



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD**

Regular Meeting Agenda

NC Cooperative Extension – Agricultural Center
3309 Burlington Road, Greensboro NC 27405

December 14, 2022

6:00 PM

- A. Roll Call**
- B. Agenda Amendments**
- C. Approval of Minutes:** November 9, 2022
- D. Rules and Procedures**
- E. Continuance Requests**
- F. Old Business**

None
- G. New Business**

Non-Legislative Hearing Item(s)

Planning Board Review and Comment (SL 2021-121 (HB489))

UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT CASE #22-11-PLBD-00030

This Unified Development Ordinance (UDO) to Article 8., Section 8.5.B.2.g.1(b).iv Table referencing Development Type and Fire Apparatus Access Streets in accordance with SL 2021-121 (HB489) such that the UDO shall not require an automatic sprinkler system in one- or two-family dwelling residential developments where there are fewer than 100 dwelling units on a single public or private apparatus road with access from one direction.

As a result, Article 8, Section 8.5.B.2.g.1(b).iv Table that references Development Type, Fire Apparatus Access Streets...shall be amended accordingly.

Information for **TEXT AMENDMENT CASE #22-11-PLBD-00030** can be viewed by scrolling to the December 14, 2022 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>.

Legislative Hearing Item(s)

CONDITIONAL ZONING CASE #22-10-PLBD-00027: RS-40, RESIDENTIAL, SINGLE-FAMILY TO CZ-LB, CONDITIONAL ZONING-LIMITED BUSINESS: 5426 CHURCH STREET

Located at 5426 Church Street (Guilford County Tax Parcel #139647 in Center Grove Township), is approximately 580 feet from the southeast intersection of Archergate Road and comprises approximately 1.58 acres.

This is a request to Conditionally Zone the subject parcel from RS-40 to CZ-LB with the following:
Use Conditions: (1) Uses shall be limited to those permitted under the Business, Professional, and Personal Services Category listed as a) Office (General); b) Medical or Professional Office; c) Personal Service; d) Bank or Finance without Drive-through; and e) Insurance Agency (Carriers and On-Site Claims Inspections).

Development Conditions: 1) The existing residential structure located on the property shall remain in substantially the same form; and 2) No Drive-through use shall be permitted.

The proposed Conditional Zoning is inconsistent with the Northern Lakes Area Plan recommendation of AG, Rural Residential, thus if approved, an area plan amendment to Light Commercial (LC) is required.

Information for **CONDITIONAL REZONING CASE #22-10-PLBD-00027** can be viewed by scrolling to the December 14, 2022 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>.

CONDITIONAL ZONING CASE #22-11-PLBD-00029: RS-40, RESIDENTIAL, SINGLE-FAMILY AND AG, AGRICULTURAL TO CZ-LI, CONDITIONAL ZONING-LIGHT INDUSTRIAL: METHODIST ROAD

Located along Methodist Road south of its intersection with Liberty Road (includes Guilford County Tax Parcel #s 122311, 122325, 124720, 124711, 122331, and 122310 which is split by US Highway 421 right-of-way in Clay Township) and comprises approximately 96.33 acres.

This is a request to Conditionally Zone property from RS-40 and AG to CZ-LI with the following conditions:

Use Condition: (1) The following uses shall not be permitted: a) Animal Services (Livestock); b) Animal Services (Other); c) Horticultural Specialties; d) Homeless Shelter; e) Outdoor Recreation; f) Amusement Park / Water Park/ Fairgrounds; g) Athletic Fields; h) Auditorium/ Coliseum / Stadium; i) Country Club with Golf Course; j) Go Cart Raceway; k) Golf Course; l) Shooting Range Indoor; m) Swim and Tennis Club; n) Place of Worship; o) Day Care In-Residence; p) Fraternity or Sorority; q) Boat Repair; r) Furniture Stripping or refinishing; s) Kennels or Pet Grooming; t) Landscape or Horticultural Services; u) Automobile Repair Services; v) Convenience Store with Fuel Pumps; w) Fuel Oil Sales; x) Garden Center / Nursery; y) Manufactured Home Sales; z) Motor Vehicle / Motorcycle/ RV / Boat Sales; aa) Service Station Gasoline; bb) Tire Sales cc. Cemetery / Mausoleum; dd) Truck Stop; ee) Heliport; ff) Taxi Terminal; gg) Construction or Demolition Debris Landfill, Minor; hh) Recycling Facility (Outdoor); ii) Septic Tank Services; jj) Laundry or Dry-Cleaning Plant; and kk) Welding Shop.

Development Condition: (1) All streetscape planting yards shall comply with the City of Greensboro standards for its Light Industrial (LI) zoning district (the City of Greensboro streetscape planting yard width is 10 ft. while Guilford County's streetscape planting yard width is 8 ft.).

The proposed Conditional Zoning is inconsistent with the Alamance Creek Area Plan recommendation of Mixed Use. The requested action also is inconsistent with the Liberty Road/Woody Mill Road Vicinity Small Area Plan future land use recommendations of Multi-family Residential, Multi-family Residential/Office/Institutional, and Single-family Residential. No provisions for industrial uses are shown on the Future Land Use Map of the Liberty Road/Woody Mill Road Vicinity Small Area Plan.

Information for **CONDITIONAL ZONING CASE #22-11-PLBD-00029** can be viewed by scrolling to the December 14, 2022 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>. The City of Greensboro Streetscape Planting Yard standards also can be found in the Agenda Packet.

REZONING CASE #22-11-PLBD-00028: AG, AGRICULTURAL, TO RS-30, RESIDENTIAL: 3199 ZZ STILLWELL ROAD AND 8325 ZZ WITTY ROAD

Located at 3199 ZZ Stillwell Road and 8325 ZZ Witty Road (Tax Parcel #138839 and a portion of #136449 in Center Grove Township), is approximately 3,950 feet northeast of the intersection of Lake Brandt Road and Stillwell Road, and comprises approximately 142.476 acres.

This is a request to rezone the entirety of Guilford County Tax Parcel #138839 and an 81.22-acre portion of Tax Parcel #136449 from AG, Agricultural, to RS-30, Residential. The remaining 12.51 acres of property in the southern portion of Tax Parcel #136449 are to remain zoned AG.

The proposed rezoning is consistent with the Northern Lakes Area Plan recommendation of AG, Rural Residential; therefore, if the request is approved, no plan amendment would be required.

Information for **REZONING CASE #22-10-PLBD-00028** can be viewed by scrolling to the December 14, 2022 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>.

**CONDITIONAL ZONING CASE #22-10-PLBD-00024: FROM CZ-HI (ref. CASE #18-08-GCPL-04979)
CONDITIONAL ZONING-HEAVY INDUSTRIAL TO CZ-HI AMENDED CONDITIONAL ZONING-HEAVY
INDUSTRIAL: 2103 BISHOP ROAD**

Located at 2103 Bishop Road (Guilford County Tax Parcel #141333 in Sumner Township), south of the intersection of Bishop Road with Vermont Drive and comprising approximately 7.05 acres.

The request is to Conditionally Zone the subject parcel from CZ-HI (ref. Case #20-09-GCPL-07186) to amend the current conditions. The current Development Condition of the property is: there shall be no landfill activities on the property for the adjacent LCID and C&D landfills. The applicant proposes to remove this current Development Condition and include the following Use Condition:

1. All uses allowed in the HI zoning district shall be prohibited except solid waste transfer station and recycling facilities.

The proposed rezoning is partially consistent with the Southern Area Plan recommendation of Heavy Industrial (HI) and Light Industrial (LI), thus if approved an Area Plan amendment for the LI portion to HI will be required.

Information for **CONDITIONAL REZONING CASE #22-10-PLBD-00024** can be viewed by scrolling to the December 14, 2022 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>.

**CONDITIONAL ZONING CASE #22-10-PLBD-00023: FROM AG, AGRICULTURAL TO CZ-HI,
CONDITIONAL ZONING-HEAVY INDUSTRIAL: 2075 ZZ BISHOP ROAD**

Located at 2075 ZZ Bishop Road (Guilford County Tax Parcel #234575 in Sumner Township), approximately 100 feet from the terminus of Concord Church Road and comprises approximately 14.73 acres.

This is a request to conditionally rezone property from AG to CZ-HI with the following:

Use Conditions: Use shall be limited to C & D (Construction and Demolition (C & D) Debris) Landfill, Major and accessory uses.

Development Conditions: 1) No access to Concord Church Road except for emergency purposes; and 2) Height of the facility shall not exceed 185 feet.

The proposed rezoning is inconsistent with the Southern Area Plan recommendation of Rural Residential and Agricultural; thus, if approved, an Area Plan amendment to Heavy Industrial (HI) is required.

Information for **CONDITIONAL REZONING CASE #22-10-PLBD-00023** can be viewed by scrolling to the December 14, 2022 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>

Evidentiary Hearing Item(s)

SPECIAL USE PERMIT CASE #22-10-PLBD-00025: CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL, MAJOR AND ACCESSORY USES ON CONDITIONAL ZONING-HEAVY INDUSTRIAL (CZ-HI) ZONED PROPERTY: 2111 BISHOP ROAD

Located at 2111 Bishop Road (Guilford County Tax Parcel #141332 and includes Tax Parcel #234575 located at 2075 ZZ Bishop Road in Sumner Township) and comprises approximately 86.7 acres.

Tax Parcel #141332 is currently under a Special Use Permit (Ref Case #31-01 SP and amendment Case 18-08-GCPL-04985 SP) for a Major Land Clearing and Inert Debris (LCID) Landfill, a Major Construction and Demolition Debris (C&D) Landfill, and Sandrock Mining Operation.

This request is for a Special Use Permit for a Major Construction and Demolition Debris Landfill with the following conditions: (1) 30-foot buffer along parcels 141335 and 141366 shall remain as undisturbed vegetative buffer; and (2) Access from Concord Church Road shall be for emergency access only (not for day-to-day operations) and this access will be gated and locked; Facility height (i.e. height of landfill) shall be limited to 185 feet. Subject properties are currently zoned CZ-HI (Ref Case #30-01) and pending zoning CZ-HI (Ref Case #22-10-PLBD-00023). The request would extend the C&D landfill operation to Parcel #234575. This request includes an associated Sketch Site Plan.

Information for **SPECIAL USE PERMIT CASE #22-10-PLBD-00025** can be viewed by scrolling to the December 14, 2022 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>. A copy of the associated Sketch Site Plan also can be found at the above address under "Meeting Case Information."

Information may be obtained for any of the aforementioned cases by contacting the Guilford County Planning and Development Department at 336.641.3334 or visiting the Guilford County Planning and Development Department at 400 West Market Street, Greensboro, NC 27402.

H. Other Business

Comprehensive Plan Update
Election of Chair and Vice Chair

I. Adjourn

(Insert Color Paper)

**GUILFORD COUNTY PLANNING AND DEVELOPMENT
PLANNING BOARD MEETING MINUTES**

**NC Cooperative Extension – Agricultural Center
3309 Burlington Road, Greensboro NC 27405**

November 9, 2022, 6:00 PM

Chair Donnelly stated that it was his pleasure to introduce Mr. Jason Little, who was appointed by Commissioner Murphy to serve on this Board.

Chair Donnelly added that the seat being filled by Mr. Little was vacated by Mr. Apple, who served for about 5 or 6 terms. He wanted to express his appreciation to Mr. Apple for his service over the past 15-16 years.

A. Roll Call

The following Board members were in attendance in person for this meeting:

James Donnelly, Chair; Sam Stalder; Jason Little; Dr. Nho Bui; David Craft; Ryan Alston; and Guy Gullick.

The following Board member was not in attendance at this meeting:

Cara Buchanan

The following staff members were in attendance in-person for this meeting:

J. Leslie Bell, Planning and Development Director; Justin Snyder, Senior Planner; Aaron Calloway, Planner I; Rachel Teague, PT Office Specialist; and Robert Carmon, Fire Inspections Chief.

B. Agenda Amendments

Leslie Bell stated that there has been a request to withdraw Case #22-08-GCPL-06007 – 4856 Woody Mill Road.

Dr. Bui moved to withdraw the above-mentioned case, seconded by Mr. Alston. The Board voted 7-0, unanimously, in favor of the motion. (Ayes: Donnelly, Gullick, Stalder, Alston, Craft, Bui, and Little. Nays: None.)

C. Approval of Minutes: October 12, 2022

Chair Donnelly stated that there were a few small grammatical kinds of things that he sent into staff ahead of time.

Mr. Gullick moved to approve the October 12, 2022, minutes as submitted, seconded by Mr. Stalder. The Board voted 7-0, unanimously, in favor of the motion. (Ayes: Donnelly, Gullick, Stalder, Alston, Craft, Bui, and Little. Nays: None.)

D. Rules and Procedures

Chair Donnelly provided information to everyone present regarding the Rules and Procedures followed by the Guilford County Planning Board.

E. Continuance Requests

Leslie Bell stated that there were no requests for continuance for tonight's hearings.

F. Old Business**REZONING CASE #22-07-GCPL-05652: R-3, RESIDENTIAL SINGLE-FAMILY (Greensboro)/UNZONED AS OF AUGUST 29, 2022, to AG, AGRICULTURAL (Guilford County), 407 S. BUNKER HILL ROAD**

Located at 407 S. Bunker Hill Road, on the east side of S. Bunker Hill Road, approximately 1,400 feet north of the overpass from Business I-40, Guilford County Tax Parcel #227941 (located in Morehead and Gilmer Townships) is 6.99 acres. **(APPROVED)**

Leslie Bell stated that this is a County-initiated rezoning due to de-annexation from the City of Greensboro under Session Law 2022-33, House Bill 995, effective June 30, 2022. The parcel was zoned R-3 by the City of Greensboro and will become unzoned on August 29, 2022, 60 days from the effective date of de-annexation. This request proposes an original zoning of AG, Agricultural, under the Guilford County Unified Development Ordinance. The property owner may initiate a zoning map amendment (rezoning) at any time after the County establishes the original zoning. Maps were shown for everyone's review of the subject property involved. The proposed zoning is inconsistent with the recommendation of the Airport Area Plan. The subject parcel is within the Greensboro Proposed Annexation boundary under the Airport Area Plan (revised in 2008). No land use designation was assigned to the area in the plan. The parcel is no longer located in the municipal boundary of Greensboro; therefore, if the proposed zoning is approved, an amendment to Mixed Use Residential designation would be required.

Mr. Gullick stated that it appeared to him that there is a stream on the property that goes through almost the middle of the property, and he is concerned about possible undesirable uses of the property allowed in the AG district. Mr. Bell responded that there is a 50' buffer that is required from the stream.

Mr. Craft stated that based on some information that was sent out, it appears that higher-intensity AG use would be limited on this property because of the size of the property and the required buffers for things like chicken houses, hogs, and other animals that may concern the neighbors. Mr. Bell responded that staff has done a lot of research on the property, and they found that there needs to be at least a 500'-buffer from any other properties. At best, the width of the property will restrict those kinds of uses.

Chair Donnelly referred everyone to the topographical map and stated that there are indications of a really steep slope which will restrict and challenge certain uses on the property.

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

Mr. Gullick asked a question of Amanda Hodierne, representative for an adjacent property owner. Ms. Hodierne came forward and stated that after additional discussions, she feels that the property is useful in the way that the property currently sits today, and there are possibilities of variances, and there are still some unanswered questions that they will have to address as the development goes forward. They are definitely trying to stay away from nuisance-type uses for the properties and really want to move toward residential and business park uses.

Board Discussion:

Mr. Alston stated that he does not disagree with the plans because he doesn't think it makes much sense for it to be zoned as AG in this particular area. Maybe on the other side of the road it would work for AG, but on this side, it would work better for residential area.

Mr. Craft asked if the owner would be interested in making some comments.

Brian Dooley, 407 S. Bunker Hill Road, Colfax, NC, stated that he is the property owner, and in response to Mr. Craft's question, they have been working on this for about four (4) years now, and he hopes they can come to agreement during tonight's meeting or as soon as possible. He did not think AG was the preferred zoning at first, but since then, he has changed a little bit and there are some areas that AG fits in better than this property.

Chair Donnelly stated that they had gone out and visited the property, and his sense is that the Board's responsibility is to try to determine what is reasonable and in the best public interest for this property. He feels that they should provide reasonable assurance that the zoning that was brought forward by the staff is, in fact, reasonable and in the public interest. He is satisfied that the work that staff has done and the effort they have put into this make the AG zoning recommendation proper.

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

Mr. Stalder moved to approve Case #22-07-GCPL-05652, 407 S. Bunker Hill Road, as submitted and incorporated by staff report; the proposed conditions are inconsistent with the recommendation of the Airport Area Plan, and the proposed de-annexation along with the conditions stated are reasonable and in the public interest. Motion was seconded by Mr. Craft. The Board voted 7-0, unanimously, by roll call vote, in favor of the motion. (Ayes: Donnelly, Gullick, Stalder, Alston, Craft, Bui, and Little. Nays: None.)

REZONING CASE #22-08-GCPL-06007 (EPL #22-08-PLBD-00010): 4856 WOODY MILL ROAD; RS-40, RESIDENTIAL SINGLE-FAMILY, AND AG, AGRICULTURAL, TO RS-30, RESIDENTIAL SINGLE-FAMILY

Located at 4856 Woody Mill Road, on the south side of Woody Mill Road, approximately 600 feet east of the intersection with Southstone Drive in Clay Township, Guilford County Tax Parcel #122264 is approximately 154.66 acres. The applicant requests to rezone said property from RS-40 and AG to RS-30. The property owner is The 2007 Mary McFarland Pegram Living Trust. **(WITHDRAWN)**

G. New Business**Non-Legislative Hearing Item(s)**

None

Legislative Hearing Item(s)

REZONING CASE #22-10-PLBD-00022: FROM RS-40, SINGLE-FAMILY RESIDENTIAL, AND AG, AGRICULTURAL, TO AG: 335 KNOX ROAD

Located at 335 Knox Road, approximately 1670 feet northeast of the intersection of Knox Road and Burlington Road. This rezoning includes all of Guilford County Tax Parcel #117317 in Jefferson Township and

comprises approximately 0.78 acres. This is a request to rezone all of Guilford County Tax Parcel #117317 from RS-40 and AG to AG. The proposed rezoning is consistent with the Northeast Area Plan recommendation of Residential Single-Family (RSF) and AG, Rural Residential; thus, if approved, an Area Plan amendment will not be required. **(APPROVED)**

Mr. Calloway stated that this is Case #22-10-PLBD-00022: FROM RS-40, SINGLE-FAMILY RESIDENTIAL, AND AG, AGRICULTURAL, TO AG: 335 KNOX ROAD located approximately 1670 feet northeast of the intersection of Knox Road and Burlington Road. This rezoning includes all of Guilford County Tax Parcel #117317 in Jefferson Township and comprises approximately 0.78 acres. This is a request to rezone all of Guilford County Tax Parcel #117317 from RS-40 and AG to only AG. The surrounding uses of the subject property are low density residential and AG. There is no anticipated impact on the public schools from this rezoning request. The property is located in the McLeansville Fire District with the closest station approximately a half a mile away. The proposed rezoning is consistent with the Northeast Area Plan recommendation of Residential Single-Family (RSF) and AG, Rural Residential; thus, if approved, an Area Plan amendment will not be required. Staff recommends approval of the request as the requested action is reasonable and in the public interest because the current use of the subject property is consistent with both the RS-40 and AG Rural Residential.

Chair Donnelly asked if there was anyone wishing to speak in favor or in opposition to the request.

Dr. Johnny Henderson stated that he is the property owner of 335 Knox Road. He has made significant improvements on the property, and he would like to make it a boarding facility for veterans who wish to better themselves. There is a huge need for facilities like this. In order to use the property for that purpose, the property has to be rezoned.

Mr. Alston thanked Dr. Henderson for his service. Mr. Stalder asked if AG zoning would be appropriate for this use. Aaron Calloway stated that the boarding house use described is a Special Use within the AG district, so following the Board's approval, the applicant would then have to come before the Board with a separate request for a Special Use Permit for the boarding house activity. In response to a question posed by Mr. Craft, Mr. Calloway stated that this use is not permitted in the RS-40 district.

Chair Donnelly summarized that the proposal is to consider a rezoning request that would turn the entire parcel AG and open the parcel up to any uses that are permitted within the AG zoning classification subject to either development standards, or in the case of the use that has been proposed, a Special Use Permit, which is an entirely separate proceeding.

There being no other speakers, the public hearing was closed by unanimous (7-0) vote.

Mr. Craft moved to approve the request in Case #22-10-PLBD-00022, from RS-40, Single Family Residential, and AG, Agricultural, to AG, Agricultural, for 335 Knox Road, Guilford County Tax Parcel #117317, because the land use designations of RS-40 and AG are consistent with most designations under the Northeast Area Plan because each designation recognizes AG as a compatible zoning district. The amendment is reasonable and in the public interest because the current use of the property is consistent with both the RS-40 and AG zoning designations. The non-conforming status of the parcel exists in both the RS-40 and AG zoning; therefore, it would not expand the non-conformity. However, the request will create a single zoning designation for the entire parcel. The proposal is consistent with the Northeast Area Plan, and a new Area

Plan designation would not be required. The motion was seconded by Dr. Bui. The Board voted 7-0, unanimously, in favor of the motion. (Ayes: Donnelly, Gullick, Stalder, Alston, Craft, Bui, and Little. Nays: None.)

UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT CASE #22-09-PLBD-00021 TO CLARIFY AG AS A RESIDENTIAL ZONING DISTRICT IN SECTION 4.2 ZONING DISTRICTS TRANSITION, SUBSECTION A, TRANSITION TABLE, AND TO DISTINGUISH AND DEFINE THE INTENSITY OF USES BY CREATING LIGHT AND HEAVY RECREATION AND ENTERTAINMENT USE CATEGORIES IN TABLE 4.3-1, PERMITTED USE SCHEDULE, ELIMINATE OUTDOOR RECREATION AND INDOOR RECREATION USE TYPES DUE TO REDUNDANCY WITH OTHER USES, ADD NEW, SEPARATE USES FOR PAINTBALL FIELD AND BATTING CAGES (WITH BOTH USES ALLOWED IN CERTAIN ZONING DISTRICTS AS INDICATED BELOW AND WITH DEVELOPMENT STANDARDS), AMEND SECTION 5.6 (L) RECREATION VEHICLE PARK (RVP) OR CAMPSITE (WHERE REQUIRED: HB) TO ADD THE WORD "CAMPSITE" TO CORRESPOND TO THE TITLE OF THAT SECTION AND TO CLARIFY THAT STANDARDS APPLY TO CAMPSITES, AND MAKE SUBSEQUENT CHANGES TO RELATED SECTIONS 4.3, USE MATRIX; 5.6, RECREATION AND ENTERTAINMENT; AND TABLE 6-1-1, PARKING REQUIREMENTS FOR LANGUAGE CONSISTENCY.

Justin Snyder stated that staff has identified the need to distinguish several uses by intensity within the Recreation and Entertainment use category in Chapter 15, Article II, Section 15-56, Subsection 4, 4.3 (A): Use Matrix, Permitted Uses (4-3), Table 4.3-1: Permitted Use Schedule. Subsequently, the changes create a Light and Heavy classification within the former Recreation and Entertainment category, with uses reorganized within these new categories. Additionally, uses for Outdoor Recreation and Indoor Recreation are to be eliminated due to redundancy with other uses, and new, separate uses for Paintball Field (proposed to be allowed in the AG, RS-40, HB, CP, and LI zoning districts administratively with Development Standards) and Batting Cages (proposed to be allowed in the AG, HB, LI, HI zoning districts administratively with Development Standards) are to be added and classified within Section 5.6: Recreation and Entertainment as Subsections (B) and (C). Additionally, there is a request to amend Subsection 5.6 (L): Recreation Vehicle Park (RVP) or Campsite (Where Required: HB) to add the word "campsite" to correspond to the title of that section and to clarify that development standards apply to campsites as well. In order to remain consistent throughout the Ordinance, subsequent changes were also made to Section 4.3: Permitted Uses, Section 5.6: Recreation and Entertainment, and Table 6-1-1: Parking Requirements.

In addition to the changes proposed for Recreation and Entertainment, staff has identified the need to clarify that the Agricultural (AG) zoning district is, in fact, a residential zoning district, so subsequent changes have been made to the Transition Table in Section 4.2(A) to identify which districts are residential. Proposed new text is shown **highlighted** while text proposed to be deleted is shown with ~~strikethrough~~.

Chair Donnelly stated that in some conversations that he has had, his perception is that one of the ways to characterize this shift is that by moving some of this language from the Special Use Permit to a Development Standard, it reflects an accumulated experience both about the frequency of this kind of development, as well as the ability to reasonably project what the impacts are and are not. Thus, there is a basis to make that shift based on the history seen here and elsewhere. Mr. Snyder responded that both the batting cages and the paintball field had development standards previously, but those standards and individual uses were not pulled forward when the Unified Development Ordinance (UDO) was created.

There being no speakers, the Public Hearing was closed by unanimous (7-0) vote.

Mr. Alston moved to approve the UDO text amendments as submitted by staff, seconded by Mr. Craft. The Board voted 7-0, unanimously, in favor of the motion. (Ayes: Donnelly, Gullick, Stalder, Alston, Craft, Bui, and Little. Nays: None.)

H. Other Business

Comprehensive Plan Update

Leslie Bell stated that the Comprehensive Plan update is now in the system, and he has signed off on it, so it is making its rounds through the system.

For next month there are six (6) rezoning requests and a text amendment. The text amendment is a result of change to the NC General Statutes regarding the number of single-family dwelling units permitted in a one- or two-family residential development [without an automatic sprinkler system with a single access from one direction].

There also is the need for the election of the Chair and Vice Chair for the upcoming calendar year.

Chair Donnelly advised that as part of the Comprehensive Plan, there will be a steering committee that will create an opportunity for Planning Board members to participate in the process.

Leslie Bell added a welcome to Mr. Little for his first meeting and to Justin Snyder for his first meeting.

I. Adjourn

There being no further business before the Board, the meeting adjourned at 7:09 PM.

The next scheduled meeting is December 14, 2022.

(Insert Color Paper)

TEXT AMENDMENT CASE #22-11-PLBD-00030 Unified Development Ordinance (UDO) to Article 8., Section 8.5.B.2.g.1(b).iv Table referencing Development Type and Fire Apparatus Access Streets in accordance with SL 2021-121 (HB489) such that the UDO shall not require an automatic sprinkler system in one- or two-family dwelling residential developments where there are fewer than 100 dwelling units on a single public or private apparatus road with access from one direction.

Description

SL 2021-121 (HB489) amends the UDO such that an automatic sprinkler system shall not be required for one- or -two family dwelling residential developments where there are fewer than 100 dwelling units on a single public or private fire apparatus access road with access from one direction.

As a result, **Article 8, Section 8.5.B.2.g.1(b).iv** Table that references **Development Type, Fire Apparatus Access Streets**...shall be amended accordingly.

SEE ATTACHED

Consistency Statement

Consistency with Adopted Plans: The proposed Unified Development Ordinance (UDO) was prepared in accordance with NCGS 160D and supports Goal #1, Policy 1.3.4 of the Transportation Element of the Guilford County Comprehensive Plan (effective Oct. 1, 2006) which states that Guilford County will “Review and consider changes to the Development Ordinance related to Fire Apparatus Access Road standards...”. This proposed text amendment is proposed in accordance with approved legislation by the NC General Assembly ratified on August 23, 2021.

Staff Recommendation

Staff Recommendation: Staff recommends approval (including Fire Marshal’s office).

The recommended action is reasonable and in the public interest because the proposed amendment is 1) consistent with legislation approved by the NC General Assembly (SL 2021-121 HB489) which amends NCGS; and, 2) brings UDO development provisions for one- or two-family dwelling residential developments where there are fewer than 100 dwelling units on a single public or private fire apparatus access road with access from one direction in accordance with NCGS.

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GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

SESSION LAW 2021-121
HOUSE BILL 489

AN ACT TO PROVIDE VARIOUS BUILDING CODE AND DEVELOPMENT
REGULATORY REFORMS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 87-10 reads as rewritten:

"§ 87-10. Application for license; examination; certificate; renewal.

(a) Anyone seeking to be licensed as a general contractor in this State shall submit an application. Before being entitled to an examination, an applicant shall:

- (1) Be at least 18 years of age.
- (2) Possess good moral character as determined by the Board.
- (3) Provide evidence of financial responsibility as determined by the Board.
- (4) Submit the appropriate application fee.
- (5) Consent to a criminal background check if required by the Board.

(a1) The Board shall require an applicant to pay the Board or a provider contracted by the Board an examination fee not to exceed one hundred dollars (\$100.00). In addition, addition to the costs of any criminal background check, the Board shall also require an applicant to pay the Board a fee not to exceed one hundred twenty-five dollars (\$125.00) if the application is for an unlimited license, one hundred dollars (\$100.00) if the application is for an intermediate license, or seventy-five dollars (\$75.00) if the application is for a limited license. The fees accompanying any application or examination shall be nonrefundable. The holder of an unlimited license shall be entitled to act as general contractor without restriction as to value of any single project; the holder of an intermediate license shall be entitled to act as general contractor for any single project with a value of up to one million dollars (\$1,000,000), excluding the cost of land and any ancillary costs to improve the land; the holder of a limited license shall be entitled to act as general contractor for any single project with a value of up to five hundred thousand dollars (\$500,000), excluding the cost of land and any ancillary costs to improve the land. The license certificate shall be classified in accordance with this section.

(a2) In determining an applicant's qualifications for licensure, the Board may utilize a criminal background check. If the Board uses a criminal background check, the provisions of G.S. 93B-8.1 shall apply. The Board shall keep all information obtained from criminal background checks privileged in accordance with applicable State law and federal guidelines, and the information shall be confidential and not a public record under Chapter 132 of the General Statutes.

(a3) Records, papers, and other documentation containing personal information collected or compiled by the Board in connection with an application for examination, licensure, certification, or renewal or reinstatement, or the subsequent update of information shall not be considered public records within the meaning of Chapter 132 of the General Statutes.

...."

SECTION 1.(b) G.S. 87-10.2 reads as rewritten:

"§ 87-10.2. Continuing education.

...



* H 4 8 9 - V - 7 *

"(d) The damage or destruction of a silt fence occurring during land-disturbing activities or construction on a development project shall not be assessed a civil penalty under this Article provided that the silt fence is repaired or replaced within the compliance period noted in the inspection report or Notice of Violation."

SECTION 5.(e) Section 5(c) of this act becomes effective October 1, 2021, and applies to erosion control plans submitted for review and approval on or after that date. The remainder of this section is effective when it becomes law.

SECTION 6.(a) Definitions. – As used in this section, "Council" means the North Carolina Building Code Council, and "Code" means the current North Carolina Building Code collection, and amendments to the Code, as adopted by the Council.

SECTION 6.(b) Code Amendment. – Until the effective date of the Code amendment that the Council is required to adopt pursuant to this section, the Council and Code enforcement officials enforcing the Code shall follow the provisions of subsection (c) of this section as it relates to Section D107 of the 2018 North Carolina Fire Code and other provisions that relate to fire apparatus access roads for one- or two-family dwelling residential developments.

SECTION 6.(c) Implementation. – Notwithstanding any provision of the Code or law to the contrary, the Council and Code enforcement officials shall not require an automatic sprinkler system in one- or two-family dwellings where there are fewer than 100 dwelling units on a single public or private fire apparatus access road with access from one direction.

SECTION 6.(d) Additional Rulemaking Authority. – The Council shall adopt a rule to amend Section D107 of the 2018 North Carolina Fire Code consistent with subsection (c) of this section. Notwithstanding G.S. 143-136(c), the Residential Code Committee within the Council shall consider the amendment required by this section. Notwithstanding G.S. 150B-19(4), the rule adopted by the Council pursuant to this subsection shall be substantively identical to the provisions of subsection (c) of this section. Rules adopted pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of the General Statutes. Rules adopted pursuant to this section shall become effective as provided in G.S. 150B-21.3(b1), as though 10 or more written objections had been received as provided in G.S. 150B-21.3(b2).

SECTION 6.(e) Effective Date. – This section is effective when it becomes law.

SECTION 6.(f) Sunset. – This section expires on the date that rules adopted pursuant to subsection (d) of this section become effective.

SECTION 7.(a) Definitions. – As used in this section, "Council" means the North Carolina Building Code Council, and "Code" means the current North Carolina Building Code collection, and amendments to the Code, as adopted by the Council.

SECTION 7.(b) Code Amendment. – Until the effective date of the Code amendments that the Council is required to adopt pursuant to this section, the Council and Code enforcement officials enforcing the Code shall follow the provisions of subsection (c) of this section as it relates to water service pipe material and standard conformance under Section P2906.4 and Table P2906.4 of the 2018 North Carolina Residential Code, and Section 605.3 and Table 605.3 of the 2018 North Carolina Plumbing Code.

SECTION 7.(c) Implementation. – Notwithstanding any provision of the Code or law to the contrary, for the purposes of the water service pipe material and standard conformance requirements under Section P2906.4 and Table P2906.4 of the 2018 North Carolina Residential Code, and Section 605.3 and Table 605.3 of the 2018 North Carolina Plumbing Code, the American Water Works Association (AWWA) C900 standard is an acceptable standard for polyvinyl chloride (PVC) plastic pipe.

SECTION 7.(d) Additional Rulemaking Authority. – The Council shall adopt a rule to amend Section P2906.4 and Table P2906.4 of the 2018 North Carolina Residential Code and Section 605.3 and Table 605.3 of the 2018 North Carolina Plumbing Code consistent with subsection (c) of this section. Notwithstanding G.S. 150B-19(4), the rule adopted by the Council

SECTION 10. Except as otherwise provided, this act is effective when it becomes law.
In the General Assembly read three times and ratified this the 23rd day of August, 2021.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Howard Penny, Jr.
Presiding Officer of the House of Representatives

s/ Roy Cooper
Governor

Approved 11:46 a.m. this 30th day of August, 2021

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TEXT AMENDMENT CASE #22-11-PLBD-00030 Unified Development Ordinance (UDO) to Article 8., Section 8.5.B.2.g.1(b).iv Table referencing Development Type and Fire Apparatus Access Streets in accordance with SL 2021-121 (HB489) such that the UDO shall not require an automatic sprinkler system in one- or two-family dwelling residential developments where there are fewer than 100 dwelling units on a single public or private apparatus road with access from one direction.

8.5 MAJOR SUBDIVISIONS . . .

B. STREET DESIGN STANDARDS . . .

2. Street Classification (2-1.7) . . .

g. **Connectivity**

1) **Adjacent Property(ies) (new)**

- (a) Where it is determined by the Technical Review Committee that it is desirable to provide for street access to adjoining property(ies), proposed streets shall be extended, purposed, and where appropriate, constructed to the boundary of such property(ies).
- (b) It is the intention of this Section to promote the orderly development of a local street system that provides interconnection between developed or developing properties. These requirements may vary at the discretion of the Technical Review Committee (TRC) where compliance is determined not feasible because of topography, the existence of environmentally sensitive lands, the need to preserve cultural resources, and/or other similar considerations. In general, connections shall be required where one of the following conditions exist:
 - i. Where the zoning and/or land use on the adjoining property(ies) are compatible with the proposed subdivision. For purposes of this Section, compatible land use shall mean any residential to residential land use or nonresidential to nonresidential land use.
 - ii. Where there are no natural or man-made barriers that make the street extension impractical;
 - iii. Where the street extension will result in desirable traffic flows and patterns and where inappropriate levels of through traffic are avoided; and/or
 - iv. Where the street extension will promote public safety and the overall orderly development of the area. Where required to be built, all stub streets shall be designed and constructed in accordance with the appropriate standards per Subsection e above.

Development Type	Fire Apparatus Access Streets ¹	Fire Apparatus Access Exceptions ¹	Sight Distance Triangle Easements ²	Minimum Street Offset ³	Grades at Intersections ⁴	Curb and Cutter
Single or Two Family Dwelling Residential Developments over 30 units less than 100 units	<p>An automatic sprinkler system shall not be required in one- or two-family dwellings where there are fewer than 100 dwelling units on a single public or private fire apparatus access road with access from one direction.</p> <p>Shall provide two (2) separate and approved fire apparatus access streets- roads must meeting the standards in this Ordinance and minimum NCDOT's standards shall be provided. In some instances, the Technical Review Committee may allow a stub street to count as an additional development entry point when there is a reasonable likelihood of the stub street connecting to a future roadway. Where future</p>	<p>1. Where there are more than thirty (30) ninety-nine (99) dwelling units (existing or created) on a single public or private fire apparatus access Street and all dwelling units are equipped throughout with an approved automatic sprinkler system, access from two directions shall not be required.</p> <p>2. The number of dwelling units on a single fire apparatus access Street shall not be increased greater than 99 units unless at least two (2) separate and approved fire apparatus access streets are provided. and/or fire apparatus access streets will connect with future development, as determined</p>	NCDOT standard of 10 feet x 70 feet in size along the intersecting rights-of-way, with the seventy (70) foot dimension along the cross street.	One hundred and twenty-five (125) feet.	Not exceed five percent (5%) for a distance of not less than one hundred (100) feet from the centerline of the intersection.	Required in developments where <u>public water</u> and/or sewer is provided.

Development Type	Fire Apparatus Access Streets ¹	Fire Apparatus Access Exceptions ¹	Sight Distance Triangle Easements ²	Minimum Street Offset ³	Grades at Intersections ⁴	Curb and Cutter
	development is possible stub streets are encouraged to better accommodate for multiple points of access/egress allowing for future development and expansion.	by the Fire Marshal. In some instances, the Technical Review Committee may allow a stub street to count as an additional development entry point when there is a reasonable likelihood of the stub street connecting to a future roadway.				
Multiple-Family Residential Developments (more than 100 dwelling units)	Shall be equipped throughout with two (2) separate and approved fire apparatus access streets.	A single roved fire apparatus access Street may be provided when all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with this ordinance.	NCDOT standard of ten (10) feet x seventy (70) feet in size along the intersecting rights-of-way, with the seventy (70) foot dimension along the cross street.	One hundred and twenty-five (125) feet	Not exceed five percent (5%) for a distance of not less than one hundred (100) feet from the centerline of the intersection.	Required in developments where public water and/or sewer is provided.
Multiple-Family Residential Developments (more than 200 dwelling units)	Shall provide three (3) separate and approved fire apparatus access streets regardless of whether they are equipped	N/A	NCDOT standard of ten (10) feet x seventy (70) feet in size along the intersecting rights-of-way, with the seventy (70) foot dimension along the cross street.	One hundred and twenty-five (25) feet	Not exceed five percent (5%) for a distance of not less than one hundred (100) feet from the centerline of the intersection.	Required in developments where public water and/or sewer is provided.

DRAFT

Development Type	Fire Apparatus Access Streets ¹	Fire Apparatus Access Exceptions ¹	Sight Distance Triangle Easements ²	Minimum Street Offset ³	Grades at Intersections ⁴	Curb and Cutter
	with an approved automatic sprinkler system.					

1. Per NC General Statutes and NC Fire Prevention Code, a single- or two-family residential development with 100 or more dwelling units require a second fire apparatus access road. For single or two family residential developments where a second fire apparatus access road is not feasible, the option of installing residential fire sprinklers in the dwelling units can be utilized in lieu of a second fire apparatus road. If a second fire apparatus access road is installed and compliant with all required standards, then residential fire sprinklers are not required.

2. Triangular sight distance easements shall be shown at all street intersections and so noted on the final plat. These easements will remain free of all structures: fences; trees; shrubbery; and signs, except utility poles; fire hydrants; and traffic control signs.

3. Where streets are offset, the centerlines shall be offset no less than one hundred and twenty-five (125) feet.

4. The grade on streets approaching an intersection with stop signs shall not exceed five percent (5%) for a distance of not less than one hundred (100) feet from the centerline of the intersection.

(Insert Color Paper)



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Conditional Zoning
Application**

Date Submitted: 11/4/2022 Fee \$500.00 Receipt # 1958-2022 Case Number 22-11-PLBD-00027

Provide the required information as indicated below. Pursuant to the Unified Development Ordinance (UDO), this application will not be processed until application fees are paid; the form below is completed and signed; and all required maps, plans and documents have been submitted to the satisfaction of the Enforcement Officer. A pre-application meeting with Planning staff is required. Scheduling for the Planning Board agenda will be based on the determination of a complete application submittal.

Pursuant to Section 3.5.M of the Unified Development Ordinance (UDO), the undersigned hereby requests Guilford County to rezone the property described below from the RS-40 zoning district to the CZ-LB zoning district. Said property is located 5426 Church St. in Center-Grove Township; Being a total of: 1.58 (+/-) acres.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # 1 3 9 6 4 7

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Additional sheets for tax parcels are available upon request.

Check One:

- ☒ The property requested for rezoning is an entire parcel or parcels as shown on the Guilford County Tax Map.
☐ The property requested for rezoning is a portion of a parcel or parcels as shown on the Guilford County Tax Map; a written legal description of the property and/or a map are attached.

Check One:

- ☒ Public services (i.e. water and sewer) are not requested or required.
☐ Public services (i.e. water and sewer) are requested or required; the approval letter is attached.

Conditional Zoning Requirements:

- ☐ Zoning Sketch Plan. A sketch plan illustrating proposed conditions and other pertinent information is required for all conditional rezoning requests. Sketch elements not illustrating proposed conditions are subject to subdivision and site plan review. Refer to Appendix 2, Map Standards of the Unified Development Ordinance (UDO).
☒ Zoning Conditions. Use and/or development conditions must be provided. Complete Page 2 of this application. Refer to uses as listed in Table 4-3-1 of the Unified Development Ordinance (UDO).

11/12/22

Northern Lakes - AG Rural Residential



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Conditional Zoning
Application**

Use Conditions

Uses of the property shall be limited to the following uses as listed in Article 4, Table 4-3-1 of the Unified Development Ordinance (UDO):

- 1) Uses shall be limited to those permitted under the Business, Professional, and Personal Services Use Category. [Permitted Use Table Attached-OB 11-16-22]

- 2) No drive-through use shall be permitted.

- 3) _____

- 4) _____

Development Conditions

Development of the property shall occur in accordance with the following standards and requirements in addition to those specified in the Unified Development Ordinance (UDO):

- 1) The existing residential structure located on the property shall remain in substantially the same form.

- 2) _____

- 3) _____

- 4) _____

YOU OR SOMEONE REPRESENTING YOU MUST BE PRESENT AT THE PUBLIC HEARING

A Conditional Zoning Application must be signed by current property owner(s).

I hereby agree to conform to all applicable laws of Guilford County and the State of North Carolina and certify that the information provided is complete and accurate to the best of my knowledge. I acknowledge that by filing this application, representatives from Guilford County Planning and Development may enter the subject property for the purpose of investigation and analysis of this request.

Respectfully Submitted,

See Attached

Property Owner Signature

Name

Mailing Address

City, State and Zip Code

Phone Number

Email Address

Owner/ Representative/ Applicant Signature (if applicable)

Marc L. Isaacson, Isaacson Sheridan (Representative)

Name

804 Green Valley Road, Ste. 200

Mailing Address

Greensboro, NC 27408

City, State and Zip Code

336.609.5134

Phone Number

marc@isaacsonsheridan.com

Email Address


[Property Owner Signature Page]

**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

Planning Board Conditional Zoning Application

PROPERTY OWNER:

JCMNC LLC,
a North Carolina limited liability company

By: 

Name: Jacob Mullins

Title: CEO/Owner

Mailing Address: 1000 21st Avenue North, Ste. 6
Myrtle Beach, SC 29577

Phone Number: 843-267-0533

Email Address: jacob@newsouthps.com

Oliver Bass

From: Nick Blackwood <nick@isaacsonsheridan.com>
Sent: Tuesday, November 15, 2022 3:57 PM
To: Oliver Bass
Cc: marc
Subject: RE: Rezoning Application - 5426 Church St.
Attachments: UDO Permitted Uses Table LB.xlsx

***WARNING* This email originated outside Guilford County's email system.**

WARNING

Do not click or open unrecognized links and attachments. When in doubt, click on the Phish Alert Report

Hi Oliver:

The uses that we'd like to exclude have been struck through. The intent is to allow for professional office use in the existing residential structure on the property.

Thanks,



Nick K. Blackwood

Associate

Isaacson Sheridan

804 Green Valley Road, Suite 200

Greensboro, NC 27408 📍

336.690.9758 (direct)

336.273.7293 (fax)

nick@isaacsonsheridan.com

From: Oliver Bass <obass@guilfordcountync.gov>
Sent: Thursday, November 10, 2022 3:36 PM
To: Nick Blackwood <nick@isaacsonsheridan.com>
Cc: Marc Isaacson <marc@isaacsonsheridan.com>
Subject: RE: Rezoning Application - 5426 Church St.

Excluded uses needs to be listed down to the Use Type. I attached a Permitted Use Table for the LB district. Please strikethrough those specific uses that will be excluded. Please note it should be noted that Banks with Drive-thru would be excluded based on the conditions.



Oliver Bass, AICP

Planner II

Planning & Development Dept

Guilford County Government

400 West Market Street, Greensboro, NC 27401

336-641-3578 | f: 336-641-6988

obass@guilfordcountync.gov | www.guilfordcountync.gov

TABLE OF PERMITTED USES FOR LB ZONING DISTRICT

hibited in the WCA. For details on prohibited uses in the WCA, see Section Article 9 - Environmental Regt

P = Use by Right **D** = Individual Development Standards Apply - See Article 5 **S** = Individual Development Standards per Article 5 Apply & Special Use Permit Required

Struckthrough Text=Excluded uses proposed by applicant

Use Category	Use Type	LB
Agriculture/Animal Services	Animal Services (Other)	D
	Townhouse Dwelling	P
	Multifamily Dwelling (including Condominium)	P
Household Living	Live/Work	P
	Indoor Recreation	P
	Athletic Fields	P
	Club or Lodge	P
	Golf Course, Miniature	P
	Physical Fitness Center	P
	Public Park (including Public Recreation Facility)	D
	Theater (Outdoor)	D
	Recreation and Entertainment	D
Civic, Educational, and Institutional	Place of Worship	P
	Vocational, Business or Secretarial School	P
	Daycare Centers in Residence (In-Home) (12 or Less)	D
	Daycare Center (Not In-Home)	D
	Emergency Services	P
	Community or Social Service Agencies	P
	Fraternity or Sorority (University or College Related)	P
	Government Office	P
	Library	P
	Museum or Art Gallery	P
	Post Office	P
	Office (General)	P
	Medical or Professional Office	P
	Personal Service	P
	Bank or Finance without Drive-through	P
Business, Professional, and Personal Services	Bank or Finance with Drive-through	P
	Insurance Agency (Carriers and On-Site Claims Inspections)	P
	Kennels or Pet Grooming	D
	Laundromat or Dry Cleaner	P
	Studios-Artists and Recording	P
	Lodging	D
	Bed and Breakfast Home for 8 or Less Guest Rooms	D
Retail Trade	Retail (General)	P
	Convenience Store (with Gasoline Pumps)	P
	Service Station, Gasoline	P
	Bakery	P
Food Service	Restaurant (Without Drive-thru)	D
Funeral and Internment Services	Cemetery or Mausoleum	D
Transportation, Warehousing, and Wholesale	Beneficial Fill Area	D
Utilities and Communication	Wireless Communication Tower – Stealth Camouflage Design	D
	Small Cell Wireless Tower	S
	Utilities, Major	S
	Utilities, Minor	P
	Construction or Demolition Debris Landfill, Minor	D
Waste-Related Uses	Land Clearing & Inert Debris Landfill, Minor	D
General Industrial	Laundry or Dry Cleaning Plant	D
	Laundry or Dry Cleaning Substation	P
Special Events	Temporary Events/Uses	D

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CONDITIONAL ZONING CASE #22-10-PLBD-00027: RS-40, RESIDENTIAL, SINGLE-FAMILY TO CZ-LB, CONDITIONAL ZONING-LIMITED BUSINESS: 5426 CHURCH STREET

Property Information

Located at 5426 Church Street (Guilford County Tax Parcel #139647 in Center Grove Township), is approximately 580 feet from the southeast intersection of Archergate Road and comprises 1.58 acres.

Zoning History of Denied Cases: There is no history of denied cases.

Nature of the Request

This is a request to Conditionally Zone the subject parcel from RS-40 to CZ-LB with the following Use Condition: (1) Uses shall be limited to those permitted under the Business, Professional, and Personal Services Category listed as a) Office (General); b) Medical or Professional Office; c) Personal Service; d) Bank or Finance without Drive-through; and e) Insurance Agency (Carriers and On-Site Claims Inspections).

Development Conditions: 1) The existing residential structure located on the property shall remain in substantially the same form; and 2) No Drive-through use shall be permitted.

District Descriptions

The RS-40 district is primarily intended to accommodate single-family residential detached dwellings on lots in areas without access to public water and sewer services. The minimum lot size of this district is 40,000 square feet. Conservation subdivisions may be developed in this district.

The Limited Business district is primarily intended to accommodate moderate intensity shopping and services convenient to nearby residential uses and typically located at intersections of collectors or thoroughfares.

The CZ, Conditional Zoning District is hereby established as a companion district for every district established in Section 4-2. All regulations which apply to a general use zoning district also apply to the companion conditional zoning. All other regulations which may be offered by the property owner and approved by the Jurisdiction as part of the rezoning process apply.

Character of the Area

This request is in a primarily low-density residential area of single-family dwellings on less than five (5) acres. The parcel is surrounded on three sides by single-family residences. A Duke Energy transmission station share a common border with the subject parcel. The parcels directly across the street are either single-family residences or undeveloped land but zoned either RS-40 or AG. A pocket of LB-zoned properties is developed at the intersection of Archergate Road and Church

Street several feet north of the subject property.

Existing Land Use(s) on the Property: There is a brick single-family dwelling on the site. Under the conditional zoning, the dwelling cannot be occupied for residential purposes except as an accessory Caretaker Dwelling to a principal use on the site. Although the residential appearance of the structure will be preserved, occupancy is subject to the nonresidential building codes and development regulations applicable to the intended use. The nonconforming provisions of the UDO will not apply to the existing use or structure.

Surrounding Uses:

North: Single-family dwelling

South: Single-family dwelling and Duke Energy transmission station

East: Single-family dwelling

West: Single-family dwelling; undeveloped parcel

Historic Properties: There are no inventoried Historic Properties located on or near the property.

Cemeteries: No cemeteries are shown to be located on this property but efforts should be made to rule out the potential of unknown grave sites.

Infrastructure and Community Facilities

Public School Facilities: No expected impact based on the proposed non-residential zoning.

Emergency Response:

Fire Protection District: Fire District 13

Miles from Fire Station: Approximately 0.85 miles.

Water and Sewer Services:

Provider: Private Septic Systems and Wells

Within Service Area: No

Feasibility Study or Service Commitment: No

Transportation:

Existing Conditions: Church Street is a major thoroughfare with a 9800 AADT per NCDOT 2019 Traffic Volume count.

Proposed Improvements: Future uses will be subject to an NCDOT driveway permit.

Projected Traffic Generation: Not available

Environmental Assessment

Topography: Gently sloping, moderately sloping and steeply sloping.

Regulated Floodplain/Wetlands:

There is no regulated floodplain on the property. There are no mapped wetlands on the property.

Streams and Watershed:

The property is located in the Greensboro (Reedy Fork) WS-III Water Supply Watershed in Tier 3 of the Watershed Critical Area. There are no mapped streams on the property

Land Use Analysis

Land Use Plan: Northern Lakes Area Plan

Plan Recommendation: AG, Rural Residential (AGRR)

Consistency:

The requested action is inconsistent with the recommendation of the Northern Lakes Area Plan. Anticipated land uses are those permitted in the Agricultural (AG), RS-40 Residential Single-Family, RS-30 Residential Single-Family, Planned Unit Development-Residential (PD-R), and Rural Preservation (RPD) zoning districts. Land use designations most suitable for the LB district include Light Commercial and Moderate Commercial.

Recommendation

Staff Recommendation: Staff recommends approval.

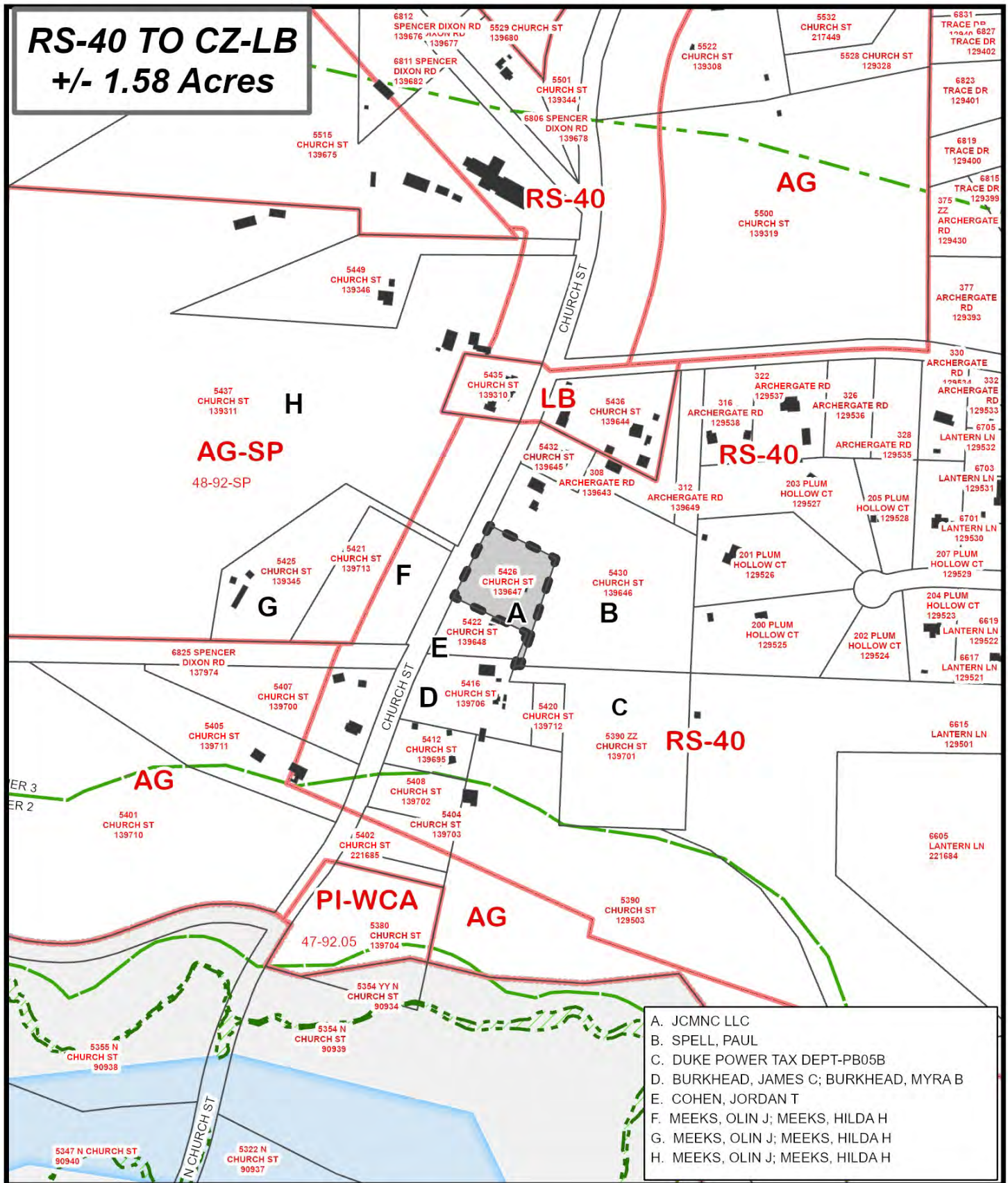
Although the requested action is inconsistent with the Northern Lake Area Plan recommendation, it is reasonable and in the public interest, because the subject parcel is near other LB-zoned properties at the Church Street and Archergate Road intersection, it will create opportunities to provide services to nearby residential areas, which is intent of the LB district as described in the UDO. A minimum 30' Type B buffer is required between LB and all residential zoning districts, including Agricultural (AG). Under the proposed conditions, the residential character of the adjacent properties will be preserved.

Area Plan Amendment Recommendation:

The proposed Conditional Zoning is inconsistent with the Northern Lakes Area Plan recommendation of AG, Rural Residential, thus if approved, an area plan amendment to Light Commercial (LC) is required.

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RS-40 TO CZ-LB +/- 1.58 Acres

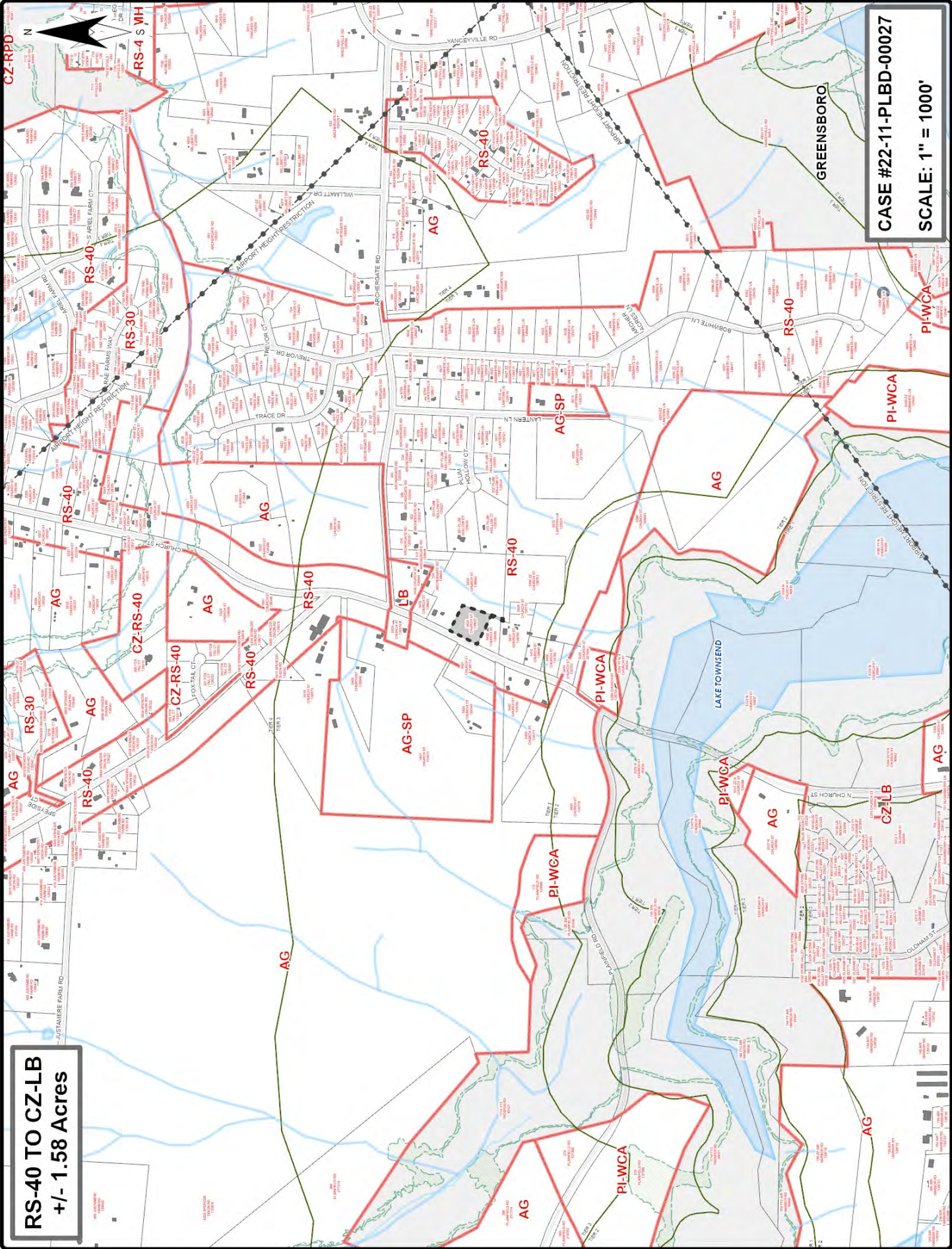


JURISDICTION:
GUILFORD COUNTY
Guilford County
Planning & Development
Department

Rezoning Case #
CZ-22-11-PLBD-00027
Scale: 1" = 400 '

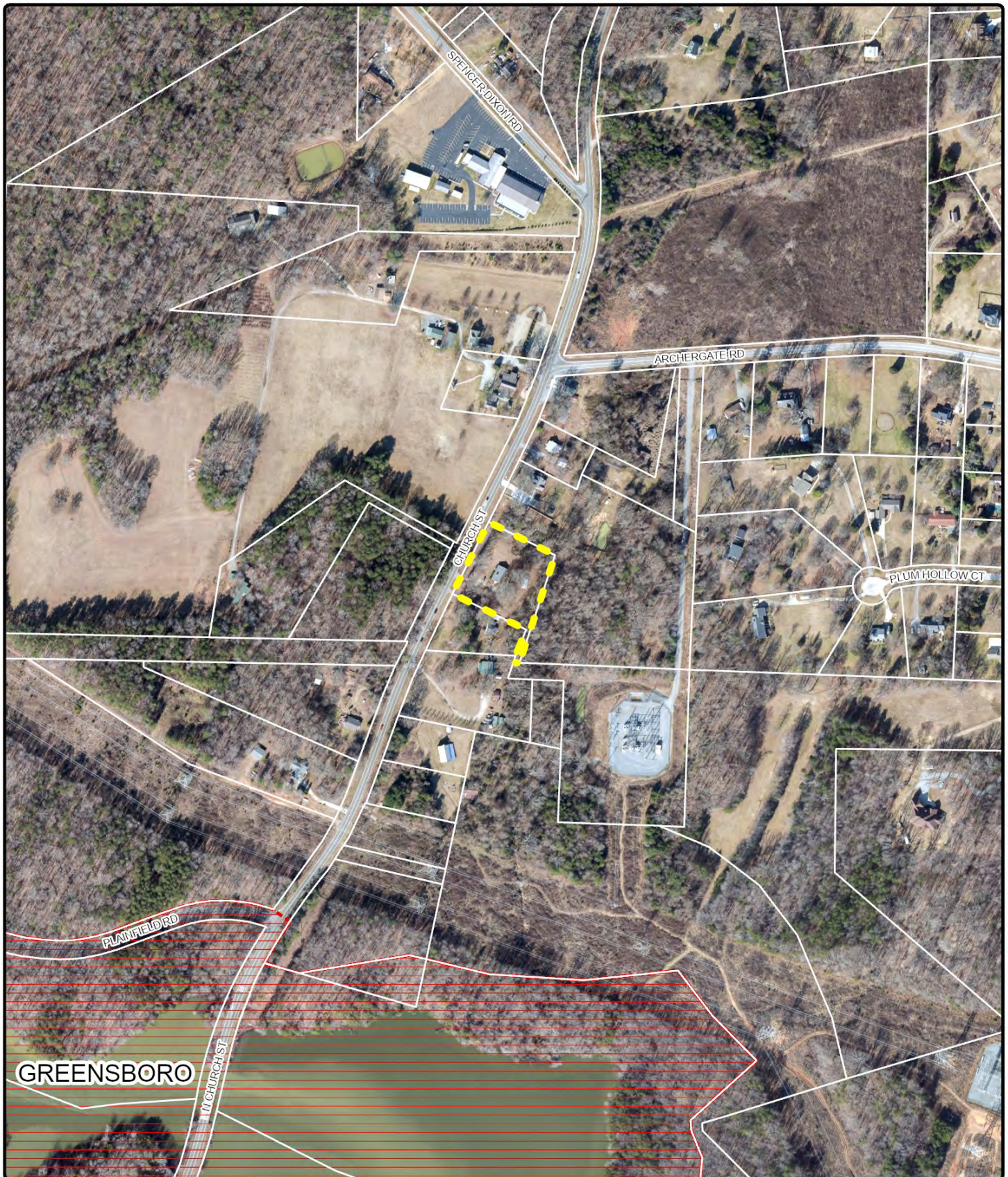
Map:
139647





RS-40 TO CZ-LB
+/- 1.58 Acres

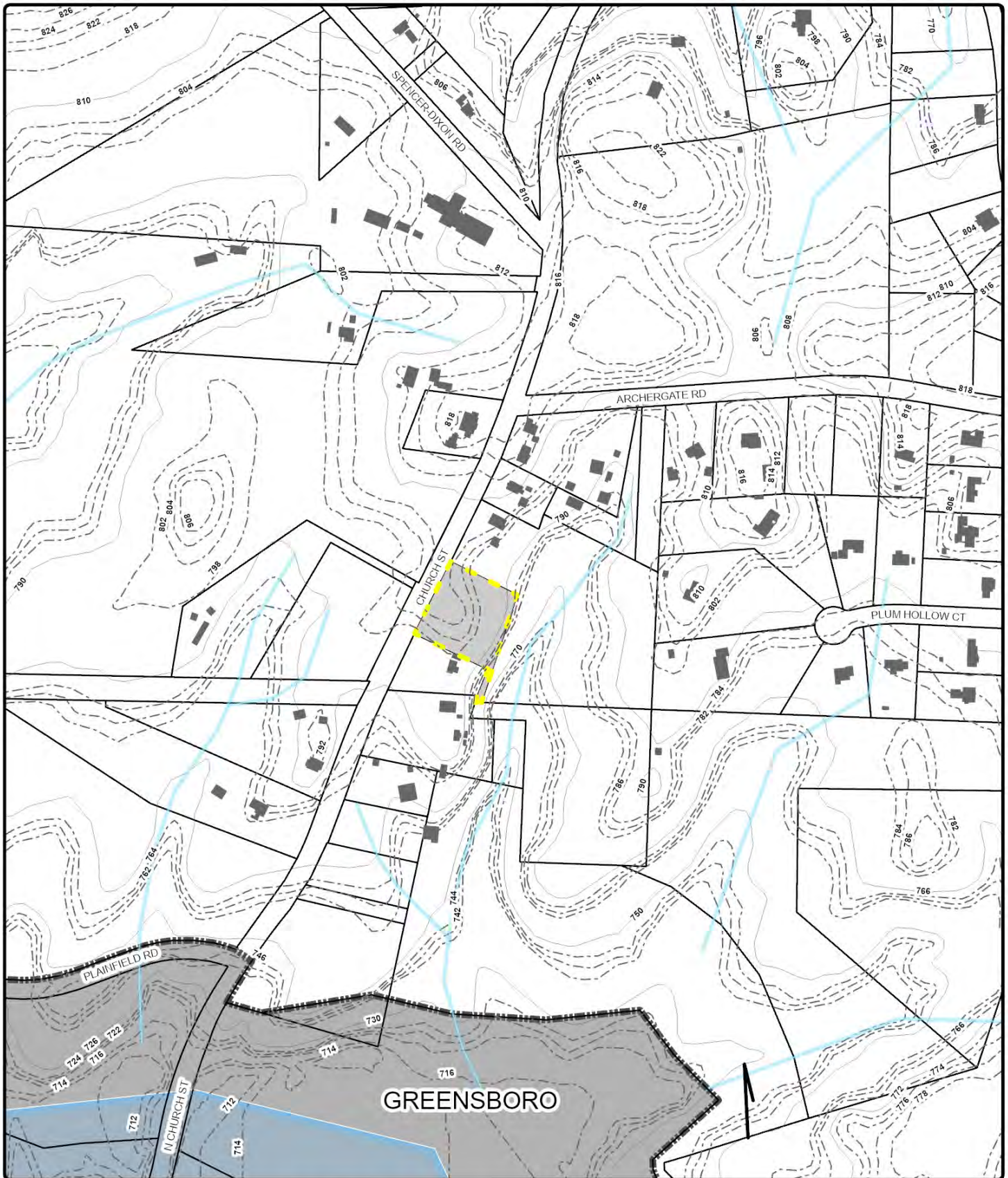
CASE #22-11-PLBD-00027
SCALE: 1" = 1000'



CASE #22-11-PLBD-00027

Scale: 1" = 400 '





CASE #22-11-PLBD-00027

Scale: 1" = 400'



**CONDITIONAL ZONING CASE #22-10-PLBD-00027: RS-40, RESIDENTIAL, SINGLE-FAMILY
TO CZ-LB, CONDITIONAL ZONING-LIMITED BUSINESS: 5426 CHURCH STREET**

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

DECISION MATRIX

Zoning	Plan Consistency	Decision
Approve	Consistent	#1
Deny	Inconsistent	#2
Approve	Inconsistent	#3
Deny	Consistent	#4

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GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY

DECISION # 1
APPROVE-CONSISTENT
NO PLAN AMENDMENT

I move to **Approve** this zoning amendment located on Guilford County Tax Parcel #139647, from RS-40 to CZ-LB because:

1. The amendment **is** consistent with applicable plans because:
[Describe elements of controlling land use plans and how the amendment is consistent.]

2. The amendment **is** reasonable and in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

CONDITIONAL ZONING CASE #22-10-PLBD-00027: RS-40, RESIDENTIAL, SINGLE-FAMILY
TO CZ-LB, CONDITIONAL ZONING-LIMITED BUSINESS: 5426 CHURCH STREET

GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY

DECISION #2
DENY-INCONSISTENT
NO PLAN AMENDMENT

I move to **Deny** this zoning amendment located on Guilford County Tax Parcel #139647, from RS-40 to CZ-LB because:

1. The amendment **is not** consistent with applicable plans because:
[Describe elements of controlling land use plans and how the amendment is not consistent.]

2. The amendment **is not** reasonable and in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

**CONDITIONAL ZONING CASE #22-10-PLBD-00027: RS-40, RESIDENTIAL, SINGLE-FAMILY
TO CZ-LB, CONDITIONAL ZONING-LIMITED BUSINESS: 5426 CHURCH STREET**

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #3
APPROVE-INCONSISTENT
PLAN AMENDMENT**

I move to **Approve** this zoning amendment located on Guilford County Tax Parcel #139647, from RS-40 to CZ-LB.

- 1. This approval also amends the **Northern Lakes Area Plan Area Plan**. [Applicable element of Comp Plan]
- 2. The zoning map amendment and associated **Northern Lakes Area Plan** amendment **are** based on the following change(s) in condition(s) in the **Northern Lakes Area Plan**:
[Explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.]

- 3. The amendment **is** reasonable and in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY

DECISION #4
DENY-CONSISTENT
NO PLAN AMENDMENT

I move to **Deny** this zoning amendment located on Guilford County Tax Parcel #139647, from RS-40 to CZ-LB because:

1. The amendment **is** consistent with applicable plans because:
[Describe elements of controlling land use plans and how the amendment is consistent.]
-
-
-
-
-
-
-
-
-
-

2. The amendment **is** consistent but not in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]
-
-
-
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-
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-

(Insert Color Paper)



GUILFORD COUNTY PLANNING AND DEVELOPMENT

Planning Board Conditional Zoning Application

Date Submitted: 11/9/22Fee \$500.00 Receipt # 002184-Case Number 22-11-PLBD-000292022

Provide the required information as indicated below. Pursuant to the Unified Development Ordinance (UDO), this application will not be processed until application fees are paid; the form below is completed and signed; and all required maps, plans and documents have been submitted to the satisfaction of the Enforcement Officer. A pre-application meeting with Planning staff is required. Scheduling for the Planning Board agenda will be based on the determination of a complete application submittal.

Pursuant to Section 3.5.M of the Unified Development Ordinance (UDO), the undersigned hereby requests Guilford County to rezone the property described below from the RS-40 and AG zoning district to the CZ-LI zoning district.

Said property is located along Methodist Road at its intersection with Liberty Road

in Clay Township; Being a total of: 96.33 acres.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # 122311Tax Parcel # 124711Tax Parcel # 122325Tax Parcel # 122331Tax Parcel # 124720Tax Parcel # ~~124605~~

Additional sheets for tax parcels are available upon request.

Tax Parcel # 122310

Check One:

- ☒ The property requested for rezoning is an entire parcel or parcels as shown on the Guilford County Tax Map.
- ☐ The property requested for rezoning is a portion of a parcel or parcels as shown on the Guilford County Tax Map; a written legal description of the property and/or a map are attached.

Check One:

- ☐ Public services (i.e. water and sewer) are not requested or required.
- ☒ Public services (i.e. water and sewer) are requested or required; the approval letter is attached.

Conditional Zoning Requirements:

- ☐ Zoning Sketch Plan. A sketch plan illustrating proposed conditions and other pertinent information is required for all conditional rezoning requests. Sketch elements not illustrating proposed conditions are subject to subdivision and site plan review. Refer to Appendix 2, Map Standards of the Unified Development Ordinance (UDO).
- ☒ Zoning Conditions. Use and/or development conditions must be provided. Complete Page 2 of this application. Refer to uses as listed in Table 4-3-1 of the Unified Development Ordinance (UDO).



GUILFORD COUNTY **PLANNING AND DEVELOPMENT**

Planning Board **Conditional Zoning** **Application**

Use Conditions

Uses of the property shall be limited to the following uses as listed in Article 4, Table 4-3-1 of the Unified Development Ordinance (UDO):

- 1) See attached.
- 2) _____
- 3) _____
- 4) _____

Development Conditions

Development of the property shall occur in accordance with the following standards and requirements in addition to those specified in the Unified Development Ordinance (UDO):

- 1) All Streetscape Planting Yards shall comply with City of Greensboro standards for its Light Industrial (LI) zoning district.
- 2) _____
- 3) _____
- 4) _____

YOU OR SOMEONE REPRESENTING YOU MUST BE PRESENT AT THE PUBLIC HEARING

A Conditional Zoning Application must be signed by current property owner(s).

I hereby agree to conform to all applicable laws of Guilford County and the State of North Carolina and certify that the information provided is complete and accurate to the best of my knowledge. I acknowledge that by filing this application, representatives from Guilford County Planning and Development may enter the subject property for the purpose of investigation and analysis of this request.

Respectfully Submitted,

Jonathan P. Halas
 Property Owner Signature
 Jonathan Halas

 Name

 Mailing Address

 City, State and Zip Code

 Phone Number Email Address

dotloop verified
 11/09/22 9:15 AM EST
 JR4T-LPVW-BNXU-QVQE

Amanda Hodierne
 Owner / Representative / Applicant Signature (if applicable)
 Amanda Hodierne

 Name
 804 Green Valley, Road, Ste. 200

 Mailing Address
 Greensboro, NC 27408

 City, State and Zip Code
 336-609-5137 amanda@isaacsonsheridan.com
 Phone Number Email Address



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Conditional Zoning
Application**

Use Conditions

Uses of the property shall be limited to the following uses as listed in Article 4, Table 4-3-1 of the Unified Development Ordinance (UDO):

1) See attached.

2) _____

3) _____

4) _____

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4) _____

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Respectfully Submitted,

Stephen Leonard Davis

Property Owner Signature

Stephen LEONARD DAVIS

Name

3101 CABARRUS DR.

Mailing Address

GREENSBORO, NC 27407

City, State and Zip Code

336-669-2037 STEVE@UNC80RAD.COM

Phone Number

Email Address

Owner/ Representative/ Applicant Signature (if applicable)

Amanda Hodieme

Name

804 Green Valley, Road, Ste. 200

Mailing Address

Greensboro, NC 27408

City, State and Zip Code

336-609-5137

Phone Number

amanda@isaacsonsheridan.com

Email Address



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Conditional Zoning
Application**

Use Conditions

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1) See attached.

- 2) _____

3) _____

4) _____

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3) _____

4) _____

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I hereby agree to conform to all applicable laws of Guilford County and the State of North Carolina and certify that the information provided is complete and accurate to the best of my knowledge. I acknowledge that by filing this application, representatives from Guilford County Planning and Development may enter the subject property for the purpose of investigation and analysis of this request.

Respectfully Submitted,

Karen T. Smith

Property Owner Signature

Karen T. Smith

Name

5834 Methodist Rd

Mailing Address

CLIMAX, NC 27233

City, State and Zip Code

336-707-7203

Phone Number

Email Address

Amanda P. Hodierne

Owner/ Representative/ Applicant Signature (if applicable)

Amanda Hodierne

Name

804 Green Valley, Road, Ste. 200

Mailing Address

Greensboro, NC 27408

City, State and Zip Code

336-609-5137

Phone Number

amanda@isaacsonsheridan.com

Email Address



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Conditional Zoning
Application**

Use Conditions

Uses of the property shall be limited to the following uses as listed in Article 4, Table 4-3-1 of the Unified Development Ordinance (UDO):

1) See attached.

2) _____

3) _____

4) _____

Development Conditions

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I hereby agree to conform to all applicable laws of Guilford County and the State of North Carolina and certify that the information provided is complete and accurate to the best of my knowledge. I acknowledge that by filing this application, representatives from Guilford County Planning and Development may enter the subject property for the purpose of investigation and analysis of this request.

Respectfully Submitted,

Gary Alan Joyce

Property Owner Signature

GARY ALAN JOYCE

Name

5037 Harmony Ln

Mailing Address

Greensboro N.C.

City, State and Zip Code

336-674-6231

Phone Number

Email Address

Amanda P. Hodierne

Owner/ Representative/Applicant Signature (if applicable)

Amanda Hodierne

Name

804 Green Valley, Road, Ste. 200

Mailing Address

Greensboro, NC 27408

City, State and Zip Code

336-609-5137

Phone Number

amanda@isaacsonsheridan.com

Email Address

USE CONDITIONS ATTACHMENT

1. The following uses shall not be permitted:
 - a. Animal Services (Livestock)
 - b. Animal Services (Other)
 - c. Horticultural Specialties
 - d. Homeless Shelter
 - e. Outdoor Recreation
 - f. Amusement Park / Water Park/ Fairgrounds
 - g. Athletic Fields
 - h. Auditorium / Coliseum / Stadium
 - i. Country Club with Golf Course
 - j. Go Cart Raceway
 - k. Golf Course
 - l. Shooting Range Indoor
 - m. Swim and Tennis Club
 - n. Place of Worship
 - o. Day Care In Residence
 - p. Fraternity or Sorority
 - q. Boat Repair
 - r. Furniture Stripping or refinishing
 - s. Kennels or Pet Grooming
 - t. Landscape or Horticultural Services
 - u. Automobile Repair Services
 - v. Convenience Store with Fuel Pumps
 - w. Fuel Oil Sales
 - x. Garden Center / Nursery
 - y. Manufactured Home Sales
 - z. Motor Vehicle / Motorcycle/ RV / Boat Sales
 - aa. Service Station Gasoline
 - bb. Tire Sales
 - cc. Cemetery / Mausoleum
 - dd. Truck Stop
 - ee. Heliport
 - ff. Taxi Terminal
 - gg. Construction or Demolition Debris Landfill, Minor
 - hh. Recycling Facility (Outdoor)
 - ii. Septic Tank Services
 - jj. Laundry or Dry Cleaning Plant
 - kk. Welding Shop

Oliver Bass

From: Amanda Hodierne <amanda@isaacsonsheridan.com>
Sent: Tuesday, November 15, 2022 2:59 PM
To: Oliver Bass
Subject: GSO Streetyard Planting standards

***WARNING* This email originated outside Guilford County's email system.**

WARNING

Do not click or open unrecognized links and attachments. When in doubt, click on the Phish Alert Report

Hi Oliver,
Here are the GSO standards.



Amanda P. Hodierne

Partner

Isaacson Sheridan

804 Green Valley Road, Suite 200

Greensboro, NC 27408 

336.609.5137 (direct)

336.273.7293 (fax)

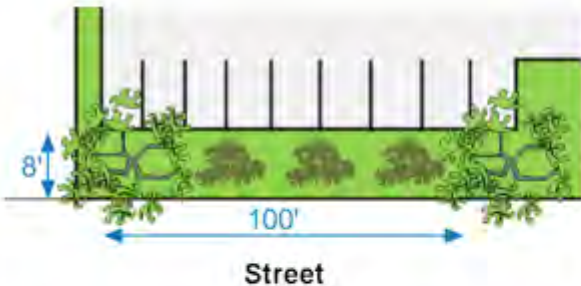
amanda@isaacsonsheridan.com

30-10-2.2 Street Planting Yards

- A. Street planting yards must be installed abutting public street rights-of-way.
- B. The required street planting yard must have a minimum width of 10 feet (as measured from the outside edge of the right-of-way or the back of the sidewalk, whichever is further from the street centerline) and include at least 2 canopy trees and 17 shrubs per 100 linear feet of required street planting yard, not including allowed driveways.
- C. Some changes to these standards are permitted as found in 30-10-2.5 and 30-10-5.

Guilford County.....

TABLE 6-2-1: PLANTING AREA DESCRIPTIONS

Planting Yard Type	Description	Min. Width	Min. Average Width	Max. Width	Planting Requirement Rate
STREET PLANTING YARD	 <p>A planting area parallel to a public street designed to provide continuity of vegetation along the right-of-way and a pleasing view from the road. No more than fifteen percent of the street planting yard may be used for walkways or signs. Parking, merchandise display and off-street loading are prohibited in the street planting yard.</p>	8'	8'	25'	<p>Tree Canopy: 2 per 100 lf.</p> <p>Tree Understory: No requirement</p> <p>Shrubs: 17 per 100 lf.</p>

Steve Galanti, AICP
 Planning Manager - Current Planning Division
 Planning Department
 City of Greensboro
 Phone: 336-373-2918; Fax: 336-412-6315
 PO Box 3136, Greensboro, NC 27402-3136
www.greensboro-nc.gov



From: Amanda Hodierne <amanda@isaacsonsheridan.com>
Sent: Tuesday, November 15, 2022 12:53 PM
To: Galanti, Steve <Steve.Galanti@greensboro-nc.gov>
Subject: Street Yard Planting Standard citation?

WARNING: External Email – Don't get hooked by a phishing email. Never click on links or open attachments unless you know the content is safe.

Hi Steve,
 Hope you are doing well today. Can you please provide with the code cite for the streetyard planting standard you mentioned was different in the City for LI zoning than in the County and would make sense for us to offer the City's plating standard as a condition to our LI zoning request in the County?
 Thank you.



Amanda P. Hodierne

Partner

Isaacson Sheridan

804 Green Valley Road, Suite 200

Greensboro, NC 27408 

336.609.5137 (direct)

336.273.7293 (fax)

amanda@isaacsonsheridan.com

Wire Fraud Notice: Due to the increase in wire fraud, any party wiring funds to this law firm should confirm all wiring instructions, regardless of the manner in which they were received, by calling an independently-verified phone number with our office before transferring funds.

Confidentiality Note: The information transmitted in this email message (including any accompanying attachments) is intended to be confidential and privileged. If the recipient of this message is not the intended recipient or received the message in error, you are hereby notified that any retention, dissemination, disclosure, distribution or copy of this message is strictly prohibited. In that event, please contact the sender immediately and delete the original and all copies of this transmission (including any attachments) without reading or saving in any manner.

Draft Attachment Disclaimer: If a draft document is attached to this email, please note that in an effort to expedite the document review process, the attached is being forwarded to you without prior review by others who must review it. Accordingly, the attached is expressly subject to further modification. For the protection of all parties, the preparation, revision or delivery of the attached for examination and discussion shall in no event be deemed to be an offer or an obligation, but shall be merely part of the negotiations among the parties. No party shall have any obligation or liability to another whatsoever at law or in equity (including without limitation, any claims for detrimental reliance, partial performance, good faith, promissory estoppel or any similar or dissimilar claims) unless and until such time as all parties shall have executed and delivered a final agreement. This paragraph supersedes all other conflicting understandings or agreements which have not been reduced to writing and executed and delivered by the parties, and any language set forth in the attached.



May 2, 2022

TO: Mr. Mark Eisenbeis
FROM: Wendy Messer, Water Resources Engineering Department
SUBJECT: Water and Sewer Feasibility Study for
5618 Liberty Road & 5805, 5819, 5816, 5834 & 5812 Methodist Road

Per your request the City has reviewed the above property to determine the feasibility of providing water and sewer service. This property is within the Tier 3 Growth Area on the Growth Strategy Map in the Comprehensive Plan. Prior to extending or connecting to City water and/or sewer lines the site must be annexed into the City of Greensboro. The rezoning application and annexation petition can be obtained by contacting Luke Carter (373-4342) in the Planning Department. Once Planning receives the annexation petition and rezoning form it will be processed through Planning Board, Zoning Commission and City Council. In accordance with the Council-Adopted policy, the connections or extensions cannot occur until after Council approves the annexation, which will take approximately 90 days.

The current proposal for land use is Industrial, Manufacturing, and/or Warehousing. Any change to this proposed land use will require a conformation of capacity and water/sewer alignment.

Water, the City of Greensboro currently has a Capital Improvement project to extend a 16" water line along west side of Liberty Road that will extend across the frontage of 5618 Liberty Road. The schedule is for this line to be active by the end of 2022. A 12" water line will need to be extended along the south side of Methodist Road from the existing 16" water line along Liberty Road going west along your property frontage as shown on the attached map. According to our water model we can meet a 3,500gpm demand and stay above the State required 20psi. along Liberty Rd and Methodist Rd water lines. Water lines should be looped to maintain water quality. Easements for any water main that crosses private properties will have to be obtained and dedicated exclusive to the City of Greensboro for service. The engineer will have to demonstrate to Water Resources staff that the existing water main can provide adequate pressure and flow for both domestic service and fire protection for the proposed development.

Sewer is currently available as an outfall onsite as an existing 8", 10", 12" and 18". An 8" sewer line will need to be extended from the existing manhole going north across the property frontage as shown on attached map. Sewer capacity is not guaranteed. The City is currently evaluating the downstream lift station and upgrades are needed at this lift station. If the timing of development is prior to the City's planned lift station upgrades, the developer may be responsible for the upgrades ahead of the City's schedule. Easements for any sewer outfall that crosses private properties will have to be obtained and dedicated exclusive to the City of Greensboro for service. The engineer will have to demonstrate to Water Resources staff that the existing downstream sewers have adequate capacity to handle the projected flows from the proposed development.

Note that if the project moves forward then the engineer will need to start the Fire flow tracking and Sewer flow allocation processes with Water Resources staff. This study is only valid for a period of one year from the date of this letter. A revised study will be required if flow conditions or development plans change other than what was originally stated in this study. We will recommend approval of these extensions at the owner / developer's expense, subject to funding availability (if applicable), approval by the City of Greensboro Planning Department for compliance with the Comprehensive Plan and final approval by the City of Greensboro City Council.

Please see the attached map for line routing and quantities. The estimated cost of providing service to this site is:

5618 Liberty Rd 5805 5819 5816 5834 5812 Methodist Rd

Estimated Total Construction Cost

Category	Item Description	Quantity	Units	Unit Cost	Total Cost
Water Mains	12" Water Main	1,683.03	LF	\$148.00	\$249,088
Subtotal:				148.00	\$249,088
20% Engineering & Contingency:					\$49,818
10% Regulatory Contingency:					\$24,909
Total Water:					\$323,815

Category	Item Description	Quantity	Units	Unit Cost	Total Cost
Sewer Mains	8" Sanitary Sewer Main	1,461.02	LF	\$173.00	\$252,756
Sewer Manholes	4' Sewer Manhole	4.00	EA	\$3,750.00	\$15,000
Subtotal:					\$267,756
20% Engineering & Contingency:					\$53,551
10% Regulatory Contingency:					\$26,776
Total Sewer:					\$348,083

Total Project:	\$671,898
-----------------------	------------------

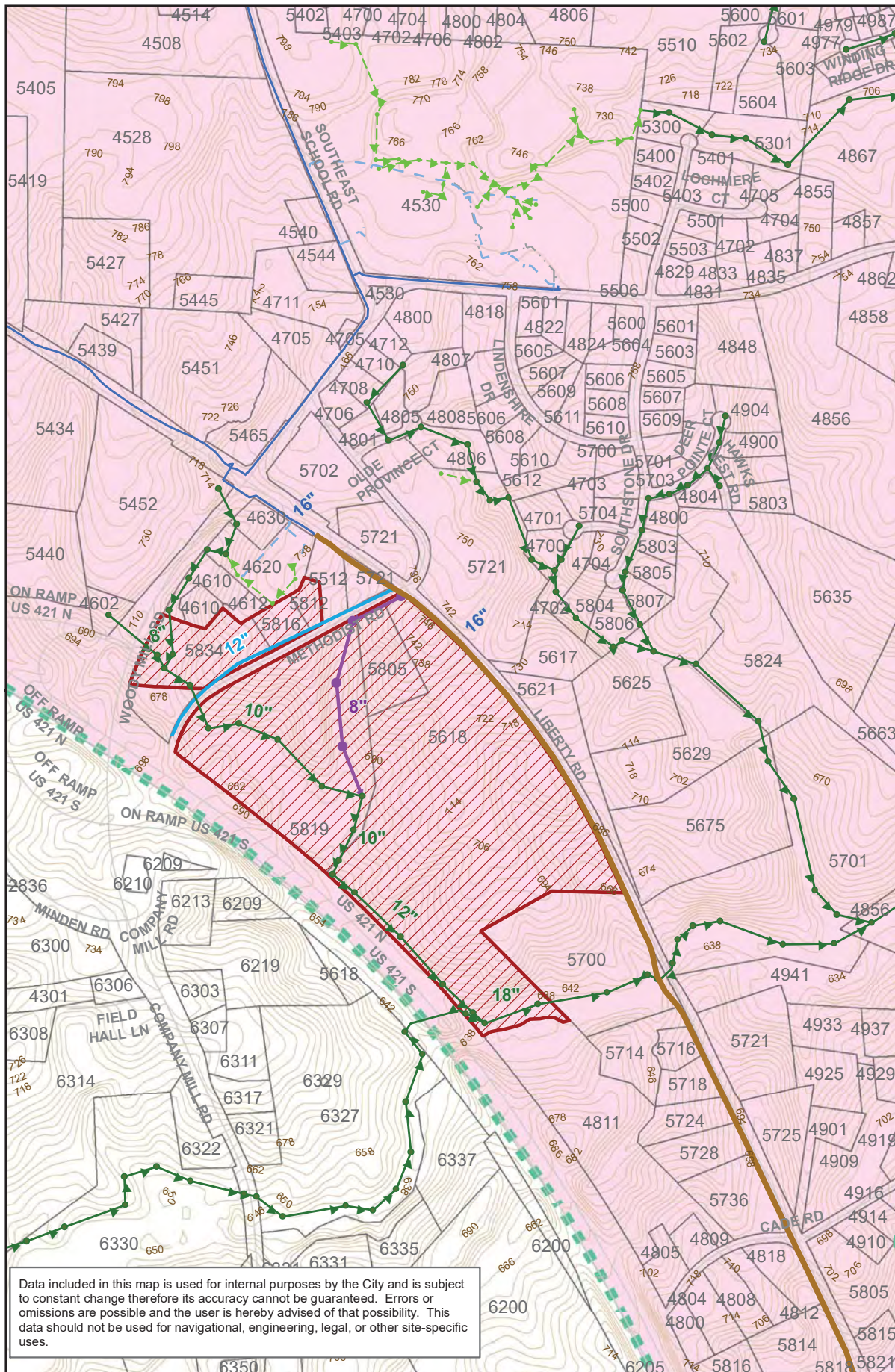
*This estimate is for planning purposes only and should not be used in any official capacity.
Unit prices updated as of 7-14-2021*

If we can be of further assistance, please call (336) 373-2055.



1 inch = 800 feet

Water & Sewer Feasibility:
5618 Liberty Rd
5805, 5819, 5816, 5618, 5834, 5812 Methodist Rd



- LEGEND**
- CIP Water Project
 - Lift Stations
 - Private
 - Public
 - Sewer Manholes
 - Public
 - Private
 - Gravity Mains
 - Public
 - Private
 - Force Mains
 - Public
 - Private
 - Pressurized Mains
 - Inactive
 - Private
 - City, Inactive
 - Public
 - Proposed Manholes
 - Proposed Public Manhole
 - Proposed Public Sewer Mains
 - Proposed Sewer
 - Proposed Public Water Mains
 - <all other values>
 - Railroad
 - City Limit
 - Water/Sewer Service Boundary
 - Growth Tier 1
 - Growth Tier 2
 - Growth Tier 3

Date 5/3/2022

CONDITIONAL ZONING CASE #22-11-PLBD-00029: RS-40, RESIDENTIAL, SINGLE-FAMILY AND AG, AGRICULTURAL TO CZ-LI, CONDITIONAL ZONING-LIGHT INDUSTRIAL—*REVISED 12/6/2022

Property Information

Located along Methodist Road south of its intersection with Liberty Road (includes Guilford County Tax Parcels 122311, 122325, 124720, 124711, 122331, and 122310 split by US Highway 421 right-of-way in Clay Township) comprising approximately 96.33 acres.

Zoning History of Denied Cases: There is no history of denied cases.

Nature of the Request

This is a request to Conditionally Zone property from RS-40 and AG to CZ-LI with the following conditions:

Use Condition: (1) The following uses shall not be permitted: a) Animal Services (Livestock); b) Animal Services (Other); c) Horticultural Specialties; d) Homeless Shelter; e) Outdoor Recreation; f) Amusement Park / Water Park/ Fairgrounds; g) Athletic Fields; h) Auditorium/ Coliseum / Stadium; i) Country Club with Golf Course; j) Go Cart Raceway; k) Golf Course; l) Shooting Range Indoor; m) Swim and Tennis Club; n) Place of Worship; o) Day Care In-Residence; p) Fraternity or Sorority; q) Boat Repair; r) Furniture Stripping or refinishing; s) Kennels or Pet Grooming; t) Landscape or Horticultural Services; u) Automobile Repair Services; v) Convenience Store with Fuel Pumps; w) Fuel Oil Sales; x) Garden Center / Nursery; y) Manufactured Home Sales; z) Motor Vehicle / Motorcycle/ RV / Boat Sales; aa) Service Station Gasoline; bb) Tire Sales cc. Cemetery / Mausoleum; dd) Truck Stop; ee) Heliport; ff) Taxi Terminal; gg) Construction or Demolition Debris Landfill, Minor; hh) Recycling Facility (Outdoor); ii) Septic Tank Services; jj) Laundry or Dry-Cleaning Plant; and kk) Welding Shop.

Development Condition: (1) All streetscape planting yards shall comply with the City of Greensboro standards for its Light Industrial (LI) zoning district (the City of Greensboro streetscape planting yard width is 10 ft. while Guilford County's streetscape planting yard width is 8 ft.).

A list of uses that would be allowed under the proposed conditions is attached.

District Descriptions

The **AG district** is intended to provide locations for agricultural operations, farm residences, and farm tenant housing on large tracts of land. This district is further intended to reduce conflicts between residential and agricultural uses and preserve the viability of agricultural operations. Commercial agricultural product sales - "agritourism" - may be permitted. The minimum lot size of this district is 40,000 square feet.

The **RS-40 district** is primarily intended to accommodate single-family residential detached dwellings on lots in areas without access to public water and sewer services. The minimum lot size of this district is 40,000 square feet. Conservation subdivisions may be developed in this district.

The **LI district** accommodates limited, small-scale manufacturing, wholesaling, research and development, and related commercial activities that have little adverse effect, through noise, odor, or visual distraction, on neighboring properties. Development shall provide adequate screening and buffers and be located where there are adequate public utilities and access to arterial streets and highways.

The **CZ, Conditional Zoning District** is established as a companion district for every district established in Section 4-2. All regulations which apply to a general use zoning district also apply to the companion conditional zoning. All other regulations which may be offered by the property owner and approved by the Jurisdiction as part of the rezoning process apply.

The **Liberty Road/Woody Mill Road Vicinity Overlay District** is adopted to promote development of a mixed-use area between Liberty Road and US Highway 421 at Woody Mill Road in accordance with the recommendations of the Liberty Road/Woody Mill Road Vicinity Small Area Plan adopted by the Guilford County Board of Commissioners.

Character of the Area

This request is in an area mixed with commercial, institutional, and low-density single-family residential uses. Most of the subject parcels east of Methodist Road are undeveloped or consists of single-family residences on more than 10 acres. The subject parcels west of Methodist Road consists mostly of single-family residences lots as small as an acre. Immediately adjacent parcels that fronts Woody Mill Road consists of a shopping center and other commercial uses.

Existing Land Use(s) on the Property: Existing land uses on the subject parcels include single-family residences on less than 10 acres and single-family residences and undeveloped lands on large tracts of more than 10 acres.

Surrounding Uses:

- North: Institutional and single-family residences
- South: US Highway 421 with restricted access
- East: Single-family residents on greater than 10 acres
- West: Shopping center

Historic Properties (*Revised 12/6/22): There are no inventoried Historic Properties located on the subject parcels. The Tabernacle United Methodist Church along with its cemetery is a locally designated landmark located on adjacent parcel 122333 on Liberty Road to the north across from the subject property. Locally designated landmarks are protected under Section 4.9.A of the Unified Development Ordinance (UDO).

Cemeteries: No cemeteries are shown to be located on this property, but efforts should be made to rule out the potential of unknown grave sites.

Infrastructure and Community Facilities

Public School Facilities: No anticipated impact on public schools. No residential uses are permitted under the requested zoning.

Emergency Response:

Fire Protection District: Alamance FPSD

Miles from Fire Station: Approximately 1.7 miles

Water and Sewer Services:

Provider: Individual well and septic. The site must be annexed into the City of Greensboro before public water and sewer lines can be extended per Greensboro policy.

Within Service Area: City of Greensboro Tier 3 Growth Area

Feasibility Study or Service Commitment: Greensboro Liberty Road-Methodist Road Feasibility Study dated May 2, 2022 was submitted with the application.

Transportation:

Existing Conditions: Liberty Road and Methodist Road are classified as Minor Thoroughfares in the Greensboro MPO Collector Street Plan. 8300 AADT near Woody Mill Road/Liberty Road intersection per NCDOT 2019 Traffic Volume.

Proposed Improvements: The Collector Street Plan indicates a possible realignment of Woody Mill Road near US Highway 421 that could impact subject parcels.

Projected Traffic Generation: Not available.

Environmental Assessment

Topography: Nearly flat, gently sloping and moderately sloping.

Regulated Floodplain/Wetlands:

There is regulated floodplain on the property, including 100-year floodplain and floodway. There are no mapped wetlands on the properties.

Streams and Watershed:

There are multiple mapped streams running throughout the properties. The property is located in the Lake Mackintosh (Big Alamance Creek) WS-IV Water Supply Watershed in the General Watershed Area

Land Use Analysis

Land Use Plan: Alamance Creek Area Plan and the Liberty Road/Woody Mill Road Vicinity Small Area Plan.

Plan Recommendation:

- Mixed Use in the Alamance Area Plan
- Multi-family Residential, Multi-family Residential/Office/Institutional, and Single-family Residential in the Liberty Road/Woody Mill Road Vicinity Small Area Plan.

Consistency:

The requested action is inconsistent with the land use recommendations of the applicable plans. The Mixed-Use recommendation in the Alamance Creek Area Plan generally supports a mix of residential, commercial, and institutional uses. The Liberty Road/Woody Mill Road Vicinity Small Area Plan makes no provision for industrial development within the designated study area.

Recommendation

Staff Recommendation: Staff recommends approval.

Although the requested action is inconsistent with both the Alamance Creek Area Plan and the Liberty Road/Woody Mill Vicinity Small Area Plan, it is reasonable and in the public interest because light industrial provide economic opportunities for residents in the Liberty Road and Woody Mill Road vicinity and in the County. If approved, the subject parcels will be eligible for public water and sewer extension according to the feasibility study prepared by the City of Greensboro Water Resource Department. Application of Greensboro's Streetscape Standards will increase the minimum street planting yard from 8 feet to 10 feet. Billboards along a scenic corridor (including US Highway 421) outside the I840 Urban Loop are subject Section 7.11 of the UDO, which requires minimum spacing of 1000 linear feet along the same street frontage measured from the billboard poles. In addition, development will be subject to the standards of the Liberty Road/Woody Mill Road Vicinity Overlay District in the Guilford County Unified Development Ordinance, which supports the Design and Aesthetic goals stated in the Liberty Road / Woody Mill Road Vicinity Small Area Plan.

Area Plan Amendment Recommendation:

The proposed Conditional Zoning is inconsistent with the Alamance Creek Area Plan recommendation of Mixed Use. The requested action also is inconsistent with the Liberty Road/Woody Mill Road Vicinity Small Area Plan future land use recommendations of Multi-family Residential, Multi-family Residential/Office/Institutional, and Single-family Residential. No provisions for industrial uses are shown on the Future Land Use Map of the Liberty Road/Woody Mill Road Vicinity Small Area Plan.

If approved, an Alamance Creek Area Plan amendment to Light Industrial (LI) would be required.

TABLE OF PERMITTED USES FOR LI ZONING DISTRICT (CZ 22-11-PLBD-00029)

X = Prohibited in the WCA. For details on prohibited uses in the WCA, see Section Article 9 - Environmental Regulations
P = Use by Right D = Individual Development Standards Apply - See Article 5 S = Individual Development Standards per Article 5
Apply & Special Use Permit Required

Strikethrough text= Uses proposed by the Applicant to be excluded

Use Category	Use Type	WCA Prohibited Use	LI
Agriculture/Animal Services	Animal Services (Livestock)		P
	Animal Services (Other)		P
	Horticultural Specialties		P
Group Living/Social Service	Homeless Shelter		D
Recreation and Entertainment	Outdoor Recreation		D
	Amusement or Water Parks, Fairgrounds		D
	Athletic Fields		P
	Auditorium, Coliseum or Stadium		P
	Country Club with Golf Course		D
	Go-cart Raceway		P
	Golf Course		D
	Physical Fitness Center		P
	Public Park (including Public Recreation Facility)		D
	Shooting Range, Indoor		D
	Swim and Tennis Club		D
Civic, Educational, and Institutional	Place of Worship		P
	Vocational, Business or Secretarial School		P
	Daycare Centers in Residence (In-Home) (12 or Less)		D
	Daycare Center (Not In-Home)		D
	Emergency Services		P
	Fraternity or Sorority (University or College Related)		P
	Government Office		P
	Post Office		P
Business, Professional, and Personal Services	Office (General)		P
	Medical or Professional Office		P
	Personal Service		P
	Advertising, Outdoor Services		P
	Bank or Finance without Drive- through		P
	Bank or Finance with Drive- through		P
	Boat Repair	X	P
	Building Maintenance Services		P
	Furniture Stripping or Refinishing (including Secondary or Accessory Operations)	X	P
	Insurance Agency (Carriers and On-Site Claims Inspections)		P
	Kennels or Pet Grooming		P
	Landscape and Horticultural Services	X	P
	Motion Picture Production		P
	Pest or Termite Control Services	X	P
	Research, Development or Testing Services		P
	Studios-Artists and Recording		P
	Automobile Rental or Leasing	X	P
	Automobile Repair Services	X	P
	Car Wash	X	P
	Building Supply Sales (with Storage Yard)		P
	Convenience Store (with Gasoline Pumps)	X	P
	Equipment Rental and Repair, Light		P
	Fuel Oil Sales	X	P
	Garden Center or Retail Nursery		P
	Manufactured Home Sales		P
	Motor Vehicle, Motorcycle, RV or Boat Sales (New and Used)	X	P
	Service Station, Gasoline	X	P
	Tire Sales		P
Retail Trade			
Food Service	Restaurant (Without Drive-thru)		P
Funeral and Internment Services	Cemetery or Mausoleum		D
	Wholesale Trade-Heavy		S
	Wholesale Trade-Light		P
	Automobile Parking (Commercial)		P
	Automotive Towing and Storage Services	X	D
	Equipment Rental and Leasing (No Outside Storage)		P
	Equipment Rental and Leasing (with Outside Storage)		P
	Equipment Repair, Light		P
	Truck Stop	X	P
	Truck and Utility Trailer Rental and Leasing, Light	X	P
	Truck Tractor and Semi-Rental and Leasing, Heavy	X	P
	Beneficial Fill Area		D
	Bus Terminal and Service Facilities	X	P

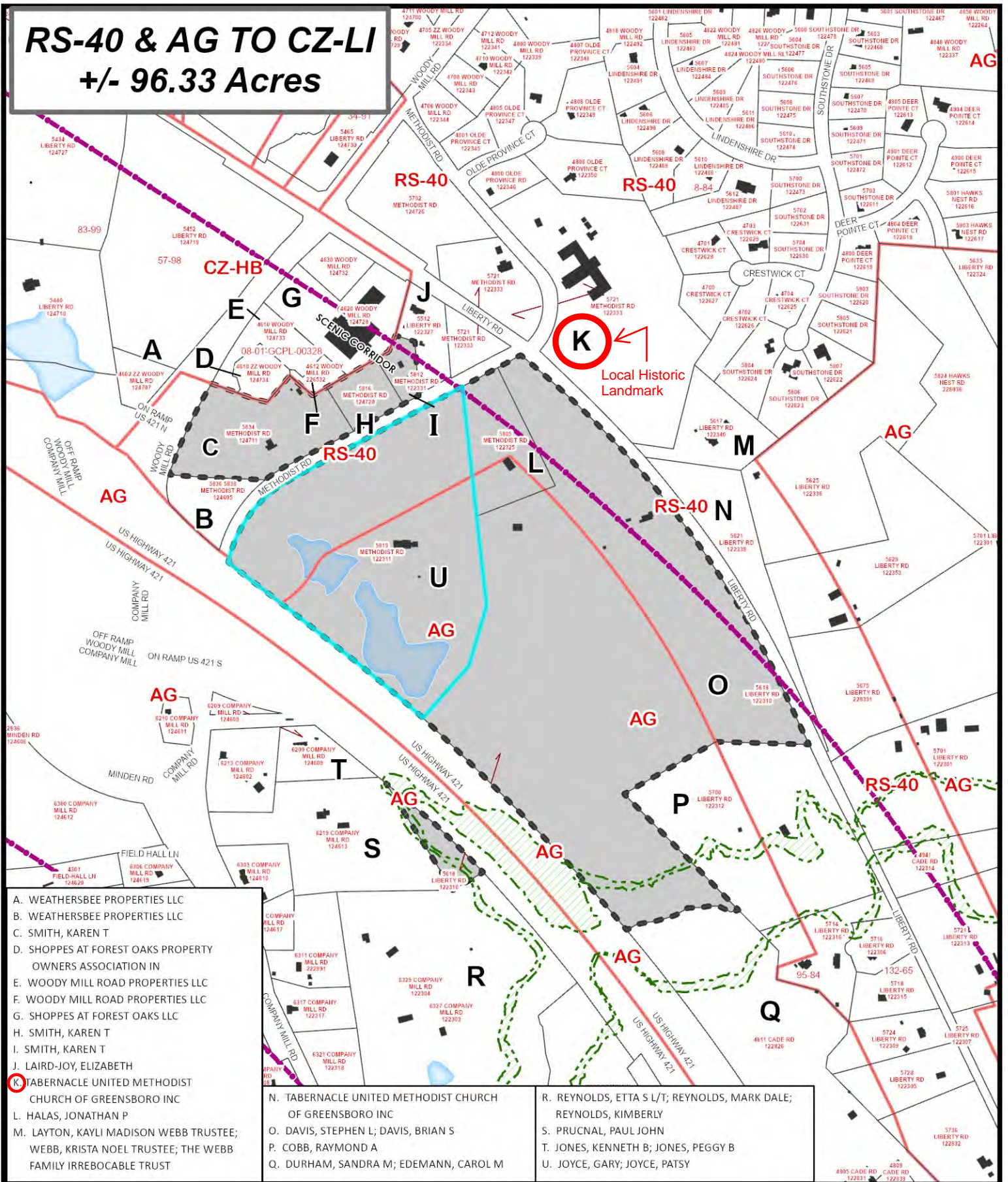
TABLE OF PERMITTED USES FOR LI ZONING DISTRICT (CZ 22-11-PLBD-00029)

X = Prohibited in the WCA. For details on prohibited uses in the WCA, see Section Article 9 - Environmental Regulations
P = Use by Right D = Individual Development Standards Apply - See Article 5 S = Individual Development Standards per Article 5
Apply & Special Use Permit Required

Strikethrough text= Uses proposed by the Applicant to be excluded

Use Category	Use Type	WCA Prohibited Use	LI
Transportation, Warehousing, and Wholesale	Courier Service, Central Facility		P
	Courier Service Substation		P
	Heliport	X	S
	Moving and Storage Service		P
	Railroad Terminal or Yard	X	P
	Communication or Broadcasting Facility		P
Utilities and Communication	Wireless Communication Tower – Stealth Camouflage Design		D
	Wireless Communication Tower – Non-Stealth Design		D
	Small Cell Wireless Tower		S
	Radio or TV Station		P
	Utilities, Major		S
	Utilities, Minor		P
	Solar Collectors Principal		S
	Taxi Terminal	X	P
	Utility Company Office		P
	Utility Equipment and Storage Yards		P
	Construction or Demolition Debris Landfill, Minor		D
	Land Clearing & Inert Debris Landfill, Minor		D
Waste-Related Uses	Reeyeling Facilities, Outdoors		P
	Septic Tank Services	X	P
General Industrial Manufacturing	Trucking or Freight Terminal	X	P
	Warehouse (General Storage, Enclosed)		P
	Warehouse (Self-Storage)		P
	Laundry or Dry Cleaning Plant	X	P
	Laundry or Dry Cleaning Substation	X	P
	Welding Shops	X	P
	Manufacturing Light		P
Special Events	Temporary Events/Uses		D

RS-40 & AG TO CZ-LI +/- 96.33 Acres



JURISDICTION:
GUILFORD COUNTY
Guilford County
Planning & Development
Department

Rezoning Case #
CZ-22-11-PLBD-00029
Scale: 1" = 600 '

Map:
122310, 122311,
122325, 122331,
124711, 124720



**RS-40 & AG TO CZ-LI
+/- 96.33 Acres**

CASE #22-11-PLBD-00029

SCALE: 1" = 1000'

The map displays a complex network of roads and land parcels. Key roads include US Highway 421, Liberty Road, and various local streets like Hanks West Rd, Crestwick Ct, and Company Mill Rd. Zoning districts are labeled throughout the map, with RS-40 and AG being the most prominent. A central area is shaded in grey and outlined with a dashed line, representing the subject of the case. The map also shows water bodies and other geographical features.

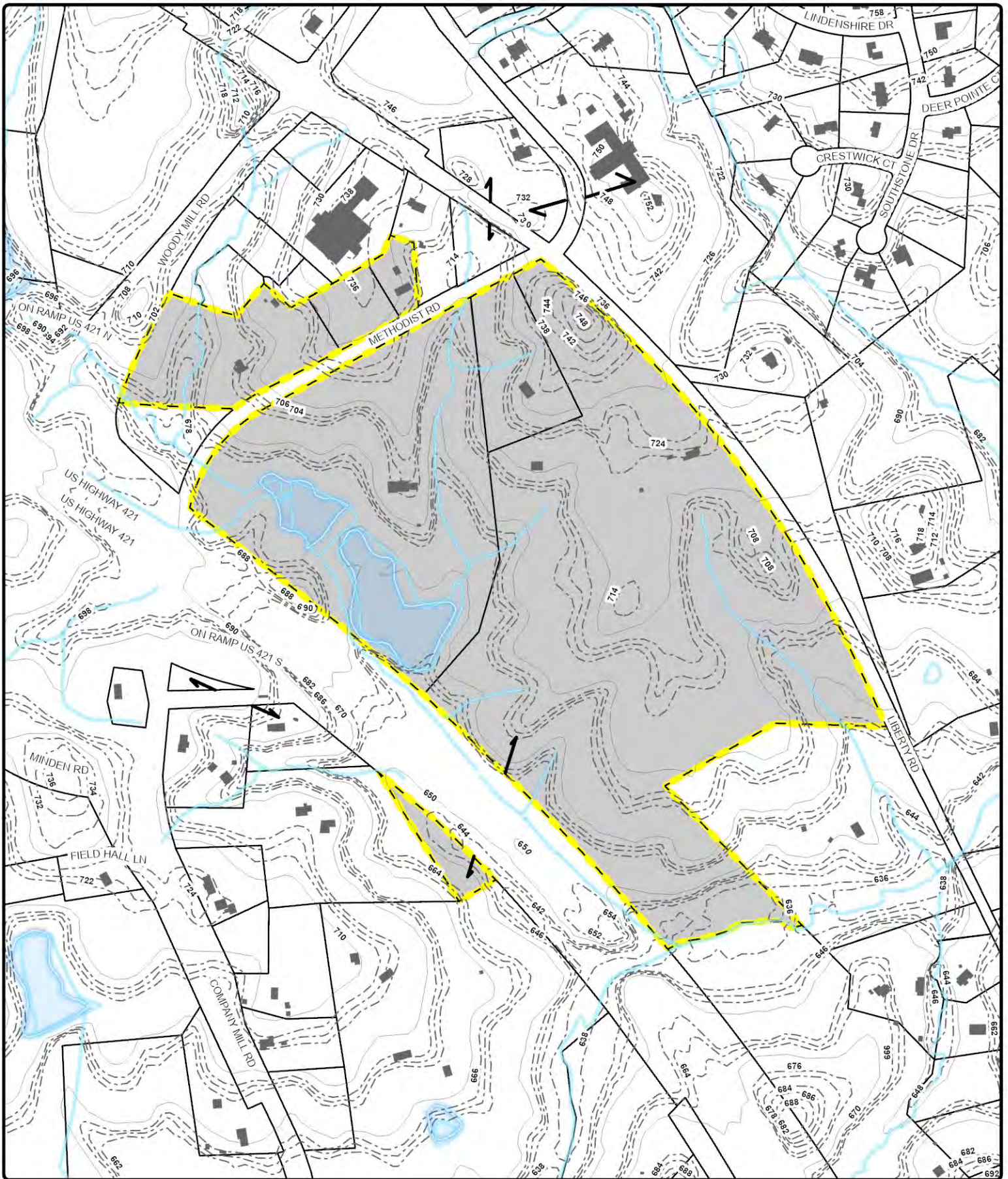
SCALE: 1" = 1000'



CASE #22-11-PLBD-00029

Scale: 1" = 500'





CASE #22-11-PLBD-00029

Scale: 1" = 500'



Liberty Road
Woody Mill Road
Vicinity
Small
Area
Plan

Future
Land
Use
Map

LEGEND

- Small Area Plan Boundary
- Greenspace
- Commercial
- Commercial/Office/Institutional
- Office/Institutional
- Multi-Family Residential
- Single-Family Residential
- Future Roadway Changes



Adopted March 17, 2011

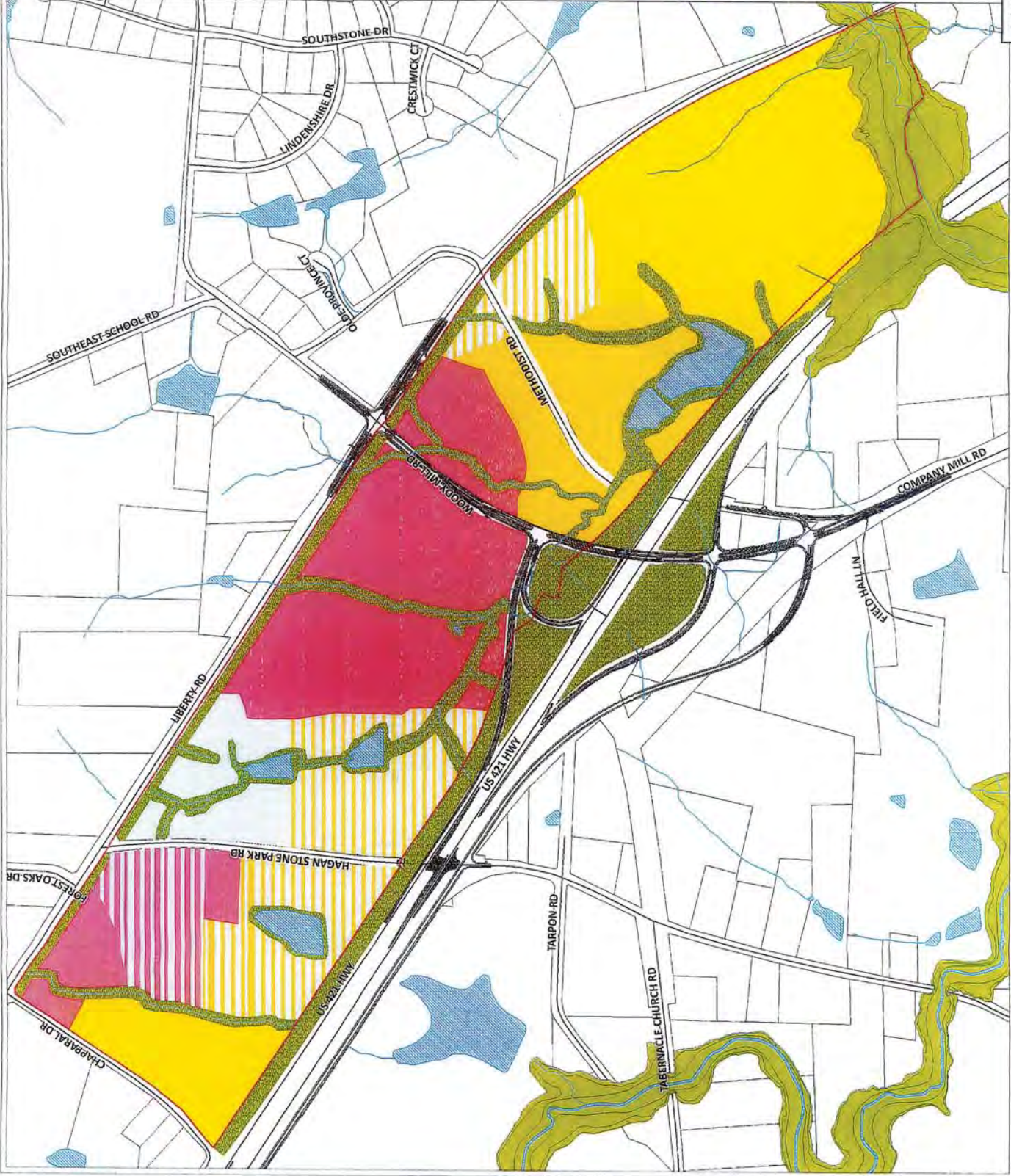


Fig. 9 Recommended Future Land Use Map

0.5 Miles

0.25

0

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**CONDITIONAL ZONING CASE #22-11-PLBD-00029: RS-40, RESIDENTIAL, SINGLE-FAMILY
AND AG, AGRICULTURAL TO CZ-LI, CONDITIONAL ZONING-LIGHT INDUSTRIAL:
METHODIST ROAD**

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

DECISION MATRIX

Zoning	Plan Consistency	Decision
Approve	Consistent	#1
Deny	Inconsistent	#2
Approve	Inconsistent	#3
Deny	Consistent	#4

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CONDITIONAL ZONING CASE #22-11-PLBD-00029: RS-40, RESIDENTIAL, SINGLE-FAMILY AND AG, AGRICULTURAL TO CZ-LI, CONDITIONAL ZONING-LIGHT INDUSTRIAL: METHODIST ROAD

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION # 1
APPROVE-CONSISTENT
NO PLAN AMENDMENT**

I move to **Approve** this zoning amendment located on Guilford County Tax Parcel #s 122311, 122325, 124720, 124711, 122331, and 122310, from RS-40 and AG to CZ-LI because:

1. The amendment **is** consistent with applicable plans because:
[Describe elements of controlling land use plans and how the amendment is consistent.]
-
-
-
-
-
-
-
-
-
-

2. The amendment **is** reasonable and in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]
-
-
-
-
-
-
-
-
-
-

CONDITIONAL ZONING CASE #22-11-PLBD-00029: RS-40, RESIDENTIAL, SINGLE-FAMILY AND AG, AGRICULTURAL TO CZ-LI, CONDITIONAL ZONING-LIGHT INDUSTRIAL: METHODIST ROAD

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #2
DENY-INCONSISTENT
NO PLAN AMENDMENT**

I move to **Deny** this zoning amendment located on Guilford County Tax Parcel #s 122311, 122325, 124720, 124711, 122331, and 122310, from RS-40 and AG to CZ-LI because:

1. The amendment **is not** consistent with applicable plans because:
[Describe elements of controlling land use plans and how the amendment is not consistent.]

2. The amendment **is not** reasonable and in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

CONDITIONAL ZONING CASE #22-11-PLBD-00029: RS-40, RESIDENTIAL, SINGLE-FAMILY AND AG, AGRICULTURAL TO CZ-LI, CONDITIONAL ZONING-LIGHT INDUSTRIAL: METHODIST ROAD

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #3
APPROVE-INCONSISTENT
PLAN AMENDMENT**

I move to **Approve** this zoning amendment located on Guilford County Tax Parcel #s 122311, 122325, 124720, 124711, 122331, and 122310, from RS-40 and AG to CZ-LI.

- 1. This approval also amends the **Alamance Creek Area Plan**. [Applicable element of Comp Plan]
- 2. The zoning map amendment and associated **Alamance Creek Area Plan** amendment **are** based on the following change(s) in condition(s) in the **Alamance Creek Area Plan**:
[Explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.]

- 3. The amendment **is** reasonable and in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

**CONDITIONAL ZONING CASE #22-11-PLBD-00029: RS-40, RESIDENTIAL, SINGLE-FAMILY
AND AG, AGRICULTURAL TO CZ-LI, CONDITIONAL ZONING-LIGHT INDUSTRIAL:
METHODIST ROAD**

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #4
DENY-CONSISTENT
NO PLAN AMENDMENT**

I move to **Deny** this zoning amendment located on Guilford County Tax Parcel #s 122311, 122325, 124720, 124711, 122331, and 122310, from RS-40 and AG to CZ-LI because:

1. The amendment **is** consistent with applicable plans because:

[Describe elements of controlling land use plans and how the amendment is consistent.]

2. The amendment **is** consistent but not in the public interest because:

[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

(Insert Color Paper)



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Rezoning
Application**

Date Submitted: 11/9/22 Fee \$500.00 Receipt # 002084-2022 Case Number 22-11-PLB-D-00028

Provide the required information as indicated below. Pursuant to the Unified Development Ordinance (UDO), this application will not be processed until application fees are paid; the form below is completed and signed; and all required maps, plans and documents have been submitted to the satisfaction of the Enforcement Officer. Additional sheets for tax references and signature blocks are available upon request. A pre-application meeting with Planning staff is required. Scheduling for the Planning Board agenda will be based on the determination of a complete application submittal.

Pursuant to Section 3.5.M of the Unified Development Ordinance (UDO), the undersigned hereby requests Guilford County to rezone the property described below from the AG zoning district to the RS-30 zoning district. Said property is located at 3199 22 Stillwell Rd. and 8325 22 Witty Rd. in Center Grove Township; Being a total of: 142.476 acres.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # 1 3 6 4 4 9

Tax Parcel # _____

Tax Parcel # 1 3 8 8 3 9

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Check One:

- ☐ The property requested for rezoning is an entire parcel or parcels as shown on the Guilford County Tax Map.
☒ The property requested for rezoning is a portion of a parcel or parcels as shown on the Guilford County Tax Map; a written legal description of the property and/or a map are attached. partial for 136449
entire parcel of 138839

Check One:

- ☒ Public services (i.e. water and sewer) are not requested or required.
☐ Public services (i.e. water and sewer) are requested or required; the approval letter is attached.

Check One:

- ☒ The applicant is the property owner(s)
☐ The applicant is an agent representing the property owner(s); the letter of property owner permission is attached.
☐ The applicant has an option to purchase or lease the property; a copy of the offer to purchase or lease to be submitted if the owner's signature is not provided (financial figures may be deleted).
☐ The applicant has no connection to the property owner and is requesting a third-party rezoning.

I hereby agree to conform to all applicable laws of Guilford County and the State of North Carolina and certify that the information provided is complete and accurate to the best of my knowledge. I acknowledge that by filing this application, representatives from Guilford County Planning and Development may enter the subject property for the purpose of investigation and analysis of this request.

YOU OR SOMEONE REPRESENTING YOU MUST BE PRESENT AT THE PUBLIC HEARING

Submitted by

William M. Kotis III
Property Owner Signature
3316 Battleground Ave #G
Name
Greensboro, NC 27410
Mailing Address
(336) 209-0000
City, State and Zip Code
marty@kickassconcepts.com
Phone Number

Representative/Applicant Signature (if applicable)

Name

Mailing Address

City, State and Zip Code

Phone Number

Email Address

Property to be Rezoned (+/- 142.476 acres)

Tract I:

Lying and being the real property in Center Grove Township, Guilford County, North Carolina, and comprising **61.256 acres**, more or less, as per survey thereof prepared by Evans Engineering and dated May 8, 2008, including that real property identified as "John Wilson +/- 60.17 Acres" on the "Property Line Agreement between William A. Clayton and Wife and John Wilson" (dated December 14, 1972), a copy of which is recorded on Page 58 of Plat Book 50, as maintained by the Office of the Guilford County Register of Deeds; and being as further described in Exhibit A to the North Carolina General Warranty Deed recorded on May 9, 2008 on Pages 2395 – 2397 of Deed Book 6888, as maintained by the Office of the Guilford County Register of Deeds; all as depicted as "Tract I" on "Exhibit A" hereto;

and

Tract II:

Lying and being the real property in Center Grove Township, Guilford County, North Carolina, and comprising **81.22 acres**, more or less, and being more particularly described as follows:

BEGINNING at an existing iron pipe marking the southwest corner of Tract I (as described above, and as identified on Page 58 of Plat Book 50 as "John Wilson +/- 60.17 Acres");

And running thence from said BEGINNING point North 87° 12' 38" West 705.30 feet to an existing iron pipe;

Thence North 75° 12' 36" West 859.28 feet to an existing iron pipe;

Thence North 88° 28' 41" West 100.00 feet to an existing iron pipe;

Thence North 01° 31' 19" East 702.49 feet to an existing iron pipe;

Thence North 88° 28' 41" West 244.15 feet to an existing iron pipe;

Thence North 01° 31' 19" East 674.53 feet, crossing over an existing iron pipe at 624.53 feet, to a point in the centerline of the Haw River;

Thence along the centerline of the Haw River and the south lines of (now or formerly) James R. Haley and wife, Dolly F. Haley (see Deed Book 3700, Page 166 and Rockingham County Plat Book 25, Page 20), (now or formerly) Glenn J. Claeys and wife Donna J. Claeys (see Deed Book 3644, Page 224 and Rockingham County Plat Book 25, Page 20), (now or formerly) Tommy Jack Moore and wife, Marilyn H. Moore (see Deed Book 777, Page 1961), and (now or formerly) Donald W. Haynes and wife, Joan P. Haynes (see Deed Book 627, Page 135), the following courses and distances:

North 60° 03' 11" East 101.04 feet to a point,

North 47° 56' 21" East 128.24 feet to a point,

North 56° 09' 32" East 206.14 feet to a point,

North 86° 51' 09" East 234.81 feet to a point,

South 58° 26' 02" East 74.89 feet to a point,

North 82° 53' 48" East 115.07 feet to a point,

North 52° 30' 16" East 552.82 feet to a point,

North 74° 05' 29" East 293.98 feet to a point,

North 84° 34' 42" East 247.10 feet to a point,

South 89° 28' 34" East 226.99 feet to a point in the centerline of the Haw River;

And running thence from said point in the centerline of the Haw River South 02° 54' 19" West 298.18 feet, crossing over an existing iron pipe at 23.23 feet, to an existing iron pipe, marking the northwest corner of Tract I;

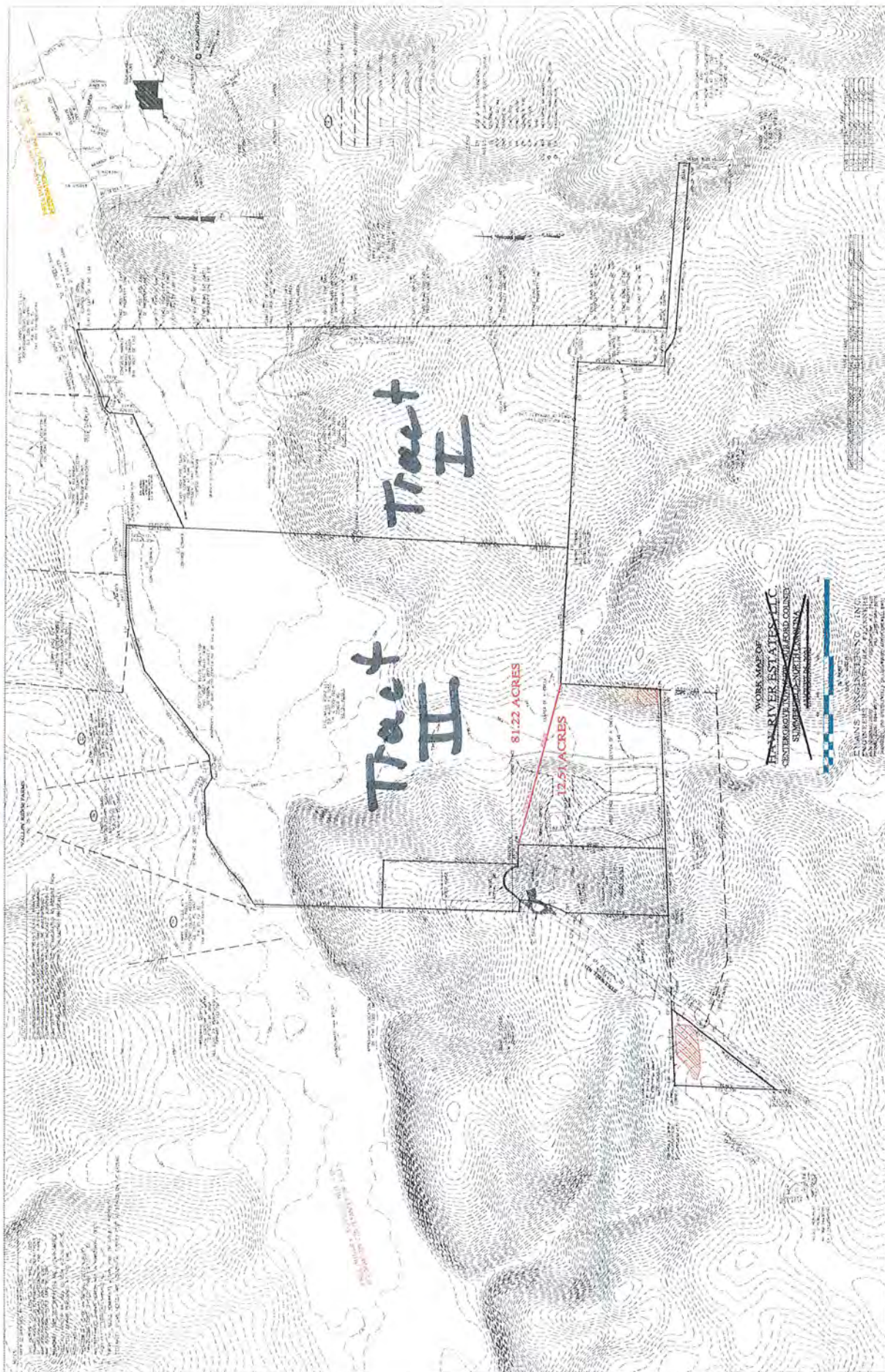
Thence South 02° 55' 07" West 1,461.99 feet along the west line of Tract I, to an existing iron pipe;

Thence South 02° 55' 18" West 276.22 feet along the west line of Tract I, to an existing iron pipe; and

Thence South 02° 54' 38" West 283.38 feet along the west line of Tract I to the point of **BEGINNING**;

And being all of the real property depicted as "Tract II" on "Exhibit A" hereto.

Exhibit A



• File an Annual Report/Amend an Annual Report • Upload a PDF Filing • Order a Document Online • Add Entity to My Email Notification List • View Filings • Print a Pre-Populated Annual Report form • Print an Amended a Annual Report form

Limited Liability Company

Legal Name

WESTOVER TERRACE II, LLC

Information

SosId: 1106608

Status: Current-Active ⓘ

Date Formed: 7/13/2009

Citizenship: Domestic

Annual Report Due Date: April 15th

CurrentAnnual Report Status:

Registered Agent: Prause, Marsh ,

Addresses

Mailing

3316 Battleground Avenue Ste G
Greensboro, NC 27410

Principal Office

3316 Battleground Avenue Ste G
Greensboro, NC 27410

Reg Office

380 Knollwood Street, Ste 700
Winston-Salem, NC 27103

Reg Mailing

380 Knollwood Street, Ste 700
Winston-Salem, NC 27103

Company Officials

All LLCs are managed by their managers pursuant to N.C.G.S. 57D-3-20.

Member

2012 William M Kotis III Irrevocable
3201 Stillwell Road
Summerfield NC 27358

Manager

William Kotis , III
3201 Stillwell Road
Summerfield NC 27358

Authorized Representative

Marsh Prause
380 Knollwood Street, Suite 700
Winston-Salem NC 27103

- Upload a PDF Filing • Order a Document Online • Add Entity to My Email Notification List • View Filings
- Print a Pre-Populated Annual Report form

Limited Liability Company

Legal Name

Haw River Estates, LLC

Information

SosId: 1042165

Status: Admin. Dissolved ⓘ

Date Formed: 5/7/2008

Citizenship: Domestic

Annual Report Due Date: April 15th

Registered Agent: Winfree, Charles

Addresses

Reg Mailing

100 S Elm St Ste 430
Greensboro, NC 27401-2626

Reg Office

100 South Elm Street, Suite 430
Greensboro, NC 27401

Principal Office

1410 Mill Street, Suite 102
Greensboro, NC 27408

Mailing

PO Box 9296
Greensboro, NC 27429

Company Officials

All LLCs are managed by their managers pursuant to N.C.G.S. 57D-3-20.

Manager

William M Kotis , III
3201 Stillwell Road
Summerfield NC 27358

REZONING CASE #22-11-PLBD-00028 AG, AGRICULTURAL, TO RS-30, RESIDENTIAL: 3199 ZZ STILLWELL ROAD AND 8325 ZZ WITTY ROAD

Property Information

Located at 3199 ZZ Stillwell Road and 8325 ZZ Witty Road (Tax Parcel #138839 and a portion of #136449 in Center Grove Township), is approximately 3,950 feet northeast of the intersection of Lake Brandt Road and Stillwell Road, and comprises approximately 142.476 acres.

Zoning History of Denied Cases: There is no history of denied cases.

Nature of the Request

This is a request to rezone the entirety of Guilford County Tax Parcel #138839 and an 81.22-acre portion of Tax Parcel #136449 from AG, Agricultural, to RS-30, Residential. The remaining 12.51 acres of property in the southern portion of Tax Parcel #136449 are to remain zoned AG.

District Descriptions

The AG district is intended to provide locations for agricultural operations, farm residences, and farm tenant housing on large tracts of land. This district is further intended to reduce conflicts between residential and agricultural uses and preserve the viability of agricultural operations. Commercial agricultural product sales - "agritourism" - may be permitted. The minimum lot size of this district is 40,000 square feet.

The RS-30 district is primarily intended to accommodate single-family detached dwellings in areas without access to public water and sewer services. The minimum lot size of this district is 30,000 square feet. Cluster development (conservation subdivisions) are permitted.

Character of the Area

This area lies just east of the Summerfield jurisdictional boundary. Because of the presence of significant wetlands, streams, and other environmental encumbrances in this area, the general development pattern is low-density residential and agricultural.

Existing Land Use(s) on the Property: There is a large outbuilding currently being used on the Stillwell Road property, but this structure is shown to remain in the AG zoning district. The rest of the Stillwell Road property is heavily wooded and vacant. The Witty Road property is currently heavily wooded and vacant.

Surrounding Uses:

North: Single-family residential and agricultural. Bounded to the north by the Haw River.

South: Single-family residential

East: Single-family residential and agricultural

West: Single-family residential

Historic Properties: There are no inventoried historic properties located on or near the property.

Cemeteries: No cemeteries are shown to be located on this property, but efforts should be made to rule out the potential of unknown grave sites.

Infrastructure and Community Facilities

Public School Facilities: Minor impacts to public school facilities are possible based on the potential number of lots that could be constructed. However, even at full build-out, none of the assigned schools would exceed stated capacity based on current enrollment numbers.

Zoning Case - 3199 Stillwell Rd and 8325 Witty Rd, Summerfield				
Guilford County				
School Boundaries	Built Capacity 2022-23	2022-23 20th Day Enrollment	Mobile Classrooms	Estimated Additional Students
Northern ES	760	637	3	51-53
Northern MS	1152	794	0	26-28
Northern HS	1370	1371	0	23-25
Remarks: With the implementation of General Statute 115C-301 mandating reduced K-3 class sizes, elementary schools experienced annual reductions in capacity through 2021-22. Elementary built capacity assumes maximum reduced K-3 class sizes per applicable core academic classroom as of the stated year. Middle and high school built capacity assumes 30 students per core academic classroom.				

Emergency Response:

Fire Protection District: Summerfield Station 29

Miles from Fire Station: Approximately 1.4 miles

Water and Sewer Services:

Provider: Private Septic Systems and Wells

Within Service Area: No

Feasibility Study or Service Commitment: No

Transportation:

Existing Conditions: Neither of these parcels has direct access to a public or private road. Stillwell Road, which is the nearest road to these properties is a dead-end residential street. Stillwell Road feeds into Lake Brandt Road, which is a major thoroughfare. Witty Road, which is east of these properties, is also a major thoroughfare.

Proposed Improvements: None at this time

Projected Traffic Generation: N/A

Environmental Assessment

Topography: Nearly flat, gently sloping, moderately sloping and steeply sloping.

Regulated Floodplain/Wetlands:

There is regulated floodplain on both properties, including 100-year floodplain and floodway. There are mapped wetlands on both properties.

Streams and Watershed:

There are multiple mapped streams running throughout the properties. The property is not located in a Water Supply Watershed.

Land Use Analysis

Land Use Plan: Northern Lakes Plan

Plan Recommendation: AGRR (AG, Rural Residential)

Consistency: The requested action is consistent with the recommendation of the Northern Lakes Area Plan. The RS-30 zoning is included as an anticipated district in the AG, Rural Residential designation.

Recommendation

Staff Recommendation: Staff recommends approval of the request, though the issue of access will need to be worked out prior to any subdivision or development of these properties.

The requested action is reasonable and in the public interest because it is consistent with the AG Rural Residential land use designation and with the zoning and land uses on adjacent parcels. The requested zoning allows flexibility in future subdivision design, including clustering of lots, which is necessary on these properties due to severe environmental encumbrances. Once the access issues are resolved, the requested rezoning will give the property owner the flexibility to develop these parcels while maintaining sensitive environmental areas.

Area Plan Amendment Recommendation: The proposed rezoning is consistent with the Northern Lakes Area Plan recommendation of AG, Rural Residential; therefore, if the request is approved, no plan amendment would be required.



Haw River

Haw River

Haw River

Outbuilding to be excluded from RS-30 request on 12.51 acres +/-

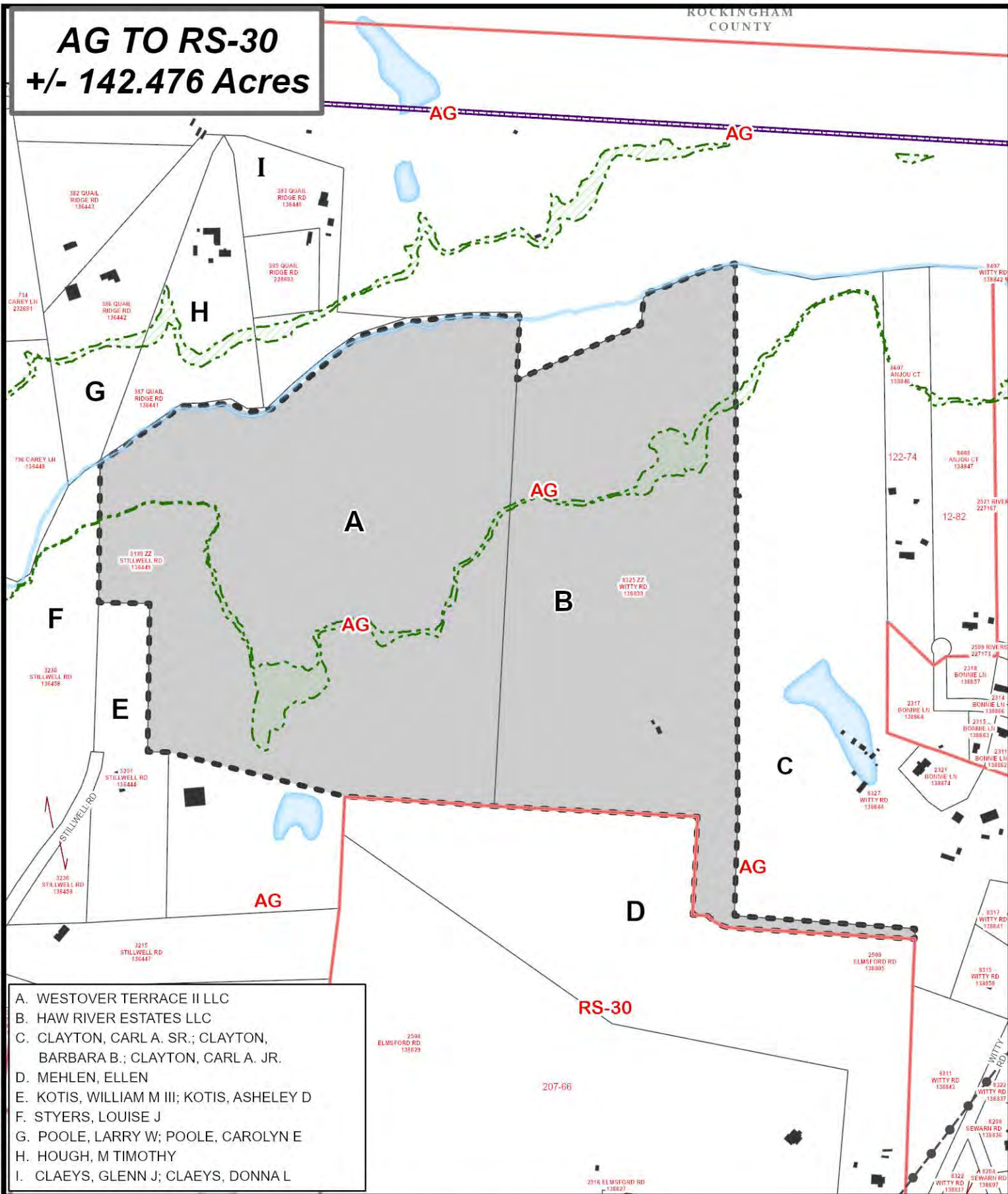
3199 Stillwell Road and 8325 Witty Road 2020 Aerial (Google Earth)

8325 Witty Rd
8325 Witty Rd, Sumner, IA 50244
30.24°N, 79.84°W

Google 100% Imagery date: 9/22/20 - newer

Camera: 1,912 m 36°14'39"N 79°51'07"W 238 m

AG TO RS-30 +/- 142.476 Acres



JURISDICTION:
GUILFORD COUNTY
Guilford County
Planning & Development
Department

Rezoning Case #
RZ-22-11-PLBD-00028
Scale: 1" = 600 '

Map:
Portion of 136449
& 138839



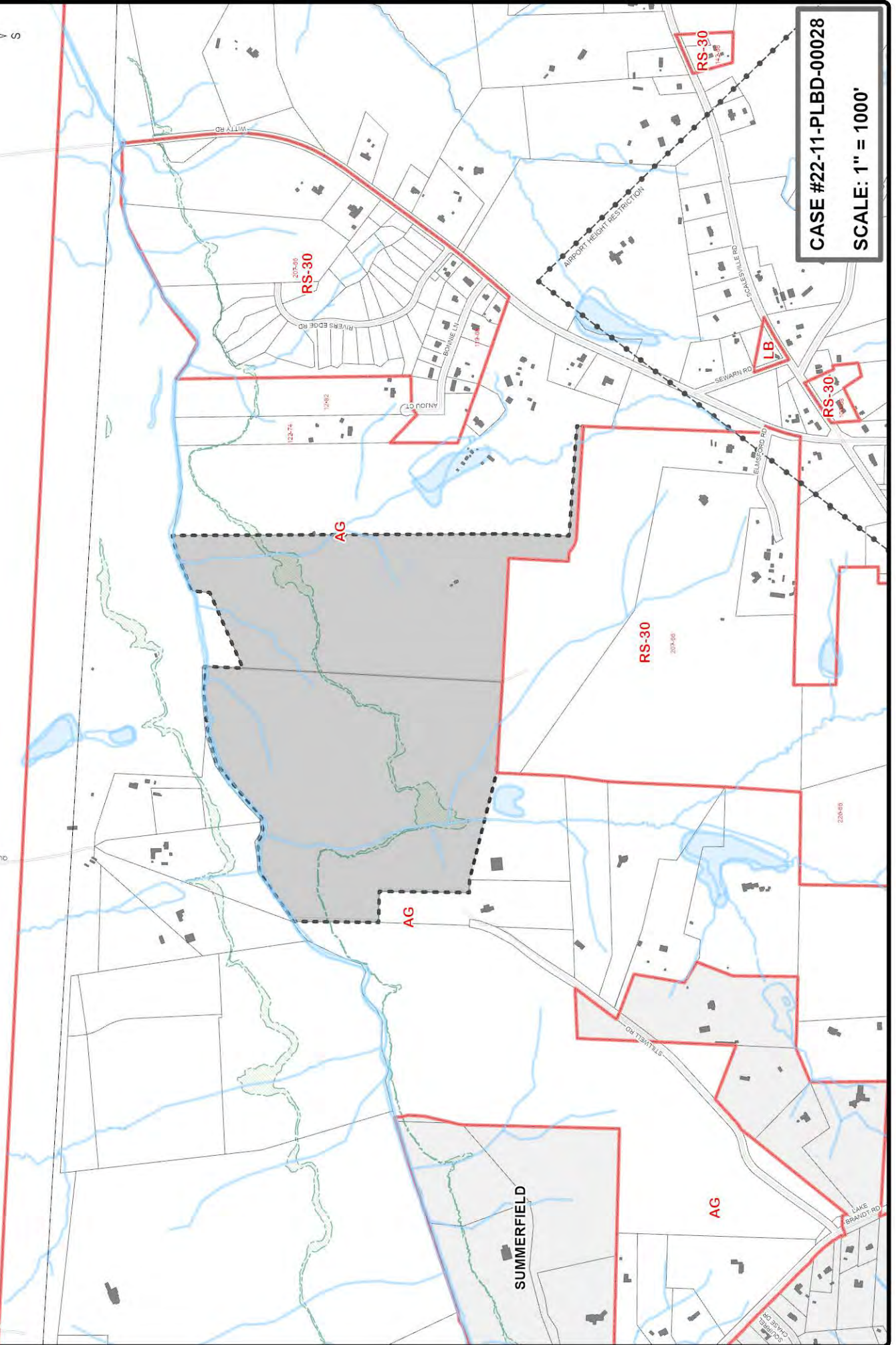
**AG TO RS-30
+/- 142.476 Acres**

ROCKINGHAM
COUNTY



BRANSON RD

QUAL RIDGE RD



CASE #22-11-PLBD-00028

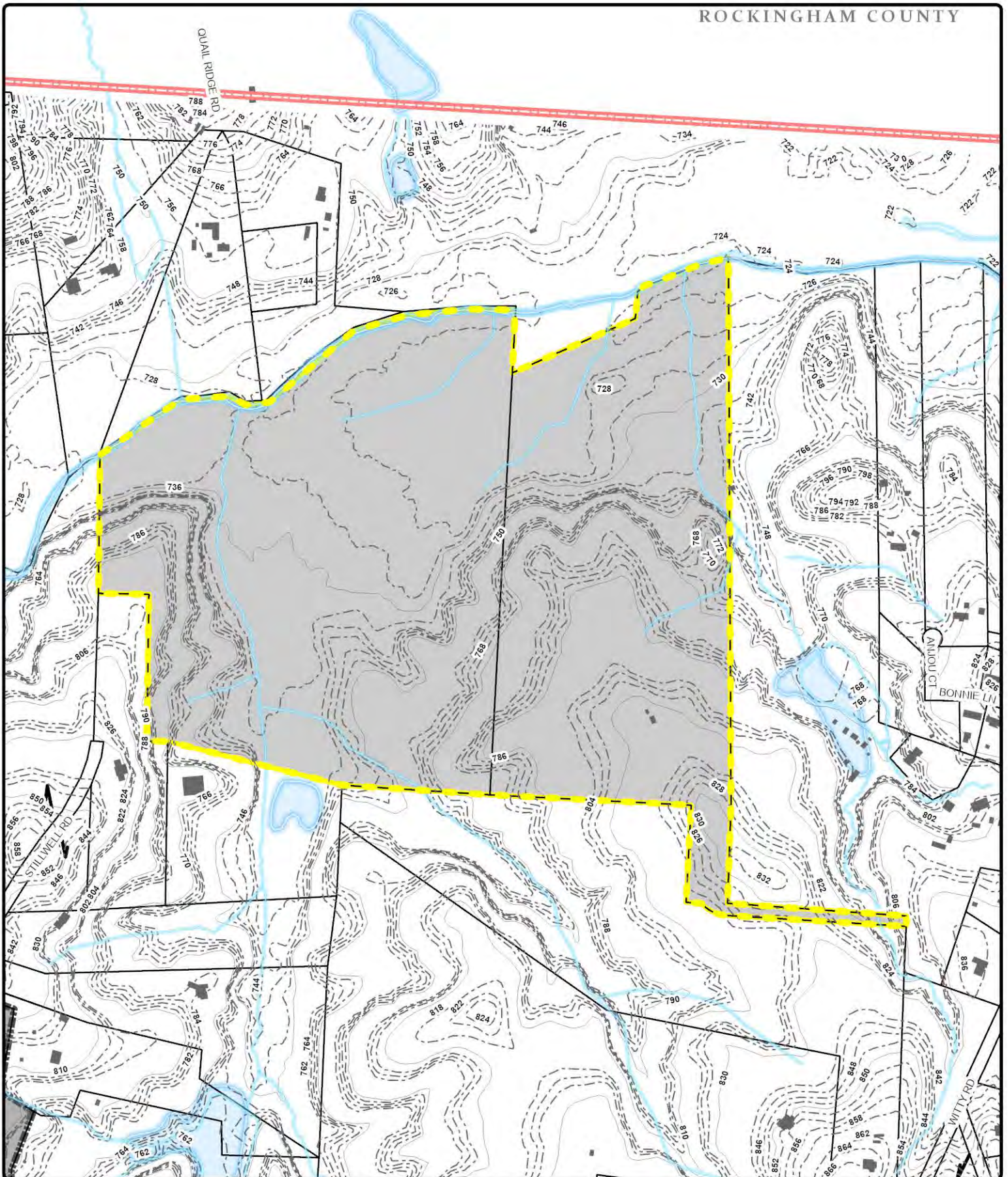
SCALE: 1" = 1000'



CASE #22-11-PLBD-00028

Scale: 1" = 600'





CASE #22-11-PLBD-00028

Scale: 1" = 600'



**REZONING CASE #22-11-PLBD-00028: AG, AGRICULTURAL, TO RS-30, RESIDENTIAL:
3199 ZZ STILLWELL ROAD AND 8325 ZZ WITTY ROAD**

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

DECISION MATRIX

Zoning	Plan Consistency	Decision
Approve	Consistent	#1
Deny	Inconsistent	#2
Approve	Inconsistent	#3
Deny	Consistent	#4

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**REZONING CASE #22-11-PLBD-00028: AG, AGRICULTURAL, TO RS-30, RESIDENTIAL:
3199 ZZ STILLWELL ROAD AND 8325 ZZ WITTY ROAD**

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION # 1
APPROVE-CONSISTENT
NO PLAN AMENDMENT**

I move to **Approve** this zoning amendment located on the entirety of Guilford County Tax Parcel **#138839** and an 81.22-acre portion of Parcel **#136449** from **AG** to **RS-30** because:

1. The amendment **is** consistent with applicable plans because:

[Describe elements of controlling land use plans and how the amendment is consistent.]

2. The amendment **is** reasonable and in the public interest because:

[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

**REZONING CASE #22-11-PLBD-00028: AG, AGRICULTURAL, TO RS-30, RESIDENTIAL:
3199 ZZ STILLWELL ROAD AND 8325 ZZ WITTY ROAD**

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #2
DENY-INCONSISTENT
NO PLAN AMENDMENT**

I move to **Deny** this zoning amendment located on the entirety of Guilford County Tax Parcel #138839 and an 81.22-acre portion of Parcel #136449 from **AG** to **RS-30** because:

1. The amendment **is not** consistent with applicable plans because:

[Describe elements of controlling land use plans and how the amendment is not consistent.]

2. The amendment **is not** reasonable and in the public interest because:

[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

**REZONING CASE #22-11-PLBD-00028: AG, AGRICULTURAL, TO RS-30, RESIDENTIAL:
3199 ZZ STILLWELL ROAD AND 8325 ZZ WITTY ROAD**

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #3
APPROVE-INCONSISTENT
PLAN AMENDMENT**

I move to **Approve** this zoning amendment located on the entirety of Guilford County Tax Parcel #138839 and an 81.22-acre portion of Parcel #136449 from **AG** to **RS-30**.

1. This approval also amends the **Northern Lakes Area Plan**. [Applicable element of Comp Plan]
2. The zoning map amendment and associated **Northern Lakes Area Plan** amendment **are** based on the following change(s) in condition(s) in the **Northern Lakes Area Plan**:
[Explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.]

3. The amendment **is** reasonable and in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

**REZONING CASE #22-11-PLBD-00028: AG, AGRICULTURAL, TO RS-30, RESIDENTIAL:
3199 ZZ STILLWELL ROAD AND 8325 ZZ WITTY ROAD**

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #4
DENY-CONSISTENT
NO PLAN AMENDMENT**

I move to **Deny** this zoning amendment located on the entirety of Guilford County Tax Parcel #138839 and an 81.22-acre portion of Parcel #136449 from **AG** to **RS-30** because:

1. The amendment **is** consistent with applicable plans because:

[Describe elements of controlling land use plans and how the amendment is consistent.]

2. The amendment **is** consistent but not in the public interest because:

[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

(Insert Color Paper)



141333
CZ 22-10-PLBD-00024

141332
SU 22-10-PLBD-00025

234575
CZ 22-10-PLBD-00023
SU 22-10-PLBD-00025



CASE #22-10-PLBD-00023
CASE #22-10-PLBD-00024
CASE #22-10-PLBD-00025



Scale: 1" = 400'

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**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Conditional Zoning
Application**

PLBO

Date Submitted: 10/13/2022

Fee \$500.00 Receipt # 1307-2022

Case Number ~~22-00034~~ 22-10-ABLO - 00034

Provide the required information as indicated below. Pursuant to the Unified Development Ordinance (UDO), this application will not be processed until application fees are paid; the form below is completed and signed; and all required maps, plans and documents have been submitted to the satisfaction of the Enforcement Officer. A pre-application meeting with Planning staff is required. Scheduling for the Planning Board agenda will be based on the determination of a complete application submittal.

Pursuant to Section 3.5.M of the Unified Development Ordinance (UDO), the undersigned hereby requests Guilford County to rezone the property described below from the ~~CZ~~ CU-HI zoning district to the CZ-HI zoning district. Said property is located at 2103 Bishop Road in Sumner Township; Being a total of: +/- 7.05 acres. **NO CONDITIONS ARE PROPOSED**

Further referenced by the Guilford County Tax Department as:

Tax Parcel # 1 4 1 3 3 3

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Additional sheets for tax parcels are available upon request.

Check One:

- ☒ The property requested for rezoning is an entire parcel or parcels as shown on the Guilford County Tax Map.
- ☐ The property requested for rezoning is a portion of a parcel or parcels as shown on the Guilford County Tax Map; a written legal description of the property and/or a map are attached.

Check One:

- ☒ Public services (i.e. water and sewer) are not requested or required.
- ☐ Public services (i.e. water and sewer) are requested or required; the approval letter is attached.

Conditional Zoning Requirements:

- ☐ Zoning Sketch Plan. A sketch plan illustrating proposed conditions and other pertinent information is required for all conditional rezoning requests. Sketch elements not illustrating proposed conditions are subject to subdivision and site plan review. Refer to Appendix 2, Map Standards of the Unified Development Ordinance (UDO). Use Restrictions cannot be illustrated by site plan
- ☒ Zoning Conditions. Use and/or development conditions must be provided. Complete Page 2 of this application. Refer to uses as listed in Table 4-3-1 of the Unified Development Ordinance (UDO).



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Conditional Zoning
Application**

Use Conditions

Uses of the property shall be limited to the following uses as listed in Article 4, Table 4-3-1 of the Unified Development Ordinance (UDO): All uses allowed in the HI zoning district shall be prohibited except solid waste transfer station and recycling *facilities*

- 1) _____

- 2) _____

- 3) _____

- 4) _____

Development Conditions

Development of the property shall occur in accordance with the following standards and requirements in addition to those specified in the Unified Development Ordinance (UDO):

- 1) _____

- 2) _____

- 3) _____

- 4) _____

YOU OR SOMEONE REPRESENTING YOU MUST BE PRESENT AT THE PUBLIC HEARING

A Conditional Zoning Application must be signed by current property owner(s).

I hereby agree to conform to all applicable laws of Guilford County and the State of North Carolina and certify that the information provided is complete and accurate to the best of my knowledge. I acknowledge that by filing this application, representatives from Guilford County Planning and Development may enter the subject property for the purpose of investigation and analysis of this request.

Respectfully Submitted,

A-1 Sandrock, Inc.

Property Owner Signature

By: *[Signature]*

Name
2091 Bishop Road, Greensboro, NC 27406

Mailing Address

City, State and Zip Code
336-207-6052

Phone Number

ronniepetty@alsandrockinc.com

Email Address

Thomas E. Terrell, Jr.

Owner/ Representative/ Applicant Signature (if applicable)

Name
230 N. Elm St. Greensboro, NC 27401

Mailing Address

City, State and Zip Code

336-847-2000

Phone Number

tterrell@foxrothschild.com

Email Address

**CONDITIONAL ZONING CASE #22-10-PLBD-00024: FROM CZ-HI (ref. CASE #18-08-GCPL-04979) CONDITIONAL ZONING-HEAVY INDUSTRIAL TO CZ-HI AMENDED
CONDITIONAL ZONING-HEAVY INDUSTRIAL: 2103 BISHOP ROAD**

Property Information

Located at 2103 Bishop Road (Guilford County Tax Parcel #141333 in Sumner Township), south of the intersection of Bishop Road with Vermont Drive, and comprises approximately 7.05 acres.

Zoning History of Denied Cases: There is no history of denied cases.

Nature of the Request

The request is to Conditionally Zone the subject parcel from CZ-HI (ref. Case #20-09-GCPL-07186) to amend the current conditions. The current Development Condition of the property is: there shall be no landfill activities on the property for the adjacent LCID and C&D landfills. The applicant proposes to remove this current Development Condition and include the following Use Condition:

1. All uses allowed in the HI zoning district shall be prohibited except solid waste transfer station and recycling facilities.

District Descriptions

The **HI, Heavy Industrial** is intended to accommodate a broad range of heavy industrial uses including manufacturing, wholesaling, fabrication, resource extraction and specialized industrial operations that may create adverse impacts on incompatible uses including residential or sensitive habitats. Development should have access to arterial streets and highways.

The **CZ, Conditional Zoning District** is hereby established as a companion district for every district established in Section 4-2. All regulations which apply to a general use zoning district also apply to the companion conditional zoning. All other regulations which may be offered by the property owner and approved by the Jurisdiction as part of the rezoning process apply.

Character of the Area

The adjacent properties to the west and south are similarly zoned for heavy industrial uses. The property to the northwest is a recycling center, and the property to the south, which is the subject of Special Use Permit Case #22-10-PLBD-00025 (Tax Parcel #141332), has been used as a quarry and landfill. Both are under the same property owner. The northern adjacent property is zoned RS-40, Single-Family Residential, and is undeveloped. Between the access for Tax Parcel #141332 and Tax Parcel #141335 which is zoned HI and used for asphalt production, is a parcel also zoned RS-40. Tax Parcel #141349, 0.21 of an acre, is isolated inside of Tax Parcel #141333 (the subject parcel), and is zoned RS-40. The lot is vacant and designated as Heavy Industrial under the Southern Area Plan (2016).

Existing Land Use(s) on the Property: The property is used for solid waste disposal (non-hazardous).

Surrounding Uses:

North: Undeveloped and wooded

South: Heavy Industry

East: Heavy Industry

West: Heavy Industry

Historic Properties: There are no inventoried Historic Properties located on or near the property.

Cemeteries: No cemeteries are shown to be located on this property, but efforts should be made to rule out the potential of unknown grave sites

Infrastructure and Community Facilities

Public School Facilities: No anticipated impact.

Emergency Response:

Fire Protection District: Pinecroft-Sedgefield

Miles from Fire Station: Approximately 0.9 of a mile

Water and Sewer Services:

Provider: Private Septic Systems and Wells

Within Service Area: No

Feasibility Study or Service Commitment: No

Transportation:

Existing Conditions: Bishop Road is classified as a Local Street with an AADT of 1,300 vehicles per the 2020 NCDOT traffic count.

Proposed Improvements: Subject to NCDOT Driveway permit.

Projected Traffic Generation: Undetermined.

Environmental Assessment

Topography: Gently sloping, moderately sloping and steeply sloping.

Regulated Floodplain/Wetlands:

There are no mapped wetlands on the property. There is no regulated floodplain on the property.

Streams and Watershed:

There are no mapped streams on the property. The property is located in the Randleman Lake (Deep River) WS-IV Water Supply Watershed, in the General Watershed Area.

Land Use Analysis

Land Use Plan: Southern Area Plan (2016)

Plan Recommendation: The property is split nearly evenly between Heavy Industrial (HI) and Light Industrial (LI)

Consistency: The proposed rezoning is partially consistent with the Southern Area Plan

The Heavy Industrial (HI) designation is intended to recognize land depicted as industrial on the original Plan or land currently zoned Heavy Industrial (HI) that is or could be developed under the HI standards of the Guilford County Development Ordinance

The Light Industrial (LI) designation is intended to recognize land depicted as industrial on the original Plan or land currently zoned Light Industrial (LI) that is or could be developed under the LI standards of the Guilford County Development Ordinance.

Recommendation

Staff Recommendation: Staff recommends approval of the conditional zoning with the proposed use condition (all uses allowed in the HI zoning district shall be prohibited except solid waste transfer station and recycling facilities) and removing the existing development condition included as part of rezoning case (20-09-GCPL-07186).

The requested Conditional Zoning-HI is reasonable and in the public interest because the property already is Conditionally Zoned Heavy Industrial. Particularly, the subject parcel is associated with a larger debris and recycling complex which includes adjacent lots. Completion of said complex will ensure a necessary and orderly venue for various forms of solid waste for the public not likely to disturb populated areas.

Area Plan Amendment Recommendation:

The proposed rezoning is partially consistent with the Southern Area Plan recommendation of Heavy Industrial (HI) and Light Industrial (LI), thus if approved an Area Plan amendment for the LI portion to HI will be required.

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TABLE OF PERMITTED USES FOR LI ZONING DISTRICT

X = Prohibited in the WCA. For details on prohibited uses in the WCA, see Section Article 9 - Environmental Regulations
P = Use by Right D = Individual Development Standards Apply - See Article 5 S = Individual Development Standards per Article 5 Apply & Special Use Permit Required

Strikethrough Text = Excluded uses proposed by applicant

Use Category	Use Type	WCA Prohibited Use	HI
Agriculture/Animal Services	Animal Services (Livestock)		P
	Animal Services (Other)		P
	Horticultural Specialties		P
Group Living/Social Service	Homeless Shelter		D
Recreation and Entertainment	Adult-Oriented Establishments		S
	Outdoor Recreation		D
	Athletic Fields		P
	Go-cart Raceway		P
	Public Park (including Public Recreation Facility)		D
	Shooting Range, Indoor		D
Civic, Educational, and Institutional	Place of Worship		P
	Vocational, Business or Secretarial School		P
	Correctional Institution		S
	Daycare Centers in Residence (In-Home) (12 or Less)		D
	Emergency Services		P
	Government Office		P
	Post Office		P
Business, Professional, and Personal Services	Advertising, Outdoor Services		P
	Boat Repair	X	P
	Building Maintenance Services		P
	Furniture Stripping or Refinishing (including Secondary or Accessory Operations)	X	P
	Kennels or Pet Grooming		P
	Landscape and Horticultural Services	X	P
	Pest or Termite Control Services	X	P
	Research, Development or Testing Services		P
Retail Trade	Automobile Rental or Leasing	X	P
	Automobile Repair Services	X	P
	Car Wash	X	P
	Building Supply Sales (with Storage Yard)		P
	Convenience Store (with Gasoline Pumps)	X	P
	Equipment Rental and Repair, Heavy	X	P
	Equipment Rental and Repair, Light		P
	Fuel Oil Sales	X	P
	Manufactured Home Sales		P
	Motor Vehicle, Motorcycle, RV or Boat Sales (New and Used)	X	P
Food Service	Service Station, Gasoline	X	P
Funeral and Internment Services	Bar Private Club/Tavern		P
	Restaurant (Without Drive-thru)		P
Transportation, Warehousing, and Wholesale	Cemetery or Mausoleum		D
	Wholesale Trade-Heavy		P
	Wholesale Trade-Light		P
	Automobile Parking (Commercial)		P
	Automotive Towing and Storage Services	X	D
	Equipment Rental and Leasing (No Outside Storage)		P
	Equipment Rental and Leasing (with Outside Storage)		P
	Equipment Repair, Heavy	X	P
	Equipment Repair, Light		P
	Tire Recapping		P
	Truck Stop	X	P
	Truck and Utility Trailer Rental and Leasing, Light	X	P
	Truck Tractor and Semi-Rental and Leasing, Heavy	X	P
	Truck Washing	X	P
	Beneficial Fill Area		D
	Bus Terminal and Service Facilities	X	P
	Courier Service, Central Facility		P
	Courier Service Substation		P
	Heliport	X	P
	Moving and Storage Service		P
	Railroad Terminal or Yard	X	P
	Communication or Broadcasting Facility		P
	Wireless Communication Tower – Stealth Camouflage Design		D
	Wireless Communication Tower – Non-Stealth Design		D

TABLE OF PERMITTED USES FOR LI ZONING DISTRICT

X = Prohibited in the WCA. For details on prohibited uses in the WCA, see Section Article 9 - Environmental Regulations
P = Use by Right **D** = Individual Development Standards Apply - See Article 5 **S** = Individual Development Standards per Article 5 Apply & Special Use Permit Required
 Strikethrough Text = Excluded uses proposed by applicant

Use Category	Use Type	WCA Prohibited Use	HI
Utilities and Communication	Small Cell Wireless Tower		S
	Radio or TV Station		P
	Utilities, Major		S
	Utilities, Minor		P
	Solar Collectors Principal		S
	Taxi Terminal	X	P
	Utility Company Office		P
	Utility Equipment and Storage Yards		P
	Construction or Demolition Debris Landfill, Major		S
	Construction or Demolition Debris Landfill, Minor		D
	Junk/Salvage Yard		P
	Land Clearing & Inert Debris Landfill, Major	X	S
	Land Clearing & Inert Debris Landfill, Minor		D
	Refuse and Raw Material Hauling	X	P
	Recycling Facilities, Outdoors		P
	Resource Recovery Facilities		P
	Waste Transfer Stations		P
	Septic Tank Services	X	P
	Sewage Treatment Plant	X	P
	Solid Waste Disposal (Non-Hazardous)	X	S
Waste-Related Uses	Hazardous and Radioactive Waste (Transportation, Storage and Disposal)	X	S
General Industrial	Trucking or Freight Terminal	X	P
	Warehouse (General Storage, Enclosed)		P
	Warehouse (Self-Storage)		P
	Laundry or Dry-Cleaning Plant	X	P
	Petroleum & Petroleum Products	X	P
	Welding Shops	X	P
Manufacturing	Manufacturing Heavy		S
	Manufacturing Light		P
Mining Uses	Mining	X	S
	Quarrying	X	S
Special Events	Temporary Events/Uses		D



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD**

September 13, 2018

Ronald Eugene Sr & Betty B Petty
3011 County Clare Rd
Greensboro, NC 27409

Thomas Terrell
300 N Greene St
Greensboro, NC 27401

CONDITIONAL ZONING CASE # 18-08-GCPL-04979

Following a public hearing on September 12, 2018 requesting a Conditional Rezoning of the property located on the south side of the Bishop Road and Viewmont Drive intersection in Sumner Township, being Guilford County Tax Parcel #0141333, #0141345, #0141344, #0141328 & #0141339 and approximately 2.38 Acres, the Guilford County Planning Board approved the request to rezone this property from **RS-40 & HI** to **CZ-HI** with the following conditions:

Development Conditions:

1. There shall be no landfill activities on this property for the adjacent LCID and C&D landfills.

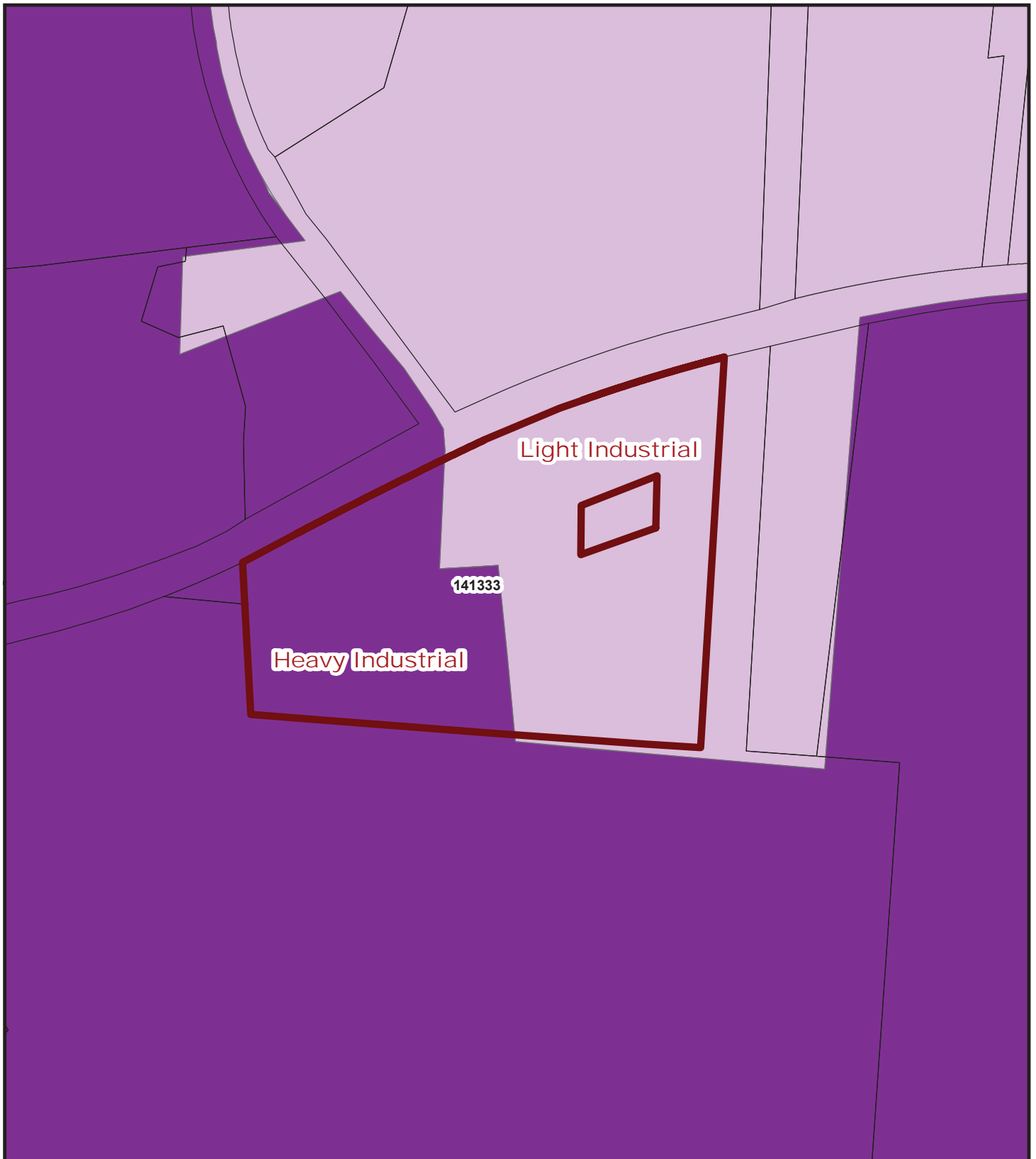
This decision is final unless it is appealed by 5:00 pm on September 27, 2018. If appealed, you will be notified by the Clerk to the Board of County Commissioners of the place, date, and time of the public hearing.

Very truly yours,

A handwritten signature in black ink, reading "Leslie P. Eger".

Leslie P. Eger, Secretary
Guilford County Planning Board

2103 Bishop Rd Future Land Use Classifications



Disclaimer: While every effort is made to keep information provided over the internet accurate and up-to-date, Guilford County does not certify the authenticity or accuracy of such information. No warranties, express or implied, are provided for the records and/or mapping data herein, or for their use or interpretation by the User.

Map Scale

1 in = 200 ft

Date: 11/18/2022

0 65 130 260 390 520 Feet



[illegible]

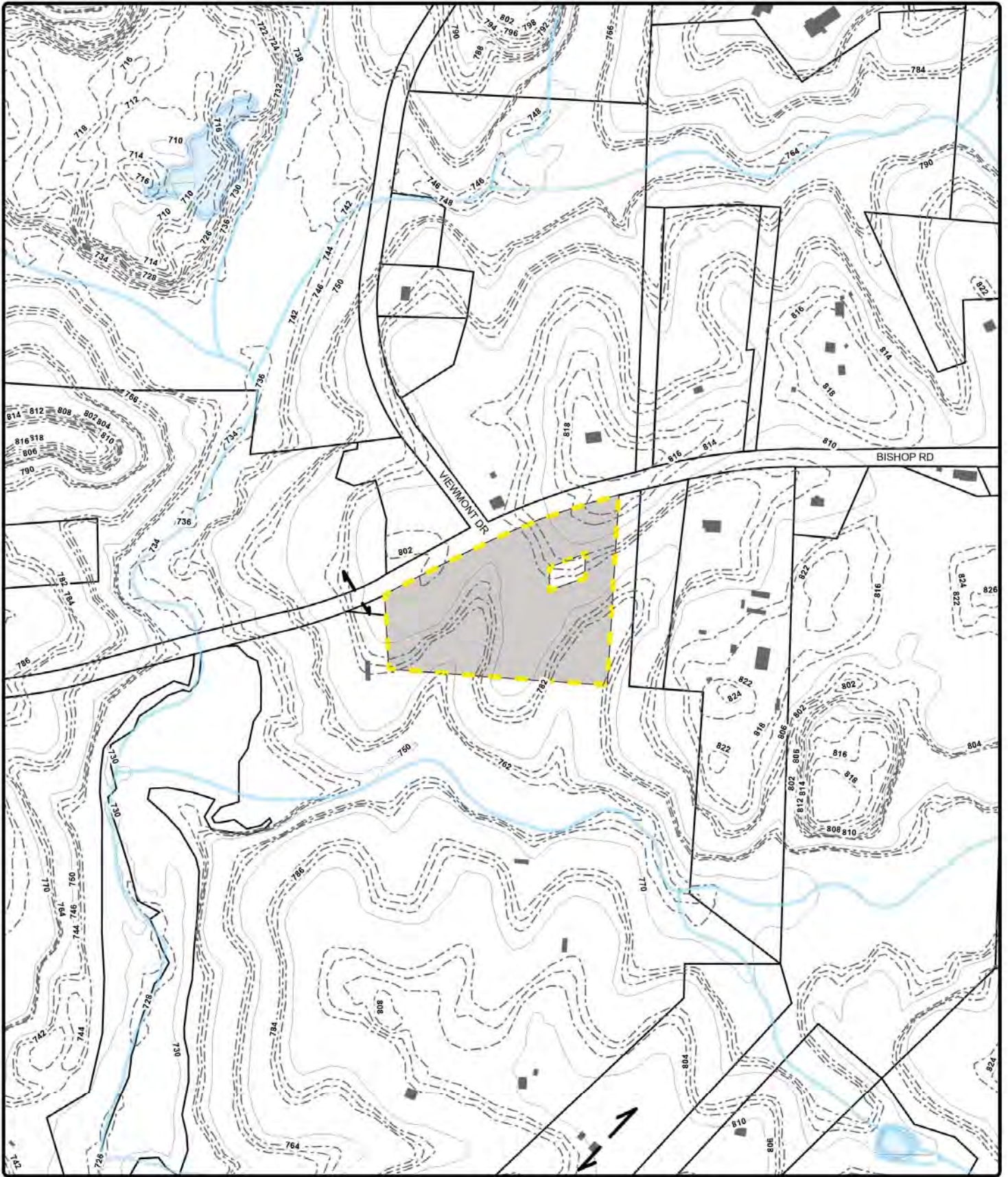
Rezoning Case #
RZ-22-10-PLBD-00024
Scale: 1" = 400'



CASE #22-10-PLBD-00024

Scale: 1" = 400 '





CASE #22-10-PLBD-00024

Scale: 1" = 400'



**CONDITIONAL ZONING CASE #22-10-PLBD-00024: FROM CZ-HI (ref. CASE #18-08-GCPL-04979) CONDITIONAL ZONING-HEAVY INDUSTRIAL TO CZ-HI AMMENDED
CONDITIONAL ZONING-HEAVY INDUSTRIAL: 2103 BISHOP ROAD**

**GUILFORD COUNTY PLANNING BOARD
ZONING MAP AMENDMENT STATEMENT OF CONSISTENCY**

DECISION MATRIX

Zoning	Plan Consistency	Decision
Approve	Consistent	#1
Deny	Inconsistent	#2
Approve	Inconsistent	#3
Deny	Consistent	#4

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**CONDITIONAL ZONING CASE #22-10-PLBD-00024: FROM CZ-HI (ref. CASE #18-08-GCPL-04979) CONDITIONAL ZONING-HEAVY INDUSTRIAL TO CZ-HI AMMENDED
CONDITIONAL ZONING-HEAVY INDUSTRIAL: 2103 BISHOP ROAD**

**GUILFORD COUNTY PLANNING BOARD
ZONING MAP AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION # 1
APPROVE-CONSISTENT
NO PLAN AMENDMENT**

I move to **Approve** this zoning map amendment located on Guilford County Parcel #141333 from CZ-HI to CZ-HI Amended because:

1. The amendment **is** consistent with applicable plans because:

[Describe elements of controlling land use plans and how the amendment is consistent.]

2. The amendment **is** reasonable and in the public interest because:

[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

CONDITIONAL ZONING CASE #22-10-PLBD-00024: FROM CZ-HI (ref. CASE #18-08-GCPL-04979) CONDITIONAL ZONING-HEAVY INDUSTRIAL TO CZ-HI AMMENDED
CONDITIONAL ZONING-HEAVY INDUSTRIAL: 2103 BISHOP ROAD

GUILFORD COUNTY PLANNING BOARD
ZONING MAP AMENDMENT STATEMENT OF CONSISTENCY

DECISION #2
DENY-INCONSISTENT
NO PLAN AMENDMENT

I move to **Deny** this zoning map amendment located on Guilford County Parcel #141333 from CZ-HI to CZ-HI Amended because:

1. The amendment **is not** consistent with applicable plans because:
[Describe elements of controlling land use plans and how the amendment is not consistent.]

2. The amendment **is not** reasonable and in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

CONDITIONAL ZONING CASE #22-10-PLBD-00024: FROM CZ-HI (ref. CASE #18-08-GCPL-04979) CONDITIONAL ZONING-HEAVY INDUSTRIAL TO CZ-HI AMMENDED
CONDITIONAL ZONING-HEAVY INDUSTRIAL: 2103 BISHOP ROAD

GUILFORD COUNTY PLANNING BOARD
ZONING MAP AMENDMENT STATEMENT OF CONSISTENCY

DECISION #3
APPROVE-INCONSISTENT
PLAN AMENDMENT

I move to **Approve** this zoning map amendment located on Guilford County Parcel #141333 from CZ-HI to CZ-HI Amended because:

1. This approval also amends the **Southern Area Plan**. [Applicable element of Comp Plan]
2. The zoning map amendment and associated **Southern Area Plan** amendment are based on the following change(s) in condition(s) in the **Southern Area Plan**:
[Explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.]

3. The amendment **is** reasonable and in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

**CONDITIONAL ZONING CASE #22-10-PLBD-00024: FROM CZ-HI (ref. CASE #18-08-GCPL-04979) CONDITIONAL ZONING-HEAVY INDUSTRIAL TO CZ-HI AMMENDED
CONDITIONAL ZONING-HEAVY INDUSTRIAL: 2103 BISHOP ROAD**

**GUILFORD COUNTY PLANNING BOARD
ZONING MAP AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #4
DENY-CONSISTENT
NO PLAN AMENDMENT**

I move to **Deny** this zoning map amendment located on Guilford County Parcel #141333 from CZ-HI to CZ-HI Amended because:

1. The amendment **is not** consistent with applicable plans because:
[Describe elements of controlling land use plans and how the amendment is consistent.]

2. The amendment **is** consistent but not in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

(Insert Color Paper)



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Conditional Zoning
Application**

Date Submitted: 10/11/22 Fee \$500.00 Receipt # 01308-212 Case Number 22-10-PLAD-00023

Provide the required information as indicated below. Pursuant to the Unified Development Ordinance (UDO), this application will not be processed until application fees are paid; the form below is completed and signed; and all required maps, plans and documents have been submitted to the satisfaction of the Enforcement Officer. A pre-application meeting with Planning staff is required. Scheduling for the Planning Board agenda will be based on the determination of a complete application submittal.

Pursuant to Section 3.5.M of the Unified Development Ordinance (UDO), the undersigned hereby requests Guilford County to rezone the property described below from the AZ AG zoning district to the CZ-HI-SR zoning district.

Said property is located at the terminus of Concord Church Road and southeast of A-1 Sandrock Landfill in Sumner Township; Being a total of: 14.732 acres.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # 2 3 4 5 7 5 (portion)

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Additional sheets for tax parcels are available upon request.

Check One:

- ☐ The property requested for rezoning is an entire parcel or parcels as shown on the Guilford County Tax Map.
- ☒ The property requested for rezoning is a portion of a parcel or parcels as shown on the Guilford County Tax Map; a written legal description of the property and/or a map are attached.

Check One:

- ☒ Public services (i.e. water and sewer) are not requested or required.
- ☐ Public services (i.e. water and sewer) are requested or required; the approval letter is attached.

Conditional Zoning Requirements:

- ☐ Zoning Sketch Plan. A sketch plan illustrating proposed conditions and other pertinent information is required for all conditional rezoning requests. Sketch elements not illustrating proposed conditions are subject to subdivision and site plan review. Refer to Appendix 2, Map Standards of the Unified Development Ordinance (UDO).
- ☒ Zoning Conditions. Use and/or development conditions must be provided. Complete Page 2 of this application. Refer to uses as listed in Table 4-3-1 of the Unified Development Ordinance (UDO).



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Conditional Zoning
Application**

Use Conditions

Uses of the property shall be limited to the following uses as listed in Article 4, Table 4-3-1 of the Unified Development Ordinance (UDO):

1) No access to Concord Church Road except for emergency purposes

2) Height of the facility shall not exceed 185 feet

3) This zoning is independent from 141333 zoning. Need to be specific on the type of facility this refers to.

Move to development conditions

4) use limited to C&D (and fill (major) and accessory uses

TO BE considered development conditions. T&T, Jr. 11/16/22

Development Conditions

Development of the property shall occur in accordance with the following standards and requirements in addition to those specified in the Unified Development Ordinance (UDO):

- 1) _____
- 2) _____
- 3) _____
- 4) _____

YOU OR SOMEONE REPRESENTING YOU MUST BE PRESENT AT THE PUBLIC HEARING

A Conditional Zoning Application must be signed by current property owner(s).

I hereby agree to conform to all applicable laws of Guilford County and the State of North Carolina and certify that the information provided is complete and accurate to the best of my knowledge. I acknowledge that by filing this application, representatives from Guilford County Planning and Development may enter the subject property for the purpose of investigation and analysis of this request.

Respectfully Submitted,

Bishop Partners, LLC

Property Owner Signature

By: W. Baby Ozzie

Name

7820 Little Pond Lane

Mailing Address

Summerfield, NC 27358

City, State and Zip Code

336-686-3333

Phone Number

Email Address

A-1 Sandrock, Inc.

Owner/ Representative/ Applicant Signature (if applicable)

By: R. Petty

Name

2606 Phoenix Drive, Suite 518

Mailing Address

Greensboro, NC 27406

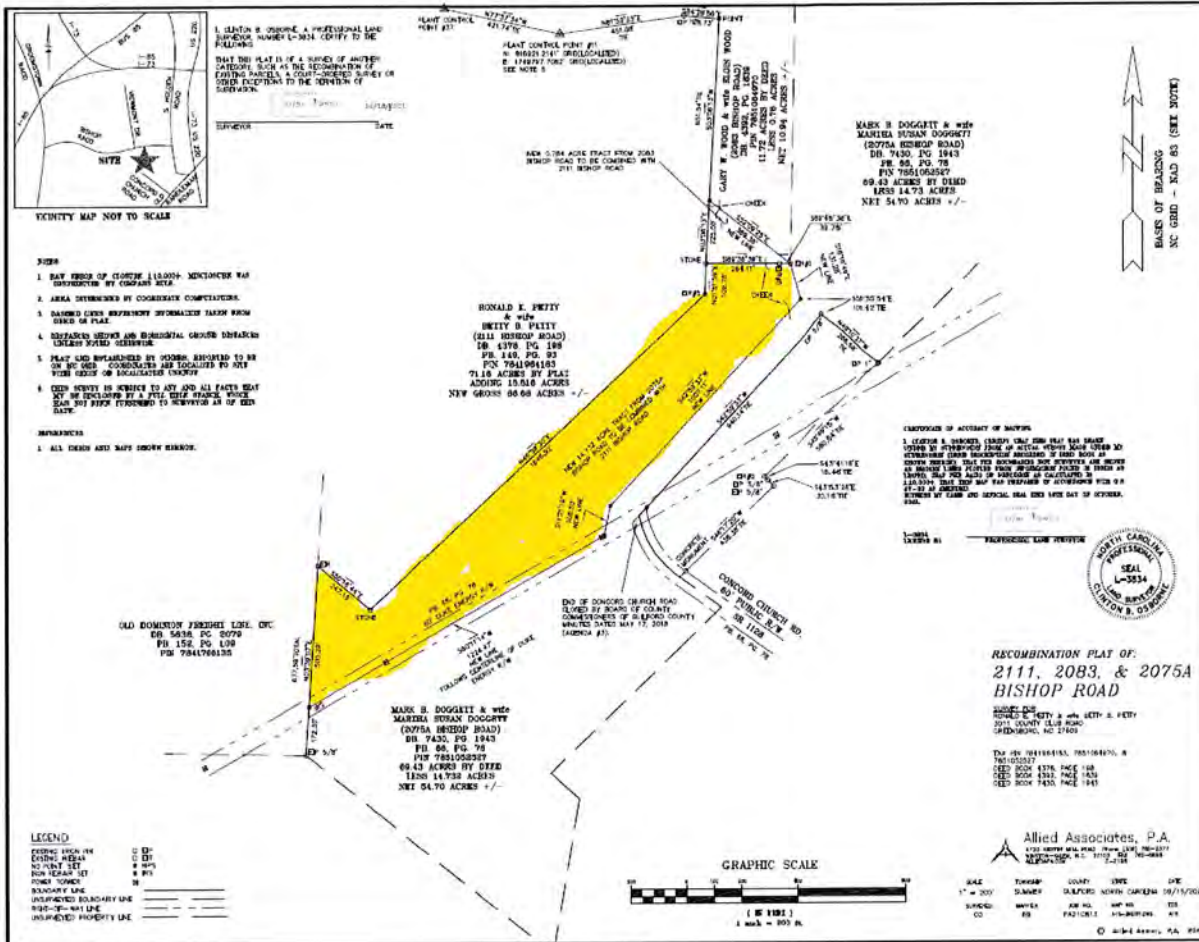
City, State and Zip Code

336-207-6052 ronniepetty@a1sandrockinc.com

Phone Number

Email Address

Exhibit A



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Exhibit B

BEGINNING at a point located in the northern margin of the 60' right of way Concord Church Road where it intersects with the western margin of the 60' right of way of Tokay Court; running thence along the northern margin of the 60' right of way of Concord Church Road, the following courses and distances: North 68° 05' 44" West 262.94 feet; North 55° 09' 17" West 712.11 feet and North 62° 20' 08" West 198.27 feet to a point located in the northern margin of the 60' right of way of Concord Church Road and the southeastern margin of property now or formerly Brooks Revocable Living Trust (See Deed Book 6603, Page 883, Guilford County Registry); thence along the eastern margin of Brooks Revocable Living Trust, the following courses and distances: North 00° 04' 33" West 645.76 feet, North 84° 57' 48" West 211.91 feet, North 05° 04' 07" East 140.47 feet and South 47° 39' 33" West 87.49 feet to a point located in the northeastern line of property now or formerly Sammy J. Seagraves (See Deed Book 6679, Page 1348, Guilford County Registry); thence along the northern line of Sammy Seagraves, South 47° 19' 06" West 248.40 feet to a point located in the northeastern line of property now or formerly Billy and Georgia Seagraves (See Book 3776, Page 638, Guilford County Registry); thence along the northern line of Billy Seagraves, South 50° 40' 02" West 261.67 feet to a point located in the northeastern line of property now or formerly Rodney and Michelle Stone (See Deed Book 5496, Page 234, Guilford County Registry); thence along the northern line of Stone and continuing along the western line of Stone the following courses and distances: North 59° 27' 09" West 299.61 feet, South 25° 46' 02" West 210.71 feet and South 25° 37' 46" West 210.43 feet to a point located in the northern margin of the 60' right of way of Concord Church Road; thence continuing along the northern margin of the 60' right of way of Concord Church Road, North 61° 16' 28" West 371.29 feet to a point located in the southeastern margin of property now or formerly John and Ellen Fields (See Deed Book 5466, Page 1108, Guilford County Registry); thence along the eastern margin of Fields, the following courses and distances: North 48° 48' 36" East 290.90 feet, North 32° 20' 11" East 701.96 feet, North 43° 54' 32" West 100.06 feet, North 69° 27' 18" West 135.24 feet and North 33° 52' 51" West 182.68 feet to a point located in the eastern margin of property now or formerly Truman Doggett (See Deed Book 4503, Page 1776, Guilford County Registry); thence along the eastern margin of Doggett, North 49° 01' 50" East 511.20 feet to a point located in the southern margin of an unopened and undedicated 60' street named Kelly Drive; thence along the southern margin of the unopened and undedicated 60' street named Kelly Drive, South 86° 41' 58" East 51.96 feet to a point located in the southeastern margin of Bishop Road Properties (See Deed Book 5344, page 135, Guilford County Registry); thence along the southern margin of Bishop Road Properties, South 86° 41' 58" East 239.93 feet to a point located in the southern margin of Sandra and Fay Herbin (See Deed Book 3218, page 368, Guilford County Registry); thence along the southern margin of Herbin, South 86° 43' 00" East 269.71 feet to a point located in the southern margin of property now or formerly Jacqueline Dukes Williams (See Deed Book 3875, page 1226, Guilford County Registry); thence along the southern margin of Williams, the following courses and distances: South 85° 25' 21" East 197.07 feet to a point, North 05° 04' 00" East 206.19 feet to a point, North 74° 42' 29" East 394.17 feet to a point located in the western margin of property now or formerly Sharon Hill Woods (See Deed Book 4362, Page 765, Guilford County Registry); thence along the western line of Woods, the following courses and distances: South 13° 29' 50" West

319.59 feet to a point, South 06° 41' 58" West 620.13 feet to a point, South 06° 48' 56" West 206.01 feet to a point, South 83° 41' 19" East 364.32 feet to a point, South 02° 47' 09" West 175.21 feet to a point and South 22° 20' 08" East 99.23 feet to a point and South 22° 20' 08" East 44.87 feet to a point located in the northwestern margin of the 60' right of way of Tokay Court; thence along the western margin of the 60' right of way of Tokay Court, South 22° 20' 08" East 249.25 feet to a point located in the northeastern margin of property now or formerly Lisa Miller (Sec Deed Book 5086, Page 1434, Guilford County Registry); thence along the boundary lines of the Miller property, the following courses and distances: South 67° 44' 31" West 111.50 feet to a point, South 07° 47' 14" East 160.16 feet and North 67° 39' 35" East 151.64 feet to a point located in the western margin of the 60' right of way of Tokay Court; thence along the 60' right of way of Tokay Court, the following courses and distances: South 22° 21' 07" East 335.50 feet to a point, South 10° 45' 52" East 175.63 feet to a point, South 06° 47' 38" East 98.68 feet to a point and South 06° 03' 38" East 178.59 feet to the point and place of BEGINNING and containing 56.73 acres more or less, as shown on survey by Joseph G. Stutts, PLLC, dated August 17, 2010 and entitled "Survey For Bessie B & Steve Cook".

CONDITIONAL ZONING CASE #22-10-PLBD-00023: FROM AG, AGRICULTURAL TO CZ-HI, CONDITIONAL ZONING-HEAVY INDUSTRIAL: 2075 ZZ BISHOP ROAD

Property Information

Located at 2075 ZZ Bishop Road (Guilford County Tax Parcel #234575 in Sumner Township), approximately 100 feet from the terminus of Concord Church Road and comprises approximately 14.73 acres.

Zoning History of Denied Cases: There is no record of denied case.

Nature of the Request

This is a request to conditionally rezone property from AG to CZ-HI with the following:

Use Conditions: Use shall be limited to C & D (Construction and Demolition (C & D) Debris) Landfill, Major and accessory uses.

Development Conditions: 1) No access to Concord Church Road except for emergency purposes; and 2) Height of the facility shall not exceed 185 feet.

District Descriptions

The **AG district** is intended to provide locations for agricultural operations, farm residences, and farm tenant housing on large tracts of land. This district is further intended to reduce conflicts between residential and agricultural uses and preserve the viability of agricultural operations. Commercial agricultural product sales - "agritourism" - may be permitted. The minimum lot size of this district is 40,000 square feet.

The **HI district** is intended to accommodate a broad range of heavy industrial uses including manufacturing, wholesaling, fabrication, resource extraction and specialized industrial operations that may create adverse impacts on incompatible uses including residential or sensitive habitats. Development should have access to arterial streets and highways.

The **CZ, Conditional Zoning District** is established as a companion district for every district established in Section 4-2. All regulations which apply to a general use zoning district also apply to the companion conditional zoning. All other regulations which may be offered by the property owner and approved by the Jurisdiction as part of the rezoning process apply.

Character of the Area

This request is in a heavily industrialized area south of the subject parcel with uses that include A-1 Sandrock Landfill, an asphalt plant, and a truck terminal along Bishop Road. The area south of the request consists of low-density single-family residentially subdivided lots along Concord Church Road.

Existing Land Use(s) on the Property:

The subject parcel is undeveloped. A Duke Energy easement runs along the southern boundary.

Surrounding Uses:

North: A-1 Sandrock Landfill operation

South: Although the southern portion of the lot has an LCID landfill, the portion that fronts Concord Church Road is primarily undeveloped.

East: An asphalt plant

West: Undeveloped

Historic Properties: There are no inventoried Historic Properties located on or near the property.

Cemeteries: No cemeteries are shown to be located on this property, but efforts should be made to rule out the potential of unknown grave sites.

Infrastructure and Community Facilities

Public School Facilities: No anticipated impact to public school facilities. No residential development is permitted in the requested zoning.

Emergency Response:

Fire Protection District: Pinecroft-Sedgefield FPSD

Miles from Fire Station: Approximately 0.8 miles

Water and Sewer Services:

Provider: Private Septic Systems and Wells

Within Service Area: No

Feasibility Study or Service Commitment: No

Transportation:

Existing Conditions: Bishop Drive is a Minor Thoroughfare under the Greensboro MPO Collector Street Plan. NCDOT 2019 Traffic Volume Count reported 4500 AADT near the Groometown Road intersection.

Proposed Improvements: The Greensboro MPO Collector Street Plan proposes an extension that would connect Viewpoint Drive to Kivett Drive that could impact subject property if implemented.

Projected Traffic Generation: Not available.

Environmental Assessment

Topography: Gently sloping and moderately sloping.

Regulated Floodplain/Wetlands:

There is no regulated floodplain on the property. There are no mapped wetlands on the property.

Streams and Watershed:

There are multiple mapped streams on the property. The property is located in the Randleman Lake (Deep River) WS-IV Water Supply Watershed in the General Watershed Area.

Land Use Analysis

Land Use Plan: Southern Area Plan

Plan Recommendation: Agricultural and Rural Residential

Consistency:

The proposed zoning is inconsistent with the recommendation of the Southern Area Plan. These designations primarily support agricultural and low-density residential uses. Typical uses in the HI district are not among those anticipated within these land use designations.

Recommendation

Staff Recommendation: Staff recommends approval.

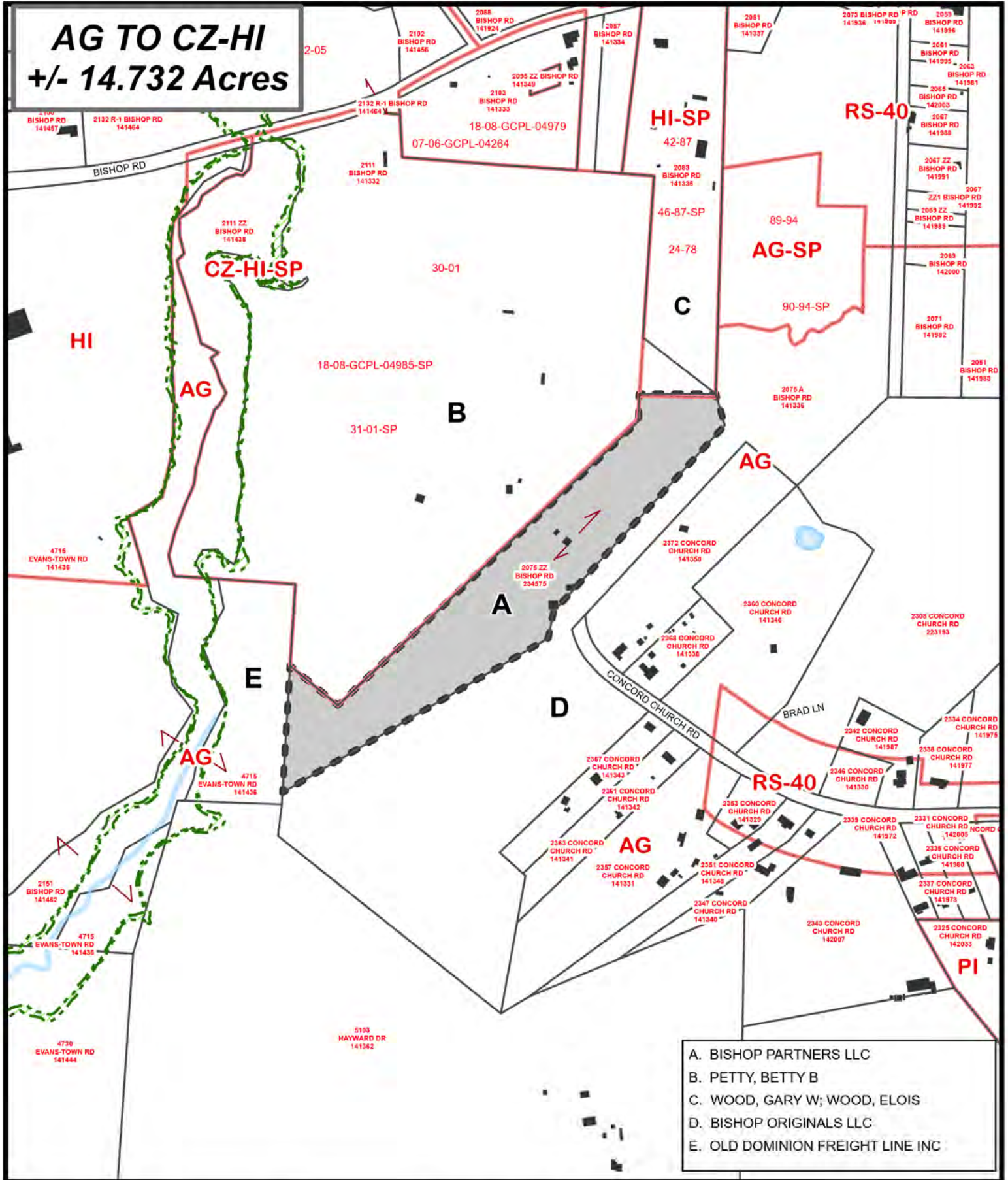
Although inconsistent with the area plan recommendations, the requested action is reasonable and in the public interest because it is basically an extension of the Conditional Zoning for the A-1 Sandrock operation immediately north. Both parcels are under the same ownership and the request proposes similar zoning conditions. The proposed use is similar to other uses to the south of the subject parcel. A minimum 50-foot Type A buffer is required along the adjacent residentially-zoned properties pursuant to the Guilford County Unified Development Ordinance. Additionally, access to the landfill site from Concord Church Road is restricted under the proposed development conditions. Finally, C & D landfills provide a means to properly dispose of waste-related material.

Area Plan Amendment Recommendation:

The proposed rezoning is inconsistent with the Southern Area Plan recommendation of Rural Residential and Agricultural; thus, if approved, an Area Plan amendment to Heavy Industrial (HI) is required.

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AG TO CZ-HI +/- 14.732 Acres

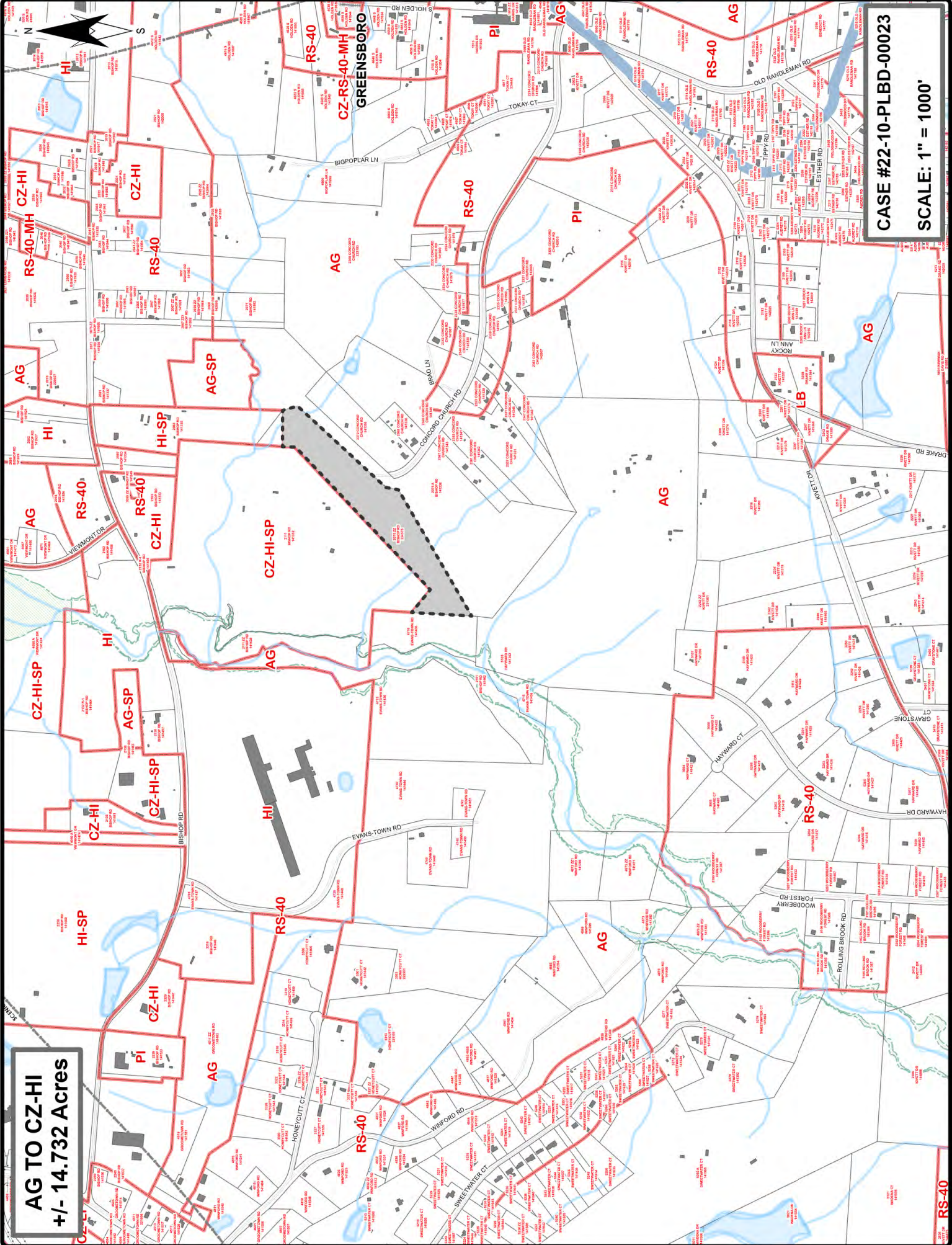


JURISDICTION:
GUILFORD COUNTY
Guilford County
Planning & Development
Department

Rezoning Case #
RZ-22-10-PLBD-00023
Scale: 1" = 500 '

Map:
234575





AG TO CZ-HI
+/- 14.732 Acres

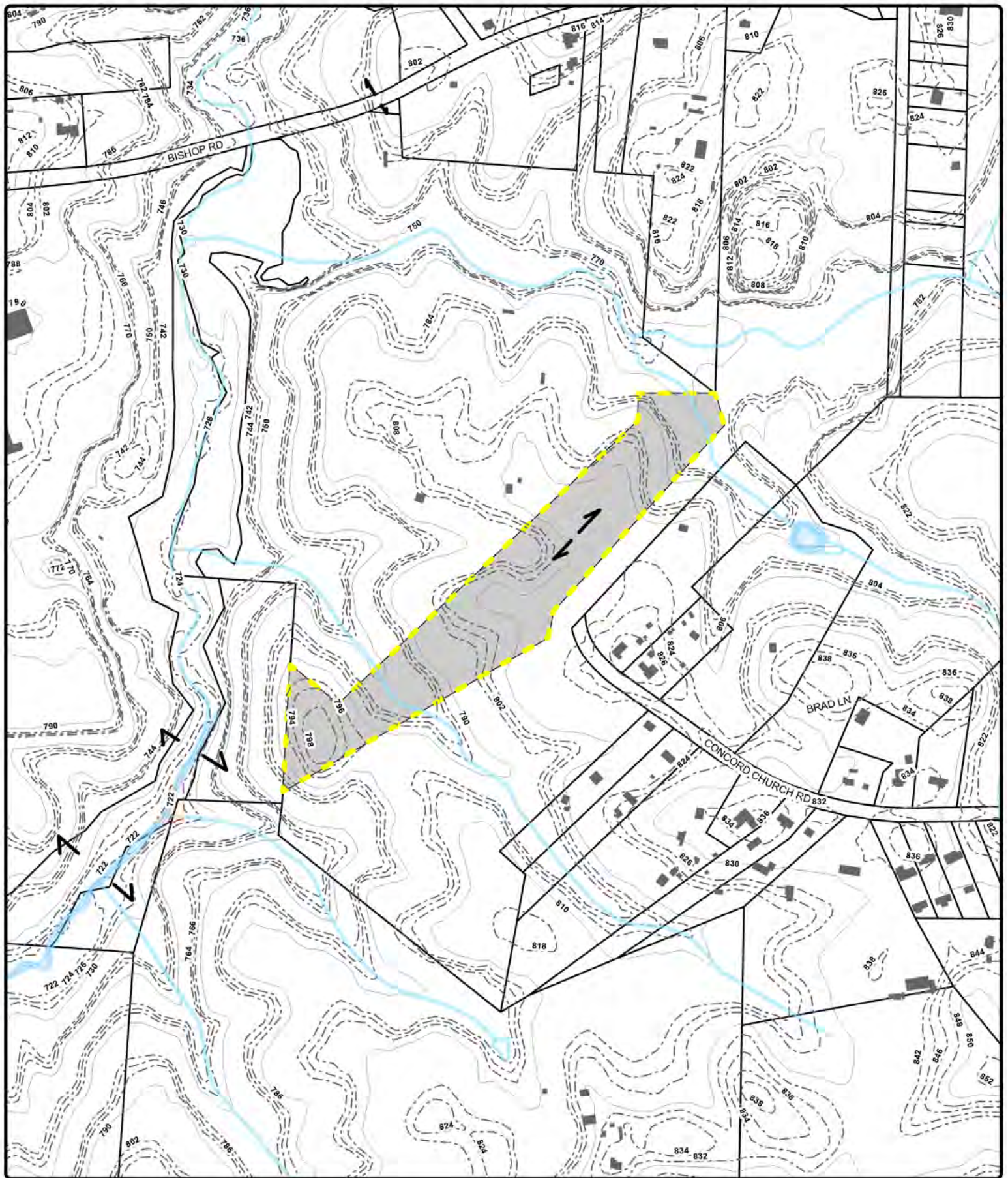
CASE #22-10-PLBD-00023
SCALE: 1" = 1000'



CASE #22-10-PLBD-00023

Scale: 1" = 500 '





CASE #22-10-PLBD-00023

Scale: 1" = 500'



**CONDITIONAL ZONING CASE #22-10-PLBD-00023: FROM AG, AGRICULTURAL TO CZ-HI,
CONDITIONAL ZONING-HEAVY INDUSTRIAL: 2075 ZZ BISHOP ROAD**

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

DECISION MATRIX

Zoning	Plan Consistency	Decision
Approve	Consistent	#1
Deny	Inconsistent	#2
Approve	Inconsistent	#3
Deny	Consistent	#4

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CONDITIONAL ZONING CASE #22-10-PLBD-00023: FROM AG, AGRICULTURAL TO CZ-HI,
CONDITIONAL ZONING-HEAVY INDUSTRIAL: 2075 ZZ BISHOP ROAD

GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY

DECISION # 1
APPROVE-CONSISTENT
NO PLAN AMENDMENT

I move to **Approve** this zoning amendment located on Guilford County Tax Parcel #234575, from AG to CZ-HI because:

1. The amendment **is** consistent with applicable plans because:
[Describe elements of controlling land use plans and how the amendment is consistent.]

2. The amendment **is** reasonable and in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

CONDITIONAL ZONING CASE #22-10-PLBD-00023: FROM AG, AGRICULTURAL TO CZ-HI,
CONDITIONAL ZONING-HEAVY INDUSTRIAL: 2075 ZZ BISHOP ROAD

GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY

DECISION #2
DENY-INCONSISTENT
NO PLAN AMENDMENT

I move to **Deny** this zoning amendment located on Guilford County Tax Parcel #234575, from AG to CZ-HI because:

1. The amendment **is not** consistent with applicable plans because:
[Describe elements of controlling land use plans and how the amendment is not consistent.]

2. The amendment **is not** reasonable and in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

**CONDITIONAL ZONING CASE #22-10-PLBD-00023: FROM AG, AGRICULTURAL TO CZ-HI,
CONDITIONAL ZONING-HEAVY INDUSTRIAL: 2075 ZZ BISHOP ROAD**

**GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #3
APPROVE-INCONSISTENT
PLAN AMENDMENT**

I move to **Approve** this zoning amendment located on Guilford County Tax Parcel #234575, from AG to CZ-HI.

1. This approval also amends the **Southern Area Plan**. [Applicable element of Comp Plan]
2. The zoning map amendment and associated **Southern Area Plan** amendment **are** based on the following change(s) in condition(s) in the **Southern Area Plan**:
[Explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.]

3. The amendment **is** reasonable and in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

CONDITIONAL ZONING CASE #22-10-PLBD-00023: FROM AG, AGRICULTURAL TO CZ-HI,
CONDITIONAL ZONING-HEAVY INDUSTRIAL: 2075 ZZ BISHOP ROAD

GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY

DECISION #4
DENY-CONSISTENT
NO PLAN AMENDMENT

I move to **Deny** this zoning amendment located on Guilford County Tax Parcel #234575, from AG to CZ-HI because:

1. The amendment **is** consistent with applicable plans because:
[Describe elements of controlling land use plans and how the amendment is consistent.]

2. The amendment **is** consistent but not in the public interest because:
[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]

(Insert Color Paper)



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Special Use Permit
Application**

AMENDED BY APPLICANT 11/16/22

Date Submitted: 10/7/22 Fee \$526.00 Receipt # REC-001306-2022 Case Number 22-10-PLBD-00025

Application amended on (includes \$26 recording fee)

Provide the required information as indicated below. Pursuant to the Unified Development Ordinance (UDO), this application will not be processed until application fees are paid; the form below is completed and signed; and all required maps, plans and documents have been submitted to the satisfaction of the Enforcement Officer. Additional sheets for tax references and signature blocks are available upon request.

Pursuant to Section 3.5.Q of the Unified Development Ordinance (UDO), the undersigned hereby requests Guilford County to authorize a Special Use Permit for the property described as being located See Exhibits A and D, attached

in Sumner Township; Being a total of: 86.676 acres. The property is in

the HI-SP and AG Zoning District. The proposed use(s) is (are) Receipt, recycling and landfilling of solid waste, Construction and Demolition Landfill, Major
CZ-HI (Ref# 30-01) & CZ-HI (Ref# CZ 22-10-PLBD-00023 pending) TET, Jr. 11/16/22
Further referenced by the Guilford County Tax Department as: TET, Jr. 11/16/22

Tax Parcel # 1 4 1 3 3 2

Tax Parcel # 2 3 4 5 7 5

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Additional sheets for tax parcels are available upon request.

Check One:

- ☐ The property requested for a Special Use Permit is an entire parcel or parcels as shown on the Guilford County Tax Map.
- ☒ The property requested for a Special Use Permit is a portion of a parcel or parcels as shown on the Guilford County Tax Map; a written legal description of the property and/or a map are attached with dimensions and bearings.

Check One:

- 08/13/22 ☒ Public services (i.e. water and sewer) are not requested or required.
- ☒ Public services (i.e. water and sewer) are requested or required; the approval letter is attached.

Check One:

- ☐ The applicant is the property owner(s)
- ☒ The applicant is an agent representing the property owner(s); the letter of property owner permission is attached.
- ☒ The applicant has an option to purchase or lease the property; a copy of the offer to purchase or lease to be submitted if the owner's signature is not provided (financial figures may be deleted).

Special Use Permit Requirements:

- ☒ **Site Plan.** A site plan illustrating conditions related to the request and compliance with applicable development standards must be attached for all Special Use Permit requests. Refer to Appendix 2, Map Standards of the Unified Development Ordinance (UDO).
- ☒ **Special Use Conditions.** Development conditions may be provided, list on following page. Refer to uses as listed in Table 4-3-1 of the Guilford County Development Ordinance. If conditions are not proposed, indicate 'not applicable'.
- 08/11/22 ☒ **Review Factor.** Applicant must demonstrate that the review factors listed in section 3.5.Q.3(g) of the UDO are adequately addressed.



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Special Use Permit
Application**

Please address the following and be prepared to present as sworn or affirmed testimony and evidence for the scheduled quasi-judicial hearing:

- ☒ 1. A written application was submitted and is complete in all respects.
- ☒ 2. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted. This conclusion is based the following:

See Exhibit B, attached

- ☒ 3. The use, a CIDLF facility and MSW transfer station, for which the Special Use Permit is sought, is in conformance with all special requirements applicable to this use. The use meets all required conditions and specifications. This is based on the following:

See Exhibit B, attached

- ☒ 4. That the location and character of the use, if developed according to the plan submitted, will be in harmony with the area in which it is to be located and is in general conformity with the plan of development of the Jurisdiction and its environs. This is based on the following:

See Exhibit B, attached

- ☒ 5. The use will not substantially injure the value of adjoining or abutting property or the use is a public necessity. This is based on the following:

See Exhibit B, attached



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Special Use Permit
Application**

Development Conditions

Development of the property shall occur in accordance with the following standards and requirements in addition to those specified in the Unified Development Ordinance (UDO):

- 1) 30-foot buffer along parcels 141335 and 141336 shall remain as undisturbed vegetative buffer
- 2) Access from Concord Church Road shall be for emergency access only (not for day-to-day operations) and this access will be gated and locked.
- 3) Facility height (i.e. height of landfill) shall be limited to 185 feet.
- 4) Tom Terrell 11/16/22
- 5)
- 6)
- 7)
- 8)

YOU OR SOMEONE REPRESENTING YOU MUST BE PRESENT AT THE EVIDENTIARY HEARING

A Special Use Permit Application must be signed by the current property owner(s).

I hereby agree to conform to all applicable laws of Guilford County and the State of North Carolina and certify that the information provided is complete and accurate to the best of my knowledge. I acknowledge that by filing this application, representatives from Guilford County Planning and Development may enter the subject property for the purpose of investigation and analysis of this request.

Respectfully Submitted,

Betty B. Petty
Property Owner Signature

Betty B. Petty

Name

3011 County Clare Road

Mailing Address

Greensboro, NC 27409

City, State and Zip Code

336 706-1401

Phone Number

Email Address

Thomas E. Terrell, Jr.
Owner/ Representative/Applicant Signature (if applicable)
Thomas E. Terrell, Jr.

Name

PO Box 21927

Mailing Address

Greensboro, NC 27420

City, State and Zip Code

336-847-2000

Phone Number

tterrell@foxrothschild.com

Email Address

Additional sheets for conditions and signatures are available upon request.

Exhibit A
A-1 Sandroock, Inc.
Special Use Permit Application

Tracts and Owners

Owner: Betty B. Petty
Acreage: 63.27
Parcel: 141332
Property Address: 2111 Bishop Road

Owner: Betty B. Petty
Acreage: 0.784
Parcel: A portion of parcel 141335, such larger portion containing 11.72 acres. Note – this 0.784 acreage was combined with the above parcel 141332 by Combination Deed.

Owner: Bishop Partners, LLC
Acreage: 14.732
Parcel: A portion of parcel 234575, such larger portion containing 69.43 acres. Note – this 14.732 acres will be acquired by A-1 Sandroock, Inc. by Exchange Agreement. Once this parcel is acquired and the SUP has been issued, A-1 Sandroock will file a recombination plat to combine all three parcels into one tract.

Exhibit B
A-1 Sandroock, Inc.
Special Use Permit Application

A-1 Sandroock, Inc., presents the following evidence that its application will meet the Guilford County standards for issuance of a Special Use Permit (SUP), with additional evidence to be presented at the hearing before the Planning Board:

1. A written application was submitted and is complete in all respects.

The Applicant submits that all required materials have been submitted.

2. The use will not materially endanger public health and safety if located where proposed and developed according to the plan proposed.

A. Public Health

This facility will only receive the materials it would be licensed to receive under NCAC 15A Chapter 13B for Construction and Demolition Debris materials. Commonly referred to as a "C&D," debris from construction or demolition waste consists of inert debris or organic materials (trees, leaves, stumps, dirt) from job clearing sites which are the same organic materials that exist in our yards and the forests that we hunt and hike in.

The "inert debris" consists of materials that do not decompose or react when they come into contact with water or other materials. The N.C. statutory definition is: "Inert debris" means solid waste which consists solely of material that is virtually inert and that is likely to retain its physical and chemical structure under expected conditions of disposal." N.C. Gen. Stat. § 130A-290(a)(14). By State law, these materials may only include the following, which are materials all of us are exposed to in our homes, churches, businesses, and schools: wood, asphalt, concrete, gypsum, metals, bricks, glass, and plastics.

The State of North Carolina has already determined that C&D facilities, if properly constructed and operated according to issued permits, are not materially dangerous to public health. In fact, there are dozens of active C&D facilities in the State of North Carolina that have been permitted and operate safely. The legal presumption is that the state will properly perform its job and require the applicant to demonstrate that it meets all state requirements.

Guilford County has already determined in previous hearings that this facility will not materially endanger public health and safety, and no changes have occurred in the

ownership or operation of this facility to enable the county find differently. At the hearing on the SUP, A-1 will provide a list of the extensive rules established by the State of North Carolina to ensure that C&D facilities are not a danger to public health and safety. These rules were adopted with input from the staff at the NC Department of Environmental Quality and vetted through public comment. Among the staff at NCDEQ involved in solid waste regulations are health care professionals, environmental engineers, groundwater specialists, and engineers specializing in the construction of solid waste facilities.

B. Public Safety

All landfill facilities of every kind, including C&D facilities, are required to meet stringent state regulations related to operations and maintenance. The regulations vary, depending upon the type of facility. There is nothing about the operation of a C&D facility that poses a material danger to the public. In fact, the public is not invited into this fenced-in facility.

There will not be sufficient additional traffic generated by this added land to trigger a traffic impact study. Instead, NCDOT will monitor site distances for driveway access during the driveway permitting process.

3. The use meets all required conditions and specifications.

The applicant affirms it has met all setback and other requirements established by ordinance. Should a deficiency be noted, the Applicant will immediately amend the site plan. The Applicant also notes that this provision is controlled by staff at the hearing stage and as well as at the permitting stage. If all requirements now existing are not met, no permit will be issued.

If NCDEQ requires minor changes to the site plan presented to the Guilford County Planning Board, those changes must be approved by the Guilford County Planning Department to ensure that they comply with Guilford County regulations. If they do not, then no building permits will be issued.

4. The location and character of the use, if developed according to the plan submitted, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the jurisdiction and its environs.

When Guilford County adopted its most recent zoning ordinance and allowed C&D facilities in HI zoning districts in the Table of Permitted Uses, it made a legislative determination that such facilities are harmonious and compatible with other uses within the district.

“Harmony” is not to be confused with similarity of appearance or function. For example, a residential home, a high school, and a police station are in no ways similar, yet they all exist by right in the same zoning districts in most counties in this state. Harmony addresses whether the proposed use prevents another use from performing its purpose. For example, a loud airport would be inharmonious next to a nursing home.

Regarding the general character of this area, the following uses are established in this area: the A-1 Sandrock facility itself, which has been long been located at this site; a quarry; a large freight terminal; an asphalt plant; regional MSW transfer facility; and other miscellaneous trucking and other industrial uses.

The Guilford County Land Use Plan Map shows this site to be best used for industrial purposes.

5. The use will not substantially injure the value of adjoining or abutting property, or the use is a public necessity.

A-1 Sandrock presented a market Impact Study by a local licensed N.C. appraiser when the facility was last expanded. She used methods that complied with the requirements of the Uniform Standards of Professional Appraisal Practice, including a paired sales analysis to compare the sales of properties adjacent to landfills with sales of comparable properties farther from the same landfill but within the same market and time frame. This study not only looked at C&D facilities but at other forms of waste disposal to determine if more impactful facilities (e.g., MSW with their heavier traffic, odor, perception of pollution, etc.) impact property values. It concludes from objective sales data that the market does not show diminution in value of adjoining properties caused by a C&D facility. She will present an updated study for the next hearing.

In the absence of any material changes since the last time the county issued A-1 Sandrock an SUP for this facility, the previous decisions operates as *res judicata* (binding precedent) on this board. (See, for example, *Mt. Ulla Historical Society v. Rowan County*).

Exhibit C

S I T E P L A N

Exhibit D

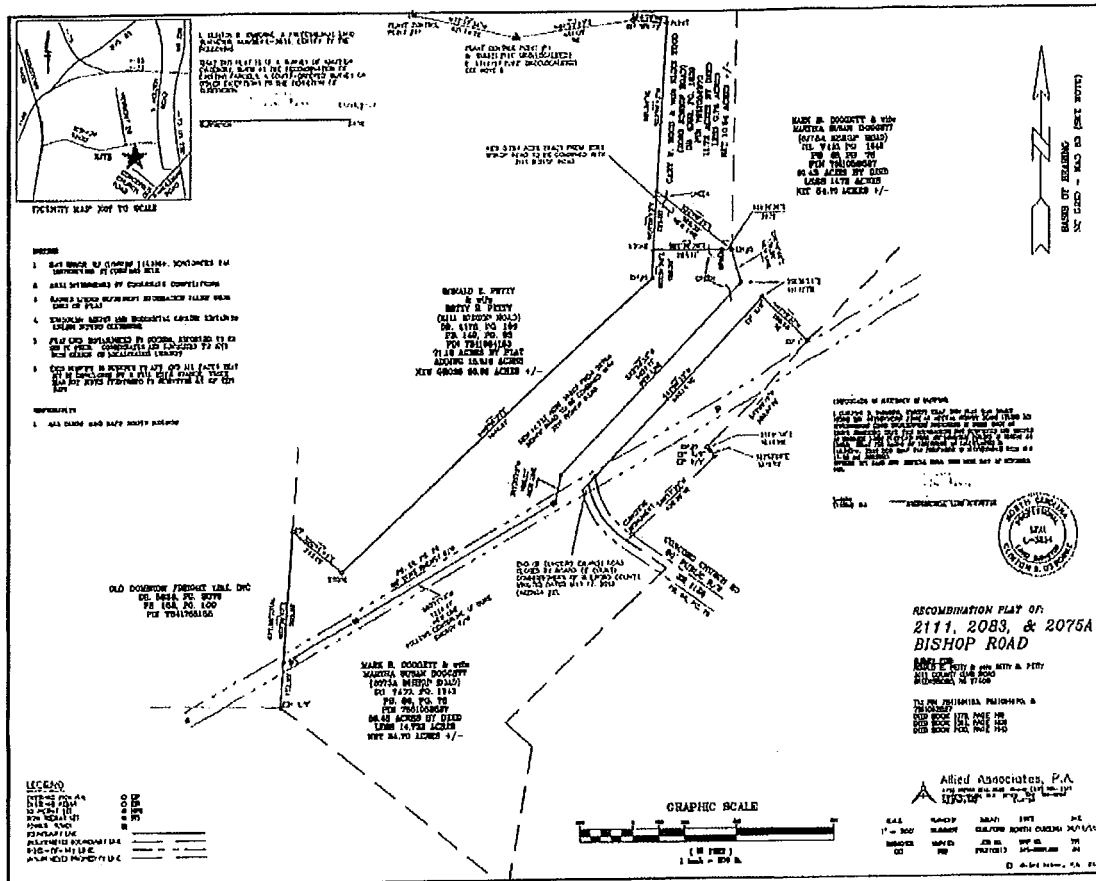


Exhibit E

BEGINNING at a point located in the northern margin of the 60' right of way Concord Church Road where it intersects with the western margin of the 60' right of way of Tokay Court; running thence along the northern margin of the 60' right of way of Concord Church Road, the following courses and distances: North 68° 05' 44" West 262.94 feet; North 55° 09' 17" West 712.11 feet and North 62° 20' 08" West 198.27 feet to a point located in the northern margin of the 60' right of way of Concord Church Road and the southeastern margin of property now or formerly Brooks Revocable Living Trust (See Deed Book 6603, Page 883, Guilford County Registry); thence along the eastern margin of Brooks Revocable Living Trust, the following courses and distances: North 00° 04' 33" West 645.76 feet, North 84° 57' 48" West 211.91 feet, North 05° 04' 07" East 140.47 feet and South 47° 39' 33" West 87.49 feet to a point located in the northeastern line of property now or formerly Sammy J. Seagraves (See Deed Book 6679, Page 1348, Guilford County Registry); thence along the northern line of Sammy Seagraves, South 47° 19' 06" West 248.40 feet to a point located in the northeastern line of property now or formerly Billy and Georgia Seagraves (See Book 3776, Page 638, Guilford County Registry); thence along the northern line of Billy Seagraves, South 50° 40' 02" West 261.67 feet to a point located in the northeastern line of property now or formerly Rodney and Michelle Stone (See Deed Book 5496, Page 234, Guilford County Registry); thence along the northern line of Stone and continuing along the western line of Stone the following courses and distances: North 59° 27' 09" West 299.61 feet, South 25° 46' 02" West 210.71 feet and South 25° 37' 46" West 210.43 feet to a point located in the northern margin of the 60' right of way of Concord Church Road; thence continuing along the northern margin of the 60' right of way of Concord Church Road, North 61° 16' 28" West 371.29 feet to a point located in the southeastern margin of property now or formerly John and Ellen Fields (See Deed Book 5466, Page 1108, Guilford County Registry); thence along the eastern margin of Fields, the following courses and distances: North 48° 48' 36" East 290.90 feet, North 32° 20' 11" East 701.96 feet, North 43° 54' 32" West 100.06 feet, North 69° 27' 18" West 135.24 feet and North 33° 52' 51" West 182.68 feet to a point located in the eastern margin of property now or formerly Truman Doggett (See Deed Book 4503, Page 1776, Guilford County Registry); thence along the eastern margin of Doggett, North 49° 01' 50" East 511.20 feet to a point located in the southern margin of an unopened and undedicated 60' street named Kelly Drive; thence along the southern margin of the unopened and undedicated 60' street named Kelly Drive, South 86° 41' 58" East 51.96 feet to a point located in the southeastern margin of Bishop Road Properties (See Deed Book 5344, page 135, Guilford County Registry); thence along the southern margin of Bishop Road Properties, South 86° 41' 58" East 239.93 feet to a point located in the southern margin of Sandra and Fay Herbin (See Deed Book 3218, page 368, Guilford County Registry); thence along the southern margin of Herbin, South 86° 43' 00" East 269.71 feet to a point located in the southern margin of property now or formerly Jacqueline Dukes Williams (See Deed Book 3875, page 1226, Guilford County Registry); thence along the southern margin of Williams, the following courses and distances: South 85° 25' 21" East 197.07 feet to a point, North 05° 04' 00" East 206.19 feet to a point, North 74° 42' 29" East 394.17 feet to a point located in the western margin of property now or formerly Sharon Hill Woods (See Deed Book 4362, Page 765, Guilford County Registry); thence along the western line of Woods, the following courses and distances: South 13° 29' 50" West

319.59 feet to a point, South 06° 41' 58" West 620.13 feet to a point, South 06° 48' 56" West 206.01 feet to a point, South 83° 41' 19" East 364.32 feet to a point, South 02° 47' 09" West 175.21 feet to a point and South 22° 20' 08" East 99.23 feet to a point and South 22° 20' 08" East 44.87 feet to a point located in the northwestern margin of the 60' right of way of Tokay Court; thence along the western margin of the 60' right of way of Tokay Court, South 22° 20' 08" East 249.25 feet to a point located in the northeastern margin of property now or formerly Lisa Miller (Sec Deed Book 5086, Page 1434, Guilford County Registry); thence along the boundary lines of the Miller property, the following courses and distances: South 67° 44' 31" West 111.50 feet to a point, South 07° 47' 14" East 160.16 feet and North 67° 39' 35" East 151.64 feet to a point located in the western margin of the 60' right of way of Tokay Court; thence along the 60' right of way of Tokay Court, the following courses and distances: South 22° 21' 07" East 335.50 feet to a point, South 10° 45' 52" East 175.63 feet to a point, South 06° 47' 38" East 98.68 feet to a point and South 06° 03' 38" East 178.59 feet to the point and place of BEGINNING and containing 56.73 acres more or less, as shown on survey by Joseph G. Stutts, PLLC, dated August 17, 2010 and entitled "Survey For Bessie B & Steve Cook".

SPECIAL USE PERMIT CASE #22-10-PLBD-00025: CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL, MAJOR AND ACCESSORY USES ON CONDITIONAL ZONING-HEAVY INDUSTRIAL (CZ-HI) ZONED PROPERTY: 2111 BISHOP ROAD

Property Information

Located at 2111 Bishop Road (Guilford County Tax Parcel #141332 and includes Tax Parcel #234575 located at 2075 ZZ Bishop Road in Sumner Township) and comprises approximately 86.7 acres.

Zoning History of Denied Cases: There is no history of denied cases.

Nature of the Request

Tax Parcel #141332 is currently under a Special Use Permit (Ref Case #31-01 SP and amendment Case 18-08-GCPL-04985 SP) for a Major Land Clearing and Inert Debris (LCID) Landfill, a Major Construction and Demolition Debris (C&D) Landfill, and Sandrock Mining Operation.

This request is for a Special Use Permit for a Major Construction and Demolition Debris Landfill with the following conditions: (1) 30-foot buffer along parcels 141335 and 141366 shall remain as undisturbed vegetative buffer; and (2) Access from Concord Church Road shall be for emergency access only (not for day-to-day operations) and this access will be gated and locked; Facility height (i.e. height of landfill) shall be limited to 185 feet. Subject properties are currently zoned CZ-HI (Ref Case #30-01) and pending zoning CZ-HI (Ref Case #22-10-PLBD-00023). The request would extend the C&D landfill operation to Parcel #234575. This request includes an associated Sketch Site Plan.

Character of the Area

This request is in a heavily industrialized area along Bishop Road. Several waste-related industries are concentrated in the area. These uses include a landfill operation, a solid waste transfer station, and a solid waste collection contractor. Other industrial uses in the area include an asphalt plant and a trucking terminal facility. The area south of the subject parcels on Concord Church Road consists of single-family dwellings on subdivided lots, which are separated by Duke Energy 60-foot easement per Plat Book 66, Page 78 in the Register of Deeds.

Existing Land Use(s) on the Property: Tax Parcel 141332 is currently operating under a Special Use Permit for a Major Land Clearing and Inert Debris (LCID) Landfill, a Major Construction and Demolition Debris (C&D) Landfill, and Sandrock Mining Operation. Tax Parcel 234575 is currently undeveloped. Duke Energy transmission line runs south of the subject parcel.

Surrounding Uses:

North: A solid waste transfer station, A-1 Landfill maintenance building, a closed LCID site, a solid waste collection company, and similar industrial uses.

South: Undeveloped and single-family lots along Concord Church Road
East: An asphalt plant and undeveloped land
West: Undeveloped land and a trucking terminal

Historic Properties: There are no inventoried Historic Properties located on or near the property.

Cemeteries: No cemeteries are shown to be located on this property, but efforts should be made to rule out the potential of unknown grave sites.

Infrastructure and Community Facilities

Emergency Response:

Fire Protection District: Pinecroft-Sedgefield FPSD

Miles from Fire Station: Approximately 0.8 miles

Water and Sewer Services:

Provider: Private Septic Systems and Wells, public water and sewer are not available.

Within Service Area: No

Feasibility Study or Service Commitment: No

Transportation:

Existing Conditions: Bishop Drive is a Minor Thoroughfare under the Greensboro MPO Collector Street Plan. NCDOT 2019 Traffic Volume Count reported 4500 AADT near the Groometown Road intersection.

Proposed Improvements: The Greensboro MPO Collector Street Plan proposes an extension that connects Viewpoint Drive to Kivett Drive that could impact subject property if implemented. New site plans are subject to an NCDOT driveway permit.

Projected Traffic Generation: Not available.

Environmental Assessment

Topography: Nearly flat, gently sloping, moderately sloping and steeply sloping.

Regulated Floodplain/Wetlands:

There is regulated floodplain on the property, including 100-year floodplain. There are no mapped wetlands on the property.

Streams and Watershed:

There are multiple streams running throughout the property. The property is located in the Randleman Lake (Deep River) WS-IV Water Supply Watershed in the General Watershed Area.

Land Use Analysis

Land Use Plan: Southern Area Plan

Plan Recommendation: Heavy Industrial

The Heavy Industrial recommendation is designated to recognize land depicted as Industrial on the original Area Plan or land currently zoned Heavy Industrial (HI) that is or could be developed under the HI standards of the Guilford County Development Ordinance.

Consistency:

Contingent on the rezoning of Parcel 234575 the site is consistent with the recommendation of the Southern Area Plan.

Review Factors: Article 3.Q.G from the Guilford County UDO

The applicant shall demonstrate that the review factors listed below have been adequately addressed.

1. Circulation: Number and location of access points to the property and the proposed structures and uses, with particular reference to automotive, pedestrian safety, traffic flow and control, and access in case of emergency: **Per the submitted sketch plan and proposed conditions in this application, access will be from Bishop Drive. Access from Concord Church Road will be restricted to emergency service vehicles. An NCDOT commercial driveway permit will be required during the official commercial site plan review process.**
2. Parking and Loading: Location of off-street parking and loading areas: **Parking for a Major Construction and Demolition Debris Landfill is subject to TABLE 6-1-1: PARKING REQUIREMENTS of the Guilford County UDO, which requires a minimum of 1 space per 2500 sf (GFA) for waste-related industrial uses. Upon receiving a plan review application for a use subject to this Subsection, the Planning & Development Director is authorized to apply the off-street parking standard applicable to the use or establish the off-street parking requirements by reference to standard parking resources published by the National Parking Association or the American Planning Association**
3. Service Entrances and Areas: Locations of refuse and service areas with adequate access for services vehicles: **Locations of service areas will be reviewed to allow for adequate access for all service vehicles at TRC when the official site plan is submitted for review per 6.1 in the Guilford County UDO.**
4. Lighting: Location of lighting with reference to spillage & glare, motorist & pedestrian traffic safety, and compatibility with other property in the area: **A lighting plan will be reviewed at TRC when the official site plan is submitted for review per 6.3 of the Guilford County UDO.**
5. Utilities: Location and availability of utilities (public or private): **Septic evaluation will be regulated by the Guilford County Environmental Health Department upon site plan review by TRC. Utility easements will be reviewed at TRC.**
6. Open Spaces: Location of required street yards and other open spaces and preservation of existing trees and other natural features (where applicable): **Landscaping requirements will be reviewed by TRC for compliance with Article 6.2 of the Guilford County UDO.**

7. Environmental Protection: Provisions to protect floodplains, stream buffers, wetlands, watersheds, open space and other natural features: **Environmental regulations will be reviewed by Guilford County's Watershed/Stormwater Division at TRC to meet all environmental regulations per Article 9 of the Guilford County UDO.**
8. Landscaping, Buffering & Screening: Installation of landscaping, fencing or berming for the purpose of buffering and screening where necessary to provide visual screening where appropriate: **A minimum 50-foot Type A buffer is required along adjacent residentially-zoned properties pursuant to the Guilford County UDO. A 200' NCDEQ buffer is shown on the submitted sketch plan.**
9. Effect on Nearby Properties: Effects of the proposed use on nearby properties, including, but not limited to, the effects of noise, odor, lighting, and traffic: **Lighting plan requirements will be required and reviewed at TRC per Article 6.3 of the Guilford County UDO.**
10. Compatibility: The general compatibility with nearby properties, including but not limited to the scale, design, and use in relationship to other properties: **Major Construction and Demolition Debris Landfill is similar to surrounding uses in the area along Bishop Drive and HI-zoned properties are required to have landscape buffers around the entire perimeter of the facility.**

Staff Comments

During consideration of a Special Use Permit, the Planning Board must determine that the following Findings of Fact have been satisfied based upon relevant and credible evidence presented during the hearing:

1. A written application was submitted and is complete in all respects;
2. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted;
3. The use, Major Construction and Demolition Debris Landfill, subject to the submitted Sketch Site Plan along with the following proposed conditions: (1) 30-foot buffer along parcels shall remain as undisturbed vegetative buffer; and (2) Access from Concord Church Road shall be for emergency access only (not for day-to-day operations) and this access will be gated and locked. incorporated into the site plan; Facility height (i.e. height of landfill) shall be limited to 185 feet, for which the Special Use Permit is sought, is in conformance with all special requirements applicable to this use. The use meets all required conditions and specifications;
4. That the location and character of the use, if developed according to the plan submitted, will be in harmony with the area in which it is to be located and is in general conformity with the plan of development of the Jurisdiction and its environs; and
5. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity.

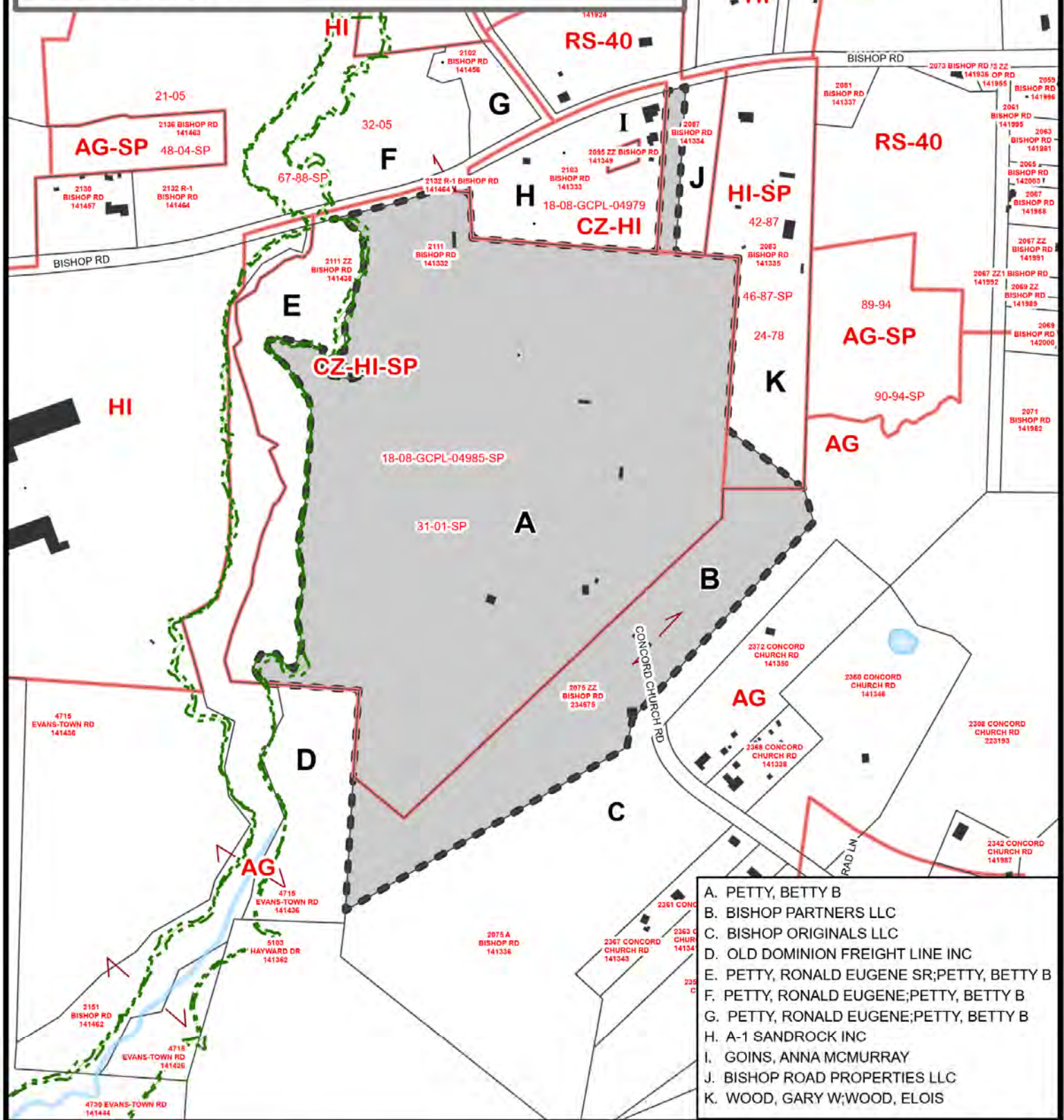
After reviewing the proposed development plan for this request, staff offers the following for

Planning Board consideration:

1. The development of the parcel shall comply with all regulations as specified in the Guilford County Unified Development Ordinance (GCUDO).
2. The development shall proceed in conformity with all amended plans and design features submitted as part of the Special Use Permit Application and kept on file by the Guilford County Planning and Development Department.
3. The development shall proceed upon approval of plan and design features by the Technical Review Committee (TRC), illustrating conditions related to the request and applicable development standards.
4. Added conditions if applicable.
5. If the specified conditions addressed in this Special Use Permit are violated, the permit shall be revoked, and the use will no longer be allowed. Only by reapplying to the Planning Board for another Special Use Permit and receiving its approval can the use be again permitted.

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CZ-HI-SP (Ref Case #18-08-GCPL-04985) to CZ-HI-SP: C&D Landfill and Recycling Facility +/- 86.676 Acres



JURISDICTION:
GUILFORD COUNTY
Guilford County
Planning & Development
Department

Rezoning Case #
SUP-22-10-PLBD-00025
Scale: 1" = 500'

Map:
141332 & 234575



**CZ-HI-SP (Ref Case #18-08-GCPL-04985) to
CZ-HI-SP: C&D Landfill and Recycling Facility
+/- 86.676 Acres**

**CASE #22-10-PLBD-00025
SCALE: 1" = 1000'**

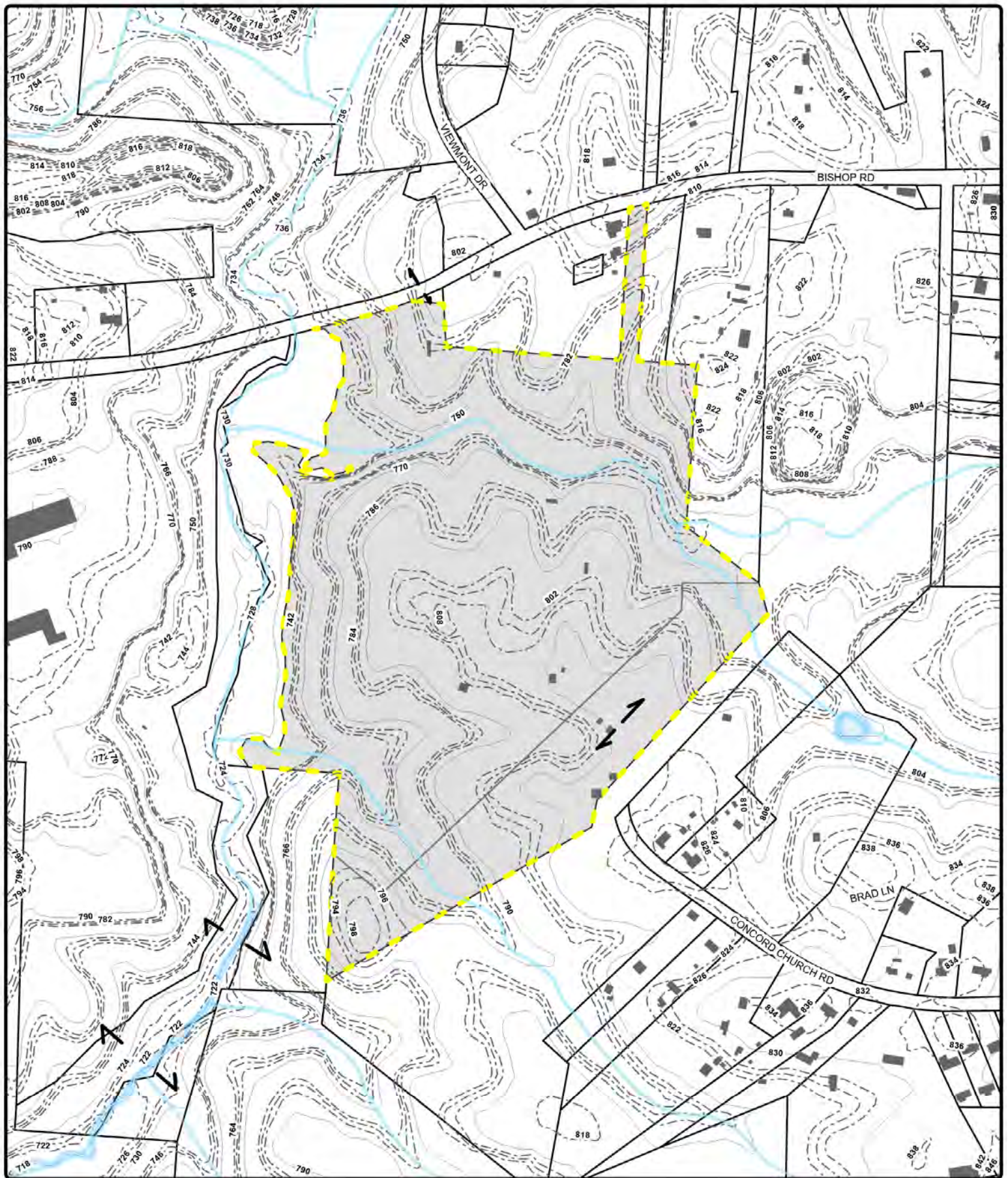
SCALE: 1" = 1000'



CASE #22-10-PLBD-00025

Scale: 1" = 500'





CASE #22-10-PLBD-00025

Scale: 1" = 500'





SUBMITTAL SUMMARY REPORT (22-10-PLBD-00025) FOR GUILFORD COUNTY

PERMIT ADDRESS: 2111 BISHOP RD
GREENSBORO, NC 27406

PARCEL: 141332

APPLICATION DATE: 10/13/2022

SQUARE FEET: 0

DESCRIPTION: A-1 SANDROCK - SUP FOR CONSTRUCTION AND DEMO LANDFILL; PORTION OF PARCEL WAS EXTRACTED FROM ADJACENT PARCEL 141335 WHICH IS UNDER A SUP FOR ASPHALT PLANT.

EXPIRATION DATE:

VALUATION: \$0.00

CONTACTS	NAME	COMPANY	ADDRESS
Applicant	THOMAS TERRELL	FOX ROTHSCHILD LLP	
Attorney	THOMAS TERRELL	FOX ROTHSCHILD LLP	
Billing	RONNIE PETTY	A-1 SANDROCK, INC	2606 PHOENIX DR 518 GREENSBORO, NC 27406
Owner	BETTY PETTY		

SUBMITTAL	STARTED	DUE	COMPLETE	STATUS
Sketch Plan Review v.1				Not Received
Sketch Plan Review v.1				Not Received
Sketch Plan Review v.1	10/25/2022	10/31/2022	11/16/2022	Revise & Re-Submit
Sketch Plan Review v.2	11/16/2022	11/16/2022		In Review
Planning Board Review v.1				Not Received

SUBMITTAL DETAILS

Sketch Plan Review v.1

ITEM REVIEW NAME (DEPARTMENT)	ASSIGNED TO	DUE	COMPLETE	STATUS
Building (Building/Inspections)	Jim Lankford	10/31/2022	11/16/2022	Revise and Resubmit - No TRC
<i>Comments</i>	"revise and resubmit" entered by Obass to allow closeout of Review of V2.			
Environmental Health Review (Environmental Health)	Jason Shelton	10/31/2022	11/16/2022	Revise and Resubmit - No TRC
<i>Comments</i>	Health has higher review priority. Entered "revise and resubmit" based on comments to allow other reviewers to update review status .			
Environmental Services Review (Solid Waste)	Clyde Harding	11/16/2022	11/16/2022	Revise and Resubmit - No TRC
<i>Comments</i>	"revise and resubmit" entered by Obass to allow closeout of Review of V2.			
Fire Review (Fire Marshal)	Michael Townsend	10/31/2022	11/16/2022	Revise and Resubmit - No TRC
<i>Comments</i>	"revise and resubmit" entered by Obass to allow closeout of Review of V2.			
Planning (Planning/Zoning)	Oliver Bass	10/31/2022	11/16/2022	Revise and Resubmit - No TRC
<i>Comments</i>	<ol style="list-style-type: none">1. A triangular portion of Parcel 141335 was added to the main parcel (Parcel #141332). A special use permit for the asphalt plant requires a 30-foot buffer along side and rear of Parcel 141335. This 30-ft buffer between adjacent Parcel 141336 should remain if the SUP is approved. Consider adding as a development condition.2. The proposed use provided in application should be as listed in the UDO Permitted Use Table (Construction and Demolition Landfill, Major, and Recycling Facility).3. Indicate boundary of Type D (5') Planting Yard.4. Add development conditions approved under current Conditional Zoning Cases 30-01 and 22-10-PLBD-00023 as development conditions for the proposed SUP. Proposed development conditions include: 1) No access to Concord Church Road except for emergency purposes; and 2)Height of the facility shall not exceed 185 feet.5. If the SUP is approved, a formal major site plan must be submitted and approved. Site plan must illustrate compliance with approved conditions and the UDO, including the associated development standards under Section 5.15.A. Add conditions to site plans.6. Appropriate staff must determine that sketch site plan is sufficient for Planning Board review with the SUP			
Watershed Review (Watershed)	Brent Gatlin	12/09/2022	11/16/2022	Revise and Resubmit - No TRC
<i>Comments</i>				

SUBMITTAL SUMMARY REPORT (22-10-PLBD-00025)

11/1/22 Watershed Comments on SUP and exhibits for 11/1/22 TRC Meeting (Revise & Resubmit):

Exhibit F1 Overall Facility Plan:

1. Revise Site Plan Note 6 to: "Water Supply Watershed: Lower Randleman Lake WS-IV, General Watershed Area (GWA). Development restrictions may apply."
2. Add 50' Riparian Buffer Detail to plan.
3. Show and label both 30' Zone 1 and 20' Zone 2 of the 50' Riparian Buffer at streams.
4. Clarify info for the device labeled as "Permitted Stormwater Basin" which appears to be a Sediment Basin for erosion control purposes based on record 2003 Site Plan. This device was not permitted by Guilford County as a permanent Stormwater Control Measure. Recommend revising label to "Sediment Basin".
5. Provide approval documentation (approved plan & permit/letter) related to the referenced "NC Stormwater Permit NCG020458".
6. There is a potential wetland in the Proposed CDLF Expansion area according to 2003 Site Plan Application plan set titled "A-1 Sandrock C & D Landfill Phase 1 Through 4" signed/sealed 1/28/2003 by David Garrett, PE, Engineering & Geology and stamped approved by Guilford County 7/29/2003.
 - a. Show jurisdictional wetland or provide USACE determination / documentation stating otherwise.
7. Add the "Drainageway and Open Space" area recorded at floodplain with plat PB 149 PG 093.
8. It appears retaining walls are proposed on eastern / northeastern side of landfill in close proximity to stream and stream buffer. Label these features.
 - a. [Advisory Comment]: Detailed plans with proposed grades and limits of disturbance with be required with Site Plan submission. Must clearly demonstrate how impacts to buffers and streams will be avoided with wall construction, or appropriate permits obtained for impacts prior to Site Plan approval.
9. [Advisory Comment]: 401 & 404 Permitting maybe required from NCDEQ & USACE pending impacts to streams, wetlands or other water bodies of the US. Permits required prior to Site Plan and grading permit approval.
10. [Advisory Comment]: A Watershed Development Plan (WDP) will be required for review with Site Plan submission to the County. The CDLF site will be low-density and the Transfer Station site will be high-density based on reported BUA info. Stormwater Control Measure will be required at Transfer Station site to treat stormwater runoff from all BUA. General WDP Checklist attached.
11. [Advisory Comment]: No fill is allowed in the 100-year Floodplain per Guilford County UDO Section 9.3.P.1.p.
12. [Advisory Comment]: Floodplain Development Permit is required from Guilford County prior to any development or land disturbance within the 100-year Floodplain.
 - a. The Existing Sediment Basin on west side of site is in close proximity to the 100-year Floodplain. If Sediment Basin requires modifications or maintenance with work extending into 100-year Floodplain, then the Owner must obtain a Floodplain Development Permit prior to work.
13. [Advisory Comment]: Buffer Authorization from Guilford County will be required prior to Site Plan approval, if needed pending proposed impacts / extents of work.

Exhibit F2 Transfer Station Plan:

14. [Advisory Comment]: Below are to be addressed with Site Plan & Watershed Development Plan submission for the Transfer Station.
 - a. Add "SCM Maintenance & Access Easement" from ROW to and around the permanent Stormwater Control Measure.
 - b. Add Drainage along storm piping discharging ROW runoff through the site from Bishop Rd to the south.
 - c. See Comments 1 to 3.
15. [Advisory Comment]: Easements to be recorded after Site Plan approval and prior to TCO.
16. See [Advisory Comments] 9 to 13 which also apply to the Transfer Station.

eREVIEW SESSION FILES:
 1-App -00025 Exh E-Property Description.pdf
 1-App -00025.pdf
 A-1 Master Drawing MSE 2020 exhibit F1 (1)-C.pdf

REVIEWER	MARKUP	DATE/TIME	FILE NAME	PG #
OBass	Add development conditions listed in the application here.	CZ 10/31/2022 6:53 pm	1-App -00025.pdf	3
OBass	List proposed use as presented in UDO Use Table: Construction or Demolition Debris Landfill, Major	10/31/2022 6:56 pm	1-App -00025.pdf	1
K Brent Gatlin	Approximate Location of Delineated Wetlands shown on 2003 Site Plan. Applicant to verify status of wetlands. USACE determination and permit maybe required.	10/31/2022 9:01 pm	A-1 Master Drawing MSE 2020 exhibit 1 F1 (1)-C.pdf	

Sketch Plan Review v.2

ITEM REVIEW NAME (DEPARTMENT)	ASSIGNED TO	DUE	COMPLETE	STATUS
Building (Building/Inspections)	Jim Lankford	11/16/2022		In Review
Environmental Services Review (Solid Waste)	Clyde Harding	11/16/2022		In Review
Fire Review (Fire Marshal)	Michael Townsend	11/16/2022		In Review

SUBMITTAL SUMMARY REPORT (22-10-PLBD-00025)

Planning (Planning/Zoning)	Oliver Bass	11/16/2022	In Review
Watershed Review (Watershed)	Brent Gatlin	12/09/2022	In Review

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GUILFORD COUNTY
PLANNING AND DEVELOPMENT DEPARTMENT

June 14, 2001

Ronald Eugene Petty
2142 Bishop Road
Greensboro, NC 27406

Dave Southard
Evans Engineering
P.O. Box 10285
Greensboro, NC 27407

Charles L. White
221 Commerce Place
Greensboro, NC 27401

RE: CASE #31-01-SP

Gentlemen:

Following a public hearing on June 13, 2001 and after carefully considering all the evidence presented regarding the application for a Special Use Permit for a Major Land Clearing and Inert Debris (LCID) Landfill, a Major Construction and Demolition Debris (C&D) Landfill, and Sandrock Mining Operation, the Guilford County Planning Board found from the credible evidence that the Special Use Permit should be approved for the following property:

Located on the south side of Bishop Road (SR 1116) approximately 800 feet west of Viewmont Road (SR 1125) in Sumner Township. Being Guilford County Tax Map 3-185, Block 739-W, Parcel 7, approximately 70.2 acres. Lower Randleman Lake Watershed.

The approval of the Special Use Permit is subject to the following conditions:

1. The height of landfill not to exceed 150 feet above existing grade.
2. Access from Concord Church Road limited to police/fire/EMT/ambulance vehicles only.
3. The Newman Log Cabin shall be buffered or protected from landfill operations.
4. A site access study must be completed prior to final site plan approval with recommendations from the study incorporated into the site plan.

This decision is final unless it is appealed in writing to the Clerk to the Board of County Commissioners within fifteen (15) days of the June 13, 2001 Planning Board public hearing. If appealed, you will be notified by the Clerk to the Board of County Commissioners of the place, date, and time of the public hearing.

Very truly yours,

Mark E. Kirstner, Secretary
Guilford County Planning Board

/1

cc: Effie Varitimidis, Clerk to Board of County Commissioners
Post Office Box 3427 • Greensboro, North Carolina 27402
Telephone: (336) 373-3334



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD**

September 13, 2019

Ronald Eugene Sr & Betty B Petty
3011 County Clare Rd
Greensboro, NC 27409

Thomas Terrell
300 N Greene St
Greensboro, NC 27401

SPECIAL USE PERMIT CASE #18-08-GCPL-04985

Following a public hearing on September 12, 2018 and after carefully considering all the evidence presented regarding the application for a Special Use Permit for the property located on the south side of Bishop Road, at its intersection with Viewmont Drive in Sumner Township, being Guilford County Tax Parcel #0141438 & #0141332, approximately 71.16 Acres, the Guilford County Planning Board found from the credible evidence that the Special Use Permit to amend the height of an existing Landfill should be approved and subject to the following conditions:

Development Conditions:

1. The height of the landfill shall not exceed 185 feet above existing grade.

This decision is final unless it is appealed by 5:00 pm on September 27, 2018. If appealed, you will be notified by the Clerk to the Board of County Commissioners of the place, date, and time of the public hearing.

Very truly yours,

A handwritten signature in black ink, reading "Leslie P. Eger".

Leslie P. Eger, Secretary
Guilford County Planning Board

400 W Market Street
Post Office Box 3427, Greensboro, North Carolina 27402
Telephone 336-641-3334 Fax 336-641-6988