the City Expands. The request is also consistent with the Community facilities goal to provide community facilities services and infrastructure in a cost-effective manner to meet citizens needs, contribute to qualify of life and supports desired land use patterns. Seconded by Mr. Blackstock. The Commission voted 7-0. (Ayes: Lester, Mazzurco, Marshall, Pinto, Holston, Blackstock, Alford. Nays: none). Chair Lester advised this constituted a favorable recommendation, subject to a public hearing at the May 21, 2019 City Council meeting..